

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

Notice of Intent To Grant Exclusive License

AGENCY: Agricultural Research Service, USDA.

ACTION: Notice of intent.

SUMMARY: Notice is hereby given that the U.S. Department of Agriculture, Agricultural Research Service, intends to grant to North Carolina State University of Raleigh, North Carolina, an exclusive license to the soybean variety named "N7003CN".

DATES: Comments must be received on or before March 22, 2012.

ADDRESSES: Send comments to: USDA, ARS, Office of Technology Transfer, 5601 Sunnyside Avenue, Rm. 4-1174, Beltsville, Maryland 20705-5131.

FOR FURTHER INFORMATION CONTACT: June Blalock of the Office of Technology Transfer at the Beltsville address given above; telephone: 301-504-5989.

SUPPLEMENTARY INFORMATION: The Federal Government's rights in this plant variety are assigned to the United States of America, as represented by the Secretary of Agriculture. The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive license may be granted unless, within thirty (30) days from the date of this published Notice, the Agricultural Research Service receives written evidence and argument which establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

Richard J. Brenner,
Assistant Administrator.

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DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. FSIS-2010-0023]

Shiga Toxin-Producing *Escherichia coli* in Certain Raw Beef Products

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: New schedule for implementation of routine testing and verification activities.

SUMMARY: The Food Safety and Inspection Service (FSIS) is announcing a new date for when it will implement routine verification sampling and testing for raw beef manufacturing trimmings for six non-O157 Shiga toxin-producing *Escherichia coli* (STEC) serogroups (O26, O45, O103, O111, O121, and O145). This new date will provide additional time for establishments and laboratories to validate their test methods. FSIS announced in September 2011 plans to test certain raw beef products for these six STEC serogroups in addition to O157:H7. FSIS has determined that these organisms are adulterants of raw ground beef products and product components under the Federal Meat Inspection Act (FMIA).

DATES: Beginning June 4, 2012, FSIS will implement routine verification activities, including testing, for the six additional STEC discussed in this document (O26, O45, O103, O111, O121, and O145), of raw beef manufacturing trimmings (domestic or imported) derived from cattle slaughtered on or after June 4, 2012. To facilitate compliance with the policy, and to allow industry time to implement any necessary changes in their food safety systems, FSIS will generally not regard raw, non-intact beef products or the components of these products found to have these pathogens as adulterated until June 4, 2012.

FOR FURTHER INFORMATION CONTACT: Daniel Engeljohn, Ph.D., Assistant Administrator, Office of Policy and Program Development, Food Safety and Inspection Service, U.S. Department of Agriculture, (202) 205-0495.

SUPPLEMENTARY INFORMATION:

Background

On September 20, 2011, FSIS published a **Federal Register** notice

announcing a final determination that raw, non-intact beef products or raw, intact beef products that are intended for use in raw, non-intact product, that are contaminated with Shiga toxin-producing *Escherichia coli* (STEC) O26, O45, O103, O111, O121, and O145, are adulterated within the meaning of 21 U.S.C. 601(m)(1) and (m)(3)(76 FR 58157; Sep. 20, 2011).

FSIS announced that it intended to implement a verification sampling and testing program for the six non-O157 STEC, as it already does for *E. coli* O157:H7. The Agency intended to begin this verification sampling and testing on March 5, 2012. The Agency noted that it would initially sample raw beef manufacturing trimmings and other ground beef components for the six non-O157 STEC, but that it would consider other products, including raw ground beef, contaminated with these STEC to be adulterated (76 FR 58160). The Agency asked for comments on its plans for implementing the program (76 FR 58157, 58164).

In addition, FSIS asked for comments on: Agency plans for a baseline survey of relevant STEC prevalence in raw beef products, whether to hold technical or other public meetings, validation guidance for pathogen detection test kits, various cost estimates, the type of outreach and information that would be most useful to establishments preparing for implementation of the Agency's policy, and information that foreign governments might need to address inspection equivalency or implementation concerns.

In response to comments, FSIS extended the public comment period from November 21, 2011, to December 21, 2011, and held a public meeting by teleconference on December 1, 2011 to solicit comments (76 FR 72331; Nov. 23, 2011). FSIS intends to publish a **Federal Register** notice discussing and responding to the comments that it received.

Many of the comments requested a delay of the implementation date for testing for the relevant STECs for various reasons, including the need for test kits to detect these organisms to become more widely available.

While FSIS is confident that reliable test kits will be available for commercial use before March 5, allowing additional time for beef establishments to begin sampling and testing with these new