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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS-2016-0013]

Notice of Availability of Proposed Changes to the National Poultry Improvement Plan Program Standards

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of availability.

SUMMARY: We are advising the public that proposed changes to the National Poultry Improvement Plan Program Standards are available for review and comment.

DATES: We will consider all comments that we receive on or before [Insert date 30 days after date of publication in the Federal Register].

ADDRESSES: You may submit comments by either of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2016-0013>.
- Postal Mail/Commercial Delivery: Send your comment to Docket No. APHIS-2016-0013, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238.

The proposed standards and any comments we receive may be viewed at <http://www.regulations.gov/#!docketDetail;D=APHIS-2016-0013> or in our reading room, which is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue

SW., Washington, DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 799-7039 before coming.

FOR FURTHER INFORMATION CONTACT: Dr. Denise Brinson, DVM, Senior Coordinator, National Poultry Improvement Plan, VS, APHIS, USDA, 1506 Klondike Road, Suite 101, Conyers, GA 30094-5104; (770) 922-3496.

SUPPLEMENTARY INFORMATION:

The National Poultry Improvement Plan (NPIP), also referred to below as "the Plan," is a cooperative Federal-State-Industry mechanism for controlling certain poultry diseases. The Plan consists of a variety of programs intended to prevent and control poultry diseases. Participation in all Plan programs is voluntary, but breeding flocks, hatcheries, and dealers must first qualify as "U.S. Pullorum-Typhoid Clean" as a condition for participating in the other Plan programs.

The Plan identifies States, flocks, hatcheries, dealers, and slaughter plants that meet certain disease control standards specified in the Plan's various programs. As a result, customers can buy poultry that has tested clean of certain diseases or that has been produced under disease-prevention conditions.

The regulations in 9 CFR parts 56, 145, 146, and 147 (referred to below as the regulations) contain the provisions of the Plan. The Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture (USDA) amends these provisions from time to time to incorporate new scientific information and technologies within the Plan.

In the past, APHIS has updated the regulations once every 2 years, following the Biennial Plan Conference of the NPIP General Conference Committee. The NPIP General Conference Committee advises the Secretary on poultry health and represents cooperating State agencies and

poultry industry members. During its meetings and Biennial Conferences, the Committee discusses significant poultry health issues and makes recommendations to improve the NPIP.

However, while changes in diagnostic science, testing technology, and best practices for maintaining sanitation are continual, the rulemaking process can be lengthy. As a result, the regulations have, at times, become outdated. To remedy this problem, we determined that we needed a more flexible process for amending provisions of the Plan. On July 9, 2014, we published in the Federal Register (79 FR 38752-38768, Docket No. APHIS-2011-0101) a final rule¹ that, among other things, amended the regulations by removing tests and detailed testing procedures, as well as sanitation procedures, from part 147, and making these available in an NPIP Program Standards document.² The rule also amended the regulations to provide for the Program Standards document to be updated through the issuance of a notice in the Federal Register followed by a period of public comment. The latter change was intended to enable us to make the NPIP program more effective by allowing us to update Plan provisions without the need for rulemaking.

The Committee recently voted to amend the Program Standards by creating provisions for compartmentalization of primary breeding poultry establishments and approval of compartment components such as farms, feedmills, hatcheries, and egg depots. The urgency of adding such provisions to the Program Standards was reinforced by the devastating highly pathogenic avian influenza (HPAI) outbreak of 2014-2015, which highlighted the enormous impact trade restrictions can have on distributing breeding stock to customers around the globe.

¹ To view the final rule and related documents, go to <http://www.regulations.gov/#!docketDetail;D=APHIS-2011-0101>.

² This document may be viewed on the NPIP Web site at <http://www.poultryimprovement.org/documents/ProgramStandardsAugust2014.pdf>, or by writing to the Service at National Poultry Improvement Plan, APHIS, USDA, 1506 Klondike Road, Suite 101, Conyers, GA 30094.

The regulations at 9 CFR 145.45, 145.74, and 145.84 provide the basis for compartmentalization of poultry primary breeding companies. Compartmentalization is a procedure that a country may implement to define and manage animal subpopulations of distinct health status and common biosecurity program within its territory, in accordance with the guidelines in the World Organization for Animal Health (OIE) Terrestrial Animal Health Code, for the purpose of disease control and international trade. Compartmentalization is distinct from regionalization, which involves recognition of geographical zones of a country that can be identified and characterized by their level of risk for different diseases, but the two are not mutually exclusive. When regionalization is not feasible, APHIS may seek to preserve trade with key countries in the face of outbreaks of HPAI and other diseases through compartmentalization. Compartmentalization may also enable continued interstate movement of breeding stock to domestic customers and operations if future low pathogenic avian influenza and/or HPAI outbreaks occur.

We are advising the public that we have prepared updates to the NPIP Program Standards document. The proposed updates would amend the Program Standards by adding provisions for compartmentalization of primary breeding poultry establishments and approval of compartment components such as farms, feedmills, hatcheries, and egg depots, as recommended by the General Conference Committee. Included in the proposed additions are requirements for applying for compartmentalization of facilities and for facility design and management, as well as an outline of the auditing system APHIS will use to evaluate compartments and their component operations.

After reviewing any comments we receive on the proposed updates, we will publish a second notice in the Federal Register announcing our decision regarding the proposed changes.

Paperwork Reduction Act

In accordance with section 3507(d) of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.), we have determined that there are reporting and recordkeeping burdens associated with the compartmentalization provisions we are considering. We will publish a separate document in the Federal Register, announcing our determination of burden and soliciting comments on it.

Authority: 7 U.S.C. 8301-8317; 7 CFR 2.22, 2.80, and 371.4.

Done in Washington, DC, this 6th day of July 2016 .

Kevin Shea

Administrator, Animal and Plant Health Inspection Service.
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