

Prevention and the Agency for Toxic Substances and Disease Registry.

Dana Redford,

Acting Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2013-D-0254]

Salmonella Contamination of Dry Dog Food; Withdrawal of Compliance Policy Guide

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; Withdrawal.

SUMMARY: The Food and Drug Administration (FDA) is announcing the withdrawal of the compliance policy guide (CPG) entitled “Sec. 690.700 *Salmonella* Contamination of Dry Dog Food.” This CPG is obsolete.

DATES: The withdrawal is effective July 16, 2013.

FOR FURTHER INFORMATION CONTACT: Diane D. Jeang, Office of Regulatory Affairs, Food and Drug Administration, 12420 Parklawn Dr., Rockville, MD 20857, 301-796-3890.

SUPPLEMENTARY INFORMATION: FDA issued the CPG entitled “Sec. 690.700 *Salmonella* Contamination of Dry Dog Food (CPG 690.700)” on October 1, 1980. CPG 690.700 was issued as a result of a human case of salmonellosis traced to dry dog food; a subsequent FDA-conducted survey of dry dog food; a risk analysis; and the development of an appropriate sampling technique to test dry dog food for *salmonella* organisms.

Elsewhere in this issue of the **Federal Register**, FDA is announcing the availability of a new CPG to address all food for animals that may contain *salmonella* organisms, including dry dog food. This new CPG, entitled “Compliance Policy Guide Sec. 690.800 *Salmonella* in Food for Animals,” supersedes CPG 690.700 and makes CPG 690.700 obsolete. The notice of availability for CPG “Sec. 690.800 *Salmonella* in Food for Animals” is published elsewhere in this issue of the **Federal Register**.

FDA is withdrawing CPG 690.700, in its entirety, to eliminate obsolete compliance policy.

Dated: July 10, 2013.

Leslie Kux,

Assistant Commissioner for Policy.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2010-D-0378]

Compliance Policy Guide Sec. 690.800 *Salmonella* in Food for Animals; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or we) is announcing the availability of guidance for our staff entitled “Compliance Policy Guide Sec. 690.800 *Salmonella* in Food for Animals” (the CPG). The CPG provides guidance to FDA staff on *Salmonella*-contaminated food for animals.

DATES: Submit either electronic or written comments on the CPG at any time.

ADDRESSES: Submit written requests for single copies of the CPG to the Food and Feed Policy Staff, Office of Policy and Risk Management, Office of Regulatory Affairs, Food and Drug Administration, 12420 Parklawn Dr., Rockville, MD 20850. Send one self-addressed adhesive label to assist that office in processing your request. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the CPG.

Submit electronic comments on the CPG to <http://www.regulations.gov>. Submit written comments on the CPG to the Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Kim Young, Center for Veterinary Medicine (HFV-230), Food and Drug Administration, 7519 Standish Pl., Rockville, MD 20855, 240-276-9207, kim.young@fda.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Background

We are announcing the availability of a guidance document entitled “Compliance Policy Guide Sec. 690.800 *Salmonella* in Food for Animals” (the CPG). The CPG provides guidance to FDA staff on *Salmonella*-contaminated food for animals. The CPG is being issued consistent with our good

guidance practices regulation (21 CFR 10.115). The CPG represents FDA’s current thinking on *Salmonella*-contaminated food for animals. It does not create or confer any rights for or on any person and does not operate to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirements of the applicable statutes and regulations.

In the **Federal Register** of August 2, 2010 (75 FR 45130), we announced the availability of a draft CPG entitled “Compliance Policy Guide Sec. 690.800 *Salmonella* in Animal Feed,” and gave interested persons an opportunity to submit comments by November 1, 2010, for us to consider before beginning our work on the final version of the CPG. In the **Federal Register** of October 29, 2010 (75 FR 66769), we published a notice extending the comment period until December 31, 2010. We received numerous comments on the draft CPG and have modified the final CPG where appropriate. The CPG announced in this notice finalizes the draft CPG announced on August 2, 2010.

Changes to the CPG include:

- The title of the CPG is changed from “*Salmonella* in Animal Feed” to “*Salmonella* in Food for Animals.” FDA made this change to clarify that the CPG covers all animal food. The term “food for animals” here includes pet food and animal feed.
- The term “Direct Human Contact Animal Feed” has been removed from the CPG, because commenters found the term to be confusing. The term pet food is now used instead. It is defined to mean food for pets and includes treats and chews for pets.

The CPG explains criteria that FDA personnel should consider in recommending enforcement action against food for animals that is adulterated due to the presence of *Salmonella*. In particular, the CPG provides regulatory action guidance relating to pet food or pet food ingredients that are contaminated with *Salmonella*. In addition, the CPG provides regulatory action guidance relating to animal feed and animal feed ingredients that are contaminated with certain *Salmonella* serotypes that are pathogenic to the particular species of animal for which the animal feed or animal feed ingredients are intended. The CPG also contains information that may be useful to regulated industry and the public.

This notice is related to two notices published elsewhere in this issue of the **Federal Register**, in which FDA is announcing: (1) The removal of 21 CFR 500.35 “Animal feeds contaminated with *Salmonella* microorganisms,” and