

WORLD TRADE ORGANIZATION

G/SPS/N/USA/173

16 July 1999

(99-2959)

Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

1.	Member to Agreement notifying: <u>UNITED STATES</u> If applicable, name of local government involved:
2.	Agency responsible: US Food and Drug Administration
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers may be provided in addition, where applicable). Regions or countries likely to be affected, to the extent relevant or practicable: Shell eggs
4.	Title and number of pages of the notified document: "Food Labeling; Safe Handling Statements; Labeling of Shell Eggs; Shell Eggs; Refrigeration of Shell Eggs Held for Retail Distribution" (25 pages) and an additional related document "Preliminary Regulatory Impact Analysis and Initial Regulatory Flexibility Analysis of the Proposed Rule to Require Refrigeration of Shell Eggs at Retail and Safe Handling Labels" (18 pages).
5.	Description of content: The Food and Drug Administration (FDA) is proposing to require safe handling statements on labels of shell eggs that have not been treated to destroy Salmonella microorganisms. The agency is also proposing to require that, when held by retail establishments, shell eggs be stored and displayed under refrigeration at a temperature of 7.2 deg.C (45 deg.F) or less. FDA is taking these actions because of the number of outbreaks of foodborne illnesses and deaths caused by Salmonella Enteritidis that are associated with the consumption of shell eggs that have not been treated to destroy this pathogen. These actions complement regulations of the Food Safety and Inspection Service (FSIS) that require that shell eggs be stored and transported at a temperature of 7.2 deg.C (45 deg.F) or less and that the consumer containers of shell eggs be labeled to indicate that refrigeration is required. FDA's proposal also responds, in part, to petitions from Rose Acres Farm, Inc., and the Center for Science in the Public Interest (CSPI). FDA expects that by requiring this information, consumers will be able to take measures to protect themselves from illness or deaths associated with consumption of shell eggs that have not been treated to destroy Salmonella Enteritidis.
6.	Objective and rationale: <input checked="" type="checkbox"/> food safety <input checked="" type="checkbox"/> animal health <input type="checkbox"/> plant protection <input type="checkbox"/> protect humans from animal/plant pest or disease <input type="checkbox"/> protect territory from other damage from pests
7.	An international standard, guideline or recommendation does not exist <input checked="" type="checkbox"/> . If an international standard, guideline or recommendation exists, give the appropriate reference and briefly identify deviations:
8.	Relevant documents and language(s) in which these are available: 64 FR 36492, 6 July 1999; 21 CFR Parts 16, 101 and 115 (Available in English)
9.	Proposed date of adoption: To be determined.

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10. Proposed date of entry into force:	The date of adoption and entry into force will be announced when the final rule is published in the Federal Register.
11. Final date for comments:	20 September 1999 Agency or authority designated to handle comments: <input type="checkbox"/> National notification authority, <input type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body: Food and Drug Administration Detailed instruction on where and how to send comments is in the body of the full text – which will be sent upon request to the address in paragraph 12.
12. Texts available from:	<input checked="" type="checkbox"/> National notification authority, <input checked="" type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body: US SPS Enquiry Point/Notification Authority: USDA/FAS/FSTD Attn: Carolyn F. Wilson Room 5545 South Agriculture Building Stop 1027 1400 Independence Avenue, S.W. Washington, D.C. 20250 Tel: (202) 720 2239 Fax:: (202) 690 0677 E-mail address: ofsts@fas.usda.gov