

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 94

[Docket No. APHIS–2023–0016]

RIN 0579–AE83

Minimum Maturation Temperature for Beef and Ovine Meat From Regions Affected With Foot-and-Mouth Disease

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: We are proposing to amend the regulations regarding the minimum maturation temperature for fresh (chilled or frozen) boneless beef and ovine meat from certain listed regions or countries affected with foot-and-mouth disease (FMD) from 4 °C to 2 °C. All other existing mitigations for the importation of beef from regions or countries affected with FMD would remain unchanged. This action is needed to align the regulations with the World Organization for Animal Health's standards for FMD minimum maturation temperatures, while continuing to protect the United States against the introduction of FMD.

DATES: We will consider all comments that we receive on or before December 21, 2026.

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

- *Federal eRulemaking Portal:* Go to www.regulations.gov. Enter APHIS–2023–0016 in the Search field. Select the Documents tab, then select the Comment button in the list of documents.
- *Postal Mail/Commercial Delivery:* Send your comment to Docket No. APHIS–2023–0016, Regulatory Analysis and Development, PPD, APHIS, 5601 Sunnyside Ave. #AP760, Beltsville, MD 20705.

Supporting documents and any comments we receive on this docket may be viewed at Regulations.gov or in

our reading room, which is in room 1620 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. Lisa M. Dixon, National Director, APHIS Veterinary Services, Strategy and Policy, Animal Product Imports and Exports, 5601 Sunnyside Avenue, Beltsville, MD 20705; (301) 851–3373; lisa.m.dixon@usda.gov.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR part 94 (referred to below as the regulations) prohibit or restrict the importation of certain animals and animal products into the United States to prevent the introduction of various animal diseases, including foot-and-mouth disease (FMD), African swine fever, classical swine fever, and swine vesicular disease. These are dangerous and destructive communicable diseases of ruminants and swine.

Under most circumstances, § 94.1 of the regulations prohibits the importation of live ruminants and swine and fresh (chilled or frozen) meat derived from ruminants and swine originating in, or transiting through, a region where FMD exists. Section 94.11 restricts the importation of ruminants and swine and their meat and certain other products from regions that are declared free of FMD but that nonetheless present a disease risk because of the regions' proximity to or trading relationships with regions affected with FMD. Regions that the Animal and Plant Health Inspection Service (APHIS) has declared free of FMD and regions declared free of FMD that are subject to the restrictions in § 94.11 are listed on the APHIS website at <https://www.aphis.usda.gov/aphis/ourfocus/animalhealth/animal-and-animal-product-import-information/animal-health-status-of-regions>.

The regulations do allow for certain exceptions to the prohibitions contained in § 94.1. These exceptions include allowing the importation of fresh (chilled or frozen) beef from certain regions (Patagonia North A in Northern Argentina; Bahia, Distrito Federal,

Espírito Santo, Goiás, Mato Grosso, Mato Grosso do Sul, Minas Gerais, Paraná, Rio Grande do Sul, Rio de Janeiro, Rondônia, São Paulo, Sergipe, and Tocantins in Brazil; Paraguay; and Uruguay), as well as ovine meat from Uruguay, subject to certain conditions. The conditions for the importation of boneless meat from these regions or countries affected with FMD are set out in § 94.29 of the regulations and require that:

- The meat is beef from animals that have been born, raised, and slaughtered in the exporting regions of Argentina or Brazil or in Paraguay; or beef or ovine meat from Uruguay derived from animals that have been born, raised, and slaughtered in Uruguay.
- Foot-and-mouth disease has not been diagnosed in the relevant exporting region within the previous 12 months.
- The meat comes from bovines or sheep that originated from premises where FMD has not been present during the lifetime of any bovines and sheep slaughtered for the export of beef and ovine meat to the United States.
- The meat comes from bovines or sheep that were moved directly from the premises of origin to the slaughtering establishment without any contact with other animals.
- The meat comes from bovines or sheep that received ante-mortem and post-mortem veterinary inspections, paying particular attention to the head and feet, at the slaughtering establishment, with no evidence found of vesicular disease.
- The meat consists only of bovine parts or ovine parts that are, by standard practice, part of the animal's carcass that is placed in a chiller for maturation after slaughter and before removal of any bone, blood clots, or lymphoid tissue. The bovine and ovine parts that may not be imported include all parts of the head, feet, hump, hooves, and internal organs.
- All bone and visually identifiable blood clots and lymphoid tissue have been removed from the meat; with the exception of ovine meat from Uruguay that meets certain listed conditions.
- The meat has not been in contact with meat from regions other than those listed as free of FMD.
- The meat came from carcasses that were allowed to mature at 40 to 50 °F (4 to 10 °C) for a minimum of 24 hours

after slaughter and that reached a pH below 6.0 in the loin muscle at the end of the maturation period. Measurements for pH must be taken at the middle of both *longissimus dorsi* muscles. Any carcass in which the pH does not reach less than 6.0 may be allowed to mature an additional 24 hours and be retested, and, if the carcass still has not reached a pH of less than 6.0 after 48 hours, the meat from the carcass may not be exported to the United States.

- An authorized veterinary official of the government of the exporting region certifies on the foreign meat inspection certificate that the above conditions have been met.

- The establishment in which the bovines and sheep are slaughtered allows periodic on-site evaluation and subsequent inspection of its facilities, records, and operations by an APHIS representative.

The World Organization for Animal Health (WOAH) code article 8.8.24, *Recommendations for importation of fresh meat of bovines from countries or zones infected with FMDV*, where an official control programme exists and article 8.8.26, *Recommendations for importation of fresh meat of sheep and goats from FMD infected countries or zones where an official control programme exists*¹ recommend that meat come from fresh deboned carcasses of bovine and sheep which, prior to deboning, have been submitted to maturation at a temperature greater than 2° C for a minimum period of 24 hours following slaughter and in which the pH value was less than 6.0 when tested in the middle of both the *longissimus dorsi* muscle as a mitigation for FMD.

As noted above, one of the requirements for the importation of fresh (chilled or frozen) boneless meat of bovine or ovine origin, from regions and countries in which FMD is known to exist, requires the meat to mature at a temperature between 4 to 10 °C for a minimum of 24 hours after slaughter. We are proposing to amend the regulations to align with WOAH standards, and decrease the minimum maturation temperature to 2 °C. All other existing requirements for the importation of such meat would remain unchanged and would continue to provide interlocking safeguards to mitigate for FMD.

Executive Orders 12866 and 14192 and Regulatory Flexibility Act

This proposed rule has been determined to be not significant for the

purposes of Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget. As a proposed rule, it also is not subject to Executive Order 14192.

In accordance with 5 U.S.C. 603, we have performed an initial regulatory flexibility analysis, which is summarized below, regarding the economic effects of this proposed rule on small entities. Copies of the full analysis are available by contacting the person listed under **FOR FURTHER INFORMATION CONTACT** or on the *Regulations.gov* website (see **ADDRESSES** above for instructions for accessing *Regulations.gov*).

Based on the information we have, there is no reason to conclude that adoption of this proposed rule would result in any significant economic effect on a substantial number of small entities. However, we do not currently have all the data necessary for a comprehensive analysis of the effects of this proposed rule on small entities. Therefore, we are inviting comments on potential effects.

The regulations in 9 CFR part 94 prohibit or restrict the importation of certain animals and animal products into the United States to prevent the introduction of various animal diseases, including foot-and-mouth disease (FMD). This proposed rule would lower the minimum maturation temperature for the importation of meat from certain regions, as part of an overall system approach to address FMD risk. The current minimum maturation temperature does not align with international standards. All other existing requirements for the importation of such meat would remain unchanged and would continue to provide interlocking safeguards to mitigate for FMD.

The entities that could potentially be impacted by this proposed rule are businesses within the beef and ovine meat agricultural sector, including beef cattle ranching and farming, cattle feedlots, sheep farming, animal slaughtering and processing, and meat and meat product importing and wholesaling. The majority of businesses in these industries are considered by the Small Business Administration to be small entities.

The United States has the largest fed-cattle industry in the world. The U.S. is also the world's largest producer of beef, primarily high-quality, grain-fed beef for domestic and export use. Nevertheless, the United States is a net importer of beef, primarily purchasing beef destined for processing, which tends to be lower-value, leaner, grass-fed beef. The U.S. beef industry, which is comprised of

over 600,000 farms and present in all 50 states, is roughly divided into two production sectors: Cow-calf operations and cattle feeding.

In 2024, U.S. beef consumption was about 29 billion pounds. The United States has a comparative advantage in producing higher-quality, grain-fed cattle, which results in higher-grading steaks, as well as lean beef trimmings and fat trimmings. Lean and fat trimmings are blended to make ground beef, which is by far the most consumed beef product in the U.S. By some estimates, between 50 percent and 55 percent of all beef in the U.S. is consumed in ground form. The corn-fed cattle in the domestic supply chain generate less lean beef trimmings than is necessary to satisfy the demand for ground beef. This results in a reliance on imported lean trimmings. Imports specifically of lean beef trimmings come largely from the countries affected by this proposed rule, as well as Australia and New Zealand. Lean beef imports also allow the U.S. beef industry to expand total beef production, add value by utilizing fat trimmings most efficiently, and export high-value beef products like primal cuts and steaks.

As this proposed rule makes no significant change that would affect the viability of exporting beef products from the affected countries, it is unlikely that there would be a significant increase in imports from this proposed rule. This proposed rule would not grant new market access for any countries or regions but would broaden the range of temperatures considered acceptable for the beef maturation process. Additionally, there is no evidence that the existing minimum maturation temperature is functioning as a barrier to trade.

This proposed rule would also marginally affect the requirements related to existing ovine meat imports from Uruguay, which currently represents less than one percent of annual U.S. lamb and mutton imports. The U.S. is a significant net importer of these products. Over the last five years, the U.S. has produced an average of 139 million pounds of lamb and mutton while importing an average of 335 million pounds. As with beef products, this proposed rule would not grant new market access for any producers of these products, nor is there any evidence that the existing minimum maturation temperature is functioning as a barrier to trade. As such, we do not expect any change in the trade of lamb and mutton from Uruguay as a result of this proposed rule.

While this proposed rule would have no direct impact on imports, we can

¹ To view these standards, go to https://www.woah.org/fileadmin/Home/eng/Health_standards/tahc/2024/en_chapitre_fmd.htm.

assume some hypothetical indirect impact to examine the welfare effects of such indirect impacts. To assess such a hypothetical change quantitatively, we used a range of 500 to 5,000 additional metric tons of imported beef products from the affected countries to compute impacts. In both scenarios, consumer welfare gains would outweigh producer welfare losses, with a positive net impact ranging from \$192,000 to \$1.92 million.

Executive Order 12988

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. If this proposed rule is adopted: (1) All State and local laws and regulations that are inconsistent with this rule will be preempted; (2) no retroactive effect will be given to this rule; and (3) administrative proceedings will not be required before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This proposed rule contains no reporting or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 9 CFR Part 94

Animal diseases, Imports, Livestock, Meat and meat products, Milk, Poultry

and poultry products, Reporting and recordkeeping requirements.

Accordingly, we propose to amend 9 CFR part 94 as follows:

PART 94—FOOT-AND-MOUTH DISEASE, NEWCASTLE DISEASE, HIGHLY PATHOGENIC AVIAN INFLUENZA, AFRICAN SWINE FEVER, CLASSICAL SWINE FEVER, SWINE VESICULAR DISEASE, AND BOVINE SPONGIFORM ENCEPHALOPATHY: PROHIBITED AND RESTRICTED IMPORTATIONS

■ 1. The authority citation for part 94 continues to read as follows:

Authority: 7 U.S.C. 1633, 7701–7772, 7781–7786, and 8301–8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.4.

§ 94.29 [Amended]

■ 2. Amend § 94.29 in paragraph (i), in the first sentence, by removing “40 to 50 °F (4 to 10 °C)” and adding “35.6 to 50 °F (2 to 10 °C)” in its place.

Done in Washington, DC, this 15th day of October 2026.

Kelly Moore,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2026–21433 Filed 10–19–26; 8:45 am]

BILLING CODE 3410–34–P

SECURITIES AND EXCHANGE COMMISSION

17 CFR Parts 239, 249, 270, and 274

[Release No. 33–11444; 34–106534; IC–36351; File No. S7–2026–34]

RIN 3235–AN83

Interval Fund Modernization; Expansion of Multiple Share Class to Registered Closed-End Management Investment Companies and Business Development Companies

Correction

In proposed rules document 2026–20360 beginning on page 63388 in the issue of Monday, October 5, 2026, make the following correction:

1. On page 63388, in the first column, the **DATES** section is corrected to read as follows:

DATES: This release was published in the **Federal Register** on October 5, 2026. Comments should be received on or before December 4, 2026.

[FR Doc. C1–2026–20360 Filed 10–19–26; 8:45 am]

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