

10161 has not been installed, certificated in any category.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (c) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent reduced structural integrity of a wing spar, accomplish the following:

(a) Perform an ultrasonic inspection to detect cracks in the bolt holes inboard and outboard of rib 9 on the bottom booms of the front and rear wing spars, in accordance with Airbus Service Bulletin A300-57-6037, dated August 1, 1994, at the time specified in paragraph (a)(1) or (a)(2) of this AD, as applicable.

(1) For airplanes on which Airbus Modification 8842 (reference Airbus Service Bulletin A300-57-6039) has not been installed: Prior to the accumulation of 17,000 total landings, or within 2,000 landings after the effective date of this AD, whichever occurs later. Repeat the inspection thereafter at intervals not to exceed 9,000 landings.

(2) For airplanes on which Airbus Modification 8842 has been installed: Prior to the accumulation of 17,000 total landings after accomplishment of Airbus Modification 8842, or within 2,000 landings after the effective date of this AD, whichever occurs later. Repeat the inspection thereafter at intervals not to exceed 9,000 landings.

(b) If any crack is found, prior to further flight, repair in accordance with Airbus Service Bulletin A300-57-6037, dated August 1, 1994. Thereafter, perform the repetitive inspections required by paragraph (a) of this AD.

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, FAA, Transport Airplane Directorate, ANM-113. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199

of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(e) The inspections and repair shall be done in accordance with Airbus Service Bulletin A300-57-6037, dated August 1, 1994. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC. -

(f) This amendment becomes effective on May 10, 1995.

Issued in Renton, Washington, on March 29, 1995.

**Darrell M. Pederson,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 95-8173 Filed 4-7-95; 8:45 am]

BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 94-NM-165-AD; Amendment 39-9188; AD 95-07-06]

#### **Airworthiness Directives; British Aerospace Model BAC 1-11-200 and -400 Series Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to all British Aerospace Model BAC 1-11-200 and -400 series airplanes, that requires inspections of the bearings of the aileron control system, and correction of discrepancies. This amendment is prompted by a report indicating that an operator experienced difficulties wherein considerable pressure was required to manually input roll control due to seized bearings in the aileron control system. The actions specified by this AD are intended to prevent such seizure of bearings, which could reduce the pilot's ability to initiate roll control during critical phases of flight.

**DATES:** Effective May 10, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 10, 1995.

**ADDRESSES:** The service information referenced in this AD may be obtained from British Aerospace, Airbus Limited, P.O. Box 77, Bristol BS99 7AR, England.

This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** William Schroeder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2148; fax (206) 227-1320.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to all British Aerospace Model BAC 1-11-200 and -400 series airplanes was published in the **Federal Register** on December 15, 1994 (59 FR 64631). That action proposed to require repetitive detailed visual and physical inspections of the bearings of the aileron control system, and correction of discrepancies.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter supports the proposed rule.

As a result of recent communications with the Air Transport Association (ATA) of America, the FAA has learned that, in general, some operators may misunderstand the legal effect of AD's on airplanes that are identified in the applicability provision of the AD, but that have been altered or repaired in the area addressed by the AD. The FAA points out that all airplanes identified in the applicability provision of an AD are legally subject to the AD. If an airplane has been altered or repaired in the affected area in such a way as to affect compliance with the AD, the owner or operator is required to obtain FAA approval for an alternative method of compliance with the AD, in accordance with the paragraph of each AD that provides for such approvals. A note has been added to this final rule to clarify this long-standing requirement.

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the change previously described. The FAA has determined that this change will neither increase the economic burden on any operator nor increase the scope of the AD.

The FAA estimates that 31 airplanes of U.S. registry will be affected by this

AD, that it will take approximately 1 work hour per airplane, per inspection to accomplish the required actions, and that the average labor rate is \$60 per work hour. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$1,860, or \$60 per airplane, per inspection.

The total cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption ADDRESSES.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

#### 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

**95-07-06 British Aerospace Airbus Limited (Formerly British Aerospace Commercial Aircraft Limited, British Aerospace Aircraft Group):** Amendment 39-9188. Docket 94-NM-165-AD.

**Applicability:** All Model BAC 1-11-200 and -400 series airplanes, certificated in any category.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (b) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

**Compliance:** Required as indicated, unless accomplished previously.

To ensure the pilot's ability to initiate roll control during critical phases of the flight, accomplish the following:

(a) Within 5 years from the date of installation of the aileron control bearings or within 6 months after the effective date of this AD, whichever occurs later, perform a detailed visual and physical inspection to detect missing or damaged sealing rings, corrosion, or restricted movement of the bearings of the aileron control system, in accordance with the Accomplishment Instructions of British Aerospace Alert Service Bulletin 27-A-PM6023, Issue No. 2, dated November 23, 1992.

(1) If no discrepancies are found, repeat the inspection requirements thereafter at intervals not to exceed 14 months.

(2) If any discrepancy is found, prior to further flight, replace the bearing with a new bearing in accordance with the service bulletin. Repeat the inspection required by this paragraph within 5 years after replacement of the bearings, and thereafter at intervals not to exceed 14 months.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, FAA, Transport Airplane Directorate, ANM-113. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be

obtained from the Standardization Branch, ANM-113.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) The inspections and replacement shall be done in accordance with British Aerospace Alert Service Bulletin 27-A-PM6023, Issue No. 2, dated November 23, 1992. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from British Aerospace, Airbus Limited, P.O. Box 77, Bristol BS99 7AR, England. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on May 10, 1995.

Issued in Renton, Washington, on March 29, 1995.

**Darrell M. Pederson,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 95-8172 Filed 4-7-95; 8:45 am]

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#### CONSUMER PRODUCT SAFETY COMMISSION

#### 16 CFR Part 1700

#### Requirements for Child-Resistant Packaging; Requirements for Products Containing Lidocaine or Dibucaine

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Final rule.

**SUMMARY:** Under the Poison Prevention Packaging Act of 1970, the Commission issues a rule requiring child-resistant packaging for products containing more than 5.0 milligrams (mg) of lidocaine in a single package or more than 0.5 mg of dibucaine in a single package. These requirements are issued because the Commission has determined that child-resistant packaging is required to protect children under 5 years of age from serious personal injury and serious illness resulting from ingesting such substances. Lidocaine and dibucaine are used in prescription drugs and over-the-counter drug products that are applied to the skin or mucous membranes to provide an anesthetic effect.

**DATE:** The rule shall be effective on April 10, 1996 and shall apply to subject products that are packaged on or after that date.<sup>1</sup>

<sup>1</sup> The Commission approved unanimously (3-0) the motion of Chairman Ann Brown to require