

Title IV, of the Uruguay Round Agreements Act similarly amends section 20(e)(1), subparagraphs (A) and (B) of the Federal Meat Inspection Act (21 U.S.C. 620(e)(1)(A) and (B)).

Because this codification is required by GATT, we expect no adverse public reaction resulting from this change in regulatory language. Therefore, unless notice is received within 30 days that someone wishes to submit adverse or critical comments, the action will become final 60 days after publication in the **Federal Register**. If critical comments are received, the final rulemaking notice will be withdrawn and a proposed rulemaking notice will be published. The proposed rulemaking notice will establish a comment period.

DATES: This action will become effective September 26, 1995 unless notice is received on or before August 28, 1995 that adverse or critical comments will be submitted.

FOR FURTHER INFORMATION CONTACT: Dr. Paula M. Cohen, Director, Regulations Development, Policy, Evaluation and Planning Staff, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250-3700; (202) 720-7164.

SUPPLEMENTARY INFORMATION:

Background

Sections 327.2 and 327.4 of the Federal meat inspection regulations and §§ 381.196 and 381.197 of the poultry products inspection regulations currently require that foreign country meat and poultry inspection systems be "at least equal to" those in the United States if foreign countries wish to export meat and poultry products to the United States. In December, 1994, however, in accordance with GATT's Uruguay Round negotiations, the President of the United States signed the Uruguay Round Agreements Act into law. Under this new law, drafted to comply with GATT, the United States can no longer require foreign countries wishing to export meat and poultry products to have meat and poultry inspection systems that are "at least equal" to those in the United States; instead, foreign inspection systems must be "equivalent to" domestic inspection systems. Therefore, FSIS is amending its regulations to require that foreign inspection systems that export meat and poultry products to the United States be "equivalent to" domestic inspection systems.

Executive Order 12866

This rule has been determined to be not significant and therefore has not

been reviewed by the Office of Management and Budget.

Executive Order 12778

This rule has been reviewed under Executive Order 12778, Civil Justice Reform. States and local jurisdictions are preempted by the Federal Meat Inspection Act and the Poultry Products Inspection Act (PPIA) from imposing any marking or packaging requirements on federally inspected meat and poultry products that are in addition to, or different than, those imposed under the FMIA or the PPIA. States and local jurisdictions may, however, exercise concurrent jurisdiction over meat and poultry products that are outside official establishments for the purpose of preventing the distribution of meat and poultry products that are misbranded or adulterated under the FMIA or PPIA, or, in the case of imported articles, which are not at such an establishment, after their entry into the United States.

This rule is not intended to have retroactive effect.

There are no applicable administrative procedures that must be exhausted prior to any judicial challenge to the provisions of this rule. However, the administrative procedures specified in 9 CFR 306.5 and 381.35 must be exhausted prior to any judicial challenge of the application of the provisions of this rule, if the challenge involves any decision of an FSIS employee relating to inspection services provided under the FMIA or the PPIA.

Effect on Small Entities

The Administrator has made an initial determination that this rule would not have a significant economic impact on a substantial number of small entities, as defined by the Regulatory Flexibility Act (5 U.S.C. 601). This direct final rule does not impose any requirements on American entities. It applies only to foreign countries that wish to export meat and poultry products to the United States.

List of Subjects

9 CFR Part 327

Food Labeling, Food Packaging, Imports, Meat Inspection

9 CFR Part 381

Food labeling, Food packaging, Imports, Poultry and poultry products.

For the reasons set out in the preamble, 9 CFR parts 327 and 381 are amended as follows:

PART 327—IMPORTED PRODUCTS

1. The authority citation for part 327 continues to read as follows:

Authority: 21 U.S.C. 601-695; 7 CFR 2.17, 2.55.

§§ 327.2 and 327.4 [Amended]

2. Remove the word's "at least equal to" and add, in their place, the words "equivalent to" in the following places:

Section 327.2(a)(1), (a)(2)(i) introductory text, (a)(2)(ii) introductory text, (a)(2)(iv) introductory text, the text of the Certificate following paragraph (a)(3), (a)(4), and the text of each Certificate following 327.4 (a) and (b).

PART 381—POULTRY PRODUCTS INSPECTION REGULATIONS

1. The authority citation for part 381 continues to read as follows:

Authority: 7 U.S.C 138f; 7 U.S.C. 450; 21 U.S.C. 451-470; 7 CFR 2.17, 2.55.

§ 381.196 [Amended]

2. Remove the words "at least equal to" and add, in their place, the words "equivalent to" in the following places:

Section 381.196(a)(1), (a)(2)(i) introductory text, (a)(2)(ii) introductory text, (a)(2)(iv) introductory text, the text of the Certificate following paragraph (a)(3), and (a)(4).

Done at Washington, DC, on July 18, 1995.

Michael R. Taylor,

Acting Under Secretary for Food Safety.

[FR Doc. 95-18480 Filed 7-27-95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-NM-116-AD; Amendment 39-9325; AD 95-13-04]

Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100) Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This document publishes in the **Federal Register** an amendment adopting Airworthiness Directive (AD) 95-13-04 that was sent previously to all known U.S. owners and operators of certain Bombardier Model CL-600-2B19 (Regional Jet Series 100) series airplanes by individual letters. This AD requires a revision to the Airplane Flight Manual to prohibit the use of mach trim and to add speed restrictions if the autopilot is disengaged or inoperative. This AD also requires installation of an associated placard.

This amendment is prompted by deficiencies that were discovered during a recent review of vendor documentation of the horizontal stabilizer trim control unit. The actions specified by this AD are intended to prevent such deficiencies, which could result in a nose-up trim runaway when a single component in the mach trim circuits fails.

DATES: Effective August 14, 1995, to all persons except those persons to whom it was made immediately effective by priority letter AD 95-13-04, issued on June 16, 1995, which contained the requirements of this amendment.

Comments for inclusion in the Rules Docket must be received on or before September 26, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 95-NM-116-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

The applicable service information may be obtained from Canadair, Aerospace Group, P. O. Box 6087, Station Centre-ville, Montreal, Quebec H3C 3G9, Canada. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Peter Cuneo, Electrical Engineer, Systems and Equipment Branch, ANE-173, FAA, Engine and Propeller Directorate, New York Aircraft Certification Office, 10 Fifth Street, Third Floor, Valley Stream, New York 11581; telephone (516) 256-7506; fax (516) 568-2716.

SUPPLEMENTARY INFORMATION: On June 16, 1995, the FAA issued priority letter AD 95-13-04, applicable to certain Bombardier Model CL-600-2B19 (Regional Jet Series 100) series airplanes. Transport Canada Aviation, which is the airworthiness authority for Canada, recently notified the FAA that, during a recent Canadair review of vendor documentation of the horizontal stabilizer trim control unit (HSTCU), certain deficiencies were discovered. The reliability of the HSTCU was found to be lower than anticipated due to circuit design deficiencies. When such deficiencies exist in the HSTCU, and a single component in the mach trim

circuits fails, a nose-up trim runaway could occur.

Bombardier has issued Canadair Regional Jet Temporary Revision No. TR RJ/43 to the Airplane Flight Manual (AFM). This temporary revision advises the flightcrew that the use of mach trim is prohibited and that speed restrictions must be applied if the autopilot is disengaged or inoperative. Transport Canada Aviation issued Canadian airworthiness directive CF95-08, dated June 8, 1995, in order to assure the continued airworthiness of these airplanes in Canada.

This airplane model is manufactured in Canada and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, Transport Canada Aviation has kept the FAA informed of the situation described above. The FAA has examined the findings of Transport Canada Aviation, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since the unsafe condition described is likely to exist or develop on other airplanes of the same type design registered in the United States, the FAA issued priority letter AD 95-13-04 to require a revision to the Limitations Section of the FAA-approved AFM to prohibit the use of mach trim and to add speed restrictions if the autopilot is disengaged or inoperative. The actions are required to be accomplished in accordance with the temporary revision to the AFM previously described.

In addition, the FAA finds that in order to ensure flightcrew awareness, the installation of a placard is necessary to advise the flightcrew of the operations restrictions discussed previously.

This AD is considered to be interim action until final action is identified, at which time the FAA may consider further rulemaking.

Since it was found that immediate corrective action was required, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and good cause existed to make the AD effective immediately by individual letters issued on June 16, 1995, to all known U.S. owners and operators of certain Bombardier Model CL-600-2B19 (Regional Jet Series 100) series airplanes. These conditions still exist, and the AD is hereby published in the **Federal Register** as an amendment to

section 39.13 of the Federal Aviation Regulations (14 CFR 39.13) to make it effective as to all persons.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 95-NM-116-AD." The postcard will be date stamped and returned to the commenter.

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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a "significant regulatory action" under Executive Order 12866. It has been determined

further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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, 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 is revised to read as follows:

Authority: 49 USC 106(g), 40101, 40113, 44701.

§ 39.13 [Amended]

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

Bombardier, Inc. (formerly Canadair) 95-13-04: Amendment 39-9325. Docket 95-NM-116-AD.

Applicability: Model CL-600-2B19 (Regional Jet Series 100) series airplanes, serial numbers 7003 and subsequent, certificated in any category.

Compliance: Required as indicated, unless accomplished previously. To prevent a nose-up trim runaway, accomplish the following: (a) Within 24 hours after the effective date of this AD, accomplish the requirements of paragraphs (a)(1), (a)(2), and (a)(3) of this AD. (1) Install a placard adjacent to the primary flight display next to the airspeed limitation placard, to read:

"USE OF MACH TRIM IS PROHIBITED. IF THE AUTOPILOT IS DISENGAGED OR INOPERATIVE, RESTRICT SPEED TO 250 KIAS OR 0.7 MACH."

(2) Revise the Limitations section of the FAA-approved Airplane Flight Manual (AFM) to include the following information. The requirements of this paragraph may be accomplished by inserting a copy of this AD, or Canadair Regional Jet Temporary Revision No. TR RJ/43, into the AFM.

"USE OF MACH TRIM IS PROHIBITED. IF THE AUTOPILOT IS DISENGAGED OR INOPERATIVE, RESTRICT SPEED TO 250 KIAS OR 0.7 MACH."

Note 1: When the temporary revision has been incorporated in the general revisions of the AFM, the general revisions may be

inserted in the AFM, provided the information contained in the general revision is identical to that specified in Canadair Regional Jet Temporary Revision No. TR RJ/43.

(3) Revise the Limitations Section of the FAA-approved AFM to include the following information. The requirements of this paragraph may be accomplished by inserting a copy of this AD into the AFM.

"Prior to the accomplishment of Bombardier Alert Service Bulletin S.B. A601R-27-054, dated June 12, 1995, when the Mach trim system is disengaged, the "MACH TRIM" caution message will be displayed on the Engine Indication and Crew Alerting System (EICAS), and the Mach trim engage/disengage switch "INOP" legend will be illuminated. The EICAS message may be scrolled out of view prior to takeoff, but the switch "INOP" light will remain illuminated."

(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, New York Aircraft Certification Office (ACO), FAA, Engine and Propeller Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, New York ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the New York ACO.

(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) This amendment becomes effective on August 14, 1995, to all persons except those persons to whom it was made immediately effective by priority letter AD 95-13-04, issued on June 16, 1995, which contained the requirements of this amendment.

Issued in Renton, Washington, on July 24, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95-18585 Filed 7-27-95; 8:45 am]

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14 CFR Part 71

[Airspace Docket No. 94-ASW-15]

Revocation of Class E Airspace; Newgulf, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: This action revokes the Class E airspace at Newgulf Airport, Newgulf, TX. The cancellation of the Very High Frequency Omnidirectional Range/Distance Measuring Equipment (VOR/

DME) A, standard instrument approach procedure (SIAP) serving the Newgulf Airport, TX, has prompted this action. Additionally, the Newgulf Airport, TX, was officially closed December 31, 1993. Therefore, this Class E airspace is no longer needed. The intended effect of this action is to relinquish control over this airspace that is no longer needed for IFR operations at Newgulf, TX.

DATES: *Effective Date:* 0901 UTC, August 14, 1995.

Comment Date: Comments must be received on or before September 26, 1995.

ADDRESSES: Send comments on the rule in triplicate to Manager, System Management Branch, Air Traffic Division, Federal Aviation Administration Southwest Region, Docket No. 94-ASW-15, Fort Worth, TX 76193-0530.

The official docket may be examined in the Office of the Assistant Chief Counsel, Federal Aviation Administration, Southwest Region, 2601 Meacham Boulevard, Room 663, Fort Worth, TX, between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the System Management Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Room 414, Fort Worth, TX.

FOR FURTHER INFORMATION CONTACT: Donald J. Day, System Management Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, Fort Worth, TX 76193-0530, telephone 817-222-5593.

SUPPLEMENTARY INFORMATION:

Request for Comments on the Rule

Although this action is a final rule, which involves the removal of Class E airspace at Newgulf, TX, and was not preceded by notice and public procedure, comments are invited on the rule. This rule will become effective on the date specified in the "DATES" section. However, after the review of any comments and, if the FAA finds that further changes are appropriate, it will initiate rulemaking proceedings to extend the effective date or to amend the regulation.

Interested parties are invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule, and in determining whether additional rulemaking is required.