

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]

BILLING CODE 4910-13-U

#### 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.

Class E airspace designations are published in Paragraph 6005 of FAA Order 7400.9B dated July 18, 1994, and effective September 16, 1994, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

### The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) revoke's the 700 foot Class E airspace at Newgulf, TX. The cancellation of the VOR/DME A, SIAP serving the Newgulf Airport, Newgulf, TX, has prompted this action. Additionally, the Newgulf Airport, was officially closed December 31, 1993. Class E airspace extending upward from 700 feet above ground level (AGL) is no longer needed to contain IFR operations at Newgulf, TX.

Since this action merely involves the revocation of Class E airspace as a result of the airport closure and cancellation of a SIAP, notice and public procedure under 5 U.S.C. 553(b) are unnecessary. The Class E airspace must be removed to avoid confusion on the part of the pilots flying in the vicinity of the closed Newgulf airport, and to promote the safe and efficient handling of air traffic in the area. Therefore, I find that notice and public procedure under 5 U.S.C. 553 are unnecessary and good cause exists for making this amendment effective in less than thirty days.

The FAA has determined that this regulation only involves an established body of technical regulations that need frequent and routine amendments to keep them operationally current. It, therefore (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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

### Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

### PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

#### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9B, *Airspace Designations and Reporting Points*, dated July 18, 1994, and effective September 16, 1994, is amended as follows:

*Paragraph 6005 Class E airspace extending upward from 700 feet above the surface.*

\* \* \* \* \*

#### ASW TX E5 Newgulf, TX [Revoke]

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Issued in Fort Worth, TX, on July 17, 1995.

#### Albert L. Viselli,

*Manager, Air Traffic Division, Southwest Region.*

[FR Doc. 95-18592 Filed 7-27-95; 8:45 am]

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### CONSUMER PRODUCT SAFETY COMMISSION

#### 16 CFR Part 1700

#### Final Rule: Requirements for Child-Resistant Packaging; Packages Containing 250 mg or More of Naproxen

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission is issuing a rule to require child-resistant packaging for naproxen preparations containing 250 mg or more of naproxen per retail package. Naproxen is marketed as an anti-inflammatory drug. It is used to treat various forms of arthritis, mild to moderate pain, and menstrual pain. The Commission has determined that child-resistant packaging is necessary to protect children under 5 years of age from serious personal injury and serious illness resulting from ingesting naproxen. The Commission takes this action under the authority of the Poison Prevention Packaging Act of 1970.

**DATES:** The rule will become effective on February 6, 1996, and applies to naproxen preparations packaged on or after that date.

**FOR FURTHER INFORMATION CONTACT:** Michael Bogumill, Division of Regulatory Management, Consumer Product Safety Commission,

Washington, DC 20207; telephone (301) 504-0400 ext. 1368.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

##### 1. Relevant Statutory and Regulatory Provisions

The Poison Prevention Packaging Act of 1970 ("PPPA"), 15 U.S.C. 1471-1476, authorizes the Commission to establish standards for the "special packaging" of any household substance if (1) The degree or nature of the hazard to children in the availability of such substance, by reason of its packaging, is such that special packaging is required to protect children from serious personal injury or serious illness resulting from handling, using, or ingesting such substance and (2) the special packaging is technically feasible, practicable, and appropriate for such substance.

Special packaging, also referred to as "child-resistant (CR) packaging," is packaging that (1) Is designed or constructed to be significantly difficult for children under 5 years of age to open or obtain a toxic or harmful amount of the substance contained therein within a reasonable time and (2) is not difficult for "normal adults" to use properly. 15 U.S.C. 1471(4). Household substances for which the Commission may require CR packaging include (among other categories) foods, drugs, or cosmetics as these terms are defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321). 15 U.S.C. 1471(2)(B). The Commission has performance requirements for special packaging. 16 CFR 1700.15, 1700.20.

Section 4(a) of the PPPA, 15 U.S.C. 1473(a), allows the manufacturer or packer to package a nonprescription product subject to special packaging standards in one size of non-CR packaging only if the manufacturer (or packer) also supplies the substance in CR packages of a popular size, and the non-CR packages bear conspicuous labeling stating: "This package for households without young children." 15 U.S.C. 1473(a).

##### 2. Naproxen

Naproxen is a nonsteroidal anti-inflammatory drug ("NSAID"). This class of compounds is used to treat various forms of arthritis, mild to moderate pain, and menstrual pain. As discussed below, the Commission is aware of many reports of poisoning incidents involving naproxen in children under 5 years old.

Until recently, naproxen was a prescription drug that was required to be in child-resistant packaging by the