Notification (PPQ Form 523)(EAN) for Karnal bunt has been issued, the grower or seed company must submit a copy of the EAN. A grower or seed company must also submit to the local FSA county office a copy of the contract under which the wheat was grown; a copy of the Karnal bunt certificate issued by APHIS that shows the Karnal bunt test results; a copy of the receipt for the final sale of the wheat, showing the intended use for which the wheat was sold, total bushels sold, and the total price received by the grower or seed company; and verification as to the actual (not estimated) weight of the wheat for which compensation is being claimed (such as a copy of the limited permit under which the wheat is being moved, or other verification). In addition, a seed company that is claiming compensation on seed inventories must certify to FSA that the propagative wheat was in the seed company's possession as of March 1, 1996.

(e) *Other seed company compensation for propagative wheat.* Seed companies are also eligible to receive compensation under the following circumstance: If a seed company is not able to or elects not to sell 1995–1996 crop season wheat grown for propagative purposes or propagative wheat inventories in their possession that were unsold as of March 1, 1996, the compensation rate will equal $7.00 per bushel for private variety seed and $4.90 per bushel for public variety seed. Compensation will only be paid if the seed company has destroyed the wheat by burying it in a sanitary landfill or other site that has been approved by APHIS. The compensation will be issued by the Farm Service Agency (FSA). To claim compensation, a seed company must submit to the local FSA county office a Karnal Bunt Compensation Claim form, provided by FSA. If the wheat was grown in an area that is not a regulated areas, but for which an Emergency Action Notification (PPQ Form 523)(EAN) for Karnal bunt has been issued, the seed company must submit a copy of the EAN. A seed company must also submit to the local FSA county office a copy of the contract under which the wheat was grown and verification of how much wheat was buried, in the form of a receipt from the sanitary landfill or verification signed by an APHIS inspector. In addition, a seed company that is claiming compensation on seed inventories must certify to FSA that the propagative wheat was in the seed company's possession as of March 1, 1996. Claims for compensation must be received by FSA on or before [date 60 days after effective date of final rule]. The Administrator may extend this deadline, upon request in specific cases, when unusual and unforeseen circumstances occur which prevent or hinder a claimant from requesting compensation on or before that date.

* * * * *

(i) *Wheat straw producers.* Producers of wheat straw (either growers who bale their own wheat straw or individuals contracted by growers to remove wheat straw from the growers' fields) made from wheat grown in the regulated areas in the 1995–1996 crop season are eligible to receive compensation on a one-time-only basis at the rate of $1.00 per 80-pound bale or $1.25 per hundredweight. Producers are eligible for compensation regardless of whether or not the straw is sold, but the straw must have been produced under contract. Compensation payments will be issued by the Farm Service Agency (FSA). To claim compensation, a wheat straw producer must submit a Karnal Bunt Compensation Claim form, provided by FSA, and a copy of the contract under which the wheat straw was produced to the local FSA county office. Claims for compensation must be received by FSA on or before [date 60 days after effective date of final rule]. The Administrator may extend this deadline, upon request in specific cases, when unusual and unforeseen circumstances occur which prevent or hinder a claimant from requesting compensation prior to that date.

Done in Washington, DC, this 24th day of July 1997.

Terry L. Medley,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 97–20005 Filed 7–29–97; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–NM–68–AD]

RIN 2120–AA64

Airworthiness Directives; Raytheon (Beech) Model 400, 400A, 400T, MU–300, and MU–300–10 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the supersedure of an existing airworthiness directive (AD), applicable to certain Raytheon (Beech) Model 400, 400A, MU–300–10, and 2000 airplanes, and Model 200, B200, 300, and B300 series airplanes, that currently requires replacement of outflow/safety valves with serviceable valves. That AD was prompted by a report of cracking and consequent failure of outflow safety valves in the pressurization system. The actions specified by that AD are intended to prevent such cracking and consequent failure of the outflow/safety valves, which could result in rapid decompression of the airplane. This action would revise the applicability of the existing AD to add an airplane model and to remove other airplanes, as well as to reference additional service bulletins that identify the serial numbers of affected airplanes.

DATES: Comments must be received by September 23, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 97–NM–68–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 am and 3:00 pm, Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Allied Signal Aerospace, Technical Publications, Dept. 65–70, P.O. Box 52170, Phoenix, Arizona 85072–2170. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas.

FOR FURTHER INFORMATION CONTACT: Michael D. Imbler, Aerospace Engineer, Systems and Propulsion Branch, ACE–116W, FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946–4147; fax (316) 946–4407.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed 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 above. All communications received on or before the closing date

for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed 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 summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 97–NM–68–AD.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 97–NM–68–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

On August 12, 1996, the FAA issued AD 96–17–10, amendment 39–9719 (61 FR 42996, August 20, 1996), applicable to certain Raytheon (Beech) Model 400, 400A, Mu–300–10, and 2000 airplanes, and Model 200, B200, 300, and B300 series airplanes, to require replacement of the outflow/safety valves with serviceable valves. That action was prompted by a report of cracking and consequent failure of the outflow safety valves in the pressurization system. The requirements of that AD are intended to prevent such cracking and consequent failure of the outflow/safety valves, which could result in rapid decompression of the airplane.

Explanation of Relevant Service Information

The FAA has reviewed and approved Raytheon Service Bulletin No. 2476, Revision II. dated June 1997. The replacement procedures described in this service bulletin is essentially identical to those described in AlliedSignal Service Bulletin 103570–21–4012, Revision 1, dated May 30, 1995, which was referenced in AD 96–17–10 as one of two appropriate sources of service information. However, the effectivity listing of Raytheon Service Bulletin No. 2476 specify the serial numbers of the affected airplanes and also adds an airplane model [i.e., Model 400 T(military)] that is subject to the addressed unsafe condition.

FAA's Conclusions

The FAA has determined that the applicability of AD 96–17–10 must be revised to: (1) Include Raytheon (Beech) Model MU–300 and 400T (military) airplanes, and (2) reference Raytheon Service Bulletin No. 2476 as the appropriate sources of service information for identifying the serial numbers of the affected airplanes.

In addition, the FAA inadvertently included Raytheon (Beech) Model 2000 airplanes and Model 200, B200, 300 and B300 series airplanes in the applicability of AD 96–17–10. The FAA finds that these airplanes should have been addressed in a separate rulemaking action. Therefore, the FAA has removed these airplanes from the applicability of this proposed AD. The FAA also has removed references to the corresponding service information for those airplanes from the proposed AD. The FAA is considering further rulemaking to address the identified unsafe condition for those airplanes.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would supersede AD 96–17–10 to continue to require replacement of outflow/safety valves with serviceable valves. The proposed AD would revise the applicability of the existing AD to add an airplane model and to remove other airplanes, as well as to reference additional service bulletins that identify the serial numbers of affected airplanes.

Cost Impact

There are approximately 142 Raytheon (Beech) Model 400, 400A, 400T, Mu–300 and Mu–300–10 airplanes of the affected design in the worldwide fleet. The FAA estimates that 110 airplanes of U.S. registry would be affected by this proposed AD.

The actions that are currently required by AD 96–17–10, and retained in this proposed AD, take approximately 12 work hours per airplane to accomplish, at an average labor rate of $60 per work hour. Required parts will be supplied by the manufacturer at no cost to the operators. Based on these figures, the cost impact of the currently required actions on U.S. operators is estimated to be $79,200, or $720 per airplane.

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

Regulatory Impact

The regulations proposed herein would 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 proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, 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 copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting 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.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 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. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39–9719 (61 FR 42996, August 20, 1996), and by adding

a new airworthiness directive (AD), to read as follows:

Raytheon Aircraft Company (Formerly Beech, Raytheon Corporate Jets, British Aerospace, Hawker Siddley, et al.): Docket 97–NM–68–AD. Supersedes AD 96–17–10, Amendment 39–9719.

Applicability: The following models and series of airplanes, certificated in any category, equipped with AlliedSignal outflow/safety valves, as identified in AlliedSignal Aerospace Service Bulletin 103570–21–4012, Revision 1, dated May 30, 1995:

Model of airplane	Serial Nos.
400	RJ–1 through RJ–65, inclusive.
400A	RK–1 through RK–42, inclusive.
400T (military).	TT–4 and TT–19.
MU–300 ...	S/N A001SA through A091SA.
MU–300–10.	A1001SA through A1011SA, inclusive.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent cracking and consequent failure of the outflow/safety valves, which could result in rapid decompression of the airplane, accomplish the following:

(a) Within 18 months after September 24, 1996 (the effective date of AD 96–17–10, amendment 39–9719), replace the outflow/safety value in accordance with AlliedSignal Aerospace Service Bulletin 103570–21–4012, Revision 1, dated May 30, 1995.

(b) As of September 24, 1996, no person shall install an outflow/safety valve, having a part number and serial number identified in AlliedSignal Aerospace Service Bulletin 103570–21–4012, Revision 1, dated May 30, 1995, on any airplane unless that valve is considered to be serviceable in accordance with the applicable service bulletin.

(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, Wichita Aircraft Certification Office (ACO), FAA, Small Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then said it to the Manager, Wichita ACO.

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

(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 location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on July 24, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–20011 Filed 7–29–97; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 207, 225, 510, 514, 515, and 558

[Docket No. 97N–0276]

Animal Drug Availability Act; Medicated Feed Mill Licenses

AGENCY: Food and Drug Administration, HHS.

ACTION: Proposed rule.

SUMMARY: The Food and Drug Administration (FDA) is proposing to amend the animal drug regulations to provide for feed mill licensing in accordance with the Animal Drug Availability Act (ADAA) of 1996. The ADAA amends the Federal Food, Drug, and Cosmetic Act (the act) to require a single facility license for the manufacture of feeds containing approved new animal drugs, rather than multiple medicated feed applications (MFA's) for each feed mill, as previously required by the act. The proposed regulation implements the requirements for feed mill licensing set forth in the ADAA.

DATES: Submit written comments on the proposed rule by October 28, 1997. Submit written comments on the information collection provisions by August 29, 1997. The agency proposes that any final rule that may issue based on this proposal become effective 30 days after date of publication of the final rule.

ADDRESSES: Submit written comments to the Dockets Management Branch (HFA–305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1–23, Rockville, MD 20857. Submit written comments on information collection requirements to the Office of Information and Regulatory Affairs, OMB, New Executive Office Bldg., 725 17th St. NW., rm. 10235, Washington, DC 20503, Attn: Desk Officer for FDA.

FOR FURTHER INFORMATION CONTACT: William D. Price, Center for Veterinary Medicine (HFV–200), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–594–1724.

SUPPLEMENTARY INFORMATION:

I. Background

The ADAA (Pub. L. 104–250), which amended section 512(a) and (m) of the act (21 U.S.C. 360b(a) and (m)), replaces the system for the approval of specific medicated feeds with a general licensing system.

Prior to the passage of the ADAA, an approved MFA was required by the act for the manufacture of medicated feed. The act required a feed mill to submit a separate MFA for each medicated feed to be manufactured by the firm. The ADAA eliminates the requirement that a feed mill submit a separate MFA for the manufacture of each type of medicated feed and instead provides for feed mills to be licensed and allows a licensed facility to manufacture any feed containing an approved new animal drug. Additionally, section 512(m)(6) of the act, as added by the ADAA, provides the agency with the authority, to the extent consistent with the public health, to exempt facilities that manufacture certain types of medicated feed from the requirement of a medicated feed mill license. The ADAA sets forth the requirements for such licensing.

The proposed regulation will require only one facility license for the manufacture of animal feeds containing approved new animal drugs, instead of multiple approved MFA's. Furthermore, those medicated feeds exempted from the MFA requirement under § 558.4 (21 CFR 558.4) will also be exempt from the requirement of a medicated feed mill license under this proposal. Thus, the regulation, in implementing the statute, would reduce the overall costs of regulatory compliance for industry. Additionally, because of the reduction in the number of applications that FDA would process annually, the proposed regulation, in implementing the statute, would reduce costs for the Federal Government.

The ADAA contains a transitional provision that provides that any person currently engaged in the manufacture of a medicated feed under an approved MFA shall be deemed to hold a medicated feed mill license for the manufacturing site identified in the application. Such transitional license