

**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 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 in the body of this AD, unless already accomplished.

To detect and correct interference between the elevator control cable and equipment under the cockpit floor panels before the elevator control cable breaks, which could result in loss of elevator control with potential loss of control of the airplane, accomplish the following:

(a) Upon accumulating 600 hours total time in service (TIS) on the airplane or within the next 10 hours TIS after the effective date of this AD, whichever occurs later, accomplish the following:

(1) Remove the pilot's seat and floor panels in the cockpit area on the pilot's side of the airplane and inspect the entire area for interference or damage between the elevator control cable and equipment under the cockpit floor panels (wire harnesses, stainless steel clamps, etc.); and

(2) Run a cloth wrap around the control cable to detect broken strands of the control cable (Ref: 90 Series Maintenance Manual, Sections 5-20-00, 5-20-01 (if applicable), and 20-04-00).

(b) Prior to further flight after the actions required by paragraph (a), including all subparagraphs, of this AD, accomplish the following:

(1) Replace or repair any damaged items found during the inspection and cloth wrap procedure required in paragraphs (a)(1) and (a)(2) of this AD, respectively. This would include chafing damage and nicks, cuts, and broken strands on the control cable (Ref: 90 Series Maintenance Manual, Section 20-04-00, for criteria to determine if the cable needs to be replaced);

(2) Secure any component that is interfering with the elevator control cable and install additional supports and clamps as necessary to prevent sagging or further interference between the elevator control cables and equipment under the cockpit floor panels. Use best shop practices and Advisory Circular (AC) 43.13-1B as guides for installing the additional supports;

(3) Reinspect the elevator control cables in accordance with the procedures specified in paragraph (a)(1) of this AD upon completion of any rework or replacement to assure that there is no interference; and

(4) Re-install the floor panels and pilot's seat.

**Note 2:** Raytheon Safety Communiqué No. 143, dated October 1997, is not considered an alternative method of compliance to this AD.

(c) An alternative method of compliance or adjustment of the compliance times that provides an equivalent level of safety may be approved by the Manager, Wichita Aircraft Certification Office (ACO), 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Wichita ACO.

(d) Information related to this priority letter AD may be examined at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(e) This amendment becomes effective on June 8, 1999, to all persons except those persons to whom it was made immediately effective by priority letter AD 99-10-07, issued May 3, 1999, which contains the requirements of this amendment.

Issued in Kansas City, Missouri, on May 7, 1999.

**Michael Gallagher,**

*Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 99-12295 Filed 5-17-99; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99-SW-03-AD; Amendment 39-11174; AD 99-11-03]

RIN 2120-AA64

### Airworthiness Directives; Eurocopter France Model SA341G and SA342J

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to Eurocopter France Model SA341G and SA342J helicopters. This action requires, before further flight, visually inspecting the external body of each main rotor head pitch-change rod (rod) for corrosion. If external corrosion is found, this action also requires a visual inspection of the inside of the body of that rod for corrosion. A rod with external corrosion that exceeds the repair criteria or a rod with any internal corrosion must be replaced with an airworthy rod. This amendment is prompted by the report of a deep internal corrosion fault in a rod found by a military helicopter operator performing a daily inspection. This

condition, if not corrected, could result in failure of a rod and subsequent loss of control of the helicopter.

**DATES:** Effective June 2, 1999.

Comments for inclusion in the Rules Docket must be received on or before July 19, 1999.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 99-SW-03-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

#### FOR FURTHER INFORMATION CONTACT:

Mike Mathias, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, Fort Worth, Texas 76193-0111, telephone (817) 222-5123, fax (817) 222-5961.

**SUPPLEMENTARY INFORMATION:** The Direction Generale De L'Aviation Civile (DGAC), the airworthiness authority for France, recently notified the FAA that an unsafe condition may exist on Eurocopter France Model SA341G and SA342J helicopters. The DGAC advises of the discovery of corrosion affecting a rod, which could lead to the failure of the rod and subsequent loss of control of the helicopter.

Eurocopter France issued Telex No. 00079, dated December 23, 1998, which specifies inspecting the body of each rod for stains, paint discoloration, and blistering, particularly on the lower straight section of the rod body. If any of these conditions are found, the telex specifies removal of the rod and an internal check of the body and its lower end fitting. The DGAC issued AD T98-551-039(A), dated December 31, 1998, to ensure the continued airworthiness of these helicopters in France.

These helicopter models are manufactured in France and are type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, reviewed 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 an unsafe condition has been identified that is likely to exist or develop on other Eurocopter France Model SA341G and SA342J helicopters of the same type design registered in the United States, this AD is being issued to prevent the failure of a rod and subsequent loss of control of the

helicopter. This AD requires, prior to further flight, visually inspecting the body of each rod for external corrosion. If external corrosion is found, this AD requires visually inspecting the inside of the body of each rod for corrosion. This action also requires inspecting each rod for internal corrosion prior to 10 hours time-in-service (TIS) or 7 calendar days, whichever occurs first, unless previously accomplished. The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the controllability of the helicopter. Therefore, this AD requires, before further flight, inspecting each rod and replacing any unairworthy rod with an airworthy rod, and this AD must be issued immediately.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impractical and that good cause exists for making this amendment effective in less than 30 days.

The FAA estimates that 24 helicopters will be affected by this AD, that it will take approximately 1 work hour to accomplish the external visual inspection and 2 work hours to accomplish the internal visual inspection, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$300 per helicopter. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$11,520 to inspect all helicopters and replace one rod on each helicopter.

#### **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 should 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 No. 99-SW-03-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 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

#### **§ 39.13 [Amended]**

2. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

##### **AD 99-11-03 Eurocopter France:**

Amendment 39-11174. Docket No. 99-SW-03-AD.

*Applicability:* Models SA341G and SA342J, certificated in any category.

**Note 1:** This AD applies to each helicopter 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 helicopters 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 failure of the main rotor head pitch change rod (rod), accomplish the following:

(a) Before further flight, inspect the external body of the rod, part number 341A31.4163.00, for corrosion.

(1) If external corrosion is found, inspect the inside of the body of each rod for corrosion.

(2) Replace each rod having external corrosion exceeding the repair criteria of the repair manual or each rod having internal corrosion with an airworthy rod.

**Note 2:** A rod having only external corrosion within the repair criteria of the repair manual is airworthy when repaired. Any internal corrosion is unairworthy.

(b) Unless previously accomplished under paragraph (a), inspect the inside of the body of each rod for corrosion within 10 hours time-in-service or 7 calendar days, whichever occurs first. If corrosion is found, replace the rod with an airworthy rod.

**Note 3:** Eurocopter France Telex No. 00079, dated December 23, 1998, pertains to the subject 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, Rotorcraft Standards Staff. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Rotorcraft Standards Staff.

**Note 4:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Rotorcraft Standards Staff.

(d) This amendment becomes effective on June 2, 1999.

**Note 5:** The subject of this AD is addressed in Direction Generale De L'Aviation Civile,

France, AD No. T98-551-039(A), dated December 31, 1998.

Issued in Fort Worth, Texas, on May 10, 1999.

**Eric Bries,**

*Acting Manager, Rotorcraft Directorate,  
Aircraft Certification Service.*

[FR Doc. 99-12416 Filed 5-17-99; 8:45 am]

BILLING CODE 4910-13-U

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Part 173**

[Docket No. 98F-0342]

**Secondary Direct Food Additives Permitted in Food for Human Consumption**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of acidified solutions of sodium chlorite as an antimicrobial agent in poultry processing. This action is in response to a petition filed by Alcide Corp.

**DATES:** This regulation is effective May 18, 1999. Submit written objections and requests for a hearing by June 17, 1999.

**ADDRESSES:** Submit written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

**FOR FURTHER INFORMATION CONTACT:** Robert L. Martin, Center for Food Safety and Applied Nutrition (HFS-215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204-0001, 202-418-3074.

**SUPPLEMENTARY INFORMATION:** In a notice published in the **Federal Register** of June 4, 1998 (63 FR 30498), FDA announced that a food additive petition (FMY 8A4591) had been filed by Alcide Corp., 8561 154th Ave. NE., Redmond, WA 98052. The petition proposed to amend the food additive regulation in § 173.325 (21 CFR 173.325) to provide for a lower pH in the use of acidified sodium chlorite solutions as an antimicrobial agent in poultry processing.

FDA has evaluated data in the petition and other relevant material. The agency concludes that: (1) The proposed use of the additive is safe, (2) the additive will achieve its intended technical effect, and, therefore, (3) the

regulation in § 173.325 should be amended as set forth below.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Center for Food Safety and Applied Nutrition by appointment with the information contact person listed above. As provided in § 171.1(h), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment, and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

This final rule contains no collection of information. Therefore, clearance by the Office of Management and Budget under the Paperwork Reduction Act of 1995 is not required.

Any person who will be adversely affected by this regulation may at any time on or before June 17, 1999, file with the Dockets Management Branch (address above) written objections thereto. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each numbered objection on which a hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

**List of Subjects in 21 CFR Part 173**

Food additives.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 173 is amended as follows:

**PART 173—SECONDARY DIRECT FOOD ADDITIVES PERMITTED IN FOOD FOR HUMAN CONSUMPTION**

1. The authority citation for 21 CFR part 173 continues to read as follows:

**Authority:** 21 U.S.C. 321, 342, 348.

2. Section 173.325 is amended by revising paragraph (b)(1) to read as follows:

**§ 173.325 Acidified sodium chlorite solutions.**

\* \* \* \* \*

(b) \* \* \*

(1) When used in a carcass spray or dip solution, the additive is used at levels that result in sodium chlorite concentrations between 500 and 1,200 parts per million (ppm), in combination with any GRAS acid at levels sufficient to achieve a solution pH of 2.3 to 2.9.

\* \* \* \* \*

Dated: May 10, 1999.

**William K. Hubbard,**

*Associate Commissioner for Policy Coordination.*

[FR Doc. 99-12391 Filed 5-17-99; 8:45 am]

BILLING CODE 4160-01-F

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Part 178**

[Docket No. 98F-0824]

**Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of anthra(2,1,9-def:6,5,10-d'e'f')diisoquinoline-1,3,8,10 (2H,9H)-tetrone (C.I. Pigment Violet 29) as a colorant for polymers intended for use in contact with food. This action is in response to a petition filed by BASF Corp.

**DATES:** Effective May 18, 1999; written objections and requests for a hearing by June 17, 1999.

**ADDRESSES:** Submit written objections to the Dockets Management Branch (HFA-