not have any federalism implications warranting the preparation of a Federalism Assessment.

For purposes of Executive Order 12988, SBA certifies that this rule is drafted, to the extent practicable, in accordance with the standards set forth in that order.

List of Subjects in 13 CFR Part 121

Government procurement, Government property, Grant programs-business, Loan programs-business, Small business.

For the reasons stated in the preamble, SBA proposes to amend 13 CFR part 121 as follows:

PART 121—SMALL BUSINESS SIZE REGULATIONS

1. The authority citation of Part 121 continues to read as follows:

Authority: Pub. L. 105–135 Sec. 601 *et. seq.*, 111 Stat. 2592; 15 U.S.C. 632(a), 634(b)(6), 637(a), and 644(c); and Pub. L. 102–486, 106 Stat. 2776, 3133.

2. Revise § 121.104 (a) (1) to read as follows:

§ 121.104 How does SBA calculate annual receipts?

(a) * * *

Receipts means ''total income'' (or in the case of a sole proprietorship, ''gross income'') plus the ''cost of goods sold'' as these terms are defined or reported on Internal Revenue Service (IRS) Federal tax return forms (Form 1120 for corporations; Form 1120S for Subchapter S corporations; Form 1065 for partnerships; and Form 1040, Schedule F for farm or Schedule C for other sole proprietorships). However, the term receipts excludes net capital gains or losses, taxes collected for and remitted to a taxing authority if included in gross or total income, proceeds from the transactions between a concern and its domestic or foreign affiliates (if also excluded from gross or total income on a consolidated return filed with the IRS), and amounts collected for another by a travel agent, real estate agent, advertising agent, conference management service provider, freight forwarder or customs broker.

* * * * *

§ 121.201 [Amended]

3. In § 121.201, the table ''SIZE STANDARDS BY SIC INDUSTRY,'' is amended as follows:

a. Under Division E-Transportation, Communications, Electric, Gas, and Sanitary Services, Major Group 42—Motor Freight Transportation and Warehousing, revise the entry 4731:

b. Revise, in the table ''SIZE STANDARDS BY SIC INDUSTRY,''

Footnote 6 to read as follows:

SIZE STANDARDS BY SIC INDUSTRY

SIC code and description	Size standards in number of employees or millions of dollars
* * * * *	
Division E—Transportation, Communications, Electric, Gas, and Sanitary Services	
* * * * *	
4731 Arrangement of Transportation of Freight and Cargo	[6] $5.0
* * * * *	

[6] SIC codes 4724, 4731, 6531, 7311, 7312, 7313, 7319, and 8741 (part): As measured by total revenues, but excluding funds received in trust for an unaffiliated third party, such as bookings or sales subject to commissions. The commissions received are included as revenue.

Dated: July 20, 1999.

Aida Alvarez,

Administrator.

[FR Doc. 99–19022 Filed 7–23–99; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99–NM–94–AD]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A320 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Airbus Model A320 series airplanes. This proposal would require modification of the autopilot mode engagement/disengagement lever of the rudder artificial feel unit. This proposal is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to prevent reduced controllability of the airplane due to the failure of the rudder artificial feel unit to properly disengage from autopilot mode during approach and landing.

DATES: Comments must be received by August 25, 1999.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 99–NM–94–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Airbus Industrie, Customer Services Directorate, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Norman B. Martenson, Manager, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2110; fax (425) 227–1149.

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 99–NM–94–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–114, Attention: Rules Docket No. 99–NM–94–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, has notified the FAA that an unsafe condition may exist on certain Airbus Model A320 series airplanes. The DGAC advises that several cases of stiff rudder pedals have been reported. The stiffness is due to the rudder artificial feel unit being in autopilot mode while the autopilot is disengaged; this is due to jamming of the artificial feel autopilot mode disengagement lever. Investigations have shown that the radial play of the lever bearing together with low temperature could cause an increased operating force. In this case, the back driving force is not able to get the autopilot mode disengaged. This condition, if not corrected, could result in reduced controllability of the airplane.

Explanation of Relevant Service Information

Airbus Industrie has issued Service Bulletin A320–27–1042, Revision 3, dated April 7, 1999, which describes procedures for the modification of the autopilot mode engagement/disengagement lever of the rudder artificial feel unit. This service bulletin introduces a new modified lever with a larger radial play of the bearing. The modification ensures that the correct operating force exists at the pedals during approach and landing. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition. The DGAC classified this service bulletin as mandatory and issued French airworthiness directive 1999–075–128(B), dated February 24, 1999, in order to assure the continued airworthiness of these airplanes in France.

FAA's Conclusions

This airplane model is manufactured in France 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, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, 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.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require accomplishment of the actions specified in the service bulletin described previously.

Cost Impact

The FAA estimates that 17 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 6 work hours per airplane to accomplish the proposed actions, and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be $6,120, or $360 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the 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 adding the following new airworthiness directive:

Airbus Industrie: Docket 99–NM–94–AD.

Applicability: Model A320 series airplanes, certificated in any category, except airplanes on which Airbus Industrie Modification 22624 has been accomplished or on which Modification 21999 was accomplished in production.

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 reduced controllability of the airplane due to the failure of the rudder artificial feel unit to properly disengage from autopilot mode, accomplish the following:

Modification

(a) Within 18 months after the effective date of this AD, modify the rudder artificial feel unit in accordance with Airbus Industrie Service Bulletin A320–27–1042, Revision 3, dated April 7, 1999.

Note 2: Accomplishment of the modification, prior to the effective date of this AD, in accordance with Airbus Industrie Service Bulletin A320–27–1042, dated March 21, 1992, or Revision 1, dated June 6, 1998, or Revision 2, dated November 4, 1998, is considered acceptable for compliance with the requirements of this AD.

Spares

(b) As of the effective date of this AD, no person shall install an artificial feel unit having part number D2727040000600, D2727040000651, D2727040000800, or D2727040000851 on any airplane.

Alternative Methods of Compliance

(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, International Branch, ANM–116, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM–116.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM–116.

Special Flight Permits

(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.

Note 4: The subject of this AD is addressed in French airworthiness directive 1999–075–128(B), dated February 24, 1999.

Issued in Renton, Washington, on July 20, 1999.

D.L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 99–19016 Filed 7–23–99; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 514

[Docket No. 99N–2151]

RIN 0910–AB69

New Animal Drug Applications; Sheep as a Minor Species

AGENCY: Food and Drug Administration, HHS.

ACTION: Proposed rule.

SUMMARY: The Food and Drug Administration (FDA) is proposing to amend its regulations to reclassify sheep as a minor species for all data collection purposes. This would allow sponsors of supplemental new animal drug applications (NADA's) to extrapolate human food safety data from a major species such as cattle to sheep. In particular, this will allow the extrapolation of the tolerances for residues of new animal drugs in cattle to sheep.

DATES: Written comments must be submitted by October 25, 1999.

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

FOR FURTHER INFORMATION CONTACT: Meg Oeller, Center For Veterinary Medicine (HFV–130), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–827–7581.

SUPPLEMENTARY INFORMATION:

I. Minor Use and Minor Species

Since 1983 (48 FR 1922, January 14, 1983 (hereinafter referred to as the January 1983 final rule)), FDA has permitted some flexibility in the means to meet the data requirements to support the approval of new animal drugs intended for ''minor uses'' and ''minor species.'' Specifically, these classifications permit data extrapolation from a major use or major species to support the safety and effectiveness of a new animal drug for a minor use or minor species. The requirements were codified in § 514.1(d) (21 CFR 514.1(d)) by the January 1983 final rule (effective February 14, 1983).

''Minor use'' is defined as use of new animal drugs in a minor animal species, or use of new animal drugs in any animal species for control of a disease that occurs infrequently or in limited geographic areas. ''Minor species'' are defined by exclusion as any species other than horses, cattle, swine, dogs, cats, chickens, and turkeys. Sheep are classified as a minor species for the purposes of target animal safety and effectiveness studies. However, they are considered a major species for the purpose of determining the human food safety of edible products.

II. The Minor Species Designation and Safety and Effectiveness

The current minor use regulations (§ 514.1(d)) do not negate or alter the legal requirement that sponsors must provide data from ''adequate and well-controlled investigations'' to show effectiveness and ''adequate tests by all methods reasonably applicable'' to demonstrate safety. The agency has guidance that lays out its interpretation of what data for minor use/minor species drugs will be sufficient to meet these legal standards (Ref. 1). The regulations permit data provided in support of a drug approved for use in a major species to be used in support of an approval for the same drug for use in a minor species where scientifically appropriate.

III. The Minor Species Designation and Human food safety

The preamble of the January 1983 final rule (48 FR 1922 at 1923) described the toxicology, residue evaluation, and analytical methodology standards that are components of the human food safety evaluation for minor use drugs. For minor species, sufficient toxicology and metabolism data must be available within the residue evaluation data package in the application, or by reference, to establish a tolerance for new animal drug residues in animal-derived food. The tolerance is a limit on the amount of drug residue in edible tissue, as measured by the approved analytical method, that will not render the edible tissue adulterated under section 402(a)(2)(D) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 342(a)(2)(D)).

The agency may require the residue evaluation data package to contain additional information on metabolism beyond that used for the approval in major species, if available information raises human food safety concerns about the level or toxicity of metabolic transformation products in edible tissues of the minor target species. In addition, if the conditions of safe use of the product require withholding of animals from slaughter for a prescribed period of time following treatment, a regulatory analytical method will be necessary. The sponsor of the minor use application must then demonstrate that the approved analytical methodology is suitable for monitoring compliance with the approved conditions of use.

IV. The Status of Sheep

In the preamble of the January 1983 final rule, the agency set out the justification for the determination that sheep are a major species for human food safety purposes. The agency's concern centered on consumers in the United States who eat a large proportion of lamb and mutton in their diets. In its evaluations, FDA used data from consumers who had reported eating sheep products during the previous 2 weeks. Using these values, FDA calculated that those consumers eat 24 percent as much lamb as beef. The agency determined that this was enough to categorize sheep as a major species for human food safety purposes. The agency stated in the preamble that it would be willing to reevaluate this conclusion if new data became available.