

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 928

[Docket No. FV02-928-1]

#### Papayas Grown in Hawaii; Continuance Referendum

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Referendum order.

**SUMMARY:** This document directs that a referendum be conducted among eligible growers of Hawaiian papayas to determine whether they favor continuance of the marketing order regulating the handling of papayas grown in the production area.

**DATES:** The referendum will be conducted from March 4, through March 22, 2002. To vote in this referendum, growers must have been producing Hawaiian papayas during the period July 1, 2000, through June 30, 2001.

**ADDRESSES:** Copies of the marketing order may be obtained from the office of the referendum agent at 2202 Monterey Street, Suite 102 B, Fresno, California, 93721, or the Office of the Docket Clerk, Marketing Order Administration Branch, Fruit and Vegetable Programs, Agricultural Marketing Service (AMS), US Department of Agriculture (USDA), 1400 Independence Avenue SW., Stop 0237, Washington, DC, 20250-0237.

**FOR FURTHER INFORMATION CONTACT:** J. Terry Vawter, California Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, at 2202 Monterey Street, Suite 102 B, Fresno, California, 93721; telephone (559) 487-5901; or Melissa Schmaedick, Marketing Order Administration Branch, Fruit & Vegetable Programs, AMS, USDA, 1400 Independence Ave SW., Stop 0237, Washington, DC 20250-0237; telephone (202) 720-2491.

**SUPPLEMENTARY INFORMATION:** Pursuant to Marketing Order No. 928 (7 CFR part

928), hereinafter referred to as the "order" and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the "Act," it is hereby directed that a referendum be conducted to ascertain whether continuance of the order is favored by producers. The referendum shall be conducted during the period March 4, through March 22, 2002, among papaya growers in the production area. Only growers that were engaged in the production of Hawaiian papayas during the period of July 1, 2000, through June 30, 2001, may participate in the continuance referendum.

The USDA has determined that continuance referenda are an effective means for ascertaining whether growers favor continuation of marketing order programs. The USDA would consider termination of the order if less than two-thirds of the growers voting in the referendum and growers of less than two-thirds of the volume of Hawaiian papayas represented in the referendum favor continuance. In evaluating the merits of continuance versus termination, the USDA will consider the results of the referendum and other relevant information regarding operation of the order. The USDA will evaluate the order's relative benefits and disadvantages to growers, handlers, and consumers to determine whether continuing the order would tend to effectuate the declared policy of the Act.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the ballot materials used in the referendum herein ordered have been submitted to and approved by the Office of Management and Budget (OMB) and have been assigned OMB No. 0581-0102 for Hawaiian papayas. It has been estimated that it will take an average of 20 minutes for each of the approximately 400 growers of Hawaiian papayas to cast a ballot. Participation is voluntary. Ballots postmarked after March 22, 2002, will not be included in the vote tabulation.

J. Terry Vawter and Martin Engeler of the California Marketing Field Office, Fruit and Vegetable Programs, AMS, USDA, are hereby designated as the referendum agents of the Department to conduct such referendum. The procedure applicable to the referendum shall be the "Procedure for the Conduct

of Referenda in Connection With Marketing Orders for Fruits, Vegetables, and Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as Amended" (7 CFR part 900.400 *et. seq.*).

Ballots will be mailed to all growers of record and may also be obtained from the referendum agents and from their appointees.

#### List of Subjects in 7 CFR Part 928

Marketing agreements, Papayas, Reporting and Recordkeeping requirements.

**Authority:** 7 U.S.C. 601-674.

**Dated:** January 31, 2002.

**A. J. Yates,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 02-2845 Filed 2-5-02; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-SW-46-AD]

RIN 2120-AA64

#### Airworthiness Directives; Eurocopter France Model AS332L and AS332L1 Helicopters

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes adopting a new airworthiness directive (AD) for Eurocopter France (ECF) Model AS332L and AS332L1 helicopters. This proposal would require adding a supplement to the limitations section of the applicable Rotorcraft Flight Manual (RFM) for helicopters with "SEFA" skis installed. This proposal is prompted by the need to limit the taxi and Vne speed of those helicopters with skis. The actions specified by this proposed AD are intended to prevent structural failure of a ski and subsequent loss of control of the helicopter.

**DATES:** Comments must be received on or before April 8, 2002.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region,