

Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

■ Accordingly, we are amending 7 CFR part 301 as follows:

PART 301—DOMESTIC QUARANTINE NOTICES

■ 1. The authority citation for part 301 continues to read as follows:

Authority: 7 U.S.C. 7701–7772 and 7781–7786; 7 CFR 2.22, 2.80, and 371.3.

Section 301.75–15 issued under Sec. 204, Title II, Public Law 106–113, 113 Stat. 1501A–293; sections 301.75–15 and 301.75–16 issued under Sec. 203, Title II, Public Law 106–224, 114 Stat. 400 (7 U.S.C. 1421 note).

■ 2. In § 301.51–3, paragraph (c), the entry for New Jersey is revised to read as follows:

§ 301.51–3 Quarantined areas.

* * * * *

(c) * * *

New Jersey

Middlesex and Union Counties. That portion of the counties, including the municipalities of Roselle, Elizabeth City, Linden, Carteret, Woodbridge, Rahway, and Clark, that is bounded by a line drawn as follows: Beginning at the intersection of Locust Street (County Road 619) and West Grand Avenue (Union County 610) in Roselle, NJ; then east on West Grand Avenue to Chilton Street; then south on Chilton Street to South Street; then east on South Street to Broad Street; then south on Broad Street to Summer Street; then east on Summer Street to the Elizabeth River; then east along the Elizabeth River to the Arthur Kill; then south along the Arthur Kill (New Jersey and New York State border) to the point where Roosevelt Avenue (State Route 602) meets the Arthur Kill in Carteret, NJ; then south along Roosevelt Avenue to Port Reading Avenue (State Route 604); then west southwest along Port Reading Avenue to the Conrail railroad; then north and west along the Conrail railroad right-of-way to the NJ Transit railroad right-of-way; then north and northwest along the NJ Transit railroad right-of-way to the south branch of the Rahway River; then west along the south branch of the Rahway River to St. Georges Avenue (State Highway 27); then north along St. Georges Avenue to its intersection with the eastern border of Rahway River Park (Union County Park); then north along the eastern

border of Rahway River Park to the intersection of Valley Road and Union County Parkway; then north along Union County Parkway to North Stiles Street; then northwest along North Stiles Street to Raritan Road; then northeast along Raritan Road to the perpendicular intersection of Raritan Road and the Cranford/Linden township border (144 Raritan Road); then north along the Cranford/Linden border to Myrtle Street; then east along Myrtle Street to the intersection of Amsterdam Avenue and Wood Avenue; then southeast along Wood Avenue to 5th Avenue; then northeast along 5th Avenue to Locust Street; then north along Locust Street to the point of beginning.

* * * * *

Done in Washington, DC, this 4th day of October 2006.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. E6–16755 Filed 10–10–06; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2006–26028; Directorate Identifier 2006–NM–222–AD; Amendment 39–14786; AD 2006–20–51]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 777–200LR Series Airplanes Powered by General Electric (GE) Model GE90–110B Engines, and Model 777–300ER Series Airplanes Powered by GE Model GE90–115B Engines

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule; request for comments.

SUMMARY: This document publishes in the **Federal Register** an amendment adopting airworthiness directive (AD) 2006–20–51 that was sent previously to all known U.S. owners and operators of certain Boeing Model 777–200LR and –300ER series airplanes by individual notices. This AD requires revising the Airplane Flight Manual to prohibit takeoffs at less than full-rated thrust. This AD is prompted by a report of two occurrences of engine thrust rollback (reduction) during takeoff. We are issuing this AD to prevent dual-engine thrust rollback, which could result in the airplane failing to lift off before

reaching the end of the runway or failing to clear obstacles below the takeoff flight path.

DATES: This AD becomes effective October 16, 2006 to all persons except those persons to whom it was made immediately effective by emergency AD 2006–20–51, issued September 30, 2006, which contained the requirements of this amendment.

We must receive comments on this AD by December 11, 2006.

ADDRESSES: Use one of the following addresses to submit comments on this AD.

- *DOT Docket Web site:* Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC 20590.

- *Fax:* (202) 493–2251.

- *Hand Delivery:* Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Margaret Langsted, Aerospace Engineer, Propulsion Branch, ANM–140S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 917–6500; fax (425) 917–6590.

SUPPLEMENTARY INFORMATION: On September 30, 2006, we issued emergency AD 2006–20–51, which applies to all Boeing Model 777–200LR series airplanes powered by General Electric (GE) Model GE90–110B engines, and Model 777–300ER series airplanes powered by GE Model GE90–115B engines.

Background

We have received a report of two occurrences of engine thrust rollback (reduction) during takeoff on Boeing Model 777–300ER series airplanes powered by GE Model GE90–115B engines. In both cases, only one engine was affected. The N1 (fan speed—the normal thrust setting parameter for this engine type) thrust level on the affected engine progressively dropped resulting in a thrust loss of 65 to 77% due to an erroneous N1 command computed by the Full Authority Digital Engine Control (FADEC). In both cases, the engine recovered to the proper N1 thrust level as the airplane climbed beyond 400 feet above ground level. In one case,

the operator elected to return to the departure airport after reaching cruise. In the other case, the operator continued to its destination. There were no further anomalies reported during the remainder of the flights. No flight deck messages or maintenance indications occurred as a result of the event.

Investigation indicates that these events are the results of a software algorithm in the FADEC that was introduced in software version A.0.4.5 (GE90-100 Service Bulletin 73-0021). Investigation also indicates that a dual-engine thrust rollback could occur just after V1 (takeoff decision speed after which takeoff is to proceed even after an engine failure), which would result in the airplane not having adequate thrust to safely complete the takeoff. A derated or a reduced thrust takeoff, in combination with specific ambient conditions, can result in the FADEC commanding a progressive reduction in the engine thrust. Airplane takeoffs are often performed with engine thrust levels at less than the maximum engine thrust approved for the airplane. This is done to reduce wear on the engines, increase fuel efficiency, and maximize passenger comfort. Operators are permitted to calculate airplane takeoff performance and required engine thrust using two different methods referred to as "derated takeoff thrust" (also known as fixed de-rate) and "reduced takeoff thrust" (also known as the assumed temperature method). Full-rated thrust takeoffs with the thrust levers at the full forward position are not exposed to the potential thrust rollback caused by the software anomaly described above.

A dual-engine thrust rollback, if not corrected, could result in the airplane failing to lift off before reaching the end of the runway or failing to clear obstacles below the takeoff flight path.

The FADEC software, version A.0.4.5, on certain Model 777-200LR powered by GE Model 90-110B engines is identical to that on the affected Model 777-300ER series airplanes powered by GE Model GE90-115B engines.

Therefore, both of these airplane models may be subject to the same unsafe condition.

Although the software anomaly was introduced by this version of software, the affected operators have a mixed fleet of airplanes with and without the affected software version. To avoid reliance on flight crews determining which software version is installed as they operate different airplanes, we have determined that this AD should apply to all airplanes equipped with the affected engines. If operators develop an acceptable method to ensure flight crews will consistently perform the

correct procedure on affected airplanes, they may request approval for an alternative method of compliance in accordance with paragraph (h) of this AD.

FAA's Determination and Requirements of This AD

Since the unsafe condition described is likely to exist or develop on other airplanes of the same type design, we issued emergency AD 2006-20-51 to prevent dual-engine thrust rollback, which could result in the airplane failing to lift off before reaching the end of the runway or failing to clear obstacles below the takeoff flight path. The AD requires revising the Airplane Flight Manual to prohibit takeoffs at less than full-rated thrust.

We found that immediate corrective action was required; therefore, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and good cause existed to make the AD effective immediately by individual notices issued on September 30, 2006, to all known U.S. owners and operators of all Boeing Model 777-200LR series airplanes powered by General Electric (GE) Model GE90-110B engines, and Model 777-300ER series airplanes powered by GE Model GE90-115B engines. These conditions still exist, and the AD is hereby published in the **Federal Register** as an amendment to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13) to make it effective to all persons.

Interim Action

This is considered to be interim action. The engine manufacturer has advised that it currently is developing a modification that will eliminate the unsafe condition addressed by this AD. Once this modification is developed, approved, and available, we may consider additional rulemaking.

Comments Invited

This AD is a final rule that involves requirements that affect flight safety and was not preceded by notice and an opportunity for public comment; however, we invite you to submit any relevant written data, views, or arguments regarding this AD. Send your comments to an address listed in the **ADDRESSES** section. Include "Docket No. FAA-2006-26028; Directorate Identifier 2006-NM-222-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the AD that might suggest a need to modify it.

We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this AD. Using the search function of that Web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78), or you may visit <http://dms.dot.gov>.

Examining the Docket

You may examine the AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the DOT street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after the Docket Management System receives them.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect 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.

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 this emergency regulation is later deemed significant under DOT Regulatory Policies and Procedures, we will prepare a final regulatory evaluation and place it in the AD Docket. See the ADDRESSES section for a location to examine the regulatory evaluation, if filed.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

2006–20–51 Boeing: Amendment 39–14786. Docket No. FAA–2006–26028; Directorate Identifier 2006–NM–222–AD.

Effective Date

(a) This AD becomes effective October 16, 2006, to all persons except those persons to whom it was made immediately effective by emergency AD 2006–20–51, issued on September 30, 2006, which contained the requirements of this amendment.

Affected ADs

(b) None.

Applicability

(c) This AD applies to airplanes in Table 1 of this AD certificated in any category.

TABLE 1.—APPLICABILITY

Boeing model	Powered by General Electric (GE) model
(1) 777–200LR series airplanes	GE90–110B engines.
(2) 777–300ER series airplanes	GE90–115B engines.

Unsafe Condition

(d) This AD results from a report of two occurrences of engine thrust rollback during takeoff. The Federal Aviation Administration is issuing this AD to prevent dual-engine thrust rollback, which could result in the airplane failing to lift off before reaching the end of the runway or failing to clear obstacles below the takeoff flight path.

Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Revision of the Airplane Flight Manual (AFM)

(f) Within 24 hours after the effective date of this AD, revise the Certificate Limitations Section of the AFM to include the following statement. This may be done by inserting a copy of this AD into the AFM.

"Use of reduced thrust takeoff ratings determined by either the assumed temperature method or the fixed de-rate method or a combination of both, is prohibited. Full-rated thrust must be used for takeoff."

Note 1: When a statement identical to that in paragraph (f) of this AD has been included in the general revisions of the AFM, the general revisions may be inserted into the AFM, and the copy of this AD may be removed from the AFM.

Special Flight Permit

(g) Special flight permits, as described in Section 21.197 and Section 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199), are not allowed.

Alternative Methods of Compliance (AMOCs)

(h)(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

Issued in Renton, Washington, on October 2, 2006.

Kalene C. Yanamura,
Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.
 [FR Doc. E6–16670 Filed 10–10–06; 8:45 am]
BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 189 and 700

[Docket No. 2004N–0257]

RIN 0910–AF48

Recordkeeping Requirements for Human Food and Cosmetics Manufactured From, Processed With, or Otherwise Containing, Material From Cattle

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is requiring that manufacturers and processors of human food and cosmetics that are manufactured from, processed with, or otherwise contain, material from cattle establish and maintain records sufficient to demonstrate that the human food or cosmetic is not manufactured from, processed with, or does not otherwise contain, prohibited cattle materials. These recordkeeping requirements provide documentation for the provisions in FDA's interim final rule entitled "Use of Materials Derived From Cattle in Human Food and Cosmetics." FDA is requiring recordkeeping because manufacturers and processors of human food and cosmetics need records to ensure that their products do not contain prohibited cattle materials, and records are necessary to help FDA ensure compliance with the requirements of the interim final rule.

DATES: This rule is effective on January 9, 2007.

FOR FURTHER INFORMATION CONTACT: Rebecca Buckner, Center for Food Safety and Applied Nutrition (HFS–306), Food and Drug Administration, 5100 Paint Branch Pkwy., College Park, MD 20740, 301–436–1486.

SUPPLEMENTARY INFORMATION: