

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 determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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.

For the reasons discussed above, I certify 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. 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.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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 AD:

**Alpha Aviation Design Limited (Type Certificate No. A48EU previously held by APEX Aircraft and AVIONS PIERRE ROBIN):** Docket No. FAA-2006-26494; Directorate Identifier 2006-CE-79-AD

#### Comments Due Date

(a) We must receive comments by March 8, 2007.

#### Affected ADs

(b) None.

#### Applicability

(c) This AD applies to Model R2160 airplanes, serial numbers 001 through 378, certificated in any category.

### Subject

(d) Air Transport Association of America (ATA) Code 57: Wings.

### Reason

(d) The mandatory continuing airworthiness information (MCAI) states: \* \* \* unchecked corrosion developing on the wing spars due to access for inspections being difficult under normal maintenance practices, which could lead to an unsafe condition and possibly a failure of the wing.

### Actions and Compliance

(e) Unless already done, do the following actions within 66 months after aircraft date of manufacture or within 6 months after the effective date of this AD, whichever occurs later, unless already done within the last 24 months, and thereafter at intervals not to exceed 24 months. Accomplishment of European Aviation Safety Agency (EASA) AD 2005-0028 satisfies the requirement of this AD. If the spars are replaced, the inspections at intervals of 24 months must be resumed within 60 months from the date of replacement:

(1) Inspect the visible parts of the spar web, the front face of the spar, and the upper and lower boom angle following Avions Pierre Robin Service Letter No. 19, dated October 1980, and Avions Pierre Robin Service Bulletin No. 99, dated June 24, 1983.

(2) If corrosion is found as a result of the inspection required by paragraph (e)(1) of this AD that does not exceed the limits in the service bulletins, before further flight, treat the corrosion following Avions Pierre Robin Service Letter No. 19, dated October 1980, and Avions Pierre Robin Service Bulletin No. 99, dated June 24, 1983.

(3) If corrosion is found as a result of the inspection required by paragraph (e)(1) of this AD that does exceed the limits specified in Avions Pierre Robin Service Letter No. 19, dated October 1980, before further flight, repair following a manufacturer approved repair scheme.

### FAA AD Differences

**Note:** This AD differs from the MCAI and/or service information as follows: No differences.

### Other FAA AD Provisions

(f) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Staff, FAA, ATTN: Karl Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4146; fax: (816) 329-4090, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

### Related Information

(g) Refer to MCAI New Zealand Civil Aviation Authority AD DCA/R2000/37, dated September 28, 2006, and Avions Pierre Robin Service Letter No. 19, dated October 1980; and Avions Pierre Robin Service Bulletin No. 99, dated June 24, 1983, for related information.

Issued in Kansas City, Missouri, on January 31, 2007.

**Margaret Kline,**

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

[FR Doc. E7-1873 Filed 2-5-07; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Parts 121, 125, and 135

[Docket No. FAA-2006-26135; Notice No. 06-16]

**RIN 2120-AI79**

### Filtered Flight Data

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM); extension of comment period.

**SUMMARY:** This action extends the comment period for an NPRM published on November 15, 2006. In that document, the FAA proposed to amend the digital flight data recorder regulations by prohibiting the filtering of some original parameter sensor signals. This extension is a result of a request from The Boeing Company to extend the comment period for the NPRM.

**DATES:** Send your comments on the NPRM on or before April 16, 2007.

**ADDRESSES:** You may send comments on the NPRM or this extension [identified by Docket Number 2006-26135] using any of the following methods:

- *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 20590-001.

- *Fax:* 1-202-493-2251.

- *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 more information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document and the NPRM.

*Privacy:* We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. For more information, see the Privacy Act discussion in the **SUPPLEMENTARY INFORMATION** section of the NPRM.

*Docket:* To read background documents or comments received, go to <http://dms.dot.gov> at any time or to 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:** Timothy W. Shaver, Avionics Systems Branch, Aircraft Certification Service, AIR-130, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 385-4686; facsimile (202) 385-4651; e-mail [tim.shaver@faa.gov](mailto:tim.shaver@faa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Comments Invited**

The FAA continues to invite interested persons to take part in this rulemaking by submitting written comments, data, or views about the NPRM. We also invite comments about the economic, environmental, energy, or federalism impacts that might result from adopting the proposals in the NPRM. The most helpful comments reference a specific portion of the NPRM, explain the reason for any recommended change, and include supporting data. We ask that you send us two copies of written comments.

##### **Background**

On November 15, 2006, the Federal Aviation Administration (FAA) published Notice No. 06-16 in the **Federal Register** (Filtered Flight Data, 71 FR 66634) (the NPRM). The comment period for this NPRM ends on February 13, 2007.

By letter dated January 12, 2007, The Boeing Company (Boeing) asked the FAA to extend the NPRM's comment period for sixty days. Boeing intends to submit comments that will include an

assessment of those parameters that fall within the proposed definition of filtered data for each of its affected airplanes. Boeing also intends to provide cost data related to the proposed requirements to analyze in-service airplanes. Boeing states that it needs an additional sixty days to complete these assessments.

The FAA agrees with Boeing's request for an extension of the comment period. We recognize the assessments being performed by Boeing are time-consuming, but are expected to produce valuable information.

We have determined that an additional sixty days will be enough for potential commenters to collect the cost and operational data necessary to provide meaningful comments to the NPRM. Absent unusual circumstances, the FAA does not anticipate any further extension of the comment period for this NPRM.

##### **Extension of Comment Period**

In accordance with 14 CFR 11.47(c), the FAA has reviewed the petition submitted by Boeing for an extension of the comment period to the NPRM. The FAA finds that an extension of the comment period for Notice No. 06-16 is consistent with the public interest, and that good cause exists for taking this action. The FAA also has determined that Boeing has a substantive interest in the proposed rule and has shown good cause for the extension.

Accordingly, the comment period for Notice No. 06-16 is extended until April 16, 2007.

Issued in Washington, DC, on January 29, 2007.

**John J. Hickey,**

*Director, Aircraft Certification Service.*

[FR Doc. E7-1834 Filed 2-5-07; 8:45 am]

**BILLING CODE 4910-13-P**

## **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

### **Food and Drug Administration**

#### **21 CFR Part 101**

[Docket No. 2006P-0069]

RIN 0910-AF94

#### **Food Labeling: Health Claims; Soluble Fiber From Certain Foods and Risk of Coronary Heart Disease**

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

**ACTION:** Proposed rule.

**SUMMARY:** The Food and Drug Administration (FDA) is proposing to

amend the regulation authorizing a health claim on the relationship between soluble fiber from certain foods and risk of coronary heart disease (CHD). The amendment proposes to exempt certain foods from the nutrient content requirement of "low fat." The exemption would apply if the food exceeds this requirement due to fat content derived from whole oat sources. FDA is taking this action in response to a petition submitted by the Quaker Oats Company (the petitioner). The amendment would expand the use of this health claim to some whole oat products that are currently ineligible for the health claim.

**DATES:** Submit written or electronic comments by April 23, 2007.

**ADDRESSES:** You may submit comments, identified by Docket No. 2006P-0069, by any of the following methods:

##### *Electronic Submissions*

Submit electronic comments in the following ways:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Agency Web site: <http://www.fda.gov/dockets/ecomments>. Follow the instructions for submitting comments on the agency Web site.

##### *Written Submissions*

Submit written submissions in the following ways:

- FAX: 301-827-6870.
- Mail/Hand delivery/Courier (for paper, disk, or CD-ROM submissions): Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

To ensure more timely processing of comments, FDA is no longer accepting comments submitted to the agency by e-mail. FDA encourages you to continue to submit electronic comments by using the Federal eRulemaking Portal or the agency Web site, as described in the *Electronic Submissions* portion of this paragraph.

*Instructions:* All submissions received must include the agency name and docket number and Regulatory Information Number (RIN) for this rulemaking. All comments received may be posted without change to <http://www.fda.gov/ohrms/dockets/default.htm>, including any personal information provided. For additional information on submitting comments, see the "Comments" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

*Docket:* For access to the docket to read background documents or