

# 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 915

[Docket No. AMS-FV-08-0058; FV08-915-2]

#### Avocados Grown in South Florida; Continuance Referendum

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

**ACTION:** Referendum order.

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

**DATES:** The referendum will be conducted from September 22 to October 6, 2008. To vote in this referendum, growers must have been producing Florida avocados within the designated production area during the period April 1, 2007, through March 31, 2008.

**ADDRESSES:** Copies of the marketing order may be obtained from the Southeast Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, U.S. Department of Agriculture, 799 Overlook Dr. Suite A, Winter Haven, FL 33884-1671, or the Office of the Docket Clerk, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Avenue, SW., STOP 0237, Washington, DC 20250-0237.

**FOR FURTHER INFORMATION CONTACT:** William G. Pimental, Marketing Specialist, or Christian D. Nissen, Regional Manager, Southeast Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA; Telephone: (863) 324-3375, Fax: (863) 325-8793 or E-mail: [William.Pimental@usda.gov](mailto:William.Pimental@usda.gov) or

[Christian.Nissen@usda.gov](mailto:Christian.Nissen@usda.gov), respectively.

**SUPPLEMENTARY INFORMATION:** Pursuant to Marketing Order No. 915 (7 CFR part 915), 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 growers. The referendum shall be conducted from September 22 to October 6, 2008, among eligible Florida avocado growers in the production area. Only growers that were engaged in the production of Florida avocados during the period of April 1, 2007, to March 31, 2008, may participate in the continuance referendum.

USDA has determined that continuance referenda are an effective means for determining whether growers favor the continuation of marketing order programs. 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 Florida avocados represented in the referendum favor continuance of their program. In evaluating the merits of continuance versus termination, USDA will consider the results of the continuance referendum and other relevant information regarding operation of the order. 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 approved by the Office of Management and Budget (OMB), under OMB No. 0581-0189, OMB Generic Fruit Crops. It has been estimated that it will take an average of 5 minutes for each of the approximately 300 production area growers of Florida avocados to cast a ballot. Participation is voluntary. Ballots postmarked after October 6, 2008, will not be included in the vote tabulation.

Christian D. Nissen and William G. Pimental of the Southeast Marketing Field Office, Fruit and Vegetable

Programs, AMS, USDA, are hereby designated as the referendum agents of the Secretary of Agriculture to conduct this 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 900.400 *et seq.*).

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

#### List of Subjects in 7 CFR Part 915

Avocados, Reporting and recordkeeping requirements.

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

Dated: August 18, 2008.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. E8-19467 Filed 8-21-08; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2008-0752; Directorate Identifier 2008-NE-22-AD]

RIN 2120-AA64

#### Airworthiness Directives; Pratt & Whitney Canada (P&WC) JT15D-5; -5B; -5F; and -5R Turbofan Engines

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

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

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) issued by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as follows:

There have been several reported incidents of high altitude, dual engine flameout on JT15D-5 engines powered aircraft operating in certain meteorological conditions. Subsequent to the investigation of incidents,