

# 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 1208

[Doc. No. AMS-FV-07-0077; FV-07-705-PR-2B]

RIN 0581-AC79

#### Processed Raspberry Promotion, Research, and Information Order; Delay of Referendum

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

**ACTION:** Proposed rule and referendum order; delay of referendum.

**SUMMARY:** This action delays indefinitely the referendum to determine whether producers of raspberries for processing and importers of processed raspberries approve the issuance of the proposed Processed Raspberry Promotion, Research, and Information Order. The referendum was scheduled to be held March 22 through April 2, 2010. The Washington Red Raspberry Commission has asked for a delay in the referendum as it considers further modifications to its proposal.

**FOR FURTHER INFORMATION CONTACT:** Kimberly Coy, Marketing Specialist, Research and Promotion Branch, By, AMS, USDA, Stop 0244, Room 0634-S, 1400 Independence Avenue, SW., Washington, DC 20250-0244; telephone 202-720-9915 or (888) 720-9917 (toll free) or e-mail [kimberly.coy@usda.gov](mailto:kimberly.coy@usda.gov).

**SUPPLEMENTARY INFORMATION:** On April 9, 2009, the Department published in the *Federal Register* a proposal to establish the proposed Processed Raspberry Promotion, Research, and Information Order (Proposed Order) (7 CFR part 1208) [74 FR 16266] and proposed referendum procedures [74 FR 16289]. A second proposal addressing the comments received for the Proposed Order was published in the February 8, 2010 issue of the *Federal Register* [75 FR 6131]. Included in that document was a Referendum Order for a referendum to be conducted among

eligible producers of raspberries for processing and importers of processed raspberries to determine whether they favor issuance of the Proposed Order. The referendum was scheduled for the period March 22 through April 2, 2010. Notice of this Referendum Order was published in the February 8, 2010 issue of the *Federal Register* [75 FR 6131].

The Department of Agriculture (Department) received a request from the Washington Red Raspberry Commission (WRRRC) on February 19, 2010 to delay the scheduled referendum. The WRRRC has asked for a delay in the referendum as they consider further modifications to their proposal. Therefore, taking into consideration the WRRRC request, the referendum scheduled for the period of March 22 through April 2, 2010 that appears in the Referendum Order published in the *Federal Register* on April 9, 2009 in 74 FR 16266 is hereby delayed indefinitely.

#### List of Subjects in 7 CFR Part 1208

Administrative practice and procedure, Advertising, Consumer information, Marketing agreements, Processed raspberries, Promotion, Reporting and recordkeeping requirements.

**Authority:** 7 U.S.C. 7411-7425; 7 U.S.C. 7401.

Dated: March 11, 2010.

**David R. Shipman,**

*Acting Administrator, Agricultural Marketing Service.*

[FR Doc. 2010-5757 Filed 3-18-10; 8:45 am]

**BILLING CODE M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 35

[Docket No. NE128; Notice No. 35-06-01-SC]

#### Special Conditions: McCauley Propeller Systems, Model Propeller 3D15C1401/C80MWX-X

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

**ACTION:** Notice of proposed special conditions, withdrawal.

**SUMMARY:** The FAA is withdrawing a previously published notice that

proposed special conditions for McCauley Propeller Systems for model propeller 3D15C1401/C80MWX-X. We are withdrawing the notice in response to McCauley Propeller Systems notification to cancel the application for certification.

**FOR FURTHER INFORMATION CONTACT:** Jay Turnberg, ANE-110, Engine and Propeller Directorate, Aircraft Certification Service, 12 New England Executive Park, Burlington, Massachusetts 01803-5299; telephone (781) 238-7116; facsimile (781) 238-7199; e-mail [jay.turnberg@faa.gov](mailto:jay.turnberg@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 2, 2006, the FAA published a notice of proposed special conditions, Notice No. 35-06-01-SC, for McCauley Propeller Systems for model propeller 3D15C1401/C80MWX-X (71 FR 43674). On November 29, 2004, McCauley Propeller applied for type certification for a new model 3D15C1401/C80MWX-X propeller. The model propeller 3D15C1401/C80MWX-X has novel or unusual design features when compared to the state of technology described in the airworthiness standards under part 35. The design feature uses blades that are constructed of composite material. The blade has a carbon fiber spar, a shell composed of braided carbon fiber and fiberglass, and metallic leading edge erosion protection to give the material strength properties and durability. The material properties depend on the carbon fiber and fiberglass lay-up and the resin matrix material that bind the blade together. Composite materials introduce fatigue characteristics and failure modes that differ from metallic materials. The proposed special conditions pertain to the effects of novel or unusual design features such as effects on the structural performance of the propellers. We requested comments on these proposed special conditions by September 1, 2006.

##### Reason for Withdraw

We are withdrawing Notice No. 35-06-01-SC because McCauley Propeller Systems canceled the application for certification.

##### Conclusion

Withdrawal of Notice No. 35-06-01-SC does not preclude the FAA from