

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 1210

[Doc. No. AMS–SC–25–0008]

Watermelon Research and Promotion Plan; Realignment; Withdrawal of Proposed Rule

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule; withdrawal.

SUMMARY: The Agricultural Marketing Service (AMS) is withdrawing a proposed rule, published in the **Federal Register** on September 19, 2025, that proposed adjusting the Watermelon Research and Promotion Plan (Plan) by realigning several production districts and reducing the number of importers on the National Watermelon Promotion Board (Board) from nine to seven. USDA found the calculation used to justify the change in the number of importers to be legally insufficient and is therefore withdrawing the proposed rule.

DATES: As of September 9, 2026, the proposed rule published on September 19, 2025, at 90 FR 45155, is withdrawn.

FOR FURTHER INFORMATION CONTACT:

Alexandra Caryl, Branch Chief, Mid-Atlantic Region Branch, Market Development Division, Specialty Crop Program, AMS, USDA, STOP 0244, 1400 Independence Avenue SW, Room 1406–S, Washington, DC 20250–0244; telephone: (202) 720–8805; or email: Alexandra.Caryl@usda.gov, or William Hodges, Marketing Specialist, Mid-Atlantic Region Branch, Market Development Division, Specialty Crops Program, AMS, USDA, STOP 0244, 1400 Independence Avenue SW, Room 1406–S, Washington, DC 20250–0244; telephone: (443) 571–8456; or email: William.Hodges2@usda.gov.

SUPPLEMENTARY INFORMATION: This withdrawal is issued under the Watermelon Research and Promotion Plan (7 CFR part 1210), which is authorized by the Watermelon Research

and Promotion Act (7 U.S.C. 4901–4916) (Act). The Board administers the Plan and is comprised of 30 members, including 10 producers, 10 handlers, nine importers, and one public member.

This action withdraws a proposed rule published in the **Federal Register** on September 19, 2025 (90 FR 45155), that would have adjusted several production districts under the Plan for producer and handler representation on the Board and reduced the number of importer seats on the Board from nine to seven.

Section 1210.320(c) of the Plan requires the Board to review the districts to determine whether realignment of the districts is necessary at least every five years, giving consideration to: (1) The most recent three years USDA production reports or Board assessment reports if USDA production reports are unavailable; (2) Shifts and trends in quantities of watermelon produced, and (3) Other relevant factors.

Section 1210.320(d) of the Plan specifies that importer representation shall be proportionate to the annual average percentage of assessments paid by importers, except that at least one representative of importers shall serve on the Board. When reviewing importer membership, § 1210.320(e) of the Plan provides that every five years the Secretary shall evaluate the average annual percentage of assessments paid by importers during the three-year period preceding the date of the evaluation and adjust, to the extent practicable, the number of importer representatives on the Board. In the proposed rule, the calculation that served as the basis to reduce the number of importers seats was based on the ratio of current importer seats to current domestic seats. The calculation supported reducing the number of importer seats from nine to seven, though the percentage of total assessments paid by importers during the reviewed period (2021–2023) went up 4% from the Board's previous review in 2020.

After further reviewing the calculations used to determine the realignment of the Board as recorded in the proposed rule, the USDA has found the methodology of those calculations to be flawed, resulting in an underestimation of importer seats. Therefore, the USDA believes the only

viable option is to withdraw the proposed rule. AMS will engage with the watermelon industry on next steps for realigning the Board's membership, consistent with the Act and the Plan. Accordingly, the proposed rule to realign the National Watermelon Promotion Board by amending the Plan, that was published in the **Federal Register** on September 19, 2025 (90 FR 45155), is hereby withdrawn.

List of Subjects in 7 CFR Part 1210

Administrative practice and procedure, Advertising, Agricultural research, Consumer protection, Marketing agreements, Reporting and recordkeeping requirements, Watermelon.

Authority: 7 U.S.C. 4901–4916 and 7 U.S.C. 7401.

Erin Morris,

Administrator, Agricultural Marketing Service.

[FR Doc. 2026–18313 Filed 9–4–26; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2026–8800; Project Identifier MCAI–2025–00175–T]

RIN 2120–AA64

Airworthiness Directives; Airbus SAS Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain Airbus SAS Model A350–941 and A350–1041 airplanes. This proposed AD was prompted by reports of failure of hydraulic engine driven pumps (EDPs) of the standard EDP–06. This proposed AD would require, depending on airplane configuration, modifying the hydraulic monitoring and control application (HMCA), accomplishing applicable concurrent requirements, revising the existing airplane flight manual (AFM), and replacing affected parts. This proposed AD would also prohibit the installation

of affected parts and prohibit the installation of certain HMCA software. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by October 26, 2026.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *regulations.gov*. Follow the instructions for submitting comments.

- *Fax:* 202-493-2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

AD Docket: You may examine the AD docket at *regulations.gov* under Docket No. FAA-2026-8800; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, the mandatory continuing airworthiness information (MCAI), any comments received, and other information. The street address for Docket Operations is listed above.

Material Incorporated by Reference:

- For European Union Aviation Safety Agency (EASA) material identified in this proposed AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email *ADs@easa.europa.eu*. You may find this material on the EASA website at *ad.easa.europa.eu*. It is also available at *regulations.gov* under Docket No. FAA-2026-8800.

- You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195.

FOR FURTHER INFORMATION CONTACT:

Aaron Nguyen, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 817-222-5134; email: *aaron.t.nguyen@faa.gov*.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments using a method listed under the **ADDRESSES** section. Include

“Docket No. FAA-2026-8800; Project Identifier MCAI-2025-00175-T” at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to *regulations.gov*, including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Aaron Nguyen, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 817-222-5134; email: *aaron.t.nguyen@faa.gov*. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

EASA, which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2026-0074, dated April 8, 2026 (AD 2026-0074) (also referred to as the MCAI), to correct an unsafe condition for certain Airbus SAS Model A350-941 and A350-1041 airplanes. The MCAI states that occurrences were reported of failure of hydraulic EDPs of the standard EDP-06. The consequent high friction and subsequent damage to the EDP could lead to overheating the EDP case drain (CD).

The FAA is proposing this AD to address failure of hydraulic EDPs of the standard EDP-06. The unsafe condition, if not addressed, could result in high friction and subsequent damage to the EDP that could lead to overheating the EDP CD. Repeated overheating may result in uncontrolled heat transfer to the fuel tank, creating a potential ignition hazard, while simultaneously degrading pump performance and potentially leading to loss of hydraulic function, which may lead to the loss of critical systems.

You may examine the MCAI in the AD docket at *regulations.gov* under Docket No. FAA-2026-8800.

Material Incorporated by Reference Under 1 CFR Part 51

EASA AD 2026-0074, dated April 8, 2026, specifies procedures for, depending on airplane configuration, modifying the wiring of the HMCA, updating the HMCA (SW) to S6.0, accomplishing applicable concurrent requirements (*i.e.*, doing modifications to install avionics system upgrades), revising the existing AFM by incorporating the applicable AFM documentary unit revision, and replacing affected parts with approved parts. EASA AD 2026-0074 also prohibits the installation of affected parts and prohibits the installation of HMCA SW S5.0 or earlier on any airplane.

EASA AD 2026-0074 also notes that accomplishing the modification specified in paragraph (1) of its AD is acceptable for compliance with paragraph (3) of EASA AD 2018-0178, dated August 23, 2018 (which corresponds to paragraph (h) of FAA AD 2018-19-19, Amendment 39-19419 (83 FR 48203, September 24, 2018)).

EASA AD 2026-0074 also notes that accomplishing the modification specified in paragraph (6) of its AD is acceptable for compliance with paragraph (4) of EASA AD 2018-0178, dated August 23, 2018 (which corresponds to paragraph (g) of FAA AD 2019-03-08, Amendment 39-19560 (84 FR 6067, February 26, 2019)).

This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

These products have been approved by the civil aviation authority of another country and are approved for operation in the United States. Pursuant to the FAA's bilateral agreement with this State of Design Authority, that authority has notified the FAA of the unsafe

condition described in the MCAI referenced above. The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop in other products of the same type design.

Proposed AD Requirements in This NPRM

This proposed AD would require accomplishing the actions specified in EASA AD 2026–0074 described previously, except for any differences identified as exceptions in the regulatory text of this proposed AD.

Compliance With AFM Revisions

EASA AD 2026–0074 requires operators to “inform all flight crews” of revisions to the AFM, and thereafter to “operate the aeroplane accordingly.” However, this proposed AD would not specifically require those actions as those actions are already required by FAA regulations. FAA regulations require operators furnish to pilots any changes to the AFM (for example, 14 CFR 121.137), and to ensure the pilots are familiar with the AFM (for example,

14 CFR 91.505). As with any other flightcrew training requirement, training on the updated AFM content is tracked by the operators and recorded in each pilot’s training record, which is available for the FAA to review. FAA regulations also require pilots to follow the procedures in the existing AFM including all updates. Section 91.9 requires that any person operating a civil aircraft must comply with the operating limitations specified in the AFM.

Explanation of Required Compliance Information

In the FAA’s ongoing efforts to improve the efficiency of the AD process, the FAA developed a process to use some civil aviation authority (CAA) ADs as the primary source of information for compliance with requirements for corresponding FAA ADs. The FAA has been coordinating this process with manufacturers and CAAs. As a result, the FAA proposes to incorporate EASA AD 2026–0074 by reference in the FAA final rule. This proposed AD would, therefore, require

compliance with EASA AD 2026–0074 in its entirety through that incorporation, except for any differences identified as exceptions in the regulatory text of this proposed AD. Using common terms that are the same as the heading of a particular section in EASA AD 2026–0074 does not mean that operators need comply only with that section. For example, where the AD requirement refers to “all required actions and compliance times,” compliance with this AD requirement is not limited to the section titled “Required Action(s) and Compliance Time(s)” in EASA AD 2026–0074. Material required by EASA AD 2026–0074 for compliance will be available at *regulations.gov* under Docket No. FAA–2026–8800 after the FAA final rule is published.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 36 airplanes of U.S. registry. The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Up to 84 work-hours × \$85 per hour = \$7,140	Up to \$9,228 *	Up to \$16,368	Up to \$589,248.

* The FAA has received no definite data on the parts costs for the replacement of affected parts with approved parts.

The FAA has included all known costs in its cost estimate. According to the parts manufacturer, however, some or all of the costs of this proposed AD may be covered under warranty, thereby reducing the cost impact on affected operators.

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.

The FAA is 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

The FAA 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) Would not affect intrastate aviation in Alaska, and
- (3) Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, 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 airworthiness directive:

Airbus SAS: Docket No. FAA–2026–8800; Project Identifier MCAI–2025–00175–T.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by October 26, 2026.

(b) Affected ADs

This AD affects AD 2018–19–19, Amendment 39–19419 (83 FR 48203, September 24, 2018) (AD 2018–19–19); and AD 2019–03–08, Amendment 39–19560 (84 FR 6067, February 26, 2019) (AD 2019–03–08).

(c) Applicability

This AD applies to Airbus SAS Model A350–941 and A350–1041 airplanes, certificated in any category, as identified in European Union Aviation Safety Agency (EASA) AD 2026–0074, dated April 8, 2026 (EASA AD 2026–0074).

(d) Subject

Air Transport Association (ATA) of America Code, 29; Hydraulic power.

(e) Unsafe Condition

This AD was prompted by reports of failure of hydraulic engine driven pumps (EDPs) of the standard EDP–06. The FAA is issuing this AD to address failure of EDPs of the standard EDP–06. The unsafe condition, if not addressed, could result in high friction and subsequent damage to the EDP that could lead to overheating the EDP case drain. Repeated overheating may result in uncontrolled heat transfer to the fuel tank, creating a potential ignition hazard, while simultaneously degrading pump performance and potentially leading to loss of hydraulic function, which may lead to the loss of critical systems.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Requirements

Except as specified in paragraph (h) of this AD: Comply with all required actions and compliance times specified in, and in accordance with, EASA AD 2026–0074.

(h) Exceptions to EASA AD 2026–0074

(1) Where EASA AD 2026–0074 refers to February 26, 2025 (the effective date of EASA AD 2025–0035), this AD requires using the effective date of this AD.

(2) Where EASA AD 2026–0074 refers to July 30, 2025 (the effective date of EASA AD 2025–0139), this AD requires using the effective date of this AD.

(3) Where EASA AD 2026–0074 refers to its effective date, this AD requires using the effective date of this AD.

(4) Where paragraph (4) of EASA AD 2026–0074 specifies to “implement the AFM DU revision, as defined in this AD”, this AD requires replacing that text with “revise the existing AFM to incorporate the information in the AFM DU revision, as defined in this AD”.

(5) Where paragraph (4) of EASA AD 2026–0074 specifies to “inform all flight crews and, thereafter, operate the aeroplane accordingly,” this AD does not require those actions as those actions are already required by existing FAA operating regulations.

(6) Where paragraph (9) of EASA AD 2026–0074 specifies that “Installing HMCA SW standard later than S6.0 on an aeroplane, in accordance with Airbus approved instructions, is an acceptable method to comply with the requirements of paragraph (1) of this AD for that aeroplane”, this AD requires replacing that text with “Installing HMCA SW standard later than S6.0 on an airplane, using a method approved by the Manager, AIR–520, Continued Operational

Safety Branch, FAA; or EASA; or Airbus SAS’s EASA design organization approval (DOA), is an acceptable method to comply with the requirements of paragraph (1) of this AD for that airplane. If approved by the DOA, the approval must include the DOA-authorized signature”.

(7) Where paragraph (10) of EASA AD 2026–0074 specifies that “Modification of an aeroplane by installing EDP approved later than EDP P/N 53098–07, eligible for installation in accordance with approved Airbus maintenance instructions, is an acceptable method to comply with the requirements of paragraph (6) of this AD for that aeroplane”, this AD requires replacing that text with “Modification of an airplane by installing EDP approved later than EDP P/N 53098–07, eligible for installation, is an acceptable method to comply with the requirements of paragraph (6) of this AD for that airplane”.

(8) This AD does not adopt the “Remarks” section of EASA AD 2026–0074.

(i) Terminating Action for AD 2018–19–19 and AD 2019–03–08

Accomplishing the modification specified in paragraph (1) of EASA AD 2026–0074 terminates the requirements of paragraph (h) of AD 2018–19–19.

Accomplishing the modification specified in paragraph (6) of EASA AD 2026–0074 terminates the requirements of paragraph (g) of FAA AD 2019–03–08.

(j) Additional AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, AIR–520, Continued Operational Safety Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the Continued Operational Safety Branch, send it to the attention of the person identified in paragraph (k) of this AD and email to: AMOC@faa.gov. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, AIR–520, Continued Operational Safety Branch, FAA; or EASA; or Airbus SAS’s EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC):* Except as required by paragraph (j)(2) of this AD, if any material contains procedures or tests that are identified as RC, those procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator’s maintenance or inspection program without obtaining

approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

(k) Additional Information

For more information about this AD, contact: Aaron Nguyen, Aviation Safety Engineer, FAA, 2200 South 216th St., Des Moines, WA 98198; phone: 817–222–5134; email: aaron.t.nguyen@faa.gov.

(l) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference of the material listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this material as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) European Union Aviation Safety Agency (EASA) AD 2026–0074, dated April 8, 2026.

(ii) [Reserved]

(3) For EASA material identified in this AD, contact EASA, Konrad-Adenauer-Ufer 3, 50668 Cologne, Germany; telephone +49 221 8999 000; email ADs@easa.europa.eu. You may find this material on the EASA website at ad.easa.europa.eu.

(4) You may view this material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(5) You may view this material at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, visit www.archives.gov/federal-register/cfr/ibr-locations or email fr.inspection@nara.gov.

Issued on September 3, 2026.

Brian Knaup,

Acting Deputy Director, Integrated Certificate Management Division, Aircraft Certification Service.

[FR Doc. 2026–18375 Filed 9–8–26; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA–2026–8797; Project Identifier MCAI–2025–01338–T]

RIN 2120–AA64

Airworthiness Directives; Bombardier, Inc. Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain Bombardier, Inc., Model BD–700–2A12 airplanes. This proposed AD