

commence assessment collections on loan deficiency payments would result in loss of funds for cotton research and promotion activities.

A new definition of loan deficiency payments is added as paragraph (n) to the list of terms defined in § 1205.500. In addition, the definition of current value of cotton in § 1205.500 (d) is revised to reflect the inclusion of loan deficiency payments. Miscellaneous non-substantive changes are also made to the definition for clarity.

Section 1205.513, dealing with collecting handlers and the time of collection of the supplemental assessment, is amended by redesignating paragraphs (d) through (j) as paragraphs (e) through (k) respectively and inserting a new paragraph (d). The new paragraph (d) sets forth the methods of collecting the supplemental assessment on the value of the cotton represented by the loan deficiency payment and also identifies the collecting handler for such assessments.

As required by 1 CFR 18.20 (46 FR 1762) the following are the indexing terms for this regulation:

List of subjects in 7 CFR Part 1205

Cotton, Administrative practice and procedure, Research and promotion, Cotton Board, Producer assessments, Producers refunds.

PART 1205—[AMENDED]

Accordingly, Part 1205 of Chapter II, Title 7 of the Code of Federal Regulations is amended as follows:

1. The authority citation for Part 1205 continues to read as follows:

Authority: Sec. 15, 80 Stat. 285, 7 U.S.C. 2114; Sec. 7, 80 Stat. 281, 7 U.S.C. 2106.

2. Section 1205.500 is amended by revising paragraph (d) and adding a new paragraph (n) to read as follows:

§ 1205.500 Terms defined.

(d) "Current value of Cotton" means the gross price per pound of lint cotton received by the producer for cotton as shown on the producers' settlement document before deductions are made for weight penalties, buyer's commission or brokerage fees, marketing fees, the \$1 per bale cotton research and promotion assessment, picking charges, ginning charges, warehouse receiving charges, warehouse storage charges, transportation charges or any other charges, plus any amount received by a producer in the form of a loan deficiency payment with respect to such cotton.

(n) "Loan deficiency payment" means any payment on Upland cotton made by the Commodity Credit Corporation to a producer in accordance with 7 CFR § 713.55.

3. Section 1205.513 is amended by redesignating paragraphs (d) through (j) as paragraphs (e) through (k) respectively, and by adding a new paragraph (d) to read as follows:

§ 1205.513 Collecting handlers and time of collection of the supplemental assessment.

(d) With respect to any Upland cotton on which the producer or a cooperative marketing association acting on behalf of a producer receives a loan deficiency payment, the ASCS County Office or the cooperative marketing association shall be the collecting handler of the supplemental assessment on the value of the cotton represented by the loan deficiency payment at the time such payment is made to the producer or the cooperative marketing association. A copy of a document reflecting this transaction issued by the ASCS County Office or cooperative marketing association shall show the amount collected as the supplemental assessment and shall constitute the producer's receipt for payment of the supplemental assessment.

Dated: October 21, 1986.

William T. Manley,
Deputy Administrator, Marketing Programs.
[FR Doc. 86-24157 Filed 10-23-86; 8:45am]
BILLING CODE 3410-02-M

Food Safety and Inspection Service

9 CFR Parts 301, 312, 327 and 381

[Docket No. 85-001F]

Import Inspection; Requirements, Responsibilities and Procedures

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: On May 20, 1986, the Food Safety and Inspection Service (FSIS) published a proposed rule to amend certain provisions regarding inspection of imported meat and poultry products in the Federal meat inspection regulations and the poultry products inspection regulations to clarify import inspection procedures and to accommodate the recent transfer of import inspection management authority from FSIS' Meat and Poultry Inspection Operations to its International Programs. All proposed changes were administrative in nature or clarified

procedures and entailed no changes in import inspection policies or procedures. FSIS received no comments in response to the proposed rule. Therefore, FSIS intends to adopt the proposal as published.

EFFECTIVE DATE: November 24, 1986.

FOR FURTHER INFORMATION CONTACT: Patricia Stofa, Deputy Administrator, International Programs, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250, (202) 447-3473.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

The Administrator has determined in accordance with Executive Order 12291 that this final rule is not a "major rule." It will not result in an annual effect on the economy of \$100 million or more. There will be no major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions, and it will not have a significant effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets. The rule would only make various administrative changes to the Federal meat and poultry products inspection regulations to reflect the transfer of import inspection management authority within the Agency and to clarify the import inspection procedures.

Effect on Small Entities

The Administrator has determined that this final rule will not have a significant economic impact on a substantial number of small entities as defined by the Regulatory Flexibility Act, Pub. L. 96-354 because the changes are only administrative in nature or to clarify procedures and entail no changes in import inspection policies or procedures.

Background

On May 20, 1986, FSIS published in the Federal Register (51 FR 18456), a proposed rule to amend the Federal meat and poultry products inspection regulations by making various administrative changes to reflect the transfer of import inspection management authority from FSIS' Meat and Poultry Inspection Operations to its International Programs. The proposal also provided for clarification of certain import inspection procedures, while making no substantive changes in

current import inspection policies or procedures.

Under the provisions of the Federal Meat Inspection Act (21 U.S.C. 620) and the Poultry Products Inspection Act (21 U.S.C. 466), the Food Safety and Inspection Service is responsible for assuring that imported meat and poultry products imported into this country meet standards at least equal to those that are applied to domestic products. FSIS carries out its responsibility by conducting two activities: (1) The review of foreign inspection systems to evaluate and determine the "at least equal to" eligibility of countries wishing to export to the United States, and (2) import inspection of meat and poultry products to ensure they meet United States standards.

Until recently, FSIS' Meat and Poultry Inspection Operations carried out both domestic and import inspection activities. However, on February 28, 1985, the Department approved the transfer of import inspection activities from Meat and Poultry Inspection Operations (MPIO) to International Programs (IP), effective April 28, 1985.

This transfer of authority also involved the transfer of some personnel from MPIO to IP and necessitated the establishment of a field management structure with geographic responsibilities that are different from those used by MPIO. A new Import Inspection Division under IP is now responsible for the overall management of its field inspection program. To reflect the transfer of import inspection authority, various administrative changes are needed in Parts 301, 312, and 327 of the Federal meat inspection regulations and Part 381 of the poultry products inspection regulations. These changes will improve management communication, delineate clear lines of import inspection responsibility, provide new streamlined provisions for appeals from inspector decisions, and will provide for more consistent and clear import inspection procedures.

The clarifying changes to the Federal meat inspection regulations and poultry products inspection regulations are as follows:

1. Providing new definitions to be included in §§ 301.2 and 381.1 for:
 - Import field office, including areas of authority
 - Import supervisor
2. Adding an "appeals" section to the Federal meat import inspection regulations, similar to the "appeals" section in 9 CFR 306.5, and a new paragraph to the poultry products import inspection regulations, similar to the "appeals" section in 9 CFR 381.35, to

delineate a clear route for appeals from decisions made by import inspectors.

3. Replacing the term import "facility" with import "establishment" wherever it appears.

4. Replacing all references to inspector-in-charge, area supervisor, regional director, and regional office with the new organizational terms—import supervisor and import field office.

5. Transferring § 312.5(b)—Official Seals for Transportation of (Imported) Products—to Part 327. Delete current cross-reference.

6. Adding a new paragraph for "Official Seals" to Part 381. Delete cross-reference.

7. Transferring §§ 312.7 and 381.102—Official Import Inspection Marks and Devices—to Part 327 and § 381.204 respectively. Delete current cross-references. Add new paragraph (e) to new § 327.26 to refer to § 317.3(c) of the Federal meat inspection regulations.

8. Adding a "denaturing" section to Part 327, similar to 9 CFR 325.13. Delete cross-reference to Part 327. Adding a "denaturing" paragraph to § 381.202, similar to 9 CFR 381.95.

9. Deleting a reference in § 327.6(m) to a nonexistent paragraph (n).

Comments on the Proposed Rule

FSIS did not receive any comments in response to the proposed rule. Therefore, FSIS is adopting the proposal as published.

Accordingly, Parts 301, 312, and 327 of the Federal meat inspection regulations and Part 381 of the poultry products inspection regulations are amended as set forth below:

Final Rule

List of Subjects

9 CFR Part 301

Meat inspection, Definitions.

9 CFR Part 312

Official inspection marks and devices, Meat inspection.

9 CFR Part 327

Imported products, Imports, Meat inspection.

9 CFR Part 381

Poultry products inspection; Imported products, Poultry and poultry products.

PART 301—[AMENDED]

1. The authority citation for Part 301 (9 CFR Part 301) is added to the table of contents to read as follows:

Authority: 34 Stat. 1260, 79 Stat. 903, as amended, 81 Stat. 584, 84 Stat. 91, 438; 21 U.S.C. 71 *et seq.*, 601 *et seq.*

2. Section 301.2 (9 CFR 301.2) is amended by adding paragraphs (yyy) and (zzz) to read as follows:

§ 301.2 Definitions.

(yyy) Import Field Office (IFO). The office of the supervisor or import inspection activities for a particular importing field area. The areas are as follows:

IFO #1. Boston, MA—Covering the States of Massachusetts, New York (excluding New York City), Connecticut, Rhode Island, Vermont, New Hampshire and Maine.

IFO #2. New York, NY—Covering the areas of New York City and northern New Jersey.

IFO #3. Philadelphia, PA—Covering the State of Pennsylvania and the area of southern New Jersey.

IFO #4. Baltimore, MD—Covering the States of Maryland, Delaware, West Virginia, Virginia and Kentucky.

IFO #5. Charleston, SC—Covering the States of Tennessee, North Carolina, South Carolina, Georgia and Florida (excluding south Florida).

IFO #6. Miami, FL—Covering the areas of southern Florida, Puerto Rico and the Virgin Islands.

IFO #7. New Orleans, LA—Covering the States of Louisiana, Mississippi, Alabama, Arkansas, Texas, Oklahoma, Kansas, New Mexico and Colorado.

IFO #8. San Pedro, CA—Covering the States of Hawaii, Arizona, Utah, Nevada, the area of southern California, American Samoa, Guam, and the Northern Marianas.

IFO #9. Tacoma, WA—Covering the States of Washington, Oregon, Idaho, Montana, Wyoming, North Dakota, South Dakota, Alaska, and Nebraska, and the area of northern California.

IFO #10. Detroit, MI—Covering the States of Michigan, Wisconsin, Minnesota, Iowa, Missouri, Illinois, Indiana and Ohio.

(zzz) Import Supervisor. The official in charge of import inspection activities within each of the import field offices.

PART 312—[AMENDED]

3. The authority citation for Part 312 is revised to read as follows:

Authority: 34 Stat. 1260, 79 Stat. 903, as amended, 81 Stat. 584, 84 Stat. 91, 438; 21 U.S.C. 71 *et seq.*, 601 *et seq.*

§ 312.7 [Removed]

4. Section 312.7 (9 CFR 312.7) is removed and reserved for future use, and the information is transferred to Part 327.

§ 312.5 [Amended]

5. Paragraph (b) of § 312.5 (9 CFR 312.5) is removed. The information is transferred to § 327.22 (9 CFR 327.22) and the remaining paragraph (a) designation is removed.

PART 327—[AMENDED]

6. The authority citation for Part 327 (9 CFR Part 327) is revised to read as follows:

Authority: 34 Stat. 1260, 79 Stat. 903, as amended, 81 Stat. 584, 84 Stat. 91, 438; 21 U.S.C. 71 *et seq.*

7. Section 327.22 (9 CFR 327.22) is revised to read as follows:

§ 327.22 Official seals for transportation of products.

The official mark for use in sealing cars, trucks, other means of conveyance, or containers in which any imported product is conveyed shall be the inscription and a serial number hereinafter shown below ¹, and the import meat seal approved by the Administrator for applying such mark shall be an official device for purposes of the Act. Such device shall be attached to the means of conveyance only by a Program employee, or a Customs officer or his designee, and he/she shall also affix thereto a "Warning Tag" (Form MP-408-3).

§ 327.14 [Amended]

16. Paragraph (c) of § 327.14 (9 CFR 327.14) is amended by removing the phrase "Labels and Packaging Staff, Meat and Poultry Inspection" and inserting, in its place, the phrase "Standards and Labeling Division, Meat and Poultry Inspection Technical Services" and by removing the words "inspector in charge" in inserting, in their place, the word "inspector."

§ 327.15 [Amended]

17. Paragraph (c) of § 327.15 (9 CFR 327.15) is amended by removing the term "§ 312.7" and inserting, in its place, the term "§ 327.26."

§ 327.17 [Amended]

18. Section 327.17 (9 CFR 327.17) is amended by removing the words "Meat and Poultry Inspection Field Operations" and inserting, in their place, the words "International Programs."

§ 327.20 [Amended]

19. Section 327.20 (9 CFR 327.20) is amended by removing the phrase "§ 325.13 of this subchapter" and inserting, in its place, the phrase "§ 327.25 of this Part."

20. Part 327 (9 CFR Part 327) is amended by adding a new § 327.24 (9 CFR 327.24) to read as follows:

§ 327.24 Appeals; how made.

Any appeal from a decision of any program employee shall be made to his/her immediate supervisor having jurisdiction over the subject matter of the appeal, except as otherwise provided in the applicable rules of practice. Denial of a labeling application by the inspector shall not constitute a basis for an appeal under this section.

21. Part 327 (9 CFR Part 327) is amended by adding a new § 327.25 (9 CFR 327.25) to read as follows:

§ 327.25 Disposition procedures for product condemned or ordered destroyed under import inspection.

(a) Carcasses, parts thereof, meat and meat food products (other than rendered animal fats) that have been treated in accordance with the provisions of this section shall be considered denatured for the purposes of the regulations in this part, except as otherwise provided in Part 314 of this subchapter for articles condemned at official establishments or at official import inspection establishments.

(1) The following agents are prescribed for denaturing carcasses, parts thereof, meat or meat food

§ 327.6 [Amended]

8. Paragraph (m) of § 327.6 (9 CFR 327.6) is amended by removing the words "paragraphs (l) and (n)" and replacing them with the words "paragraph (l)."

9. Paragraphs (c), (d) and (f) of § 327.6 (9 CFR 327.6) are amended by removing the words "facility" and "facilities" and inserting, in their place, the words "establishment" and "establishments, respectively," wherever they appear.

10. Paragraph (e) of § 327.6 (9 CFR 327.6) is revised to read as follows:

§ 327.6 Products for importation; program inspection, time and place; application for approval of facilities as official import inspection establishment; refusal or withdrawal of approval; official numbers.

(e) Owners or operators of establishments at which import inspections of product are to be made shall furnish adequate sanitary facilities and equipment for examination of such product. The requirements of §§ 304.2(e), 307.1, 307.2 (b), (d), (f), (h), (k), and (l) and 308.3, 308.4, 308.5, 308.6, 308.7, 308.8, 308.9, 308.11, 308.13, 308.14, and 308.15 of this subchapter shall apply as conditions for approval of establishments as official import inspection establishments to the same extent and in the same manner as they apply with respect to official establishments.

¹ The term "F-351587" is given as an example only. The serial number of the specific seal will be shown in lieu thereof.

11. Paragraph (a) of § 327.5 (9 CFR 327.5) is revised to read as follows:

§ 327.5 Importer to make application for inspection of products for importation; information required.

(a) Each importer shall apply for inspection of any product for 54 importation by contacting the import field office covering the location where import inspection will take place. The import field office will provide specific application instructions. (See § 301.2 (yyy)).

§ 327.7 [Amended]

12. Paragraph (a)(1) of § 327.7 (9 CFR 327.7) is amended by removing the words "area supervisor" and inserting, in their place, the words "import supervisor."

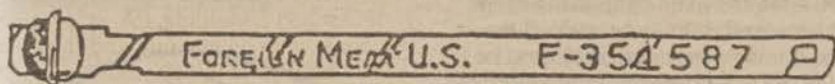
13. Paragraph (a)(2) of § 327.7 (9 CFR 327.7) is amended by removing the term "§ 312.5(b)" and inserting, in its place, the term "§ 327.22"; and by removing the words "officer in charge" in inserting, in their place, the word "inspector."

§ 327.10 [Amended]

14. Paragraph (b) of § 327.10 (9 CFR 327.10) is amended by removing the term "§ 312.7" and inserting, in its place, the term "§ 327.26."

§ 327.11 [Amended]

15. Section 327.11 (9 CFR 327.11) is amended by removing the words "inspectors in charge" and inserting, in their place, the words "the inspectors."



products which are affected with any condition that would result in their condemnation and disposal under Part 314 of this subchapter if they were at an official establishment or at an official import inspection establishment: Crude carbolic acid; cresylic disinfectant; a formula consisting of 1 part FD&C green No. 3 coloring, 40 parts water, 40 parts liquid detergent, and 40 parts oil of citronella, or other proprietary substance approved by the Administrator in specific cases.¹

(2) Meat may be denatured by dipping it in a solution of 0.0625 percent tannic acid, followed by immersion in a water bath, then dipping it in a solution of 0.0625 percent ferric acid; and except as provided in paragraphs (3) and (5) of this section, the following agents are prescribed for denaturing other carcasses, parts thereof, meat and meat food products, for which denaturing is required by this part: FD&C green No. 3 coloring; FD&C blue No. 1 coloring; FD&C blue No. 2 coloring; finely powdered charcoal; or other proprietary substance approved by the Administrator in specific cases.¹

Carcasses (other than viscera), parts thereof, cuts of meat, and unground pieces of meat darkened by charcoal or other black dyes shall be deemed to be denatured pursuant to this section only if they contain at least that degree of darkness depicted by diagram 1 of the Meat Denaturing Guide (MP Form 91).²

(3) Tripe may be denatured by dipping it in a 6 percent solution of tannic acid for 1 minute followed by immersion in a water bath, then immersing it for 1 minute in a solution of 0.022 percent FD&C yellow No. 5 coloring.

(4) When meat, meat byproducts, or meat food products are in ground form, 4 percent by weight of coarsely ground hard done, which shall be in pieces no smaller than the opening size specified for No. 5 mesh in the standards issued by the U.S. Bureau of Standards or 6 percent by weight of coarsely ground hard bone, which shall be in pieces no

smaller than the opening size specified for No. 8 mesh in said Standards, uniformly incorporated with the product, may be used in lieu of the agents prescribed in paragraph (a)(2) of this section.

(5) Before the denaturing agents are applied to articles in pieces more than 4 inches in diameter, the pieces shall be freely slashed or sectioned. (If the articles are in pieces not more than 4 inches in diameter, slashing or sectioning will not be necessary.) The application of any of the denaturing agents listed in paragraph (a) (1) or (2) of this section to the outer surface of molds or blocks or boneless meat, meat by-products, or meat food products shall not be adequate. The denaturing agent must be mixed intimately with all the material to be denatured, and must be applied in such quantity and manner that it cannot easily and readily be removed by washing or soaking. A sufficient amount of the appropriate agent shall be used to give the material a distinctive color, odor, or taste so that such material cannot be confused with an article of human food.

(b) Inedible rendered animal fats shall be denatured by thoroughly mixing therein denaturing oil, No. 2 fuel oil, brucine dissolved in a mixture of alcohol and pine oil or oil of rosemary, finely powdered charcoal, or any proprietary denaturing agent approved for the purpose by the Administrator in specific cases. The charcoal shall be used in no less quantity than 100 parts per million and shall be of such character that it will remain suspended indefinitely in the liquid fat. Sufficient of the chosen identifying agents shall be used to give the rendered fat so distinctive a color, odor, or taste that it cannot be confused with an article of human food.

21a. Section 327.26 is redesignated from § 312.7 and revised to read as follows:

§ 327.26 Official import inspection marks and devices.

(a) When import inspections are performed in official import inspection establishments, the official inspection legend to be applied to imported meat and meat food products shall be in the appropriate form¹ as herein specified.

¹ The number "I-38" is given as an example only. The establishment number of the official import inspection establishment where the imported product is inspected shall be used in lieu thereof.



For application to cattle, sheep, swine, and goat carcasses, primal parts, and cuts, not in containers.



For application to outside containers of meat and meat food products prepared from cattle, sheep, swine, and goats.



For application to horse carcasses, primal parts, and cuts, not in containers.

¹ Information as to approval of any proprietary denaturing substance may be obtained from the Meat and Poultry Inspection Technical Services, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250.

² Copies of MP Form 91 may be obtained, without charge, by writing to the Administrative Operations Branch, Food Safety and Inspection Service, U.S. Department of Agriculture, 123 East Grant Street, Minneapolis, Minnesota 55403. Diagrams 2 and 3 of the Meat Denaturing Guide are for comparison purposes only. The Meat Denaturing Guide has been approved for incorporation by reference by the Director, Office of the Federal Register, and is on file at the Federal Register Library.



For application to outside containers of horsemeat food products.



For application to mule and other (nonhorse) equine carcasses, primal parts, and cuts, not in containers.



For application to outside containers of equine meat food products.

(b) When import inspections are performed in official establishments, the official inspection legend to be applied to imported meat and meat food products shall be the appropriate form as specified in §§ 312.2 and 312.3 of this subchapter.

(c) When products are refused entry into the United States, the official mark to be applied to the products refused entry shall be in the following form:

UNITED STATES REFUSED ENTRY

(d) Devices for applying "United States Refused Entry" marks shall be furnished to Program inspectors by the Department.

(e) The ordering and manufacture of brands containing official inspection legends shall be in accordance with the provisions contained in § 317.3(c) of the Federal meat inspection regulations.

PART 381—[AMENDED]

22. The authority citation for Part 381 continues to read as follows:

Authority: 71 Stat. 441, 82 Stat. 791, as amended, (21 U.S.C. 450 *et seq.*), 76 Stat. 663 (7 U.S.C. 451 *et seq.*), unless otherwise noted.

23. Section 381.1 (9 CFR 381.1) is amended by adding paragraphs (b) (61) and (62) to read as follows:

§ 381.1 Definitions.

(61) Import Field Office (IFO). The office of the supervisor of import inspection activities for a particular importing field area. The areas are as follows:

IFO #1. Boston, MA—Covering the States of Massachusetts, New York (excluding New York City), Connecticut, Rhode Island, Vermont, New Hampshire, and Maine.

IFO #2. New York, NY—Covering the areas of New York City and northern New Jersey.

IFO #3. Philadelphia, PA—Covering the State of Pennsylvania and the area of southern New Jersey.

IFO #4. Baltimore, MD—Covering the States of Maryland, Delaware, West Virginia, Virginia and Kentucky.

IFO #5. Charleston, SC—Covering the States of Tennessee, North Carolina, South Carolina, Georgia, and Florida (excluding south Florida).

IFO #6. Miami, FL—Covering the areas of southern Florida, Puerto Rico and the Virgin Islands.

IFO #7. New Orleans, LA—Covering the States of Louisiana, Mississippi, Alabama, Arkansas, Texas, Oklahoma, Kansas, New Mexico and Colorado.

IFO #8. San Pedro, CA—Covering the States of Hawaii, Arizona, Utah, Nevada, the area of southern California, American Samoa, Guam, and the Northern Marianas.

IFO #9. Tacoma, WA—Covering the States of Washington, Oregon, Idaho, Montana, Wyoming, North Dakota, South Dakota, Alaska, and Nebraska, and the area of northern California.

IFO #10. Detroit, MI—Covering the States of Michigan, Wisconsin, Minnesota, Iowa, Missouri, Illinois, Indiana and Ohio.

(62) Import Supervisor. The official in charge of import inspection activities within each of the import field offices.

24. Section 381.202 (9 CFR 381.202) is amended by revising the section heading and adding new paragraphs (d) and (e) to read as follows:

§ 381.202 Poultry products offered for entry; reporting of findings to customs; handling of articles refused entry; appeals, how made; denaturing procedures.

(d) Any person receiving inspection service may, if dissatisfied with any decision of an inspector relating to any inspection, file an appeal from such decision: *Provided*, That such appeal is filed within 48 hours from the time the decision was made. Any such appeal from a decision of an inspector shall be made to his/her immediate supervisor having jurisdiction over the subject matter of the appeal, and such supervisor shall determine whether the inspector's decision was correct. Review of such appeal determination, when requested, shall be made by the immediate supervisor of the employee of the Department making the appeal determination. The cost of any such appeal shall be borne by the appellant if the Administrator determines that the appeal is frivolous. The charges for such frivolous appeal shall be at the rate of \$9.28 per hour for the time required to make the appeal inspection. The poultry or poultry products involved in any appeal shall be identified by U.S. retained tags and segregated in a manner approved by the inspector pending completion of an appeal inspection: *Provided, further*, That denial of a labeling application by the inspector shall not constitute a basis for an appeal under this section. This is similar to the procedure outlined in 9 CFR 381.35.

(e) All condemned carcasses, or condemned parts of carcasses, or other condemned poultry products, except those condemned for biological residues, shall be disposed of by one of the following methods, under the

supervision of an inspector of the Inspection Service. (Facilities and materials for carrying out the requirements in this section shall be furnished by the official establishments.)

(1) Steam treatment (which shall be accomplished by processing the condemned product in a pressure tank under at least 40 pounds of steam pressure) or thorough cooking in a kettle or vat, a sufficient time to effectively destroy the product for human food purposes and preclude dissemination of disease through consumption by animals. (Tanks and equipment used for this purpose or for rendering or preparing inedible products shall be in rooms or compartments separate from those used for the preparation of edible products. There shall be no direct connection by means of pipes, or otherwise, between tanks containing inedible products and those containing edible products.)

(2) Incineration or complete destruction by burning.

(3) Chemical denaturing, which shall be accomplished by the liberal application to all carcasses and parts thereof, of:

- (i) Crude carbolic acid,
- (ii) Kerosene, fuel oil, or used crankcase oil, or
- (iii) Any phenolic disinfectant conforming to commercial standards CS 70-41 or CS 71-41 which shall be used in at least 2 percent emulsion or solution.

(4) Any other substances or method that the Administrator approves in specific cases, which will denature the poultry product to the extent necessary to accomplish the purposes of this section.

(5) Carcasses and parts of carcasses condemned for biological residue shall be disposed of in accordance with paragraph (2) of this section or by burying under the supervision of an inspector.

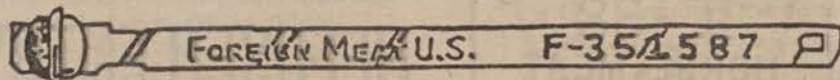
§ 381.198 [Amended]

25. Section 381.198 (9 CFR 381.198) is amended by removing the words "inspector in charge" and inserting, in their place, the words "import supervisor;" and by removing the words "import inspection office" and inserting, in their place, the words "import field office."

26. Paragraph (c) of § 381.200 (9 CFR 381.200) is amended by removing the

term "§ 381.98" and inserting, in its place, the term "paragraph (h) of this section."

27. Section 381.200 (9 CFR 381.200) is amended by revising the section heading and adding a new paragraph (h) to read as follows:



transporting poultry products under any requirement in this part shall be the inscription and a serial number as shown below,¹ and any seals approved by the Administrator for applying such mark shall be an official device.

28. Section 381.204 (9 CFR 381.204) is revised to read as follows:

§ 381.204 Marking of poultry products offered for entry; official import inspection marks and devices.

(a) Poultry products which upon inspection are found to be acceptable for entry into the United States shall be marked with the official inspection legend shown in paragraph (b) of this section. Such inspection legend shall be placed upon such products only after completion of official import inspection and product acceptance.

(b) The official mark for marking poultry products offered for entry as "U.S. inspected and passed" shall be in the following form, and any device approved by the Administrator for applying such mark shall be an official device.²



FIGURE 1

§ 381.200 Imported poultry products, retention in customs custody; delivery under bond; movement prior to inspection; sealing; handling; facilities and assistance; official seal.

(h) The official mark for use in sealing means of conveyance used in

(c) When products are refused entry into the United States, the official mark to be applied to the products refused entry shall be in the following form:

UNITED STATES REFUSED ENTRY

FIGURE 2

(d) The import warning notice prescribed in § 381.200(c) is an official mark.

(e) The ordering and manufacture of brands shall be in accordance with the provisions contained in § 317.3(c) of the Federal meat inspection regulations.

§ 381.102 [Removed and Reserved]

29. Section 381.102 (9 CFR 381.102) is removed and reserved for future use.

Done at Washington, DC on: October 21, 1986.

Donald L. Houston,
Administrator, Food Safety and Inspection Service.

[FR Doc. 86-24060 Filed 10-23-86; 8:45 am]

BILLING CODE 3410-DM-M

¹ The term "F-351587" is given as an example only. The serial number of the specific seal will be shown in lieu thereof.

² The number "I-42" is given as an example only. The establishment number of the official establishment or official import inspection establishment where the product was inspected shall be shown on each stamp impression.

DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration
14 CFR Parts 21 and 23

[Docket No. 027CE, Special Conditions No. 23-ACE-27]

Special Conditions; Piper PA-42 Series Airplanes With Electronic Flight Instrument Systems

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final Special Conditions.

SUMMARY: These special conditions are issued to become part of the type certification basis for the Piper PA-42 series airplanes to allow incorporation of Electronic Flight Instrument Systems. These airplanes will have novel and unusual design features when compared to the state of technology envisaged in the airworthiness standards applicable to these airplanes. These novel and unusual design features include the use of cathode-ray tube electronic flight instrument systems. These special conditions contain the additional airworthiness standards which the Administrator finds necessary to establish a level of safety equivalent to the airworthiness standards applicable to these airplanes.

EFFECTIVE DATE: November 24, 1986.

FOR FURTHER INFORMATION CONTACT: David Warner, Aerospace Engineer, Aircraft Certification Division, 601 East 12th Street, Room 1656, Federal Office Building, Kansas City, Missouri 64106, telephone (816) 374-5688.

SUPPLEMENTARY INFORMATION:

Background

On July 11, 1986, Piper Aircraft Corporation, Vero Beach, Florida, notified the FAA of their intention to install dual Collins Electronic Flight Instrument Systems (EFIS) in the Piper Model PA-42-720. Notice of Proposed Special Conditions, Notice 23-ACE-27, Docket No. 027CE, was published in the *Federal Register* on September 9, 1986 (51 FR 171) and comment period closed October 3, 1986.

Type Certification Basis

The type certification basis for the Piper Model PA-42 is as follows: Part 23 of the Federal Aviation Regulations effective February 1, 1965, as amended by Amendments 23-1 through 23-16; § 23.1385(c) as amended by Amendment 23-17; § 23.1145 as amended by Amendment 23-18; §§ 23.45, 23.49, 23.65, 23.67, 23.77, and 23.1581 as amended by Amendment 23-21; § 23.1145(a) as amended by Amendment 23-23; § 25.977 as amended by Amendment 25-26; Special Condition No. 23-90-SO-3,

Amendment 1, Docket No. 19591; Section 55 of SFAR 23 effective January 20, 1970; fuel venting section of SFAR 27-1 effective January 1, 1975; FAA Southern Region, Engineering and Manufacturing Branch letter of August 7, 1980, showing the equivalent level of safety finding to § 23.201(e); and Part 36 including Amendments 1 through 6, effective January 25, 1977.

The type certification basis for the Piper Model PA-42-720 includes: § 23.1447 (c) and (d) as amended by Amendment 23-20, and the requirements cited for the Model PA-42.

The type certification basis for the Piper Model PA-42-1000 includes: Section 23.1111 as amended by Amendment 23-17; §§ 23.1327 and 23.1547 as amended by Amendment 23-20; FAA Atlanta Aircraft Certification Office letter of July 9, 1984, showing the equivalent level of safety findings to §§ 23.201, 23.203, 23.205, and 23.207; Part 36, including Amendments 1 through 12 effective August 1, 1981; and the requirements cited for the Model PA-42-720.

Discussion of Comments

The FAA received no comments in response to Notice No. 23-ACE-27 published in the *Federal Register* on September 4, 1986 with a closing date for comments of October 3, 1986. Therefore, these special conditions are adopted as proposed.

Conclusion

This action affects only the Piper PA-42 Series airplanes. It is not a rule of general applicability and applies only to the series and model of airplane identified in these special conditions.

List of Subjects in 14 CFR Parts 21 and 23

Aviation safety, Aircraft, Air transportation, Safety, Tires. The authority citation for these special conditions is as follows:

Authority: Sections 313(a), 601, and 603 of the Federal Aviation Act of 1958; as amended (49 U.S.C. 1354(a), 1421, and 1423); 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); 14 CFR 21.16 and 21.101; and 14 CFR 11.28 and 11.49.

Adoption of Special Condition

In consideration of the foregoing, the following special condition is issued as a part of the type certification basis for Piper PA-42 series airplanes that incorporate an electronic flight instrument system (EFIS) into these series airplanes, as follows:

1. In lieu of § 23.1309(b) and applicable requirements of Part 23 of the Federal Aviation Regulations to the contrary, for

instruments, systems, and installations whose design incorporates electronic displays that feature design characteristics where a single malfunction or failure could affect more than one primary instrument display or system, and/or system design functions that are determined to be essential for continued safe flight and landing of the airplane, the following special condition applies:

(a) Systems and associated components must be examined separately and in relation to other airplane systems to determine if the airplane is dependent upon its function for continued safe flight and landing, and if its failure would significantly reduce the capability of the airplane or the ability of the crew to cope with adverse operating conditions. Each system and each component identified by this examination upon which the airplane is dependent for continued safe flight and landing, or whose failure would significantly reduce the capability of the airplane or the ability of the crew to cope with adverse operating conditions, must be designed and examined to comply with the following additional requirements:

(1) It must be shown that there will be no single failure or probable combination of failures under any anticipated operating condition which would prevent the continued safe flight and landing of the airplane or it must be shown that such failures are extremely improbable.

(2) It must be shown that there will be no other single failure or probable combination of failures under any anticipated operating condition which would significantly reduce the capability of the airplane or the ability of the crew to cope with adverse operating conditions or it must be shown that such failures are improbable.

(3) Warning information must be provided to alert the crew to unsafe system operating conditions, and to enable them to take appropriate corrective action. This warning information must not tend to initiate crew action which would create additional hazards.

(4) Compliance with the requirements of this special condition must be shown by analysis and, where necessary, by appropriate ground, flight, or simulator tests. The analysis must consider:

(i) Modes of failure, including malfunctions and damage from foreseeable sources;

(ii) Consequences of a single failure or probable combination of failures (latent or undetected);

(iii) Appropriate levels of reliability as determined by the severity of consequences;

(iv) The resulting effects on the airplane and occupants, considering the state of flight and operating conditions; and

(v) The crew warning cues, corrective action required, and the capability of detecting faults.

(5) Numerical analysis may be used to support the engineering examination.

(b) Each item of equipment of each system, and each installation whose functioning is essential for safe operation and that requires a power supply, is an "essential load" on the power supply. The power sources and its distribution system must be able to supply

the following power loads in probable operating combinations and for probable durations:

- (1) Loads connected to the power distribution system with the system functioning normally.
- (2) Essential equipment of each system (loads) after failure of:
 - (i) Any one engine on the airplane;
 - (ii) Any power converter, or energy storage device; or

(iii) Essential loads for which an alternate source of power is required by this special condition, after any failure or malfunction in any one power supply system, distribution system, or other utilization system.

(c) In determining compliance with paragraph (b)(2) of this special condition, the power loads may be assumed to be reduced or shed under a monitoring procedure consistent with safety.

(d) In showing compliance with this section with regard to the electrical power system and to equipment design and installation, critical environmental and atmospheric conditions must be considered. For electrical generation, distribution, and utilization equipment required by or used in complying with this special condition, the ability to provide continuous, safe service under foreseeable environmental and atmospheric conditions may be shown by tests, design analysis, or reference to previous comparable service experience on other airplanes.

(e) Electronic display units, including those incorporating more than one function, may be installed in lieu of mechanical or electro-mechanical instruments if:

- (1) The display units:
 - (i) Are easily legible under all lighting conditions encountered in the cockpit, including direct sunlight;
 - (ii) In any normal mode of operation do not inhibit the primary display of attitude;
 - (iii) Incorporate sensory cues for the pilot that are equivalent to those in the instrument being replaced by the electronic display units; and
 - (iv) Incorporate visual displays of instrument markings required by §§ 23.1541 through 23.1543, or visual displays that alert the pilot to abnormal operational values, or approaches, to unsafe values, of any parameter required to be displayed by Part 23 requirements.
- (2) The display units, including their systems and installations, must be designed so that one display of information essential to continued safe flight and landing will remain available to the crew, without need for immediate action for continued safe operation, after any single failure or probable combination of failures that is not shown to comply with paragraph (a)(1) of this special condition.

Issued in Kansas City, Missouri, on October 9, 1986.

Edwin S. Harris,

Director, Central Region.

[FR Doc. 86-24021 Filed 10-23-86; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 86-NM-126-AD; Amdt. 39-5450]

Airworthiness Directives; Boeing Model 747 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adds a new airworthiness directive (AD) which requires inspection for fracture of the H-11 Bolts that support the nacelle strut attach fittings on Boeing Model 747 series airplanes, replacement of all bolts found fractured, and replacement of the bolts in the outboard fittings within 24 months and in the inboard fittings within 48 months. This action is prompted by a recent report of fracture of both bolts on one fitting. This action is necessary since fracture of both bolts on one fitting, if not corrected, could result in separation of the engine from the airplane and cracking of the lower wing skin.

DATE: Effective December 1, 1986.

ADDRESSES: The applicable service information may be obtained from the Boeing Commercial Airplane Company, P.O. Box 3707, Seattle, Washington 98124. This information may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or the Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

FOR FURTHER INFORMATION CONTACT: Mr. Owen E. Schrader, Airframe Branch, ANM-120S; telephone (206) 431-1923. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

SUPPLEMENTARY INFORMATION: A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive to require inspection for fractured bolts and replacement of all H-11 bolts that support the nacelle strut attach fitting, was published in the *Federal Register* on June 18, 1986 (51 FR 22084). The comment period for the proposal closed on August 11, 1986.

Interested parties have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to all comments received.

Comments received from the Air Transport Association (ATA) of America, on behalf of its members, and from two other commenters, suggested that the FAA had grossly

underestimated the time requirements and the total cost impact of the AD. The FAA does not fully concur with these comments. The economic analysis paragraph in the preamble to the proposal only addressed the initial inspection cost and did not address the cost of bolt replacement. The cost estimate in this document has been revised to reflect both the inspection and bolt replacement costs.

Several commenters recommended that the 10 flight compliance period be increased to 100 flights, and that repetitive intervals be increased from 6 months to 12 months for inspection of the outboard attach fitting. These commenters also recommended that the repetitive intervals be increased from 12 months to 18 months for inspection of the inboard attach fitting. The FAA has reconsidered the proposed compliance time of 10 flights and has determined that it may be unduly restrictive. The final rule has been revised to reflect a compliance time of 100 flights for the inspection of the outboard attach fitting bolts. The FAA has determined that this change will not have a significant impact on safety. However, because of the random type of failure, due to stress corrosion, the FAA has determined that the repetitive inspection intervals for the outboard attach fitting bolts can only be increased from 6 months, as proposed, to 7 1/2 months; and for the inboard attach fitting bolts, from 12 months, as proposed, to 15 months; without compromising safety.

Two commenters recommend that the compliance period for inboard attach fitting bolt replacement be increased from the proposed 36 months to 48 months to match major maintenance checks. The FAA concurs with this recommendation and has determined that safety would not be compromised by this change, provided that other inspections required by this AD continue as required.

One of the commenters recommended that an ultrasonic means of inspection should be required to provide a more reliable means of detection of broken bolts. The FAA does not concur that it is necessary to utilize an ultrasonic procedure to inspect for broken bolts; however, operators may use ultrasonic procedures in addition to the visual inspection if they so desire.

The reference to Boeing Service Letter 747-SL-57-47, dated April 24, 1986, has been removed and replaced with Boeing Service Bulletin 747-57A2235, dated June 27, 1986, which was issued after the NPRM was issued. This is an editorial change and does not represent any