In addition, market information needed for the formulation of the basis for this action was not available until December 10, 1991, and this action needs to be effective for the regulatory week which begins on December 13, 1991. Further, interested persons were given an opportunity to submit information and views on the regulation at an open meeting, and handlers were apprised of its provisions and effective time. It is necessary, therefore, in order to effectuate the declared purposes of the Act, to make this regulatory provision effective as specified.

List of Subjects in 7 CFR Part 907

Marketing agreements, Oranges, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 907 is amended as follows:

PART 907—[AMENDED]

1. The authority citation for 7 CFR part 907 continues to read as follows:

Authority: Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

2. Section 907.1024 is added to read as follows:

Note: This section will not appear in the Code of Federal Regulations.

§ 907.1024 Navel orange regulation 724.

The quantity of navel oranges grown in California and Arizona which may be handled during the period from December 13 through December 19, 1991, is established as follows:

(a) District 1: 1,553,800 cartons;
(b) District 2: Unlimited cartons;
(c) District 3: 146,200 cartons;
(d) District 4: Unlimited cartons.

Dated: December 11, 1991.

Robert C. Keeney,

Deputy Director, Fruit and Vegetable Division.

[FR Doc. 91-30031 Filed 12-12-91; 9:17 am]

BILLING CODE 3410-02-M

Food Safety and Inspection Service

9 CFR Parts 325, 327 and 381

[Docket No. 86-031F]

RIN No. 0583-AA94

Movement of Imported Product Prior to Reinspection

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: On May 13, 1988, the Food Safety and Inspection Service (FSIS) published a proposed rule that would have required imported meat and poultry products to be reinspected at their port of first arrival. In addition, the proposal would have eliminated the official import seal and current sealing requirements for imported product which is transported before reinspection. The proposed rule was developed to carry out an audit recommendation of the USDA Office of Inspector General (OIG). The audit report noted that neither FSIS nor the U.S. Customs Service was able to ensure adequate physical or administrative controls when imported product was transported to and reinspected at locations other than the port of arrival. FSIS has determined that costs involved with the portion of the proposed rule that would have required reinspection at the product's port of first arrival outweigh the potential benefits. Therefore, that portion of the proposed rule is being withdrawn. However, FSIS is amending Parts 325, 327 and 381 of the Federal meat and poultry products inspection regulations to eliminate the official import seal and current sealing requirements for imported product which is transported before reinspection.

EFFECTIVE DATE: January 15, 1992.

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

Executive Order 12291

The Administrator has determined that this final rule is not a major rule under Executive Order 12291. It would not result in an annual effect on the economy of $100 million or more; a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies or geographic regions; or significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Effect on Small Entities

The Administrator has determined that this final rule will not have a significant effect on a substantial number of small entities as defined by the Regulatory Flexibility Act (5 U.S.C. 601). Elimination of the official import seal and attendant sealing requirements is expected to have a positive impact on transportation entities, importers and importing establishments. Any delays which have resulted while product was being sealed or unsealed will be eliminated, which will facilitate the transportation and inspection of imported products.

Background

On May 13, 1988, FSIS published a proposal to amend parts 325, 327 and 381 of the Federal meat and poultry products inspection regulations to remove current provisions that permit the transportation of imported product prior to reinspection by FSIS (53 FR 17059). Instead, FSIS proposed to require that imported product be reinspected by FSIS at the product's port of first arrival. FSIS also proposed to eliminate the official import seal and current sealing requirements for imported product that is transported prior to reinspection. These actions were in response to an OIG audit recommendation stating that FSIS should "require that foreign meat products entering the United States be inspected by the Import Inspection Division only at the port of first arrival."

The proposed changes were intended to enable FSIS to better ensure reinspection of all meat and poultry products entering the United States. A considerable number of the public comments received opposed the change that would have restricted reinspection of imported product to its port of first arrival. Commenters expressed concerns over the potential for: economic hardship; hinderance of free trade/free enterprise; delays at ports; violation of the Tariff Act which provides a legal right to move product in bond; a non-tariff trade barrier; and interference with inter-modal transportation technology.

FSIS does not intend to proceed with the portion of the rulemaking that would have restricted reinspection of imported product to its port of first arrival. The public comments have persuaded the Agency that the public benefits to be derived by this proposed change do not outweigh the public and private costs that it would generate. Therefore, imported meat and poultry products will continue to be reinspected by import inspectors at either the port of entry or at another port location.

FSIS is proceeding to amend §§ 325.1, 327.7, 327.22 and 381.200 of the Federal meat and poultry products inspection regulations (9 CFR 325.1, 327.7, 327.22 and 381.200) by eliminating the provisions which require that conveyances in which imported product is transported prior to reinspection be sealed and to eliminate the official import seal.

Currently, §§ 325.1, 327.7 and 381.200 of the Federal meat and poultry products inspection regulations permit imported product to be unloaded at the port of first arrival or if arriving by water, from the wharf where unloaded, and then transported, under official seal, to another location where import reinspection is to be conducted. These regulations also provide specific, extensive sealing requirements for any transportation of imported product prior to its reinspection. Currently, before product that has not been reinspected at the port of first arrival can be transported, the means of conveyance (car, truck, railcar) must be sealed with an official import seal. The seal must be affixed by either a Program or U.S. Customs employee. Sections 327.7 and 381.200 also allow, in lieu of sealing, for colored placards containing a warning notice to be affixed to the product containers by the importer. Labeling product containers or sealing the means of conveyance assures that the identity of the product is maintained until it arrives at its final destination and is presented for reinspection. Sections 327.22 and 381.200(h) provide the official seal that is to be affixed to conveyances.

However, there is no practical way FSIS can ensure compliance with the sealing requirements. Given the volume of product imported into the United States (2.1 billion pounds per year) and FSIS's limited resources (90 import inspectors), it is physically impossible for FSIS personnel to seal each conveyance in which imported product might be transported or to break the seals, if affixed, once product arrives at its intended destination. U.S. Customs' regulations permit movement in-bound without further sealing (provided foreign country seals have been affixed), and Customs does not have the resources to provide special handling services regarding imported meat and poultry products.

FSIS did not receive any comments on the portion of the proposed rule which proposed to eliminate the official import seal and attendant sealing requirements. Accordingly, FSIS is proceeding to eliminate the official import seal and the sealing requirements.

FSIS is making two editorial changes to the titles of §§ 327.7 and 381.200. In the May 13, 1988, proposal, the word "bond" and the words "delivery under bond" in §§ 327.7 and 381.200, respectively, were inadvertently not included as part of the titles. FSIS did not propose any changes to the provisions in the regulations concerning the transportation of imported product under Customs bond, and this final rule retains those provisions. Therefore, the titles of the two sections have been revised to include the missing words.

List of Subjects in 9 CFR

9 CFR Part 325

Meat inspection, Transportation.

9 CFR Part 327

Imported products, Meat inspection, Seals and sealing.

9 CFR Part 381

Imported products; Poultry products inspection; Seals and sealing.

Accordingly, title 9 of the CFR is amended as follows:

PART 325—TRANSPORTATION

1. The authority citation for part 325 continues to read as follows:

Authority: 7 U.S.C. 450, 1901–1906; 21 U.S.C. 601–695; 7 CFR 2.17, 2.55.

1a. Paragraph (b)(2) of section 325.1 is revised to read as follows:

§ 325.1 Transactions in commerce prohibited without official inspection legend or certificate when required; exceptions; and vehicle sanitation requirements.

* * * * *

(b)(1) * * *

(2) Product imported into the United States may be transported and offered or received for transportation if such product is conveyed in railroad cars, trucks or other means of conveyance, prior to inspection, to an authorized place of inspection, as provided in § 327.6 of this part.

* * * * *

PART 327—IMPORTED PRODUCTS

2. The authority citation for part 327 continues to read as follows:

Authority: 21 U.S.C. 601–695; 7 CFR 2.17, 2.55.

3. The title of § 327.7 is revised to read as follows:

§ 327.7 Products for importation; movement prior to inspection; handling; bond; assistance.

§ 327.7 [Amended]

4. Paragraphs (a), (b), (c), and (h) of § 327.7 are removed.

§ 327.7 [Amended]

5. Paragraphs (d), (e), (f) and (g) of § 327.7 are redesignated as paragraphs (a), (b), (c) and (d).

§ 327.22 [Removed and Reserved]

6. Section 327.22 is removed and reserved.

PART 381—POULTRY PRODUCTS INSPECTION REGULATIONS

7. The authority citation for part 381 continues to read as follows:

Authority: 7 U.S.C. 450, 21 U.S.C. 451–470, 7 CFR 2.17, 2.55.

8. The title of § 381.200 is revised to read as follows:

§ 381.200 Poultry products offered for entry, retention in customs custody; delivery under bond; movement prior to inspection; handling; facilities and assistance.

§ 381.200 [Amended]

9. Paragraphs (c), (d), (e), (f), and (h) of § 381.200 are removed.

§ 381.200 [Amended]

10. Paragraph (g) of § 381.200 is redesignated as paragraph (c).

Done at Washington, DC on November 1, 1991.

Ronald J. Prucha,

Acting Administrator.

[FR Doc. 91–29952 Filed 12–13–91; 8:45 am]

BILLING CODE 3410-DM-M

FEDERAL RESERVE SYSTEM

12 CFR Part 213

[Docket No. R–0737]

Equal Credit Opportunity, Consumer Leasing, and Truth in Lending (Regulations B, M, and Z); Correction

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Technical Amendment; correction.

SUMMARY: The Board published a technical amendment on October 11, 1991, that contains an error in amendatory instruction 1 in part 213.

EFFECTIVE DATE: October 11, 1991.

FOR FURTHER INFORMATION CONTACT: Dale I. Nishimura, Staff Attorney, Division of Consumer and Community Affairs, at (202) 452-2412; for the hearing impaired *only*, contact Dorthea Thompson, Telecommunications Device for the Deaf, at (202) 452-3544, Board of Governors of the Federal Reserve System, Washington, DC 20551.

In Federal Register Notice (FR Doc. 91-24270) published at page 51322, column 2, of the issue for Friday, October 11, 1991, make the following correction:

On page 51322, column 2, amendatory instruction 1 in part 213 is corrected to read as follows: "1. The authority citation for 12 CFR part 213 is revised to read as follows:".

Board of Governors of the Federal Reserve System, December 10, 1991.

William W. Wiles,

Secretary of the Board.

[FR Doc. 91-29899 Filed 12-13-91; 8:45 am]

BILLING CODE 6210-01-F

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 91-NM-227-AD; Amendment 39-8116; AD 91-26-05]

Airworthiness Directives; Boeing Model 747-400 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to Boeing Model 747-400 series airplanes. This amendment requires the addition of a limitation in the FAA/approved airplane flight manual (AFM) requiring that the right VHF (very high frequency) radio communication system be operational for dispatch. This action is prompted by the discovery of a single point failure within the audio management unit (AMU) that will disable the transmission functions of both the left and center VHF radios. This condition, if not corrected, could result in loss of all VHF radio voice communication transmission capability.

EFFECTIVE DATE: December 30, 1991.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen Slotte, Seattle Aircraft Certification Office, Systems and Equipment Branch, ANM-130S; telephone (206) 227-2797. Mailing address: FAA, Northwest Mountain Region, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98055-4056.

SUPPLEMENTARY INFORMATION: A single point failure within the audio management unit (AMU) used on all Model 747-400 airplanes has been discovered recently. Should this failure occur, the transmission functions of both the left and center VHF (very high frequency) radios will be disabled. The single AMU on the Model 747-400 interfaces with all onboard communication systems, such as: VHF (very high frequency); HF (high frequency); SATCOM (Satellite Communication); ACARS (ARINC Communications Addressing and Reporting System); Ground Crew Call; Cabin Crew Call; and PA (passenger address). It also interfaces with various radio navigation receivers such as: VOR (VHF Omnidirectional Ranging); ADF (Automatic Direction Finder); DME (Distance Measuring Equipment); and ILS (Instrument Landing System). In the case of the VHF system, the AMU sends the microphone input and push-to-talk (PTT) discrete signal to the selected VHF transceiver. It also sends the transceiver audio from the selected VHF transceiver to the flight deck headsets and speakers.

Model 747-400 series airplanes are equipped with three VHF radio communication systems. They are typically identified as: left VHF (pilot), right VHF (first officer), and center VHF. Federal Aviation Regulations (FAR) require that each airplane certificated under FAR Part 25 be equipped with two systems for two-way radio communications, and that the failure of one system will not preclude operation of the other system. Since the Model 747-400 airplane has three VHF radios, dispatch with one of the radio communication systems inoperative is allowed. However, if an airplane is dispatched with the right VHF radio inoperative, a single failure to the applicable circuitry within the AMU will cause loss of the remaining VHF radio voice communication transmission capability.

Since this condition is likely to exist or develop on other airplanes of the same type design, this AD requires the addition of a limitation in the FAA-approved airplane flight manual (AFM) requiring that the right VHF radio communication system be operational for dispatch.

The FAA considers this to be an interim action and will consider further rulemaking when a corrective modification is developed and approved.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable, and good cause exists for making this amendment effective in less than 30 days.

The regulations adopted herein will not have substantial direct effects 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. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation and that it is not considered to be major under Executive Order 12291. It is impracticable for the agency to follow the procedures of Executive Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—[AMENDED]

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

91-26-05. **Boeing:** Amendment 39-8116. Docket No. 91-NM-227-AD.

Applicability: All Model 747-400 series airplanes, certificated in any category.

Compliance: Required within 14 days after the effective date of this AD, unless previously accomplished.

To prevent the loss of all VHF radio voice communication transmission capability, accomplish the following:

(a) Add the following statement to the Limitations Section of the FAA-approved Airplane Flight Manual (AFM). This may be accomplished by placing a copy of this AD in the AFM.

Electronic Systems

VHF Radio Voice Communication

Right VHF radio (VHF R) communication system must be operational for dispatch.

(b) An alternative method of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. The