

identification will be based on a variety of indicators, including, but not limited to: Quantity of produce, type of packaging, identification of grower or packing house on the packaging, and documents consigning the shipment to a wholesaler or retailer.

\* \* \* \* \*

*Noncommercial shipment.* A shipment containing fruits or vegetables that an inspector identifies as having been imported for personal use and not for sale.

\* \* \* \* \*

*Phytosanitary certificate.* A document, including electronic versions, that is related to a fruit or vegetable shipment and that:

- (1) Is patterned after the model certificate of the International Plant Protection Convention (IPPC), a multilateral convention on plant protection under the authority of the Food and Agriculture Organization of the United Nations;
- (2) Is issued by an official of a foreign national plant protection organization;
- (3) Is addressed to the plant protection service of the United States (Animal and Plant Health Inspection Service);
- (4) Describes the shipment;
- (5) Certifies the place of origin for all contents of the shipment;
- (6) Certifies that the shipment has been inspected and/or tested according to appropriate official procedures and is considered to be free from quarantine pests of the United States; and
- (7) Contains any additional declarations required under this subpart.

\* \* \* \* \*

3. In § 319.56-2, paragraphs (a), (b), (c), and (d) would be revised to read as follows:

**§ 319.56-2 Restrictions on entry of fruits and vegetables.**

- (a) To be eligible for entry into the United States:
  - (1) All fruits and vegetables imported under this subpart, whether commercial or noncommercial shipments, must be free from plants or portions of plants, as defined in § 319.56-1; and
  - (2) All fruits and vegetables imported under this subpart, whether commercial or noncommercial shipments, must be accompanied by a phytosanitary certificate, except for:
    - (i) Fruits and vegetables that are dried, cured, or processed as provided in paragraph (b) of this section;
    - (ii) Frozen fruits and vegetables as provided in § 319.56-2c of this subpart; or

- (iii) Noncommercial shipments brought in from Canada or Mexico through land border ports.
- (b) Dried, cured, or processed fruits and vegetables (except frozen fruits and vegetables), including cured figs and dates, raisins, nuts, and dried beans and peas, may be imported without permit, phytosanitary certificate, or other compliance with this subpart. However, a permit, a phytosanitary certificate, and other safeguards may be required for any such articles when the Deputy Administrator determines that the drying, curing, or processing to which the fruits or vegetables have been subjected does not entirely eliminate pest risk. Such determination with respect to any such articles will become effective after due notice.

(c) Except as provided in paragraph (a) of this section, fruits and vegetables grown in Canada may be imported into the United States without further restriction under this subpart, *Provided*, that, in accordance with § 319.37-2 of this part, potatoes from Newfoundland and that portion of the Municipality of Central Saanich in the Province of British Columbia east of the West Saanich Road may not be imported into the United States.

(d) Except as provided in paragraph (a) of this section and §§ 319.56-5, 319.56-6, and 319.56-7, fruits and vegetables grown in the British Virgin Islands may be imported into the U.S. Virgin Islands without further permit or restriction other than the authorization contained in this paragraph. However, such fruits and vegetables are exempted from the notice of arrival requirements of § 319.56-5 only when an inspector finds that equivalent information is obtainable from the U.S. Collector of Customs.

\* \* \* \* \*

4. In § 319.56-6, paragraph (c) would be revised to read as follows:

**§ 319.56-6 Inspection and other requirements at the port of first arrival.**

\* \* \* \* \*

(c) *Refusal of entry.* If an inspector finds that an imported fruit or vegetable is prohibited, or is not accompanied by proper documentation such as a phytosanitary certificate, or is so infested with a plant pest that, in the judgment of the inspector, it cannot be cleaned or treated, or contains soil or other prohibited contaminants, the entire lot may be refused entry into the United States.

\* \* \* \* \*

Done in Washington, DC, this 23rd day of August 2001.  
**Bill Hawks,**  
*Under Secretary for Marketing and Regulatory Programs.*  
[FR Doc. 01-21809 Filed 8-28-01; 8:45 am]  
**BILLING CODE 3410-34-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. 2001-CE-01-AD]

RIN 2120-AA64

**Airworthiness Directives; SOCATA—Groupe Aerospatiale Models TB 9, TB 10, TB 20, TB 21, and TB 200 Airplanes**

**AGENCY:** Federal Aviation Administration, DOT.  
**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes to adopt a new airworthiness directive (AD) that would apply to all SOCATA—Groupe Aerospatiale (SOCATA) Models TB 9, TB 10, TB 20, TB 21, and TB 200 airplanes. The proposed AD would require you to repetitively inspect the lower rudder hinge fitting for cracks. The proposed AD would also require you to repair any crack found in accordance with a repair scheme obtained from the manufacturer through the Federal Aviation Administration (FAA). The proposed AD is the result of mandatory continuing airworthiness information (MCAI) issued by the airworthiness authority for France. The actions specified by the proposed AD are intended to detect and correct fatigue cracks in the lower rudder hinge fitting. This condition could cause the lower rudder to detach from the control linkage with consequent loss of control of the airplane.

**DATES:** The FAA must receive any comments on this proposed rule on or before September 28, 2001.

**ADDRESSES:** Submit comments in triplicate to FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2001-CE-01-AD, 901 Locust, Room 506, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from SOCATA Groupe AEROSPATIALE, Customer Support, Aerodrome Tarbes-Ossun-Lourdes, BP 930—F65009 Tarbes Cedex, France; telephone: (33)

(0)5.62.41.73.00; facsimile: (33) (0)5.62.41.76.54; or the Product Support Manager, SOCATA—Groupe AEROSPATIALE, North Perry Airport, 7501 Pembroke Road, Pembroke Pines, Florida 33023; telephone: (954) 894-1160; facsimile: (954) 964-4191. This information also may be examined at the Rules Docket at the address above.

**FOR FURTHER INFORMATION CONTACT:** Karl Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4146; facsimile: (816) 329-4090.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

*How do I comment on the proposed AD?* The FAA invites comments on this proposed rule. You may submit whatever written data, views, or arguments you choose. You need to include the rule's docket number and submit your comments in triplicate to the address specified under the caption **ADDRESSES**. The FAA will consider all comments received on or before the closing date. We may amend the proposed rule in light of comments received. Factual information that supports your ideas and suggestions is extremely helpful in evaluating the effectiveness of the proposed AD action and determining whether we need to take additional rulemaking action.

*Are there any specific portions of the proposed AD I should pay attention to?* The FAA specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of the proposed rule that might suggest a need to modify the rule. You may examine all comments we receive before and after the closing date of the rule in the Rules Docket. We will file a report in the Rules Docket that summarizes each FAA contact with the public that concerns the substantive parts of the proposed AD.

We are re-examining the writing style we currently use in regulatory documents, in response to the Presidential memorandum of June 1, 1998. That memorandum requires federal agencies to communicate more clearly with the public. We are interested in your comments on whether the style of this document is clear, and any other suggestions you might have to improve the clarity of FAA

communications that affect you. You can get more information about the Presidential memorandum and the plain language initiative at <http://www.plainlanguage.gov>.

*How can I be sure FAA receives my comment?* If you want us to acknowledge the receipt of your comments, you must include a self-addressed, stamped postcard. On the postcard, write "Comments to Docket No. 2001-CE-01-AD." We will date stamp and mail the postcard back to you.

**Discussion**

*What events have caused this proposed AD?* The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, recently notified FAA that an unsafe condition may exist on all SOCATA Models TB 9, TB 10, TB 20, TB 21, and TB 200 airplanes. The DGAC reports an occurrence of the lower rudder separating from the control linkage on a Model TB 9 airplane. A break in the lower rudder hinge fitting caused this problem and was found during a scheduled inspection on the airplane with more than 6,000 hours time-in-service (TIS). The DGAC reports that material fatigue caused cracks in the lower rudder hinge fitting.

*What are the consequences if the condition is not corrected?* If this condition is not detected and corrected, the lower rudder could detach from the control linkage with consequent loss of control of the airplane.

*Is there service information that applies to this subject?* SOCATA has issued Service Bulletin SB 10-114 55, dated September 2000.

*What are the provisions of this service bulletin?* The service bulletin includes procedures for inspecting the lower rudder hinge fitting for cracks. This document also includes information about where to obtain a repair scheme for a cracked lower rudder hinge fitting.

*What action did the DGAC take?* The DGAC classified this service bulletin as mandatory and issued French AD Number 2001-002(A), dated January 10, 2001, in order to assure the continued airworthiness of these airplanes in France.

*Was this in accordance with the bilateral airworthiness agreement?* These airplane models are manufactured in France and are type

certificated for operation in the United States under the provisions of §21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept FAA informed of the situation described above.

**The FAA's Determination and an Explanation of the Provisions of the Proposed AD**

*What has FAA decided?* The FAA has examined the findings of the DGAC; reviewed all available information, including the service information referenced above; and determined that:

—The unsafe condition referenced in this document exists or could develop on other SOCATA Models TB 9, TB 10, TB 20, TB 21, and TB 200 airplanes of the same type design;

—The actions specified in the previously-referenced service information should be accomplished on the affected airplanes; and

—AD action should be taken in order to correct this unsafe condition.

*What would the proposed AD require?* This proposed AD would require you to repetitively inspect the lower rudder hinge fitting for cracks and repair any crack found in accordance with a repair scheme obtained from the manufacturer through the Federal Aviation Administration (FAA).

*Is there a modification I can incorporate instead of repetitively inspecting the lower rudder hinge fitting?* The FAA has determined that long-term continued operational safety would be better assured by design changes that remove the source of the problem rather than by repetitive inspections or other special procedures. With this in mind, FAA will continue to work with SOCATA in collecting information and in performing fatigue analysis to determine whether a future design change may be necessary.

**Cost Impact**

*How many airplanes would the proposed AD impact?* We estimate that the proposed AD affects 239 airplanes in the U.S. registry.

*What would be the cost impact of the proposed AD on owners/operators of the affected airplanes?* We estimate the following costs to accomplish the proposed inspection:

Labor cost	Parts cost	Total cost per airplane	Total cost on U.S. operators
3 workhours × \$60 per hour = \$180 .....	No parts required to perform the inspection .....	\$180	\$43,020

The FAA has no method of determining the number of repetitive inspections each owner/operator would incur over the life of each of the affected airplanes so the cost impact is based on the initial inspection.

We estimate the following costs to accomplish any necessary repairs that would be required based on the results of the proposed inspections. We have no way of determining the number of repairs each owner/operator would

incur over the life of each of the affected airplanes based on the results of the proposed inspections.

	Labor cost	Parts cost	Total cost per Airplane
7 workhours × \$60 = \$420 .....		\$300	\$720

**Regulatory Impact**

*Would this proposed AD impact various entities?* The regulations proposed herein 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. Therefore, it is determined that this proposed rule would not have federalism implications under Executive Order 13132.

*Would this proposed AD involve a significant rule or regulatory action?* For the reasons discussed above, I certify that this proposed action (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities

under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action has been placed in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Safety.

**The Proposed Amendment**

Accordingly, under the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (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. FAA amends § 39.13 by adding a new airworthiness directive (AD) to read as follows:

**SOCATA—Groupe Aerospatiale:** Docket No. 2001-CE-01-AD

(a) *What airplanes are affected by this AD?* This AD affects the following TB 9, TB 10, TB 20, TB 21, and TB 200 airplanes, all serial numbers, that are certificated in any category.

(b) *Who must comply with this AD?* Anyone who wishes to operate any of the above airplanes must comply with this AD.

(c) *What problem does this AD address?* The actions specified by this AD are intended to detect and correct fatigue cracks in the lower rudder hinge fitting. This condition could cause the lower rudder to detach from the control linkage with consequent loss of control of the airplane.

(d) *What actions must I accomplish to address this problem?* To address this problem, you must accomplish the following:

Actions	Compliance	Procedures
(1) Visually inspect the lower rudder hinge fitting for cracks.	Upon accumulating 2,000 hours time-in-service (TIS) on the rudder hinge fitting or within the next 100 hours TIS after the effective date of this AD, whichever occurs later, and thereafter at intervals not to exceed 12 calendar months.	In accordance with the ACCOMPLISHMENT INSTRUCTIONS section of SOCATA Service Bulletin SB 10-114 55, dated September 2000, and the applicable aircraft maintenance manual.
(2) If any crack is found during any inspection required in paragraph (d)(1) of this AD, accomplish the following: (i) Obtain a repair scheme from the manufacturer through the FAA at the address specified in paragraph (f) of this AD; and (ii) Incorporate this repair scheme	Prior to further flight after the inspection required in paragraph (d)(1) of this AD.	In accordance with the repair scheme obtained from SOCATA Groupe AEROSPATIALE, Customer Support, Aerodrome Tarbes-Ossun-Lourdes, BP 930—F65009 Tarbes Cedex, France; telephone: (33) 05.62.41.76.68; facsimile: (33) 06.07.32.62.24; or the Product Support Manager, SOCATA—Groupe AEROSPATIALE, North Perry Airport, 7501 Pembroke Road, Pembroke Pines, Florida 33023; telephone: (954) 893-1450. Obtain this repair scheme through the FAA at the address specified in paragraph (f) of this AD.

Actions	Compliance	Procedures
(3) Report any cracks found during the initial inspection required in paragraph (d)(1) of this AD to the FAA with a copy to SOCATA. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 <i>et seq.</i> ) and have been assigned OMB Control Number 2120-0056.	Upon completion of the initial inspection required in paragraph (d)(1) of this AD.	Fill out the compliance form in SOCATA Service Bulletin SB 10-114 55, dated September 2000. Send it to the FAA at the address specified in paragraph (f) of this AD. Send a copy to SOCATA at the address in paragraph (h) of this AD.

(e) *Can I comply with this AD in any other way?* You may use an alternative method of compliance or adjust the compliance time if:

(1) Your alternative method of compliance provides an equivalent level of safety; and

(2) The Manager, Small Airplane Directorate, approves your alternative. Submit your request through an FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

**Note 1:** This AD applies to each airplane identified in paragraph (a) of this AD, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (e) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if you have not eliminated the unsafe condition, specific actions you propose to address it.

(f) *Where can I get information about any already-approved alternative methods of compliance?* Contact Karl Schletzbaum, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4146; facsimile: (816) 329-4090.

(g) *What if I need to fly the airplane to another location to comply with this AD?* The FAA can issue a special flight permit under sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate your airplane to a location where you can accomplish the requirements of this AD.

(h) *How do I get copies of the documents referenced in this AD?* You may obtain copies of the documents referenced in this AD from SOCATA Groupe AEROSPATIALE, Customer Support, Aerodrome Tarbes-Ossun-Lourdes, BP 930—F65009 Tarbes Cedex, France; or the Product Support Manager, SOCATA—Groupe AEROSPATIALE, North Perry Airport, 7501 Pembroke Road, Pembroke Pines, Florida 33023. You may examine these documents at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri 64106.

**Note 2:** The subject of this AD is addressed in French AD Number 2001-002(A), dated January 10, 2001.

Issued in Kansas City, Missouri, on August 22, 2001.

**James E. Jackson,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 01-21754 Filed 8-28-01; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 99-SW-78-AD]

#### Airworthiness Directives; Eurocopter France Model AS 332C, L, L1, and L2 Helicopters

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Supplemental notice of proposed rulemaking (SNPRM); reopening of comment period.

**SUMMARY:** This SNPRM revises an earlier proposed airworthiness directive (AD) for Eurocopter France (ECF) Model AS 332C, L, L1, and L2 helicopters that would have superseded an existing AD. That AD currently requires conducting a filter clogging warning test, and if necessary, replacing a blocked fuel filter element with an airworthy fuel filter element. The proposed AD would have required the same corrective actions as the existing AD and would have added another fuel filter part number to the applicability. That proposal was prompted by the discovery of blocked fuel filter by-pass valves. This SNPRM revises the proposed rule by: referencing a revision to the previously referenced service information; adding a fuel filter part number to the applicability; and clarifying other provisions throughout the AD. The actions specified by this SNPRM are intended to prevent power loss due to fuel starvation, engine flameouts, and a subsequent forced landing.

**DATES:** Comments must be received on or before October 29, 2001.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 99-SW-78-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. You may also send comments electronically to the Rules Docket at the following address: [9-asw-adcomments@faa.gov](mailto:9-asw-adcomments@faa.gov). Comments may be inspected at the Office of the Regional Counsel between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the SNPRM may be obtained from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053-4005, telephone (972) 641-3460, fax (972) 641-3527. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas.

**FOR FURTHER INFORMATION CONTACT:** Paul Madej, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, Fort Worth, Texas 76193-0110, telephone (817) 222-5125, fax (817) 222-5961.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this document may be changed because of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available in the Rules