

prior to exportation when the receiving country (1) has a disease surveillance system at slaughter plants that is acceptable to the United States and (2) agrees to share any findings of tuberculosis or brucellosis in U.S. origin cattle with APHIS. Cattle moving directly to slaughter present a negligible risk of transmitting either brucellosis or tuberculosis to other cattle. Monitoring of these cattle by the receiving country will provide information on the source of any affected cattle within the United States. The interim rule also removed these test requirements for cattle moving directly to slaughter when they originate from a Class Free State for brucellosis or an Accredited-Free State for tuberculosis. Cattle exported for slaughter from a State which is free of brucellosis or tuberculosis present a negligible risk of carrying brucellosis or tuberculosis, respectively.

The Regulatory Flexibility Act requires that we specifically consider the economic impact associated with rule changes on small entities. The Small Business Administration's definition of a small entity involved in cattle exportation is one whose total sales is less than \$0.5 million annually. In 1992 there were 1,034,189 cattle and calf farms in the United States, of which 1,011,591, or 97.8 percent, would be considered small entities. The number of these entities exporting cattle for slaughter to Mexico and Canada or exporting cattle for slaughter from a brucellosis or tuberculosis free State is unknown.

There were 148,906 and 71,781 cattle, except breeding cattle, exported from the United States in 1994 and 1995, respectively. In both years, over 99 percent of the cattle were exported to Mexico and Canada. Approximately 50 percent of the cattle exported to Canada moved directly to slaughter and virtually all of the cattle exported to Mexico moved directly to slaughter.

To the extent that the elimination of testing requirements represents a reduction in operating costs, any entity bypassing this testing will benefit economically from the rule change. The degree to which an entity is affected depends on its market power or on the extent to which the cost reduction can be retained by the entity. Without information on either profit margins and operational expenses of the affected entities or the supply responsiveness of the affected industry, the affect cannot be precisely predicted. However, we expect that some exporters will experience a small economic benefit as a result of eliminating the test requirements and their associated costs.

The cost of these tests vary depending upon where and how the tests are performed. Brucellosis tests may be administered along with the tuberculosis test. Brucellosis and tuberculosis tests cost pennies per animal when performed at a market concentration center where a card test is used. At a farm the brucellosis and tuberculosis tests cost as much as \$19.00 per animal including labor, laboratory costs, and miscellaneous charges. This cost would be only slightly lower for performing the tuberculosis test alone. With such a low cost per animal, we do not expect these changes to have a significant impact on any entity, whether small or large.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

#### Regulatory Reform

This action is part of the President's Regulatory Reform Initiative, which, among other things, directs agencies to remove obsolete and unnecessary regulations and to find less burdensome ways to achieve regulatory goals.

#### List of Subjects in 9 CFR Part 91

Animal diseases, Animal welfare, Exports, Livestock, Reporting and recordkeeping requirements, and Transportation.

Accordingly, the interim rule amending 9 CFR part 91 which was published at 61 FR 6917-6918 on February 23, 1996, is adopted as a final rule with the following changes:

#### PART 91—INSPECTION AND HANDLING OF LIVESTOCK FOR EXPORTATION

1. The authority citation for part 91 continues to read as follows:

Authority: 21 U.S.C. 105, 112, 113, 114a, 120, 121, 134b, 134f, 136, 136a, 612, 613, 614, and 618; 46 U.S.C. 466a and 466b; 49 U.S.C. 1509(d); 7 CFR 2.22, 2.80, and 371.2(d).

2. Section 91.5 is amended by revising paragraphs (a)(1)(i), (a)(2), (b)(1)(iv) and (b)(2) to read as set forth below.

#### § 91.5 Cattle.

\* \* \* \* \*

(a) \* \* \*

(1) \* \* \*

(i) Cattle exported directly to slaughter in a country that the Administrator has determined has an acceptable tuberculosis surveillance system at slaughter plants and that agrees to share any findings of

tuberculosis in U.S. origin cattle with APHIS; or

\* \* \* \* \*

(2) The Administrator has determined that the following countries have an acceptable tuberculosis surveillance system at slaughter plants: Canada and Mexico.

(b) \* \* \*

(1) \* \* \*

(iv) Cattle exported directly to slaughter in a country that the Administrator has determined has an acceptable brucellosis surveillance system at slaughter plants and that agrees to share any findings of brucellosis in U.S. origin cattle with APHIS; or

\* \* \* \* \*

(2) The Administrator has determined that the following country has an acceptable brucellosis surveillance system at slaughter plants: Canada.

\* \* \* \* \*

Done in Washington, DC, this 16th day of January 1997.

Donald W. Luchsinger,

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 97-1634 Filed 1-22-97; 8:45 am]

BILLING CODE 3410-34-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 96-NM-70-AD; Amendment 39-9887; AD 97-02-03]

RIN 2120-AA64

#### Airworthiness Directives; Fokker Model F28 Mark 0100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to certain Fokker Model F28 Mark 0100 series airplanes. It requires a one-time inspection to verify the correct routing and tension of the flight control lock cables and the elevator control cables, and rerouting or adjustment of the tension of these cables, if necessary. This amendment is prompted by a report indicating that an inspection for correct routing and tension of those cables may not have been accomplished during modification of the airplanes at the factory. The actions specified by this AD are intended to prevent incorrect routing and tension of the flight control lock cables and the elevator control cables, which could result in

inadvertent disconnection of those cables, and consequent reduced controllability of the airplane.

**DATES:** Effective February 27, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 27, 1997.

**ADDRESSES:** The service information referenced in this AD may be obtained from Fokker Services B.V., Technical Support Department, P.O. Box 75047, 1117 ZN Schiphol Airport, The Netherlands. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Tim Dulin, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2141; fax (206) 227-1149.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Fokker Model F28 Mark 0100 series airplanes was published in the Federal Register on September 30, 1996 (61 FR 51066). That action proposed to require a one-time visual inspection to verify the routing of the flight control lock cables and to verify the tension of the left and right elevator control cables, and rerouting of cables or adjustment, if necessary.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

#### Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

#### Cost Impact

The FAA estimates that 5 Fokker Model F28 Mark 0100 series airplanes of U.S. registry will be affected by this AD, that it will take approximately 8 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be \$2,400, or \$480 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

#### Regulatory Impact

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.

For the reasons discussed above, I certify that this 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) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption ADDRESSES.

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

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 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. Section 39.13 is amended by adding the following new airworthiness directive:

97-02-03 Fokker: Amendment 39-9887.

Docket 96-NM-70-AD.

*Applicability:* Model F28 Mark 0100 series airplanes having serial numbers 11323 through 11326 inclusive, 11423, 11429, 11431, 11441, 11444, and 11445; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, 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 (b) 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 the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

*Compliance:* Required as indicated, unless accomplished previously.

To prevent incorrect routing and incorrect tension of the flight control lock cables and elevator control cables, which could result in inadvertent disconnection of those cables, and consequent reduced controllability of the airplane; accomplish the following:

(a) Within 60 days after the effective date of this AD, perform a one-time visual inspection to verify the correct routing and correct tension of the flight control lock cables and elevator control cables, in accordance with Fokker Service Bulletin SBF100-27-064, dated September 15, 1994.

(1) If the routing and tension of the flight control lock cables and elevator control cables are correct, as specified in the service bulletin, no further action is required by this AD.

(2) If the routing and/or tension of the flight control lock cables or the elevator control cables is not correct, as specified in the service bulletin, prior to further flight, reroute and/or adjust the tension of those cables, as necessary, in accordance with the service bulletin.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) The actions shall be done in accordance with Fokker Service Bulletin SBF100-27-064, dated September 15, 1994. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Fokker Services B.V., Technical Support Department, P.O. Box 75047, 1117 ZN Schiphol Airport, The Netherlands. Copies

may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on February 27, 1997.

Issued in Renton, Washington, on January 7, 1997.

Darrell M. Pederson,  
*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*  
[FR Doc. 97-811 Filed 1-22-97; 8:45 am]  
BILLING CODE 4910-13-U

#### 14 CFR Part 39

[Docket No. 96-NM-79-AD; Amendment 39-9890; AD 97-02-06]

RIN 2120-AA64

#### Airworthiness Directives; Fokker Model F27 Mark 050 and F28 Mark 0100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Fokker Model F27 Mark 050 and F28 Mark 0100 series airplanes, that requires installation of a bonding cable for the housing of the lavatory pump and filter assembly and the lavatory bowl. This amendment is prompted by a report indicating that the housing of the lavatory pump and filter assembly is not grounded properly. The actions specified by this AD are intended to prevent such improper grounding, which could result in an electrical fire and/or injury to passengers and crewmembers.

**DATES:** Effective February 27, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 27, 1997.

**ADDRESSES:** The service information referenced in this AD may be obtained from Fokker Services B.V., Technical Support Department, P.O. Box 75047, 1117 ZN Schiphol Airport, The Netherlands. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Ruth Harder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate,

1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-1721; fax (206) 227-1149.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Fokker Model F27 Mark 050 and F28 Mark 0100 series airplanes was published in the Federal Register on October 1, 1996 (61 FR 51255). That action proposed to require installation of a bonding cable for the housing of the lavatory pump and filter assembly and the lavatory bowl.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter supports the proposed rule.

#### Conclusion

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

#### Cost Impact

The FAA estimates that 48 Model F28 Mark 0100 series airplanes of U.S. registry will be affected by this AD, that it will take approximately 6 work hours per airplane to accomplish the required actions, and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$209 per airplane. Based on these figures, the cost impact of the AD on U.S. operators of Model F28 Mark 0100 series airplanes of U.S. registry is estimated to be \$27,312, or \$569 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

Currently, there are no Model F27 Mark 050 series airplanes on the U.S. Register. However, should an affected airplane be imported and placed on the U.S. Register in the future, it would require approximately 2 work hours to accomplish the proposed actions, at an average labor rate of \$60 per work hour. Required parts would cost approximately \$88 per airplane. Based on these figures, the cost impact of this AD on Model F27 Mark 050 series airplanes would be \$208 per airplane.

#### Regulatory Impact

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.

For the reasons discussed above, I certify that this 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) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

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

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 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. Section 39.13 is amended by adding the following new airworthiness directive:

97-02-06 Fokker: Amendment 39-9890.  
Docket 96-NM-79-AD.

**Applicability:** Model F27 Mark 050 series airplanes, as listed in Fokker Service Bulletin SBF50-25-046, Revision 1, dated August 5, 1994; and Model F28 Mark 0100 series airplanes, as listed in Fokker Service Bulletin SBF100-25-069, dated July 13, 1994, as revised by Service Bulletin Change Notification (SBCN) SBF100-25-069/01, dated February 15, 1995; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, 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