

(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) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Airplane Certification Office (ACO), FAA, 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Fort Worth Airplane Certification Office. Alternative methods of compliance, approved in accordance with AD 93-15-02-R2, are not considered to be approved as alternative methods of compliance with this AD.

**Note 4:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Fort Worth Airplane Certification Office.

(e) The inspections required by this AD for Fairchild SA226 and SA227 series airplanes equipped with Barber-Colman pitch trim actuators shall be done in accordance with Fairchild Aircraft SA226 Series Service Letter 226-SL-014, Fairchild Aircraft SA227 Series Service Letter 227-SL-031, or Fairchild Aircraft SA227 Series Service Letter CC7-SL-021, all Issued: October 3, 1997, whichever is applicable. This incorporation by reference is approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The inspections required by this AD on Fairchild Aircraft SA226 and SA227 series airplanes equipped with Simmonds-Precision pitch trim actuators shall be done in accordance with Fairchild Aircraft SA226 Series Service Letter (SL) 226-SL-005, and Fairchild Aircraft SA227 Series SL 227-SL-011, both Issued: April 8, 1993, Revised: May 22, 1996. This incorporation by reference was previously approved by the Director of the Federal Register as of July 25, 1996 (61 FR 36817, July 15, 1996). Copies of all of the documents may be obtained from Field Support Engineering, Fairchild Aircraft Inc., P.O. Box 790490, San Antonio Texas 78279-0490.

Copies may be inspected at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment (39-10188) supersedes AD 93-15-02 R2, Amendment 39-9689.

(g) This amendment (39-10188) becomes effective on December 1, 1997.

Issued in Kansas City, Missouri, on October 27, 1997.

**Mary Ellen A. Schutt,**

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

[FR Doc. 97-28880 Filed 10-31-97; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 84-CE-27-AD; Amendment 39-10189; AD 85-02-05 R1]

RIN 2120-AA64

#### Airworthiness Directives; The New Piper Aircraft, Inc. PA-20, PA-22, PA-23, PA-24, PA-25, PA-30, PA-31P, PA-36, PA-39, and PA-44 Series Airplanes

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

**ACTION:** Final rule; correction.

**SUMMARY:** This document clarifies information in Airworthiness Directive (AD) 85-02-05, which applies to all The New Piper Aircraft, Inc. (Piper) PA-20, PA-22, PA-23, PA-24, PA-25, PA-30, PA-31P, PA-36, PA-39, and PA-44 series airplanes. AD 85-02-05 currently requires installing on the pilot's instrument panel a Piper part number (P/N) 81090-02 placard, which provides information for operation of the parking brake. Piper has superseded that placard with a P/N 683-107 placard, and operators in need of a new placard can only obtain the P/N 683-107 placard. In this scenario, the owners/operators of the affected airplanes could not comply with AD 85-02-05 as currently written. The P/N 683-107 placard contains the same wording as the P/N 81090-02 placard. The actions specified in that AD are intended to prevent airplane controllability problems while involved in ground operation because of improper brake operations. This document maintains the placard requirement of AD 85-02-05, and adds the installation of the P/N 683-107 placard as an option of compliance.

**DATES:** Effective November 21, 1997.

**FOR FURTHER INFORMATION CONTACT:** William Herderich, Aerospace Engineer, Atlanta Certification Office, FAA, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia 30349; telephone (770) 703-6084; facsimile (770) 703-6097.

#### SUPPLEMENTARY INFORMATION:

##### Discussion

AD 85-02-05, Amendment 39-4984, currently requires the following on Piper PA-20, PA-22, PA-23, PA-24, PA-25, PA-30, PA-31P, PA-36, PA-39, and PA-44 series airplanes: installing on the pilot's instrument panel a Piper part number (P/N) 81090-02 placard, which provides information for operation of the parking brake. The

actions required by AD 85-02-05 are intended to prevent airplane controllability problems while involved in ground operation because of improper brake operations.

#### Need for the Correction

Piper has superseded the P/N 81090-02 placard with a P/N 683-107 placard, and owners/operators in need of a new placard can only obtain the P/N 683-107 placard. In this scenario, the owners/operators of the affected airplanes could not comply with AD 85-02-05 as currently written. The P/N 683-107 placard contains the same wording as the P/N 81090-02 placard.

#### Correction of Publication

This document maintains the placard requirement of AD 85-02-05, adds the installation of the Piper P/N 683-107 placard as an option of compliance, adds a paragraph that allows the pilot to install the placard, adds the standard alternative method of compliance paragraph, and adds the AD as an amendment to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13).

Since this action only adds the Piper P/N 683-107 placard as an option of compliance, it has no adverse economic impact and imposes no additional burden on any person than would have been necessary to comply with AD 85-02-05. Therefore, the FAA has determined that prior notice and opportunity for public comment are unnecessary.

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

Air transportation, Aircraft, Aviation safety, Safety.

#### Adoption of the Correction

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 removing Airworthiness Directive (AD)

85-02-05, Amendment 39-4984, and by adding a new AD to read as follows:

**85-02-05 R1 The New Piper Aircraft, Inc.:**  
Amendment 39-10189; Docket No. 84-CE-27-AD. Revises AD 85-02-05, Amendment 39-4984.

*Applicability:* The following model and serial number airplanes, certificated in any category:

Models	Serial numbers
PA-20, PA-20S, PA-20-115, PA-20S-115, PA-20-135, and PA-20S-135.	20-1 through 20-1121.
PA-22, PA-22-108, PA-22-135, PA-22S-135, PA-22-150, PA-22S-150, PA-22-160, and PA-22S-160.	22-1 through 22-9848.
PA-23 and PA-23-160.	23-1 through 23-2046.
PA-23-235, PA-23-250, and PA-E23-250.	27-1 through 27-8154030.
PA-24, PA-24-250, and PA-24-260.	24-1 through 24-5034.
PA-24-400 .....	26-1 through 26-148.
PA-25, PA-25-235, and PA-25-260.	25-1 through 25-8156024.
PA-30 .....	30-1 through 30-2000.
PA-31P .....	31P-1 through 31P-7730012.
PA-36-285, PA-36-300, and PA-36-375.	36-7360001 through 36-8302025.
PA-39 .....	39-1 through 39-162.
PA-44-180 .....	44-7995001 through 44-8195026.
PA-44-180T .....	44-8107001 through 44-8207020.

**Note 1:** This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, repaired, or reconfigured in the area subject to the requirements of this AD. For airplanes that have been modified, altered, repaired, or reconfigured 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 (d) 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 within 100 hours time-in-service after March 1, 1985 (the effective date of AD 85-02-05, Amendment 39-4984) or prior to the next flight after the effective date of this AD, whichever occurs later, unless already accomplished.

To prevent airplane controllability problems while involved in ground operation because of improper brake operations, accomplish the following:

(a) Install one of the following in a central location on the pilot's instrument panel in full view of the pilot.

- (1) A Piper part number 81090-02 placard; or
- (2) A Piper part number 683-107 placard.

**Note 2:** The above referenced placards both contain the following language:

**“Warning No Braking Will Occur if Aircraft Brakes Are Applied While Parking Brake Handle is Pulled and Held”**

(b) 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.

(c) Installing the placard required by paragraph (a) of this AD may be performed by the owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7), and must be entered into the aircraft records showing compliance with this AD in accordance with section 43.9 of the Federal Aviation Regulations (14 CFR 43.9).

(d) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Atlanta Aircraft Certification Office (ACO), One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia 30349.

(1) The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

(2) Alternative methods of compliance approved in accordance with AD 85-02-05 (revised by this action) are considered approved as alternative methods of compliance with this AD.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta ACO.

(e) All persons affected by this directive may examine information pertaining to this document at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(f) This amendment (39-10189) becomes effective on November 21, 1997.

Issued in Kansas City, Missouri, on October 27, 1997.

**Mary Ellen A. Schutt,**

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

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**BILLING CODE 4910-13-P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Part 173**

[Docket No. 93F-0461]

**Secondary Direct Food Additives Permitted in Food for Human Consumption; Milk-Clotting Enzymes**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of aspartic proteinase enzyme preparation produced by pure culture fermentation of *Aspergillus oryzae* modified by recombinant deoxyribonucleic (DNA) techniques to contain the gene for aspartic proteinase enzyme from *Rhizomucor miehei* for use as a milk-clotting enzyme in the production of cheese.

**DATES:** The regulation is effective November 3, 1997; written objections and requests for a hearing by December 3, 1997.

**ADDRESSES:** Submit written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1-23, Rockville, MD 20857.

**FOR FURTHER INFORMATION CONTACT:** Wendy J. Dixon, Center for Food Safety and Applied Nutrition (HFS-206), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-418-3090.

**SUPPLEMENTARY INFORMATION:**

In a notice published in the **Federal Register** of January 21, 1994 (59 FR 3365), FDA announced that a food additive petition (FAP 4A4406) had been filed by Novo Nordisk Bioindustrials, Inc., proposing that the food additive regulations be amended to provide for the safe use of aspartic proteinase enzyme preparation produced by pure culture fermentation of *A. oryzae* modified by recombinant DNA techniques to contain the gene for aspartic proteinase enzyme from *R. miehei* for use in the production of cheese. Although Novo Nordisk Bioindustrials, Inc., submitted FAP 4A4406, while the petition was under review, Gist-Brocades International B. V. purchased the dairy enzyme business from Novo Nordisk, at which time, the responsibility for the petition transferred to Gist-Brocades International B. V.