

falsely made, issued, altered, forged, or counterfeited mark or identification;

(vii) Has applied the designation "USDA Accepted Equipment", "AMS Accepted Equipment", "USDA Approved Equipment", "AMS Approved Equipment", "Approved By USDA", "Approved By AMS", "Accepted By USDA", "Accepted By AMS", "USDA Approved", "USDA Accepted", "AMS Approved", "AMS Accepted", or any other variation of wording which states or implies official sanction by the United States Department of Agriculture by stamp, or brand directly on any equipment or utensil, or used as part of any promotional materials which has not been inspected and deemed in compliance with this subpart; or,

(viii) Has in any manner not specified in this paragraph violated subsection 203(h) of the AMA: *Provided*, That paragraph (a)(1)(vi) of this section shall not be deemed to be violated if the person in possession of any item mentioned therein notifies the Deputy Administrator or Chief without such delay that such person has possession of such item and, in the case of an official identification, surrenders it to the Chief, and, in the case of any other item, surrenders it to the Deputy Administrator or Chief or destroys it or brings it into compliance with the regulations by obliterating or removing the violative features under supervision of the Deputy Administrator or Chief: *And provided further*, That paragraphs (a)(1) (ii) through (vii) of this section shall not be deemed to be violated by any act committed by any person prior to the making of an application of service under the regulations by the principal person. An application or a request for service may be rejected or the benefits of the service may be otherwise denied to, or withdrawn from, any person who operates an establishment for which such person has made application for service if, with the knowledge of such operator, any other person conducting any operations in such establishment has committed any of the offenses specified in paragraphs (a)(1) (i) through (vii) of this section after such application was made. Moreover, an application or a request for service made in the name of a person otherwise eligible for service under the regulations may be rejected, or the benefits of the service may be otherwise denied to, or withdrawn from, such a person.

(A) In case the service is or would be performed at an establishment operated:

(1) By a corporation, partnership, or other person from whom the benefits of

the service are currently being withheld under this paragraph, or

(2) By a corporation, partnership, or other person having an officer, director, partner, or substantial investor from whom the benefits of the service are currently being withheld and who has any authority with respect to the establishment where service is or would be performed; or

(B) In case the service is or would be performed with respect to any product in which any corporation, partnership, or other person within paragraph (a)(1)(viii)(A)(1) of this section has a contract or other financial interest.

(2) *Procedure*. All cases arising under this paragraph shall be conducted in accordance with the Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary Under Various Statutes set forth in 7 CFR §§ 1.130 through 1.151 and the Supplemental Rules of Practice in part 50, 7 CFR § 50.1 *et seq.*

(b) *Filing of records*. The final orders in formal proceedings under paragraph (a) of this section to deny or withdraw the service under the regulations (except orders required for good cause to be held confidential and not cited as precedents) and other records in such proceedings (except those required for good cause to be held confidential) shall be filed with the Hearing Clerk and shall be available for inspection by persons having a proper interest therein.

#### **§ 54.1033 Confidential treatment.**

Every design review specialist providing service under these regulations shall keep confidential all information secured and not disclose such information to any person except an authorized representative of the Department.

#### **§ 54.1034 OMB control numbers assigned pursuant to the Paperwork Reduction Act.**

The following control number has been assigned to the information collection requirements in 7 CFR Part 54, Subpart C, by the Office of Management and Budget pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

7 CFR section where requirements are described	Current OMB control No.
54.1008(a) .....	0581-0126
54.1017 .....	0581-0126
54.1018(e) .....	0581-0126
54.1019 .....	0581-0126
54.1020 .....	0581-0126
54.1021 .....	0581-0126

Dated: June 1, 2000.

**Barry L. Carpenter,**

*Deputy Administrator, Livestock and Seed Program.*

[FR Doc. 00-14113 Filed 6-5-00; 8:45 am]

BILLING CODE 3410-02-P

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

[Docket No. 2000-SW-03-AD]

#### **Airworthiness Directives; MD Helicopters, Inc. Model MD-900 Helicopters**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) for MD Helicopters, Inc. (MDHI) Model MD-900 helicopters. The AD would require modifying the non-rotating swashplate assembly and re-identifying it and the swashplate assembly with a new part number (P/N). The AD would also require creating a component history card or equivalent record to track the life of the newly identified non-rotating swashplate assembly and establishing a life limit of 1800 hours time-in-service (TIS). In addition, the AD would require inspecting and modifying, if necessary, the longitudinal drive link assembly. This proposal is prompted by reports of damage to the longitudinal drive link assembly caused by the sharp inner edge of the bushing in the non-rotating swashplate assembly. The actions specified by the proposed AD are intended to prevent damage to the longitudinal drive link, loss of control of the main rotor system, and subsequent loss of control of the helicopter.

**DATES:** Comments must be received on or before August 7, 2000.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 2000-SW-03-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. 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.

**FOR FURTHER INFORMATION CONTACT:** Greg DiLibero, Aviation Safety Engineer, FAA, Los Angeles Aircraft Certification Office, Airframe Branch, 3960 Paramount Blvd., Lakewood, California 90712, telephone (562) 627-5231, fax (562) 627-5210.

**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 notice may be changed in light 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, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their mailed comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 2000-SW-03-AD." The postcard will be date stamped and returned to the commenter.

**Availability of NPRMs**

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 2000-SW-03-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

**Discussion**

This document proposes the adoption of a new AD for MDHI Model MD-900 helicopters, serial numbers 0008 through 0068. The AD would require modifying the non-rotating swashplate and re-identifying it and the swashplate assembly with a new P/N. The AD would also require creating or modifying the existing component history card or equivalent record to track the life of the newly identified

non-rotating swashplate assembly and establishing a life limit of 1800 hours TIS. In addition, the AD would require inspecting and modifying, if necessary, the longitudinal drive link assembly. This proposal is prompted by reports of damage to the longitudinal drive link assembly. The damage is caused by the small clearance between the non-rotating swashplate bushing and the longitudinal drive link combined with the sharp outer edges of the non-rotating swashplate bushing. This condition, if not corrected, could result in damage to the longitudinal drive link, loss of control of the main rotor system, and subsequent loss of control of the helicopter.

The FAA has reviewed MDHI Service Bulletin SB900-071, dated January 10, 2000 (SB), which describes procedures for reworking of the bushing in the non-rotating swashplate assembly, re-identifying the swashplate and the non-rotating swashplate assemblies, and inspecting and repairing the longitudinal drive link assembly.

Since an unsafe condition has been identified that is likely to exist or develop on other MDHI Model MD-900 helicopters of the same type design, the proposed AD would require the following:

- Within the next 100 hours TIS or 3 months, whichever occurs first,
- Modify the non-rotating swashplate assembly, P/N 900C2010192-111 and reidentify as P/N 900C2010192-113 after modification;
- Re-identify swashplate assembly, P/N 900C1010004-125, as P/N 900C1010004-127;
- Create or modify the existing component history card or equivalent record to track the life of the newly identified non-rotating swashplate assembly, P/N 900C2010192-113, including the hours TIS accumulated when it was identified as P/N 900C2010192-111;
- Visually and dye-penetrant inspect and modify, if necessary, the longitudinal drive link assembly, P/N 900C2010212-101.
- Establish a life limit of 1800 hours TIS for the non-rotating swashplate assembly, P/N 900C2010192-113.

The actions would be required to be accomplished in accordance with the SB described previously.

The FAA estimates that 28 helicopters of U.S. registry would be affected by this proposed AD, that it would take approximately 2 work hours per helicopter to accomplish the proposed actions, and that the average labor rate

is \$60 per work hour. Required parts would cost approximately \$1164 per helicopter. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$35,952.

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 proposal would not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the 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 is contained 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, pursuant to 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. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

**MD Helicopters Inc.:** Docket No. 2000-SW-03-AD

*Applicability:* Model MD-900 helicopters, serial numbers 0008 through 0068, certificated in any category.

**Note 1:** This AD applies to each helicopter identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For helicopters 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 (c) 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 damage to the longitudinal drive link, loss of control of the main rotor system, and subsequent loss of control of the helicopter, accomplish the following:

(a) Within the next 100 hours time-in-service (TIS) or 3 months, whichever occurs first:

(1) Modify the non-rotating swashplate assembly, part number (P/N) 900C2010192-111, in accordance with the Accomplishment Instructions, paragraphs 2.A.(1). and 2.A.(2)., of MD Helicopters (MDHI) Service Bulletin SB900-071, dated January 10, 2000 (SB).

(2) Re-identify swashplate assembly, P/N 900C1010004-125, as P/N 900C1010004-127, and non-rotating swashplate assembly, P/N 900C2010192-111, as P/N 900C2010192-113 using contrasting color permanent ink. When the ink is dry, apply varnish over the P/N.

(3) Create or modify the existing component history card or equivalent record to track the life of the non-rotating swashplate assembly, P/N 900C2010192-113. Include the hours TIS accumulated when P/N 900C2010192-113 was identified as P/N 900C2010192-111.

(4) Visually and dye-penetrant inspect the longitudinal drive link assembly, P/N 900C2010212-101, for gouging and cracking in accordance with the Accomplishment Instructions, paragraph 2.B.(1). and 2.B.(2). of the SB except that returning scrap parts to MDHI is not required by this AD.

(i) If a crack is found, before further flight, replace the longitudinal drive link assembly, P/N 900C2010212-101, with an airworthy longitudinal drive link assembly.

(ii) If gouging is found, modify the longitudinal drive link assembly, P/N 900C2010212-101, in accordance with the Accomplishment Instructions, paragraph 2.B.(3). of the SB.

(b) This AD revises the Airworthiness Limitations Section of the applicable maintenance manual by establishing a retirement life of 1800 hours TIS for the non-rotating swashplate assembly, P/N 900C2010192-113.

(c) 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, Los Angeles Aircraft Certification Office. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Los Angeles Aircraft Certification Office.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles Aircraft Certification Office.

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

Issued in Fort Worth, Texas, on May 25, 2000.

**Eric Bries,**

*Acting Manager, Rotorcraft Directorate,  
Aircraft Certification Service.*

[FR Doc. 00-14195 Filed 6-5-00; 8:45 am]

**BILLING CODE 4910-13-U**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 15 CFR Part 922

#### Correction to the Florida Keys National Marine Sanctuary Regulations

**AGENCY:** National Marine Sanctuaries Program (NMSP), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Proposed rule; correction

**SUMMARY:** The National Oceanic and Atmospheric Administration (NOAA) is adding language to a Proposed Rule concerning the Florida Keys National Marine Sanctuary (Docket No. 0005100129-0120-01) that was published in the Federal Register on May 18, 2000 (Volume 65, Number 97, Pages 31633-31680), to provide additional information in response to the requirements of the Paperwork Reduction Act.

**DATES:** Comments on this correction may be submitted with comments on the proposed rule which will be considered if received by July 31, 2000.

**ADDRESSES:** Written comments must be submitted to Sanctuary Superintendent, Florida Keys National Marine Sanctuary, P.O. Box 500368, Marathon, Florida, 33050. Comments may also be sent by facsimile to: (305) 743-2357. Comments will not be considered if submitted by e-mail or internet.

**FOR FURTHER INFORMATION CONTACT:**

Billy Causey, Sanctuary Superintendent, at (305) 743-2437.

**SUPPLEMENTARY INFORMATION:** The following new paragraph is to be added to the second paragraph in the classification section for the Paperwork Reduction Act, on page 31670:

“Collection-of-information requirements for certification of preexisting leases, licenses, permits, approvals, or other authorizations in National Marine Sanctuaries, have been

approved under OMB #0648-0141. The proposed rule would apply the certification requirement of Section 922.168 to holders of preexisting leases, licenses, permits, approvals, or other authorizations, in the boundary expansion area of the Tortugas Ecological Reserve. The estimated response time for this requirement is 30 minutes.”

In addition, the following language is to be added to the end of the classification section for the Paperwork Reduction Act, also at page 31670:

“Send comments on these or any other aspects of the collection of information to Billy Causey, Sanctuary Superintendent, Florida Keys National Marine Sanctuary, P.O. Box 500368, Marathon, Florida, 33050; and to OMB at the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C., 20503 (Attention: NOAA Desk Officer).”

**Authority:** DSEIS/SMP is developed pursuant to section 304(a)(2) of the NMSA, 16 U.S.C. Sec. 1434(a)(2), consistent with, and in fulfillment of, the requirements of the National Environmental Policy Act of 1969. (Federal Domestic Assistance Catalog Number 11.429 Marine Sanctuary Program)

Dated: June 1, 2000.

**Ted Lillestolen,**

*Deputy Assistant Administrator for Ocean Services and Coastal Zone Management.*

[FR Doc. 00-14116 Filed 6-1-00; 2:40 pm]

**BILLING CODE 3510-08-M**

## DEPARTMENT OF THE TREASURY

### Bureau of Alcohol, Tobacco and Firearms

#### 27 CFR Part 9

[Notice No. 898]

RIN 1512-AA07

#### Proposal to Revise the Boundary of the Walla Walla Valley Viticultural Area and the Eastern Boundary of the Columbia Valley Viticultural Area (99R-141P)

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Bureau of Alcohol, Tobacco and Firearms (ATF) is proposing to extend the boundary of the Walla Walla Valley viticultural area. This proposal is the result of petitions filed by growers and winemakers located within the existing area and in