

biologics establishments, including permittees. According to the standards of the Small Business Administration, most veterinary biologics establishments would be classified as small entities.

This proposed rule should not impose any additional testing or economic burden on these manufacturers because manufacturers currently test their products for free formaldehyde content using the basic fuchsin and other methods, and the reagents and equipment necessary to perform the ferric chloride test for free formaldehyde content that would be required under this proposed rule should be comparable in cost.

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

Executive Order 12372

This program/activity is listed in the catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (*See* 7 CFR part 3015, subpart V.)

Executive Order 12988

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. It is not intended to have retroactive effect. This rule would not preempt any State or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule. The Virus-Serum-Toxin Act does not provide administrative procedures which must be exhausted prior to a judicial challenge to the provisions of this rule.

Paperwork Reduction Act

This proposed rule contains no new information or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

#### List of Subjects in 9 CFR Part 113

Animal biologics, Exports, Imports, Reporting and recordkeeping requirements.

Accordingly, we propose to amend 9 CFR parts 113 as follows:

#### PART 113—STANDARD REQUIREMENTS

1. The authority citation for part 113 continues to read as follows:

**Authority:** 21 U.S.C. 151–159; 7 CFR 2.22, 2.80, and 371.4.

2. In § 113.100, paragraph (f) is revised to read as follows:

#### § 113.100 General requirements for inactivated bacterial products.

\* \* \* \* \*

(f) If formaldehyde is used as the inactivating agent, and the serial has not been found satisfactory by the viricidal activity test, bulk or final container samples of completed product from each serial must be tested for residual free formaldehyde content using the ferric chloride test.<sup>2</sup> Firms currently using tests for residual free formaldehyde content other than the ferric chloride test have until *[Insert date 1 year from effective date of the final rule]* to update their Outline of Production to be in compliance with this requirement.

(1) The residual free formaldehyde content of biological products containing clostridial antigens must not exceed 1.85 grams per liter (g/L).

(2) The residual free formaldehyde content of bacterins, bacterin-toxoids, and toxoids, other than those containing clostridial antigens, must not exceed 0.74 grams per liter (g/L).

3. In § 113.200, paragraph (f) is revised to read as follows:

#### § 113.200 General requirements for killed virus vaccines.

\* \* \* \* \*

(f) *Formaldehyde content.* If formaldehyde is used as the killing agent, the residual free formaldehyde content must not exceed 0.74 grams per liter (g/L) as determined using the ferric chloride test.<sup>3</sup> Firms currently using tests for residual free formaldehyde content other than the ferric chloride test have until *[Insert date 1 year from effective date of the final rule]* to update their Outline of Production to be in compliance with this requirement.

Done in Washington, DC, this 1st day of April 2002.

**Bobby R. Acord,**

*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 02–8260 Filed 4–4–02; 8:45 am]

**BILLING CODE 3410–34–U**

<sup>2</sup> The procedures for performing the ferric chloride test for residual free formaldehyde may be obtained from USDA, APHIS, Center for Veterinary Biologics-Laboratory, 100 Dayton Road, P.O. Box 844, Ames, IA 50010.

<sup>3</sup> The procedures for performing the ferric chloride test for residual free formaldehyde may be obtained from USDA, APHIS, Center for Veterinary Biologics-Laboratory, 100 Dayton Road, P.O. Box 844, Ames, IA 50010.

#### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 25

[IB Docket No. 01–185; ET Docket No. 95–18; DA 02–601]

#### Flexibility in the Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz Band, the L-Band, and the 1.6/2.4 GHz Band

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; order extending comment period.

**SUMMARY:** This document extends by seven days the time in which parties may provide additional technical comment on issues pertaining to issues the Commission considered in the Notice of Proposed Rulemaking in IB Docket No. 01–185 and ET Docket No. 95–18, *Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz Band, the L-Band, and the 1.6/2.4 GHz Band*.

**DATES:** Comments are due March 22, 2002.<sup>1</sup>

**FOR FURTHER INFORMATION CONTACT:** Trey Hanbury, Special Counsel, International Bureau, (202) 418–0766.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's document regarding IB Docket No. 01–185 and ET Docket No. 95–18, released on March 6, 2002. The complete text of this document is available for inspection and copying during normal business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY–A257, Washington, DC, 20554. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY–B402, Washington, DC 20554, telephone 202–863–2893, facsimile 202–863–2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com). It is also available on the Commission's website at <http://www.fcc.gov>.

#### Synopsis

1. On August 17, 2001, the Commission released the *Flexibility Notice of Proposed Rulemaking*, 66 FR 47621 (Sept. 13, 2001) on proposals to bring flexibility to the delivery of communications by mobile satellite service (MSS) providers. One alternative proposal under consideration would open portions of the MSS bands for any operator to provide a terrestrial service that could either be offered in

<sup>1</sup> Editorial note: This document was received at the Office of the Federal Register on April 2, 2002.

conjunction with MSS or as an alternative mobile service. Additional technical comment on this alternative proposal will assist the Commission in reaching a decision in this proceeding.

2. This document allows an additional seven days for parties to file technical comment on issues pertaining to the alternative proposal for MSS operations. The new deadline for additional technical comment is March 22, 2002.

Federal Communications Commission.

**James Ball,**

*Chief, Policy Division, International Bureau.*

[FR Doc. 02-8252 Filed 4-4-02; 8:45 am]

BILLING CODE 6712-01-P

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2001-NM-149-AD]

RIN 2120-AA64

#### **Airworthiness Directives; McDonnell Douglas Model MD-90-30 Series Airplanes**

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

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** This action withdraws a notice of proposed rulemaking (NPRM) that proposed a new airworthiness directive (AD), applicable to certain McDonnell Douglas Model MD-90-30 series airplanes. That action would have required an inspection of the aft galley power feeder wire assembly for riding, chafing, and damage located above the main cabin, left side, overwing ceiling panels; and follow-on actions. Since the issuance of that NPRM, the FAA has reviewed and approved a McDonnell Douglas service bulletin which describes procedures for modification of the installation of the aft galley power feeder wire assembly. The FAA has issued a new NPRM which combines the proposed requirements to inspect the aft galley power feeder wire assembly and perform follow-on actions with new proposed requirements to modify the installation of the galley power feeder wire assembly. Accordingly, the previous NPRM is being withdrawn.

**FOR FURTHER INFORMATION CONTACT:** George Y. Mabuni, Aerospace Engineer, Systems and Equipment Branch, ANM-130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California

90712-4137; telephone (562) 627-5341; fax (562) 627-5210.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to add a new airworthiness directive (AD), applicable to certain McDonnell Douglas Model MD-90-30 series airplanes, was published in the **Federal Register** as a Notice of Proposed Rulemaking (NPRM) on August 31, 2001 (66 FR 45948). The proposed rule would have required an inspection of the aft galley power feeder wire assembly for riding, chafing, and damage located above the main cabin, left side, overwing ceiling panels; and follow-on actions. The proposed actions were intended to prevent damage to the electrical wire insulation of the aft galley power feeder wires, electrical arcing, and potential smoke and/or fire.

#### **Actions That Occurred Since the NPRM Was Issued**

The FAA has reviewed and approved McDonnell Douglas Alert Service Bulletin MD90-24A047, Revision 01, dated July 31, 2000, which describes procedures for modification of the installation of the galley power feeder cable. The modification involves installing two standoffs on frames at stations Y=924.000 and Y=943.000 and rerouting wire assemblies and relocating the wire assembly clamps from the ceiling support structure to the new standoffs. That service bulletin recommends that McDonnell Douglas Alert Service Bulletin MD90-24A046, Revision 02 (the applicable service information specified in NPRM Docket No. 2001-NM-149-AD), be accomplished prior to or concurrently with modification of the installation of the power feeder cable.

#### **FAA's Conclusions**

Upon consideration, the FAA has determined that it makes technical sense to combine the proposed action of NPRM Docket No. 2001-NM-149-AD with a new NPRM, Docket No. 2000-NM-197-AD, that proposes accomplishment of the previously described modification. Combining these actions would also provide a convenience for the operators and would not adversely affect safety. Accordingly, the proposed rule is hereby withdrawn.

Withdrawal of this NPRM constitutes only such action, and does not preclude the agency from issuing another action in the future, nor does it commit the agency to any course of action in the future.

#### **Regulatory Impact**

Since this action only withdraws a notice of proposed rulemaking, it is neither a proposed nor a final rule and therefore is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

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

Air transportation, Aircraft, Aviation safety, Safety.

#### **The Withdrawal**

Accordingly, the notice of proposed rulemaking, Docket 2001-NM-149-AD, published in the **Federal Register** on August 31, 2001 (66 FR 45948), is withdrawn.

Issued in Renton, Washington, on March 28, 2002.

**Kalene C. Yanamura,**

*Acting Manager, Transport Airplane*

*Directorate, Aircraft Certification Service.*

[FR Doc. 02-8282 Filed 4-4-02; 8:45 am]

BILLING CODE 4910-13-P

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 88-NM-145-AD]

RIN 2120-AA64

#### **Airworthiness Directives; McDonnell Douglas Model DC-8 Series Airplanes**

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

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** This action withdraws a notice of proposed rulemaking (NPRM) that proposed a new airworthiness directive (AD), applicable to all McDonnell Douglas Model DC-8 series airplanes. That action would have required incorporation of horizontal stabilizer position information into the existing takeoff configuration warning system. Since the issuance of the NPRM, the Federal Aviation Administration (FAA) has received new data that indicate that the identified unsafe condition does not exist. Accordingly, the proposed rule is withdrawn.

#### **FOR FURTHER INFORMATION CONTACT:**

George Y. Mabuni, Aerospace Engineer, Systems and Equipment Branch, ANM-130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5341; fax (562) 627-5210.