

# Proposed Rules

Federal Register

Vol. 71, No. 90

Wednesday, May 10, 2006

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Food Safety and Inspection Service

#### 9 CFR Part 390

[Docket No. FSIS–2005–0028]

#### Availability of Lists of Retail Consignees During Meat or Poultry Product Recalls

**AGENCY:** Food Safety and Inspection Service, USDA.

**ACTION:** Proposed rule; reopening and extension of comment period.

**SUMMARY:** The Food Safety and Inspection Service (FSIS) is reopening and extending the comment period for the proposed rulemaking “Availability of Lists of Retail Consignees During Meat or Poultry Product Recalls,” which closed on May 8, 2006. This action is based upon requests made by individuals who attended the Agency’s April 24, 2006, public meeting to solicit comments on the proposal.

**DATES:** Comments are due by June 11, 2006.

**ADDRESSES:** Interested persons may submit comments on this proposed rule. Comments may be submitted by any of the following methods:

- Federal eRulemaking Portal: This Web site provides the ability to type short comments directly into the comment field on this Web page or attach a file for lengthier comments. Go to <http://www.regulations.gov> and, in the “Search for Open Regulations” box, select “Food Safety and Inspection Service” from the agency drop-down menu, and then click on “Submit.” In the Docket ID column, select FDMS Docket Number FSIS–2005–0028 to submit or view public comments and to view supporting and related material available electronically. This docket can be viewed using the “Advanced Search” function in Regulations.gov.

- Mail, including floppy disks or CD-ROM’s, and hand” or courier-delivered items: Send to Docket Clerk, U.S. Department of Agriculture, Food Safety

and Inspection Service, 300 12th Street, SW, Room 102 Cotton Annex, Washington, DC 20250.

- Electronic mail: [FSIS.regulationscomments@fsis.usda.gov](mailto:FSIS.regulationscomments@fsis.usda.gov).

All submissions received by mail and electronic mail must include the Agency name and docket number FSIS–2005–0028. All comments submitted in response to this notice will be available for public inspection in the FSIS Docket Room at the address listed above between 8:30 am. and 4:30 p.m., Monday through Friday. The comments also will be posted to the [regulations.gov](http://www.fsis.usda.gov/regulations_&_policies/2006_Notices_Index/index.asp) Web site and on the Agency’s Web site at [http://www.fsis.usda.gov/regulations\\_&\\_policies/2006\\_Notices\\_Index/index.asp](http://www.fsis.usda.gov/regulations_&_policies/2006_Notices_Index/index.asp).

#### FOR FURTHER INFORMATION CONTACT:

Victoria A. Levine, Program Analyst, Regulations and Petitions Policy Staff, Office of Policy, Program, and Employee Development, Room 112, Cotton Annex, 300 12th Street, SW, Washington, DC 20250–3700; Telephone (202) 720–5627.

**SUPPLEMENTARY INFORMATION:** On March 7, 2006, FSIS published in the **Federal Register** a proposed rule titled *Availability of Lists of Retail Consignees During Meat or Poultry Product Recalls* (71 FR 11326). FSIS proposed to amend the Federal meat and poultry products inspection regulations to provide that the Agency will make available to the public lists of the retail consignees of meat and poultry products that have been voluntarily recalled by a Federally inspected meat or poultry products establishment if product has been distributed to the retail level. In the preamble to the proposed rule, FSIS indicated that it would hold a public meeting to solicit comments on the issues raised in the proposal. The public meeting was held on April 24, 2006.

At the public meeting and in oral comments before the meeting and written requests after it, numerous interested persons requested that the comment period on the proposal be extended until 30 days after the transcript of the public meeting is publicly available. The requests stressed the usefulness of having the transcript available in formulating these written comments.

FSIS is reopening the comment period for an additional 30 days as the transcript of the April 24th public

meeting is now posted on the FSIS Web site. These additional 30 days will provide time for interested persons to fully assess the information presented at the public meeting and to make written comments based upon their assessments. Informed comments should enhance the quality of the comments and the results of this rulemaking.

#### Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, in an effort to ensure that the public and in particular minorities, women, and persons with disabilities, are aware of this proposal, FSIS will announce it on-line through the FSIS Web page located at [http://www.fsis.usda.gov/regulations\\_&\\_policies/2006\\_Notices\\_Index/index.asp](http://www.fsis.usda.gov/regulations_&_policies/2006_Notices_Index/index.asp).

The Regulations.gov Web site is the central online rulemaking portal of the United States government. It is being offered as a public service to increase participation in the Federal government’s regulatory activities. FSIS participates in Regulations.gov and will accept comments on documents published on the site. The site allows visitors to search by keyword or Department or Agency for rulemakings that allow for public comment. Each entry provides a quick link to a comment form so that visitors can type in their comments and submit them to FSIS. The Web site is located at <http://www.regulations.gov>.

FSIS also will make copies of this **Federal Register** publication available through the FSIS Constituent Update, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, recalls, and other types of information that could affect or would be of interest to our constituents and stakeholders. The update is communicated via Listserv, a free e-mail subscription service consisting of industry, trade, and farm groups, consumer interest groups, allied health professionals, scientific professionals, and other individuals who have requested to be included. The update also is available on the FSIS Web page. Through Listserv and the Web page, FSIS is able to provide information to a much broader, more diverse audience.

In addition, FSIS offers an email subscription service which provides

automatic and customized access to selected food safety news and information. This service is available at [http://www.fsis.usda.gov/news\\_and\\_events/email\\_subscription/](http://www.fsis.usda.gov/news_and_events/email_subscription/). Options range from recalls to export information to regulations, directives and notices. Customers can add or delete subscriptions themselves and have the option to password protect their account.

Done in Washington, DC, May 8, 2006.

**Barbara J. Masters,**  
Administrator.

[FR Doc. 06-4394 Filed 5-8-06; 12 pm]

BILLING CODE 3410-DM-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2006-24631; Directorate Identifier 2005-SW-01-AD]

RIN 2120-AA64

#### Airworthiness Directives; MD Helicopters, Inc. Model MD900 Helicopters

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

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

**SUMMARY:** This document proposes superseding an existing airworthiness directive (AD) for MD Helicopters, Inc. (MDHI) Model MD900 helicopters. That AD currently requires reducing the life limit of certain Notar fan system tension-torsion (TT) straps. That AD also requires, at a specified time interval, removing each affected TT strap from the helicopter, doing a visual and X-ray inspection, and replacing any unairworthy part before further flight. This AD would require the same actions as the existing AD, but would also require revising the life limit on the component history card or equivalent record, doing repetitive visual and X-ray inspections, and would remove reporting requirements. This proposal is prompted by two in-flight TT strap failures. The actions specified by the proposed AD are intended to prevent failure of a TT strap, loss of directional control, and subsequent loss of control of the helicopter.

**DATES:** Comments must be received on or before July 10, 2006.

**ADDRESSES:** Use one of the following addresses to submit comments on this proposed AD:

- DOT Docket Web site: Go to [http://](http://dms.dot.gov)

[dms.dot.gov](http://dms.dot.gov) and follow the instructions for sending your comments electronically;

- Government-wide rulemaking Web site: Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically;
- Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590;
- Fax: 202-493-2251; or
- Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

You may get the service information identified in this proposed AD from MD Helicopters Inc., Attn: Customer Support Division, 4555 E. McDowell Rd., Mail Stop M615, Mesa, Arizona 85215-9734, telephone 1-800-388-3378, fax 480-346-6813, or on the Web at <http://www.mdhelicopters.com>.

You may examine the comments to this proposed AD in the AD docket on the Internet at <http://dms.dot.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Roger Durbin, Aviation Safety Engineer, FAA, Los Angeles Aircraft Certification Office, Airframe Branch, 3960 Paramount Blvd., Lakewood, California 90712, telephone (562) 627-5233, fax (562) 627-5210.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

We invite you to submit any written data, views, or arguments regarding this proposed AD. Send your comments to the address listed under the caption **ADDRESSES**. Include the docket number "FAA-2006-24631, Directorate Identifier 2005-SW-01-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments received by the closing date and may amend the proposed AD in light of those comments.

We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed rulemaking. Using the search function of our docket Web site, you can find and read the comments to any of our dockets, including the name of the individual who sent or signed the comment. You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11,

2000 (65 FR 19477-78) or you may visit <http://dms.dot.gov>.

#### Examining the Docket

You may examine the docket that contains the proposed AD, any comments, and other information in person at the Docket Management System (DMS) Docket Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5227) is located at the plaza level of the Department of Transportation Nassif Building in Room PL-401 at 400 Seventh Street, SW., Washington, DC. Comments will be available in the AD docket shortly after the DMS receives them.

#### Discussion

On November 10, 2004, we issued a Final Rule; Request for Comments. That AD, 2004-23-15, Amendment 39-13870 (69 FR 67805, November 22, 2004), requires reducing the life limit of certain TT straps. At a specified time interval, that AD also requires removing each affected TT strap from the helicopter, doing a visual and X-ray inspection, and replacing any unairworthy part before further flight. Reporting the discovery of any unairworthy TT strap is also required. That action was prompted by two in-flight TT strap failures. The requirements of that AD are intended to prevent failure of a TT strap resulting in loss of directional control and subsequent loss of control of the helicopter.

At the time we issued AD 2004-23-15, the cause of the failures was not known, and that AD was considered interim action. These proposals also are interim actions because the cause of the failures is still unknown and the investigation is ongoing. We will consider further rulemaking once our investigation is complete.

Before issuing that AD, we reviewed MD Helicopters Service Bulletin SB-900-095, dated November 3, 2004. The service bulletin advises of the reduction of the TT strap life limit and describes procedures for performing an inspection of each TT strap for nicks, cuts, cracks, or wear. Procedures for a Level II or higher X-Ray technician to do and interpret an X-ray inspection of each TT strap for progressive fiber fractures are also included in the service bulletin.

Since issuing AD 2004-23-15, we received several comments from the manufacturer and have given them due consideration. The following table lists requested changes and comments and our responses: