

certificate and *Phytosanitary certificate for reexport* would be revised, the definition for *Processed product certificate* would be removed, and a new definition for *Export certificate for processed plant products* would be added in alphabetical order, and paragraph (g)(2) would be revised to read as follows:

§ 354.3 User fees for certain international services.

(a) * * *

* * * * *

Designated State or county inspector.

A State or county plant regulatory official designated by the Secretary of Agriculture to inspect and certify to shippers and other interested parties, as to the phytosanitary condition of plant products inspected under the Department of Agriculture Organic Act of 1944.

Export certificate for processed plant products. A certificate (PPQ Form 578) issued by an inspector, describing the plant health condition of processed or manufactured plant products based on inspection of submitted samples and/or by virtue of the processing received.

* * * * *

Phytosanitary certificate. A certificate (PPQ Form 577) issued by an inspector, giving the phytosanitary condition of domestic plants or unprocessed or unmanufactured plant products based on inspection of the entire lot.

Phytosanitary certificate for reexport. A certificate (PPQ Form 579) issued by an inspector, giving the phytosanitary condition of foreign plants and plant products legally imported into the United States and subsequently offered for reexport. The certificate certifies that, based on the original foreign phytosanitary certificate and/or additional inspection or treatment in the United States, the plants and plant products are considered to conform to the current phytosanitary regulations of the receiving country and have not been subjected to the risk of infestation or infection during storage in the United States. Plants and plant products which transit the United States under Customs bond are not eligible to receive the phytosanitary certificate for reexport.

* * * * *

(g) * * *

(2) There is no APHIS user fee for a certificate issued by a designated State or county inspector.

* * * * *

Done in Washington, DC, this 9th day of August 1995.

Lonnie J. King,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 95-20227 Filed 8-15-95; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95-CE-32-AD]

Airworthiness Directives; Beech Aircraft Corporation 90, 99, 100, and 200 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to certain Beech Aircraft Corporation (Beech) 90, 99, 100, and 200 series airplanes. The proposed action would require inspecting the main landing gear drag leg lock link to ensure that the hole for the roll pin is drilled completely through both walls of the main landing gear drag leg lock link and, if not drilled completely through both link walls, replacing any main landing gear drag leg lock link. An incident where the left main landing gear collapsed on one of the affected airplanes prompted the proposed action. Investigation revealed that the roll pin hole was not completely drilled through both walls of the drag leg lock link. The actions specified by the proposed AD are intended to prevent main landing gear collapse caused by drag leg lock link failure, which, if not detected and corrected, could result in loss of control of the airplane.

DATES: Comments must be received on or before October 20, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-CE-32-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from the Beech Aircraft Corporation, P.O. Box 85, Wichita, Kansas 67201-0085. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Steve Potter, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946-4124; facsimile (316) 946-4407.

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 that summarizes 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 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. 95-CE-32-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, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-CE-32-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The FAA received a report of an incident where the left main landing gear collapsed on a Beech Model 99 airplane. Investigation of this incident revealed that the hole for the roll pin was not completely drilled through both walls of the drag leg lock link.

Further investigation shows that spare drag leg lock links were delivered to the field with the roll pin hole only drilled halfway through the link. When drilled only halfway through the link, the roll

pin will not hold the pivot pin secure in the drag leg lock link. In this scenario, the drag leg lock link does not hold the landing gear in the down position, which could cause main landing gear collapse. These drag leg lock links may be installed on certain Beech 90, 99, 100, and 200 series airplanes.

Beech has issued Service Bulletin No. 2607, Revision 1, dated April 1995, which specifies procedures for inspecting the main landing gear drag leg lock link on Beech 90, 99, 100, and 200 series airplanes to ensure that the roll pin hole is drilled through both walls of the link.

After examining the circumstances and reviewing all available information related to the incident described above, the FAA has determined that AD action should be taken to prevent main landing gear collapse caused by drag leg lock link failure, which, if not detected and corrected, could result in loss of control of the airplane.

Since an unsafe condition has been identified that is likely to exist or develop in other Beech 90, 99, 100, and 200 series airplanes of the same type design, the proposed AD would require inspecting the main landing gear drag leg lock link to ensure that the hole for the roll pin is drilled through both walls of the link and, if not drilled completely through both link walls, replacing any main landing gear lock link.

Accomplishment of the proposed inspection would be in accordance with Beech Service Bulletin No. 2607, Revision 1, dated April 1995. The possible replacement would be accomplished in accordance with the applicable maintenance manual.

The FAA estimates that 2,229 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 5 work hours per airplane to accomplish the proposed action, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$100 per airplane. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$891,600. This figure is based on the assumption that all of the affected airplanes have incorrectly drilled drag leg lock links and that none of the owners/operators of the affected airplanes have replaced the incorrectly drilled links.

Beech has informed the FAA that parts have been distributed to equip approximately 648 airplanes. Assuming that these distributed parts are incorporated on the affected airplanes, the cost of the proposed AD would be reduced by \$259,200 from \$891,600 to \$632,400. In addition, the FAA believes

that a majority of the affected airplanes will not have incorrectly drilled links, thereby further reducing the cost impact of the proposed AD upon the public.

The regulations proposed herein would 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 proposal would 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) 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 has been placed 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); 40101, 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new AD to read as follows:

Beech Aircraft Corporation: Docket No. 95-CE-32-AD.

Applicability: The following airplane models and serial numbers, certificated in any category:

Models	Serial Nos.
F90	LA-2 through LA-236
99, 99A, A99A, B99, and C99.	U-1 through U-239

Models	Serial Nos.
100 and A100	B-1 through B-94 and B-100 through B-247
B100	BE-1 through BE-137
200 and B200	BB-2, BB-6 through BB-1157, BB-1159 through BB-1166, and BB-1168 through BB-1192
200T and B200T	BT-1 through BT-30
200C and B200C	BL-1 through BL-72
200CT and B200CT ..	BN-1 through BN-4
65-A90-2(RU-21B) ..	LS-1 through LS-3
65-A90-3(RU-21C) ..	LT-1 through LT-2
200 (A100-1)	BB-3 through BB-5
A100 (U-21F)	B-95 through B-99
A200 (C-12A and C-12C).	BC-1 through BC-75, and BD-1 through BD-30
A200C (UC-12B)	BJ-1 through BJ-66
A200CT (C-12D)	BP-1, BP-22, and BP-24 through BP-45
A200CT (FWC-12D) ..	BP-7 through BP-11
A200CT (RC-12D)	GR-1 through GR-13
A200CT (RC-12H)	GR-14 through GR-19
A200CT (RC-12G) ...	FC-1 through FC-3

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 use the authority provided in paragraph (d) of this AD to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any aircraft from the applicability of this AD.

Compliance. Required within the next 100 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished.

To prevent main landing gear collapse caused by drag leg lock link failure, which, if not detected and corrected, could result in loss of control of the airplane, accomplish the following:

(a) Inspect the main landing gear drag leg lock link to ensure that the hole for the roll pin is drilled completely through both walls of the link in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of Beech Service Bulletin No. 2607, Revision 1, dated April 1995.

(b) Prior to further flight, replace any drag leg lock link that does not have the roll pin hole drilled through both walls of the link. Accomplish this replacement in accordance with the applicable maintenance manual

(c) Special flight permits may be issued in accordance with section 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 compliance time that provides an equivalent level of safety may be approved by the Manager, Wichita Aircraft Certification Office (ACO), 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Wichita ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Wichita ACO.

(e) All persons affected by this directive may obtain copies of the document referred to herein upon request to the Beech Aircraft Corporation, P.O. Box 85, Wichita, Kansas 67201-0085; or may examine this document at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on August 10, 1995.

Gerald W. Pierce,

Acting Manager, Small Airplane, Aircraft Certification Service.

[FR Doc. 95-20274 Filed 8-15-95; 8:45 am]

BILLING CODE 4910-13-M

FEDERAL TRADE COMMISSION

16 CFR Part 3

Duration of Existing Competition and Consumer Protection Orders

AGENCY: Federal Trade Commission (FTC).

ACTION: Notice of proposed rulemaking.

SUMMARY: The Commission proposes a rule ("Sunset Rule") that would terminate existing administrative orders where certain conditions have been met, consistent with Commission policy announced elsewhere in today's **Federal Register**. Currently, the Commission may set aside the provisions of such orders upon petition of the respondent, or pursuant to show cause proceedings initiated *sua sponte* by the Commission. The proposed rule will reduce the administrative expense and burden associated with those procedures by automatically vacating certain order provisions that no longer serve the public interest.

DATES: Written comments must be submitted on or before September 15, 1995.

ADDRESSES: Written comments should be submitted in twenty copies to Donald S. Clark, Secretary, Federal Trade Commission, Room 159, Sixth Street &

Pennsylvania Avenue NW., Washington, D.C. 20580, (202) 326-2514. Individuals filing comments need not submit multiple copies. Submissions should be captioned: Sunset Rule, FTC File No. P954211.

FOR FURTHER INFORMATION CONTACT: Justin Dingfelder, Assistant Director for Enforcement, Division of Enforcement, Bureau of Consumer Protection, (202) 326-3017; Roberta Baruch, Deputy Assistant Director for Compliance, Bureau of Competition, (202) 326-2861.

SUPPLEMENTARY INFORMATION: Elsewhere in today's **Federal Register** notice, the Commission is publishing a Policy Statement Regarding the Duration of Competition and Consumer Protection Orders. As explained in that notice, the Commission proposes a rule, rather than case-by-case determinations, to implement that policy with respect to existing administrative orders.

The Commission is soliciting comments on the proposed rule. The rule would provide that, in general, all provisions of existing administrative orders would automatically terminate ("sunset") 20 years from the date that the order was issued.¹ The rule would establish an exception, however, where a federal court complaint alleging a violation of an existing order was filed (with or without an accompanying consent decree) within the last 20 years, or where such a complaint is subsequently filed with respect to an existing order that has not yet expired. In that event, the order would run for another 20 years from the date that the most recent complaint was filed with the court, unless the complaint has been dismissed, or the court has ruled that the respondent did not violate any provision of the order, and the dismissal or ruling has not been appealed (or has been upheld on appeal). The Commission's order would remain in effect while the court complaint and any appeal are pending.

The filing of a court complaint would not affect the duration of an order's application to any respondent that is not named as a defendant in the complaint. The Commission, however, may consider whether a complaint alleging order violations has ever been filed against a respondent, and any other

¹ Orders that are 20 years or older would sunset 30 days after publication of the final rule. Certain provisions in existing administrative orders will expire, or have already expired, according to their own terms, and the proposed rule would not affect the duration of those provisions. The rule would also not revive any order provision that the Commission has previously reopened and set aside. See 16 CFR §§ 2.51 & 3.72. The rule would not apply to *in camera* orders or other procedural or interlocutory rulings by an Administrative Law Judge or the Commission.

relevant circumstances, in determining whether to grant or deny a subsequent petition by a respondent to reopen and set aside an order on the basis of changes in law, fact, or the public interest. See Commission Rule 2.51, 16 CFR 2.51.

Communication by Outside Parties to Commissioners or Their Advisors

Pursuant to Commission Rule 1.26(b)(5), 16 CFR § 1.26(b)(5), communications with respect to the merits of this proceeding from any outside party to any Commissioner or Commissioner advisor during the course of this rulemaking will be subject to the following treatment. Written communications, including written communications from members of Congress, will be forwarded promptly to the Secretary for placement on the public record. Oral communications, not including communications from members of Congress, are permitted only when such oral communications are transcribed verbatim or summarized (at the discretion of the Commissioner or Commissioner advisor to whom such oral communications are made) and are promptly placed on the public record, together with any written communications and summaries of any oral communications relating to such oral communications. Oral communications from members of Congress will be transcribed or summarized (at the discretion of the Commissioner or Commissioner advisor to whom such oral communications are made) and promptly placed on the public record, together with any written communications and summaries of any oral communications relating to such oral communications.

Regulatory Flexibility Act

On the basis of information currently available to the Commission, it is anticipated that the proposed rule will result in the elimination of a substantial number of existing orders that no longer serve the public interest. Accordingly, the Commission has determined at this time that the Regulatory Flexibility Act does not require an initial or final regulatory flexibility analysis, because the proposed rule would not have significant impact on a substantial number of small entities within the meaning of the Act. 5 U.S.C. 605. This notice serves as certification to that effect for purposes of the Small Business Administration.

Nonetheless, to ensure that no substantial economic impact is overlooked, the Commission requests public comment on the effect of the proposed rule on costs, profitability,