

FDA lists potassium hydroxide as generally recognized as safe when used in accordance with good manufacturing practice conditions of use (21 CFR 184.1631). In a May 2, 1995, letter to the petitioner, FDA reported this fact and stated that it "does not object to the use of potassium hydroxide as an ingredient in hog scald agents consistent with good manufacturing practice conditions."¹

Therefore, we are amending section 318.7(c)(4) of the Federal meat inspection regulations to permit the use of potassium hydroxide as a hog scald and hair removal agent.

Executive Order 12866

This final rule has been determined to be not significant and, therefore, has not been reviewed by OMB.

Executive Order 12778

This direct final rule has been reviewed under Executive Order 12778, Civil Justice Reform. States and local jurisdictions are preempted by the Federal Meat Inspection Act and the Poultry Products Inspection Act (PPIA) from imposing any marking or packaging requirements on federally inspected meat and poultry products that are in addition to, or different than, those imposed under the FMIA or the PPIA. States and local jurisdictions may, however, exercise concurrent jurisdiction over meat and poultry products that are outside official establishments for the purpose of

preventing the distribution of meat and poultry products that are misbranded or adulterated under the FMIA or PPIA, or, in the case of imported articles, which are not at such an establishment, after their entry into the United States.

This direct final rule is not intended to have retroactive effect.

There are no applicable administrative procedures that must be exhausted prior to any judicial challenge to the provisions of this direct final rule. However, the administrative procedures specified in 9 CFR §§ 306.5 and 381.35 must be exhausted prior to any judicial challenge of the application of the provisions of this direct final rule, if the challenge involves any decision of an FSIS employee relating to inspection services provided under the FMIA or the PPIA.

Effect on Small Entities

The Administrator has determined that this direct final rule will not have a significant impact on a substantial number of small entities, as defined by the Regulatory Flexibility Act (5 U.S.C. 601). Removal of hair from hog carcasses is a necessary step in the preparation of pork and pork products for use as human food. This regulation makes available to meat processors an additional, alternative hog scald formulation containing potassium hydroxide as an ingredient. Hog scald agents formulated with potassium hydroxide are as effective as other

existing hog scald agents; however, because potassium hydroxide is quickly solubilized when added to water, its presence in a hog scald agent makes the agent easier to mix. Therefore, the potassium hydroxide-containing hog scald agent formula can be prepared and applied to hog carcasses more quickly than other similar hog scald agents.

List of Subjects in 9 CFR Part 318

Food additives, Meat inspection.

For the reasons set out in the preamble, 9 CFR part 318 is amended as follows:

PART 318—ENTRY INTO OFFICIAL ESTABLISHMENTS; REINSPECTION AND PREPARATION OF PRODUCTS

1. The authority citation for part 318 continues to read as follows:

Authority: 7 U.S.C. 450, 1901–1906; 21 U.S.C. 601–695; 7 CFR 2.17, 2.55.

2. Section 318.7(c)(4) is amended by adding to the chart of substances, under the Class of Substance "Hog scald agents; must be removed by subsequent cleaning operations.," the substance potassium hydroxide in alphabetical order as follows:

§ 318.7 Approval of substances for use in the preparation of products.

*	*	*	*	*
(c)	*	*	*	*
(4)	*	*	*	*

Class of substance	Substance	Purpose	Products	Amount
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
Hog Scald Agents; Must be removed by subsequent cleaning operations.	Potassium Hydroxidedodo	Do.
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *

Done at Washington, DC, on October 17, 1995.
 Michael R. Taylor,
Acting Under Secretary for Food Safety.
 [FR Doc. 95–26139 Filed 10–20–95; 8:45 am]
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9 CFR Parts 327 and 381
[Docket No. 95–003N]
RIN 0583–AB88
Products From Foreign Countries; Eligibility for Import Into the United States
AGENCY: Food Safety and Inspection Service, USDA.
ACTION: Notice; affirmation of effective date.
SUMMARY: On July 28, 1995, the Food Safety and Inspection Service (FSIS) published a direct final rule, "Products

from Foreign Countries; Eligibility for Import into the United States." This direct final rule notified the public of FSIS' intention to amend those paragraphs of the imported products sections of the Federal meat and poultry products inspection regulations that contain the phrase "at least equal to" by replacing that phrase with the words "equivalent to." This action amends language in the Federal meat and poultry products inspection regulations to correctly reflect the language used in the Uruguay Round Agreements Act, which was enacted to comply with the General Agreement on Tariffs and

¹ A copy of this letter is available for review in the office of the FSIS Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service,

Room 4352, South Agriculture Building, Washington, DC 20250–3700.

Trade, 1994 (GATT). No adverse comments were received in response to the direct final rule.

EFFECTIVE DATE: This rule is effective on September 26, 1995.

FOR FURTHER INFORMATION CONTACT: Dr. Paula M. Cohen, Director, Regulations Development, Policy, Evaluation and Planning Staff, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250-3700; (202) 720-7164.

SUPPLEMENTARY INFORMATION: This notice affirms the effective date of the direct final rule, "Products from Foreign Countries; Eligibility for Import into the United States," that was published on July 28, 1995, at 60 FR 38667. This direct final rule notified the public of FSIS' intention to amend those paragraphs of the imported products sections of the Federal meat and poultry products inspection regulations that contain the phrase "at least equal to" by replacing that phrase with the words "equivalent to." We did not receive any written adverse comments or written notice of intent to submit adverse comments in response to this rule. Therefore, the effective date of the rule is September 26, 1995.

Done at Washington, DC, on October 17, 1995.

Michael R. Taylor,

Acting Under Secretary for Food Safety.

[FR Doc. 95-26103 Filed 10-20-95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 23

[Docket No. 126CE, Special Condition 23-ACE-82]

Special Conditions; Beech Models A36, A36TC and B36ATC Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued for the Beech Models A36, A36TC and B36TC airplanes modified by Skycom Avionics, Inc, Milwaukee, Wisconsin. These airplanes will have novel and unusual design features when compared to the state of technology envisaged in the applicable airworthiness standards. These novel and unusual design features include the installation of electronic displays for which the applicable regulations do not contain adequate or appropriate

airworthiness standards for the protection of these systems from the effects of high intensity radiated fields (HIRF). These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to the airworthiness standards applicable to these airplanes.

DATES: The effective date of these special conditions is October 23, 1995. Comments must be received on or before November 22, 1995.

ADDRESSES: Comments may be mailed in duplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, ACE-7, Attention: Rules Docket Clerk, Docket No. 126CE, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106. All comments must be marked: Docket No. 126CE. Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT: Ervin Dvorak, Aerospace Engineer, Standards Office (ACE-110), Small Airplane Directorate, Aircraft Certification Service, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106; telephone (816) 426-6941.

SUPPLEMENTARY INFORMATION:

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety, and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on these special conditions.

Interested persons are invited to submit such written data, views, or arguments as they may desire. Communications should identify the regulatory docket and special conditions number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the Administrator. These special conditions may be changed in light of the comments received. All comments submitted will be available in the rules docket for examination by interested parties, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerning this rulemaking will be filed in the docket. Persons wishing the FAA to acknowledge receipt of their comments, submitted in response to this request, must include a self-addressed and stamped postcard on which the following statement is made:

"Comments to Docket No. 126CE." The

postcard will be date stamped and returned to the commenter.

Background

On August 7, 1995, Skycom Avionics, Inc., 9305 W. Appleton Road, Milwaukee, WI 53225-3303, made an application to the FAA for a supplemental type certificate (STC) for the Beech Models A36, A36TC and B36TC airplanes. The proposed modification incorporates a novel or unusual design feature, such as digital avionics consisting of an electronic flight instrument system (EFIS), that is vulnerable to HIRF external to the airplane.

Type Certification Basis

The type certification basis for the Beech Models A36, A36TC, and B36TC Airplanes is given in Type Certification Data Sheet No. 3A15 plus the following: § 23.1301 of Amendment 23-20; §§ 23.1309, 23.1311, and 23.1321 of Amendment 23-41; and § 23.1322 of Amendment 23-43; exemptions, if any; and the special conditions adopted by this rulemaking action.

Discussion

The FAA may issue and amend special conditions, as necessary, as part of the type certification basis if the Administrator finds that the airworthiness standards, designated according to § 21.101(b), do not contain adequate or appropriate safety standards because of novel or unusual design features of an airplane. Special conditions are prescribed under the provisions of § 21.16 to establish a level of safety equivalent to that established in the regulations. Special conditions are normally issued according to § 11.49, after public notice, as required by §§ 11.28 and 11.29(b), effective October 14, 1980, and become a part of the type certification basis in accordance with § 21.101(b)(2).

Skycom Avionics, Inc., plans to incorporate certain novel and unusual design features into an airplane for which the airworthiness standards do not contain adequate or appropriate safety standards for protection from the effects of HIRF. These features include electronic systems, which are susceptible to the HIRF environment, that were not envisaged by the existing regulations for this type of airplane.

Protection of Systems from High Intensity Radiated Fields (HIRF): Recent advances in technology have given rise to the application in aircraft designs of advanced electrical and electronic systems that perform functions required for continued safe flight and landing. Due to the use of sensitive solid state