

estimated to be \$80,325, or \$2,295 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

Regulatory Impact

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 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 the following new airworthiness directive:

Airbus Industrie: Docket 95–NM–228–AD.

Applicability: All Model A300–600 series airplanes, certificated in any category.

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 request approval for an alternative method of compliance in accordance with paragraph (f) 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 fatigue cracking on the forward fitting of frame 47 at the level of the last fastener of the external angle fitting, which could result in reduced structural integrity of the airframe, accomplish the following:

(a) Perform a rotating probe inspection to detect cracks of the attachment holes H and I in accordance with Airbus Service Bulletin A300–57–6049, dated September 9, 1994, at the applicable time specified in paragraph (a)(1) or (a)(2) of this AD.

(1) For airplanes on which Airbus Modification 10454 (reference Airbus Service Bulletin A300–57–6050) has not been installed: Inspect prior to the accumulation of 13,800 total landings, or within 750 landings after the effective date of this AD.

(2) For airplanes on which Airbus Modification 10454 (reference Airbus Service Bulletin A300–57–6050) or Airbus Modification 10155 has been installed: Inspect prior to the accumulation of 18,700 total landings, or within 750 landings after the effective date of this AD.

(b) If no crack is found, prior to further flight, install a new fastener in accordance with Airbus Service Bulletin A300–57–6049, dated September 9, 1994. Repeat the rotating probe inspection thereafter at intervals not to exceed 5,600 landings.

(c) If any crack in hole I is found to be greater than 0.196 inches in length and/or depth, prior to further flight, repair it in accordance with a method approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate.

(d) If any crack in hole H is found to be greater than .062 inches in length, prior to further flight, repair it in accordance with a method approved by the Manager, Standardization Branch, ANM–113.

(e) If any crack in hole H or hole I is found to be less than or equal to the limits specified in paragraphs (c) and (d) of this AD, prior to further flight, repair it in accordance with Airbus Service Bulletin A300–57–6049, dated September 9, 1994.

(f) 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, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(g) Special flight permits may be issued in accordance with sections 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.

Issued in Renton, Washington, on April 9, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–9233 Filed 4–12–96; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 39

[Docket No. 95–ANE–63]

Airworthiness Directives; CFM International CFM56–5 Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to CFM International CFM56–5 series turbofan engines. This proposal would require rework of the air turbine engine starter. This proposal is prompted by three reports of air turbine engine starter failures. The actions specified by the proposed AD are intended to prevent an air turbine engine starter failure, which could result in damage to the engine electrical harnesses.

DATES: Comments must be received by June 14, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95–ANE–63, 12 New England Executive Park, Burlington, MA 01803–5299. Comments may be inspected at this location between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from CFM International, Technical Publications Department, One Neumann Way, Cincinnati, OH 45215; telephone (513)552–2981, fax (513)552–2816. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA.

FOR FURTHER INFORMATION CONTACT:

Robert J. Ganley, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7138, fax (617) 238-7199.

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 comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 95-ANE-63." 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, New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 95-ANE-63, 12 New England Executive Park, Burlington, MA 01803-5299.

Discussion

This proposed airworthiness directive (AD) is applicable to CFM International (CFMI) CFM56-5 series turbofan engines. The Federal Aviation Administration (FAA) has received three reports of air turbine engine starter failures. During high speed clutch engagements, the clutch pawls can fail and liberate into several pieces. These liberated pieces can then jam in between the driveshaft and the hub gear. This jamming can permit the engine to

backdrive the starter, resulting in failure of the starter. The resulting heat from the failure may cause damage to the engine electrical harnesses. The installation of a pawl retaining plate on the driveshaft will assure the pawl remains in the correct position during high impact re-engagements. This condition, if not corrected, could result in an air turbine engine starter failure, which could result in damage to the engine electrical harnesses.

The FAA has reviewed and approved the technical contents of CFMI CFM56-5 Service Bulletin (SB) No. 80-003, Revision 5, dated October 25, 1994, that describes procedures for the air turbine engine starter rework.

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require rework of the air turbine engine starter prior to October 31, 1996. This compliance end-date has been determined based on shop visit rates. The actions would be required to be accomplished in accordance with the SB described previously.

The FAA estimates that 190 engines installed on aircraft of U.S. registry would be affected by this proposed AD, that it would take approximately 2 work hours per engine to accomplish the proposed actions, and that the average labor rate is \$60 per work hour. Required parts would cost approximately \$2,400 per engine. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$478,800.

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 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 the following new airworthiness directive:

CFM International: Docket No. 95-ANE-63.

Applicability: CFM International (CFMI) CFM56-5 series turbofan engines, installed with air turbine engine starter, Part Number 301-781-201-0, installed on but not limited to Airbus A320 series aircraft.

Note: This airworthiness directive (AD) applies to each engine 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 engines 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 (b) to request approval from the Federal Aviation Administration (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 engine from the applicability of this AD.

Compliance: Required on or before October 31, 1996, unless accomplished previously.

To prevent an air turbine engine starter failure, which could result in damage to the engine electrical harnesses, accomplish the following:

(a) For air turbine engine starters, Part Number 301-781-201-0, that have not been previously reworked in accordance with any revision level of CFMI CFM56-5 Service Bulletin (SB) No. 80-003, rework the air turbine engine starter in accordance with the Accomplishment Instructions of CFMI CFM56-5 SB No. 80-003, Revision 5, dated October 25, 1994.

(b) 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, Engine Certification Office. The request should be forwarded through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

Note: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

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

Issued in Burlington, Massachusetts, on March 29, 1996.

Jay J. Pardee,

*Manager, Engine and Propeller Directorate,
Aircraft Certification Service.*

[FR Doc. 96-9231 Filed 4-12-96; 8:45 am]

BILLING CODE 4910-13-U

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Chapter I

[Docket No. 96N-0094]

Uniform Compliance Date for Food Labeling Regulations

AGENCY: Food and Drug Administration, HHS.

ACTION: Proposed rule.

SUMMARY: The Food and Drug Administration (FDA) is proposing to establish January 1, 1998, as its new uniform compliance date for all food labeling regulations that are issued after the publication of a final rule based on this proposal and before January 1, 1997. FDA periodically has announced uniform compliance dates for new food labeling requirements to minimize the economic impact of label changes. In 1992, FDA suspended this practice pending the issuance of regulations implementing the Nutrition Labeling and Education Act of 1990 (the 1990 amendments). With the adoption and implementation of those regulations, FDA is proposing to establish a new uniform compliance date.

DATES: Written comments by July 1, 1996. FDA is proposing that January 1, 1998, be the new uniform compliance date for food labeling regulations published after the publication of a final rule based on this proposal and before January 1, 1997, except as otherwise provided in individual regulations.

FOR FURTHER INFORMATION CONTACT: Gerad L. McCowin, Center for Food

Safety and Applied Nutrition (HFS-150), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-205-4561.

SUPPLEMENTARY INFORMATION: FDA periodically issues regulations requiring changes in the labeling of packaged food. If these labeling changes were effective on separate dates, the cumulative economic impact on the food industry of frequent changes would be substantial. Therefore, the agency periodically has announced uniform compliance dates for new food labeling requirements (see, e.g., the Federal Register of October 19, 1984 (49 FR 41019)). Use of a uniform compliance date provides for an orderly and economical industry adjustment to new labeling requirements by allowing sufficient lead time to plan for the use of existing label inventories and the development of new labeling materials. This policy serves consumers' interests as well because the increased cost of multiple short-term label revisions that would otherwise occur would likely be passed on to consumers in the form of higher food prices.

The last uniform compliance date was January 1, 1993, which FDA established on January 4, 1990 (55 FR 276). The agency did not issue a new uniform compliance date in 1992 because of the pending issuance of a number of new final regulations implementing the 1990 amendments. The regulations implementing the 1990 amendments became effective May 8, 1994.

The agency has tentatively decided to establish a new uniform compliance date of January 1, 1998. If adopted, this date will apply to all FDA regulations requiring changes in food labels, except where special circumstances require a different compliance date. The agency has tentatively selected January 1, 1998, to ensure that manufacturers have adequate time to make any changes in food labeling that may be required by FDA final regulations published after the publication of a final rule based on this proposal and before January 1, 1997.

The agency generally encourages industry to comply with new labeling regulations as quickly as is feasible, however. Thus, when industry members voluntarily change their labels, it is appropriate that they incorporate any new requirements that have been published as final regulations up to that time.

The uniform compliance date that FDA adopts in response to this proposal will apply to final FDA food labeling regulations published after its adoption and before January 1, 1997. Moreover,

FDA will consider adopting a consistent effective date in any rulemakings in which it publishes a final rule before it completes the present proceeding.

Previously, FDA has established the uniform compliance date by issuance of a final rule without providing an opportunity for comment. Because of the passage of time since the agency had last established a uniform compliance date, the agency believes it appropriate to establish the new uniform compliance date of January 1, 1998, through the issuance of this notice of proposed rulemaking and an opportunity for comment. FDA intends, however, to return to its former practice of establishing uniform compliance dates through issuance of a final rule without the opportunity for comment. Thus, for example, on or before December 31, 1996, FDA intends to issue a final rule establishing January 1, 2000, as the uniform compliance date for regulations published in the Federal Register between January 1, 1997, and December 31, 1998.

The agency has determined under 21 CFR 25.24(a)(11) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

FDA has examined the impacts of the proposed rule under Executive Order 12866 and the Regulatory Flexibility Act (Pub. L. 96-354). Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity). The Regulatory Flexibility Act requires agencies to analyze regulatory options that would minimize any significant impact of a rule on small entities.

The agency estimates that this proposed rule would reduce costs by providing a uniform compliance date that will permit an orderly and economical industry adjustment to any new labeling requirements by allowing sufficient lead time to plan for the use of existing label inventories and the development of new labeling materials. Alternative approaches that FDA considered include setting a uniform compliance date such that firms have either more or less time to comply with labeling regulations. In general, providing a minimum compliance period of 2 years would be half as expensive as the proposed compliance