

Washington, DC 20250-1004, Attn: Freedom on Information Officer.

Dated: July 3, 2002.

A. Ellen Terpstra,

Administrator, Foreign Agricultural Service.

[FR Doc. 02-17452 Filed 7-10-02; 8:45 am]

BILLING CODE 3410-10-M

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 94

[Docket No. 01-131-2]

Change in Disease Status of Finland Because of BSE

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule as final rule.

SUMMARY: We are adopting as a final rule, without change, an interim rule that amended the regulations by adding Finland to the list of regions where bovine spongiform encephalopathy exists because the disease had been detected in a native-born animal in that region. Finland had already been listed among the regions that presents an undue risk of introducing bovine spongiform encephalopathy into the United States, so the effect of the interim rule was a continued restriction on the importation of ruminants, meat, meat products, and certain other products of ruminants that have been in Finland. The interim rule was necessary in order to update the disease status of Finland regarding bovine spongiform encephalopathy.

EFFECTIVE DATE: The interim rule became effective on December 7, 2001.

FOR FURTHER INFORMATION CONTACT: Dr. Gary Colgrove, Chief Staff Veterinarian, Sanitary Issues Management Staff, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 38, Riverdale, MD 20737-1231; (301) 734-4356.

SUPPLEMENTARY INFORMATION:

Background

In an interim rule effective December 7, 2001, and published in the **Federal Register** on March 20, 2002 (67 FR 12831-12832, Docket No. 01-131-1), we amended the regulations in 9 CFR part 94 by adding Finland to the list of regions where bovine spongiform encephalopathy (BSE) exists. Finland had previously been listed in § 94.18(a)(2) as a region that presents an undue risk of introducing BSE into the

United States. However, due to the detection of BSE in a native-born animal in that region, the interim rule was necessary to update the disease status of Finland regarding BSE.

Comments on the interim rule were required to be received on or before May 20, 2002. We did not receive any comments. Therefore, for the reasons given in the interim rule, we are adopting the interim rule as a final rule.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Order 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived its review under Executive Order 12866.

List of Subjects in 9 CFR Part 94

Animal diseases, Imports, Livestock, Meat and meat products, Milk, Poultry and poultry products, Reporting and recordkeeping requirements.

PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), EXOTIC NEWCASTLE DISEASE, AFRICAN SWINE FEVER, HOG CHOLERA, AND BOVINE SPONGIFORM ENCEPHALOPATHY: PROHIBITED AND RESTRICTED IMPORTATIONS

Accordingly, we are adopting as a final rule, without change, the interim rule that amended 9 CFR part 94 and that was published at 67 FR 12831-12832 on March 20, 2002.

Authority: 7 U.S.C. 450, 7711-7714, 7751, 7754, 8303, 8306, 8308, 8310, 8311, and 8315; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 42 U.S.C. 4331 and 4332; 7 CFR 2.22, 2.80, and 371.4.

Done in Washington, DC, this 5th day of July 2002.

Richard L. Dunkle,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 02-17433 Filed 7-10-02; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 94

[Docket No. 02-004-2]

Change in Disease Status of Austria Because of BSE

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule as final rule.

SUMMARY: We are adopting as a final rule, without change, an interim rule that amended the regulations by adding Austria to the list of regions where bovine spongiform encephalopathy exists because the disease had been detected in a native-born animal in that region. Austria had already been listed among the regions that present an undue risk of introducing bovine spongiform encephalopathy into the United States, so the effect of the interim rule was a continued restriction on the importation of ruminants, meat, meat products, and certain other products of ruminants that have been in Austria. The interim rule was necessary in order to update the disease status of Austria regarding bovine spongiform encephalopathy.

EFFECTIVE DATE: The interim rule became effective on December 13, 2001.

FOR FURTHER INFORMATION CONTACT: Dr. Gary Colgrove, Chief Staff Veterinarian, Sanitary Issues Management Staff, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 38, Riverdale, MD 20737-1231; (301) 734-4356.

SUPPLEMENTARY INFORMATION:

Background

In an interim rule effective December 13, 2001, and published in the **Federal Register** on March 20, 2002 (67 FR 12833-12834, Docket No. 02-004-1), we amended the regulations in 9 CFR part 94 by adding Austria to the list of regions where bovine spongiform encephalopathy (BSE) exists. Austria had previously been listed in § 94.18(a)(2) as a region that presents an undue risk of introducing BSE into the United States. However, due to the detection of BSE in a native-born animal in that region, the interim rule was necessary to update the disease status of Austria regarding BSE.

Comments on the interim rule were required to be received on or before May 20, 2002. We did not receive any comments. Therefore, for the reasons given in the interim rule, we are adopting the interim rule as a final rule.

This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Order 12988, and the Paperwork Reduction Act.

Further, for this action, the Office of Management and Budget has waived its review under Executive Order 12866.

List of Subjects in 9 CFR Part 94

Animal diseases, Imports, Livestock, Meat and meat products, Milk, Poultry and poultry products, Reporting and recordkeeping requirements.

PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), EXOTIC NEWCASTLE DISEASE, AFRICAN SWINE FEVER, HOG CHOLERA, AND BOVINE SPONGIFORM ENCEPHALOPATHY: PROHIBITED AND RESTRICTED IMPORTATIONS

Accordingly, we are adopting as a final rule, without change, the interim rule that amended 9 CFR part 94 and that was published at 67 FR 12833–12834 on March 20, 2002.

Authority: 7 U.S.C. 450, 7711–7714, 7751, 7754, 8303, 8306, 8308, 8310, 8311, and 8315; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 42 U.S.C. 4331 and 4332; 7 CFR 2.22, 2.80, and 371.4.

Done in Washington, DC, this 5th day of July, 2002.

Richard L. Dunkle,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 02–17434 Filed 7–10–02; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2002–SW–15–AD; Amendment 39–12817; AD 2002–14–17]

RIN 2120–AA64

Airworthiness Directives; Eurocopter Deutschland GmbH Model EC135 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to Eurocopter Deutschland GmbH (ECD) (Eurocopter) Model EC135 helicopters, that currently requires initial and repetitive visual inspections and a one-time dye-penetrant inspection of a certain main rotor hub shaft (shaft) for cracks, and replacement of any cracked shafts. This amendment requires the same actions as the existing AD, but corrects the shaft part number (P/N) in the current AD, includes additional P/N's, increases the area of inspection from a 40mm area to a 50mm area of the shaft, and provides an option

for using either a visual or dye-penetrant inspection to satisfy the repetitive inspection requirement. This amendment is prompted by the need to correct the shaft part number and increase the area of inspection, as well as add additional affected shaft P/N's. The actions specified by this AD are intended to detect fatigue cracks in the shaft that could lead to shaft failure and subsequent loss of control of the helicopter.

DATES: Effective July 26, 2002.

Comments for inclusion in the Rules Docket must be received on or before September 9, 2002.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 2002–SW–15–AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. You may also send comments electronically to the Rules Docket at the following address: 9-asw-adcomments@faa.gov.

FOR FURTHER INFORMATION CONTACT:

Richard Monschke, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, Fort Worth, Texas 76193–0110, telephone (817) 222–5116, fax (817) 222–5961.

SUPPLEMENTARY INFORMATION: On July 1, 1999, the FAA published emergency AD 99–12–01, issued on May 27, 1999, as Amendment 39–11217 (64 FR 35559), to require initial and repetitive visual inspections and a one-time dye-penetrant inspection of the shaft for cracks, and replacing the shaft if a crack is found. That action was prompted by the discovery of fatigue cracks on the shaft of this model helicopter. That condition, if not corrected, could result in shaft failure and subsequent loss of control of the helicopter.

The Luftfahrt-Bundesamt (LBA), which is the airworthiness authority for the Federal Republic of Germany, notified the FAA that an unsafe condition may exist on Eurocopter Model EC135 helicopters. The LBA advises that, following a recent test run, cracks have been found on a shaft.

Since the issuance of AD 99–12–01, the manufacturer has released Eurocopter Alert Service Bulletin EC135–62A–004, Revision 3, dated November 10, 2000, that increases the area of the shaft to be inspected from 40mm to 50mm. The LBA classified this alert service bulletin as mandatory and issued AD 1999–185/4, dated October 18, 2001, to ensure the continued airworthiness of these helicopters in the Federal Republic of Germany. That AD requires initial and repetitive visual inspections or dye-penetrant

inspections, and replacing the shaft before the next flight if any crack is found.

The FAA has determined that AD 99–12–01 contained an error in the applicable shaft P/N–P/N L623M100S 101 should have been stated as P/N L623M1003 101. Also, the FAA has determined that additional shaft P/N's should have been included in the AD and that operators should have an option with regard to the repetitive inspections of either conducting a visual inspection at intervals not to exceed 15 hours time-in-service (TIS) or a dye-penetrant inspection at intervals not to exceed 100 hours TIS.

This helicopter model is manufactured in the Federal Republic of Germany and is type certificated for operation in the United States under the provisions of 14 CFR 21.29 and the applicable bilateral agreement. Pursuant to the applicable bilateral agreement, the LBA has kept the FAA informed of the situation described above. The FAA has examined the findings of the LBA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other Eurocopter Model EC135 helicopters of the same type design, this AD supersedes AD 99–12–01 to require an initial visual inspection, and either repetitive visual inspections or repetitive dye-penetrant inspections of the shaft for a crack, and replacement of any cracked shafts. The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the structural integrity and controllability of the helicopter. Therefore, an initial visual inspection of the shaft for cracks and replacement of any cracked shaft is required before further flight, and this AD must be issued immediately.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

The FAA estimates that 40 helicopters will be affected by this AD, that it will take approximately 0.5 work hours to accomplish the visual inspections, 1 work hour per helicopter to accomplish the dye-penetrant inspection, and 16 work hours to replace a shaft, if necessary; and that the average labor rate is \$60 per work hour. Required parts will cost approximately \$39,000