

DEPARTMENT OF AGRICULTURE**Animal and Plant Health Inspection Service****9 CFR Parts 92, 93, 94, 95, 96, 97, 98, and 130****[Docket No. 94-106-10]****RIN 0579-AA71****Importation of Animals and Animal Products; Public Meeting****AGENCY:** Animal and Plant Health Inspection Service, USDA.**ACTION:** Notice of public meeting.

SUMMARY: We are advising the public that the Animal and Plant Health Inspection Service will host a public meeting to discuss the agency's plans for implementing a final rule and policy statement on the importation of animals and animal products that were published in the **Federal Register** on October 28, 1997.

DATES: The public meeting will be held on November 21, 1997, from 9:00 a.m. to noon.

ADDRESSES: The public meeting will be held at the USDA Center at Riverside, Conference Room D, 4700 River Road, Riverdale, MD. Parking is available next to the building for a \$2.00 fee (have quarters or \$1.00 bills). The nearest Metro station is the College Park station on the Green Line, and it is within walking distance.

FOR FURTHER INFORMATION CONTACT: Dr. Gary Colgrove, Chief Staff Veterinarian, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 38, Riverdale, MD 20737-1231, (301) 734-8590.

SUPPLEMENTARY INFORMATION:**Background**

On October 28, 1997, the Animal and Plant Health Inspection Service (APHIS) published a final rule in the **Federal Register** (62 FR 56000-56026, Docket No. 94-106-9) that establishes procedures and a regulatory framework for recognizing regions, rather than only countries, for the purpose of importing animals and animal products into the United States. The final rule also establishes procedures by which regions may request permission to export animals and animal products to the United States under specified conditions, based on the regions' disease status. The final rule is scheduled to become effective on November 28, 1997. A notice published in the same issue of the **Federal Register** (62 FR 56027-56033, Docket No. 94-106-8) sets forth our policy on

regionalization. The policy statement and regulations are in accordance with international trade agreements entered into by the United States.

The public meeting on November 21, 1997, in Riverdale, MD, will provide an opportunity for APHIS to discuss its plans for implementing the final rule and policy on regionalization. All interested persons are invited to attend.

Done in Washington, DC, this 5th day of November 1997.

Terry L. Medley,*Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 97-29644 Filed 11-6-97; 8:45 am]

BILLING CODE 3410-34-P

FEDERAL DEPOSIT INSURANCE CORPORATION**12 CFR Part 325****Capital Maintenance***CFR Correction*

In Title 12 of the Code of Federal Regulations, parts 300 to 499, revised as of Jan. 1, 1997, page 174, Part 325, Appendix A, section II. C is corrected by adding paragraphs 1 through 4 after the first paragraph under Category 3 as follows:

Appendix A to Part 325—Statement of Policy on Risk-Based Capital

* * * * *

II. * * *

C. * * *

* * * *Category 3-50 Percent Risk Weight.* *

(1) The purchaser is an individual(s) who intends to occupy the residence and is not a partnership, joint venture, trust, corporation, or any other entity (including an entity acting as a sole proprietorship) that is purchasing one or more of the homes for speculative purposes;

(2) The builder must incur at least the first ten percent of the direct costs (i.e., actual costs of the land, labor, and material) before any drawdown is made under the construction loan and the construction loan may not exceed 80 percent of the sales price of the presold home;

(3) The purchaser has made a substantial "earnest money deposit" of no less than three percent of the sales price of the home and the deposit must be subject to forfeiture if the purchaser terminates the sales contract; and

(4) The earnest money deposit must be held in escrow by the bank financing the builder or by an independent party in a fiduciary capacity and the escrow

agreement must provide that, in the event of default arising from the cancellation of the sales contract by the buyer, the escrow funds must first be used to defray any costs incurred by the bank.

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BILLING CODE 1505-01-D

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39****[Docket No. 97-CE-87-AD; Amendment 39-10193; AD 97-23-05]****RIN 2120-AA64****Airworthiness Directives; Avions Pierre Robin Model R3000 Airplanes****AGENCY:** Federal Aviation Administration, DOT.**ACTION:** Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to all Avions Pierre Robin Model R3000 airplanes. This AD requires replacing the attachment bolt between the pitch control cables and control column lever with a bolt of improved design. This AD is the result of mandatory continued airworthiness information (MCAI) issued by the airworthiness authority for France. The actions specified in this AD are intended to prevent the pitch control cables on the control column from becoming jammed due to failure of the attachment bolt, which could result in a reduction in the directional controllability of the airplane.

DATES: Effective December 1, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 1, 1997.

Comments for inclusion in the Rules Docket must be received on or before December 8, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket 97-CE-87-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Service information that applies to this AD may be obtained from Avions Pierre Robin, 1, route de Troyes, 21121 Darois-France; telephone: 03 80 44 20 50; facsimile: 03 80 35 60 80. This information may also be examined at the Federal Aviation Administration

(FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 97-CE-87-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. Karl M. Schletzbaum, Aerospace Engineer, Small Airplane Directorate, Airplane Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106; telephone (816) 426-6932; facsimile (816) 426-2169.

SUPPLEMENTARY INFORMATION:

Events Leading to Issuance of the Proposed AD

The Direction Generale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, recently notified the FAA that an unsafe condition may exist on all Avion Pierre Robin Model R3000 airplanes. The DGAC reports an incident where the operator of one of these airplanes discovered unusual wear of the pitch control cables to the control column. Further examination revealed that the attachment bolt between the pitch control cables and control column lever had failed. This condition, if not corrected in a timely manner, could cause the pitch control cables on the control column to jam and result in a reduction in the directional controllability of the airplane.

Relevant Service Information

Avions Pierre Robin has issued Service Bulletin No. 146, Revision 1, dated September 26, 1996, which specifies procedures for replacing the attachment bolt between the pitch control cables and control column lever, part number (P/N) 95.13.19.000, with a bolt of improved design, P/N 27.36.03.140.

The DGAC classified this service bulletin as mandatory and issued French AD 96-167(A)R1, dated December 4, 1996, in order to assure the continued airworthiness of these airplanes in France.

The FAA's Determination

This airplane model is manufactured in France and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above.

The FAA has examined the findings of the DGAC; reviewed all available

information, including the service information referenced above; and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of the Provisions of This AD

Since an unsafe condition has been identified that is likely to exist or develop on other Pierre Robin Model R3000 airplanes of the same type design registered in the United States, the FAA is issuing an AD. This AD requires replacing the attachment bolt between the pitch control cables and control column lever, part number (P/N) 95.13.19.000, with a bolt of improved design, P/N 27.36.03.140. Accomplishment of the replacement required by this AD is in accordance with the previously referenced service bulletin.

Cost Impact

None of the Avions Pierre Robin airplanes affected by this action are on the U.S. Register. All airplanes included in the applicability of this rule currently are operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, the FAA considers this rule necessary to ensure that the unsafe condition is addressed in the event that any of these subject airplanes are imported and placed on the U.S. Register.

Should an affected airplane be imported and placed on the U.S. Register, accomplishment of the required actions would take approximately 3 workhours at an average labor charge of \$60 per workhour. Parts to accomplish the replacement cost \$20. Based on these figures, the total cost impact of this AD would be \$200 per airplane that would become registered in the United States.

The Effective Date of This AD

Since this AD action does not affect any airplane that is currently on the U.S. register, it has no adverse economic impact and imposes no additional burden on any person. Therefore, notice and public procedures hereon are unnecessary and the amendment may be made effective in less than 30 days after publication in the **Federal Register**.

Comments Invited

Although this action is in the form of a final rule and was not preceded by notice and opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting

such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 97-CE-87-AD." The postcard will be date stamped and returned to the commenter.

Regulatory Impact

The regulations adopted herein will 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 final rule does 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) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 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 a new airworthiness directive (AD) to read as follows

97-23-05 Avions Pierre Robin:

Amendment 39-10193; Docket No. 97-CE-87-AD.

Applicability: Model R3000 airplanes, all serial numbers, 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 (c) 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 prior to further flight after the effective date of this AD, unless already accomplished.

To prevent the pitch control cables on the control column from becoming jammed due to failure of the attachment bolt, which could result in a reduction in the directional controllability of the airplane, accomplish the following:

(a) Replace the attachment bolt between the pitch control cables and control column lever, part number (P/N) 95.13.19.000 (or FAA-approved equivalent part number), with a bolt of improved design, P/N 27.36.03.140 (or FAA-approved equivalent part number), in accordance with Avions Pierre Robin Service Bulletin No. 146, Revision 1, dated September 26, 1996.

(b) 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.

(c) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be

approved by the Manager, Small Airplane Directorate, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

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

(d) The replacement required by this AD shall be done in accordance with Avions Pierre Robin Service Bulletin No. 146, Revision 1, dated September 26, 1996. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Avions Pierre Robin, 1, route de Troyes, 21121 Darois-France. Copies may be inspected at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Note 3: The subject of this AD is addressed in French AD 96-167(A)R1, dated December 4, 1996.

(e) This amendment (39-10193) becomes effective on December 1, 1997.

Issued in Kansas City, Missouri, on October 29, 1997.

Mary Ellen A. Schutt,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97-29232 Filed 11-6-97; 8:45 am]

BILLING CODE 4910-13-P

CONSUMER PRODUCT SAFETY COMMISSION**16 CFR Parts 1615 and 1616****Standards for Flammability of Children's Sleepwear: Sizes 0 Through 6X and 7 Through 14; Stay of Enforcement; Extension**

AGENCY: Consumer Product Safety Commission.

ACTION: Extension of Stay of Enforcement.

SUMMARY: This document announces the Commission's decision to extend the stay of enforcement of sleepwear requirements involving garments currently used or likely to be used as sleepwear if these garments are skin-tight or nearly skin-tight, similar in design, material, and fit to underwear, and are labeled as "underwear."

DATES: The stay which first became effective on January 13, 1993 (published at 58 FR 4178, January 13, 1993), and was extended at 59 FR 53584, October 25, 1994, and 61 FR 47412, September 9, 1996, will continue in effect until June 9, 1998.

FOR FURTHER INFORMATION CONTACT: Patricia A. Fairall, Office of Compliance and Enforcement, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-0400, extension 1369.

SUPPLEMENTARY INFORMATION: On January 13, 1993, the Commission published a document announcing that for certain garments it would stay enforcement of its Standard for the Flammability of Children's Sleepwear: Sizes 0-6x (16 CFR part 1615) and the Standard for the Flammability of Children's Sleepwear Sizes 7-14 (16 CFR part 1616). The Commission stated that it would not enforce the sleepwear flammability standards against garments used by children for sleeping that are: (1) Skin-tight or nearly skin-tight; (2) manufactured from fabrics such as rib knit, interlock knit, or waffle knit; (3) relatively free of ornamentation; and (4) labeled and marketed as "underwear."

The stay was part of the Commission's effort to amend its sleepwear regulations to exempt certain tight-fitting garments and infant garments from the sleepwear standards. The stay was published on the same day as an advance notice of proposed rulemaking beginning the proceeding to exempt these garments. See 58 FR 4111. The Commission has since published a proposed rule (59 FR 53616) and a final rule (61 FR 47634) exempting certain tight-fitting and infant garments from the sleepwear flammability standards.

While the Commission was considering amending the standard and to allow time for the industry to adjust to the exemption, the Commission extended the stay of enforcement when it issued the proposed rule (59 FR 53584) and the final rule (61 FR 47412). The Commission is extending the stay 3 months, from March 9, 1998 to June 9, 1998 for the garments described above. The Commission is taking this action because the March 9 date falls in the middle of a retail cycle. Without the extension, retailers and manufacturers believe that in the same selling season they would need to offer and make garments that are acceptable under the stay for the first half of the season and garments that meet the tight fitting requirements for the second half. This could be burdensome for some companies and make it more difficult to insure compliance of manufactured/ marketed garments. The Commission does not believe that extending the stay 3 months will adversely affect the industry or consumer safety.

Garments covered by the stay must meet applicable requirements of the Standard for the Flammability of