

periodically reviewed to reduce information requirements and duplication by industry and public sector agencies. In addition, as noted in the initial regulatory flexibility analysis, USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this rule.

AMS is committed to complying with the E-Government Act, to promote the use of the Internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

An interim final rule concerning this action was published in the **Federal Register** on February 7, 2008, (73 FR 7199). Copies of that rule were also e-mailed or sent via facsimile to all commodity handlers. Finally, the interim final rule was made available through the Internet by USDA and the Office of the **Federal Register**. A 60-day comment period was provided for interested persons to respond to the interim final rule. The comment period ended on April 7, 2008, and no comments were received.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: <http://www.ams.usda.gov/fv/moab/html>. Any questions about the compliance guide should be sent to Jay Guerber at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

After consideration of all relevant material presented, including the information and recommendation submitted by the committee and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

#### List of Subjects in 7 CFR Part 932

Olives, Marketing agreements, Reporting and recordkeeping requirements.

#### PART 932—OLIVES GROWN IN CALIFORNIA

■ Accordingly, the interim final rule amending 7 CFR part 932 which was published at 73 FR 7199 on February 7, 2008, is adopted as a final rule without change.

Dated: May 6, 2008.

**Lloyd C. Day,**

Administrator, Agricultural Marketing Service.

[FR Doc. E8-10426 Filed 5-8-08; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Parts 1005 and 1007

[AMS-DA-07-0059; AO-388-A22 and AO-366-A51; Docket No. DA-07-03-A]

#### Milk in the Appalachian and Southeast Marketing Areas; Correction

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Correcting amendments.

**SUMMARY:** This document contains corrections to the regulations that were published in the March 17, 2008 **Federal Register** (73 FR 14153). The regulations inadvertently omitted language in § 1005.13 paragraphs (d)(3) and (d)(4), and § 1007.13 paragraphs (d)(3) and (d)(4) that provide for a zero diversion limit standard on loads of milk requesting transportation credits. This document corrects the final regulations by revising these sections.

**DATES:** *Effective Date:* May 9, 2008.

#### FOR FURTHER INFORMATION CONTACT:

Gino M. Tosi, Associate Deputy Administrator, USDA/AMS/Dairy Programs, Order Formulation and Enforcement Branches, STOP 0231—Room 2971, 1400 Independence Avenue, SW., Washington, DC 20250-0231, (202) 690-1366, e-mail address: [gino.tosi@usda.gov](mailto:gino.tosi@usda.gov).

**SUPPLEMENTARY INFORMATION:** This document provides correcting amendments to the regulations of the Appalachian and Southeast milk marketing orders, found respectively at 7 CFR part 1005 and 7 CFR part 1007.

#### List of Subjects in 7 CFR Parts 1005 and 1007

Milk marketing orders.

■ Accordingly, 7 CFR parts 1005 and 1007 are corrected by making the following correcting amendments:

■ 1. The authority citation for 7 CFR parts 1005 and 1007 continues to read as follows:

*Authority:* 7 U.S.C. 601–674, and 7253.

#### PART 1005—MILK IN THE APPALACHIAN MARKETING AREA

■ 2. In § 1005.13, paragraphs (d) (3) and (4) are revised to read as follows:

##### § 1005.13 Producer Milk.

\* \* \* \* \*

(d) \* \* \*

(3) The total quantity of milk so diverted during the month by a cooperative association shall not exceed 25 percent during the months of July

through November, January, and February, and 35 percent during the months of December and March through June, of the producer milk that the cooperative association caused to be delivered to, and physically received at, pool plants during the month, excluding the total pounds of bulk milk received directly from producers meeting the conditions as described in § 1005.82(c)(2)(ii) and (iii), and for which a transportation credit is requested;

(4) The operator of a pool plant that is not a cooperative association may divert any milk that is not under the control of a cooperative association that diverts milk during the month pursuant to paragraph (d) of this section. The total quantity of milk so diverted during the month shall not exceed 25 percent during the months of July through November, January, and February, and 35 percent during the months of December and March through June, of the producer milk physically received at such plant (or such unit of plants in the case of plants that pool as a unit pursuant to § 1005.7(d)) during the month, excluding the quantity of producer milk received from handler described in § 1000.9(c) and excluding the total pounds of bulk milk received directly from producers meeting the conditions as described in § 1005.82(c)(2)(ii) and (iii), and for which a transportation credit is requested.

\* \* \* \* \*

#### PART 1007—MILK IN THE SOUTHEAST MARKETING AREA

■ 3. In § 1007.13, paragraphs (d)(3) and (4) are revised to read as follows:

##### § 1007.13 Producer milk.

\* \* \* \* \*

(d) \* \* \*

(3) The total quantity of milk so diverted during the month by a cooperative association shall not exceed 25 percent during the months of July through November, January, and February, and 35 percent during the months of December and March through June, of the producer milk that the cooperative association caused to be delivered to, and physically received at, pool plants during the month, excluding the total pounds of bulk milk received directly from producers meeting for conditions as described in § 1007.82(c)(2)(ii) and (iii), and for which a transportation credit is requested;

(4) The operator of a pool plant that is not a cooperative association may divert any milk that is not under the control of a cooperative association that

diverts milk during the month pursuant to paragraph (d) of this section. The total quantity of milk so diverted during the month shall not exceed 25 percent during the months of July through November, January, and February, and 35 percent during the months of December and March through June of the producer milk physically received at such plant (or such unit of plants in the case of plants that pool as a unit pursuant to § 1007.7(e)) during the month, excluding the quantity of producer milk received from a handler described in § 1000.9(c), excluding the total pounds of bulk milk received directly from producers meeting for conditions as described in § 1007.82(c)(2)(ii) and (iii), and for which a transportation credit is requested;

\* \* \* \* \*

Dated: May 6, 2008.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 08–1239 Filed 5–6–08; 2:32 pm]

BILLING CODE 3410–02–P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2008–0524; Directorate Identifier 2007–SW–77–AD; Amendment 39–15519; AD 2007–26–52]

RIN 2120–AA64

#### **Airworthiness Directives; Agusta S.p.A. Model A109C, A109E, and A109K2 Helicopters**

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Final rule; request for comments.

**SUMMARY:** This document supersedes Airworthiness Directive (AD) 2001–24–07 R1 and adopts AD 2007–26–52, which was sent previously to all known U.S. owners and operators of Agusta S.p.A. (Agusta) Model A109C, A109E, and A109K2 helicopters by individual letters. This AD requires inspections for swelling, deformation, bonding separation, or a crack on each main rotor blade (MRB) with a certain tip cap installed, and if any of these conditions are found that exceed the prescribed limits, replacing the MRB before further flight. This amendment is prompted by a report of the in-flight loss of part of a tip cap. The actions specified in this AD are intended to prevent an increase in

vibration of the MRB and subsequent loss of control of the helicopter.

**DATES:** Effective May 27, 2008, to all persons except those persons to whom it was made immediately effective by Emergency AD 2007–26–52, issued on December 20, 2007, which contained the requirements of this amendment.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 27, 2008. The Director of the Federal Register approved the incorporation by reference of Agusta Alert Bollettino Tecnico No. 109–106, No. 109K–22, and No. 109EP–1, all Revision B and all dated December 19, 2000, listed in the AD as of January 7, 2002 (66 FR 60144, December 3, 2001).

Comments for inclusion in the Rules Docket must be received on or before July 8, 2008.

**ADDRESSES:** Use one of the following addresses to submit comments on this AD:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax:* 202–493–2251.

- *Mail:* U.S. Department of

Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

You may get the service information identified in this AD from Agusta, 21017 Cascina Costa di Samarate (VA) Italy, Via Giovanni Agusta 520, telephone 39 (0331) 229111, fax 39 (0331) 229605–222595.

*Examining the Docket:* You may examine the docket that contains the AD, any comments, and other information on the Internet at <http://www.regulations.gov>, or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Operations office (telephone (800) 647–5527) is located in Room W12–140 on the ground floor of the West Building at the street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Sharon Miles, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Safety Management Group, Fort Worth, Texas 76193–0111, telephone (817) 222–5122, fax (817) 222–5961.

**SUPPLEMENTARY INFORMATION:** On June 16, 2004, the FAA issued AD 2001–24–07 R1, Amendment 39–13687 (69 FR 35511, June 25, 2004). That AD required inspecting each MRB, part number (P/N) 709–0103–01, tip cap, for either bonding separation or a crack, and provided a terminating action for the requirements of the AD by replacing each tip cap with an airworthy tip cap, P/N 709–0103–29–109.

Since issuing that AD, there has been one report of in-flight loss of part of a tip cap, P/N 709–0103–29–109, resulting in an emergency landing due to an increase in vibrations. There has also been one report of cracking on the tip cap leading edge. Therefore, on December 20, 2007, we issued Emergency AD 2007–26–52, which superseded AD 2001–24–07 R1 (69 FR 35511, June 25, 2004), to remove the terminating action of replacing a tip cap with tip cap, P/N 709–0103–29–109, and to remove the serial number limitation of AD 2001–24–07 R1. The Emergency AD requires inspecting and replacing certain MRBs, if necessary.

The European Aviation Safety Agency (EASA), which is the Technical Agent for Italy, a Member State of the European Community, notified us that an unsafe condition may exist on Agusta Model A109C, A109E, and A109K2 helicopters. The EASA advises that an incident occurred in which a Model A109E helicopter lost part of the tip of the MRB due to fracture of the welded bead (joint line of shells). The manufacturer advises that the investigation relating to this tip cap failure is still ongoing.

Agusta has issued Alert Bollettino Tecnico No. 109–106 for the Model A109C, No. 109K–22 for the Model A109K2, and No. 109EP–1 for the Model A109E, all Revision B and all dated December 19, 2000, which describe inspecting the MRB tip cap for bonding separation and a crack; a tap inspection of the tip cap for bonding separation in the blade bond; and a dye-penetrant inspection of the tip cap leading edge along the welded joint line of the upper and lower tip cap skin shells for a crack. Since then, Agusta has issued Bollettino Tecnico No. 109–125 for the Model A109C, No. 109EP–85 for the Model A109E, and No. 109K–48 for the Model A109K2, all dated December 13, 2007, which describe procedures for inspecting the tip cap, P/N 709–0103–29–109, for cracks and for damage on the tip cap leading edge at the welded bead (joint line of shells). The EASA classified these bollettino tecnicis as mandatory and issued EASA Emergency AD No. 2007–0306–E, dated December 14, 2007, to ensure the continued