Recent price information indicates that the grower price for the 1997–98 marketing season will range between $4.82 and $11.81 per standard box of winter pears. Therefore, the estimated assessment revenue for the 1997–98 fiscal period as a percentage of total grower revenue will range between 0.04 and 0.09 percent.

This action will increase the assessment obligation imposed on handlers. While this rule will impose some additional costs on handlers, the costs are minimal and in the form of uniform assessments on all handlers. Some of the additional costs may be passed on to producers. However, these costs will be offset by the benefits derived by the operation of the marketing order. In addition, the Committee's meeting was widely publicized throughout the winter pear industry and all interested persons were invited to attend the meeting and participate in Committee deliberations on all issues. Like all Committee meetings, the May 30, 1997, meeting was a public meeting and all entities, both large and small, were able to express views on this issue. Finally, interested persons are invited to submit information on the regulatory and informational impacts of this action on small businesses.

This action will not impose any additional reporting or recordkeeping requirements on either small or large winter pear handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

The Department has not identified any relevant Federal rules that duplicate, overlap, or conflict with this rule. After consideration of all relevant matter 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.

Pursuant to 5 U.S.C. 553, it is also found and determined upon good cause that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice prior to putting this rule into effect, and that good cause exists for not postponing the effective date of this rule until 30 days after publication in the **Federal Register** because: (1) The 1997–98 fiscal period began on July 1, 1997, and the marketing order requires that the rate of assessment for each fiscal period apply to all assessable winter pears handled during such fiscal period; (2) handlers are aware of this action which was unanimously recommended by the Committee at a public meeting and is similar to other assessment rate actions issued in past years; and (3) this interim final rule provides a 30-day comment period, and all comments timely received will be considered prior to finalization of this rule.

List of Subjects in 7 CFR Part 927

Marketing agreements, Pears, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 927 is amended as follows:

PART 927—WINTER PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

1. The authority citation for 7 CFR part 927 continues to read as follows:

Authority: 7 U.S.C. 601–674.

§ 927.236 [Amended]

2. Section 927.236 is amended by removing the words ''July 1, 1996,'' and adding in their place the words ''July 1, 1997,'' and by removing ''$0.405'' and adding in its place ''$0.44.''

Dated: August 14, 1997.

Robert C. Keeney,

Director, Fruit and Vegetable Division.

[FR Doc. 97–22013 Filed 8–19–97; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97–NM–124–AD; Amendment 39–10104; AD 97–17–02]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 777–200 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Boeing Model 777–200 series airplanes. This action requires repetitive torquing of the bushing retainer nuts of the pivot pins in the horizontal stabilizer hinge assembly to tighten loose nuts to the new torque value; and repetitive visual inspections, if necessary, to detect bushing migration or damage to adjacent structures, and repair of any damage. This proposal also provides for an optional terminating action for the repetitive inspections. This amendment is prompted by a report of a loose bushing retainer nut, which may be attributed to low nut torque. The actions specified in this AD are intended to detect and correct loose bushing retainer nuts of the pivot pins in the horizontal stabilizer hinge assembly, which could result in bushing migration and consequent damage to the adjacent structure, and reduced controllability of the airplane.

DATES: Effective September 4, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 4, 1997.

Comments for inclusion in the Rules Docket must be received on or before October 20, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 97–NM–124–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Stan Wood, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington; telephone (425) 227–2772; fax (425) 227–1181.

SUPPLEMENTARY INFORMATION: Boeing recently notified the FAA that an unsafe condition may exist on certain Boeing Model 777–200 series airplanes. Investigation revealed that a loose bushing retainer nut of the pivot pin in the horizontal stabilizer hinge assembly was found on a Boeing Model 777–200 flight test airplane that had accumulated approximately 2,000 total flight cycles. The cause of the loose bushing retainer nut may be attributed to low nut torque. A loose bushing retainer nut of the pivot pin in the horizontal stabilizer hinge assembly, if not corrected, could result in bushing migration and consequent damage to the adjacent structure, and reduced controllability of the airplane.

Explanation of Relevant Service Information

Boeing has issued Service Bulletin 777–53–0006, dated May 8, 1997, which describes procedures for repetitive inspections of the bushing retainer nuts of the pivot pins in the horizontal stabilizer hinge assembly to detect and correct loose bushing retainer nuts, migration of the bushings, or damage to adjacent structures. This service bulletin also describes optional procedures for tightening the bushing retainer nuts to a torque level of 1,000 to 1,500 in-lbs. In addition, this service bulletin describes procedures for tightening the bushing retainer nuts and installing anti-rotation brackets to prevent the nuts from rotating, which would eliminate the need for repetitive inspections.

Explanation of the Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on other Boeing Model 777–200 series airplanes of the same type design, this AD is being issued to detect and correct loose bushing retainer nuts of the pivot pins in the horizontal stabilizer hinge assembly, which could result in bushing migration and consequent damage to the adjacent structure, and reduced controllability of the airplane. This action requires repetitive torquing of the bushing retainer nuts of the pivot pins in the horizontal stabilizer hinge assembly to tighten loose nuts to the new torque value of 1,000 to 1,500 in-lbs; and repetitive visual inspections, if necessary, to detect bushing migration or damage to adjacent structures. This proposal also provides for an optional action of installing brackets to prevent rotation of the bushing retainer nuts, which would constitute termination for the repetitive inspections. These actions are required to be accomplished in accordance with the service bulletin described previously.

Differences Between the AD and the Relevant Service Information

Operators should note that, although Boeing Service Bulletin 777–53–0006 provides procedures to eliminate the need for repetitive inspections after accomplishment of a third inspection (2,150 flight cycles), this AD requires repetitive inspections at intervals not to exceed 1,000 flight cycles, until accomplishment of the terminating action. In developing an appropriate compliance time for this AD, the FAA has determined that the repetitive inspections should not be extended to a third inspection (2,150 flight cycles) and that, in order to provide an acceptable level of safety, repetitive intervals should not exceed 1,000 flight cycles.

Operators should also note that, although the service bulletin specifies that the manufacturer must be contacted for instructions in the repair of damage, this AD requires the repair to be accomplished in accordance with a method approved by the FAA.

Interim Action

The FAA is considering further rulemaking to supersede this AD to require installing anti-rotation brackets to prevent the nuts from rotating. However, the planned compliance time for accomplishment of this action is sufficiently long so that prior notice and time for public comment will be practicable.

Determination of Rule's Effective Date

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.

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 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 Number 97–NM–124–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.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a ''significant regulatory action'' under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, 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 the following new airworthiness directive:

97–17–02 Boeing: Amendment 39–10104. Docket 97–NM–124–AD.

Applicability: Model 777–200 series airplanes, line numbers 3, 5, 7 through 9 inclusive, 11 through 13 inclusive, 15 through 17 inclusive, and 19 through 22 inclusive; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 (d) 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 detect and correct loose bushing retainer nuts of the pivot pins in the horizontal stabilizer hinge assembly, which could result in bushing migration and consequent damage to the adjacent structure, and reduced controllability of the airplane, accomplish the following:

(a) Within 150 flight cycles after the effective date of this AD, torque the bushing retainer nuts to the new torque value of 1,000 to 1,500 in-lbs, in accordance with Figure 2 of the Boeing Service Bulletin 777–53–0006, dated May 8, 1997. Repeat the torquing thereafter at intervals not to exceed 1,000 flight cycles.

Note 2: Where there are differences between the AD and the service bulletin, the AD prevails.

(b) If any bushing retainer nut is loose and is not correctly attached to the bushing, prior to further flight, perform a visual inspection to determine whether bushing migration has occurred, in accordance with Figure 2 of the Boeing Service Bulletin 777–53–0006, dated May 8, 1997.

(1) If bushing migration has not occurred, prior to further flight, tighten the bushing retainer nuts in accordance with Figure 2 of the service bulletin. Repeat the visual inspection thereafter at intervals not to exceed 1,000 flight cycles.

(2) If bushing migration has occurred, prior to further flight, inspect/replace the bushing and other affected components and repair any damage, in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

(c) Accomplishment of installing an anti-rotation bracket in accordance with Figure 3 of Boeing Service Bulletin 777–53–0006, dated May 8, 1997, constitutes terminating action for the repetitive inspection requirements of this AD.

(d) 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, Seattle ACO. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(e) 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.

(f) Certain actions shall be done in accordance with Boeing Service Bulletin 777–53–0006, dated May 8, 1997. 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 Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment becomes effective on September 4, 1997.

Issued in Renton, Washington, on August 11, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–21773 Filed 8–19–97; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96–NM–167–AD; Amendment 39–10099; AD 97–16–07]

RIN 2120–AA64

Airworthiness Directives; Saab Model SAAB 2000 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Saab Model SAAB 2000 series airplanes, that requires replacement of the existing fire, tailpipe, and bleed-air overheat detector control units with new, improved units. This amendment is prompted by reports indicating that false engine and auxiliary power unit (APU) fire warnings were issued from the fire detector control units due to moisture or induced voltages of the detector control unit. The actions specified by this AD are intended to prevent such false fire warnings, which could result in unnecessary diversion of the airplane, and resultant increased risks to the airplane, passengers, and crew, and the potential for an overweight landing.

DATES: Effective September 24, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 24, 1997.

ADDRESSES: The service information referenced in this AD may be obtained from SAAB Aircraft AB, SAAB Aircraft Product Support, S–581.88, Linköping, Sweden. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Ruth Harder, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–1721; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Saab Model SAAB 2000 series airplanes was published in the **Federal Register** on May 1, 1997 (62 FR 23695). That action proposed to require replacement of the existing fire, tailpipe, and bleed leak detector control units with new, improved units.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Revised Service Bulletin Citation

The final rule has been revised to clarify that Saab Service Bulletin 2000–26–002, which was cited in the proposal as the appropriate source of service information, includes Attachments 1 and 2. These attachments specify procedures from the Aircraft Maintenance Manual for removal and installation of the bleed-air overheat detection system control unit.

Conclusion

After careful review of the available data, the FAA has determined that air safety and the public interest require the