

representation on the Board is linked to the payment of assessments. The Order requires a review of the composition of the Board to be conducted every five years and states that the review is to be based on Board assessment records and statistics from USDA. The number of importer, first handler, and domestic producer seats, as well as the distribution of importer seats, is adjusted as needed based on the volume and geographic distribution of mango production and imports. In addition, the volume of imports for each country of origin is considered in appointments of foreign producer members. Because the volume handled or imported is linked to the value of assessments received by the Board, representation of importers, first handlers, domestic producers and foreign producers is necessarily linked to the payment of assessments. However, that is not the case for the wholesaler/retailer positions.

Two commenters expressed opposition to the proposed elimination of the wholesaler/retailer positions on the grounds that wholesalers and/or retailers could provide valuable insight to the Board. As stated above, the Board's bylaws permit the participation of non-members on the Board's committees. Thus the Board is able to seek input from wholesalers and/or retailers as needed.

One commenter expressed doubt that the Board has made sufficient efforts to secure nominees to fill the wholesaler/retailer positions. As discussed in the proposed rule, the Board has made numerous attempts to nominate individuals to those positions; however, wholesalers and retailers are either not interested in or do not have the time to serve on the Board.

One commenter recommended that wholesalers and/or retailers be given full voting rights on the Board. The question of whether or not wholesaler/retailer members should be permitted to vote is not considered in this rule as it is not relevant given the Board's inability to find wholesalers and/or retailers to serve on the Board. The same commenter also suggested that the Board consider adding consumer members. Currently, all Board meetings are open to the public, and any person has the opportunity to contact the Board at any time. As such, consumer participation in Board activities does not require amendment of the Order.

One comment objecting to the regulation of mangos was outside the scope of this rule.

The Department has considered all of the comments and is not making any changes to the proposed rule.

After consideration of all relevant material presented, the Board's recommendation, public comments and other information, it is hereby found that this rule, as published in the **Federal Register** [76 FR 13530] on March 14, 2011, is consistent with and will effectuate the purpose of the Act.

#### List of Subjects in 7 CFR Part 1206

Administrative practice and procedure, Advertising, Consumer information, Marketing agreements, Mango Promotion, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 1206 is amended as follows:

#### PART 1206—MANGO PROMOTION, RESEARCH, AND INFORMATION ORDER

■ 1. The authority citation for 7 CFR part 1206 continues to read as follows:

**Authority:** 7 U.S.C. 7411–7425 and 7 U.S.C. 7401.

■ 2. Remove and reserve § 1206.19.

#### § 1206.19 [Reserved]

■ 3. Remove and reserve § 1206.24.

#### § 1206.24 [Reserved]

■ 4. Amend § 1206.30 by revising paragraph (a) to read as follows:

#### § 1206.30 Establishment of the National Mango Promotion Board.

(a) *Establishment of the National Mango Promotion Board.* There is hereby established a National Mango Promotion Board composed of eight importers, one first handler, two domestic producers, and seven foreign producers. The chairperson shall reside in the United States and the Board office shall also be located in the United States.

\* \* \* \* \*

■ 5. Amend § 1206.31 by removing paragraph (h), and redesignating paragraph (i) as paragraph (h).

■ 6. Revise § 1206.32 to read as follows:

#### § 1206.32 Term of office.

The term of office for first handler, importer, domestic producer, and foreign producer members of the Board will be three years, and these members may serve a maximum of two consecutive three-year terms. When the Board is first established, the first handler, two importers, one domestic producer, and two foreign producers will be assigned initial terms of four years; three importers, one domestic producer, and two foreign producers will be assigned initial terms of three

years; and three importers and three foreign producers will be assigned initial terms of two years. Thereafter, each of these positions will carry a full three-year term. Members serving initial terms of two or four years will be eligible to serve a second term of three years. Each term of office will end on December 31, with new terms of office beginning on January 1.

Dated: June 16, 2011.

**Rayne Pegg,**  
Administrator.

[FR Doc. 2011–15630 Filed 6–21–11; 8:45 am]

**BILLING CODE 3410–02–P**

#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2011–0259; Directorate Identifier 2010–NM–196–AD; Amendment 39–16730; AD 2011–13–07]

**RIN 2120–AA64**

#### Airworthiness Directives; Dassault Aviation Model FALCON 7X Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** We are superseding an existing airworthiness directive (AD) that applies to the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

Several occurrences of untimely radio-altimeter lock-up have been reported, where the failed radio-altimeter indicated a negative distance to the ground despite the aircraft was flying at medium or high altitude.

A locked radio-altimeter #1 leads to untimely inhibition of warnings that could be displayed along with certain abnormal conditions while the avionics system switches into landing mode during altitude cruise.

\* \* \* \* \*

[Untimely radio altimeter lock-up] may cause the crew to be unaware of possible system failures that could require urgent crew's actions.

\* \* \* \* \*

We are issuing this AD to require actions to correct the unsafe condition on these products.

**DATES:** This AD becomes effective July 27, 2011.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://>

[www.regulations.gov](http://www.regulations.gov) or in person at the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1137; fax (425) 227-1149.

#### **SUPPLEMENTARY INFORMATION:**

#### **Discussion**

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on March 29, 2011 (76 FR 17364), and proposed to supersede AD 2010-02-02, Amendment 39-16173 (75 FR 1697, January 13, 2010). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

Several occurrences of untimely radio-altimeter lock-up have been reported, where the failed radio-altimeter indicated a negative distance to the ground despite the aircraft was flying at medium or high altitude.

A locked radio-altimeter #1 leads to untimely inhibition of warnings that could be displayed along with certain abnormal conditions while the avionics system switches into landing mode during altitude cruise.

\* \* \* \* \*

[Untimely radio altimeter lock-up] may cause the crew to be unaware of possible system failures that could require urgent crew's actions.

To address this unsafe condition, [EASA] AD 2009-0208 was issued on 13 October 2009 [which corresponds with FAA AD 2010-02-02]. It mandated application of a new abnormal Airplane Flight Manual (AFM) procedure when radio-altimeter #1 lock-up occurs and prohibited dispatch of the aeroplane with any radio-altimeter inoperative.

Since AD 2009-0208 was issued, Easy avionics load 10 has been developed with change M0566 or Service Bulletin (SB) Falcon 7X n°100 that brings new features to display a "RA miscompare" flag on both Primary Display Units (PDU) and accepts a commanded system reversion to the correct radio-altimeter output.

EASA AD 2009-0208R1 is issued to allow not deactivating radio-altimeter #1 in case lock-up conditions occur in flight for aeroplanes on which M0566 or SB Falcon 7X n°100 has been embodied.

You may obtain further information by examining the MCAI in the AD docket.

#### **Comments**

We gave the public the opportunity to participate in developing this AD. We

received no comments on the NPRM or on the determination of the cost to the public.

#### **Conclusion**

We reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed.

#### **Differences Between This AD and the MCAI or Service Information**

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have required different actions in this AD from those in the MCAI in order to follow our FAA policies. Any such differences are highlighted in a Note within the AD.

#### **Costs of Compliance**

We estimate that this AD will affect about 24 products of U.S. registry.

The actions that are required by AD 2010-02-02 and retained in this AD take about 1 work-hour per product, at an average labor rate of \$85 per work-hour. Based on these figures, the estimated cost of the currently required actions is \$85 per product.

We estimate that it will take about 1 work-hour per product to comply with the new basic requirements of this AD. The average labor rate is \$85 per work-hour. Based on these figures, we estimate the cost of this AD to the U.S. operators to be \$2,040, or \$85 per product.

#### **Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition

that is likely to exist or develop on products identified in this rulemaking action.

#### **Regulatory Findings**

We determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect 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.

For the reasons discussed above, I certify this AD:

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. 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.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

#### **Examining the AD Docket**

You may examine the AD docket 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 AD docket contains the NPRM, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

#### **List of Subjects in 14 CFR Part 39**

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

#### **Adoption of the Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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. The FAA amends § 39.13 by removing Amendment 39-16173 (75 FR 1697, January 13, 2010) and adding the following new AD:

**2011–13–07 Dassault Aviation:**

Amendment 39–16730. Docket No. FAA–2011–0259; Directorate Identifier 2010–NM–196–AD.

**Effective Date**

(a) This airworthiness directive (AD) becomes effective July 27, 2011.

**Affected ADs**

(b) This AD supersedes AD 2010–02–02, Amendment 39–16173.

**Applicability**

(c) This AD applies to Dassault Aviation Model FALCON 7X airplanes, certificated in any category, all serial numbers.

**Subject**

(d) Air Transport Association (ATA) of America Code 34: Navigation.

**Reason**

(e) The mandatory continuing airworthiness information (MCAI) states:

Several occurrences of untimely radio-altimeter lock-up have been reported, where the failed radio-altimeter indicated a negative distance to the ground despite the aircraft was flying at medium or high altitude.

A locked radio-altimeter #1 leads to untimely inhibition of warnings that could be displayed along with certain abnormal conditions while the avionics system switches into landing mode during altitude cruise.

\* \* \* \* \*

[Untimely radio altimeter lock-up] may cause the crew to be unaware of possible system failures that could require urgent crew's actions.

\* \* \* \* \*

**Compliance**

(f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

**Restatement of Requirements of AD 2010–02–02, With Revised Affected Airplanes**

(g) For airplanes on which modification M0566 or Dassault Service Bulletin Falcon 7X–100 has not been accomplished: Within 14 days after January 28, 2010 (the effective date of AD 2010–02–02), revise the Limitations Section of the Dassault Falcon 7X Airplane Flight Manual (AFM) to include the following statement. This may be done by inserting a copy of this AD in the AFM.

“If radio-altimeter #1 lock-up conditions occur in flight, power off radio-altimeter #1, in accordance with the instructions of Falcon 7X AFM procedure 3–140–65.

Dispatch of the airplane with any radio-altimeter inoperative is prohibited.”

**Note 1:** When a statement identical to that in paragraph (g) of this AD has been included in the general revisions of the AFM, the general revisions may be inserted into the AFM, and the copy of this AD may be removed from the AFM.

**New Requirements of This AD**

(h) For airplanes on which M0566 or Dassault Service Bulletin Falcon 7X–100 has been accomplished: Within 14 days after the

effective date of this AD, revise the Limitations Section of the Dassault Falcon 7X AFM to include the following statement. This may be done by inserting a copy of this AD in the AFM. Doing this revision terminates the requirements of paragraph (g) of this AD.

“If radio-altimeter #1 lock-up conditions occur in flight, revert to the correct radio-altimeter output, in accordance with the instructions of Falcon 7X AFM procedure 3–140–65B and 3–140–70A.

Dispatch of the airplane with any radio-altimeter inoperative is prohibited.”

**Note 2:** When a statement identical to that in paragraph (h) of this AD has been included in the general revisions of the AFM, the general revisions may be inserted into the AFM, and the copy of this AD may be removed from the AFM.

**FAA AD Differences**

**Note 3:** This AD differs from the MCAI and/or service information as follows: No differences.

**Other FAA AD Provisions**

(i) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the International Branch, send it to ATTN: Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1137; fax (425) 227–1149. Information may be e-mailed to: 9-ANM-116-AMOC-REQUESTS@faa.gov. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

**Related Information**

(j) Refer to MCAI European Aviation Safety Agency (EASA) Airworthiness Directive 2009–0208R1, dated June 2, 2010, for related information.

**Material Incorporated by Reference**

(k) None.

Issued in Renton, Washington, on June 14, 2011.

**Ali Bahrami,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 2011–15368 Filed 6–21–11; 8:45 am]

**BILLING CODE 4910–13–P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA–2011–0116; Airspace Docket No. 11–ANE–1]

**Establishment of Class E Airspace; Brunswick, ME**

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class E Airspace at Brunswick, ME, to accommodate the additional airspace needed for the Standard Instrument Approach Procedures developed for Brunswick Executive Airport. This enhances the safety and airspace management of Instrument Flight Rules (IFR) operations at the airport. This action also corrects errors in the legal description published as a proposed rule in the **Federal Register** on March 18, 2011.

**DATES:** Effective 0901 UTC, August 25, 2011. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–6364.

**SUPPLEMENTARY INFORMATION:****History**

On March 18, 2011, the FAA published in the **Federal Register** a notice of proposed rulemaking to establish Class E airspace at Brunswick Executive Airport, Brunswick, ME (75 FR 14824) Docket No. FAA–2011–0116. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Subsequent to publication, a typographical error was found in the controlled airspace radius mileage. This action will make the correction.