

indemnity payments for animals destroyed because of brucellosis. In §78.1 of the regulations, the definition of *official test* lists those tests that have been designated as official tests for determining the brucellosis disease status of cattle, bison, and swine.

In a proposed rule published in the Federal Register on September 13, 1996 (61 FR 48430–48431, Docket No. 96–033–1), we proposed to amend §78.1 of the regulations to add the rapid automated presumptive (RAP) test as an official test.

We solicited comments concerning our proposed rule for 60 days ending November 12, 1996. We received one comment by that date. The comment we received was from a State cattlemen's association and supported the proposed rule change.

Therefore, based on the rationale set forth in the proposed rule, we are adopting the provisions of the proposal as a final rule without change.

Executive Order 12866 and Regulatory Flexibility Act

This rule has been reviewed under Executive Order 12866. For this action, the Office of Management and Budget has waived its review process required by Executive Order 12866.

This rule amends the brucellosis regulations by adding the RAP test to the list of official tests for determining the brucellosis disease status of test-eligible cattle, bison, and swine. The RAP test has been shown to provide an accurate, automated, and cost-effective means of determining the brucellosis status of test eligible cattle, bison, and swine. We believe that adding the RAP test to the list of official tests for brucellosis in cattle, bison, and swine will help to prevent the spread of brucellosis by making available a highly efficient tool for its diagnosis in those animals.

Adding the RAP test as an official test is not expected to affect the market price of the animals tested. Although more rapid testing will likely allow faster marketing, the effect on owners of cattle, bison, and swine will not be significant. Use of the RAP test is optional, and other presumptive official tests remain available for use by State and Federal animal health officials. The cost of the RAP test is equal to or lower than other presumptive official tests in use. Therefore, if those States currently using higher-cost presumptive tests switch over to the RAP test, the total testing costs for the Cooperative State/Federal Brucellosis Eradication Program will be reduced.

Under these circumstances, the Administrator of the Animal and Plant

Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

Executive Order 12988

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are in conflict with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This rule contains no new information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 9 CFR Part 78

Animal diseases, Bison, Cattle, Hogs, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, 9 CFR part 78 is amended as follows:

PART 78—BRUCELLOSIS

1. The authority citation for part 78 continues to read as follows:

Authority: 21 U.S.C. 111–114a–1, 114g, 115, 117, 120, 121, 123–126, 134b, and 134f; 7 CFR 2.22, 2.80, and 371.2(d).

2. In §78.1, in the definition of *official test*, paragraph (a)(12) is redesignated as paragraph (a)(13) and new paragraphs (a)(12) and (b)(4) are added to read as set forth below.

§78.1 Definitions.

* * * * *

Official test.

(a) * * *

(12) *Rapid Automated Presumptive (RAP) test.* An automated serologic test to detect the presence of *Brucella* antibodies in test-eligible cattle and bison. RAP test results are interpreted as either positive or negative; the results are interpreted and reported by a scanning autoreader that measures alterations in light transmission through each test well and the degree of agglutination present. Cattle and bison negative to the RAP test are classified as

brucellosis negative; cattle and bison positive to the RAP test shall be subjected to other official tests to determine their brucellosis disease classification.

* * * * *

(b) * * *

(4) *Rapid Automated Presumptive (RAP) test.* An automated serologic test to detect the presence of *Brucella* antibodies in test-eligible swine. RAP test results are interpreted as either positive or negative; the results are interpreted and reported by a scanning autoreader that measures agglutination based on alterations in light transmission through each test well. Swine negative to the RAP test are classified as brucellosis negative; swine positive to the RAP test shall be subjected to other official tests to determine their brucellosis disease classification.

* * * * *

Done in Washington, DC, this 13th day of January 1997.

Terry L. Medley,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 97–1224 Filed 1–16–97; 8:45 am]

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Food Safety and Inspection Service

9 CFR Parts 304, 308, 310, 320, 327, 381, 416, and 417

[Docket No. 93–016–11N]

Sanitation Standard Operating Procedures (Sanitation SOP's) and *E. coli* Testing Requirements—Conference

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Final rule; notice of meeting.

SUMMARY: The Food Safety and Inspection Service (FSIS) is holding a conference, "Sanitation Standard Operating Procedures (Sanitation SOP's) and *E. coli* Testing Requirements," on January 23, 1997. The purpose of the conference is to review and discuss initial operational procedures for the Sanitation SOP and *E. coli* testing requirements that are effective on January 27, 1997.

DATES: The conference will be held from 1:00 p.m. until 5:00 p.m. on January 23, 1997.

ADDRESSES: The conference will be held at the Arlington Hilton, 950 N. Stafford Street, Arlington VA 22203, (703) 528–6000.

FOR FURTHER INFORMATION CONTACT: To register for the conference, contact Lisa

Parks at (202) 501-7138, FAX (202) 501-7642, or E-mail usdafs/s=confer@mhs.attmail.com.

SUPPLEMENTARY INFORMATION: On July 25, 1996, FSIS published a final rule, "Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems" (61 FR 38805). This rule introduced sweeping changes to the meat and poultry inspection system. The first stage in the implementation of the rule begins on January 27, 1997, when slaughter and processing establishments must have written sanitation standard operating procedures to prevent direct product contamination and ensure food safety, and slaughter establishments must begin testing for *E. coli* as a means of verifying process control for preventing fecal contamination.

To provide interested parties an opportunity to further discuss issues relating to the implementation of Sanitation SOP's and *E. coli* testing requirements, FSIS will meet with the public from 1 p.m. to 5 p.m. on January 23, 1997.

Done at Washington, DC, on: January 13, 1997.

Thomas J. Billy,
Administrator.

[FR Doc. 97-1235 Filed 1-14-97; 1:56 pm]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96-CE-64-AD; Amendment 39-9886; AD 97-02-02]

RIN 2120-AA64

Airworthiness Directives; Fairchild Aircraft, Inc. SA26, SA226, and SA227 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to Fairchild Aircraft, Inc. (Fairchild) SA26, SA226, and SA227 series airplanes. This action requires applying torque to the control column pitch bearing attaching nuts, inspecting for any looseness or movement of the bearing assembly, and inspecting the elevator control rod end bearing retainer/dust seals for creasing. If either of these problems are evident, this action requires replacing these parts, as well as installing a new bolt and washer

to the elevator control rod end bearing assembly at the walking beam connection. Reports of Fairchild SA227 series airplanes losing pitch control in-flight prompted this action. The actions specified by this AD are intended to prevent loss of pitch control, which if not corrected, could result in loss of the airplane.

DATES: Effective February 6, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of February 6, 1997.

Comments for inclusion in the Rules Docket must be received on or before March 6, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 96-CE-64-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Service information that applies to this AD may be obtained from Fairchild Aircraft, Inc., P.O. Box 790490, San Antonio, Texas, 78279-0490; telephone (210) 824-9421. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 96-CE-64-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. Werner Koch, Aerospace Engineer, FAA, Fort Worth Airplane Certification Office, 2601 Meacham Boulevard, Fort Worth, Texas 76193-0150; telephone (817) 222-5133; facsimile (817) 222-5960.

SUPPLEMENTARY INFORMATION:

Events Leading to This Action

The FAA has recently received two incident reports on Fairchild SA227 series airplanes in which the airplane lost some pitch control because of fatigue failure of the pitch pivot bearing shaft. Further investigation revealed fatigue and wear in the control column pitch pivot bearings resulting from insufficient torque on the control column roller bearing stud attaching nuts. While inspecting the pivot bearing on four other Fairchild airplanes, it was discovered that the rod end bearing retainer of the elevator control rod at the walking beam connection was deformed or creased. This creasing is caused by improper installation and could allow the bearing to come apart, disconnecting

the joint, and possibly resulting in loss of pitch control.

Fairchild has issued four service bulletins (SB) numbered 26-27-30-046, 226-27-060, 227-27-041, and CC7-27-010, dated December 11, 1996, which specify applying torque to the control column pitch bearing attaching nut, inspecting the control column roller bearing assembly for movement, replacing the bearing and attaching nut if necessary, inspecting the elevator control rod end bearing retainer/dust covers for creasing, replacing the rod end assemblies, if necessary, and installing a new bolt and washer to the elevator control rod end bearing assembly at the walking beam connection.

FAA's Determination

After examining the circumstances and reviewing all available information related to the incidents described above, the FAA has determined that AD action should be taken to prevent loss of pitch control, which if not corrected, could result in loss of the airplane.

Explanation of the Provisions of This AD

Since an unsafe condition has been identified that is likely to exist or develop in other Fairchild SA26, SA226, and SA227 series airplanes of the same type design, this AD requires:

- (1) Applying torque to the control column pitch bearing attaching nut,
- (2) Inspecting for movement in the control column roller bearing assembly,
- (3) Replacing the bearing assembly and attaching nut, if applicable,
- (4) Inspecting the elevator control rod end bearing retainer/dust covers for creasing,
- (5) Replacing the elevator control rod end assemblies, if applicable, and
- (6) Installing a new bolt and adding a washer to the elevator control rod end bearing assembly at the walking beam connection.

Related Service Information

These actions are to be done in accordance with the ACCOMPLISHMENT INSTRUCTIONS in Fairchild SBs 26-27-30-046, 226-27-060, 227-27-041, and CC7-27-010, Issued December 11, 1996.

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