

effectuate the declared policy of the Act, and are hereby terminated.

Trustees have been appointed to continue in the capacity of concluding and liquidating the affairs of the former committee. The trustees will be responsible for completing the order's unfinished business, including ensuring termination of all outstanding agreements and contracts, and the payment of all obligations. The trustees will be responsible for safeguarding program assets, holding committee records, and arranging for a financial audit to be conducted. All such actions by the trustees are subject to the approval of the Secretary. Those designated as trustees are Robert L. Dickey III, William H. Davidson, and Al Pearson. The trustees shall continue in their capacity until discharged by the Secretary.

The remainder of the reserves, after immediate expenses are paid, will be held by the trustees to be used to cover unforeseen, outstanding expenses obligated by the trustees.

Section 608c(16)(A) of the Act requires the Secretary to notify Congress 60 days in advance of the termination of a Federal marketing order. Congress has been so notified.

List of Subjects in 7 CFR Part 918

Marketing agreements, Peaches, Reporting and recordkeeping requirements.

PART 918—[REMOVED]

For the reasons set forth in the preamble, and under authority of 7 U.S.C. 601-674, 7 CFR part 918 is removed.

Dated: August 12, 1997.

Lon Hatamiya,

Administrator.

[FR Doc. 97-21732 Filed 8-15-97; 8:45 am]

BILLING CODE 3410-02-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 94

[Docket No. 97-084-1]

Change in Disease Status of the Dominican Republic Because of Hog Cholera

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Interim rule and request for comments.

SUMMARY: We are amending the regulations governing the importation of swine and pork and pork products by removing the Dominican Republic from the list of countries considered to be free from hog cholera. We are taking this action based on reports we have received from the Dominican Republic's Ministry of Agriculture that an outbreak of hog cholera has occurred in the Dominican Republic. As a result of this action, there will be additional restrictions on the importation of pork and pork products into the United States from the Dominican Republic, and the importation of swine from the Dominican Republic will be prohibited.

DATES: Interim rule effective August 4, 1997. Consideration will be given only to comments received on or before October 17, 1997.

ADDRESSES: Please send an original and three copies of your comments to Docket No. 97-084-1, Regulatory Analysis and Development, PPD, APHIS, suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comments refer to Docket No. 97-084-1. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690-2817 to facilitate entry into the comment reading room.

FOR FURTHER INFORMATION CONTACT: Dr. John Cougill, Senior Staff Veterinarian, Products Program, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 40, Riverdale, MD 20737-1231, (301) 734-3399.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR part 94 (referred to below as the regulations) govern the importation into the United States of specified animals and animal products in order to prevent the introduction of various animal diseases, including rinderpest, foot-and-mouth disease, African swine fever, hog cholera, and swine vesicular disease. These are dangerous and destructive communicable diseases of ruminants and swine. Section 94.9 of the regulations restricts the importation into the United States of pork and pork products from countries where hog cholera is known to exist. Section 94.10 of the regulations, with certain exceptions, prohibits the importation of swine that originate in or are shipped from or transit any country in which

hog cholera is known to exist. Sections 94.9(a) and 94.10(a) of the regulations provide that hog cholera exists in all countries of the world except for certain countries listed in those sections.

Prior to the effective date of this interim rule, the Dominican Republic was included in the lists in §§ 94.9(a) and 94.10(a) of countries in which hog cholera is not known to exist. On August 4, 1997, the Dominican Republic's Ministry of Agriculture reported that an outbreak of hog cholera had occurred in that country. After reviewing the reports submitted by the Dominican Republic's Ministry of Agriculture, the Animal and Plant Health Inspection Service (APHIS) has determined that it is necessary to remove the Dominican Republic from the list of countries considered to be free of hog cholera.

Therefore, we are amending §§ 94.9(a) and 94.10(a) by removing the Dominican Republic from the list of countries in which hog cholera is not known to exist. We are making this amendment effective retroactively to August 4, 1997, because that is the day that an outbreak of hog cholera was confirmed by the Dominican Republic's Ministry of Agriculture. As a result of this action, the importation of swine from the Dominican Republic is prohibited, and pork and pork products from the Dominican Republic will not be eligible for entry into the United States unless the pork or pork products are cooked or cured and dried in accordance with the regulations.

Emergency Action

The Administrator of the Animal and Plant Health Inspection Service has determined that an emergency exists that warrants publication of this interim rule without prior opportunity for public comment. Immediate action is necessary to prevent the introduction of hog cholera into the United States.

Because prior notice and other public procedures with respect to this action are impracticable and contrary to the public interest under these conditions, we find good cause under 5 U.S.C. 553 to make this action effective on August 4, 1997. We will consider comments that are received within 60 days of publication of this rule in the **Federal Register**. After the comment period closes, we will publish another document in the **Federal Register**. It will include a discussion of any comments we receive and any amendments we are making to the rule as a result of the comments.

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 action amends the regulations by removing the Dominican Republic from the list of countries that are considered to be free of hog cholera. We are taking this action based on reports we have received from the Dominican Republic's Ministry of Agriculture, which confirm that an outbreak of hog cholera has occurred in the Dominican Republic.

This emergency situation makes compliance with section 603 and timely compliance with section 604 of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) impracticable. If we determine that this rule would have a significant economic impact on a substantial number of small entities, then we will discuss the issues raised by section 604 of the Regulatory Flexibility Act in our Final Regulatory Flexibility Analysis.

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 inconsistent with this rule; (2) has retroactive effect to August 4, 1997; 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 94

Animal diseases, Imports, Livestock, Meat and meat products, Milk, Poultry and poultry products, Reporting and recordkeeping requirements.

Accordingly, 9 CFR part 94 is amended as follows:

PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), EXOTIC NEWCASTLE DISEASE, AFRICAN SWINE FEVER, HOG CHOLERA, AND BOVINE SPONGIFORM ENCEPHALOPATHY: PROHIBITED AND RESTRICTED IMPORTATIONS

1. The authority citation for part 94 continues to read as follows:

Authority: 7 U.S.C. 147a, 150ee, 161, 162, and 450; 19 U.S.C. 1306; 21 U.S.C. 111, 114a, 134a, 134b, 134c, 134f, 136, and 136a; 31 U.S.C. 9701; 42 U.S.C. 4331 and 4332; 7 CFR 2.22, 2.80, and 371.2(d).

§ 94.9 [Amended]

2. In § 94.9, paragraph (a) is amended by removing the words "Dominican Republic,".

§ 94.10 [Amended]

3. In § 94.10, paragraph (a) is amended by removing the words "Dominican Republic,".

Done in Washington, DC, this 12th day of August 1997.

Joan M. Arnoldi,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 97-21797 Filed 8-15-97; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. 96-NM-178-AD; Amendment 39-10101; AD 97-16-09]

RIN 2120-AA64

Airworthiness Directives; British Aerospace BAe Model ATP Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain British Aerospace BAe Model ATP airplanes, that requires modification of the hydraulic system, and a revision to the Airplane Flight Manual (AFM) to include revised procedures for lowering the landing gear. This amendment is prompted by a report of uncommanded application of the brakes when the direct current (DC) hydraulic pump was selected ON with the main hydraulic system operative; this situation was caused by build-up of back pressure in the brake supply and hydraulic return systems. The actions specified by this AD are intended to prevent uncommanded application of the brakes during landing, as a result of the build-up of back pressure.

DATES: Effective September 22, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 22, 1997.

ADDRESSES: The service information referenced in this AD may be obtained from Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport, Washington, DC 20041-6029. 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: William Schroeder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2148; 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 British Aerospace BAe Model ATP airplanes was published in the **Federal Register** on April 4, 1997 (62 FR 16113). That action proposed to require modification of the hydraulic system. The action also proposed to require revisions to the Emergency and Abnormal Procedures Sections of the FAA-approved AFM to include revised procedures for lowering the landing gear.

Explanation of Changes Made to the Proposal

The FAA has revised the final rule to reflect the corporate name change of Jetstream Aircraft Limited to British Aerospace Regional Aircraft.

Consideration of Comments Received

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the single comment received.

The commenter supports the proposed rule.

Conclusion

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

The FAA estimates that 10 British Aerospace BAe Model ATP airplanes of U.S. registry will be affected by this AD.

It will take approximately 25 work hours per airplane to accomplish the required modification, at an average labor rate of \$60 per work hour. Required parts will be provided by the manufacturer at no cost to operators. Based on these figures, the cost impact of the modification required by this AD on U.S. operators is estimated to be \$15,000, or \$1,500 per airplane.

It will take approximately 1 work hour per airplane to accomplish the required AFM revisions, at an average labor rate of \$60 per work hour. Based on these figures, the cost impact of the