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## DEPARTMENT OF AGRICULTURE

### Farm Service Agency

#### 7 CFR Part 772

RIN 0560-AG67

#### Servicing Minor Program Loans

**AGENCY:** Farm Service Agency, USDA.

**ACTION:** Correcting amendment.

**SUMMARY:** This document corrects the final regulations published December 16, 2003 (68 FR 69948), which consolidated servicing regulations for the Minor Loan Program currently administered by the Farm Service Agency. This amendment corrects an editorial mistake relating to a regulatory reference.

**EFFECTIVE DATE:** February 19, 2004.

**FOR FURTHER INFORMATION CONTACT:** Mel Thompson, Senior Loan Officer, Farm Service Agency; telephone: 202-720-7862; Facsimile: 202-690-1196; e-mail: [mel\\_thompson@wdc.fsa.usda.gov](mailto:mel_thompson@wdc.fsa.usda.gov). Persons with disabilities who require alternative means for communication (Braille, large print, audio tape, etc.) should contact the USDA Target Center at (202) 720-2600 (voice and TDD).

**SUPPLEMENTARY INFORMATION:** This document corrects final regulations that consolidated and clarified the servicing policies of the Farm Service Agency's Minor Loan Programs published in the **Federal Register** on December 16, 2003. Section 772.9(a)(3) as promulgated incorrectly states, "An exchange in accordance with § 772.7(b) has been concluded." This document replaces the reference to § 772.7(b) with the correct reference to § 772.8.

■ For the reason stated above, 7 CFR 772.9 is corrected by making the following amendment:

## PART 772—[AMENDED]

■ 1. The authority citation continues to read as follows:

**Authority:** 5 U.S.C. 301, 7 U.S.C. 1989, 25 U.S.C. 490.

■ 2. Revise paragraph 772.9(a)(3) to read as follows:

### § 772.9 Releases.

(a) \* \* \*

(3) An exchange in accordance with § 772.8 has been concluded.

Signed in Washington, DC, on February 11, 2004.

**James R. Little,**

*Administrator, Farm Service Agency.*

[FR Doc. 04-3532 Filed 2-18-04; 8:45 am]

**BILLING CODE 3410-05-P**

## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 9 CFR Part 145

[Docket No. 03-017-3]

#### National Poultry Improvement Plan; Technical Amendment

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** In a final rule published in the **Federal Register** on November 14, 2003, and effective December 15, 2003, we amended the National Poultry Improvement Plan (the Plan) and its auxiliary provisions by providing new or modified sampling and testing procedures for Plan participants and participating flocks. In one instance in that final rule, we misidentified the type of birds to be tested under the U.S. Avian Influenza Clean program for waterfowl, exhibition poultry, and game bird breeding flocks. Therefore, we are amending the provisions of the Plan so that they correctly identify the type of birds to be tested.

**EFFECTIVE DATE:** December 15, 2003.

**FOR FURTHER INFORMATION CONTACT:** Mr. Andrew R. Rhorer, Senior Coordinator, Poultry Improvement Staff, National Poultry Improvement Plan, Veterinary Services, APHIS, USDA, 1498 Klondike Road, Suite 200, Conyers, GA 30094-5104; (770) 922-3496.

## SUPPLEMENTARY INFORMATION:

### Background

In a final rule published in the **Federal Register** on November 14, 2003 (68 FR 64507-64512, Docket No. 03-017-2), and effective December 15, 2003, we amended the National Poultry Improvement Plan (the Plan) and its auxiliary provisions by providing new or modified sampling and testing procedures for Plan participants and participating flocks.

As part of that final rule, we added a new U.S. Avian Influenza Clean program to the regulations governing waterfowl, exhibition poultry, and game bird breeding flocks in § 145.53(e). Under that program, we require that a sample of at least 30 birds must test negative for antibodies to avian influenza in order for a flock to retain its U.S. Avian Influenza Clean classification; for primary breeding flocks, the maximum interval between tests is 90 days, and for multiplier breeding flocks, the maximum interval between tests is 180 days. However, the regulations provide that a sample of fewer than 30 birds may be tested at any one time if all pens are equally represented and a total of 30 birds are tested within each 90- or 180-day period.

In paragraph (e)(2)(ii) of § 145.53 in our final rule, we stated "[a] sample of fewer than 30 birds may be tested, and found to be negative, at any one time if all pens are equally represented and a total of 30 unvaccinated sentinel birds are tested within each 180-day period." Our reference to "unvaccinated sentinel birds" in § 145.53(e)(2)(ii) was in error. Everywhere else in § 145.53(e) where we refer to required testing, we refer simply to "birds," and there are no provisions made in the U.S. Avian Influenza Clean program described in § 145.53(e) for the use of sentinel birds or the setting aside of unvaccinated birds. Therefore, we are amending § 145.53(e)(2)(ii) in this document to remove the words "unvaccinated sentinel" before the word "birds" in that paragraph.

### List of Subjects in 9 CFR Part 145

Animal diseases, Poultry and poultry products, Reporting and recordkeeping requirements.

■ Accordingly, we are amending 9 CFR part 145 as follows:

## PART 145—NATIONAL POULTRY IMPROVEMENT PLAN

■ 1. The authority citation for part 145 continues to read as follows:

**Authority:** 7 U.S.C. 8301–8317; 7 CFR 2.22, 2.80, and 371.4.

### § 145.53 [Amended]

■ 2. In § 145.53, paragraph (e)(2)(ii) is amended by removing the words “unvaccinated sentinel”.

Done in Washington, DC, this 12th day of February, 2004.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 04–3594 Filed 2–18–04; 8:45 am]

**BILLING CODE 3410–34–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 2002–NM–330–AD; Amendment 39–13437; AD 2004–02–02]

**RIN 2120–AA64**

### Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–135 and –145 Series Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects information in an existing airworthiness directive (AD) that applies to certain EMBRAER Model EMB–135 and EMB–145 series airplanes. That AD currently requires relocating the pitot 1 and pitot 2 drain valves from the nose landing gear compartment to the forward electronic compartment, and accomplishing follow-on actions. This document corrects a missing reference to the AD number in a certain section of the AD. This correction is necessary to ensure that operators have the correct AD number when referring to the AD or when performing corrective actions.

**DATES:** Effective March 3, 2004.

The incorporation by reference of certain publications listed in the regulations was approved previously by the Director of the Federal Register as of March 3, 2004 (69 FR 4057, January 28, 2004).

#### FOR FURTHER INFORMATION CONTACT:

Todd Thompson, Aerospace Engineer, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington

98055–4056; telephone 425–227–1175; fax 425–227–1149.

**SUPPLEMENTARY INFORMATION:** On January 14, 2004, the Federal Aviation Administration (FAA) issued AD 2004–02–02, amendment 39–13437 (69 FR 4057, January 28, 2004), which applies to certain EMBRAER Model EMB–135 and EMB–145 series airplanes. That AD requires relocating the pitot 1 and pitot 2 drain valves from the nose landing gear compartment to the forward electronic compartment, and accomplishing follow-on actions. That AD was prompted by reports that water accumulates in the pitot 1 and pitot 2 drain valves in the nose landing gear (NLG) compartment where they are subjected to freezing temperatures. Frozen water in the drain valve can expand and cause the pitot drain valves to fail so that the airspeed indication system tubing is open to ambient pressure. The actions required by that AD are intended to prevent ice from damaging the pitot drain valves, which could cause airspeed indication errors, resulting in display of erroneous or misleading information to the flight crew.

#### Need for the Correction

Information obtained recently by the FAA indicates that the AD number is missing from the PART 39—AIRWORTHINESS DIRECTIVES section, paragraph 2., of the AD.

The FAA has determined that a correction to AD 2004–02–02 is necessary. The correction will add the AD number to paragraph 2.

#### Correction of Publication

This document corrects the error and correctly adds the AD as an amendment to section 39.13 of the Federal Aviation Regulations (14 CFR 39.13).

The AD is reprinted in its entirety for the convenience of affected operators. The effective date of the AD remains March 3, 2004.

Since this action only adds the AD number to a certain paragraph of the AD, it has no adverse economic impact and imposes no additional burden on any person. Therefore, the FAA has determined that notice and public procedures are unnecessary.

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

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

#### Adoption of the Correction

■ 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 [Corrected]

■ 2. Section 39.13 is amended by correctly adding the following airworthiness directive (AD):

#### 2004–02–02 Empresa Brasileira de Aeronautica S.A. (EMBRAER):

Amendment 39–13437. Docket 2002–NM–330–AD.

**Applicability:** Model EMB–135 and –145 series airplanes; as listed in EMBRAER Service Bulletin 145–34–0070, Change 03, dated July 16, 2003; and EMBRAER Service Bulletin 145LEG–34–0002, dated September 23, 2002; certificated in any category.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent ice from damaging the pitot drain valves, which could cause airspeed indication errors, resulting in display of erroneous or misleading information to the flight crew, accomplish the following:

#### Relocation

(a) Within 2,000 flight hours or 12 months after the effective date of this AD, whichever occurs first: Relocate the pitot 1 and pitot 2 drain valves from the nose landing gear compartment to the forward electronic compartment; and install a plug, washers, and a nut to close the hole in the structure where the pitot 1 and pitot 2 drain valves were removed; per the Accomplishment Instructions of EMBRAER Service Bulletin 145–34–0070, Change 03, dated July 16, 2003; or EMBRAER Service Bulletin 145LEG–34–0002, dated September 23, 2002; as applicable.

#### Installation

(b) After accomplishment of paragraph (a) of this AD but prior to further flight: Install a new placard and apply sealant on the placard per the Accomplishment Instructions of EMBRAER Service Bulletin 145–34–0070, Change 03, dated July 16, 2003; or EMBRAER Service Bulletin 145LEG–34–0002, dated September 23, 2002; as applicable.

#### Actions Accomplished Per Previous Issue of Service Bulletin

(c) Actions accomplished before the effective date of this AD per EMBRAER Service Bulletin 145–34–0070, original issue, dated April 23, 2002; EMBRAER Service Bulletin 145–34–0070, Change 01, dated September 23, 2002; and EMBRAER Service Bulletin 145–34–0070, Change 02, dated December 2, 2002; are considered acceptable for compliance with the corresponding action specified in this AD.

#### Alternative Methods of Compliance

(d) In accordance with 14 CFR 39.19, the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, is