

within 50 flight cycles after the effective date of this AD.

(ii) For airplanes that, as of the effective date of this AD, have accumulated 10,000 flight cycles or more but fewer than 11,000 flight cycles since the incorporation of the actions specified in EMBRAER Service Bulletin 145–53–0058: Do the inspection within 11,050 flight cycles after the incorporation of the actions specified in EMBRAER Service Bulletin 145–53–0058, or within 150 flight cycles after the effective date of this AD, whichever occurs first.

(iii) For airplanes that, as of the effective date of this AD, have accumulated 7,500 flight cycles or more but fewer than 10,000 flight cycles since the incorporation of the actions specified in EMBRAER Service Bulletin 145–53–0058: Do the inspection within 10,150 flight cycles after the incorporation of the actions specified in EMBRAER Service Bulletin 145–53–0058, or within 500 flight cycles after the effective date of this AD, whichever occurs first.

(iv) For airplanes that, as of the effective date of this AD, accumulated fewer than 7,500 flight cycles since the incorporation of the actions specified in EMBRAER Service Bulletin 145–53–0058: Do the inspection within 8,000 flight cycles after the incorporation of the actions specified in EMBRAER Service Bulletin 145–53–0058, or within 5,000 flight cycles after the effective date of this AD, whichever occurs first.

#### (h) Corrective Actions

If, during any inspection required by paragraph (g) of this AD, any discrepancy is found or if, during any check required by paragraph (g) of this AD, any bolt is found that is not tight, before further flight, do the replacement of the attaching parts of the lower eyelet fitting of the cockpit windshield center-post, including doing a general visual inspection for damage on the eyelet fitting; in accordance with the Accomplishment Instructions of EMBRAER Service Bulletin 145–53–0082, dated October 18, 2013. If any damage to the eyelet fitting is found, before further flight, repair using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or Agência Nacional de Aviação Civil (ANAC) (or its delegated agent, or by the Design Approval Holder (DAH) with ANAC design organization approval). For a repair method to be approved, the repair approval must specifically refer to this AD.

#### (i) Optional Terminating Action

For Group 1 airplanes, and Group 2 airplanes (airplanes on which the actions specified in EMBRAER Service Bulletin 145–53–0058, dated December 23, 2004; or Revision 01, dated March 30, 2007; have been done), as identified in EMBRAER Service Bulletin 145–53–0082, dated October 18, 2013: Doing the replacement of the attaching parts of the lower eyelet fitting of the cockpit windshield center-post, including doing a general visual inspection for damage on the eyelet fitting if any discrepancy is found in any bolts, terminates the inspections required by paragraph (g) of this AD. The replacement specified in this

paragraph must be done in accordance with the Accomplishment Instructions of EMBRAER Service Bulletin 145–53–0082, dated October 18, 2013, except as required by paragraph (j) of this AD.

#### (j) Service Information Exception

Where EMBRAER Service Bulletin 145–53–0082, dated October 18, 2013, specifies to contact Embraer if there are signs of damage on the eyelet fitting, before further flight, repair using a method approved by the Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA; or ANAC (or its delegated agent, or by the DAH with ANAC design organization approval). For a repair method to be approved, the repair approval must specifically refer to this AD.

#### (k) Credit for Previous Actions

This paragraph provides credit for actions specified in paragraphs (g), (h), and (i) of this AD, if those actions were performed before the effective date of this AD using EMBRAER Alert Service Bulletin 145–53–A082, dated September 22, 2013; or EMBRAER Alert Service Bulletin 145–53–A082, Revision 01, dated September 26, 2013; which are not incorporated by reference in this AD.

#### (l) Other FAA AD Provisions

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: Todd Thompson, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–1175; fax 425–227–1149. Information may be emailed 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 were approved by the State of Design Authority (or its delegated agent, or the Design Approval Holder with a State of Design Authority's design organization approval, as applicable). For a repair method to be approved, the repair approval must specifically refer to this AD. You are required to ensure the product is airworthy before it is returned to service.

#### (m) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) Brazilian Emergency Airworthiness Directive 2013–

10–01, effective October 3, 2013, for related information. You may examine the MCAI on the Internet at <http://www.regulations.gov> by searching for and locating it in Docket No. FAA–2013–0868.

(2) Service information identified in this AD that is not incorporated by reference may be obtained at the addresses specified in paragraphs (n)(3) and (n)(4) of this AD.

#### (n) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) EMBRAER Service Bulletin 145–53–0082, dated October 18, 2013.

(ii) Reserved.

(3) For service information identified in this AD, contact Empresa Brasileira de Aeronautica S.A. (EMBRAER), Technical Publications Section (PC 060), Av. Brigadeiro Faria Lima, 2170—Putim—12227–901 São Jose dos Campos—SP—BRASIL; telephone +55 12 3927–5852 or +55 12 3309–0732; fax +55 12 3927–7546; email [distrib@embraer.com.br](mailto:distrib@embraer.com.br); Internet <http://www.flyembraer.com>.

(4) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Renton, Washington, on October 25, 2013.

**Stephen P. Boyd,**

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

[FR Doc. 2013–26323 Filed 11–4–13; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 61

[Docket No.: FAA–2013–0780; Amdt. No. 61–131]

**RIN 2120–AK23**

#### **Certified Flight Instructor Flight Reviews; Recent Pilot in Command Experience; Airmen Online Services; Confirmation of Effective Date**

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

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** This action confirms the effective date of the direct final rule published on September 16, 2013, and responds to the comments received on that direct final rule. The rule permits an airman who passes a practical test for issuance of a flight instructor certificate, a practical test for the addition of a rating to a flight instructor certificate, a practical test for renewal of a flight instructor certificate, or a practical test for the reinstatement of a flight instructor certificate to meet the 24-calendar month flight review requirements. This rule also clarifies that the generally applicable recent flight experience requirements do not apply to a pilot in command who is employed by a commuter or on-demand operator if the pilot in command is in compliance with the specific pilot in command qualifications and recent experience requirements for that commuter or on-demand operator. Finally, this rule permits replacement airman and medical certificates to be requested online, or by any other method acceptable to the Administrator. These changes relieve regulatory burdens and clarify existing regulations.

**DATES:** The direct final rule published September 16, 2013, at 78 FR 56822, becomes effective on November 15, 2013.

**ADDRESSES:** For information on where to obtain copies of rulemaking documents and other information related to this action, see “How To Obtain Additional Information” in the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** For technical questions concerning this action, contact Allan G. Kash, Airmen Certification and Training Branch, Flight Standards Service, AFS-810, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 385-9621; email [allan.g.kash@faa.gov](mailto:allan.g.kash@faa.gov).

For legal questions concerning this action, contact Anne Moore, Office of the Chief Counsel—International Law, Legislation, and Regulations Division, AGC-200, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267-3123; email [anne.moore@faa.gov](mailto:anne.moore@faa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background and Discussion of the Direct Final Rule**

###### *Flight Review*

The purpose of the flight review is to provide for a regular assessment of pilot skills and aeronautical knowledge. When the requirement was first

introduced, the FAA stated that the flight review would assure that every pilot would have a qualified individual comment on his or her competency at least once every two years, as discussed in 38 FR 3156 (February 1, 1973).

Section 61.56 sets forth certain exceptions to the requirement for a pilot to accomplish a flight review. Among these exceptions, a person who has, within the prescribed 24-month period, “passed a pilot proficiency check conducted by an FAA examiner, an approved pilot check airman, or a U.S. Armed Force, for a pilot certificate, rating, or operating privilege,” need not accomplish the required flight review required by § 61.56(d). In addition, pilots employed by a part 119 certificate holder conducting operations under part 121 and part 135 receive recurring training and proficiency checks, conducted by an FAA examiner or approved pilot check airman provided by their employer, which exceed the requirements of a flight review.

Industry advocacy groups indicated they believed that the flight instructor certification covers much more than the regulatory requirements of a flight review. These groups indicated support for amendment of the regulations to allow for a flight instructor practical test to be included as an exception to completing a flight review. As discussed further in the direct final rule, the FAA agreed with this view. The direct final rule published September 16, 2013, modified § 61.56(d) to allow an airman who passes a practical test for issuance of a flight instructor certificate, a practical test for the addition of a rating to a flight instructor certificate, a practical test for renewal of a flight instructor certificate, or a practical test for the reinstatement of a flight instructor certificate to meet the flight review requirements of 14 CFR part 61.

###### *Recent Flight Experience*

Section 61.57 sets forth the recent flight experience requirements to act as pilot in command of an aircraft. Section 61.57(e)(2) states that this section does not apply “to a pilot in command who is employed by an air carrier certificated under part 121 or 135 and is engaged in a flight operation under part 91, 121, or 135 for that air carrier if the pilot is in compliance with” the pilot-in-command requirements in § 121.435 or § 121.436, as applicable, and § 121.439 or §§ 135.243 and 135.247, as appropriate. The FAA received several requests for clarification of whether, under the specific language of § 61.57(e)(2), the exception applies only to a pilot in command employed by the holder of a part 119 air carrier certificate or whether

it also extends to a pilot in command employed by the holder of a part 119 operating certificate.

When the FAA first proposed this exception to the recent flight experience requirements in § 61.57, it stated that the intention was to provide relief from “essentially redundant recency requirements” for part 121 and part 135 operators and their pilots in command (59 FR 56385, November 14, 1994). In that final rule, then-§ 61.57(f) stated that the recent flight experience requirements in part 61 did not apply “to a pilot in command, employed by a 14 CFR part 121 or part 135 operator, engaged in flight operations under 14 CFR part 91, 121, or 135 for that operator.” The FAA refined the language in a 1997 final rule and, in doing so, introduced the term “air carrier” in place of the term “operator” (62 FR 16220, April 7, 1997).

The FAA did not intend to limit the exception to pilots employed by air carriers operating in parts 121 and 135. The FAA intended to include any pilot in command who is employed by a part 119 certificate holder authorized to conduct operations under part 121 or part 135 when the pilot is engaged in operations under parts 91, 121, or 135 for that certificate holder if the pilot in command is in compliance with §§ 121.435 or 121.436, as applicable, and § 121.439 or §§ 135.243 and 135.247, as appropriate.

Consequently, in the direct final rule published September 16, 2013, the FAA amended the language in § 61.57(e) to make clear that the recent flight experience requirements of that section do not apply to a pilot in command who is employed by the holder of an operating certificate that is conducting operations under part 121 or part 135 if the pilot in command is also in compliance with § 121.435 or § 121.436, as applicable, and § 121.439, or §§ 135.243 and 135.247, as appropriate.

###### *Airmen Online Services*

In the case of a lost or destroyed airman or medical certificate, § 61.29(a) and (b) permit a pilot to request the replacement of a lost or destroyed airman certificate issued under part 61. Replacement airman certificates may be requested by letter to the Department of Transportation, FAA, Airmen Certification Branch, and replacement medical certificates may be requested by letter to the Department of Transportation, FAA, Aerospace Medical Certification Division.

Although current regulations recognize requests for replacement certificates only by letter, the FAA has established Airmen Online Services

through which a pilot can request a replacement airman certificate or obtain a document that provides temporary authority to exercise the privileges of an airman certificate by facsimile or through internet download at the FAA Web site: [http://www.faa.gov/licenses\\_certificates/airmen\\_certification/certificate\\_replacement/](http://www.faa.gov/licenses_certificates/airmen_certification/certificate_replacement/). The use of Airmen Online Services is not addressed or recognized in § 61.29. Therefore, in the direct final rule published September 16, 2013, the FAA amended the language in § 61.29 to reflect the use of Airmen Online Services or any method acceptable to the FAA for the purpose of obtaining a replacement certificate or 60-day authority to exercise the privileges of a lost or stolen certificate.

The FAA also revised § 61.3 to clarify that temporary documents issued under § 61.29(e) are acceptable for meeting the § 61.3 requirement that a pilot have his or her pilot certificate and medical certificate in the person's physical possession when serving as a required flightcrew member.

#### Discussion of Comments

The FAA received 7 comments to the direct final rule. All commenters supported the rule as published. Commenters supported the regulatory changes, noting that they would relieve burdens for the regulated community, and would potentially reduce costs for certified flight instructors.

#### Conclusion

After consideration of the comments submitted in response to the direct final rule, the FAA has determined that no further rulemaking action is necessary. Therefore, the direct final rule published September 16, 2013 at 78 FR 56822, Amendment No. 61–131, will become effective November 15, 2013.

#### How To Obtain Additional Information

##### A. Rulemaking Documents

An electronic copy of a rulemaking document may be obtained by using the Internet—

1. Search the Federal eRulemaking Portal at <http://www.regulations.gov>;
2. Visit the FAA's Regulations and Policies Web page at [http://www.faa.gov/regulations\\_policies/](http://www.faa.gov/regulations_policies/) or
3. Access the Government Printing Office's Web page at <http://www.gpo.gov/fdsys/>.

Copies may also be obtained by sending a request (identified by notice, amendment, or docket number of this rulemaking) to the Federal Aviation Administration, Office of Rulemaking,

ARM–1, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267–9680.

##### B. Comments Submitted to the Docket

Comments received may be viewed by going to <http://www.regulations.gov> and following the online instructions to search the docket number for this action. Anyone is able to search the electronic form of all comments received into any of the FAA's dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.).

##### C. Small Business Regulatory Enforcement Fairness Act

The Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996 requires FAA to comply with small entity requests for information or advice about compliance with statutes and regulations within its jurisdiction. A small entity with questions regarding this document, may contact its local FAA official, or the person listed under the **FOR FURTHER INFORMATION CONTACT** heading at the beginning of the preamble. To find out more about SBREFA on the Internet, visit [http://www.faa.gov/regulations\\_policies/rulemaking/sbre\\_act/](http://www.faa.gov/regulations_policies/rulemaking/sbre_act/).

Issued under authority provided by 49 U.S.C. 106(f), 44701(a), and 44703 in Washington, DC, on December 31, 2013.

**Lirio Liu,**

*Director, Office of Rulemaking.*

[FR Doc. 2013–26472 Filed 11–4–13; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Parts 510, 520, 522, and 558

[Docket No. FDA–2013–N–0002]

#### New Animal Drugs; Afoxolaner; Carprofen; Ceftiofur Hydrochloride; Monensin

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval actions for new animal drug applications (NADAs) and abbreviated new animal drug applications (ANADAs) during September 2013. FDA is also informing the public of the

availability of summaries on the basis of approval and of environmental review documents, where applicable. The animal drug regulations are also being amended to reflect a change of sponsorship for an ANADA.

**DATES:** This rule is effective November 5, 2013.

#### FOR FURTHER INFORMATION CONTACT:

George K. Haibel, Center for Veterinary Medicine (HFV–6), Food and Drug Administration, 7519 Standish Pl., Rockville, MD 20855, 240–276–9019, [george.haibel@fda.hhs.gov](mailto:george.haibel@fda.hhs.gov).

**SUPPLEMENTARY INFORMATION:** FDA is amending the animal drug regulations to reflect approval actions for NADAs and ANADAs during September 2013, as listed in table 1. In addition, FDA is informing the public of the availability, where applicable, of documentation of environmental review required under the National Environmental Policy Act (NEPA) and, for actions requiring review of safety or effectiveness data, summaries of the basis of approval (FOI Summaries) under the Freedom of Information Act (FOIA). These public documents may be seen in the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852, between 9 a.m. and 4 p.m., Monday through Friday. Persons with access to the Internet may obtain these documents at the Center for Veterinary Medicine FOIA Electronic Reading Room: <http://www.fda.gov/AboutFDA/CentersOffices/OfficeofFoods/CVM/CVMFOIAElectronicReadingRoom/default.htm>.

In addition, Piedmont Animal Health, 204 Muirs Chapel Rd., suite 200, Greensboro, NC 27410 has informed FDA that it has transferred ownership of, and all rights and interest in, ANADA 200–555 for LIBREVIA (carprofen) Soft Chewable Tablets to Bayer HealthCare LLC, Animal Health Division, P.O. Box 390, Shawnee Mission, KS 66201. Accordingly, the Agency is amending the regulations to reflect this change of sponsorship.

Following this change of sponsorship, Piedmont Animal Health is no longer a sponsor of an approved NADA. Accordingly, FDA is amending 21 CFR 510.600 to remove the entries for this firm.

This rule does not meet the definition of “rule” in 5 U.S.C. 804(3)(A) because it is a rule of “particular applicability.” Therefore, it is not subject to the congressional review requirements in 5 U.S.C. 801–808.