

**Authority:** 7 U.S.C. 7701–7772; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

■ 4. In § 305.1, a definition for *vacuum heat treatment* is added, in alphabetical order, to read as follows:

**§ 305.1 Definitions.**

\* \* \* \* \*

*Vacuum heat treatment.* The treated commodity is held in a gas-tight

enclosure and heated to a specified temperature for a specific time period to kill targeted pests.

\* \* \* \* \*

■ 5. Section 305.2 is amended as follows:

■ a. In the introductory text of paragraph (h)(2), by adding the words “§ 305.29 for vacuum heat (VCH),” after the word “(FHA),”.

■ b. In paragraph (h)(2)(ii), the table is amended by adding, under “Areas in the United States under Federal Quarantine for the listed pest”, an entry for bay leaves to read as follows:

**§ 305.2 Approved treatments.**

\* \* \* \* \*

- (h) \* \* \*
- (2) \* \* \*
- (ii) \* \* \*

Location	Commodity	Pest	Treatment schedule
* * * * *	* * * * *	* * * * *	* * * * *
	Bay leaves .....	<i>Phytophthora ramorum</i> .....	VCH T111–a–1
* * * * *	* * * * *	* * * * *	* * * * *

■ 6. A new § 305.29 is added to read as follows:

**§ 305.29 Vacuum heat treatment schedule.**

*T111–a–1.* Place bay leaves in a vacuum chamber. Starting at 0 hour, gradually reduce to 0.133 Kpa vacuum at 8 hours. Maintain the vacuum until the end of the treatment. Gradually increase the temperature in the vacuum chamber from ambient temperature at 0 hour to 60 °C at 5 hours. After 5 hours, gradually lower the temperature to 30 °C at 22 hours. The length of the treatment is 22 hours.

Done in Washington, DC, this 17th day of June, 2005.

**Elizabeth E. Gaston,**

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

[FR Doc. 05–12437 Filed 6–22–05; 8:45 am]

**BILLING CODE 3410–34–P**

**DEPARTMENT OF AGRICULTURE**

**Animal and Plant Health Inspection Service**

**9 CFR Part 94**

[Docket No. 04–011–2]

**Highly Pathogenic Avian Influenza; Additional Restrictions**

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

**ACTION:** Technical amendment.

**SUMMARY:** In an interim rule published in the **Federal Register** on May 10, 2004, we amended the regulations concerning the importation of animals and animal products to prohibit or restrict the importation of birds, poultry, and bird and poultry products from regions that have reported the presence

of the H5N1 subtype of highly pathogenic avian influenza and to establish additional permit and quarantine requirements for U.S. origin pet birds and performing or theatrical birds and poultry returning to the United States. In the preamble of the interim rule, we specified that the additional restrictions in part 94 would apply only to unprocessed bird and poultry products, but mistakenly omitted the word “unprocessed” in the rule portion; in this document, we are correcting this error.

**DATES:** This amendment is effective June 23, 2005.

**FOR FURTHER INFORMATION CONTACT:** For information concerning bird and poultry products, contact Dr. Tracye Butler, Senior Staff Veterinarian, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 40, Riverdale, MD 20737–1231; (301) 734–3277. For information concerning live birds and poultry, contact Dr. Julie Garnier, Staff Veterinarian, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 39, Riverdale, MD 20737–1231; (301) 734–8364.

**SUPPLEMENTARY INFORMATION:** In an interim rule published in the **Federal Register** on May 10, 2004 (69 FR 25820–25826, Docket No. 04–011–1), we amended the animal import regulations in 9 CFR parts 93, 94, and 95 to prohibit or restrict the importation of birds, poultry, and bird and poultry products from regions that have reported the presence of the H5N1 subtype of highly pathogenic avian influenza (HPAI) and to establish additional permit and quarantine requirements for U.S. origin pet birds and performing or theatrical birds and poultry returning to the United States.

In the May 2004 interim rule, we specified in the preamble that unprocessed bird and poultry carcasses, parts, and products from regions where HPAI subtype H5N1 exists would be eligible for importation only if accompanied by an import permit and only if they are research or educational materials destined for a museum, educational institution, or research institution. However, in the rule portion of the interim rule we mistakenly omitted the word “unprocessed,” thereby holding both processed and unprocessed bird and poultry products to these restrictions. Therefore, in this document we are amending § 94.6, paragraph (e), to correct this omission.

**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, we are amending 9 CFR part 94 as follows:

**PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), EXOTIC NEWCASTLE DISEASE, AFRICAN SWINE FEVER, CLASSICAL SWINE FEVER, 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. 450, 7701–7772, and 8301–8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.4.

**§ 94.6 [Amended]**

■ 2. In § 94.6, the paragraph heading and first sentence of paragraph (e) are amended by removing the word “Carcasses” and by adding the words “Unprocessed carcasses” in their place.

Done in Washington, DC, this 17th day of June 2005.

**Elizabeth E. Gaston,**

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

[FR Doc. 05-12435 Filed 6-22-05; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2005-21588; Directorate Identifier 2005-SW-24-AD; Amendment 39-14150; AD 2005-13-13]

RIN 2120-AA64

#### **Airworthiness Directives; Sikorsky Aircraft Corporation Model S-92A Helicopters**

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

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) for the Sikorsky Aircraft Corporation (Sikorsky) Model S-92A helicopters. This action requires replacing a certain part-numbered tail gear box output housing that has 600 or more hours time-in-service (TIS) with an airworthy part. Also, this AD revises the Airworthiness Limitations section of the maintenance manual by reducing the life limit of the tail gear box output housing. This amendment is prompted by the premature failure of the tail gear box output housing during fatigue testing by the manufacturer. The actions specified in this AD are intended to prevent fatigue failure of the tail gear box output housing, loss of tail rotor drive, and subsequent loss of control of the helicopter.

**DATES:** Effective July 8, 2005.

Comments for inclusion in the Rules Docket must be received on or before August 22, 2005.

**ADDRESSES:** Use one of the following addresses to submit comments on this AD:

- DOT Docket Web site: Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically;
- Government-wide rulemaking Web site: Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically;
- Mail: Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590;

- Fax: (202) 493-2251; or
- Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

#### *Examining the Docket*

You may examine the docket that contains the AD, any comments, and other information on the Internet at <http://dms.dot.gov>, or in person at the Docket Management System (DMS) Docket Offices between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone (800) 647-5227) is located on the plaza level of the Department of Transportation Nassif Building at the street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after the DMS receives them.

#### **FOR FURTHER INFORMATION CONTACT:**

Wayne Gaulzetti, Aviation Safety Engineer, Boston Aircraft Certification Office, 12 New England Executive Park, Burlington, MA 01803, telephone (781) 238-7156, fax (781) 238-7170.

**SUPPLEMENTARY INFORMATION:** This amendment adopts a new AD for the Sikorsky Model S-92A helicopters. This action requires, before further flight, replacing tail gear box output housing, part number (P/N) 92358-06109-043, that has 600 or more hours TIS with an airworthy gear box output housing with less than 600 hours TIS. Also, this AD revises the Airworthiness Limitations section of the maintenance manual by reducing the life limit of the tail gear box output housing from 4500 hours TIS to 600 hours TIS. This amendment is prompted by the premature failure of the tail gear box output housing during fatigue testing by the manufacturer. The follow-on investigation indicated the manufacturing process created an oxide skin defect in the housing, making it necessary to reduce the life limit of the gear box housing from 4500 hours TIS to 600 hours TIS. The manufacturer is reviewing its processes on the output housing to determine methods, including a material change, to prevent the oxide skin defect.

In Chapter 4 of the Sikorsky S-92 Maintenance Manual, SA S92A-AWL-000, the tail gear box output housing is noted as a critical part. Further, in Note 12 to those Airworthiness Limitations and Inspection Requirements, the manufacturer states to remove the Tail Gear Box Assembly, P/N 92358-06100-043, which contains the Tail Gear Box Output Housing, P/N 92358-06109-043, and send it "to a manufacturer authorized repair center for replacement

of the time limited components." This AD does not require you to send the gear box assembly or output housing to a manufacturer authorized repair center or to the manufacturer. However, any entity removing and replacing the gear box assembly, output housing, or the critical parts within each of those components must be qualified and have approved data to perform that maintenance.

This unsafe condition is likely to exist or develop on other helicopters of the same type design. Therefore, this AD is being issued to prevent fatigue failure of the tail gear box output housing, loss of tail rotor drive, and subsequent loss of control of the helicopter. This AD requires, before further flight, replacing each tail gear box output housing, P/N 92358-06109-043, with 600 or more hours TIS with an airworthy part. Also, this AD revises the Airworthiness Limitations section of the maintenance manual by reducing the life limit of the tail gear box output housing from 4500 hours TIS to 600 hours TIS.

The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the controllability or structural integrity of the helicopter. Some operators may have already exceeded the 600 hours TIS. Therefore, replacing each tail gear box output housing that has reached 600 or more hours TIS with an airworthy tail gear box output housing is required before further flight and this AD must be issued immediately.

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

We estimate that this AD will affect 4 helicopters of U.S. registry, and replacing the tail gear box output housing will take about 8 work hours at an average labor rate of \$65 per work hour. Required parts will cost about \$4291 per helicopter. Based on these figures, we estimate the total cost impact of the AD on U.S. operators to be \$19,244.

#### **Comments Invited**

This AD is a final rule that involves requirements that affect flight safety and was not preceded by notice and an opportunity for public comment; however, we invite you to submit any written data, views, or arguments regarding this AD. Send your comments to an address listed under **ADDRESSES**. Include "Docket No. FAA-2005-21588; Directorate Identifier 2005-SW-24-AD"