

to maintain due to the handling volume in many operations. The Committee anticipates improved efficiency in inspection time and labor costs.

One individual also recommended developing an alternative process for certification that could allow handlers to continue receiving certification. As previously stated, the Committee discussed alternative means for certification and determined the standard weight program no longer provided enough benefit to justify the cost and time required to develop that alternative.

The remaining comment pertained to issues not applicable to the proposed rule. Accordingly, based on the comments received, no changes will be made to the rule as proposed.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: <http://www.ams.usda.gov/rules-regulations/moa/small-businesses>. Any questions about the compliance guide should be sent to Richard Lower at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

After consideration of all relevant matter presented, including the information and recommendation submitted by the Committee and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

#### List of Subjects in 7 CFR Part 966

Marketing agreements, Reporting and recordkeeping requirements, Tomatoes.

For the reasons set forth in the preamble, 7 CFR part 966 is amended as follows:

#### PART 966—TOMATOES GROWN IN FLORIDA

■ 1. The authority citation for 7 CFR part 966 continues to read as follows:

**Authority:** 7 U.S.C. 601–674.

■ 2. Revise § 966.110 to read as follows:

##### § 966.110 Order.

*Order* means Order No. 966 (§§ 966.1 through 966.92) regulating the handling of tomatoes grown in Florida, also referenced in this part as *marketing order and agreement*.

■ 3. Revise § 966.111 to read as follows:

##### § 966.111 Marketing Agreement.

The Marketing Agreement associated with Order No. 966 is Marketing Agreement No. 125.

■ 4. Amend § 966.323 by revising paragraphs (a)(3)(i) and the last two

sentences of paragraph (g) to read as follows:

##### § 966.323 Handling regulation.

\* \* \* \* \*

(a) \* \* \*

(3) \* \* \*

(i) All tomatoes packed by a registered handler shall be packed in containers of 10, 20, and 25 pounds designated net weights. The net weight of the contents shall not be less than the designated net weight and shall not exceed the designated net weight by more than two pounds.

\* \* \* \* \*

(g) \* \* \* *U.S. tomato standards* means the revised United States Standards for Fresh Tomatoes (7 CFR 51.1855 through 51.1877) effective October 1, 1991, as amended, or variations thereof specified in this section, provided that § 51.1863 shall not apply to tomatoes covered by this part. Other terms in this section shall have the same meaning as when used in this part and the U.S. tomato standards.

Dated: September 23, 2019.

**Bruce Summers,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 2019–21015 Filed 11–1–19; 8:45 am]

**BILLING CODE 3410–02–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2019–0747; Product Identifier 2019–NE–26–AD; Amendment 39–19778; AD 2019–21–12]

RIN 2120–AA64

#### Airworthiness Directives; BRP-Rotax GmbH & Co KG Engines

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

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

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain BRP-Rotax GmbH & Co KG (Rotax) 914 F2, 914 F3, and 914 F4 model engines. This AD requires removal of a certain exhaust valve and its replacement with a part eligible for installation. This AD was prompted by a report of a broken exhaust valve installed on a Rotax 914 model engine. The FAA is issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective November 19, 2019.

The FAA must receive comments on this AD by December 19, 2019.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax:* 202–493–2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this final rule, contact BRP-Rotax GmbH & Co KG, Rotaxstrasse 1, A–4623 Günskirchen, Austria; phone: +43 7246 601 0; fax: +43 7246 601 9130; email: [airworthiness@brp.com](mailto:airworthiness@brp.com); internet: [www.flyrotax.com](http://www.flyrotax.com). You may view this service information at the FAA, Engine and Propeller Standards Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call 781–238–7759. It is also available on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA–2019–0747.

#### Examining the AD Docket

You may examine the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2019–0747; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the mandatory continuing airworthiness information (MCAI), the regulatory evaluation, any comments received, and other information. The street address for Docket Operations is listed above. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Wego Wang, Aerospace Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7134; fax: 781–238–7199; email: [wego.wang@faa.gov](mailto:wego.wang@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Discussion

The European Union Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA

AD No. 2018–0265R1, dated January 9, 2019 (and corrected January 10, 2019) (referred to after this as “the MCAI”), to address an unsafe condition for the specified products. The MCAI states:

A broken exhaust valve has been reported on a non-certified Rotax 914 UL2–01 engine. Subsequent investigation identified deviation in the manufacturing process of the affected exhaust valve.

This condition, if not corrected, could lead to in-flight shut down, possibly resulting in a forced landing with consequent damage to the aeroplane and injury to occupants.

Due to similarity of design, this condition may affect also Rotax 915 iSc3 A, 915 iSc3 B engines and Rotax 914 F2, 914 F3 and 914 F4 engines.

To address this potential unsafe condition, BRP-Rotax issued the ASB, later revised, providing applicable instructions, and EASA issued AD 2018–0265–E requiring replacement of affected exhaust valves, and prohibiting installation thereof on an engine.

Since that [EASA] AD was issued, it has been determined that only exhaust valve P/ N 854113 of certain lot numbers are affected, and BRP-Rotax revised the ASB accordingly (now at revision 2).

You may obtain further information by examining the MCAI in the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA–2019–0747.

**Related Service Information**

The FAA reviewed BRP-Rotax Alert Service Bulletin (ASB) ASB–915 i A–003R2/ASB–915 i B–003R2/ASB–914–054R2 (single document), dated December 21, 2018. The ASB describes procedures for replacing the exhaust valve.

**FAA’s Determination**

This product has been approved by EASA, and is approved for operation in

the United States. Pursuant to the FAA’s bilateral agreement with the European Union, EASA has notified the FAA of the unsafe condition described in the MCAI and service information referenced above. The FAA is issuing this AD because it evaluated all the relevant information provided by EASA and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design.

**AD Requirements**

This AD requires, within 10 flight hours or 3 months after the effective date of this AD, whichever occurs first, removal from service of certain exhaust valves and replacement with a part eligible for installation.

**FAA’s Justification and Determination of the Effective Date**

An unsafe condition exists that requires the immediate adoption of this AD. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because no domestic operators use this product. It is unlikely that the FAA will receive any adverse comments or useful information about this AD from U.S. operators. Therefore, the FAA finds good cause that notice and opportunity for prior public comment are unnecessary. In addition, for this same reason, the FAA finds that good cause exists for making this amendment effective in less than 30 days.

**Comments Invited**

This AD is a final rule that involves requirements affecting flight safety and was not preceded by notice and an opportunity for public comment. However, the FAA invites you to send

any written data, views, or arguments about this final rule. Send your comments to an address listed under the **ADDRESSES** section. Include the docket number FAA–2019–0747 and Product Identifier 2019–NE–26–AD at the beginning of your comments. The FAA specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of this final rule. The FAA will consider all comments received by the closing date and may amend this final rule because of those comments.

The FAA will post all comments received, without change, to <https://www.regulations.gov>, including any personal information you provide. The FAA will also post a report summarizing each substantive verbal contact received about this final rule.

**Regulatory Flexibility Act**

The requirements of the Regulatory Flexibility Act (RFA) do not apply when an agency finds good cause pursuant to 5 U.S.C. 553 to adopt a rule without prior notice and comment. Because the FAA has determined that it has good cause to adopt this rule without notice and comment, RFA analysis is not required.

**Costs of Compliance**

The FAA estimates that this AD affects 0 engines installed on airplanes of U.S. registry.

In the event an affected engine becomes installed on a U.S.-registered product, the FAA estimates the following costs to comply with this AD:

**ESTIMATED COSTS**

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Replace exhaust valve .....	6 work-hours × \$85 per hour = \$510 .....	\$1,500	\$2,010	\$0

**Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA’s authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. “Subtitle VII: Aviation Programs,” describes in more detail the scope of the Agency’s authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: “General requirements.” Under that section, Congress charges the FAA

with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C.

In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to engines, propellers, and associated appliances to the Manager, Engine and Propeller Standards Branch, Policy and Innovation Division.

**Regulatory Findings**

This AD will not have federalism implications under Executive Order

13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this AD:

(1) Is not a “significant regulatory action” under Executive Order 12866, and

(2) Will not affect intrastate aviation in Alaska.

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

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

#### Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 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 December 1, 2019 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

**2019–21–12 BRP-Rotax GmbH & Co KG (Type Certificate previously held by BRP-Powertrain GmbH & Co KG; Bombardier-Rotax GmbH):** Amendment 39–19778; Docket No. FAA–2019–0747; Product Identifier 2019–NE–26–AD.

##### (a) Effective Date

This AD is effective November 19, 2019.

##### (b) Affected ADs

None.

##### (c) Applicability

This AD applies to BRP-Rotax GmbH & Co KG (Type certificate previously held by BRP-Powertrain GmbH & Co KG, Bombardier-Rotax GmbH) (Rotax) Model 914 F2, 914 F3, and 914 F4 engines, with an exhaust valve part number (P/N) 854113 that has a production lot number 0317 or 0517.

##### (d) Subject

Joint Aircraft System Component (JASC) Code 8530, Reciprocating Engine Cylinder Section.

##### (e) Unsafe Condition

This AD was prompted by a report of a broken exhaust valve installed on a Rotax 914 model engine. The FAA is issuing this AD to prevent failure of the exhaust valve. The unsafe condition, if not addressed, could result in loss of engine thrust control and reduced control of the airplane.

##### (f) Compliance

Comply with this AD within the compliance times specified, unless already done.

##### (g) Required Actions

Within 10 flight hours or 3 months after the effective date of this AD, whichever occurs first, remove from service each exhaust valve P/N 854113 that has a production lot number 0317 or 0517, and replace with a part eligible for installation.

**Note 1 to paragraph (g):** For guidance on replacing the exhaust valve, refer to the Accomplishment Instructions, paragraphs 3.1 through 3.6, of Rotax Alert Service Bulletin ASB–915 i A–003R2/ASB–915 i B–003R2/ASB–914–054R2 (single document), dated December 21, 2018.

##### (h) Installation Prohibition

After the effective date of this AD, do not install an exhaust valve P/N 854113 that has a production lot number 0317 or 0517 on any engine.

##### (i) Alternative Methods of Compliance (AMOCs)

(1) The Manager, ECO Branch, 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 manager of the certification office, send it to the attention of the person identified in paragraph (j)(1) of this AD. You may email your request to: [ANE-AD-AMOC@faa.gov](mailto:ANE-AD-AMOC@faa.gov).

(2) 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.

##### (j) Related Information

(1) For more information about this AD, contact Wego Wang, Aerospace Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: 781–238–7134; fax: 781–238–7199; email: [wego.wang@faa.gov](mailto:wego.wang@faa.gov).

(2) Refer to European Union Aviation Safety Agency (EASA) AD No. 2018–0265R1, dated January 9, 2019 (and corrected January 10, 2019), for more information. You may examine the EASA AD in the AD docket on the internet at <https://www.regulations.gov> by searching for and locating it in Docket No. FAA–2019–0747.

##### (k) Material Incorporated by Reference

None.

Issued in Burlington, Massachusetts, on October 29, 2019.

**Robert J. Ganley,**

*Manager, Engine and Propeller Standards Branch, Aircraft Certification Service.*

[FR Doc. 2019–24029 Filed 11–1–19; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 97

[Docket No. 31279; Amdt. No. 3876]

#### Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

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

**ACTION:** Final rule.

**SUMMARY:** This rule amends, suspends, or removes Standard Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure Procedures for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide for the safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

**DATES:** This rule is effective November 4, 2019. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of November 4, 2019.

**ADDRESSES:** Availability of matter incorporated by reference in the amendment is as follows:

#### For Examination

1. U.S. Department of Transportation, Docket Ops-M30, 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC 20590–0001;

2. The FAA Air Traffic Organization Service Area in which the affected airport is located;

3. The office of Aeronautical Navigation Products, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,

4. The National Archives and Records Administration (NARA).

For information on the availability of this material at NARA, email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov) or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.