removing in paragraph (c)(1) the letter "(e)" and adding in its place "(b) and (e)" and removing the word "handler" and adding in its place "handler and importer"; removing in paragraph (c)(2)(viii) the word "five" and adding in its place "10"; and removing in paragraph (d)(1) the word "handler" wherever it appears and adding in its place "handler and importer" to read as follows:

§1210.518 Payment of assessments.

- (a) Time of payment. The assessment on domestically produced watermelons shall become due at the time the first handler handles the watermelons for non-exempt purposes. The assessment on imported watermelons shall become due at the time of entry, or withdrawal, into the United States.
- (b) Responsibility for payment.
 (1) The first handler is responsible for payment of both the producer's and the handler's assessment. The handler may collect the producer's assessment from the producer or deduct such producer's assessment from the producer on whose watermelons the producer assessment is made. Any such collection or deduction of producer assessment shall be made not later than the time when the first handler handles the watermelons.
- (2) The U.S. Customs Service shall collect assessments on imported watermelons from importers and forward such assessments under an agreement between the U.S. Customs Service and the U.S. Department of Agriculture. Importers shall be responsible for payment of assessments directly to the Board of any assessments due but not collected by the U.S. Customs Service at the time of entry, or withdrawal, on watermelons imported into the United States for human consumption.

§1210.519 [Amended]

32. Section 1210.519 is amended by removing in the introductory paragraph the word "handler" and adding in its place "handler and importer"; by removing in paragraph (a) the word "handler's" and adding in its place "handler's and importer's"; and removing the word "Watermelon" from the introductory paragraph and paragraphs (a) and (b).

33. Section 1210.520 is revised to read as follows:

§1210.520 Refunds.

Each importer of less than 150,000 pounds of watermelons during any calendar year shall be entitled to apply for a refund of the assessments paid in

an amount equal to the amount paid by domestic producers.

(a) Application form. The Board shall make available to all importers a refund application form.

- (b) Submission of refund application to the Board. The refund application form shall be submitted to the Board within 90 days of the last day of the year the watermelons were actually imported. The refund application form shall contain the following information:
 - Importer's name and address;
- (2) Number of hundredweight of watermelon on which refund is requested:
 - (3) Total amount to be refunded;
- (4) Proof of payment as described below; and

(5) Importer's signature.

- (c) Proof of payment of assessment. Evidence of payment of assessments satisfactory to the Board shall accompany the importer's refund application. An importer must submit a copy of the importer's report or a cancelled check. Evidence submitted with a refund application shall not be returned to the applicant.
- (d) Payment of refund. Immediately after receiving the properly executed application for refund, the Board shall make remittance to the applicant.
- 34. Section 1210.521 is revised to read as follows:

§1210.521 Reports of disposition of exempted watermelons.

The Board may require reports by handlers or importers on the handling/importing and disposition of exempted watermelons and/or on the handling of watermelons for persons engaged in growing less than 10 acres of watermelons or in the case of importers, the importing of less than 150,000 pounds per year. Authorized employees of the Board or the Secretary may inspect such books and records as are appropriate and necessary to verify the reports on such disposition.

§1210.530 [Amended]

35. Section 1210.530 is amended by removing the word "handler" from the introductory text and adding in its place "handler and importer".

§1210.531 [Amended]

36. Section 1210.531 is amended by removing the word "handler" and adding in its place "handler and importer".

37. Section 1210.532 is revised to read as follows:

§ 1210.532 Confidential books, records, and reports.

All information obtained from the books, records, and reports of handlers

and importers and all information with respect to refunds of assessments made to importers shall be kept confidential in the manner and to the extent provided for in § 1210.352.

Dated: February 21, 1995.

Lon Hatamiya,

Administrator.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 94-NM-128-AD; Amendment 39-9146; AD 95-03-09]

Airworthiness Directives; Fokker Model F28 Mark 0100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.
ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to all Fokker F28 Mark 0100 series airplanes, that requires inspecting the teleflex cable of the landing gear to detect corrosion, moisture, or improper greasing, and replacing discrepant teleflex cables with serviceable parts. This amendment is prompted by reports of difficulties with the operation of the selector handle of the landing gear when "gear down" is selected, due to improper greasing of the teleflex cable of the landing gear during production. The actions specified by this AD are intended to prevent moisture from accumulating on the teleflex cable, which could result in corrosion of the teleflex cable that could inhibit operation of the selector handle of the landing gear.

DATES: Effective March 30, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 30, 1995.

ADDRESSES: The service information referenced in this AD may be obtained from Fokker Aircraft USA, Inc., 1199 North Fairfax Street, Alexandria, Virginia 22314. 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: