handlers wanted all but $3,000 of the reserve fund to be refunded to them as soon as practicable. On February 26, 1993, the Department issued refund checks totaling approximately $25,000 to handlers based on their pro rata share of assessments paid during the 1988–89 through 1990–91 marketing seasons. The remaining $3,000 reserve was considered sufficient to cover unforeseen expenses during the period of suspension and to cover necessary expenses of liquidation in the event the marketing order would be terminated.

Commercial production and handling of South Texas lettuce ceased in 1992; there are currently no indications that the industry will be revived. Without a sufficient number of producers and handlers, it is impossible for the Secretary to appoint the required committee or otherwise continue the operation of the order.

Therefore, based on the foregoing considerations, pursuant to section 8c(16)(A) of the Act and § 971.84 of the order, it is found that Marketing Order No. 971, covering lettuce grown in the Lower Rio Grande Valley in South Texas, does not tend to effectuate the declared policy of the Act and is hereby terminated. The trustees appointed by the Secretary shall continue in the capacity of concluding and liquidating the affairs of the former committee, until discharged by the Secretary.

Section 8c(16)(A) of the Act requires the Secretary to notify Congress 60 days in advance of the termination of a Federal marketing order. Congress was so notified on March 15, 1995.

Pursuant to 5 U.S.C. 553, it is also found and determined, upon good cause that it is impracticable, unnecessary, and contrary to the public interest to give additional preliminary notice, or to engage in further procedure with respect to this action, because: (1) This action relieves all restrictions on handlers by terminating the provisions of part 971; (2) in 1992, the Department issued a rule suspending all provisions of the order for two years to allow sufficient time for a possible revival of the lettuce industry before termination of the order; and (3) such commercial lettuce production and handling cease in 1992 and when former industry members were polled, they did not expect a revival of the industry, and the consensus was that the order should be terminated.

**List of Subjects in 7 CFR Part 971**

Lettuce, Marketing agreements, Reporting and recordkeeping requirements.

**PART 971—[REMOVED]**

1. The authority citation for 7 CFR part 971 continues to read as follows:

**Authority:** 7 U.S.C. 601–674.

2. Accordingly, 7 CFR part 971 is removed.

Dated: June 6, 1995.

**David R. Shipman,**

*Acting Deputy Assistant Secretary, Marketing and Regulatory Programs.*

[FR Doc. 95–14473 Filed 6–12–95; 8:45 am]

BILLING CODE 3410–02–P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 39

**[Docket No. 95–NM–63–AD; Amendment 39–9272; AD 95–12–20]**

### Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes

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

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

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A330 and A340 series airplanes. This action requires a one-time inspection to determine the torque value of all wing slat track stop pins, and correction of discrepancies. This amendment is prompted by a report of a fuel leak that was caused by an incorrectly torqued slat track stop pin that punctured the slat canister. The actions specified in this AD are intended to prevent such fuel leakage conditions, which could result in inadequate fuel for completing a flight and could pose a fire hazard.

**DATES:** Effective June 29, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 29, 1995.

Comments for inclusion in the Rules Docket must be received on or before August 14, 1995.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 95–NM–63–AD, 1601 Lind Avenue SW., Renton, Washington 98055–4056.

The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the FAA, Transport Airplane Directorate, 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:** Stephen Slotte, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98055–4056; telephone (206) 227–2797; fax (206) 227–1320.

**SUPPLEMENTARY INFORMATION:** The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, recently notified the FAA that an unsafe condition may exist on certain Airbus Model A330 and A340 series airplanes. The DGAC advises that, during preflight refueling of a Model A340–300 airplane, a fuel leak was discovered in slat canister number 11 on the left wing of the airplane. Closer inspection revealed that the two parts of the slat track stop pin assembly at the end of the slat track had become loose and had separated from each other. This caused the length of the pin to increase by more than the width of the canister, thus puncturing the side of the slat canister close to the front of the spar attachment flange. The stop pin was found to be bent and detached from the slat track.

A subsequent visual inspection of the pins at the other slat track positions on both the left and right wings of the incident airplane revealed excess lateral movement. A certain amount of lateral movement of the pins in the slat track is normal (0.2 mm to 0.3 mm, or 0.0079 inch to 0.0118 inch). However, the pins that were inspected indicated lateral movement up to 12 mm (0.472 inch). A torque check of the pins revealed zero torque. No additional damage to the slat canister was found.

The slat track stop pin assembly consists of two parts (male and female), which are installed at the end of each of the slat tracks. Their purpose is to provide a positive stop in case of over-extension of the slats. The torque loading applied during installation of this two-part assembly provides the primary locking feature; a five-point internal circlip ring provides a secondary locking feature. Incorrect installation of these items may have contributed to the pins coming loose on the incident airplane. The installation procedure was corrected on all airplanes delivered after June 15, 1994.

Excessive lateral movement of the stop pins can result in damage to the slat canister during extension or retraction of the slats. Excessive damage to the canister could lead to a running