

equipped with a governor and all will need the improved throttle governor installed.

The regulations proposed herein would not have substantial direct effects 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. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 USC 106(g), 40101, 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing Amendment 39-4645 (48 FR 21894, May 16, 1983), and by adding a new airworthiness directive (AD) to read as follows:

Robinson Helicopter Company: Docket No. 95-SW-27-AD. Supersedes AD 82-23-51, Amendment 39-4645.

Applicability: Model R22 helicopters, serial numbers (S/N) 0002 to 2537, certificated in any category.

Note 1: This AD applies to each helicopter identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area

subject to the requirements of this AD. For helicopters that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (e) to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition, or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any helicopter from the applicability of this AD.

Compliance: Required within the next 30 days after the effective date of this AD, unless accomplished previously.

To minimize the possibility of pilot mismanagement of the main rotor (M/R) revolutions-per-minute (RPM), which could result in unrecoverable M/R blade stall and subsequent loss of control of the helicopter, accomplish the following:

(a) Adjust the A569-1 or -5 low-RPM warning unit so that the warning horn and caution light activate when the M/R RPM is between 96% and 97% rotor RPM in accordance with the procedures contained in the Model R22 maintenance manual.

(b) For Model R22 helicopters that do not have a governor currently installed, install a Robinson Helicopter Company KI-67-2 Governor Field Installation Kit in accordance with the kit instructions.

(c) For Model R22 helicopters that have a throttle/collective governor currently installed, upgrade the governor with a Robinson Helicopter Company KI-67-3 Governor Upgrade Kit in accordance with the kit instructions.

(d) Upon accomplishment of paragraph (b) or (c) of this AD, insert pages 2-2 and 2-7 of the FAA-approved Robinson Helicopter Company R22 Rotorcraft Flight Manual, revised July 6, 1995, into each Model R22 helicopter's flight manual, and make pen-and-ink changes to page 2-7 to delete the phrase "If equipped with RPM governor," and add the phrase "with an instructor pilot" so that the affected limitation will state "Flight prohibited with governor selected off, with exceptions for system malfunction and emergency procedures training with an instructor pilot." Also, delete the phrase "If not equipped with RPM governor," so that the affected limitation will state "Maximum power-on RPM required during takeoff, climb, or level flight below 500 feet AGL or above 5000 feet density altitude."

(e) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used when approved by the Manager, Los Angeles Aircraft Certification Office, FAA. Operators shall submit their requests through FAA Principal Maintenance Inspectors, who may concur or comment and then send it to the Manager, Los Angeles Aircraft Certification Office.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles Aircraft Certification Office.

(f) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the helicopter to a location where the requirements of this AD can be accomplished.

Issued in Fort Worth, Texas, on December 6, 1995.

Daniel P. Salvano,
Manager, Rotorcraft Directorate, Aircraft Certification Service.

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

15 CFR Part 2013

Weekly Allocation of NAFTA Tariff-Rate Quotas for Fresh Tomatoes

AGENCY: Office of the United States Trade Representative.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Office of the United States Trade Representative is considering a proposal to allocate on a weekly basis the seasonal tariff-rate quotas for fresh tomatoes which were established under the North American Free Trade Agreement. Public comment is invited.

DATES: Written comments must be received on or before March 13, 1996.

ADDRESSES: Comments should be mailed to Leonard W. Condon, Deputy Assistant United States Trade Representative for Agricultural Affairs, Office of the United States Trade Representative, 600 17th Street NW., Washington, DC 20508. Envelopes should be marked: "Tomato ANPR".
FOR FURTHER INFORMATION CONTACT: Leonard W. Condon (202) 395-9564.

SUPPLEMENTARY INFORMATION: Article 302(4) of the North American Free Trade Agreement (NAFTA) provides that each NAFTA party " * * * may adopt or maintain import measures to allocate in-quota imports made pursuant to a tariff rate quota set out in Annex 302.2, provided that such measures do not have trade restrictive effects on imports additional to those caused by the imposition of the tariff rate quota."

Section 321(c) of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3391(c)) provides that in "implementing the tariff rate quotas set out in the United States Schedule to Annex 302.2 of the Agreement, the President shall take such action as may be necessary to ensure that imports of agricultural goods do not disrupt the orderly marketing of commodities in the