(*4*) Be subject to substantially the same risks (frequency and severity of loss would be expected to be comparable from the same cause of loss);

* * * * *

Signed in Washington, DC, on June 23, 2006.

Eldon Gould,

Manager, Federal Crop Insurance Corporation.

[FR Doc. 06–5809 Filed 6–28–06; 8:45 am]

BILLING CODE 3410–08–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 78

[Docket No. APHIS–2006–0001]

Brucellosis in Cattle; State and Area Classifications; Idaho

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule as final rule.

SUMMARY: We are adopting as a final rule, without change, an interim rule that amended the brucellosis regulations concerning interstate movement of cattle by changing the classification of Idaho from Class Free to Class A. That action was necessary to prevent the interstate spread of brucellosis.

DATES: Effective on June 29, 2006, we are adopting as a final rule the interim rule that became effective on January 12, 2006.

FOR FURTHER INFORMATION CONTACT: Dr. Debra Donch, National Brucellosis Epidemiologist, National Center for Animal Health Programs, VS, APHIS, 4700 River Road Unit 43, Riverdale, MD 20737–1231; (301) 734–6954.

SUPPLEMENTARY INFORMATION:

Background

Brucellosis is a contagious disease caused by bacteria of the genus *Brucella*. The brucellosis regulations, contained in 9 CFR part 78 (referred to below as the regulations), provide a system for classifying States or portions of States according to the rate of *Brucella* infection present and the general effectiveness of a brucellosis control and eradication program. The classifications are Class Free, Class A, Class B, and Class C. States or areas that do not meet the minimum standards for Class C are required to be placed under Federal quarantine.

In an interim rule [1] effective January 12, 2006, and published in the **Federal Register** on January 19, 2006 (71 FR 2991–2993, Docket No. APHIS–2006–0001), we amended § 78.41 of the regulations by changing the classification of Idaho from Class Free to Class A. That action was necessary to prevent the interstate spread of brucellosis.

Comments on the interim rule were required to be received on or before March 20, 2006. We received two comments by that date. One comment was from a private citizen who questioned why the affected cattle had not been vaccinated for brucellosis. Although vaccination can be effective to some degree in preventing the transmission and spread of the *Brucella* bacteria, it is not 100 percent effective; therefore, disease transmission may still occur even though a herd is vaccinated. The commenter also objected to cattle being allowed to graze on publicly owned land. This issue is not within the scope of the interim rule.

The second comment was from a representative of the Idaho Department of Agriculture, who stated that the Animal and Plant Health Inspection Service (APHIS) should not have changed Idaho's brucellosis status from Class Free to Class A because the second affected herd was the result of the movement, from the first affected herd, of a heifer that was subsequently classified as a reactor. According to the commenter, the heifer cannot positively be diagnosed with brucellosis because the heifer tested positive for *Yersinia*, because no *Brucella* organism was cultured from the heifer's tissues, because the cow was vaccinated with RB51, which could cause false positives in brucellosis testing in some cases, and because the heifer was not pregnant and there are no studies proving that a heifer that is not pregnant may pass along the brucellosis bacteria through bodily discharge of wastes.

The regulations define an affected herd as ''Any herd in which any animal has been classified as a brucellosis reactor and which has not been released from quarantine.'' Both herds designated as affected herds in Idaho contained at least one animal that was classified by the State's designated brucellosis epidemiologist as a brucellosis reactor.

The State's designated brucellosis epidemiologist classified the heifer as a brucellosis reactor based on that fact that it originated from an infected herd and based on a panel of positive serological test results, which were repeated in both State and Federal laboratories. Culture confirmation of reactors is not 100 percent successful in all brucellosis cases and therefore is not required under the regulations for classification of infected animals. Although *Yersinia*, another bacteria found in cattle, may cause false positive results on a serologic test for *Brucella*, most of these tests are not able to differentiate *Brucella* from *Yersinia*. Currently there is no conclusive evidence that the RB51 vaccine caused the positive results on the serology tests for *Brucella*.

Although the probability of brucellosis exposure from a virgin heifer is lower than from a pregnant heifer because the primary method of transmission of brucellosis is usually via an infected, aborted fetus, an infected newborn calf, and/or infected tissues and fluids that accompany a birth event, transmission of brucellosis via the urine and feces of infected animals is also possible.

In addition, State status is based on herd infection rates, not on the likelihood of disease transmission. The regulations specifically state that to qualify for Class Free status, a State ''must have a cattle herd infection rate, based on the number of herds found to have brucellosis reactors within the State or area during any 12 consecutive months due to field strain *Brucella abortus* of 0.0 percent or 0 herds per 1,000.'' Idaho has exceeded the criteria of 0.0 percent herd infection rate according to the regulations. Idaho also does not qualify for retaining its Class Free status because more than one herd has been found to be affected with brucellosis during a 2-year period.

Therefore, for the reasons given in the interim rule and in this document, we are adopting the interim rule as a final rule without change. This action also affirms the information contained in the interim rule concerning Executive Order 12866 and the Regulatory Flexibility Act, Executive Orders 12372 and 12988, and the Paperwork Reduction Act.

Further, for this action the Office of Management and Budget has waived its review under Executive Order 12866.

List of Subjects in 9 CFR Part 78

Animal diseases, Bison, Cattle, Hogs, Quarantine, Reporting and recordkeeping requirements, Transportation.

[1] To view the interim rule and the comments we received, go to *http://www.regulations.gov*, click on the ''Advanced Search'' tab, and select ''Docket Search.'' In the Docket ID field, enter APHIS–2006–0001, then click on ''Submit.'' Clicking on the Docket ID link in the search results page will produce a list of all documents in the docket.

PART 78—BRUCELLOSIS

■ Accordingly, we are adopting as a final rule, without change, the interim rule that amended 9 CFR part 78 and that was published at 71 FR 2991–2993 on January 19, 2006.

Done in Washington, DC, this 23rd day of June 2006.

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 06–5800 Filed 6–28–06; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2006–23578; Directorate Identifier 2006–CE–01–AD; Amendment 39–14668; AD 2006–13–15]

RIN 2120–AA64

Airworthiness Directives; Mitsubishi Heavy Industries MU–2B Series Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for all Mitsubishi Heavy Industries MU–2B series airplanes. This AD requires you to do the following: Remove and visually inspect the wing attach barrel nuts, bolts, and retainers for cracks, corrosion, and fractures; replace any cracked, corroded, or fractured parts; inspect reusable wing attach barrel nuts and bolts for deformation and irregularities in the threads; check the minimum breakaway torque of reused wing attach barrel nuts; replace any deformed or irregular parts; and install new or reusable parts and torque to the correct value. This AD results from a recent safety evaluation that used a data-driven approach to evaluate the design, operation, and maintenance of the MU–2B series airplanes in order to determine their safety and define what steps, if any, are necessary for their safe operation. Part of that evaluation was the identification of unsafe conditions that exist or could develop on the affected type design airplanes. We are issuing this AD to detect and correct cracks, corrosion, fractures, and incorrect torque values in the wing attach barrel nuts, which could result in failure of the wing barrel nuts and/or associated wing attachment hardware. This failure could lead to in-flight separation of the outer wing from the center wing section and result in loss of controlled flight.

DATES: This AD becomes effective on August 11, 2006.

As of August 11, 2006, the Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulation.

ADDRESSES: For service information identified in this AD, contact Mitsubishi Heavy Industries America, Inc., 4951 Airport Parkway, Suite 800, Addison, Texas 95001; telephone: (972) 934–5480; fax: (972) 934–5488, or Turbine Aircraft Services, Inc., 4550 Jimmy Doolittle Drive, Addison, Texas 75001; telephone: (972) 248–3108; facsimile: (972) 248–3321.

To view the AD docket, go to the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC 20590–0001, or on the Internet at *http://dms.dot.gov.* The docket number is FAA–2006–23578; Directorate Identifier 2006–CE–01–AD.

FOR FURTHER INFORMATION CONTACT: Andrew McAnaul, Aerospace Engineer, ASW–150 (c/o MIDO–43), 10100 Reunion Place, Suite 650, San Antonio, Texas 78216; telephone: (210) 308–3365; facsimile: (210) 308–3370.

SUPPLEMENTARY INFORMATION:

Discussion

On April 18, 2006, we issued a proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to all Mitsubishi Heavy Industries MU–2B series airplanes. This proposal was published in the **Federal Register** as a supplemental notice of proposed rulemaking (NPRM) on April 24, 2006 (71 FR 20915). We issued the supplemental NPRM to incorporate revised manufacturer service information that adds airplanes to the applicability, revises the serial numbers of the affected airplanes, and updates the manufacturer's contact information. The supplemental NPRM proposed to require you to do the following:

- Remove and visually inspect the wing attach barrel nuts, bolts, and retainers for cracks, corrosion, and fractures;
- Replace any cracked, corroded, or fractured wing attach barrel nuts, bolts, and retainers with new parts;
- Inspect reusable wing attach barrel nuts and bolts for deformation and irregularities in the threads;
- Check the minimum breakaway torque of reused wing attach barrel nuts;
- Replace any deformed or irregular wing attach barrel nuts or bolts with new parts; and
- Install new or reusable parts and torque to the correct value.

Comments

We provided the public the opportunity to participate in developing this AD. We received no comments on the proposal or on the determination of the cost to the public.

Conclusion

We have carefully reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed except for minor editorial corrections. We have determined that these minor corrections:

- are consistent with the intent that was proposed in the NPRM for correcting the unsafe condition; and
- do not add any additional burden upon the public than was already proposed in the NPRM.

Costs of Compliance

We estimate that this AD affects 399 airplanes in the U.S. registry.

We estimate the following costs to do the inspection:

Labor cost	Parts cost	Total cost for each airplane	Total cost on U.S. operators
12 work-hours × $80 an hour = $960	Not applicable	$960	$960 × 399 = $383,040

We estimate the following costs to do any necessary replacements that will be required based on the results of the inspection. We have no way of determining the number of airplanes that may need this replacement: