

shall obtain a certificate for each inspection and cause a copy of each certificate issued by the inspection service to be furnished to the Board. Each certificate shall show the identity of the handler, quantity of walnuts, the date of inspection, and for inshell walnuts, the grade and size of such walnuts as set forth in the United States Standards for Walnuts (*Juglans regia*) in the Shell. The Board, with the approval of the Secretary, may prescribe procedures for the administration of this provision.

* * * * *

(c) Upon inspection, walnuts shall be identified by tags, stamps, or other means of identification prescribed by the Board and affixed to the container by the handler under the supervision of the Board or of a designated inspector and such identification shall not be altered or removed except as directed by the Board. The assessment requirements in § 984.69 shall be incurred at the time of certification.

§ 984.54 [Stayed]

■ 10. Stay § 984.54 indefinitely.

§ 984.56 [Stayed]

■ 11. Stay § 984.56 indefinitely.

■ 12. Revise § 984.64 to read as follows:

§ 984.64 Disposition of substandard walnuts.

Substandard walnuts may be disposed of only for manufacture into oil, livestock feed, or such other uses as the Board determines to be noncompetitive with existing domestic and export markets for merchantable walnuts and with proper safeguards to prevent such walnuts from thereafter entering channels of trade in such markets. Each handler shall submit, in such form and at such intervals as the Board may determine, reports of (a) his production and holdings of substandard walnuts and (b) the disposition of all substandard walnuts to any other person, showing the quantity, lot, date, name and address of the person to whom delivered, the approved use and such other information pertaining thereto as the Board may specify.

§ 984.66 [Stayed]

■ 13. Stay § 984.66 indefinitely.

■ 14. In § 984.67 stay paragraph (a) indefinitely, and revise paragraph (b) to read as follows:

§ 984.67 Exemptions.

* * * * *

(b) *Exemptions from assessments and quality regulations*—(1) *Sales by growers direct to consumers.* Any walnut grower may handle walnuts of

his production free of the regulatory and assessment provisions of this part if he sells such walnuts in the area of production directly to consumers under the following types of exemptions:

* * * * *

§ 984.69 [Stayed]

■ 15. Stay § 984.69(b) indefinitely.

§ 984.450 [Amended]

■ 16. In § 984.450 stay paragraphs (a) and (b) indefinitely.

§ 984.451 [Amended]

■ 17. In § 984.451 stay paragraph (c) indefinitely.

§ 984.456 [Stayed]

■ 18. Stay § 984.456 indefinitely.

§ 984.464 [Amended]

■ 19. In § 984.464 stay paragraph (a) indefinitely.

Bruce Summers,

Administrator, Agricultural Marketing Service.

[FR Doc. 2020–09160 Filed 5–6–20; 8:45 am]

BILLING CODE P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2020–0419; Product Identifier 2019–CE–029–AD; Amendment 39–21118; AD 2020–09–04]

RIN 2120–AA64

Airworthiness Directives; AERMACCHI S.p.A. Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for AERMACCHI S.p.A. Models F.260, F.260B, F.260C, F.260D, F.260E, and F.260F airplanes. This AD results from mandatory continuing airworthiness information (MCAI) issued by the aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as cracks on the body of the flap actuators. The FAA is issuing this AD to require actions to address the unsafe condition on these products.

DATES: This AD is effective May 7, 2020.

The Director of the Federal Register approved the incorporation by reference

of a certain publication listed in this AD as of May 7, 2020.

The FAA must receive comments on this AD by June 22, 2020.

ADDRESSES: You may send comments 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 AD, contact Leonardo Aircraft, Piazza Monte Grappa n. 4, 00195 Rome, Italy; telephone: +39 06.324731; fax: +39.06.3208621; email: in-service.configuration.ALA@leonardocompany.com or technicalassistance/ala@leonardocompany.com; internet: www.leonardocompany.com. You may view this referenced service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148. It is also available on the internet at <https://www.regulations.gov> by searching for locating Docket No. FAA–2020–0419.

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–2020–0419; 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 AD, 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:

Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Standards Branch, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4144; fax: (816) 329–4090; email: mike.kiesov@faa.gov.

SUPPLEMENTARY INFORMATION:

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued AD No. 2019–0119–E, dated May 29, 2019 (referred to after this as “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

During maintenance, cracks were found on the body of several flap actuators installed on F260 aeroplanes and held as spares. Investigation is ongoing to determine the root cause of the cracking.

This condition, if not detected and corrected, could lead to failure of the flap actuator, possibly resulting in reduced control of the aeroplane.

To address this potential unsafe condition, Leonardo, S.p.A. issued the [alert service bulletin] ASB to provide inspection instructions.

For the reason described above, this [EASA] AD requires inspections of the affect parts, and, depending on findings, replacement of an affected part with a serviceable part.

This [EASA] AD is considered an interim measure and further AD action may follow.

The EASA AD refers to Leonardo Aircraft, formerly Aermacchi S.p.A., as the design approval holder (DAH). The FAA type certificate holder of record for these models is AERMACCHI S.p.A. Therefore, this AD specifies AERMACCHI S.p.A. as the type certificate holder. You may examine the MCAI on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA–2020–0419.

Related Service Information Under 1 CFR Part 51

The FAA reviewed Leonardo Aircraft Alert Service Bulletin No. 260SB–166, dated May 27, 2019. The service information contains procedures for inspecting the flap actuators, part numbers SF260–12–215–01, SF260–12–215–101, and SF260–12–215–09, for cracks and damage and taking necessary corrective action. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section.

FAA’s Determination and Requirements of This AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with this State of Design Authority, they have 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 information provided by the State of Design Authority and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

Interim Action

The FAA considers this AD interim action. The MCAI requires an initial fluorescent dye penetrant inspection within a short compliance time and repetitive visual inspections thereafter every 100 hours time-in-service (TIS). This AD requires the initial fluorescent dye penetrant inspection. The FAA plans to issue a superseding Notice of proposed rulemaking for the longer-term repetitive visual inspections to provide the public an opportunity to comment. In addition, the inspection reports required by this AD will provide Leonardo Aircraft and the FAA better insight into the nature, cause, and extent of the cracking. If final action is identified to address the unsafe condition, the FAA may consider further rulemaking for this reason as well.

FAA’s 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 cracks in the flap actuator could cause the flap actuator to fail and result in reduced control of the airplane. Therefore, the FAA finds good cause that notice and opportunity for prior public comment are impracticable. In addition, for the reason stated above, 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 the FAA did not precede it by notice and opportunity for public comment. The FAA invites you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under the ADDRESSES section. Include “Docket No. FAA–2020–0419; Product Identifier 2019–CE–029–AD” at the beginning of your comments. The FAA specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of this AD. The FAA will consider all comments received by the closing date and may amend this AD 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 AD.

Costs of Compliance

The FAA estimates that this AD will affect 54 products of U.S. registry. The FAA also estimates that it will take about 4 work-hours per product to comply with the fluorescent dye penetrant inspection requirement and 1 work-hour per product to comply with the reporting requirement of this AD. The average labor rate is \$85 per work-hour.

Based on these figures, the FAA estimates the cost of the initial inspection and reporting requirement required in this AD on U.S. operators to be \$22,950, or \$425 per product.

In addition, the FAA estimates that any necessary follow-on actions will take about 8 work-hours and require parts costing \$5,000, for a cost of \$5,680 per product. The FAA has no way of determining the number of products that may need these actions.

Paperwork Reduction Act

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120–0056. Public reporting for this collection of information is estimated to be approximately 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177–1524.

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.

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 FAA has determined that it has good cause to adopt this rule without notice and comment, RFA analysis is not required.

Regulatory Findings

The FAA has determined that 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 that 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 [Amended]

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

2020-09-04 Aermacchi S.p.A.: Amendment 39-21118; Docket No. FAA-2020-0419; Product Identifier 2019-CE-029-AD.

(a) Effective Date

This AD becomes effective May 7, 2020.

(b) Affected ADs

None.

(c) Applicability

This AD applies to AERMACCHI S.p.A. Models F.260, F.260B, F.260C, F.260D, F.260E, and F.260F airplanes, all serial numbers, certificated in any category.

(d) Subject

Air Transport Association of America (ATA) Code 27: Flight Controls.

(e) Reason

This AD was prompted by mandatory continuing airworthiness information (MCAI) issued by the aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as cracks on the body of the flap actuators. The FAA is issuing this AD to detect and correct cracks in the flap actuator, which could cause the flap actuator to fail. Failure of the flap actuator could result in reduced control of the airplane.

(f) Definition

For purposes of this AD, a serviceable part is a flap actuator part number (P/N) SF260-12-215-01, SF260-12-215-101, or SF260-12-215-09 that has:

- (1) Accumulated less than 1,000 hours total time-in-service (TIS); or
- (2) Passed the fluorescent dye penetrant inspection required by paragraph (g)(1) of this AD.

(g) Actions and Compliance

Unless already done, do the following actions in paragraphs (g)(1) through (3) of this AD:

- (1) Within the compliance time listed in paragraph (g)(1)(i) or (ii), whichever occurs later, do a fluorescent dye penetrant inspection of the flap actuator, P/N SF260-12-215-01, P/N SF260-12-215-101, or P/N SF260-12-215-09, for cracks and damage by following Annex A of Leonardo Aircraft Alert Service Bulletin No. 260SB-166, dated May 27, 2019 (Leonardo ASB 260SB-166). If there is a crack or any damage, before further flight, remove the flap actuator from service and replace it with a serviceable part.

- (i) Before the flap actuator accumulates 1,000 hours total TIS; or
- (ii) Within 10 hours TIS after May 7, 2020 (the effective date of this AD) or with 30 days after May 7, 2020 (the effective date of this AD), whichever occurs first.

- (2) Within 10 days after completing the inspection required by paragraph (g)(1) of this AD, report the results of the inspection to Leonardo Aircraft at the address listed in paragraph (k)(3) of this AD. Include the following information in the report: Flap actuator P/N, flap actuator serial number, hours TIS, batch number marks (if present) stamped on the body, the airplane serial number or registration ("N") number, and a description of any cracks or damage found.

- (3) As of May 7, 2020 (the effective date of this AD), do not install any flap actuator P/N SF260-12-215-01, SF260-12-215-101, or SF260-12-215-09 unless it is a serviceable part.

(h) Alternative Methods of Compliance (AMOCs)

The Manager, Small Airplane Standards Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Standards Branch, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4144; fax: (816) 329-4090; email: mike.kiesov@faa.gov. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(i) Paperwork Reduction Act Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0056. Public reporting for this collection of information is estimated to be approximately 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are mandatory as required by this AD; the nature and extent of confidentiality to be provided, if any. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177-1524.

(j) Related Information

Refer to MCAI European Aviation Safety Agency (EASA) AD No. 2019-0199-E, dated May 29, 2019, for related information. You may examine the MCAI on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-0419.

(k) Material Incorporated by Reference

- (1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

- (2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

- (i) Leonardo Aircraft Alert Service Bulletin No. 260SB-166, dated May 27, 2019.

- (ii) [Reserved]

- (3) For service information identified in this AD, contact Leonardo Aircraft, Piazza Monte Grappa n. 4, 00195 Rome, Italy;

telephone: +39 06.324731; fax: +39.06.3208621; email: in-service.configuration.ALA@leonardocompany.com or technicalassistance/ala@leonardocompany.com; internet: www.leonardocompany.com.

(4) You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148. It is also available on the internet at <http://www.regulations.gov> by searching for locating Docket No. FAA-2020-0419.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued on May 1, 2020.

Lance T. Gant,

Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2020-09730 Filed 5-6-20; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2020-0340; Product Identifier 2019-NM-203-AD; Amendment 39-19903; AD 2020-08-11]

RIN 2120-AA64

Airworthiness Directives; Yaborã Indústria Aeronáutica S.A. (Type Certificate Previously Held by Embraer S.A.)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Yaborã Indústria Aeronáutica S.A. Model ERJ 190-300 and ERJ 190-400 airplanes. This AD was prompted by a failure propagation test, which revealed that when complete loss of the electrical digital current (DC) essential bus 2 was induced, the smoke detection system of the forward and aft electrical bays erroneously indicated the presence of smoke via the respective engine indication and crew alerting system (EICAS) messages. This AD requires revising the existing airplane flight manual (AFM) procedures associated with messages of smoke in the electronic bays presented on the EICAS, as specified in an Agência Nacional de

Aviação Civil (ANAC) Brazilian AD, which is incorporated by reference. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD becomes effective May 22, 2020.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of May 22, 2020.

The FAA must receive comments on this AD by June 22, 2020.

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 the material incorporated by reference (IBR) in this AD, contact National Civil Aviation Agency, Aeronautical Products Certification Branch (GGCP), Rua Laurent Martins, nº 209, Jardim Esplanada, CEP 12242-431—São José dos Campos—SP, Brazil; telephone 55 (12) 3203-6600; email pac@anac.gov.br; internet www.anac.gov.br/en/. You may find this IBR material on the ANAC website at <https://sistemas.anac.gov.br/certificacao/DA/DAE.asp>. You may view this IBR material at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206-231-3195. It is also available in the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-0340.

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-2020-0340; 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 AD, 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:

Krista Greer, Aerospace Engineer, Large Aircraft Section, International Validation Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206-231-3223; email krista.greer@faa.gov.

SUPPLEMENTARY INFORMATION:

Discussion

The ANAC, which is the aviation authority for Brazil, has issued Brazilian Emergency Airworthiness Directive (EAD) 2019-12-01, effective December 9, 2019 (“Brazilian EAD 2019-12-01”) (also referred to as the Mandatory Continuing Airworthiness Information, or “the MCAI”), to correct an unsafe condition for all Yaborã Indústria Aeronáutica S.A. Model ERJ 190-300 and ERJ 190-400 airplanes.

This AD was prompted by a failure propagation test, which revealed that when complete loss of the electrical DC essential bus 2 was induced, the smoke detection system of the forward and aft electrical bays erroneously indicated the presence of smoke via the respective EICAS messages. When these messages are displayed the existing AFM procedures require the flightcrew to turn off the essential electrical buses DC ESS BUS 1 and DC ESS BUS 3, which would result in a loss of all electrical DC essential buses, causing loss of electrical power for critical systems of the airplane.

The FAA is issuing this AD to provide the flightcrew with revised AFM procedures for responding to erroneous indications of smoke in the electrical bays presented on the EICAS. If the flightcrew followed the existing AFM procedures, it could result in a loss of all electrical DC essential buses, causing loss of electrical power for critical systems of the airplane. See the MCAI for additional background information.

Related IBR Material Under 1 CFR Part 51

Brazilian EAD 2019-12-01 describes revisions to the existing AFM procedures associated with messages of smoke in the electronic bays presented on the EICAS.

This material is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

This product has been approved by the aviation authority of another country, and is approved for operation