

TABLE 1.—PARTS PROHIBITED FROM INSTALLATION

Part	Part No.
Hinge brace for Tracks 1 and 8	65B15515-1 65B15515-2 65B15515-9 65B15515-10
Hinge brace for Tracks 2 and 7	65B15525-1 65B15525-2 65B15525-7 65B15525-8 65B17092-1 65B17092-2
Support assembly for Tracks 1 and 8	65B81982-()
Support assembly for Tracks 2 and 7	65B81950-()

Alternative Methods of Compliance (AMOCs)

(i)(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. 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.

Issued in Renton, Washington, on November 13, 2007.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E7-23955 Filed 12-10-07; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2007-0300; Directorate Identifier 2007-NM-191-AD]

RIN 2120-AA64

Airworthiness Directives; Fokker Model F.28 Mark 0070 and 0100 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of

another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

Reports have been received from Fokker 100 (F28 Mark 0100) operators where the crew experienced difficulties with roll control. Analysis suggests that these phenomena are due to frozen water on the aileron pulleys that are installed on the Center Wing Spar and located in the Main Landing Gear (MLG) wheel bays. Investigation has confirmed that improper closure of the aerodynamic seals of the wing-to-fuselage fairings above the MLG wheel bays can cause rainwater, wash-water or de-icing fluid to leak onto the affected aileron pulleys. This condition, if not corrected, can lead to further incidents of frozen water on aileron pulleys during operation of the aircraft, resulting in restricted roll control and/or higher control forces. * * *

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

DATES: We must receive comments on this proposed AD by January 10, 2008.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://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 W12-40, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1137; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION:**Comments Invited**

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA-2007-0300; Directorate Identifier 2007-NM-191-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

The Civil Aviation Authority—The Netherlands (CAA-NL), which is the aviation authority for the Netherlands, has issued Dutch Airworthiness Directive NL-2005-013, dated October 17, 2005 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

Reports have been received from Fokker 100 (F28 Mark 0100) operators where the crew experienced difficulties with roll control. Analysis suggests that these phenomena are due to frozen water on the aileron pulleys that are installed on the Center Wing Spar and located in the Main Landing Gear (MLG) wheel bays. Investigation has confirmed that improper closure of the aerodynamic seals of the wing-to-fuselage fairings above the MLG wheel bays can cause rainwater, wash-water or de-icing fluid to leak onto the affected aileron pulleys. [The aileron pulleys on Model F.28 Mark 0070 airplanes are identical to those installed on the Model F.28 Mark 0100 airplanes. Therefore, those Model F.28 Mark 0070 airplanes may be subject to the unsafe condition revealed on the Model F.28 Mark 0100 airplanes.] This condition, if not corrected, can lead to further incidents of frozen water on aileron pulleys during operation of the aircraft, resulting in restricted roll control and/or higher control forces. Since an unsafe condition has been identified that is likely to exist or develop on other aircraft of the same type design, this Airworthiness Directive requires the inspection of the wing-to-fuselage fairings and, if necessary, the accomplishment of appropriate corrective action(s).

The inspection is intended to find indications of incorrect fit, damage, or wear. Corrective actions include a related investigative action (inspecting for incorrect fit, damage, or wear of the aerodynamic seal of the fairings, and inspecting for damage or wear of the

abrasion resistant coating on the mating surface of the fuselage skin), restoring damaged abrasion-resistant coatings, correcting fairing positions, and replacing damaged fairing seals. You may obtain further information by examining the MCAI in the AD docket.

Relevant Service Information

Fokker Services B.V. has issued Service Bulletin SBF100–53–101, dated September 30, 2005. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

FAA's Determination and Requirements of This Proposed 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 the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a NOTE within the proposed AD.

Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 12 products of U.S. registry. We also estimate that it would take about 1 work-hour per product to comply with the basic requirements of this proposed AD. The average labor rate is \$80 per work-hour. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$960, or \$80 per product.

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.

We are 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 Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would 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 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. 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.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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 AD:

Fokker Services B.V.: Docket No. FAA–2007–0300; Directorate Identifier 2007–NM–191–AD.

Comments Due Date

- (a) We must receive comments by January 10, 2008.

Affected ADs

- (b) None.

Applicability

- (c) This AD applies to Fokker Model F.28 Mark 0070 and 0100 airplanes, certificated in any category, all serial numbers.

Subject

- (d) Air Transport Association (ATA) of America Code 53: Fuselage.

Reason

- (e) The mandatory continuing airworthiness information (MCAI) states:

Reports have been received from Fokker 100 (F28 Mark 0100) operators where the crew experienced difficulties with roll control. Analysis suggests that these phenomena are due to frozen water on the aileron pulleys that are installed on the Center Wing Spar and located in the Main Landing Gear (MLG) wheel bays. Investigation has confirmed that improper closure of the aerodynamic seals of the wing-to-fuselage fairings above the MLG wheel bays can cause rainwater, wash-water or de-icing fluid to leak onto the affected aileron pulleys. [The aileron pulleys on Model F.28 Mark 0070 airplanes are identical to those installed on the Model F.28 Mark 0100 airplanes. Therefore, those Model F.28 Mark 0070 airplanes may be subject to the unsafe condition revealed on the Model F.28 Mark 0100 airplanes.] This condition, if not corrected, can lead to further incidents of frozen water on aileron pulleys during operation of the aircraft, resulting in restricted roll control and/or higher control forces. Since an unsafe condition has been identified that is likely to exist or develop on other aircraft of the same type design, this Airworthiness Directive requires the inspection of the wing-to-fuselage fairings and, if necessary, the accomplishment of appropriate corrective action(s).

The inspection is intended to find indications of incorrect fit, damage, or wear. Corrective actions include a related investigative action (inspecting for incorrect fit, damage, or wear of the aerodynamic seal of the fairings, and inspecting for damage or wear of the abrasion resistant coating on the mating surface of the fuselage skin), restoring damaged abrasion-resistant coatings, correcting fairing positions, and replacing damaged fairing seals, as applicable.

Actions and Compliance

- (f) Unless already done, do the following actions.

- (1) Within 12 months after the effective date of this AD, inspect the wing-to-fuselage fairings for indications of incorrect fit, damage or wear, in accordance with the Accomplishment Instructions of Fokker Service Bulletin SBF100–53–101, dated September 30, 2005.

(i) If no indications of incorrect fit, damage or wear are found, no further action is required by this AD.

(ii) If any incorrect fit, damage or wear is found, before next flight, do related investigative actions and applicable corrective actions in accordance with the Accomplishment Instructions of the service bulletin.

(2) When incorrect fit, damage or wear is found, within 30 days after the inspection or within 30 days after the effective date of the AD, whichever occurs later, report the findings to Fokker Services B.V., Technical Services Dept., P.O. Box 231, 2150 AE Nieuw-Vennep, The Netherlands.

FAA AD Differences

Note: This AD differs from the MCAI and/or service information as follows: No differences.

Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM-116, 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: Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1137; fax (425) 227-1149. 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.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act, the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120-0056.

Related Information

(h) Refer to MCAI Dutch Airworthiness Directive NL-2005-013, dated October 17, 2005, and Fokker Service Bulletin SBF100-53-101, dated September 30, 2005, for related information.

Issued in Renton, Washington, on November 30, 2007.

Stephen P. Boyd,

Assistant Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. E7-23950 Filed 12-10-07; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 133

[Docket No. 2000P-0586 (Formerly Docket No. 00P-0586)]

Cheeses and Related Cheese Products; Proposal to Permit the Use of Ultrafiltered Milk; Reopening of the Comment Period

AGENCY: Food and Drug Administration, HHS.

ACTION: Proposed rule; reopening of the comment period.

SUMMARY: The Food and Drug Administration (FDA) is reopening until February 11, 2008, the comment period for the proposed rule published in the **Federal Register** of October 19, 2005 (70 FR 60751), (herein after referred to as the 2005 proposed rule). In that document, FDA proposed to amend its regulations to provide for the use of fluid ultrafiltered (UF) milk in the manufacture of standardized cheeses and related cheese products. FDA received a number of comments that were opposed to the proposed requirement to declare fluid UF milk, when used, as "ultrafiltered milk" or "ultrafiltered nonfat milk," as appropriate, in the ingredient statement of the finished cheese. FDA is reopening the comment period on the 2005 proposed rule to seek further comment only on two specific issues raised by the comments concerning the proposed ingredient declaration.

DATES: Submit written or electronic comments by February 11, 2008.

ADDRESSES: You may submit comments, identified by Docket No. 2000P-0586, by any of the following methods: *Electronic Submissions*

Submit electronic comments in the following ways:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

- Agency Web site: <http://www.fda.gov/dockets/ecomments>. Follow the instructions for submitting comments on the agency Web site.

Written Submissions

Submit written submissions in the following ways:

- FAX: 301-827-6870.
- Mail/Hand delivery/Courier [For paper, disk, or CD-ROM submissions]: Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

To ensure more timely processing of comments, FDA is no longer accepting comments submitted to the agency by e-mail. FDA encourages you to continue to submit electronic comments by using the Federal eRulemaking Portal or the agency Web site, as described previously, in the **ADDRESSES** portion of this document under *Electronic Submissions*.

Instructions: All submissions received must include the agency name and Docket No(s). and Regulatory Information Number (RIN) (if a RIN number has been assigned) for this rulemaking. All comments received may be posted without change to <http://www.fda.gov/ohrms/dockets/default.htm>, including any personal information provided. For additional information on submitting comments, see the "Comments" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: For access to the docket to read background documents or comments received, go to <http://www.fda.gov/ohrms/dockets/default.htm> and insert the docket number(s), found in brackets in the heading of this document, into the "Search" box and follow the prompts and/or go to the Division of Dockets Management, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Ritu Nalubola, Center for Food Safety and Applied Nutrition (HFS-820), Food and Drug Administration, 5100 Paint Branch Pkwy., College Park, MD 20740, 301-436-2371.

SUPPLEMENTARY INFORMATION:

I. The 2005 Proposed Rule

In the 2005 proposed rule, FDA proposed to amend the definitions of "milk" and "nonfat" milk in § 133.3 (21 CFR 133.3) for cheeses and related cheese products to: (1) Provide for ultrafiltration of milk and nonfat milk; (2) define UF milk and UF nonfat milk as raw or pasteurized milk or nonfat milk that is passed over one or more semipermeable membranes to partially remove water, lactose, minerals, and water-soluble vitamins without altering the casein-to-whey protein ratio of the milk or nonfat milk and resulting in a liquid product; and (3) require that such treated milk be declared in the ingredient statement of the finished food as "ultrafiltered milk" and "ultrafiltered nonfat milk," respectively.

FDA proposed these amendments principally in response to two citizen petitions, one submitted by the American Dairy Products Institute (Docket No. 1999P-5198 (formerly