

disabilities. After a careful review of the rule's intent and provisions, FNS has determined that this rule will not in any way limit or reduce participants' ability to participate in the Child Nutrition Programs on the basis of an individual's or group's race, color, national origin, sex, age, or disability (The Child Nutrition Programs' nondiscrimination policy can be found at 7 CFR 210.23(b)). FNS found no factors that would negatively and disproportionately affect any group of individuals.

#### Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. Chap. 35; see 5 CFR 1320) requires that the Office of Management and Budget (OMB) approve all collections of information by a Federal agency before they can be implemented. Respondents are not required to respond to any collection of information unless it displays a current valid OMB control number. This rule does not contain any information collection requirements subject to approval by OMB under the Paperwork Reduction Act of 1995.

#### Government Paperwork Elimination Act

FNS is committed to compliance with the Government Paperwork Elimination Act (GPEA), which requires Government agencies to provide the public the option of submitting information or transacting business electronically to the maximum extent possible.

#### Public Participation

FNS has determined, in accordance with 5 U.S.C. 553(b), that Notice of Proposed Rulemaking and opportunity for public comments is unnecessary and contrary to the public interest and, in accordance with 5 U.S.C. 553(d), finds that good cause exists for making this action effective without prior public comment. In section 501(b) of Public Law 108-265, Congress specifically afforded the Secretary the option of implementing this rulemaking without prior notice and comment. In addition, the provisions of this interim rule reflect mandatory statutory requirements which are non-discretionary. The Department, however, wishes to receive comments that might improve the administration of these mandatory requirements.

#### List of Subjects in 7 CFR Part 210

Grant programs-education, Grant programs-health, Infants and children, Nutrition, Penalties, Reporting and recordkeeping requirements, School breakfast and lunch programs, Surplus agricultural commodities.

■ Accordingly, 7 CFR Part 210 is amended as follows:

#### PART 210—NATIONAL SCHOOL LUNCH PROGRAM

■ 1. The authority citation for 7 CFR part 210 continues to read as follows:

Authority: 42 U.S.C. 1751-1760, 1779.

■ 2. In § 210.10 the section heading is revised and a new paragraph (m)(3) is added to read as follows:

#### § 210.10 Nutrition standards and menu planning approaches for lunches and requirements for afterschool snacks.

\* \* \* \* \*

(m) \* \* \*

(3) *Restrictions on the sale of milk.* A school participating in the Program, or a person approved by a school participating in the Program, must not directly or indirectly restrict the sale or marketing of fluid milk (as described in paragraph(m)(1)(ii) of this section) at any time or in any place on school premises or at any school-sponsored event.

\* \* \* \* \*

■ 3. In § 210.21, add a new paragraph (e) to read as follows:

#### § 210.21 Procurement.

\* \* \* \* \*

(e) *Restrictions on the sale of milk.* A school food authority participating in the Program, or a person approved by a school participating in the Program, must not directly or indirectly restrict the sale or marketing of fluid milk (as described in paragraph(m)(1)(ii) of this section) at any time or in any place on school premises or at any school-sponsored event.

Dated: November 10, 2005.

**Roberto Salazar,**

*Administrator, Food and Nutrition Service.*

[FR Doc. 05-22952 Filed 11-18-05; 8:45 am]

**BILLING CODE 3410-30-P**

#### DEPARTMENT OF AGRICULTURE

#### Food Safety and Inspection Service

#### 9 CFR Part 327

[Docket No. 02-019F]

RIN 0583-AD16

#### Addition of Chile to the List of Countries Eligible To Export Meat and Meat Products to the United States

**AGENCY:** Food Safety and Inspection Service, USDA.

**ACTION:** Final rule.

**SUMMARY:** The Food Safety and Inspection Service (FSIS) is adding Chile to the list of countries eligible to export meat and meat products to the United States. FSIS conducted a thorough review of Chile's meat slaughter and processing inspection system, including an on-site review of its meat inspection system in operation. FSIS concluded that Chile's meat inspection laws, regulations, and other written materials demonstrate that they establish requirements that are equivalent to the relevant requirements of the Federal Meat Inspection Act (FMIA) and its implementing regulations, and that Chile's implementation of meat inspection standards and procedures is equivalent to that of the United States.

Meat and meat products slaughtered and processed in certified Chilean establishments may be exported to the United States. All such products will be subject to re-inspection by FSIS inspectors at U.S. ports-of-entry as required by law.

**DATES:** *Effective Date:* December 21, 2005.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sally White, Director, International Equivalence Staff, Office of International Affairs; (202) 720-6400.

#### SUPPLEMENTARY INFORMATION:

#### Background

On May 10, 2005, FSIS published a proposal in the **Federal Register** (70 FR 24485-24488) to add Chile to the list of countries eligible to export meat and meat products to the United States (9 CFR 327(b)). As discussed in that proposed rulemaking, the government of Chile requested approval to export meat and meat products to the United States. In response to this request, FSIS conducted a thorough review of Chile's meat slaughter and processing inspection system to determine whether it is equivalent to the U.S. meat inspection system. FSIS concluded that the requirements contained in Chile's meat inspection laws and regulations are equivalent to those mandated by the FMIA and implementing regulations. FSIS then conducted an on-site review of Chile's meat inspection system in operation. The FSIS review team concluded that Chile's implementation of meat inspection standards and procedures is equivalent to that of the United States.

The government of Chile will certify to FSIS establishments wishing to export products to the United States. FSIS will retain the right to verify that establishments certified by the Chilean government are meeting requirements

equivalent to those of FSIS. This will be done through annual on-site reviews of the establishments while they are in operation.

Products from a country eligible to export meat and meat products must also comply with all other U.S. requirements, including those of the U.S. Customs Service and the restrictions under title 9, part 94 of the Animal and Plant Health Inspection Service (APHIS) regulations that relate to the importation of meat and meat products from foreign countries into the United States. APHIS is responsible for keeping foreign animal diseases out of the United States. APHIS restricts the importation of any fresh, frozen, and chilled meat, meat products, and edible products from countries in which certain animal diseases exist. Those products that APHIS has restricted from entering the United States are refused entry. FSIS works closely with APHIS in coordinating its import inspection system so as to allow into the United States only meat products that APHIS has found to pose no animal health risk.

#### Comments

FSIS received 11 comments on the proposed rule. All comments were positive, and no objections were raised.

#### Executive Order 12866 and Regulatory Flexibility Act

This rule has been reviewed under Executive Order 12866. It has been determined to be not significant for purposes of E.O. 12866 and therefore has not been reviewed by the Office of Management and Budget (OMB).

Listing Chile as eligible to export meat to the United States would add only a small portion to total U.S. meat imports. The additional product shipments are likely to have only a slight effect on the Agency's assignment of import inspection resources at points of entry on the East and West coasts. It is unlikely, on the basis of current information, that any additional import inspection personnel would need to be hired.

The impact of this rule on U.S. consumers is voluntary in that consumers will not be required to purchase meat products slaughtered and processed in Chile, although they may choose to do so. Expected benefits from this type of rule would accrue primarily to consumers in the form of competitive prices due to a larger market variety of meat products. The volume of trade stimulated by this rule, however, will likely be so small as to have little effect on supply and prices. Consumers, apart from any change in prices, would

benefit from increased choices in the marketplace.

The costs of this rule will accrue primarily to producers in the form of greater competition from Chile. Again, it must be noted that the volume of trade stimulated by this rule will be small, likely having little effect on supply and prices. Nonetheless, it is possible that U.S. firms that produce products that would compete with Chilean imports could face short-term difficulty. In the long run, however, such firms could adjust their product mix in order to compete effectively.

Benefits would include increased trade with Chile and the availability to U.S. consumers of a greater quantity of meat of the kinds mentioned. Wholesale prices of all grades of these products have been moving upward during the last several years. Importing beef, pork, and lamb from Chile would not affect this trend or would do so only very slightly. Both nations would benefit from an expansion of trade in meat as part of a wide range of commodities.

#### Executive Order 12988

This final rule has been reviewed under Executive Order 12988, Civil Justice Reform. When this final rule is adopted: (1) All State and local laws and regulations that are inconsistent with this rule will be preempted; (2) no retroactive effect will be given to this rule; and (3) administrative proceedings will not be required before parties may file suit in court challenging this rule.

#### Effect on Small Entities

The Administrator, FSIS, has made a determination that this final rule will not have a significant impact on a substantial number of small entities, as defined by the Regulatory Flexibility Act (5 U.S.C. 601). This final rule will add Chile to the list of countries eligible to export meat and meat products to the United States. The volume of trade stimulated by this rule will be small and would have relatively little effect on supply and prices. Therefore, this final rule is not expected to have a significant impact on small entities that produce these types of products domestically.

#### Paperwork Requirements

No new paperwork requirements are associated with this final rule. Foreign countries wanting to export meat and meat products to the United States are required to provide information to FSIS certifying that their inspection systems provide standards equivalent to those of the United States, and that the legal authority for the systems and their implementing regulations are equivalent to those of the United States, before they

may start exporting such product to the United States. FSIS collects this information one time only. FSIS gave Chile questionnaires asking for detailed information about the country's inspection practices and procedures to assist the country in organizing its materials. This information collection was approved under OMB number 0583-0094. The final rule contains no other paperwork requirements.

#### Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, in an effort to ensure that the public and in particular minorities, women, and persons with disabilities, are aware of this final rule, FSIS will announce it on-line through the FSIS Web page located at [http://www.fsis.usda.gov/regulations\\_&\\_policies/2005\\_Final\\_Rules\\_Index/index.asp](http://www.fsis.usda.gov/regulations_&_policies/2005_Final_Rules_Index/index.asp). The Regulations.gov Web site is the central online rulemaking portal of the United States Government. It is being offered as a public service to increase participation in the Federal Government's regulatory activities. FSIS participates in Regulations.gov and will accept comments on documents published on the site. The site allows visitors to search by keyword or Department or Agency for rulemakings that allow for public comment. Each entry provides a quick link to a comment form so that visitors can type in their comments and submit them to FSIS. The Web site is located at <http://www.regulations.gov/>.

FSIS also will make copies of this **Federal Register** publication available through the FSIS Constituent Update, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, recalls, and other types of information that could affect or would be of interest to our constituents and stakeholders. The update is communicated via Listserv, a free e-mail subscription service consisting of industry, trade, and farm groups, consumer interest groups, allied health professionals, scientific professionals, and other individuals who have requested to be included. The update also is available on the FSIS Web page. Through Listserv and the Web page, FSIS is able to provide information to a much broader, more diverse audience.

In addition, FSIS offers an electronic mail subscription service which provides an automatic and customized notification when popular pages are updated, including **Federal Register** publications and related documents. This service is available at [http://www.fsis.usda.gov/news\\_and\\_events/](http://www.fsis.usda.gov/news_and_events/)

*email\_subscription/* and allows FSIS customers to sign up for subscription options across eight categories. Options range from recalls to export information to regulations, directives and notices. Customers can add or delete subscriptions themselves and have the option to password protect their account.

#### List of Subjects in 9 CFR Part 327

Imported Products.

■ For the reasons set out in the preamble, FSIS is amending 9 CFR part 327 as follows:

#### PART 327—IMPORTED PRODUCTS

■ 1. The authority citation for part 327 continues to read as follows:

**Authority:** 21 U.S.C. 601–695; 7 CFR 2.18, 2.53.

##### § 327.2 [Amended]

■ 2. Section 327.2 is amended by adding Chile in alphabetical order to the list of countries in paragraph (b).

Done at Washington, DC, on: October, 11, 2005.

**Barbara J. Masters,**  
*Administrator.*

[FR Doc. 05–22980 Filed 11–18–05; 8:45 am]

BILLING CODE 3410–DM–P

#### FARM CREDIT ADMINISTRATION

##### 12 CFR Part 627

RIN 3052–AC26

#### Title IV Conservators, Receivers, and Voluntary Liquidations; Receivership Repudiation Authorities; Effective Date

**AGENCY:** Farm Credit Administration.

**ACTION:** Notice of effective date.

**SUMMARY:** The Farm Credit Administration (FCA) published a final rule under part 627 on September 22, 2005 (70 FR 55513). This final rule gives certainty to Farm Credit System institutions regarding how the Farm Credit System Insurance Corporation will treat qualifying participations and securitizations if the institution is subsequently placed in conservatorship or receivership. In accordance with 12 U.S.C. 2252, the effective date of the final rule is 30 days from the date of publication in the **Federal Register** during which either or both Houses of Congress are in session. Based on the records of the sessions of Congress, the effective date of the regulations is November 14, 2005.

**DATES:** The regulation amending 12 CFR part 627, published on September 22,

2005 (70 FR 55513) is effective November 14, 2005.

#### FOR FURTHER INFORMATION CONTACT:

Robert E. Donnelly, Senior Accountant, Office of Policy and Analysis, Farm Credit Administration, McLean, VA 22102–5090, (703) 883–4498, TTY (703) 883–4434; or Rebecca S. Orlich, Senior Attorney, Office of General Counsel, Farm Credit Administration, McLean, VA 22102–5090, (703) 883–4020, TTY (703) 883–4020.

(12 U.S.C. 2252(a)(9) and (10))

Dated: November 15, 2005.

**Jeanette C. Brinkley,**

*Secretary, Farm Credit Administration Board.*

[FR Doc. 05–23001 Filed 11–18–05; 8:45 am]

BILLING CODE 6705–01–P

#### DEPARTMENT OF TRANSPORTATION

##### Federal Aviation Administration

##### 14 CFR Part 39

**[Docket No. FAA–2005–23005; Directorate Identifier 2003–NM–110–AD; Amendment 39–14379; AD 2005–23–21]**

RIN 2120–AA64

#### Airworthiness Directives; Airbus Model A340–200 and A340–300 Series Airplanes

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

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

**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for all Airbus Model A340–200 and A340–300 series airplanes. This AD requires repetitive inspections for cracking of the junction between the thrust reverser forward frame and the 12 o'clock and 6 o'clock beams; the thrust reverser common fittings; and the thrust reverser J-ring structure at the 12 o'clock and 6 o'clock positions; and related investigative and corrective actions. This AD results from fatigue and damage tolerance testing of the engine thrust reversers which revealed fatigue cracking of the junction between the thrust reverser forward frame and the 12 o'clock beam, and of the thrust reverser J-ring structure. We are issuing this AD to detect and correct such fatigue cracking, which could result in rupture of the J-ring, forward frame, or common fittings; loss of the thrust reverser system; or inadvertent deployment of a thrust reverser in flight and consequent reduced controllability of the airplane.

**DATES:** This AD becomes effective December 6, 2005.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of December 6, 2005.

We must receive comments on this AD by January 20, 2006.

**ADDRESSES:** Use one of the following addresses to submit comments on this AD.

- *DOT Docket Web site:* Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, room PL–401, Washington, DC 20590.

- *Fax:* (202) 493–2251.

- *Hand Delivery:* Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Contact Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; or Rohr Inc., 850 Lagoon Drive, Chula Vista, California 91912; for service information identified in this AD.

**FOR FURTHER INFORMATION CONTACT:** Tim Backman, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2797; fax (425) 227–1149.

#### SUPPLEMENTARY INFORMATION:

##### Discussion

The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, notified us that an unsafe condition may exist on all Airbus Model A340–200 and A340–300 series airplanes. The DGAC advises that fatigue and damage tolerance testing of the engine thrust reversers revealed cracking of the junction between the thrust reverser forward frame and the 12 o'clock beam. The cracking of the junction was found after the accumulation of approximately 20,000 total flight cycles. In addition to the fatigue cracking that was found during fatigue tests, fatigue cracking of the J-ring was also found on in-service airplanes that had accumulated fewer than 6,666 total flight cycles. These conditions, if not corrected, could result in rupture of the J-ring, forward frame, or common fittings; loss of the thrust reverser system; or inadvertent deployment of a thrust reverser in flight