

**(l) Terminating Action Limitation**

Accomplishment of corrective actions required by paragraph (g) of this AD does not constitute terminating action for the repetitive inspections required by this AD.

**(m) Terminating Action for Certain Airplanes**

(1) For airplanes with any MLG having P/N 10-210 series: Modification of the bogie beam of each MLG having P/N 10-210 series, as specified in Airbus Service Bulletin A330-32-3268, Revision 01, dated September 21, 2015; or Airbus Service Bulletin A340-32-4300, dated April 20, 2015; or Revision 01, dated September 21, 2015; as applicable; and in accordance with the Accomplishment Instructions of Messier-Bugatti-Dowty Service Bulletin A33/34-32-305, including Appendix A, dated April 13, 2015; constitutes terminating action for the repetitive inspection requirements of this AD for that airplane, provided that, following in-service modification, the airplane remains in post-service bulletin configuration.

(2) For airplanes with any MLG having P/N 201252 series or P/N 201490 series: Installation of both left-hand and right-hand MLG having P/N 201252 series or P/N 201490 series that has an improved bogie beam, as required by paragraph (k) of this AD, constitutes terminating action for the repetitive inspections requirements of this AD for that airplane, provided that, following in-service modification, the airplane remains in post-service bulletin configuration.

**(n) Parts Installation Prohibition**

Do not install on any airplane a pre-Airbus modification MLG having P/N 201252 series or pre-Airbus modification MLG having P/N 201490 series, as specified in paragraph (n)(1) or (n)(2) of this AD, as applicable; or a pre-Airbus modification MLG having P/N 10-210 series, as specified in paragraph (n)(3) or (n)(4) of this AD, as applicable.

(1) For any airplane that is in post-Airbus Modification 205289 configuration, or on which the modification required by paragraph (k) of this AD has been done: From the effective date of this AD.

(2) For any airplane that is in pre-Airbus Modification 205289 configuration, or on which the modification required by paragraph (k) of this AD has not been done: After modification of that airplane, as required by paragraph (k) of this AD.

(3) For any airplane that is in post-Airbus Modification 204421 configuration, or on which the modification specified in paragraph (m)(1) of this AD has been done: From the effective date of this AD.

(4) For an airplane that is in pre-Airbus Modification 204421, or on which the modification required by paragraph (m)(1) of this AD has not been done: After modification of that airplane, as required by paragraph (m)(1) of this AD.

**(o) Credit for Previous Actions**

(1) This paragraph provides credit for the actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using the service information identified in paragraphs (o)(1)(i) through (o)(1)(vii) or (o)(2) of this AD, as applicable.

(i) Airbus Service Bulletin A330-32-3248, dated October 5, 2011, which is not incorporated by reference in this AD.

(ii) Airbus Service Bulletin A330-32-3248, Revision 01, including Appendix 01, dated December 13, 2012, which was incorporated by reference in AD 2013-10-03, Amendment 39-17456 (78 FR 31386, May 24, 2013).

(iii) Airbus Service Bulletin A330-32-3248, Revision 02, dated April 16, 2014, which is not incorporated by reference in this AD.

(iv) Airbus Service Bulletin A330-32-3248, Revision 03, dated November 27, 2015, which is not incorporated by reference in this AD.

(v) Airbus Service Bulletin A330-32-3248, Revision 04, dated January 5, 2016, which is not incorporated by reference in this AD.

(vi) Airbus Service Bulletin A340-32-4286, dated October 5, 2011, which was incorporated by reference in AD 2013-10-03, Amendment 39-17456 (78 FR 31386, May 24, 2013).

(vii) Airbus Service Bulletin A340-32-4286, Revision 01, dated November 27, 2015, which is not incorporated by reference in this AD.

(2) This paragraph provides credit for the actions required by paragraph (k) of this AD, if those actions were performed before the effective date of this AD using Messier-Bugatti-Dowty Service Bulletin A33/34-32-306, dated December 21, 2015, which is not incorporated by reference in this AD.

**(p) Other FAA AD Provisions**

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs)*: The Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the International Branch, send it to ATTN: Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone: 425-227-1138; fax: 425-227-1149. Information may be emailed to: 9-ANM-116-AMOC-REQUESTS@faa.gov.

(i) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

(ii) AMOCs approved previously for AD 2013-10-03 are not approved as AMOCs with this AD.

(2) *Contacting the Manufacturer*: As of the effective date of this AD, for any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA; or EASA; or Airbus's EASA DOA. If approved by the DOA, the approval must include the DOA-authorized signature.

(3) *Required for Compliance (RC)*: Except as required by paragraph (j) of this AD: If any service information contains procedures or tests that are identified as RC, those procedures and tests must be done to comply with this AD; any procedures or tests that are not identified as RC are recommended. Those procedures and tests that are not identified as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the procedures and tests identified as RC can be done and the airplane can be put back in an airworthy condition. Any substitutions or changes to procedures or tests identified as RC require approval of an AMOC.

**(q) Related Information**

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA AD 2016-0108, dated June 8, 2016, for related information. This MCAI may be found in the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-3984.

(2) For Airbus service information identified in this AD, contact Airbus SAS, Airworthiness Office—EAL, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone: +33 5 61 93 36 96; fax: +33 5 61 93 45 80; email: [airworthiness.A330-A340@airbus.com](mailto:airworthiness.A330-A340@airbus.com); Internet <http://www.airbus.com>. For Messier-Bugatti-Dowty service information identified in this AD, contact Messier Services Americas, Customer Support Center, 45360 Severn Way, Sterling, VA 20166-8910; phone: 703-450-8233; fax: 703-404-1621; Internet: <https://techpubs.services/messier-dowty.com>. You may view this service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

Issued in Renton, Washington, on March 9, 2017.

**Michael Kaszycki,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

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

[Docket No. FAA-2016-9380; Directorate Identifier 2016-NE-21-AD]

RIN 2120-AA64

**Airworthiness Directives; CFE Company Turbofan Engines**

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

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** The FAA is withdrawing a notice of proposed rulemaking (NPRM). The NPRM proposed a new

airworthiness directive (AD) for certain CFE Company (CFE) turbofan engines that published in the **Federal Register** on January 5, 2017. The proposed action that published in the **Federal Register** on January 5, 2017 was a duplicate of an NPRM, Directorate Identifier 2016-NE-21-AD, that published in the **Federal Register** on January 3, 2017. Accordingly, we withdraw the proposed rule that published in the **Federal Register** on January 5, 2017.

**DATES:** As of March 22, 2017, the proposed rule published January 5, 2017 (82 FR 52) is withdrawn.

**FOR FURTHER INFORMATION CONTACT:** Martin Adler, Aerospace Engineer, Engine Certification Office, FAA, 1200 District Avenue, Burlington, MA 01803; phone: 781-238-7157; fax: 781-238-7199; email: [martin.adler@faa.gov](mailto:martin.adler@faa.gov).

**SUPPLEMENTARY INFORMATION:** The FAA proposed to amend 14 CFR part 39 with a proposed AD (82 FR 1258, January 5, 2017). Since we published the NPRM, Directorate Identifier 2016-NE-21-AD, in the **Federal Register** on January 5, 2017 (82 FR 1258), we discovered that it was a duplicate of an NPRM, Directorate Identifier 2016-NE-21-AD, that published in the **Federal Register** on January 3, 2017 (82 FR 52). This duplication created overlapping comment periods with different comment period closing dates, which is confusing to commenters.

Withdrawal of the NPRM (82 FR 1258, January 5, 2017) constitutes only such action, and does not preclude the agency from issuing another notice in the future, nor does it commit the agency to any course of action in the future.

Since this action only withdraws a notice of proposed rulemaking, it is neither a proposed nor a final rule. Therefore, Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979) do not cover this withdrawal.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

#### The Withdrawal

Accordingly, the notice of proposed rulemaking, Docket No. FAA-2016-9380; Directorate Identifier 2016-NE-21-AD, published in the **Federal Register** on January 5, 2017 (82 FR 1258), is withdrawn.

Issued in Burlington, Massachusetts, on March 8, 2017.

**Carlos A. Pestana,**

*Acting Assistant Manager, Engine & Propeller Directorate, Aircraft Certification Service.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 1132

[Docket No. FDA-2016-N-2527]

#### Tobacco Product Standard for N-Nitrosornicotine Level in Finished Smokeless Tobacco Products; Extension of Comment Period

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** The Food and Drug Administration (FDA or the Agency) is extending the comment period for the proposed rule that appeared in the **Federal Register** of January 23, 2017. In the proposed rule, FDA requested comments on its proposal to establish a limit of N-nitrosornicotine (NNN) in finished smokeless tobacco products. The Agency is taking this action in response to requests for an extension to allow interested persons additional time to submit comments. The Agency is also providing notice of a typographical error in a formula in the Laboratory Information Bulletin (LIB) titled, "Determination of N-nitrosornicotine (NNN) in Smokeless Tobacco and Tobacco Filler by HPLC-MS/MS" (LIB No. 4620, January 2017). In accordance with the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, entitled "Regulatory Freeze Pending Review", the Agency is also taking this opportunity to provide notice that, as with all regulatory actions subject to such memorandum, this proposed rule is being reviewed consistent with the memorandum.

**DATES:** FDA is extending the comment period on the proposed rule published January 23, 2017 (82 FR 8004). Submit either electronic or written comments by July 10, 2017. Late, untimely filed comments will not be considered. Electronic comments must be submitted on or before July 10, 2017. The <https://www.regulations.gov> electronic filing system will accept comments until midnight Eastern Time at the end of *July 10, 2017*. Comments received by

mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are postmarked or the delivery service acceptance receipt is on or before that date.

**ADDRESSES:** You may submit comments as follows:

#### Electronic Submissions

Submit electronic comments in the following way:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see "Written/Paper Submissions" and "Instructions").

#### Written/Paper Submissions

Submit written/paper submissions as follows:

- **Mail/Hand delivery/Courier (for written/paper submissions):** Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Division of Dockets Management, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in "Instructions."

**Instructions:** All submissions received must include the Docket No. FDA-2016-N-2527 for "Tobacco Product Standard for N-nitrosornicotine Level in Finished Smokeless Tobacco Products." Received comments, those filed in a timely manner (see DATES), will be placed in the docket and, except for those submitted as "Confidential Submissions," publicly viewable at <https://www.regulations.gov> or at the Division of Dockets Management