

Proposed Rules

Federal Register

Vol. 83, No. 93

Monday, May 14, 2018

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1255

[Doc. No. AMS–SC–16–0112;
PR–A1, PR–B]

Organic Research, Promotion, and Information Order; Termination of Rulemaking Proceeding

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule; termination of proceeding.

SUMMARY: This action terminates a rulemaking proceeding that proposed to establish a national research and promotion program for certified organic products under authority of the Commodity Promotion, Research and Information Act of 1996 (1996 Act). The program was proposed by the proponent group, the Organic Trade Association (OTA). Based on uncertain industry support for and outstanding substantive issues with the proposed program, USDA is terminating the proceeding.

DATES: This termination is made on May 15, 2018.

ADDRESSES: Promotion and Economics Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW, Room 1406–S, Stop 0244, Washington DC 20250–0244.

FOR FURTHER INFORMATION CONTACT: Heather Pichelman, Division Director, Promotion and Economics Division, Specialty Crops Program, AMS, USDA, see **ADDRESSES**; Telephone: (202) 720–9915, Fax: (202) 205–2800, or Email: Heather.Pichelman@ams.usda.gov.

SUPPLEMENTARY INFORMATION: Prior documents in this proceeding include: A proposed rule published in the **Federal Register** on January 18, 2017 (82 FR 5746), which provided a 60-day comment period that ended on March 20, 2017. On February 27, 2017, a document was published in the **Federal Register** that extended the comment

period until April 19, 2017 (82 FR 11854).

Preliminary Statement

The 1996 Act authorizes USDA to establish agricultural commodity research and promotion orders which may include a combination of promotion, research, industry information, and consumer information activities funded by mandatory assessments. Section 10004 of the Agricultural Act of 2014 (2014 Farm Bill) (Pub. L. 113–79) amended section 501 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7401), which authorizes generic commodity promotion programs under the various commodity promotion laws, to allow for an organic commodity promotion order.

On May 15, 2015, USDA received a proposal for a national research and promotion program for certified organic products from OTA. OTA is a membership-based trade organization representing growers, processors, certifiers, farmers associations, distributors, importers, exporters, consultants, retailers, and others involved in the organic sector.

OTA proposed a program that would be financed by an assessment on certified organic products and administered by a board of industry members selected by the Secretary of Agriculture. The purpose of the program would be to strengthen the position of certified organic products in the marketplace, support research to benefit the organic industry, and improve access to information and data across the organic sector.

A proposed rule consisting of OTA's proposal was published in the **Federal Register** on January 18, 2017 (82 FR 5746), which provided a 60-day comment period that ended on March 20, 2017. On February 27, 2017, a document was published in the **Federal Register** that extended the comment period until April 19, 2017 (82 FR 11854). The proposed rule included a request for comments on substantive aspects of the proposed program, including the support for, and method of, assessing imports; the approach for calculating assessments including how “dual-covered commodities” would be handled; and the de minimis exemption level.

In response to the proposed rule, USDA received almost 15,000

comments. The comments revealed that there is a split within the industry in terms of support for the proposed program. While some comments voiced support for a collective industry program, other comments stated that industry was not aligned in backing the proposal. Opponents raised concerns about the proposed program, including how the de minimis level would eliminate a majority of organic farmers from the program; the disproportionate impact on high value commodities as assessments would be tied to sales value; whether organic promotion is possible without being disparaging to other agricultural commodities; voting methodology; financial burden on small entities to comply; and cited the challenges to tracing imported organic products. Both those in support of, and those in opposition to the proposed program requested changes to the method of assessment for imports and a reduction in the paperwork burden on covered entities. Other outstanding significant issues with the proposal are the assessment of non-food products and products “made with (specified ingredients)”.

Research and promotion programs are brought about by collective and united industry action. The comments received on the proposed organic program disclosed divergent views within the organic industry. Based on uncertain industry support for and unresolved issues with the proposed program, USDA is terminating the proceeding. This action also terminates the rulemaking procedure on the proposed referendum procedures (82 FR 5438).

Termination of this rulemaking proceeding will remove ex parte communication prohibitions and allow USDA to engage fully with all interested parties to discuss and consider the evolving needs of the industry going forward. Based on the above, USDA is terminating this rulemaking proceeding.

Regulatory Flexibility Act and Paperwork Reduction Act

As part of the proceeding conducted for this rulemaking, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601–612) and the Paperwork Reduction Act of 1955 (44 U.S.C. Chapter 35) were considered. Because this action terminates the underlying rulemaking proceeding, the economic conditions of small entities are not changed as a result

of this action, nor have any compliance requirements changed. Also, this action does not provide for any new or changed reporting and recordkeeping requirements. Accordingly, all supporting forms for the proposed program will be withdrawn.

Termination of Proceeding

In view of the foregoing, it is hereby determined that the rulemaking proceeding proposing to establish a national research and promotion program for certified organic products should be and is hereby terminated.

List of Subjects in 7 CFR Part 1255

Administrative practice and procedure, Advertising, Consumer information, Marketing agreements, Organic, Promotion, Reporting and recordkeeping requirements.

Authority: 7 U.S.C. 7411–7425; 7 U.S.C. 7401.

Dated: May 8, 2018.

Bruce Summers,

Acting Administrator, Agricultural Marketing Service.

[FR Doc. 2018–10131 Filed 5–11–18; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

Docket No. FAA–2015–0310; Notice No. 25–18–02–SC]

Special Conditions: Gulfstream Aerospace Corporation Model GVII–G500 Series Airplanes; Flight Envelope Protection—High Incidence Protection System.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed special conditions.

SUMMARY: This action proposes special conditions for the Gulfstream Aerospace Corporation (Gulfstream) Model GVII–G500 series airplanes. These airplanes will have a novel or unusual design feature when compared to the state of technology and design envisioned in the airworthiness standards for transport category airplanes. This design feature is a high incidence protection system that limits the angle of attack at which the airplane can be flown during normal low speed operation. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety

standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: Send your comments on or before June 4, 2018.

ADDRESSES: Send comments identified by docket number FAA–2015–0310 using any of the following methods:

- *Federal eRegulations Portal:* Go to <http://www.regulations.gov/> and follow the online instructions for sending your comments electronically.

- *Mail:* Send comments to Docket Operations, M–30, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* Fax comments to Docket Operations at 202–493–2251.

Privacy: The FAA will post all comments it receives, without change, to <http://www.regulations.gov/>, including any personal information the commenter provides. Using the search function of the docket website, anyone can find and read the electronic form of all comments received into any FAA docket, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). DOT's complete Privacy Act Statement can be found in the **Federal Register** published on April 11, 2000 (65 FR 19477–19478).

Docket: Background documents or comments received may be read at <http://www.regulations.gov/> at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Joe Jacobsen, Airframe & Flight Crew Interface Section, AIR–671, Transport Standards Branch, Policy and Innovation Division, Aircraft Certification Service, Federal Aviation Administration, 2200 SE 216th Street, Des Moines, Washington 98098; telephone and facsimile 206–231–3158; email Joe.Jacobsen@faa.gov.

SUPPLEMENTARY INFORMATION: Certification of the Gulfstream Model GVII–G500 series airplanes is currently scheduled for July 2018. Because a delay in design approval would

significantly affect the certification of the airplane and thus delivery of the airplane, we are shortening the public-comment period to 20 days.

Comments Invited

We invite interested people to take part in this rulemaking by sending written comments, data, or views. The most helpful comments reference a specific portion of the special conditions, explain the reason for any recommended change, and include supporting data.

We will consider all comments we receive by the closing date for comments. We may change these special conditions based on the comments we receive.

Background

On June 30, 2013, Gulfstream Aerospace Corporation applied for a type certificate for its new Model GVII–G500 series airplane. The Gulfstream Model GVII–G500 series airplane will be a business jet with seating for up to 19 passengers. It will incorporate a low, swept-wing design with a T-tail. The powerplant will consist of two aft-fuselage-mounted turbofan engines. The Gulfstream Model GVII–G500 series airplane's maximum takeoff weight will be approximately 79,600 lbs.

The high incidence protection system prevents the airplane from stalling at low speeds and, therefore, a stall warning system is not needed during normal flight conditions.

Type Certification Basis

Under the provisions of title 14, Code of Federal Regulations (14 CFR) 21.17, Gulfstream Aerospace Corporation must show that the Model GVII–G500 series airplane meets the applicable provisions of 14 CFR part 25, as amended by amendments 25–1 through 25–137.

If the Administrator finds that the applicable airworthiness regulations (*i.e.*, 14 CFR part 25) do not contain adequate or appropriate safety standards for the Gulfstream Model GVII–G500 series airplane because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same novel or unusual design feature, these special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and special conditions, the Gulfstream Model GVII–