

SUMMARY: The Department of Commerce has received information sufficient to warrant initiation of a changed circumstances administrative review of the antidumping order on sugar and syrups from Canada. Based on this information, we preliminarily determine that Rogers Sugar Ltd. (Rogers) is the successor-in-interest to The British Columbia Sugar Refining Company, Limited (BC Sugar) for purposes of determining antidumping liability.

Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: September 17, 1996.

FOR FURTHER INFORMATION CONTACT: J. David Dirstine or Richard Rimlinger, Office of AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482-4733.

SUPPLEMENTARY INFORMATION:

Background

On April 9, 1980, the Department of Commerce (the Department) published in the Federal Register (45 FR 24126) an antidumping duty order on sugar and syrups from Canada. On August 30, 1996, Rogers submitted a letter stating that Rogers is the successor-in-interest to BC Sugar, and that Rogers Sugar Ltd. should receive the same antidumping duty treatment as is accorded BC Sugar.

Scope of the Review

Imports covered by the review are shipments of Canadian sugar and syrups produced from sugar cane and sugar beets. The sugar is refined into granulated or powdered sugar, icing, or liquid sugar. Sugar and syrups are currently classifiable under item numbers 1701.11.0025, 1701.11.0045, and 1702.90.3000 of the Harmonized Tariff Schedule (HTS). The HTS item numbers are provided for convenience and U.S. Customs Service purposes. The written description remains dispositive.

Initiation and Preliminary Results of Review

In a letter dated August 30, 1996, Rogers advised the Department that on June 1, 1995, the former BC Sugar effected a legal name change to Rogers Sugar Ltd. Rogers stated that the former Executive Vice President of BC Sugar is now the President and Chief Operating Officer of Rogers and, further, that the company's management structure is otherwise unchanged. Rogers also stated that the company's three production facilities are unaffected by this change, as are supplier relationships and the company's customer base. Rogers

submitted a copy of the document dated June 5, 1995, which evidences this legal name change and which was filed with the Canadian Government to record the name change under the Canada Business Corporations Act.

Thus, in accordance with section 751(b) of the Tariff Act, as amended (the Act), the Department is initiating a changed circumstances review to determine whether Rogers is the successor-in-interest to BC Sugar for purposes of determining antidumping duty liability. In making such a successor-in-interest determination, the Department examines several factors including, but not limited to, changes in: (1) management; (2) production facilities; (3) supplier relationships; and (4) customer base. See, e.g., *Brass Sheet and Strip from Canada; Final Results of Antidumping Duty Administrative Review*, 57 FR 20460 (May 13, 1992) (*Canadian Brass*). While no one or several of these factors will necessarily provide a dispositive indication, the Department will generally consider the new company to be the successor to the previous company if its resulting operation is similar to that of its predecessor. See, e.g., *Industrial Phosphoric Acid from Israel; Final Results of Changed Circumstances Review*, 59 FR 6944 (February 14, 1994) and *Canadian Brass*. Thus, if the evidence demonstrates that, with respect to the production and sale of the subject merchandise, the new company operates as the same business entity as the former company, the Department will assign the new company the cash deposit rate of its predecessor.

We preliminarily determine that Rogers Sugar Ltd. is the successor-in-interest to BC Sugar. BC Sugar has changed its name to Rogers Sugar Ltd. and the former Executive Vice President of BC Sugar is now the President and Chief Operating Officer of Rogers Sugar Ltd. The company's management structure is otherwise unchanged. Similarly, the company's three production facilities are unaffected by these changes as are supplier relationships and the company's customer base. Thus, Rogers Sugar Ltd. should receive the same antidumping duty treatment as the former BC Sugar, i.e., a zero percent antidumping duty cash deposit rate.

Interested parties are invited to comment on these preliminary results. Any written comments may be submitted no later than September 24, 1996. While, pursuant to 19 CFR § 353.38(c)(ii), the comment period for such administrative reviews is normally 30 days, the circumstances surrounding this changed circumstances review

compel the Department to abbreviate the comment period in this case. This changed circumstances review is being conducted to address the legally and factually straightforward issue of a corporate name change. It is critical that the Department make the requested successor-in-interest determination by September 30, 1996. The subject merchandise is subject to a quota program. This determination is crucial for the U.S. Customs Service both in determining quota and whether entries of the subject merchandise by Rogers Sugar Ltd. are subject to the zero antidumping duty rate of BC Sugar. Finally, because interested parties have not requested an administrative review of the antidumping duty order on sugar and syrups from Canada since 1987 and have been aware of the corporate name change since at least October 1995, when Rogers Sugar Ltd. notified interested parties of the name change, the abbreviated comment period will not unduly burden interested parties in this matter.

This initiation of review and notice are in accordance with section 751(b) of the Act, as amended (19 U.S.C. 1675(b)), and 19 CFR 353.22(f)(4).

Dated: September 13, 1996.

Robert S. LaRussa,
Assistant Secretary for Import
Administration.

[FR Doc. 96-23921 Filed 9-16-96; 8:45 am]

BILLING CODE 3510-DS-P

Export Trade Certificate of Review

ACTION: Notice of Issuance of an Export Trade Certificate of Review, Application No.96-00004.

SUMMARY: The Department of Commerce has issued an Export Trade Certificate of Review to The Foreign Market Search for U.S. Products and Services, Inc., doing business as FMS Exports-Imports, Inc. ("FMS"). This notice summarizes the conduct for which certification has been granted.

FOR FURTHER INFORMATION CONTACT: W. Dawn Busby, Director, Office of Export Trading Company Affairs, International Trade Administration, 202-482-5131. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 15 CFR Part 325 (1995).

The Office of Export Trading Company Affairs ("OETCA") is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Department of

Commerce to publish a summary of a Certificate in the Federal Register. Under Section 305 (a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

Description of Certified Conduct

Export Trade

1. Products: All products.
2. Services: All services.
3. Technology rights. Technology Rights, including, but not limited to, patents, trademarks, copyrights and trade secrets that relate to Products and Services.
4. Export trade facilitation services (as they relate to the export of products, services and technology rights). Export Trade Facilitation Services including professional services in the areas of government relations and assistance with state and federal programs; foreign trade and business protocol; consulting; market research and analysis; collection of information on trade opportunities; marketing; negotiations; joint ventures; shipping; export management; export licensing; advertising; documentation and services related to compliance with customs requirements; insurance and financing; trade show exhibitions; organizational development; management and labor strategies; transfer of technology; transportation; and facilitating the formation of shippers' associations.

Export Markets

The Export Markets include all parts of the world except the United States (the fifty states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.)

Export Trade Activities and Methods of Operation

1. To engage in Export Trade in the Export Markets, as an Export Intermediary, FMS may:
 - a. Provide and/or arrange for the provision of Export Trade Facilitation Services;
 - b. Engage in promotional and marketing activities and collect information on trade opportunities in the Export Markets and distribute such information to clients;
 - c. Enter into exclusive and/or nonexclusive licensing and/or sales

agreements with Suppliers for the export of Products, Services and/or Technology Rights in the Export Markets;

- d. Enter into exclusive and/or nonexclusive agreements with distributors and/or sales representatives in Export Markets;
- e. Allocate export sales or divide Export Markets among Suppliers for sale and/or licensing of Products, Services, and/or Technology Rights;
- f. Allocate export orders among Suppliers;
- g. Establish the price of Products, Services and/or Technology Rights for sale and/or licensing in the Export Markets;
- h. Negotiate, enter into, and/or manage licensing agreements for the export of Technology Rights;
- i. Enter into contracts for shipping; and
- j. Exchange information on a one-on-one basis with individual Suppliers regarding inventories and near-term production schedules for the purpose of determining the availability of Products for export and coordinating export with distributors.

Terms and Conditions of Certificate

1. In engaging in Export Trade Activities and Methods of Operation, FMS will not intentionally disclose, directly or indirectly, to any Supplier any information about any other Supplier's costs, production, capacity, inventories, domestic prices, domestic sales, or U.S. business plans, strategies, or methods that is not already generally available to the trade or public.
2. FMS will comply with requests made by the Secretary of Commerce on behalf of the Secretary of Commerce or the Attorney General for information or documents relevant to conduct under the Certificate. The Secretary of Commerce will request such information or documents when either the Attorney General or the Secretary of Commerce believes that the information or documents are required to determine that the Export Trade, Export Trade Activities, and Methods of Operation of a person protected by this Certificate of Review continue to comply with the standards of Section 303(a) of the Act.

Definitions

1. "Export Intermediary" means a person who acts as a distributor, sales representative, sales or marketing agent, or broker, or who performs similar functions, including providing or arranging for the provision of Export Trade Facilitation Services.

2. "Supplier" means a person who produces, provides, or sells a Product and/or Service.

3. "Technology Rights" means such things as, but not limited to, patents, trademarks, copyrights and trade secrets that relate to Products and Services.

Protection Provided by the Certificate

This Certificate protects FMS and its employees acting on its behalf from private treble damage actions and government criminal and civil suits under U.S. federal and state antitrust laws for the export conduct specified in the Certificate and carried out during its effective period in compliance with its terms and conditions.

Effective Period of Certificate

This Certificate continues in effect from the effective date indicated below until it is relinquished, modified, or revoked as provided in the Act and the Regulations.

Other Conduct

Nothing in this Certificate prohibits FMS from engaging in conduct not specified in this Certificate, but such conduct is subject to the normal application of the antitrust laws.

Disclaimer

The issuance of this Certificate of Review to FMS by the Secretary of Commerce with the concurrence of the Attorney General under the provisions of the Act does not constitute, explicitly or implicitly, an endorsement or opinion by the Secretary or by the Attorney General concerning either (a) the viability or quality of the business plans of FMS or (b) the legality of such business plans of FMS under the laws of the United States (other than as provided in the Act) or under the laws of any foreign country. The application of this Certificate to conduct in export trade where the United States Government is the buyer or where the United States Government bears more than half the cost of the transaction is subject to the limitations set forth in Section V. (D.) of the "Guidelines for the Issuance of Export Trade Certificates of Review (Second Edition)", 50 Fed. Reg. 1786 (January 11, 1985).

In accordance with the authority granted under the Act and Regulations, this Certificate of Review is hereby granted to FMS.

A copy of this certificate will be kept in the International Trade Administration's Freedom of Information Records Inspection Facility Room 4102, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230.

Dated: September 11, 1996.

W. Dawn Busby,

Director, Office of Export Trading Company Affairs.

[FR Doc. 96-23680 Filed 9-16-96; 8:45 am]

BILLING CODE 3510-DR-P

National Oceanic and Atmospheric Administration

[I.D. 091096B]

ICCAT Advisory Committee; Public Meetings

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meetings.

SUMMARY: The Advisory Committee to the U.S. Section to the International Commission for the Conservation of Atlantic Tunas (ICCAT) and the Highly Migratory Species Management Division of National Marine Fisheries Service announces the schedule of regional public meetings to be held this fall.

DATES: See **SUPPLEMENTARY INFORMATION** for specific dates and times of the hearings.

ADDRESSES: See **SUPPLEMENTARY INFORMATION** for locations of the meetings.

FOR FURTHER INFORMATION CONTACT: Kim Blankenbaker, (301) 713-2276.

SUPPLEMENTARY INFORMATION: The meetings are scheduled as follows:

1. Monday, September 16, 1996, 6 to 10 p.m.—West Palm Beach Omni Hotel, 1601 Belvedere Road, West Palm Beach, FL 33406;
2. Tuesday, September 17, 1996, 6 to 10 p.m.—Quality Inn Midtown, 3900 Tulane Avenue, New Orleans, LA 70119;
3. Friday, October 18, 1996, 6 to 10 p.m.—World Trade Center, 164 Northern Avenue, Boston, MA 02210;
4. Saturday, October 19, 1996, 7 to 10 p.m.—Suffolk Community College, Shinnecock Building, Room S-101, Speonk/Riverhead Road, Riverhead, NY 11901;
5. Monday, October 21, 1996, 6 to 10 p.m.—Quality Inn Lake Wright Convention Center, 6280 Northampton Boulevard, Norfolk, VA 23502;
6. Tuesday, October 22, 1996, 6 to 10 p.m.—Belmar Municipal Courtroom, 601 Main Street, Belmar, NJ 07719; and
7. The annual ICCAT Advisory Committee Meeting will be held in Silver Spring, MD, November 6-8, 1996. There will be an additional opportunity for public comment on international issues on Wednesday, November 6 from

2-6 p.m. at NOAA Building 2, Room 2358, 1325 East-West Highway, Silver Spring, MD 20910.

The following topics may be discussed:

International Issues:

- (1) Background on ICCAT
- (2) Information on the Advisory Committee and Commissioners
- (3) Status of Highly Migratory Species Managed by ICCAT
- (4) Topics for the 1996 ICCAT Annual Meeting

Domestic Issues:

- (1) Upcoming Highly Migratory Species Rulemaking Actions
 - (2) Regional Concerns/Issues
- The meetings may be lengthened or shortened based on the progress of the discussions. The first half of each meeting will be dedicated to international issues, followed by domestic issues. Representatives from the U.S. ICCAT Advisory Committee and NMFS will be in attendance. For each issue, there will be an opportunity for public comment. The meeting locations are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kim Blankenbaker at (301) 713-2347 at least 5 days prior to the meeting date.

Dated: September 10, 1996.

Richard W. Surdi,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 96-23678 Filed 9-16-96; 8:45 am]

BILLING CODE 3510-22-F

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[I.D. 083096A]

Marine Mammals; Scientific Research Permit (P617)

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce; and Fish and Wildlife Service (FWS), Interior.

ACTION: Receipt of application.

SUMMARY: Notice is hereby given that Dr. Madonna L. Moss, 1218 Department of Anthropology, University of Oregon, Eugene, OR 97403-1218, has applied in due form for a permit to take marine mammals for purposes of scientific research.

DATES: Written comments must be received on or before October 17, 1996.

ADDRESSES: The application and related documents are available for review upon written request or by appointment (see **SUPPLEMENTARY INFORMATION** for locations).

Written data or views, or requests for a public hearing on this request, should be submitted to the Director, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Concurrent with the publication of this notice in the Federal Register, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), the regulations governing the taking, importing, and exporting of endangered fish and wildlife (50 CFR part 222) and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

The applicant requests a permit to salvage carcasses to be processed to obtain osteological specimens (bones and teeth) for the comparative collection of animal bones in the Department of Anthropology. Samples from the following species will be obtained from beached/stranded animals or carcasses left behind by Native Alaskan subsistence hunters: Harbor porpoise (*Phocoena phocoena*), Dall's porpoise (*Phocoenoides dalli*), Walrus (*Odobenus rosmarus*), Guadelupe fur seal (*Arctocephalus townsendi*), Northern fur seal (*Callorhinus ursinus*), Steller sea lion (*Eumetopias jubatus*), California sea lion (*Zalophus californianus*), Bearded seal (*Erignathus barbatus*), Northern elephant seal (*Mirounga angustirostris*), Ribbon seal (*Phoca fasciata*), Ringed seal (*Phoca hispida*), Larga (spotted) seal (*Phoca largha*), Harbor seal (*Phoca vitulina*) and Sea otter (*Enhydra lutris*). Specimens will be salvaged from carcasses in the Alexander Archipelago of southeast Alaska, Nunivak Island, Alaska, the coast of Oregon, and the California Channel Islands. The application and related documents may be reviewed at the following locations:

Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910 (301/713-2289);