

to imports of grains so that a duty does not result in a duty-paid import price in excess of a specified level. Before a panel was established, a settlement was reached in conjunction with the U.S.-EU settlement on EU enlargement. The United States remains concerned about the EU's implementation of this settlement agreement, and will continue to monitor it closely.

- Turkey—film tax. Turkey has taxed box office receipts from foreign films at a higher rate than receipts from domestic films. In WTO consultations, Turkey agreed to eliminate the tax discrimination.

- Portugal—patent protection. After the United States used WTO dispute settlement procedures to challenge Portugal's patent law, which failed to provide the required minimum 20 years of patent protection, Portugal changed its system to implement its obligations under the WTO TRIPs agreement.

Using Access to the U.S. Market to Encourage Improvements in Worker Rights and Intellectual Property Rights Protection

Congress has provided, and in 1996 renewed, the Generalized System of Preferences (GSP) program of duty-free access for some imports from developing countries. The Clinton Administration has used the GSP program to integrate developing countries into the international trading system in a manner commensurate with their development. The Administration has encouraged GSP beneficiary countries to eliminate or reduce significant barriers to trade in goods, services, and investment; to afford all workers internationally recognized worker rights; and to provide adequate and effective means for foreign nationals to secure, exercise, and enforce intellectual property rights.

- Pakistan. In March 1996 the Administration announced its intention to partially suspend Pakistan's GSP benefits as a result of child labor and bonded labor problems in Pakistan.

- Thailand. The Administration restored GSP benefits to Thailand in 1995 only after Thailand made significant improvements in intellectual property protection.

- Maldives. The Administration suspended GSP benefits for the Maldives in July 1995, for failure to provide worker rights.

- El Salvador, Dominican Republic and Honduras. The Administration used GSP country practice reviews to obtain improvements in worker rights.

- Guatemala and Thailand are being monitored for further progress on worker rights improvements.

- Poland and El Salvador. The Administration concluded in October 1996 reviews after progress on intellectual property rights was achieved.

Irving Williamson,

Chairman, Section 301 Committee.

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WTO Dispute Settlement Proceeding Concerning Certain Japanese Measures Affecting Imported Consumer Photographic Film and Paper

AGENCY: Office of the United States Trade Representative.

ACTION: Notice; request for comments.

SUMMARY: Pursuant to section 127(b)(1) of the Uruguay Round Agreements Act (URAA) (19 U.S.C. 3537(b)(1)), the Office of the United States Trade Representative (USTR) is providing notice that a dispute settlement panel convened under the Agreement Establishing the World Trade Organization (WTO) at the request of the United States will examine Japanese government measures affecting the distribution and sale of imported consumer photographic film and paper. USTR also invites written comments from the public concerning the issues raised in the dispute.

DATES: Although USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted on or before November 1, 1996 in order to be assured of timely consideration by USTR in preparing its first written submission to the panel.

ADDRESSES: Comments may be submitted to Sybia Harrison, Staff Assistant, Room 222, Attn: Film and Paper Dispute, Office of the U.S. Trade Representative, 600 17th Street, N.W., Washington, DC 20508.

FOR FURTHER INFORMATION CONTACT: Joanna McIntosh, Associate General Counsel, Office of the General Counsel, Office of the U.S. Trade Representative, 600 17th Street, N.W. Washington, DC 20508, (202) 395-7203.

SUPPLEMENTARY INFORMATION: At the United States' request, a WTO dispute settlement panel will examine whether certain Japanese government measures affecting the distribution and sale of imported consumer photographic film and paper are consistent with the Government of Japan's obligations under the General Agreement on Tariffs and Trade 1994 (GATT).

The panel is expected to meet as necessary at the WTO headquarters in Geneva, Switzerland to examine the dispute. Under normal circumstances, the panel would be expected to issue a report detailing its findings and recommendations in six to nine months.

Major Issues Raised by the United States and Legal Basis of Complaint

The United States has requested that a WTO panel examine whether the Government of Japan has implemented and maintains laws, regulations, requirements and measures (collectively "measures") affecting the distribution, offering for sale, and internal sale of imported consumer photographic film and paper, including: liberalization countermeasures; distribution measures, such as, but not limited to, the cabinet decision, administrative guidance, and other measures listed in the Appendix; the Law Pertaining to the Adjustment of Business Activities of the Retail Industry for Large Scale Retail Stores, No. 109 of 1973 (Daiten Ho); Special Measures for the Adjustment of Retail Business; No. 155 of 1959 (Shocho Ho); the Law Against Unjustifiable Premiums and Misleading Representations, No. 134 of 1962; measures regarding dispatched employees pursuant to the Law Concerning the Prohibition of Private Monopoly and Maintenance of Fair Trade, No. 54 of 1947; the Law Concerning Enterprise Reform for Specified Industries, No. 61 of 1995; the Ministry of International Trade and Industry Establishment Law, No. 275 of 1952; and related measures.

The United States considers that such measures nullify or impair benefits accruing to it, within the meaning of Article XXIII: (1)(a), as a result of the failure of the Government of Japan to carry out its obligations under Articles III and X of the General Agreement on Tariffs and Trade 1994 (GATT). More specifically, Japanese government measures:

- Were implemented and maintained so as to afford protection to domestic production of consumer photographic film and paper within the meaning of GATT Article III:1;

- Conflict with GATT Article III:4 by affecting the conditions of competition for the distribution, offering for sale, and internal sale of consumer photographic film and paper in a manner that accords less favorable treatment to imported film and paper than to comparable products of national origin; and

- Conflict with GATT Articles X:1 and X:3 because the measures lack

transparency in that they were not promptly published and were not administered in a uniform, impartial and reasonable manner.

In addition, the United States considers that the application of these measures by the Government of Japan nullifies or impairs, within the meaning of GATT Article XXIII:(1)(b), the tariff concessions that the Government of Japan made on black and white and color consumer photographic film and paper in the Kennedy Round, Tokyo Round, and Uruguay Round multilateral tariff negotiations.

Appendix

MITI, "Administrative Guidance To Promote Rationalization of Distribution System," 1966.

Cabinet Decision, "Liberalization of Foreign Investment," June 6, 1967.

MITI Industrial Structure Council Distribution Subcommittee, "Distribution Systemization," 1969 (Tsusanho Koho, Aug. 13 & 14, 1969).

MITI Preparatory Survey, "The Actual State of Trade Practices in Photo Film," 1969.

MITI, "Film Trade Normalization Guidelines," 1970.

MITI, "Business Bureau Report on Film Prices," 1970.

MITI, "Basic Plan for Distribution Systemization," 1971.

MITI, "Manual for Systemization of Distribution," 1975.

MITI, "Guidelines for Improving Business Practices," 1990.

MITI and the Small and Medium Enterprises Agency, "Distribution Vision for the 21st Century," 1995 (and earlier versions for the 1970s, 1980s, and 1990s).

Photo Industry Distribution Information Systemization Council [Kyogikai], "Comprehensive Manual for Photo Distribution Industry Distribution Information Systemization," 1996 (and 1989, 1990, 1991, and 1992 versions).

Other related measures, including guidelines.

Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in the dispute. Comments must be in English and provided in fifteen copies. A person requesting that information contained in a comment submitted by that person be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the commenter.

Confidential business information must be clearly marked "BUSINESS CONFIDENTIAL" in a contrasting color ink at the top of each page of each copy.

A person requesting that information or advice contained in a comment submitted by that person, other than

business confidential information, be treated as confidential in accordance with section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155)—

- (1) Must so designate that information or advice;
- (2) Must clearly mark the material as "CONFIDENTIAL" in a contrasting color ink at the top of each page of each copy; and
- (3) Is encouraged to provide a non-confidential summary of the information or advice.

Pursuant to section 127(e) of the URAA, USTR will maintain a file on this dispute settlement proceeding, accessible to the public, in the USTR Reading Room: Room 101, Office of the United States Trade Representative, 600 17th Street, N.W., Washington DC 20508. The public file will include a listing of any comments made to USTR from the public with respect to the proceeding; the U.S. submissions to the panel in the proceeding; the submissions, or non-confidential summaries of submissions, to the panel received from other participants in the dispute, as well as the report of the dispute settlement panel and, if applicable, the report of the Appellate Body. An appointment to review the public file (Docket WTO/D-9, "U.S.-Japan: Film and Paper"), may be made by calling Brenda Webb, (202) 395-6186. The USTR Reading Room is open to the public from 10 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday.

Jennifer Hillman,
General Counsel.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-96-49]

Petitions for Exemption; Summary of Petition Received; Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I),

dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATE: Comments on petitions received must identify the petition docket number involved and must be received on or before October 15, 1996.

ADDRESS: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC-200), Petition Docket No. ____, 800 Independence Avenue, SW., Washington, D.C. 20591.

Comments may also be sent electronically to the following internet address: nprmcmts@mail.hq.faa.gov.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-200), Room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 267-3132.

FOR FURTHER INFORMATION CONTACT: Fred Haynes (202) 267-3939 or Marisa Mullen (202) 267-9681 Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C., on October 2, 1996.

Donald P. Byrne,

Assistant Chief Counsel for Regulations.

Petitions For Exemption

Docket No.: 28673.

Petitioner: EAA Aviation Foundation, Inc., Experimental Aircraft Association, Inc.

Sections of the FAR Affected: 14 CFR 119.5(g) and 119.21(a).

Description of Relief Sought: To permit the EAA Aviation Foundation to use its B-17 aircraft, which is certified as a limited category aircraft, to provide flight experiences to members of EAA who have also become members of the B-17 Historical Society through a donation to the Foundation. A summary of this petition requesting relief from 14 CFR 91.315 was previously published for comment on September 10, 1996, 61FR 47779. The FAA has determined that the petitioner requires relief from