

produce up to 4.5 million units annually. Imported components and raw materials account for approximately 35 percent of the value of inputs used in manufacturing. Parts and components that may be imported into the proposed subzone for manufacturing include: plastic tubes, pipes and hoses (3917.29); petroleum oils and oils from bituminous minerals (2710.19); carbides (2849.90); lubricating preparations (3403.19); polyimides (3908.10); plastic monofilament (3916.90); self-adhesive plate, sheet, film, foils, tape and strip of plastics (3919.90); other plate, sheet, film, foil and strip of polymers of styrene (3921.11); plastic articles used for packing or conveyance of goods (3923.10, 3923.29, 3923.50, 3923.90); other plastic articles (3926.90); vulcanized rubber tubes, pipes and hoses (4009.11); vulcanized rubber conveyor or transmission belts (4010.36, 4010.39); vulcanized rubber washers and seals (4016.93); other vulcanized rubber products (4016.99); synthetic twine, cordage, rope and cable (5607.50); articles of yarn, strip, twine, cordage, rope or cable (5609.50); textile articles and products for technical uses (5911.90); labels (6307.90); iron or steel flanges (7307.91, 7307.92); self-tapping screws (7318.14); screws and bolts, with or without washers (7318.15); nuts (7318.16); spring washers and lock washers (7318.21); non-threaded articles of iron or steel (7318.29); iron or steel helical springs (7320.90); tungsten articles/powders (8101.10); agriculture, horticulture or forestry hand tools and their parts (8201.90); hand saws, blades and their parts (8202.40); iron or steel flexible tubing (8307.10); spark-ignition internal combustion engine parts (8409.91); fuel, lubricating and cooling pumps for internal combustion piston engines and their parts (8413.30, 8413.91); air and vacuum pumps and their parts (8414.59, 8414.90); air filters (8421.31); tool holders (8466.10); check valves and their parts (8481.30); pressure-reducing and thermostatically controlled valves (8481.80); ball bearings (8482.10); needle roller bearings (8482.40); transmission shafts, camshafts and crankshafts and their parts (8483.10); bearing housings/plain shaft bearings (8483.30); gears and gearing and other transmission elements, including torque converters (8483.40); flywheels and pulleys, including pulley blocks (8483.50); clutches and shaft couplings, including universal joints (8483.60); toothed wheels, chain sprockets and other transmission elements (8483.900); universal AC/DC motors (8501.20); single-phase AC motors (8501.20);

multi-phase AC motors (8501.52); AC generators/alternators (8501.61); electrical transformers, static convertors, inductors and their parts (8504.33, 8504.40); electromagnetic couplings, clutches and brakes (8505.20); primary cells and batteries (8506.80); lead-acid storage batteries (8507.20); spark plugs (8511.10); ignition coils (8511.30); electrical ignition or starting equipment parts (8511.90); microphones and loudspeakers (8518.30); electrical switches (8536.50); lamp-holders, plugs and sockets (8536.69, 8536.90); fluorescent lamps (8539.31); electrical conductors (8544.42, 8544.49); and, revolution and production counters, taximeters, odometers and pedometers (9029.10). The duty rates on the imported components range from duty-free to 10.8 percent.

This application requests authority for Husqvarna to conduct the manufacturing activity under FTZ procedures, which could exempt the company from customs duty payments on the imported components used in export production. Approximately 30 percent of production is exported. On domestic sales, the company could choose the lower duty rate (duty-free to 2.3 percent) that applies to the finished products for the imported components used in manufacturing. Husqvarna may also realize savings related to direct delivery and weekly customs entry procedures. The company would also realize savings on the elimination of duties on materials that become scrap/waste during manufacturing. The application indicates that the FTZ-related savings would improve the plant's international competitiveness.

In accordance with the Board's regulations, Christopher Kemp of the FTZ staff is designated examiner to investigate the application and report to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address listed below. The closing period for their receipt is July 7, 2008. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to July 21, 2008).

A copy of the application and accompanying exhibits will be available at each of the following addresses: U. S. Department of Commerce Export Assistance Center, 425 West Capital Avenue, Suite 425, Little Rock, Arkansas, 72201; and, Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington,

D.C. 20230. For further information contact Christopher Kemp at christopher_kemp@ita.doc.gov or (202) 482-0862.

Dated: April 30, 2008.

Andrew McGilvray,
Executive Secretary.

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BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Proposed Information Collection; Comment Request; Prior Notification of Exports Under License Exception Agriculture Commodities

AGENCY: Bureau of Industry and Security.

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before July 7, 2008.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Larry Hall, BIS ICB Liaison, (202) 482-4896, lhall@bis.doc.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

Section 906 of the Trade Sanctions Reform and Export Enhancement Act (TSRA) requires that exports of agricultural commodities, medicine or medical devices to Cuba are made pursuant to one-year licenses and that the requirements of one-year licenses shall be no more restrictive than license exceptions administered by the Department of Commerce. Exports and certain reexports of agricultural commodities are also authorized under License Exception AGR to Cuba. To meet the requirements of TSRA, BIS has imposed a prior notification procedure under License Exception Agricultural Commodities (AGR). The prior

notification procedure requires exporters to complete a form BIS-748P (approved under OMB Control No. 0694-0088) and after eleven days if no U.S. Government agency objects, the exporter is free to export the items.

II. Method of Collection

Paper format.

III. Data

OMB Control Number: 0694-0123.

Form Number(s): BIS-748P.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations; not-for-profit institutions.

Estimated Number of Respondents: 215.

Estimated Time Per Response: 58 minutes.

Estimated Total Annual Burden Hours: 208.

Estimated Total Annual Cost to Public: \$0.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: May 2, 2008.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

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BILLING CODE 3510-33-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

[Docket No. 05-BIS-08]

In the Matter of: Kabba & Amir Investments, Inc., d.b.a. International Freight Forwarders, 286 Attwell Drive #16, Toronto, ON M9W 5B2, Canada, Respondent; Final Decision and Order

This matter is before me upon a Recommended Decision and Order ("RDO") of an Administrative Law Judge ("ALJ"), as further described below.

In a charging letter filed on June 28, 2005, the Bureau of Industry and Security ("BIS") alleged that Respondent Kabba & Amir Investments, Inc., d/b/a International Freight Forwarders ("IFF"), committed two violations of the Export Administration Regulations (currently codified at 15 CFR Parts 730-774 (2008) ("Regulations")), issued pursuant to the Export Administration Act of 1979, as amended (50 U.S.C. app. 2401-2420 (2000)) (the "Act"), 1 stemming from its involvement in an attempted unlicensed export of items subject to the Regulations from the United States to Cuba. Charge One of the charging letter alleged as follows:

Charge 1 15 CFR 764.2(b)—Aiding and abetting an attempted violation of the Regulations.

On or about June 29, 2000, IFF aided and abetted the doing of an act prohibited by the Regulations when it took possession of a shipment of X-Ray Film Processors, items subject to the Regulations, in the United States for export to Cuba via Canada. Under section 746.2 of the Regulations, a BIS export license was required for this shipment, but no such license was obtained. In aiding and abetting the attempted export, IFF committed one violation of section 764.2((b))2 of the Regulations.

June 28, 2005 Charging Letter, at 1.

On November 6, 2007, BIS filed a motion for summary decision against IFF as to Charge One. During the briefing of this motion, BIS withdrew the only other charged violation, Charge Two, which alleged that IFF had conspired to violate the Regulations. See § 7663(a) of the Regulations ("BIS may unilaterally withdraw charging letters at any time, by notifying the respondent and the administrative law judge."). The ALJ entered an order of dismissal as to Charge Two on January 29, 2008, consistent with BIS's notice of withdrawal of that charge.

On April 2, 2008, based on the record before him, the ALJ issued an RDO in which he determined that BIS was entitled to summary decision as to

Charge One, finding that IFF had committed one violation of § 764.2(b) when it aided and abetted an attempted unlicensed export of items subject to the Regulations to Cuba, via Canada. The ALJ also recommended, following consideration of the record, that IFF be assessed a monetary penalty of \$6,000.00 and a denial of export privileges for three years. The ALJ further recommended that the denial of export privileges be suspended for a period of three years as long as IFF pays the monetary penalty of \$6,000.00 within thirty days of the final Decision and Order and does not commit any further violations of the Act or Regulations within three years of the issuance of the final Decision and Order.

The RDO, together with the entire record in this case, has been referred to me for final action under § 766.22 of the Regulations. I find that the record supports the ALJ's findings of fact and conclusions of law. In making this finding, I have determined that the ALJ made at least an implied finding that IFF took constructive possession of the items in question when it had the items transported by truck to Canada, arranged for them to then be transported to Cuba by plane, and took other actions to effect their forwarding and the completion of their unlicensed export to Cuba. Such a finding is entirely consistent with Charge One of the charging letter and the RDO. See, e.g., RDO at 5-6 (making finding based on uncontroverted documentary exhibits submitted by BIS in support of its Motion for Summary Decision, including Respondent's Answer, that IFF had, inter alia, agreed to forward the items from the United States to Cuba, had the items trucked to Canada, and arranged for their further transport by plane to Cuba prior to the items being seized by Canada Customs); RDO at 13 ("BIS established by documentary evidence and IFF's admissions that there exists no genuine issues of material fact that Respondent violated 15 CFR 764.2(b) by aiding and abetting in the attempted export of X-Ray film Processors (classified as EAR 99) from the United States to Cuba, via Canada on or about June 29, 2000.")

I also find that the penalty recommended by the ALJ based upon his review of the entire record is appropriate, given the nature of the violations, the facts of this case, and the importance of deterring future unauthorized exports or attempted exports.

Based on my review of the entire record, I affirm the findings of fact and conclusions of law in the RDO.