

Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-0090 or (202) 482-4477, respectively.

### The Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act. In addition, unless otherwise indicated, all references are made to the Department of Commerce's (the Department) regulations at 19 CFR Part 351 (2000).

### Background

In a letter dated November 29, 2000, as amended on December 7, 2000, the Department received a request from Clipper Manufacturing Ltd. (Clipper), pursuant to section 751(a)(2)(B) of the Act and in accordance with 19 CFR 351.214(b), for a new shipper review of the antidumping duty order on fresh garlic from the People's Republic of China with respect to fresh garlic sold by Clipper to the United States. This order has a November anniversary month. Accordingly, we are initiating a new shipper review for Clipper as requested. The period of review is June 1, 2000, through November 30, 2000.

### Initiation of Review

In accordance with 19 CFR 351.214(b)(2), Clipper provided certification that it did not export fresh garlic from the People's Republic of China to the United States during the period of investigation. Clipper also certified that, since the investigation was initiated, it has never been affiliated with any exporter or producer who exported the subject merchandise to the United States during the period of investigation, including those not individually examined during the investigation. It also submitted documentation establishing the following: (i) The date on which the fresh garlic from the People's Republic of China was first entered or withdrawn from warehouse and the date on which the subject was first shipped to the United States; (ii) the volume of that shipment; and (iii) the date of the first sale to an unaffiliated customer in the United States. Therefore, in accordance with section 751(a)(2)(B)(ii) of the Act and 19 CFR 351.214(d)(1), we are initiating a new shipper review of the antidumping duty order on fresh garlic from the People's Republic of China with respect to fresh garlic sold by

Clipper to the United States during the period of review. We intend to issue final results of this review not later than 270 days after the day on which this new shipper review is initiated.

Concurrent with publication of this notice and in accordance with 19 CFR 351.214(e), we will instruct the U.S. Customs Service to allow, at the option of the importer, the posting of a bond or security in lieu of a cash deposit for each entry of the merchandise exported by Clipper until the completion of the review.

The interested parties must submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are in accordance with section 751(a)(2)(B)(ii) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).

Dated: December 26, 2000.

**Richard W. Moreland,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. 01-125 Filed 1-2-01; 8:45 am]

**BILLING CODE 3510-DS-P**

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## CONSUMER PRODUCT SAFETY COMMISSION

### Policy Statement on Reporting Information Under 15 U.S.C. 2064(b) About Potentially Hazardous Products Distributed Outside the United States; Request for Comments

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice of proposed policy statement.

**SUMMARY:** Section 15(b) of the Consumer Product Safety Act, 15 U.S.C. 2064(b), requires manufacturers, distributors, and retailers of consumer products to report potential product hazards to the Commission. The Commission is seeking public comment on a policy statement that information concerning products sold outside of the United States that may be relevant to evaluating defects and hazards associated with products distributed within the United States is reportable under section 15(b).<sup>1</sup>

**DATES:** Comments are due no later than March 5, 2001.

**ADDRESSES:** Comments should be submitted to the Office of the Secretary,

<sup>1</sup> The Commission voted 2-1 to publish this policy statement for public comment. Commissioner Gall voted against publication of the policy statement. Her dissenting statement is available from the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207-0001.

Consumer Product Safety Commission, Washington, DC 20207-0001, or delivered to room 502, 4330 East West Highway, Bethesda, MD 20814.

**FOR FURTHER INFORMATION CONTACT:** Marc Schoem, Director, Division of Recalls and Compliance, Consumer Product Safety Commission, Washington, DC 20207, telephone (301) 504-0608, ext. 1365, fax. (301) 504-0359, E-mail address—mschoem@cpsc.gov.

**SUPPLEMENTARY INFORMATION:** Section 15(b) of the Consumer Product Safety Act (CPSA), 15 U.S.C. 2064(b), imposes specific reporting obligations on manufacturers, importers, distributors and retailers of consumer products distributed in commerce. A firm that obtains information that reasonably supports the conclusion that such a product:

(1) Fails to comply with an applicable consumer product safety rule or with a voluntary consumer product safety standard upon which the Commission has relied under section 9 of the CPSA,

(2) Contains a defect that could create a substantial product hazard as defined in section 15(a)(2) of the CPSA, 15 U.S.C. 2064(a)(2), or

(3) Creates an unreasonable risk of serious injury or death must immediately inform the Commission unless the firm has actual knowledge that the Commission has been adequately informed of the failure to comply, defect, or risk.

The purpose of reporting is to provide the Commission with the information it needs to determine whether remedial action is necessary to protect the public. To accomplish this purpose, section 15(b) contemplates that the Commission receive, at the earliest time possible, all available information that can assist it in evaluating potential product hazards. For example, in deciding whether to report a potential product defect, the law does not limit the obligation to report to those cases in which a firm has finally determined that a product in fact contains a defect that creates a substantial product hazard or has pinpointed the exact cause of such a defect. Rather, a firm must report if it obtains information which reasonably supports the conclusion that a product it manufactures and/or distributes contains a defect which could create such a hazard or that the product creates an unreasonable risk of serious injury or death. 15 U.S.C. 2064(b)(2) and (3); 16 CFR 1115.4 and 6.

Nothing in the reporting requirements of the CPSA or the Commission's interpretive regulation at 16 CFR Part 1115 limits reporting to information

derived solely from experience with products sold in the United States. The Commission's interpretative rule enumerates, at 16 CFR 1115.12(f), examples of the different types of information that a firm should consider in determining whether to report. The regulation does not exclude information from evaluation because of its geographic source. The Commission interprets the statutory reporting requirements to mean that, if a firm obtains information that meets the criteria for reporting listed above and that is relevant to a product it sells or distributes in the U.S., it must report that information to the CPSC, no matter where the information came from. Such information could include incidents or experience with the same or a substantially similar product, or a component thereof, sold in a foreign country.

Over the past several years, the Commission has received reports under section 15(b) that have included information on experience with products abroad, and, when appropriate, has initiated recalls based in whole or in part on that experience. Thus, a number of companies already view the statutory language as the Commission does. However, with the expanding global market, more firms are obtaining this type of information, but many may be unfamiliar with this aspect of reporting. Therefore, the Commission proposes to issue this policy statement to assist those firms in complying with the requirements of section 15(b) of the Consumer Product Safety Act.

The Commission is not required to seek public comment on what is a straight-forward reading of the CPSA. Nevertheless, because this is the first public announcement of this interpretation, the Commission is providing the public with this opportunity to comment prior to issuance of this policy statement.

Dated: December 28, 2000.

**Sadye E. Dunn,**

*Secretary, Consumer Product Safety Commission.*

[FR Doc. 01-134 Filed 1-2-01; 8:45 am]

**BILLING CODE 6355-01-P**

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Joint Advisory Committee on Nuclear Weapons Surety; Meeting

**ACTION:** Notice of Advisory Committee Meeting.

**SUMMARY:** The Joint Advisory Committee on Nuclear Weapons Surety will conduct a closed session on January 12, 2001 at Science Applications International Cooperation, San Diego, California.

The Joint Advisory Committee is charged with advising the Secretaries of Defense and Energy, and the Joint Nuclear Weapons Council on nuclear weapons surety matters. At this meeting the Joint Advisory Committee will receive classified briefings on nuclear weapons security and use control.

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended, Title 5, U.S.C. App. II, (1988)), this meeting concerns matters sensitive to the interests of national security, listed in 5 U.S.C. 552b(c)(1) and accordingly this meeting will be closed to the public.

Dated: December 26, 2000.

**L. M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 01-73 Filed 1-2-01; 8:45 am]

**BILLING CODE 5001-10-M**

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## DEPARTMENT OF EDUCATION

### Notice of Proposed Information Collection Requests

**AGENCY:** Department of Education.

**ACTION:** Notice of proposed information collection requests.

**SUMMARY:** The Leader, Regulatory Information Management, Office of the Chief Information Officer, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

**DATES:** An emergency review has been requested in accordance with the Act (44 U.S.C. Chapter 3507 (j)), since public harm is reasonably likely to result if normal clearance procedures are followed. Approval by the Office of Management and Budget (OMB) has been requested by January 5, 2001.

**ADDRESSES:** Written comments regarding the emergency review should be addressed to the Office of Information and Regulatory Affairs, Attention: Lauren Wittenberg, Acting Desk Officer: Department of Education, Office of Management and Budget; 725 17th Street, NW., Room 10235, New Executive Office Building, Washington, DC 20503.

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Director of OMB provide interested Federal agencies and the

public an early opportunity to comment on information collection requests. The Office of Management and Budget (OMB) may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Regulatory Information Management, Office of the Chief Information Officer, publishes this notice containing proposed information collection requests at the beginning of the Departmental review of the information collection. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. ED invites public comment.

The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner, (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected, and (5) how might the Department minimize the burden of this collection on respondents, including through the use of information technology.

Dated: December 27, 2000.

**John Tressler,**

*Leader, Regulatory Information Management, Office of the Chief Information Officer.*

### Office of Elementary and Secondary Education

*Type of Review:* New.

*Title:* Early Childhood Educator Professional Development Program.

*Abstract:* The Professional Development for Early Childhood Educators and Caregivers Grants are designed for one or more local educational service agencies, State educational agencies, State agencies for higher education, institutions of higher education, and other public and private agencies, organizations, and institutions to fund projects that provide professional development opportunities to improve the knowledge and skills of early childhood educators and caregivers who work in urban and rural