

*Instrument:* Electron Microscope, Model JEM-1011. *Manufacturer:* JEOL, Japan. *Intended Use:* See notice at 69 FR 34654, 2004. *Order Date:* December 16, 2003.

*Docket Number:* 04-012. *Applicant:* University of Los Angeles, Los Angeles, CA 90095-1547. *Instrument:* Dual Beam Electron Microscope/Focused Ion Beam Milling Machine, Model Nova 600 Nanolab. *Manufacturer:* Fei Company, the Netherlands. *Intended Use:* See notice at 69 FR 34654, June 22, 2004. *Order Date:* August 6, 2003.

*Comments:* None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as these instruments are intended to be used, was being manufactured in the United States at the time the instruments were ordered. *Reasons:* Each foreign instrument is a conventional transmission electron microscope (CTEM) and is intended for research or scientific educational uses requiring a CTEM. We know of no CTEM, or any other instrument suited to these purposes, which was being manufactured in the United States either at the time of order of each instrument OR at the time of receipt of application by U.S. Customs and Border Protection.

**Gerald A. Zerdy,**

*Program Manager, Statutory Import Programs Staff.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### **Cornell University; Notice of Consolidated Decision on Applications for Duty-Free Entry of Scientific Instruments**

This is a decision consolidated pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in Suite 4100W, Franklin Court Building, U.S. Department of Commerce, 1099 14th Street, NW., Washington, DC.

*Comments:* None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instruments described below, for such purposes as each is intended to be used, is being manufactured in the United States.

*Docket Number:* 04-010. *Applicant:* Cornell University, Ithaca, NY 14853.

*Instrument:* X-ray Double Crystal Monochrometer. *Manufacturer:* Kohzu Precision Co., Ltd., Japan. *Intended Use:* See notice at 96 FR 34654, June 22, 2004. *Reasons:* The foreign instrument provides immediate accommodation into the facility's existing crystal mounting system without any degradation in ultimate performance. Any domestic equivalent would require extensive design and might not guarantee performance. Advice received from: The National Institutes of Health, June 28, 2004.

*Docket Number:* 04-013 *Applicant:* Cornell University, Ithaca, NY 14853. *Instrument:* X-ray Mirror Focusing System, Model Ne Cat. *Manufacturer:* Oxford-Danfysik, United Kingdom. *Intended Use:* See notice at 69 FR 34654, June 22, 2004. *Reasons:* The foreign instrument provides that both the horizontal and the vertical focusing mirrors can be located in the same vacuum vessel. This is required to provide adequate focusing and bending of the X-ray beam. Advice received from: The National Institutes of Health, June 28, 2004.

The capabilities of each of the foreign instruments described above are pertinent to each applicant's intended purpose and we know of no domestic instrument or apparatus of equivalent scientific value for the intended use of each instrument.

We know of no other instrument or apparatus being manufactured in the United States which is of equivalent scientific value to any of the foreign instruments.

**Gerald A. Zerdy,**

*Program Manager, Statutory Import Programs Staff.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[Docket 040621190-4190-01]

#### **Drug Pricing Study**

**AGENCY:** International Trade Administration, Commerce.

**ACTION:** Notice of hearing.

**SUMMARY:** Information is sought related to a study of international drug pricing, mandated by Section 1123 of the Medicare Prescription Drug, Improvement and Modernization Act of 2003 (the Act). This information will contribute to a report on trade in pharmaceuticals, focusing on the drug pricing practices of countries that are

members of the Organization for Economic Cooperation and Development (OECD) (specifically Canada, Poland, France, Germany, United Kingdom, Japan, Switzerland, Greece, Australia, Korea, and Mexico) and the effects of those practices on drug pricing in the United States, research and development, and innovation. The Department is therefore holding a public hearing on August 3, 2004, and requesting written testimony in advance of the hearing.

**DATES:** Notification of intent to testify and written testimony should be submitted no later than 5 p.m. August 2, 2004. The hearing will be conducted on: August 3, 2004. For members of the public who are unable to attend the public hearing or who wish to submit rebuttal comments, ITA will accept comments from August 3 until August 13, 2004.

**ADDRESSES:** Schedule time for testimony and submit written testimony through Kristie Mikus: Department of Commerce, 14th and Constitution Avenue, Room 4053, Washington, DC 20230, e-mail [drugpricing@ita.doc.gov](mailto:drugpricing@ita.doc.gov); telephone (202) 482-0131; fax (202) 482-2565. The hearing will be conducted at: Department of Commerce, 14th and Constitution Avenue, Room 3407, Washington, DC 20230, on August 3, 2004.

**FOR FURTHER INFORMATION CONTACT:** For further information, please contact Kristie Mikus at (202) 482-0131 or at [drugpricing@ita.doc.gov](mailto:drugpricing@ita.doc.gov).

**SUPPLEMENTARY INFORMATION:** The International Trade Administration (ITA) publishes this notice of a public hearing to solicit information, as mandated by the Act. The hearing will take place on August 3, 2004 at 9 a.m. at the Department of Commerce, 14th and Constitution Avenue, Room 3407, Washington, DC, and will conclude at 5 p.m. or the close of business.

The Act directs the President's designees to conduct a study and report on issues related to trade and pharmaceuticals. Public Law 108-173, 117 Stat. 2066, 2469. Legislative history provides additional information concerning Congress' intent on the matter. Specifically, Conference Report 108-391 directs the Secretary of Commerce, in consultation with the International Trade Commission, the Secretary of Health and Human Services and the U.S. Trade Representative, to conduct a study and produce a report on trade in pharmaceuticals, focusing on the drug pricing practices of countries that are members of the OECD. Specifically, the Conference Report to the Act states: