

research and development activities performed by the company, and questions on new or significantly improved methods of manufacturing, producing, delivering or distributing goods or services within the company.

### III. Data

*OMB Control Number:* 0607-0444.  
*Form Number:* NC-99001 and NC-99007 (for single-location companies).  
*Type of Review:* Regular submission.  
*Affected Public:* Business and not-for-profit institutions.  
*Estimated Number of Respondents:* 48,000.  
*Estimated Time per Response:* 1.59 hours.  
*Estimated Total Annual Burden Hours:* 127,517.  
*Estimated Total Annual Cost:* \$3,497,791.  
*Respondent's Obligation:* Mandatory.  
*Legal Authority:* Title 13 of U.S.C. Sections 182, 195, 224, and 225.

### 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: June 19, 2008.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. E8-14241 Filed 6-23-08; 8:45 am]

BILLING CODE 3510-07-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

### Export Trade Certificate of Review

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

**ACTION:** Notice of Issuance of an Export Trade Certificate of Review, Application No. 08-00004.

**SUMMARY:** On June 19, 2008, the U.S. Department of Commerce issued an Export Trade Certificate of Review to Sirius Chemical Group, Inc. ("SCG"). This notice summarizes the conduct for which certification has been granted.

#### FOR FURTHER INFORMATION CONTACT:

Jeffrey C. Anspacher, Director, Export Trading Company Affairs, International Trade Administration, by telephone at (202) 482-5131 (this is not a toll-free number), or by E-mail at [onetca@ita.doc.gov](mailto:onetca@ita.doc.gov).

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. Sections 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 (2006).

Export Trading Company Affairs ("ETCA") is issuing this notice pursuant to 15 CFR section 325.6(b), which requires the U.S. Department of Commerce to publish a summary of the certification in the **Federal Register**. Under Section 305(a) of the Act and 15 CFR section 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, but not limited to, 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 services; 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. With respect to the sale of Products and Services, licensing of Technology Rights, and provision of Export Trade Facilitation Services, SCG 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 non-exclusive licensing and/or sales agreements with Suppliers for the export of Products, Services, and/or Technology Rights to Export Markets;
- d. Enter into exclusive and/or non-exclusive agreements with distributors and/or sales representatives in Export Markets;
- e. Allocate export sales or divide Export Markets among Suppliers for the 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 sales and/or licensing in Export Markets;
- h. Negotiate, enter into, and/or manage licensing agreements for the export of Technology Rights; and
- i. Enter into contracts for shipping of Products to Export Markets.

2. SCG may exchange information on a one-to-one basis with individual Suppliers regarding that Supplier's 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 Operations, SCG 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. SCG 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 standard of Section 303(a) of the Act.

#### *Definition*

"Supplier" means a person who produces, provides, or sells Products, Services and/or Technology Rights.

#### *Protection Provided by Certificate*

This Certificate protects SCG and its directors, officers, and 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 SCG 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 SCG 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 of the Secretary of Commerce or the Attorney General concerning either (a) the viability or quality of the business plans of SCG or (b) the legality of such business plans of SCG 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 FR 1786 (January 11, 1985).

A copy of the certificate will be kept in the International Trade Administration's Freedom of Information Records Inspection Facility, Room 4100, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

Dated: June 19, 2008.

**Jeffrey Anspacher,**

*Director, Export Trading Company Affairs.*

[FR Doc. E8-14210 Filed 6-23-08; 8:45 am]

**BILLING CODE 3510-DR-P**

## **DEPARTMENT OF COMMERCE**

### **International Trade Administration**

#### **Export Trade Certificate of Review**

**ACTION:** Notice of Application to Amend an Export Trade Certificate of Review Issued to Northwest Fruit Exporters.

**SUMMARY:** Export Trading Company Affairs ("ETCA"), International Trade Administration, Department of Commerce, has received an application to amend an Export Trade Certificate of Review ("Certificate"). This notice summarizes the proposed amendment and requests comments relevant to whether the Certificate should be issued.

#### **FOR FURTHER INFORMATION CONTACT:**

Jeffrey Anspacher, Director, Export Trading Company Affairs, International Trade Administration, (202) 482-5131 (this is not a toll-free number) or E-mail at [oetca@ita.doc.gov](mailto:oetca@ita.doc.gov).

**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. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from state and federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Export Trading Company Act of 1982

and 15 CFR 325.6(a) require the Secretary to publish a notice in the **Federal Register** identifying the applicant and summarizing its proposed export conduct.

#### **Request for Public Comments**

Interested parties may submit written comments relevant to the determination whether an amended Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a non-confidential version of the comments (identified as such) should be included. Any comments not marked privileged or confidential business information will be deemed to be non-confidential. An original and five (5) copies, plus two (2) copies of the non-confidential version, should be submitted no later than 20 days after the date of this notice to: Export Trading Company Affairs, International Trade Administration, U.S. Department of Commerce, Room 7021-B H, Washington, DC 20230. Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, non-confidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the Certificate. Comments should refer to this application as "Export Trade Certificate of Review, application number 84-19A12."

A summary of the application for an amendment follows.

#### **Summary of the Application**

**Applicant:** Northwest Fruit Exporters ("NFE"), 105 South 18th Street, Suite 227, Yakima, Washington 98901.

**Contact:** James R. Archer, Manager to NFE, Telephone: (509) 576-8004.

**Application No.:** 84-19A12.

**Date Deemed Submitted:** June 19, 2008.

The original NFE Certificate was issued on June 11, 1984 (49 FR 24581, June 14, 1984) and last amended on September 17, 2007 (72 FR 54000, September 21, 2007).

**Proposed Amendment:** NFE seeks to amend its Certificate to:

1. Add each of the following companies as a new "Member" of the Certificate within the meaning of section 325.2(1) of the Regulations (15 CFR 325.2(1)): Lotus Fruit Packing, Inc., Brewster, Washington; Obert Cold Storage, Zillah, Washington; and Tree To You, LLC, Chelan, Washington; and
2. Delete the following companies as "Members" of the Certificate: Fox Orchards, Mattawa, Washington; Inland—Joseph Fruit Company, Wapato,