

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B-6-2023]

Foreign-Trade Zone (FTZ) 30—Salt Lake City, Utah, Notification of Proposed Production Activity, Albion Laboratories, Inc. (Mineral Amino Acid Chelates), Ogden, Utah

Albion Laboratories, Inc. (Albion) submitted a notification of proposed production activity to the FTZ Board (the Board) for its facilities in Ogden, Utah, within Subzone 30E. The notification conforming to the requirements of the Board's regulations (15 CFR 400.22) was received on January 13, 2023.

Pursuant to 15 CFR 400.14(b), FTZ production activity would be limited to the specific foreign-status materials/components and specific finished products described in the submitted notification (summarized below) and subsequently authorized by the Board. The benefits that may stem from conducting production activity under FTZ procedures are explained in the background section of the Board's website—accessible via www.trade.gov/ftz.

The proposed finished products include: calcium bisglycinate; calcium citrate malate; calcium potassium phosphate citrate; chromium nicotinate glycinate chelate; copper bisglycinate; dicalcium malate; dimagnesium malate; ferric glycinate; ferrous bisglycinate; magnesium creatine; magnesium bisglycinate; magnesium lysinate glycinate; manganese bisglycinate; selenium glycinate; and, zinc bisglycinate chelate (duty rate ranges from 3.7% to 6.5%).

The proposed foreign-status materials and components include glycine (aminoacetic acid) and malic acid (duty rates are 4.2% and 4%, respectively). The request indicates that glycine is subject to antidumping/countervailing duty (AD/CVD) orders if imported from certain countries. The Board's regulations (15 CFR 400.14(e)) require that merchandise subject to AD/CVD orders, or items which would be otherwise subject to suspension of liquidation under AD/CVD procedures if they entered U.S. customs territory, be admitted to the zone in privileged foreign (PF) status (19 CFR 146.41). The request also indicates that both glycine and malic acid are subject to duties under section 301 of the Trade Act of 1974 (section 301), depending on the country of origin. The applicable Section 301 decisions require subject merchandise to be admitted to FTZs in

PF status. As requested, FTZ authority would be subject to the following restrictions: that (1) all finished products made with PF status glycine be exported, and (2) that any approval for glycine be limited to five years.

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary and sent to: ftz@trade.gov. The closing period for their receipt is March 6, 2023.

A copy of the notification will be available for public inspection in the "Online FTZ Information System" section of the Board's website.

For further information, contact Diane Finver at Diane.Finver@trade.gov.

Dated: January 19, 2023.

Elizabeth Whiteman,

Acting Executive Secretary.

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of: Jermaine Craig Rhoomes, Inmate Number: 71655-018, U.S. Penitentiary, 3901 Klein Blvd., Lompoc, CA 93436; Order Denying Export Privileges

On February 5, 2020, in the U.S. District Court for the Middle District of Florida, Jermaine Craig Rhoomes ("Rhoomes") was convicted of violating Section 38 of the Arms Export Control Act (22 U.S.C. 2778) ("AECA"). Specifically, Rhoomes was convicted of knowingly and willfully exporting and causing to be exported from U.S. to Jamaica, two (2) 7.62-caliber AK47-style rifles; five (5) 5.56-caliber AR15-style rifles; four (4) 9mm-caliber pistols; two (2) .40-caliber pistols; two (2) .45-caliber pistols; 3,315 rounds of ammunition; and 38 firearm magazines, all of which were designated as defense articles on the United States Munitions List at the time of export, without first obtaining the required license or written authorization from the Department of State.

As a result of his conviction, the Court sentenced Rhoomes to 57 months in prison; three years of supervised release, and a \$100 special assessment.

Pursuant to Section 1760(e) of the Export Control Reform Act ("ECRA"),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, Section 38

of AECA, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e) (Prior Convictions). In addition, any Bureau of Industry and Security (BIS) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Rhoomes's conviction for violating Section 38 of the AECA and, as provided in Section 766.25 of the Export Administration Regulations ("EAR" or the "Regulations"), has provided notice and opportunity for Rhoomes to make a written submission to BIS. 15 CFR 766.25.² BIS has not received a submission from Rhoomes.

Based upon my review of the record and consultations with BIS's Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Rhoomes's export privileges under the Regulations for a period of 10 years from the date of Rhoomes's conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Rhoomes had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until February 5, 2030, Jermaine Craig Rhoomes, with a last known address of Inmate Number: 71655-018, U.S. Penitentiary, 3901 Klein Blvd., Lompoc, CA 93436, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives ("the Denied Person"), may not directly or indirectly participate in any way in any transaction involving any commodity, software, or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR Parts 730-774 (2022).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders, pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 and, as amended, is codified at 50 U.S.C. 4801-4852.