

4. Export Trade Facilitation Services (As They Relate to the Export of Products, Services and Technology Rights)

All Export Trade Facilitation Services, including professional services in the areas of export management, procurement management, market research and analysis, feasibility analysis, customer and supplier location, government relations and assistance with state and federal programs, foreign trade and business protocol, consulting, collection of information on trade opportunities, marketing, negotiations, joint ventures, shipping, export licensing, advertising, documentation and services related to compliance with customs requirements, insurance and financing, trade show exhibitions, organizational development, business management and labor strategies, technology transfer, transportation, 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

UPA, acting as an Export Intermediary, may:

1. Provide and/or arrange for the provision of Export Trade Facilitation Services;
2. Engage in promotional and marketing activities and collect information on trade opportunities in the Export Markets and distribute such information;
3. Enter into exclusive and/or non-exclusive licensing and/or sales agreements with Suppliers for the export of Products, Services, and/or Technology Rights in Export Markets;
4. Enter into exclusive and/or non-exclusive agreements with distributors and/or sales representatives in Export Markets;
5. Allocate export sales or divide Export Markets among suppliers for the sale and/or licensing of Products, Services and/or Technology Rights;
6. Allocate export orders among Suppliers;
7. Establish the price for Products, Services, and/or Technology Rights for sale and/or licensing in markets to export.

8. Negotiate, enter into, and/or manage licensing agreements for the export of Technology Rights;

9. Enter into contracts for shipping;

10. Exchange information on a one-to-one basis with individual Suppliers regarding inventories and near-term production schedules for the purpose of determining the availability of Products for export and coordinating exports with distributors.

Terms and Conditions of Certificate

1. In engaging in the above Export Trade Activities and Methods of Operation, UPA shall not intentionally disclose, directly or indirectly, to any Supplier, information about any other Supplier's costs, production, capacity, inventories, domestic prices, domestic sales, or U.S. business plans, strategies, or methods unless such information is already generally available to the trade or public.

2. UPA 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 standards of section 303(a) of the Act.

Definitions

1. "Export Intermediary" means a person who acts as a distributor, sales representative, sales or marketing agent, or broker, or who performs similar functions, including providing or arranging for the provision of Export Trade Facilitation Services.

2. "Supplier" means a person who produces, provides, or sells a Product and/or Service.

Protection Provided by the Certificate

The Certificate protects UPA, its officers, directors, 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

The 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 the Certificate prohibits UPA from engaging in conduct not specified in the Certificate, but such conduct is subject to the normal application of the antitrust laws.

Disclaimer

The issuance of the Certificate of Review to UPA 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 by the Secretary or by the Attorney General concerning either (a) the viability or quality of the business plans of UPA or (b) the legality of such business plans of UPA 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).

Dated: August 28, 1995.

Josephine H. Ludolph,

Acting Deputy Assistant Secretary for Service Industries and Finance.

[FR Doc. 95-21814 Filed 8-31-95; 8:45 am]

BILLING CODE 3510-DR-P

Export Trade Certificate of Review

ACTION: Correction.

On August 24, 1995, notice of the issuance of Export Certificate of Review 95-00003, issued to TEXTOR, Inc., was published in the **Federal Register** beginning at page 44020. The paragraph, "Products", appearing on page 44021, under "Description of Certified Conduct" was incorrect. The paragraph should have read:

1. Products

Broadwoven fabric, cotton (SIC 2211); Broadwoven fabric, Man-made Fiber (SIC 2221); Broadwoven Fabric, Wool (SIC 2231); Narrow woven fabric and other small wares (SIC 2241); Weft knit fabric (SIC 2257); Warp knit fabric (SIC 2258); Finishers of broadwoven fabrics of cotton (SIC 2261); Finishers of broadwoven fabrics of man-made fiber (SIC 2262); Nonwoven fabrics (SIC 2297).

Dated: August 28, 1995.

Josephine H. Ludolph,

Acting Deputy Assistant Secretary for Service Industries and Finance.

[FR Doc. 95-21812 Filed 8-31-95; 8:45 am]

BILLING CODE 3510-DR-P

Export Trade Certificate of Review

ACTION: Notice of application.

SUMMARY: The Office of Export Trading Company Affairs, International Trade Administration, Department of Commerce, has received an application for an Export Trade Certificate of Review. This notice summarizes the application and requests comments relevant to whether the Certificate should be issued.

FOR FURTHER INFORMATION CONTACT: W. Dawn Busby, Director, Office of Export Trading Company Affairs, International Trade Administration, 202/482-5131. This is not a toll-free number.

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. A 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 Act 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 a Certificate should be issued. An original and five (5) copies should be submitted no later than 20 days after the date of this notice to: Office of Export Trading Company Affairs, International Trade Administration, Department of Commerce, Room 1800H, Washington, DC. 20230. Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). Comments should refer to this application as "Export Trade Certificate of Review, application number 95-00005."

Summary of the Application

Applicant: The Connell Company, 45 Cardinal Drive, Westfield, N.J. 07090-1099.

Application No.: 95-00005.

Date Deemed Submitted: August 24, 1995.

The Connell Company seeks a Certificate to cover the following specific Export Trade, Export Markets, and Export Trade Activities and Methods of Operations.

Export Trade

Products

Japonica brown rice.

Export Trade Facilitation Services (As They Relate to the Export of Products)

Communication and processing of export orders; inspection, fumigation and stevedoring; transportation; freight forwarding and trade documentation; insurance; billing of foreign buyers; collection of letters of credit and other financial instruments.

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

To engage in Export Trade in the Export Markets, the Connell Company may:

- (i) Solicit orders from foreign purchasers;
- (ii) Receive information on a one-to-one basis with individual Suppliers regarding inventories and near-term production schedules for the purpose of determining the availability of Products for purchase and export;
- (iii) Confer from time to time, on a one-to-one basis, with individual Suppliers regarding a potential purchase by the Connell Company with regard to the quantities, price, delivery schedule, and other pertinent matters pertaining thereto;
- (iv) Advise individual Suppliers that the price paid to each Supplier for Products purchased by the Connell Company to be resold by the Connell Company to a specific foreign purchaser in a given time period is equivalent to the price paid to other Suppliers for Products to be sold; and ensure that such parity is maintained;
- (v) Allocate the amount of purchases of Products by the Connell Company from individual Suppliers for resale in the Export Markets; and advise individual Suppliers of the total quantity of Products being purchased by

the Connell Company from all Suppliers for resale in the Export Markets and the quantity being purchased by the Connell Company from each individual Supplier for resale in the Export Markets;

(vi) Enter into purchase agreements with one or more Suppliers for the purchase of Products in the United States, and sales agreements with one or more foreign purchasers for the sale of Products in the Export Markets;

(vii) Refuse to purchase from one or more Suppliers for reasons the Connell Company deems fit; and

(viii) As the single buyer of Products, coordinate schedules for delivery of Products to the dock among Suppliers; allocate dock space; allocate Products to various vessels, coordinate stevedoring from the inland trucks to the dock and from the dock to the vessels; arrange for inspection by both U.S. and foreign inspection services; arrange for fumigation of the Products; arrange for various documentation regarding the cargo; and provide for other Export Trade Facilitation services as they relate to the export of Products.

Definitions

Supplier means a person that produces, provides, or sells Products.

Dated: August 28, 1995.

Josephine H. Ludolph,

Acting Deputy Assistant Secretary for Service Industries and Finance.

[FR Doc. 95-21813 Filed 8-31-95; 8:45 am]

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Proposed Classification System for Environmental Technologies Goods and Services

AGENCY: International Trade Administration, Department of Commerce.

ACTION: Request for comments on and notice of a public meeting regarding a proposed classification system for Environmental Technologies Goods and Services.

SUMMARY: The Department of Commerce is seeking comment on a classification system to be used to collect data on the production of goods and services used for measuring, preventing, limiting or correcting environmental damages to water, air and soil as well as problems related to waste, noise and ecosystems. The Environmental Trade Working Group of the Trade Promotion Coordinating Committee and the Environmental Technology Initiative have concluded, in response to requests from industry, state governments and environmental organizations that consistent and reliable data on