

Section 4.30 also issued under 19 U.S.C. 288, 1433, 1446, 1448, 1450–1454, 1490;

* * * * *

2. Section 4.30(a) is amended by adding paragraphs (a)(1) and (a)(2) to read as follows:

§ 4.30 Permits and special licenses for unloading and lading.

(a) * * *

(1) U.S. and foreign vessels arriving at a U.S. port directly from a foreign port or place are required to make entry, whether it be formal or, as provided in § 4.8, preliminary, before the port director may issue a permit or special license to lade or unlade.

(2) U.S. vessels arriving at a U.S. port from another U.S. port at which formal entry was made may be issued a permit or special license to lade or unlade without having to make either preliminary or formal entry at the second and subsequent ports. Foreign vessels arriving at a U.S. port from another U.S. port at which formal entry was made may be issued a permit or special license to lade or unlade at the second and subsequent ports prior to formal entry without the necessity of making preliminary entry. In these circumstances, after the master has reported arrival of the vessel, the port director may issue the permit or special license or may, in his discretion, require the vessel to be boarded, the master to make an oath or affirmation to the truth of the statements contained in the vessel's manifest to the Customs officer who boards the vessel, and require delivery of the manifest prior to issuing the permit.

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Dated: January 26, 1996.

Stuart P. Seidel,

Assistant Commissioner, Office of Regulations and Rulings.

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19 CFR Part 132

[T.D. 96–12]

RIN 1515–AB73

Export Certificates for Beef Subject to Tariff-Rate Quota

AGENCY: Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document adopts as a final rule, without change, the interim amendment to the Customs Regulations setting forth the form and manner by

which an importer may make a declaration that a valid export certificate is in effect for imported beef which is the subject of a tariff-rate quota and the product of a participating country, as defined in regulations of the United States Trade Representative, in accordance with the Uruguay Round Agreements Act.

EFFECTIVE DATE: February 1, 1996.

FOR FURTHER INFORMATION CONTACT: Karen Cooper, Quota Branch, (202) 927–5401.

SUPPLEMENTARY INFORMATION:

Background

As a result of the Uruguay Round Agreements, approved by Congress in § 101 of the Uruguay Round Agreements Act (Pub. L. 103–465), the President, by Presidential Proclamation No. 6763, established a tariff-rate quota for imported beef.

The specific imported beef, as well as the various countries eligible for the in-quota tariff rate are set forth in Additional U.S. Note 3, Schedule XX, Chapter 2, of the Harmonized Tariff Schedule of the United States. The eligible countries which may export such beef to the United States and avail themselves of the preferential, in-quota tariff rate include Australia, New Zealand and Japan.

As part of the implementation of the tariff-rate quota for beef, the United States, specifically, the United States Trade Representative (USTR), offered these exporting countries that have an allocation of the in-quota quantity the opportunity to use export certificates for their qualifying beef exports to the United States. Although countries that have an allocation of the in-quota quantity are referred to in the statutory law as “participating countries”, for purposes of the interim rule and now for this final rule, a participating country constitutes an allocated country that has been authorized to participate in the export certificate program. To this end, New Zealand has requested the opportunity to participate in this program.

An exporting country using export certificates in this regard must notify the USTR and provide the necessary supporting information. Customs is then responsible for ensuring that no imports of beef from that country are counted against the country's in-quota allocation unless such beef is covered by a proper export certificate.

Accordingly, the USTR undertook rulemaking in this matter (15 CFR 2012.2 and 2012.3).

In addition, Customs issued an interim rule published in the Federal

Register (60 FR 39108) on August 1, 1995, in order to set forth the form and manner by which an importer declares that a valid export certificate exists, including a unique number therefor which must be referenced on the entry, or withdrawal from warehouse, for consumption. This interim rule also included a record retention period for the certificate and required the submission of such certificate to Customs upon request.

No comments were received from the public in response to the invitation therefor set forth in the interim rule, and Customs has determined to adopt this rule as a final rule without change.

Executive Order 12866 and Regulatory Flexibility Act

Because this document involves a foreign affairs function of the United States and implements an international agreement, it is not subject to E.O. 12866. Because no notice of proposed rulemaking was required in this case, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply.

Drafting Information

The principal author of this document was Russell Berger, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other offices participated in its development.

List of Subjects in 19 CFR Part 132

Customs duties and inspection, Imports, Postal service, Quotas.

Amendment to the Regulations

PART 132—QUOTAS

Accordingly, the interim rule amending 19 CFR part 132 to add a new § 132.15, which was published in the Federal Register at 60 FR 39108 on August 1, 1995, is adopted as a final rule without change.

George J. Weise,
Commissioner of Customs.

Approved: December 22, 1995.

John P. Simpson,
Deputy Assistant Secretary of the Treasury.

[FR Doc. 96–1992 Filed 1–31–96; 8:45 am]

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19 CFR Part 148

[T.D. 96–13]

Changes to Customs List of Designated Public International Organizations

AGENCY: Customs Service, Treasury.