

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 an electron microscope and is intended for research or scientific educational uses requiring an electron microscope. We know of no electron microscope, or any other instrument suited to these purposes, which was being manufactured in the United States at the time of order of each instrument.

Dated: June 22, 2009.

**Christopher Cassel,**

*Acting Director.*

*Subsidies Enforcement Office.*

*Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Princeton University

#### Notice of Decision on Application for Duty-Free Entry of Scientific Instruments

This is a decision pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, as amended by Pub. L. 106-36; 80 Stat. 897; 15 CFR part 301. Related records can be viewed between 8:30 A.M. and 5:00 P.M. in Room 3705, U.S. Department of Commerce, 14th and Constitution Ave, NW, Washington, D.C.

Comments: None received. Decision: Approved. We know of no instruments of equivalent scientific value to the foreign instrument described below, for such purposes as this is intended to be used, that was being manufactured in the United States at the time of its order.

Docket Number: 09-022. Applicant: Princeton University, Princeton, NJ 08544. Instrument: SWAXS Dual 1D Position-Sensitive-Detector (PSD) System. Manufacturer: Hecus X-Ray System GmbH, Austria. Intended Use: See notice at 74 FR 23393, May 19, 2009. Reasons: The instrument is unique, in that it is a dual system, which allows simultaneous acquisition of time resolved small-angle and wide-angle x-ray scattering data. Justification for Duty-Free Entry: We know of no instrument of the same general category suited to these purposes, which was being manufactured in the United States at the time of order of each instrument

Dated: June 22, 2009.

**Christopher Cassel,**

*Acting Director.*

*Subsidies Enforcement Office.*

*Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[Application No. 84-20A12]

#### Export Trade Certificate of Review

**ACTION:** Notice of Application (#84-20A12) To Amend an Export Trade Certificate of Review Previously Issued to Northwest Fruit Exporters.

**SUMMARY:** Export Trading Company Affairs, International Trade Administration, U.S. 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, Acting Director, Office of Competition and Economic Analysis, International Trade Administration, (202) 482-5131 (this is not a toll-free number) or by 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 nonconfidential version of the comments (identified as such) should be

included. Any comments not marked privileged or confidential business information will be deemed to be nonconfidential. An original and five (5) copies, plus two (2) copies of the nonconfidential 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 7021X, Washington, DC 20230, or transmit by E-mail at [oetca@ita.doc.gov](mailto:oetca@ita.doc.gov). Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential 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 84-20A12."

The original Certificate for Northwest Fruit Exporters was issued on June 11, 1984 (49 FR 24581, June 14, 1984), and last amended on September 17, 2008 (73 FR 54561, September 22, 2008).

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.:** 84-20A12.

**Date Deemed Submitted:** June 18, 2009.

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

1. Delete the following companies as Members of the Certificate: Clasen Fruit & Cold Storage Co., Union Gap, WA; Lotus Fruit Packing, Inc., Brewster, WA; Snokist Growers, Yakima, WA; and Tree To You, LLC, Chelan, WA.

2. Add the following companies as new Members of the Certificate within the meaning of section 325.2(1) of the Regulations (15 CFR 325.1): Cervantes Orchards & Vineyards LLC, Grandview, WA; Columbia Valley Fruit, L.L.C., Yakima, WA; Conrad & Gilbert Fruit, Grandview, WA; Diamond Fruit Growers, Odell, OR; Orchard View Farms, Inc., The Dalles, OR; and Wenoka Sales LLC, Wenatchee, WA.

3. Change the listing of the following Member: Change "Congdon Orchards, Inc., Yakima, WA" to the new listing "Congdon Packing Co. L.L.C., Yakima, WA".