

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.

[FR Doc. 2023-01330 Filed 1-23-23; 8:45 am]

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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

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.

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).

in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession, or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed, or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed, or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification, or testing.

Third, pursuant to Section 1760(e) of ECRA (50 U.S.C. 4819(e)) and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to the Denied Person by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, the Denied Person may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of

this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to the Denied Person and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect until February 5, 2030.

John Sonderman,

Director, Office of Export Enforcement.

[FR Doc. 2023-01256 Filed 1-23-23; 8:45 am]

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of: Eli Isael Rodriguez-Jasso, Inmate Number: 36482-480, McRae Correctional Institution, P.O. Drawer 55030, McRae Helena, GA 31055; Order Denying Export Privileges

On October 28, 2020, in the U.S. District Court for the Western District of Texas, Eli Isael Rodriguez-Jasso (“Rodriguez-Jasso”) was convicted of violating 18 U.S.C. 554(a). Specifically, Rodriguez-Jasso was convicted knowingly and unlawfully exporting or attempting to export from the United States to Mexico, ammunition and two firearms magazines, in violation of 18 U.S.C. 554. As a result of his conviction, the Court sentenced Rodriguez-Jasso to 46 months in prison, with credit for time served, three years supervised release, and a \$100 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, 18 U.S.C. 554, 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). 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 Rodriguez-Jasso’s conviction for violating 18 U.S.C. 554. As provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”), BIS provided notice and opportunity for Rodriguez-Jasso to make a written

submission to BIS. 15 CFR 766.25.² BIS has not received a written submission from Rodriguez-Jasso.

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 Rodriguez-Jasso’s export privileges under the Regulations for a period of six years from the date of Rodriguez-Jasso’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Rodriguez-Jasso had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until October 28, 2026, Eli Isael Rodriguez-Jasso, with a last known address of Inmate Number: 36482-480, McRae Correctional Institution, P.O. Drawer 55030, McRae Helena, GA 31055, 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 in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;

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.