

(i) explain how the articles potentially subject to the recommended remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the recommended orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third-party suppliers have the capacity to replace the volume of articles potentially subject to the recommended orders within a commercially reasonable time; and

(v) explain how the recommended orders would impact consumers in the United States.

Written submissions must be filed no later than by close of business on December 18, 2024.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. The Commission's paper filing requirements in 19 CFR 210.4(f) are currently waived. 85 FR 15798 (March 19, 2020). Submissions should refer to the investigation number ("Inv. No. 337-TA-1351 Remand") in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, [https://www.usitc.gov/secretary/fed\\_reg\\_notices/rules/handbook\\_on\\_electronic\\_filing.pdf](https://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf)). Persons with questions regarding filing should contact the Secretary (202-205-2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment by marking each document with a header indicating that the document contains confidential information. This marking will be deemed to satisfy the request procedure set forth in Rules 201.6(b) and 210.5(e)(2) (19 CFR 201.6(b) and 210.5(e)(2)). Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. Any non-party wishing to submit comments containing confidential information must serve those comments on the parties to the investigation pursuant to the applicable Administrative Protective Order. A redacted non-confidential version of the document must also be filed simultaneously with any confidential filing and must be served in accordance with Commission Rule 210.4(f)(7)(ii)(A) (19 CFR 210.4(f)(7)(ii)(A)). All information, including confidential business information and documents for

which confidential treatment is properly sought, submitted to the Commission for purposes of this investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. appendix 3; or (ii) by U.S. Government employees and contract personnel, solely for cybersecurity purposes. All contract personnel will sign appropriate nondisclosure agreements. All nonconfidential written submissions will be available for public inspection on EDIS.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: November 18, 2024.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2024-27360 Filed 11-21-24; 8:45 am]

BILLING CODE 7020-02-P

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1232 (Enforcement)]

### Certain Chocolate Milk Powder and Packaging Thereof; Notice of a Commission Determination Finding Enforcement Respondents To Have Violated the GEO; Issuance of Cease and Desist Orders; Termination of the Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission ("Commission") has determined to find Bharat Bazar Inc. ("Bharat Bazaar"); Coconut Hill Inc. d/b/a Coconut Hill ("Coconut Hill"); Organic Ingredients Inc. d/b/a Namaste Plaza Indian Super Market ("Organic Ingredients"); and New India Bazar Inc. d/b/a New India Bazar ("New India") (collectively, "Enforcement Respondents") to have violated the General Exclusion Order ("GEO") in this investigation. The Commission has also determined to issue cease and desist orders ("CDOs") against each of these four defaulting Enforcement

Respondents. The investigation is terminated.

**FOR FURTHER INFORMATION CONTACT:** Paul Lall, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2043. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted the original investigation on December 1, 2020, based on a complaint filed on behalf of Meenaxi Enterprise Inc. ("Meenaxi") of Edison, New Jersey. 85 FR 77237-38 (Dec. 1, 2020). The complaint alleged violations of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain chocolate milk powder and packaging thereof by reason of infringement of U.S. Trademark Registration No. 4,206,026 ("the '026 mark"). The Commission's notice of investigation named several respondents, including but not limited to Bharat Bazar of Union City, California; Coconut Hill of Sunnyvale, California; Organic Food Inc. d/b/a Namaste Plaza Indian Super Market ("Organic Food") of Fremont, California; and New India of San Jose, California. *Id.* at 77237. The Office of Unfair Import Investigations ("OUII") was also a party to the investigation. *Id.*

In the underlying investigation, all respondents were found in default. See Order No. 6 (Feb. 10, 2021), *unreviewed by Comm'n Notice* (Mar. 2, 2021); Order No. 23 (May 19, 2022), *unreviewed by Comm'n Notice* (Jun. 14, 2022). On May 24, 2021, Meenaxi moved for summary determination of violation of section 337 by the respondents found in default by Order No. 6 and requested a GEO. On December 1, 2021, the former chief administrative law judge ("former CALJ") granted the motion as an initial determination ("ID") (Order No. 15), but noted discrepancies with respect to respondent Organic Food, calling into question whether that respondent was ever properly served with the complaint and notice of investigation and with the

CALJ's order to show cause why the respondents should not be found in default, Order No. 5 (Jan. 13, 2021). *See* Order No. 15 at 1, n.1. No petitions for review of the ID were filed. The Commission determined *sua sponte* to review Order No. 15 and ordered reconsideration of Order No. 6 as to Organic Food and/or any other respondents who may not have been properly served with documents in the underlying investigation. *See* Comm'n Notice at 3 (Jan. 18, 2022). The Commission remanded the investigation to an ALJ for further proceedings. *Id.*

On remand, the current chief administrative law judge ("CALJ") issued Order No. 18, granting Meenaxi's unopposed motion for leave to amend the complaint and notice of investigation to (i) substitute Organic Food with proposed respondent Organic Ingredients of San Diego, California; (ii) correct the address of respondent New India; (iii) correct the address of respondent Bharat Bazar; and (iv) supplement the complaint with Exhibits 9-a, 9-b, and 9-c, concerning Organic Food and/or Organic Ingredients. Order No. 18 at 1-5 (Mar. 11, 2022), *unreviewed by* Comm'n Notice (Apr. 12, 2022); *see also* 87 FR 22940-41 (Apr. 18, 2022). Meenaxi also demonstrated that Bharat Bazar actually had been served with all of the documents in the investigation (prior to remand) despite incorrectly spelling Bharat Bazar's address as being on "Niled Road" instead of "Niles Road." *See* Order No. 18 at 4.

The CALJ conducted remand proceedings as to Organic Ingredients and New India with respect to service of the amended complaint and notice of investigation, and upon the failure of these respondents to respond to the amended complaint and notice of investigation, the CALJ ordered them to respond to an order to show cause why they should not be found in default. *See* Order No. 19 (Mar. 11, 2022); Order No. 21 at 2-3 (May 3, 2022). On May 19, 2022, the CALJ issued an ID finding Organic Ingredients and New India in default. Order No. 23 (May 19, 2022), *unreviewed by* Comm'n Notice (June 14, 2022). Accordingly, the Commission found all respondents in default (collectively with the respondents previously found in default, the "Defaulting Respondents").

On June 13, 2022, Meenaxi again moved for summary determination of violation by the Defaulting Respondents and requested a GEO. On July 6, 2022, OUII filed a response supporting the motion.

On August 3, 2022, the CALJ issued a remand ID ("RID") (Order No. 27),

granting the second motion for summary determination and finding a violation of section 337 with respect to the '026 mark. The RID found that all Defaulting Respondents met the importation requirement and that Meenaxi satisfied the domestic industry requirement. *See* 19 U.S.C. 1337(a)(1-3). No party petitioned for review of the RID.

On September 19, 2022, the Commission determined not to review the RID. *See* 87 FR 58130-32 (Sept. 23, 2022). On November 15, 2022, the Commission issued a final determination finding a violation, issuing a GEO prohibiting the unlicensed importation of chocolate milk powder and packaging thereof that infringe the '026 mark, and terminating the investigation. *See* 87 FR 70864-66 (Nov. 21, 2022). The GEO prohibits the unlicensed importation of "chocolate milk powder in consumer-sized container with the Bournvita label." *Id.*; GEO at 2 (Nov. 15, 2022). On the same day, the Commission issued an opinion explaining the basis for its final determination.

On November 9, 2023, the Commission determined to institute an enforcement proceeding under Commission Rule 210.75 to investigate alleged violations of the GEO by the four Enforcement Respondents. *See* Comm'n Notice, EDIS Doc. ID 808258 (Nov. 9, 2023); *see also* 88 FR 78786-87 (Nov. 16, 2023); 89 FR 15220 (Mar. 1, 2024). OUII is also named as a party. 88 FR at 78787.

On January 10, 2024, the presiding ALJ issued an order directing the Enforcement Respondents to show cause why they should not be found in default and why judgment should not be rendered against them for failing to respond to the enforcement complaint and notice of investigation. *See* Order No. 6 (Jan. 10, 2024). Order No. 6 directed the Enforcement Respondents to make any showing of good cause by no later than February 2, 2024. *Id.* at 3. No party responded to Order No. 6. *See* Order No. 8 at 1 (Feb. 13, 2024).

On March 14, 2024, the Commission determined that the four Enforcement Respondents were in default. *See* Order No. 8 (Feb. 13, 2024), *unreviewed by* Comm'n Notice (Mar. 15, 2024). On March 15, 2024, Meenaxi filed a motion requesting summary determination of violation of the GEO and the issuance of CDOs against the four Enforcement Respondents. *See* Order No. 9 (Aug. 16, 2024) ("ID") at 5.

On August 16, 2024, the presiding ALJ issued the subject ID (Order No. 9), granting Meenaxi's motion and recommending issuance of the requested CDOs. The ALJ concluded

that "the un rebutted evidence summarized below demonstrates that the Enforcement Respondents have imported and/or sold after importation chocolate milk powder products bearing the 'Bournvita' label" in violation of the GEO. ID at 16-17. The ID noted that Meenaxi alleges that the Enforcement Respondents have violated the GEO by offering for sale, selling, advertising, and aiding and abetting the sale for Cadbury's "BOURNVITA" products. *Id.* at 17-18. The ID explained that "[t]hese (or similar) products were found to infringe the '026 Mark during the violation phase" of this investigation. *Id.* at 18. No party filed a petition seeking review of the ID.

On August 19, 2024, the Commission issued a notice soliciting submissions on public interest issues raised by the recommended relief should the Commission find a violation of the GEO, specifically, CDOs against the four Enforcement Respondents: (1) Bharat Bazaar; (2) Coconut Hill; (3) Organic Ingredients; and (4) New India. 89 FR 68203-04 (Aug. 23, 2024). No comments were received in response to the notice.

On October 2, 2024, the Commission issued a notice determining to review the ID's findings that the Enforcement Respondents have violated the GEO. 89 FR 81547-49 (Oct. 8, 2024). The Commission requested briefing from the parties on (1) whether the sale of infringing products imported before the issuance of a GEO but sold in the United States after the issuance of that order constitutes a violation of the GEO; (2) whether a complainant must provide evidence of importation of infringing products after the date on which the GEO issued in order to establish a violation of a GEO in an enforcement proceeding; and (3) whether 19 U.S.C. 1337(g)(1) applies to allegations of a violation of a GEO in an enforcement proceeding involving defaulting enforcement respondents. *Id.* at 81548. The Commission also requested briefing from the parties, interested government agencies, and other interested persons on the issues of remedy, the public interest, and bonding. *Id.* at 81548-49.

On October 16, 2024, Meenaxi and OUII each filed submissions in response to the Commission's notice, arguing that the public interest does not preclude issuance of the requested CDOs. In its response, Meenaxi requested the same bond as previously issued in the underlying investigation during the period of Presidential review pursuant to section 337(j) (19 U.S.C. 1337(j)). No other party filed a response.

Having examined the record of this investigation, including the parties' submissions, the Commission has

determined to find that the conditions set forth in section 337(g)(1)(A)–(E) (19 U.S.C. 1337(g)(1)(A)–(E)) have been satisfied, and section 337(g)(1) directs the Commission, upon request, to issue a CDO against a respondent found in default, based on the allegations regarding a violation of the GEO in the complaint, which are presumed to be true, unless after consideration of the public interest factors in section 337(g)(1), it finds that such relief should not issue. The Commission has further determined that the appropriate remedy in this investigation is to issue a CDO against each Enforcement Respondent. The Commission has also determined that the public interest factors enumerated in subsection 337(g)(1) do not preclude the issuance of the CDOs. The Commission has further determined that the bond during the period of Presidential review pursuant to section 337(j) (19 U.S.C. 1337(j)) shall be in the amount of one hundred percent (100%) of the entered value of the infringing articles. The investigation is terminated.

The Commission's vote on this determination took place on November 18, 2024.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: November 18, 2024.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2024–27374 Filed 11–21–24; 8:45 am]

**BILLING CODE 7020–02–P**

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## OFFICE OF MANAGEMENT AND BUDGET

### Request for Feedback on Draft Materials for Broadening Public Participation and Community Engagement With the Federal Government

**AGENCY:** Office of Management and Budget, Executive Office of the President.

**ACTION:** Notice of public feedback period.

**SUMMARY:** The Office of Management and Budget (OMB) is seeking public feedback on a draft memorandum titled *Broadening Public Participation and Community Engagement with the Federal Government*. As drafted, the memorandum would provide Federal agencies with common definitions and

guiding principles for public participation and community engagement, a sample framework to help decide when and how to involve the public in decision-making processes, and steps to help advance effective and meaningful public engagement.

Additionally, OMB is preparing the first iteration of a U.S. Federal Public Participation and Community Engagement Toolkit to help Federal agencies better plan, implement, and assess the impact of participation and engagement. OMB also requests feedback on the draft outline of this toolkit.

The full text of the draft memorandum and the full draft outline of the toolkit are available for review at [www.performance.gov/participation](http://www.performance.gov/participation).

**DATES:** Feedback must be provided on or before November 29, 2024.

**ADDRESSES:** In an effort to improve accessibility, OMB is offering multiple options to provide feedback.

**Written Feedback:** Responses can be submitted through a simple, open-ended form at [www.performance.gov/participation](http://www.performance.gov/participation). Instructions for submitting feedback are available on the site.

**Listening Sessions:** Options to register for live events hosted by OMB to hear from the public are also available at [www.performance.gov/participation](http://www.performance.gov/participation). ASL interpretation, live captioning, and live audio translation in Spanish and Mandarin Chinese will be provided.

**Privacy Act Statement:** Response to this request is voluntary. OMB will use your feedback to inform sound decision making on topics related to this memorandum. All responses received may be publicly disclosed, including any personal and business confidential information provided. Please do not include in your responses any information of a confidential nature, such as sensitive personal information or proprietary information, or any information that you would not like to be made publicly available. The OMB System of Records Notice, OMB Public Input System of Records, OMB/INPUT/01, 88 FR 20,913 (Apr. 7, 2023), available at [www.federalregister.gov/d/2023-07452](http://www.federalregister.gov/d/2023-07452), includes a list of routine uses associated with the collection of this information.

Individuals and organizations who respond to this request may be contacted for clarification, related discussions, events, or surveys.

**FOR FURTHER INFORMATION CONTACT:** Please email the Office of Management and Budget at [publicparticipation@omb.eop.gov](mailto:publicparticipation@omb.eop.gov).

**SUPPLEMENTARY INFORMATION:** In developing these draft materials, OMB considered feedback received from the public and Federal agencies through OMB's Request for Information on Methods and Leading Practices for Advancing Public Participation and Community Engagement With the Federal Government, 89 FR 19,885 (Mar. 20, 2024), available at [www.federalregister.gov/d/2024-05882](http://www.federalregister.gov/d/2024-05882), and related listening sessions.

The proposed memorandum on participation and engagement would complement guidance from OMB's Office of Information and Regulatory Affairs on *Broadening Public Participation and Community Engagement in the Regulatory Process* (July 10, 2023), available at [www.whitehouse.gov/wp-content/uploads/2023/07/Broadening-Public-Participation-and-Community-Engagement-in-the-Regulatory-Process.pdf](http://www.whitehouse.gov/wp-content/uploads/2023/07/Broadening-Public-Participation-and-Community-Engagement-in-the-Regulatory-Process.pdf), which focuses on how agencies can better engage the public when developing regulations.

The toolkit would centralize materials to help agencies engage the American people, including individuals from underserved communities, in ways that better meet agency and community needs and priorities. The toolkit would also build on prior Federal efforts, such as the *U.S. Public Participation Playbook* (Feb. 3, 2015), available at [digital.gov/guides/public-participation](http://digital.gov/guides/public-participation).

**Lauren Stocker,**

*Deputy Associate Director, Performance and Personnel Management, Office of Management and Budget.*

[FR Doc. 2024–27341 Filed 11–21–24; 8:45 am]

**BILLING CODE 3110–01–P**

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## NATIONAL SCIENCE FOUNDATION

### Notice of Intent To Seek Approval To Renew With Changes an Information Collection

**AGENCY:** National Science Foundation.

**ACTION:** Notice and request for comments.

**SUMMARY:** The National Science Foundation (NSF) is announcing plans to request establishment and clearance of this collection. In accordance with the requirements of the Paperwork Reduction Act of 1995, we are providing opportunity for public comment on this action. After obtaining and considering public comment, NSF will prepare the submission requesting that OMB approve clearance of this collection for no longer than three years.

**DATES:** Written comments on this notice must be received by January 21, 2025 to