

**ACTION:** Additions to the Procurement List.

**SUMMARY:** This action adds to the Procurement List commodities and a service to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

**EFFECTIVE DATE:** August 12, 1996.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Square 3, Suite 403, 1735 Jefferson Davis Highway, Arlington, Virginia 22202-3461.

**FOR FURTHER INFORMATION CONTACT:** Beverly Milkman (703) 603-7740.

**SUPPLEMENTARY INFORMATION:** On March 29 and May 17, 1996, the Committee for Purchase From People Who Are Blind or Severely Disabled published notices (61 F.R. 14088 and 24921) of proposed additions to the Procurement List.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the commodities and service and impact of the additions on the current or most recent contractors, the Committee has determined that the commodities and service listed below are suitable for procurement by the Federal Government under 41 U.S.C. 46-48c and 41 CFR 51-2.4.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the commodities and service to the Government.

2. The action will not have a severe economic impact on current contractors for the commodities and service.

3. The action will result in authorizing small entities to furnish the commodities and service to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the commodities and service proposed for addition to the Procurement List.

Accordingly, the following commodities and service are hereby added to the Procurement List:

*Commodities*

Chock Block  
2540-00-T27-8865  
2540-00-T27-9043

(Requirements for the Defense Distribution Region West, Stockton, California)

*Service*

Janitorial/Custodial, Federal Bureau of Investigation, Headquarters Building, 10th & Pennsylvania Avenue, NW., Washington, DC

This action does not affect current contracts awarded prior to the effective date of this addition or options that may be exercised under those contracts.

E.R. Alley, Jr.,

*Deputy Executive Director.*

[FR Doc. 96-17790 Filed 7-11-96; 8:45 am]

BILLING CODE 6353-01-P

**DEPARTMENT OF COMMERCE****International Trade Administration**

[C-412-815]

**Notice of Court Decision: Certain Cut-to-Length Carbon Steel Plate from the United Kingdom**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**ACTION:** Notice of Court Decision.

**SUMMARY:** On June 4, 1996, the United States Court of International Trade (CIT) affirmed the remand determination made by the Department of Commerce (the Department) which used company-specific average useful life of renewable physical assets as the time period over which to allocate benefits from nonrecurring subsidies. *British Steel Plc. et al. v. United States*, Slip Op. 96-88 (*British Steel III*). In so doing, the Court rejected the Department's use of the U.S. Internal Revenue Service's Class Life Asset Depreciation Range System (the IRS tax tables) for allocating benefits as set forth in the "Allocation Period" section of its *General Issues Appendix*, which is appended to the *Final Affirmative Countervailing Duty Determination: Certain Steel Products from Austria*, 58 FR 37217, 37227 (July 9, 1993).

**EFFECTIVE DATE:** July 12, 1996.

**FOR FURTHER INFORMATION CONTACT:** Roy A. Malmrose, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-5414.

**SUPPLEMENTARY INFORMATION:** In its *Final Affirmative Countervailing Duty Determination: Certain Steel Products From the United Kingdom*, 58 FR 37393 (July 9, 1993), the Department allocated benefits from nonrecurring subsidies, such as grants and equity, over the average useful life of renewable physical assets, as set out in the IRS tax tables.

The Department's reasoning was fully set forth in the *General Issues Appendix*.

On February 9, 1995, the CIT held that the Department's use of the IRS tax tables was unlawful because the Department did not adequately consider whether and to what extent the 15-year period from the IRS tax tables was reasonable based on the commercial and competitive benefits received by the firms under investigation. *British Steel plc et al. v. United States*, 879 F. Supp. 1254. In accordance with the CIT's instructions, the Department reexamined the allocation period in question. The Department found that an allocation methodology based upon the average useful life of assets (AUL) specific to each company was the most reasonable methodology that complied with the instructions of the Court. On June 4, 1996, the CIT affirmed the Department's remand determination. *British Steel III*.

In its decision in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990), the United States Court of Appeals for the Federal Circuit held that, pursuant to 19 U.S.C. section 1516a(e), the Department must publish a notice of a court decision which is not "in harmony" with a Department determination, and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's decision in *British Steel III* on June 4, 1996, constitutes a decision not in harmony with the Department's final affirmative determination. Publication of this notice fulfills the *Timken* requirement.

Accordingly, the Department will continue to suspend liquidation pending the expiration of the period of appeal, or, if appealed, until a "conclusive" court decision.

Dated: July 2, 1996.

Barbara R. Stafford,  
*Deputy Assistant Secretary for Import Administration.*

[FR Doc. 96-17805 Filed 7-11-96; 8:45 am]

BILLING CODE 3510-DS-P

**Export Trade Certificate of Review**

**AGENCY:** International Trade Administration, Commerce.

**ACTION:** Notice of Issuance of an Export Trade Certificate of Review, Application No. 96-00002.

**SUMMARY:** The Department of Commerce has issued an Export Trade Certificate of Review to U.S. Leaf Tobacco Exporters, L.L.C. ("U.S. Leaf"). This notice summarizes the conduct for which certification has been granted.

**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. The regulations implementing Title III are found at 15 CFR Part 325 (1994). The Office of Export Trading Company Affairs ("OETCA") is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Department of Commerce to publish a summary of a Certificate in the Federal Register. Under Section 305(a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

#### Description of Certified Conduct

##### *Export Trade*

##### 1. Products

Leaf tobacco and by-products.

##### 2. Services

Buying, handling, processing and shipment of leaf tobacco and by-products.

##### 3. Export Trade Facilitation Services (as they Relate to the Export of Products and Services)

Consulting, market research, advertising, marketing, insurance, product research and design, legal assistance, transportation (including trade documentation and freight forwarding), communication and processing of orders, warehousing, foreign exchange, financing, and taking title to goods.

##### *Export Markets*

The Export Markets are foreign state trading entities ("STEs") and are limited to the following: Algeria, China, Egypt, Korea, Lebanon, Morocco, Taiwan, Thailand, Tunisia, Turkey, and Vietnam.

##### *Export Trade Activities and Methods of Operation*

In connection with the promotion and sale of Members' Products and Services into the Export Markets, U.S. Leaf and/or one or more of its Members may:

a. Solicit orders or bids from STEs in Export Markets.

b. Design and execute foreign marketing strategies for sales in Export Markets.

c. Quote charges to STEs for processing, shipping and handling services relating to the sale of U.S. grown tobacco to such customers and for dealer commissions and other miscellaneous buying charges. Such quotes may be made by one or more Members individually or by U.S. Leaf on behalf of such Members as may be interested in participating in such transactions or opportunities.

d. Collect and exchange information about U.S. Leaf's or Members' export operations and prior export sales by Members, including export price information with respect to STEs.

e. Collaborate in the preparation and submission of individual or joint bids for processing, shipping and handling charges relating to the sale of tobacco to STEs in Export Markets.

f. Collect and exchange information and conduct joint negotiations with STEs concerning estimated yields for the processing of green leaf tobacco into redried tobacco.

g. Allocate export sales and/or export markets among Members.

h. Engage in joint promotional activities aimed at increasing sales in existing Export Markets and identifying new Export Markets, such as: arranging trade shows and marketing trips; providing advertising services; providing brochures, industry newsletters and other forms of product, service and industry information; conducting international market and product research; procuring international marketing, advertising and promotional services; and sharing the cost of these joint promotional activities among the Members.

i. Collect and exchange information with respect to transportation services utilized by Members in the export of U.S. grown tobacco, including overseas freight transportation, inland freight transportation from the Members' processing plants to the U.S. port of embarkment, storage and warehousing, stevedoring, wharfage and handling, insurance, forwarder services, trade documentation and services, customs clearance, financial instruments and foreign exchange.

j. Collect and exchange information and conduct joint negotiations with STEs regarding contractual terms for export sales.

##### *Terms and Conditions of Certificate*

a. Except as expressly authorized in the Export Trade Activities and Methods of Operations section of this Certificate, neither U.S. Leaf nor any

Member shall intentionally disclose, directly or indirectly, to any other Member or Supplier any information that is about its or any other Member's or Supplier's costs, production, capacity, inventories, domestic prices, domestic sales, domestic orders, terms of domestic marketing or sale, or U.S. business plans, strategies, or methods, unless (1) such information is already generally available to the trade or public; or (2) the information disclosed is a necessary term or condition (e.g., price, time required to fill an order, etc.) of an actual or potential bona fide sale and the disclosure is limited to the prospective purchaser.

b. Any agreements, discussions, or exchanges of information under this Certificate relating to quantities of Products available for Export Markets shall be in connection only with actual or potential bona fide export transactions and shall be on a transaction-by-transaction basis only.

c. Participation by a Member in any Export Trade Activity or Method of Operation under this Certificate shall be entirely voluntary as to that Member, subject to the honoring of contractual commitments. A Member may withdraw from coverage under this Certificate at any time by giving written notice to U.S. Leaf, a copy of which U.S. Leaf shall promptly transmit to the Departments of Commerce and Justice.

d. U.S. Leaf and its Members 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*

"Members", within the meaning of section 325.2(1) of the Regulations, means the member companies of U.S. Leaf set out in Attachment A and incorporated herein by reference.

"Processing" means the processing of green leaf tobacco into redried tobacco by the removal of moisture content, foreign matter and stems, and the blending of such tobacco.

"Handling charges" means all charges associated with the services provided by the Members in connection with the buying of green leaf tobacco and for the

delivery of redried tobacco to STEs, but excluding the cost of green leaf tobacco at auction and processing charges. Handling charges include, but are not limited to, inland freight, container cost, dealer commissions, tagging, inspection, storage, warehousing, financing, fumigation, by-product credits and ocean shipping.

"Subsidiary" means a U.S. tobacco dealer which is a wholly- or majority-owned subsidiary of a Member or of a Member's controlling entity.

"Supplier" means a person who produces, provides, or sells a Product or Service, whether a Member or nonmember.

A copy of this certificate will be kept in the International Trade Administration's Freedom of Information Records Inspection Facility Room 4102, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230.

Dated: July 1, 1996.

W. Dawn Busby,  
Director, Office of Export Trading Company Affairs.

#### Attachment A

##### Member

Universal Leaf Tobacco Company, Incorporated

Subsidiaries: Universal Leaf Tobacco Company, Incorporated, Richmond, VA; Virginia Tobacco Company, Incorporated, Richmond, VA; Virsa Incorporated, Richmond, VA; Winston Leaf Tobacco Company, Incorporated, Richmond, VA; Southern States Tobacco Company, Incorporated, Richmond, VA; Thorpe & Ricks, Inc. (VA), Richmond, VA; Thorpe-Greenville Export Tobacco Company, Rocky Mount, NC; Thorpe-Ricks, Inc (NC), Rocky Mount, NC; Southern Processors, Inc., Danville, VA; Danville Leaf Tobacco Company, Inc., Danville, VA; J.P. Taylor Company, Inc., Henderson, NC; Eastern Leaf Tobacco Company, Richmond, VA; K.R. Edwards Leaf Tobacco Company, Incorporated, Smithfield, NC; Southwestern Tobacco Company, Incorporated, Lexington, KY; W.H. Winstead Company, Inc., Richmond, VA; Tobacco Processors, Inc., Wilson, NC; R.P. Watson Company, Richmond, VA; and Dunnington-Beach Tobacco, Incorporated, Farmville, VA.

##### Member

DIMON International, Inc., Farmville, NC

Subsidiaries: A.C. Monk & Company, Inc., Farmville, NC; The Austin Company, Incorporated, Kinston, NC; T.S. Ragsdale Company, Inc., Lake City, NC; Dibrell Brothers Tobacco USA, Inc., Danville, VA; Carolina Leaf Tobacco Company, Inc., Greenville, NC; Dimon International, A.G., Basel, Switzerland; and Dimon Asia on behalf of Dimon International, Inc., Farmville, NC.

##### Member

Unitob Inc., Greenville, NC

Subsidiaries: China American Tobacco Co., Greenville, NC; and Intabex-Hail & Cotton International Co., Greenville, NC.

##### Member

Standard Commercial Corporation, Wilson, NC

Subsidiaries: Standard Commercial Tobacco Co., Inc., Wilson, NC; and W A Adams Company, Wilson, NC.

##### Member

G.F. Vaughan Tobacco Co., Inc., Lexington, KY

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BILLING CODE 3510-DR-P

### Export Trade Certificate of Review

**AGENCY:** International Trade Administration, Commerce.

**ACTION:** Notice of Issuance of an Export Trade Certificate of Review, Application No. 95-00006.

**SUMMARY:** The Department of Commerce has issued an Export Trade Certificate of Review to Water and Wastewater Equipment Manufacturers Association. This notice summarizes the conduct for which certification has been granted.

**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. The regulations implementing Title III are found at 15 CFR Part 325 (1994). The Office of Export Trading Company Affairs ("OETCA") is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Department of Commerce to publish a summary of a Certificate in the Federal Register. Under Section 305 (a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

#### Description of Certified Conduct

##### Export Trade

##### 1. Products

Machinery, equipment, instrumentation, chemicals, supplies, systems, accessories, turnkey systems, and software development (as these

items are used in the treatment of water and/or wastewater).

##### Export Trade

##### 1. Products

Machinery, equipment, instrumentation, chemicals, supplies, systems, accessories, turnkey systems, and software development (as these items are used in the treatment of water and/or wastewater).

##### 2. Services

A. Identification, conceptual prefeasibility, and feasibility assessments of residential, commercial, industrial, and municipal Products and water and/or wastewater treatment facilities for homeowners, businesses, companies, utilities, or foreign government entities;

B. Engineering and architectural services related to Products and/or to turnkey contracts that substantially incorporate Products;

C. Design and installation of water and/or wastewater treatment facilities and/or Products;

D. Project and construction management of water and/or wastewater treatment facilities;

E. Arranging or offering financing for investments in water and/or wastewater treatment facilities and/or Products, including lease, loan, shared savings arrangements, guaranteed lease or loans, and third party financing;

F. Providing bonded performance guarantees that guarantee a certain level of water and/or wastewater treatment as a result of the installation of water and/or wastewater treatment Products;

G. Servicing, training, and other services related to the sale, use, installations, maintenance monitoring, rehabilitation, or upgrading of Products or to projects that substantially incorporate Products;

H. All other services related to water and/or wastewater treatment.

##### 3. Export Trade Facilitation Services (as They Relate to the Export of Products and Services)

Consulting; international market research; insurance; legal assistance; accounting assistance; services related to compliance with foreign customs requirements; trade documentation and freight forwarding; communication and processing of export orders and sales leads; warehousing; foreign exchange; financing; liaison with U.S. and foreign government agencies, trade associations and banking institutions; taking title to goods; marketing and trade promotion; trade show participation; coordination and negotiation of the terms and