

Type of Review: Regular submission for extension of a currently approved collection.

Affected Public: Individuals, businesses or other for-profit and not-for-profit institutions.

Estimated Number of Respondents: 1.
Estimated Time Per Response: 30 minutes.

Estimated Total Annual Burden Hours: 1 hour.

Estimated Total Annual Cost: \$0 (no capital expenditures are required).

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they will also become a matter of public record.

Dated: January 29, 1998.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of Management and Organization.

[FR Doc. 98-2741 Filed 2-3-98; 8:45 am]

BILLING CODE 3510-DT-P

DEPARTMENT OF COMMERCE

Bureau of Export Administration

Customer Service Evaluation

ACTION: Proposed collection; comment request.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before April 6, 1998.

ADDRESSES: Direct all written comments to Linda Engelmeier, Departmental

Clearance Officer, Department of Commerce, Room 5327, 14th and Constitution Avenue, NW, Washington DC 20230.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Ms. Dawnielle Battle, Department of Commerce, 14th and Constitution Avenue, NW, room 6877, Washington, DC, 20230.

SUPPLEMENTARY INFORMATION:

I. Abstract

The survey will be used to measure the quality, timeliness, and relevance of the counsel/information provide by BXA. It will also be used as a way to gauge the relevance of services and information provided for the business community.

II. Method of Collection

By mail, E-mail or FAX.

III. Data

OMB Number: None.

Form Number: Not applicable.

Type of Review: Proposed new collection.

Affected Public: Individuals, businesses or other for-profit and not-for-profit institutions.

Estimated Number of Respondents: 1,750.

Estimated Time Per Response: 4 minutes per response.

Estimated Total Annual Burden Hours: 117.

Estimated Total Annual Cost: \$0 (no capital expenditures are required of applicants—only their time).

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they will also become a matter of public record.

Dated: January 28, 1998.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of Management and Organization.

[FR Doc. 98-2742 Filed 2-3-98; 8:45 am]

BILLING CODE 3510-DT-P

DEPARTMENT OF COMMERCE

International Trade Administration

Export Trade Certificate of Review

ACTION: Notice of application.

SUMMARY: The Office of Export Trading Company Affairs ("OETCA"), International Trade Administration, Department of Commerce, has received an application for an Export Trade Certificate of Review. This notice summarizes the conduct for which certification is sought and requests comments relevant to whether the Certificate should be issued.

FOR FURTHER INFORMATION CONTACT: Morton Schnabel, Acting 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. A 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 Act 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 a 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 copies, plus two copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to:* Office of Export

Trading Company Affairs, International Trade Administration, Department of Commerce, Room 1800H, Washington, D.C. 20230. 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 98-00001." A summary of the application follows.

Summary of the Application

Applicant: Fresh Fruit Exporters Association ("FFEA"), 30423 Canwood Street, Suite 235, Agoura Hills, California 91301.

Contact: Ronald A. Oleynik, Attorney.

Telephone: (202) 457-7183.

Application No.: 98-00001.

Date Deemed Submitted: January 26, 1998.

Members (in addition to applicant): Autenrieth & Gray, Agoura Hills, CA; Fresh Western International, Inc., Salinas, CA (a wholly owned subsidiary of The Albert Fisher Group, Inc., Dallas, TX); Fruit Unlimited Inc., Visalia, CA; Giscal Limited, U.S.A., Los Angeles, CA; Great Oriental Corporation, Anaheim, CA; Pandol Bros., Inc., Delano, CA; Paramount Export Company, Oakland, CA; Primary Export International, Inc., South San Francisco, CA; Renown LLC, Redlands, CA; United Fruits (Calif.) Corp. and United Overseas Trading Corp., Santa Monica, CA; Vanguard Trading Services, Inc., Issaquah, WA; and Westlake-Miller, Inc., Los Angeles, CA.

FFEA seeks a Certificate to cover the following specific Export Trade, Export Markets, and Export Trade Activities and Methods of Operations.

Export Trade

1. *Products:* Fresh fruit.
2. *Services:* Inspection, quality control, marketing and promotional services.
3. *Technology Rights:* Proprietary rights to all technology associated with Products or Services, including, but not limited to: patents, trademarks, service marks, trade names, copyrights, trade secrets, and know-how.
4. *Export Trade Facilitation Services (as they Relate to the Export of Products, Services and Technology Rights):* All export trade-related facilitation services, including, but not limited to: consulting and trade strategy; sales and marketing; export brokerage; foreign marketing research; foreign

market development; overseas advertising and promotion; product research and design based on foreign buyer and consumer preferences; inspection and quality control; transportation; insurance; billing of foreign buyers; collection (letters of credit and other financial instruments); provision of overseas sales and distribution facilities and overseas sales staff; legal, accounting and tax assistance; management information systems development and application; assistance and administration of government export assistance programs, such as the Export Enhancement and Market Promotion programs.

Export Markets

The Export Markets include all parts of the world except the United States (the fifty states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands and the Trust Territory of the Pacific Islands).

Export Trade Activities and Methods of Operation

In connection with the promotion and sale of Members' Products and Services into the Export Markets, the FFEA and/or one or more of its Members seeks to:

1. Design and execute foreign marketing strategies for its Export Markets;
2. Prepare joint bids, establish export prices, and establish terms of sale in the Export Markets;
3. Design, develop and market generic corporate labels;
4. Engage in joint promotional activities directly targeted at developing the 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;
5. Conduct product and packaging research and development exclusively for the export of the Products, such as meeting foreign regulatory requirements and foreign buyer specifications and identifying and designing for foreign buyer and consumer preferences;
6. Negotiate and enter into agreements with governments and other foreign persons regarding non-tariff trade barriers in the Export Markets, such as packaging requirements, establishing

and operating fumigation facilities and providing specialized packing operations and other quality control procedures to be followed by its Members in the export of Products into the Export Markets;

7. Advise and cooperate with agencies of the U.S. Government in establishing procedures regulating the export of Members' Products, Services and/or Technology Rights into the Export Markets;

8. Negotiate and enter into purchase agreements with buyers in the Export Markets regarding the export prices, quantities, type and quality of Products, time periods, and the terms and conditions of sale;

9. Broker or take title to the Products;

10. Purchase Products from non-Members whenever necessary to fulfill specific sales obligations;

11. Solicit non-Members to become Members;

12. Communicate and process export orders;

13. Assist each Member in maintaining the quality standards necessary to be successful in the Export Markets;

14. Provide Export Trade Facilitation Services with respect to Products, Services and Technology Rights;

15. Negotiate freight rate contracts with individual carriers and carrier conferences either directly or indirectly through shippers associations and/or freight forwarders;

16. Bill and collect from foreign buyers and provide accounting, tax, legal and consulting assistance and services;

17. Enter into exclusive agreements to provide, produce, negotiate, contract, and administer Export Trade Services and Trade Facilitation Services;

18. Apply for and utilize applicable export assistance and incentive programs which are available within the governmental and private sectors, such as the USDA Export Enhancement and Market Promotion programs;

19. Refuse to deal with or provide quotations to non-Members for sales of the Members' Products into the Export Markets;

20. Utilize common marking and identification of Product sold in the Export Markets; and

21. Exchange information with and among the Members as necessary to carry out the Export Trade Facilitation Services and Export Trade Activities and Methods of Operation, including:

- a. Information about sales and marketing efforts and strategies in the Export Markets, including pricing; projected demand in the Export Markets for Products; customary terms of sale,

prices and availability of Products independently committed by Members for sales in the Export Markets; prices and sales of Products in the Export Markets; and specifications by buyers and consumers in the Export Markets;

b. Information about the price, quality, quantity, source and delivery dates of Products for export;

c. Information about terms and conditions of contracts for sales in the Export Markets;

d. Information about expenses specific to exporting to and within the Export Markets, including transportation, transshipments, intermodal shipments, insurance, inland freight to port, port storage, commissions, export sales, documentation, financing and customs duties or taxes;

e. Information about U.S. and foreign legislation and regulations, including Federal marketing order programs that may affect sales to the Export Markets;

f. Information about the FFEA's or its Members' export operations, including sales and distribution networks established by the FFEA or its Members in the Export Markets, and prior export sales by Members, including export price information; and

g. Information about the FFEA's or its Members' credit and collections practices and problems, claims and sales allowances.

Definitions

1. *Export Intermediary* means a person who acts as distributor, sales representative, sales or marketing agent, or broker, or who performs similar functions, including providing, or arranging for the provision of, Export Trade Facilitation Services.

2. *Member* means a person who has membership in the FFEA and who has been certified as a "Member" within the meaning of Section 325.2(1) of the Regulations.

Terms and Conditions of Certificate

1. In engaging in Export Trade Activities and Methods of Operation, neither FFEA nor any Member shall intentionally disclose, directly or indirectly, to any other Member any information regarding its or any other Member's domestic costs, production, capacity, or inventories; domestic prices; domestic sales; 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.

2. FFEA and the Members will comply with requests made by the Secretary of Commerce on behalf of the Secretary 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 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.

Dated: January 28, 1998.

Morton Schnabel,

*Acting Director, Office of Export Trading,
Company Affairs.*

[FR Doc. 98-2647 Filed 2-3-98; 8:45 am]

BILLING CODE 3510-DR-F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Collection; Comment Request

TITLE: Albacore Fishing Operation Information.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before April 6, 1998.

ADDRESSES: Direct all written comments to Linda Engelmeier, Departmental Forms Clearance Officer, Department of Commerce, Room 5327, 14th and Constitution Avenue, NW, Washington DC 20230.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Al Coan, Southwest Fisheries Science Center, 8604 La Jolla Shores Drive, P.O. Box 271, La Jolla, California 92038-0271; (619) 546-7079.

SUPPLEMENTARY INFORMATION:

I. Abstract

The collected information will be used by NMFS to assess the status of

Pacific albacore stocks and monitor the fisheries. Data on catches and catch locations are used to determine

Albacore stock sizes and data on vessel characteristics are used to standardize fishing effort. After data are standardized, catch and effort information are used to determine year class strength, fishing mortality, maximum sustainable yields and descriptive information on where and how many fish are caught.

Environmental data are used to correlate catches with certain environmental conditions in an effort to predict locations of favorable catches. The collection is also used to satisfy the license requirement under the High Seas Fishing Compliance Act (HSFCA).

II. Method of Collection

Fishing vessel captains are supplied with a logbook which is distributed by the Western Fishboat Owners Association, NMFS personnel and contractors each year. Approximately 400 logbooks are sent annually to the fishermen or distributed at various ports in Oregon, Washington, California, Canada, and American Samoa and are filled out by hand during their fishing trip. The Pacific Marine Fisheries Commission contracts each year with the states of California, Oregon and Washington to collect the logbooks and fish size information when the vessels come in.

III. Data

OMB Number: 0648-0223.

Form Number: NOAA 88-197.

Type of Review: Regular Submission.

Affected Public: Business or other for-profit (fishing vessel captains).

Estimated Number of Respondents: 200.

Estimated Time Per Response: 1.

Estimated Total Annual Burden

Hours: 200.

Estimated Total Annual Cost to Public: \$0 (no capital expenditures are required).

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques