

# U.S. Customs and Border Protection

CBP Dec. 16-03

RIN 1651-AB09

## **ELIMINATION OF NONIMMIGRANT VISA EXEMPTION FOR CERTAIN CARIBBEAN RESIDENTS COMING TO THE UNITED STATES AS H-2A AGRICULTURAL WORKERS**

**AGENCY:** U.S. Customs and Border Protection, DHS.

**ACTION:** Interim final rule; solicitation of comments.

**SUMMARY:** This interim final rule revises Department of Homeland Security regulations to eliminate the nonimmigrant visa exemption for certain Caribbean residents seeking to come to the United States as H-2A agricultural workers and the spouses or children who accompany or follow these workers to the United States. As a result, these nonimmigrants will be required to have both a valid passport and visa. The Department of State is revising its parallel regulations.

**EFFECTIVE DATE:** The effective date of the rule is February 19, 2016.

*Comment Date:* Comments must be received by April 8, 2016.

**ADDRESSES:** Please submit comments, identified by docket number, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments via docket number USCBP-2016-0003.
- *Mail:* Border Security Regulations Branch, Office of International Trade, U.S. Customs and Border Protection, 90 K Street NE., 10th Floor, Washington, DC 20229-1177.

*Instructions:* All submissions received must include the agency name and docket number for this rulemaking. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

*Docket:* For access to the docket to read background documents or

comments received, go to <http://www.regulations.gov>. Comments submitted will be available for public inspection in accordance with the Freedom of Information Act (5 U.S.C. 552) and 19 CFR 103.11(b) on normal business days between the hours of 9 a.m. and 4:30 p.m. at the Border Security Regulations Branch, Office of International Trade, U.S. Customs and Border Protection, 90 K Street NE., 10th Floor, Washington, DC. Arrangements to inspect submitted comments should be made in advance by calling Mr. Joseph Clark at (202) 325-0118.

**FOR FURTHER INFORMATION CONTACT:** Rafael Henry, U.S. Customs and Border Protection, Office of Field Operations, (202) 344-3251, or via email at [rafael.e.henry@cbp.dhs.gov](mailto:rafael.e.henry@cbp.dhs.gov).

## **SUPPLEMENTARY INFORMATION:**

### **I. Public Comments**

Interested persons are invited to submit written comments on all aspects of this interim final rule. U.S. Customs and Border Protection (CBP) also invites comments on the economic, environmental, or federalism effects of this rule. We urge commenters to reference a specific portion of the rule, explain the reason for any recommended change, and include data, information, or authorities that support such recommended change.

### **II. Background**

In general, nonimmigrant aliens are required to present an unexpired passport and a valid unexpired visa in order to be admitted to the United States. *See* section 212(a)(7)(B)(i) of the Immigration and Nationality Act, as amended (INA) (8 U.S.C. 1182(a)(7)(B)(i)). However, either or both of these requirements may be waived by the Secretary of Homeland Security<sup>1</sup> and the Secretary of State, acting jointly, in specified situations, as provided in section 212(d)(4) of the INA (8 U.S.C. 1182(d)(4)). The Department of Homeland Security (DHS) regulations list those classes of persons that are not required to present a visa (or a passport, in some cases). *See* 8 CFR 212.1.

The H-2A nonimmigrant classification applies to an alien seeking to enter the United States to perform agricultural labor or services of a temporary or seasonal nature in the United States. Generally, H-2A agricultural workers are required to possess and present both

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<sup>1</sup> Pursuant to sections 102(a), 441, 1512(d) and 1517 of the Homeland Security Act of 2002, Public Law 107-296, 116 Stat. 2135, 6 U.S.C. 112(a), 251, 552(d), 557, and 8 CFR 2.1, the authorities of the Attorney General, as described in section 212 of the INA (8 U.S.C. 1182), were transferred to the Secretary of Homeland Security, and the reference to the Attorney General in the statute is deemed to refer to the Secretary.

a passport and a valid unexpired H-2A visa when entering the United States. Certain residents of the Caribbean, however, are exempted by regulation from having to possess and present a valid unexpired H-2A visa, and only must possess and present a valid unexpired passport to be admitted to the United States as a temporary agricultural worker.

Specifically, a visa is currently not required for H-2A agricultural workers who are British, French, or Netherlands nationals, or nationals of Barbados, Grenada, Jamaica, or Trinidad and Tobago, who have their residence in British, French, or Netherlands territory located in the adjacent islands of the Caribbean area, or in Barbados, Grenada, Jamaica, or Trinidad and Tobago. 8 CFR 212.1(b)(1)(i). Additionally, a visa is currently not required for the spouse or child accompanying or following to join such an H-2A agricultural worker. 8 CFR 212.1(b)(1)(iii). The current regulation also provides that a visa is not required for the beneficiary of a valid, unexpired indefinite certification granted by the Department of Labor (DOL) for employment in the U.S. Virgin Islands, if the beneficiary is proceeding to those islands for such purpose and is a British, French, or Netherlands national, or national of Barbados, Grenada, Jamaica, or Trinidad and Tobago, who has his or her residence in British, French, or Netherlands territory located in the adjacent islands of the Caribbean area, or in Barbados, Grenada, Jamaica, or Trinidad and Tobago. The regulation also provides that a visa is not required for the spouse or child accompanying or following to join such a beneficiary. 8 CFR 212.1(b)(1)(ii)-(iii). Department of State (State) regulations also describe the visa exemption for these classes of Caribbean residents. *See* 22 CFR 41.2(e). However, as discussed below, the justification for providing this visa exemption for such beneficiaries and their spouses and children is now obsolete; further, this visa exemption creates a security loophole that could be exploited by persons who pose a danger to the United States.

The visa exemption for agricultural workers from the specified Caribbean countries dates back more than 70 years and was created primarily to address U.S. labor shortages during World War II by expeditiously providing a source of agricultural workers from the British Caribbean to meet the needs of agricultural employers in the southeastern United States. Given the passage of time, this basis for the exemption no longer justifies it.

Since H-2A agricultural workers from the specified Caribbean countries are exempt from the visa requirement, they do not undergo the same visa issuance process as H-2A applicants from other countries. The absence of a visa requirement for these H-2A workers

means that these individuals do not undergo a face-to-face consular interview, the adjudication of the applicants eligibility and qualification for the intended position, screening for potential fraudulent employment, and the associated fingerprint and security checks prior to seeking admission at a U.S. port of entry. Further, in the absence of the visa requirement, there is significantly less advance opportunity for the U.S. Government to determine whether other requirements for H-2A classification, such as the bar to collection of prohibited fees from prospective H-2 workers, have been satisfied.

DHS, in conjunction with the Department of State ("State"), has determined that the nonimmigrant visa exemption for these classes of Caribbean residents, coming to the United States as H-2A agricultural workers or as the spouses or children accompanying or following these workers, is outdated and incongruent with the visa requirement for other H-2A agricultural workers from other countries. DHS and State believe that eliminating the visa exemption furthers the national security interests of the United States.

The application of the general visa requirement to the class of Caribbean agricultural workers described above will ensure that these applicants for admission, like other H-2A agricultural workers, are sufficiently screened via State's visa issuance process prior to arrival in the United States. In addition, the visa requirement will ensure that these persons possess evidence of the intended purpose of their stay in the United States upon arrival at a U.S. port of entry. This will lessen the possibility that persons who pose security risks to the United States and other potential immigration violators may improperly gain admission to the United States.

Furthermore, extending the visa requirement to these Caribbean H-2A agricultural workers will allow U.S. Government officials to interview prospective H-2A workers and will help to better ensure that such workers are protected from certain employment and recruitment-based abuses, including, but not limited to, the imposition of fees prohibited under 8 CFR 214.2(h)(5)(xi). In addition, the visa requirement will help ensure that agricultural workers have been informed, and are aware of, their rights and responsibilities before departing from their home countries to engage in H-2A agricultural work. *See* 8 U.S.C. 1375b.

As a result of the termination of the relevant worker program in the U.S. Virgin Islands, DOL no longer grants indefinite certifications for employment in the U.S. Virgin Islands. *See* section 3 of the Virgin Islands Nonimmigrant Alien Adjustment Act of 1982, Public Law 97-271, 96 Stat. 1157, as amended (8 U.S.C. 1255 note). Therefore, the visa exemption for certain Caribbean residents for the beneficiary

of a valid, unexpired indefinite certification granted by DOL for employment in the U.S. Virgin Islands, if the beneficiary was proceeding to those islands for such purpose, or for the spouse or child accompanying or following to join such a beneficiary, set forth in 8 CFR 212.1(b)(1)(ii)–(iii), is now obsolete.

Accordingly, DHS, in conjunction with State, is eliminating the visa exemption for these Caribbean H–2A agricultural workers and the spouses or children accompanying or following these workers. 8 CFR 212.1(b)(1). This means that, in addition to a valid passport, these nonimmigrant aliens are now required to obtain a nonimmigrant visa prior to traveling to the United States. In order to obtain a visa, these nonimmigrant aliens will have to submit a visa application to and appear for an interview at the applicable U.S. embassy<sup>2</sup> or consulate, and undergo Department of State’s visa screening process. Additionally, DHS, in conjunction with State, is eliminating the obsolete visa exemption for the beneficiaries of DOL indefinite certifications for employment in the U.S. Virgin Islands and their spouses and children. State is publishing a parallel amendment to 22 CFR 41.2(e) in the **Federal Register**.

As a result of the elimination of 8 CFR 212.1(b)(1), current 8 CFR 212.1(b)(2) is being redesignated as 8 CFR 212.1(b). DHS is also making a technical correction updating the language in current 8 CFR 212.1(b)(2)(ii)(C) referring to “a current *Certificate of Good Conduct* issued by the Royal Virgin Islands Police Department” to refer to “a current certificate issued by the Royal Virgin Islands Police Force” in new 8 CFR 212.1(b)(2)(iii).

### III. Statutory and Regulatory Requirements

#### A. Administrative Procedure Act

The implementation of this rule as an interim final rule, with provisions for post-promulgation public comments, is based on the good cause exception found in section 553 of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)(B)). There is reasonable concern that publication of the rule as a proposed rule, which would permit continuation of the current visa exemption, could lead to an increase in applications for admissions in bad faith by persons who would otherwise have been denied visas and are seeking to avoid the visa requirement and consular screening process during the period between the publication of a proposed and a final rule. Accordingly, DHS finds that it is impracticable and contrary to the public interest to publish this rule with prior notice and comment period. Under the

<sup>2</sup> See <http://www.usembassy.gov/>.

good cause exception, this rule is exempt from the notice and comment and delayed effective date requirements of the APA.

In addition, DHS is of the opinion that eliminating the visa exemption and requiring a visa for Caribbean H-2A agricultural workers, and the spouses or children accompanying or following these workers, is a foreign affairs function of the U.S. Government under section 553(a) of the APA (5 U.S.C. 553(a)). As this rule implements this function, DHS is of the opinion that this rule is also exempt from the notice and comment and 30-day delayed effective date requirements of the APA by virtue of the foreign affairs exception in 5 U.S.C. 553(a)(1). DHS is nevertheless providing the opportunity for the public to provide comments.

### *B. Executive Orders 13563 and 12866*

Executive Orders 13563 and 12866 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. DHS is of the opinion this rule is not subject to the requirements of Executive Orders 13563 and 12866, due to the foreign affairs exception described above. However, DHS has nevertheless reviewed the interim final rule to ensure its consistency with the regulatory philosophy and principles set forth in those Executive Orders.

Currently, British, French, and Netherlands nationals and nationals of Barbados, Grenada, Jamaica, and Trinidad and Tobago, who have their residence in British, French, or Netherlands territory located in the adjacent islands of the Caribbean area or in Barbados, Grenada, Jamaica, or Trinidad and Tobago, are not required to obtain a visa before traveling to the United States as H-2A agricultural workers. This rule would require these prospective H-2A agricultural workers to obtain a visa prior to travel to the United States. Any spouses or children of these workers will also now have to obtain a visa before being brought to the United States. Since more than 99 percent of such workers<sup>3</sup> came from Jamaica, our analysis will focus on that country. This rule will also eliminate the visa exemption for workers in the U.S. Virgin Islands pursuant to an unexpired indefinite certification granted by DOL. Because these certifications have

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<sup>3</sup> CBP's BorderStat Database (internal database), accessed November 2, 2015.

been obsolete for many years,<sup>4</sup> eliminating them will have no effect on the economy; hence, we will exclude this provision for the remainder of the analysis.

Data on the number of visa applications Jamaican travelers would need to obtain as a result of this rule is not available. A USCIS database tracks the number of petitions for H-2A workers from Jamaica, but does not include the spouses or children who would now also need visas to travel to the United States. A CBP database tracks the number of Jamaican nationals arriving under the H-2A program, but counts multiple arrivals by a single person as separate arrivals. For the purposes of this analysis, we use the number of petitions as our primary estimate of the number of visas that would be needed under this rule. We use the number of total travelers from Jamaica under the H-2A program to illustrate the upper bound of costs that could result from this rule.

Employers petitioned on behalf of an annual average of 165 workers from Jamaica under this program from FY 2011–2013,<sup>5</sup> and an annual average of 4,010 Jamaicans arrived during that time period,<sup>6</sup> which includes arrivals by H-2A agricultural workers as well as their spouses and children. This number also includes multiple arrivals in the same year by the same individuals. Because the number of unique individuals arriving from Jamaica under the H-2A program is not available, we calculate costs based on a range of 165 (our primary estimate) to 4,010 prospective visa applicants. The current nonimmigrant visa application processing fee, also called the Machine-Readable Visa (MRV) fee, is \$190. We assume this fee will be paid by the employer for the workers and by the employees for their spouses and children. We estimate that the imposition of the fee will cost workers or employers in aggregate between \$31,350 (our primary estimate) and \$761,900 per year.

Under this rule, workers would have to apply for a visa using Form DS-160 and undergo an interview at a U.S. embassy or consulate prior to traveling to the United States. According to the Paperwork Reduction Act estimate for Form DS-160, the Department of State estimates that the visa application takes 1.25 hours to complete. The interview itself typically lasts approximately 5–10 minutes; however, when accounting for potential wait time, the interview process may take up to 2 hours. Since the only U.S. embassy in Jamaica is in Kingston, visa applicants may have to travel up to 3.5 hours each way

<sup>4</sup> See section 3 of the Virgin Islands Nonimmigrant Alien Adjustment Act of 1982, Pub. L. 97-271, 96 Stat. 1157, as amended (8 U.S.C. 1255 note).

<sup>5</sup> Communication with USCIS on August 7, 2014.

<sup>6</sup> CBP's BorderStat Database (internal database), accessed August 4, 2014.

to appear for an interview, depending on their location. We therefore assume that filling out the D-160, traveling to and from the embassy for the visa interview, and the visa interview itself will require a total of 10.25 hours of the applicant's time. To the extent the actual time burden to travel to and from the interview is less than we estimated, costs would be lower. Using the average Jamaican wage rate of \$3.25/hour<sup>7</sup> and a range of 165 to 4,010 workers per year, we estimate the cost of the time to Jamaican nationals in aggregate as a result of this rule to be between \$5,497 (our primary estimate) and \$133,583 per year. Combining this with the cost of the visa application fee, we estimate that the total annual cost of this rule is between \$36,847 and \$895,483.

We are unable to quantify the benefits of this rule; therefore we discuss the benefits qualitatively. Requiring these prospective H-2A agricultural workers to obtain visas will ensure that they are properly screened prior to arrival in the United States. This will lessen the possibility that a person who poses a security risk to the United States and other potential immigration violators may improperly gain admission to the United States. DHS has determined that visitors from the countries affected by this rule are not a lower security risk than those coming from other countries; therefore, CBP believes that they should be subject to the same screening prior to arriving at their port of entry. Also, prescreening and appearing before consular officers will provide greater opportunities to ensure compliance with DHS and DOL H-2A rules, including those regulatory provisions prohibiting charging fees to workers in connection with or as a condition of their employment or recruitment.

### *C. Regulatory Flexibility Act*

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), as amended by the Small Business Regulatory Enforcement and Fairness Act of 1996, requires an agency to prepare a regulatory flexibility analysis that describes the effect of a proposed rule on small entities when the agency is required to publish a general notice of proposed rulemaking. A small entity may be a small business (defined as any independently owned and operated business not dominant in its field that

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<sup>7</sup> Derived from International Labor Association's LABORSTA Internet Database. Available at <http://laborsta.ilo.org/STP/guest>. Accessed August 5, 2014. Our weekly wage estimate (14,826 Jamaican Dollars per week) is from the "Wages, by economic activity" report for all sectors in 2008. Our weekly hours worked estimate (40.7 hours per week) is from the "Hours of work, by economic activity" report for all sectors in 2008. We converted the wage rate to U.S. dollars using the currency converter available at <http://www.xe.com/currencyconverter> on August 5, 2014. 14,826 Jamaican Dollars divided by 40.7 hours per week, multiplied by 0.008913 Jamaican dollars per U.S. dollar = \$3.25 U.S. dollars per hour.



qualifies as a small business per the Small Business Act); a small not-for-profit organization; or a small governmental jurisdiction (locality with fewer than 50,000 people). Because this interim final rule is exempt from notice and comment rulemaking under 5 U.S.C. 553, a regulatory flexibility analysis is not required.

### **List of Subjects in 8 CFR Part 212**

Administrative practice and procedure, Aliens, Immigration, Passports and visas, Reporting and recordkeeping requirements.

### **Amendments to Regulations**

Part 212 of title 8 of the Code of Federal Regulations is amended as set forth below:

#### **PART 212—DOCUMENTARY REQUIREMENTS: NONIMMIGRANT; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE**

■ 1. The general authority citation for part 212 and the sectional authority citation for § 212.1(q) continue to read as follows:

**Authority:** 8 U.S.C. 1101 and note, 1102, 1103, 1182 and note, 1184, 1187, 1223, 1225, 1226, 1227, 1255, 1359; 8 U.S.C. 1185 note (section 7209 of Public Law 108–458); 8 CFR part 2.

Section 212.1(q) also issued under section 702, Public Law 110–229, 122 Stat. 754, 854.

■ 2. In § 212.1, revise paragraph (b) to read as follows:

#### **§ 212.1 Documentary requirements for nonimmigrants.**

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(b) *Nationals of the British Virgin Islands.* A visa is not required of a national of the British Virgin Islands who has his or her residence in the British Virgin Islands, if:

(1) The alien is seeking admission solely to visit the Virgin Islands of the United States; or

(2) At the time of embarking on an aircraft at St. Thomas, U.S. Virgin Islands, the alien meets each of the following requirements:

(i) The alien is traveling to any other part of the United States by aircraft as a nonimmigrant visitor for business or pleasure (as described in section 101(a)(15)(B) of the Act);

(ii) The alien satisfies the examining U.S. immigration officer at the port-of-entry that he or she is clearly and beyond doubt entitled to admission in all other respects; and

(iii) The alien presents a current certificate issued by the Royal Virgin Islands Police Force indicating that he or she has no criminal record.

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Dated: January 19, 2016.

JEH CHARLES JOHNSON,  
*Secretary of Homeland Security*

[Published in the Federal Register, February 8, 2016 (81 FR 6430)]

**APPROVAL OF SGS NORTH AMERICA, INC., AS A  
COMMERCIAL GAUGER**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** Notice of approval of SGS North America, Inc., as a commercial gauger.

**SUMMARY:** Notice is hereby given, pursuant to CBP regulations, that SGS North America, Inc., has been approved to gauge petroleum and certain petroleum products for customs purposes for the next three years as of August 11, 2015.

**EFFECTIVE DATE:** The approval of SGS North America, Inc., as a commercial gauger became effective on August 2015. The next triennial inspection date will be scheduled for August 2018.

**FOR FURTHER INFORMATION CONTACT:** Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW, Suite 1500N, Washington, DC 20229, tel. 202-344-1060.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given pursuant to 19 CFR 151.13, that SGS North America, Inc., 4701 East Napoleon (Hwy 90), Sulphur, LA 70663, has been approved to gauge petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.13. SGS North America, Inc., is approved for the following gauging procedures for petroleum and certain petroleum products set forth by the American Petroleum Institute (API):

API chapters	Title
3 .....	Tank gauging.
7 .....	Temperature Determination.
8 .....	Sampling.
12 .....	Calculations.

API chapters	Title
17 .....	Maritime Measurements.

Anyone wishing to employ this entity to conduct gauger services should request and receive written assurances from the entity that it is approved by the U.S. Customs and Border Protection to conduct the specific gauger service requested. Alternatively, inquiries regarding the specific gauger service this entity is approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to *cbp.labhq@dhs.gov*. Please reference the following Web site for the current CBP Approved Gaugers and Accredited Laboratories List.

*http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories*

Dated: January 29, 2016.

IRA S. REESE,  
*Executive Director,  
Laboratories and Scientific  
Services Directorate.*

[Published in the Federal Register, February 8, 2016 (81 FR 6529)]

## APPROVAL OF SGS NORTH AMERICA, INC., AS A COMMERCIAL GAUGER

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** Notice of approval of SGS North America, Inc., as a commercial gauger.

**SUMMARY:** Notice is hereby given, pursuant to CBP regulations, that SGS North America, Inc., has been approved to gauge petroleum and certain petroleum products for customs purposes for the next three years as of April 29, 2015.

**EFFECTIVE DATE:** The approval of SGS North America, Inc., as a commercial gauger became effective on April 29, 2015. The next triennial inspection date will be scheduled for April 2018.

**FOR FURTHER INFORMATION CONTACT:** Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific

Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202-344-1060.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given pursuant to 19 CFR 151.13, that SGS North America, Inc., 2800 Loop 197 South, Texas City, TX 77590, has been approved to gauge petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.13. SGS North America, Inc., is approved for the following gauging procedures for petroleum and certain petroleum products set forth by the American Petroleum Institute (API):

API chapters	Title
3 .....	Tank gauging.
7 .....	Temperature Determination.
8 .....	Sampling.
12 .....	Calculations.
17 .....	Maritime Measurements.

Anyone wishing to employ this entity to conduct gauger services should request and receive written assurances from the entity that it is approved by the U.S. Customs and Border Protection to conduct the specific gauger service requested. Alternatively, inquiries regarding the specific gauger service this entity is approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to [cbp.labhq@dhs.gov](mailto:cbp.labhq@dhs.gov). Please reference the following Web site for the current CBP Approved Gaugers and Accredited Laboratories List.

<http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>

Dated: January 29, 2016.

IRA S. REESE,  
*Executive Director,  
 Laboratories and Scientific  
 Services Directorate.*

[Published in the Federal Register, February 8, 2016 (81 FR 6528)]

**QUARTERLY IRS INTEREST RATES USED IN  
CALCULATING INTEREST ON OVERDUE ACCOUNTS AND  
REFUNDS ON CUSTOMS DUTIES**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** General notice.

**SUMMARY:** This notice advises the public that the quarterly Internal Revenue Service interest rates used to calculate interest on overdue accounts (underpayments) and refunds (overpayments) of customs duties remain unchanged from the previous quarter. For the calendar quarter beginning January 1, 2016, the interest rates for overpayments will be 2 percent for corporations and 3 percent for non-corporations, and the interest rate for underpayments will be 3 percent for both corporations and non-corporations. This notice is published for the convenience of the importing public and U.S. Customs and Border Protection personnel.

**EFFECTIVE DATE:** January 1, 2016.

**FOR FURTHER INFORMATION CONTACT:** Michael P. Dean, Revenue Division, Collection and Refunds Branch, 6650 Telecom Drive, Suite #100, Indianapolis, Indiana 46278; telephone (317) 614-4882.

**SUPPLEMENTARY INFORMATION:**

**Background**

Pursuant to 19 U.S.C. 1505 and Treasury Decision 85-93, published in the **Federal Register** on May 29, 1985 (50 FR 21832), the interest rate paid on applicable overpayments or underpayments of customs duties must be in accordance with the Internal Revenue Code rate established under 26 U.S.C. 6621 and 6622. Section 6621 provides different interest rates applicable to overpayments: One for corporations and one for non-corporations.

The interest rates are based on the Federal short-term rate and determined by the Internal Revenue Service (IRS) on behalf of the Secretary of the Treasury on a quarterly basis. The rates effective for a quarter are determined during the first-month period of the previous quarter.

In Revenue Ruling 2015-23, the IRS determined the rates of interest for the calendar quarter beginning January 1, 2016, and ending on March 31, 2016. The interest rate paid to the Treasury for underpayments will be the Federal short-term rate (1%) plus two percentage points (2%) for a total of three percent (3%) for both corporations

and non-corporations. For corporate overpayments, the rate is the Federal short-term rate (1%) plus one percentage point (1%) for a total of two percent (2%). For overpayments made by non-corporations, the rate is the Federal short-term rate (1%) plus two percentage points (2%) for a total of three percent (3%). These interest rates are subject to change for the calendar quarter beginning April 1, 2016, and ending June 30, 2016.

For the convenience of the importing public and U.S. Customs and Border Protection personnel the following list of IRS interest rates used, covering the period from before July of 1974 to date, to calculate interest on overdue accounts and refunds of customs duties, is published in summary format.

Beginning date	Ending date	Under-payments (percent)	Over-payments (percent)	Corporate overpayments (Eff. 1-1-99) (percent)
070174 .....	063075	6	6	.....
070175 .....	013176	9	9	.....
020176 .....	013178	7	7	.....
020178 .....	013180	6	6	.....
020180 .....	013182	12	12	.....
020182 .....	123182	20	20	.....
010183 .....	063083	16	16	.....
070183 .....	123184	11	11	.....
010185 .....	063085	13	13	.....
070185 .....	123185	11	11	.....
010186 .....	063086	10	10	.....
070186 .....	123186	9	9	.....
010187 .....	093087	9	8	.....
100187 .....	123187	10	9	.....
010188 .....	033188	11	10	.....
040188 .....	093088	10	9	.....
100188 .....	033189	11	10	.....
040189 .....	093089	12	11	.....
100189 .....	033191	11	10	.....
040191 .....	123191	10	9	.....
010192 .....	033192	9	8	.....
040192 .....	093092	8	7	.....
100192 .....	063094	7	6	.....
070194 .....	093094	8	7	.....
100194 .....	033195	9	8	.....
040195 .....	063095	10	9	.....

Beginning date	Ending date	Under- payments (percent)	Over- payments (percent)	Corporate overpayments (Eff. 1-1-99) (percent)
070195 .....	033196	9	8	.....
040196 .....	063096	8	7	.....
070196 .....	033198	9	8	.....
040198 .....	123198	8	7	.....
010199 .....	033199	7	7	6
040199 .....	033100	8	8	7
040100 .....	033101	9	9	8
040101 .....	063001	8	8	7
070101 .....	123101	7	7	6
010102 .....	123102	6	6	5
010103 .....	093003	5	5	4
100103 .....	033104	4	4	3
040104 .....	063004	5	5	4
070104 .....	093004	4	4	3
100104 .....	033105	5	5	4
040105 .....	093005	6	6	5
100105 .....	063006	7	7	6
070106 .....	123107	8	8	7
010108 .....	033108	7	7	6
040108 .....	063008	6	6	5
070108 .....	093008	5	5	4
100108 .....	123108	6	6	5
010109 .....	033109	5	5	4
040109 .....	123110	4	4	3
010111 .....	033111	3	3	2
040111 .....	093011	4	4	3
100111 .....	033116	3	3	2

Dated: February 3, 2016.

R. GIL KERLIKOWSKE,  
*Commissioner.*

[Published in the Federal Register, February 8, 2016 (81 FR 6526)]

**RECEIPT OF DOMESTIC INTERESTED PARTY PETITION  
CONCERNING THE TARIFF CLASSIFICATION OF A STEEL  
TUBE FITTING**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** Notice; solicitation of comments.

**SUMMARY:** U.S. Customs and Border Protection (CBP) has received a petition submitted on behalf of a domestic interested party requesting the reclassification under the Harmonized Tariff Schedule of the United States (HTSUS) of a steel tube fitting from Taiwan. CBP classified the steel tube fitting under subheading 7307.99.50, HTSUS, which provides for: “Tube or pipe fittings (for example, couplings, elbows, sleeves), of iron or steel: Other: Other: Other.” The 2015 column one, general rate of duty is 4.3 percent *ad valorem*. Petitioner contends that the proper classification for the steel tube fitting is under subheading 8412.90.90, HTSUS, which provides for: “Other engines and motors, and parts thereof: Parts: Other.” Petitioner asserts that some of its competitors are classifying all or a substantial portion of similar fittings as parts of hydraulic systems, under subheading 8412.90.90, HTSUS, which is duty free, thus placing Petitioner at a competitive disadvantage. This document invites comments with regard to the correctness of the current classification.

**DATES:** Comments must be received on or before April 11, 2016.

**ADDRESSES:** You may submit comments, identified by docket number, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments via docket number USCBP–2016–0007.
- *Mail:* Trade and Commercial Regulations Branch, Regulations and Rulings, Office of International Trade, Customs and Border Protection, 90 K St. NE., 10th Floor, Washington, DC 20229–1177.

*Instructions:* All submissions received must include the agency name and docket number for this notice of domestic interested party petition concerning the tariff classification of steel tube fittings. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

*Docket:* For access to the docket to read background documents, exhibits, or comments received, go to <http://www.regulations.gov>. Submitted comments may also be inspected during regular business



days between the hours of 9 a.m. and 4:30 p.m., at Trade and Commercial Regulations Branch, Regulations and Rulings, Office of International Trade, Customs and Border Protection, 90 K Street NE., 10th Floor, Washington, DC. Arrangements to inspect submitted comments should be made in advance by calling Joseph Clark, Trade and Commercial Regulations Branch, at (202) 325-0118. Please note that any submitted comments that CBP receives by mail will be posted on the above-referenced docket for the public's convenience.

**FOR FURTHER INFORMATION CONTACT:** Dwayne Rawlings, Tariff Classification and Marking Branch, Regulations and Rulings, Office of International Trade, Customs and Border Protection, at (202) 325-0092.

### **SUPPLEMENTARY INFORMATION:**

#### **Background**

A petition has been filed under section 516 of the Tariff Act of 1930, as amended (19 U.S.C. 1516), on behalf of Brennan Industries, Inc. ("Petitioner"), which manufactures various hydraulic connectors, fittings and adapters in Solon, Ohio. Brennan meets all of the requirements of a domestic interested party set forth in 19 U.S.C. 1516(a)(2) and section 175.3(a) in Title 19 of the Code of Federal Regulations (CFR).

In New York Ruling (NY) E83408, dated July 8, 1999, a steel tube fitting from Taiwan is described as a "cold forged nonalloy steel male threaded connector body having a center hex nut, one flare tube end and one male pipe end. These tube fittings connect a piece of rigid tubing to a valve, manifold or another piece of rigid tubing in a hydraulic system." CBP classified the steel tube fitting in subheading 7307.99.50, Harmonized Tariff Schedule of the United States (HTSUS), as a tube or pipe fitting of iron or steel, other, other, other. Petitioner contends that the proper classification for the fitting is subheading 8412.90.90, HTSUS, which covers "Other engines and motors, and parts thereof: Parts: Other." In 1999, the column one, general rate of duty for subheading 7307.99.50, HTSUS, was 4.3 percent *ad valorem*, and for heading 8412, HTSUS, it was "Free" (the current duty rates are respectively 4.3% *ad valorem* and "Free").

Classification under the HTSUS is made in accordance with the General Rules of Interpretation ("GRIs"). GRI 1 provides that the classification of goods shall be determined according to the terms of the headings of the tariff schedule and any relative section or chapter notes. In the event that the goods cannot be classified solely on the

basis of GRI 1, and if the headings and legal notes do not otherwise require, the remaining GRIs 2 through 6 may be applied, in numerical order.

The Harmonized Commodity Description and Coding System Explanatory Notes (ENs) constitute the official interpretation of the Harmonized System at the international level. While not legally binding on the contracting parties and, therefore, not dispositive, the ENs provide a commentary on the scope of each heading of the Harmonized System and are thus useful in ascertaining the classification of merchandise under the system. CBP's position is that the ENs should always be consulted. *See* Treasury Decision (T.D.) 89-80, 54 FR 35127, 35128 (Aug. 23, 1989).

### **The Petitioner's Views**

Petitioner contends that the proper classification for the fitting is subheading 8412.90.90, HTSUS, which covers "Other engines and motors, and parts thereof: Parts: Other." Petitioner notes that the ENs for Section XV, HTSUS, (which covers heading 7307, HTSUS), make clear that Section XV, HTSUS, does not cover "[a]rticles of Section XVI (machinery, mechanical appliances and electrical goods, which include hydraulic system parts)." *See* EN 1(f) to Section XV. Section XVI, HTSUS, covers heading 8412, HTSUS. Petitioner also recognizes that Legal Note 1(g) to Section XVI excludes certain products from Section XVI coverage, including, *inter alia*, parts of general use, as defined in Note 2 to Section XV, of base metal (section XV), or similar goods of plastics (chapter 39). *See also* EN 1(g) to Section XVI ("parts of general use" is defined throughout the tariff schedule to mean, *inter alia*, articles of heading 7307). Referencing Note 2(b) to Section XVI, Petitioner then asserts that machine parts, if suitable for use solely or principally with a particular kind of machine of heading 8412, are to be classified with that machine or in heading 8409, 8431, 8448, 8466, 8473, 8503, 8522, 8529 or 8538, as appropriate. Petitioner also cites to HQ 956743 (dated January 24, 1995), NY I82861 (dated June 28, 2002), and NY K89798, *supra* (dated October 18, 2004; incorrectly cited by the Petitioner as NY K89789).

Petitioner maintains the fitting of NY E83408 is "solely imported, sold and specifically designed according to hydraulic system industry specifications for use in assembly of particular hydraulic engine or motor systems," and is essential to the effective and safe operation of the subassemblies and components to which they are parts. As such, according to Petitioner, it is classifiable in subheading 8412.90.90, HTSUS, which specifically covers "other hydraulic engine and motor parts." Petitioner also contends that CBP's classification is incorrect

because the fitting consists of more than one material or substance, thus implicating GRI 2(b) and GRI 3. Petitioner proceeds to reason that the fitting is *prima facie* classifiable as both a “tube and pipe fitting” of heading 7307, HTSUS, and an “other hydraulic engine or motor part” of heading 8412, HTSUS, and, therefore, GRI 3 is applicable. Petitioner then reasons that GRI 3(a) cannot determine classification of the fitting because the competing headings are equally specific, and GRI 3(b) is inapplicable as well because the fitting’s essential character cannot be determined. Therefore, applying GRI 3(c), Petitioner concludes that heading 8412, HTSUS, is the proper heading because it is last in numerical order behind heading 7307, HTSUS.

### **Analysis Used by CBP in Prior Ruling**

In the ruling that is the subject of this petition, CBP held that a cold-forged, non-alloy, steel tube fitting that connects rigid tubing to valves, manifolds or other pieces of rigid tubing in a hydraulic system is classified in subheading 7307.99.50, HTSUS, as other tube or pipe fitting (for example, couplings, elbows, sleeves), of iron or steel. It is CBP’s position that the subject fitting is a part of general use that can connect tubes and pipes, and is thus classified under heading 7307, HTSUS, by application of GRI 1 and the exclusionary effect of Legal Note 1(g) to Section XVI. In order for classification by application of GRI 3 to be appropriate, a good must be unable to be classified by application of GRIs 1 or 2, and the good must be *prima facie* classifiable in two or more headings. In this instance, goods of heading 7307, HTSUS, are explicitly excluded from heading 8412, HTSUS, by application of Legal Note 1(g) to Section XVI. Therefore, GRI 3 is not applicable. Historically, CBP has recognized that, for tariff purposes, hoses are not interchangeable with pipes or tubes. In HQ 088393, dated March 26, 1991, CBP examined the difference between hose fittings, and tube or pipe fittings. In that ruling, CBP first noted that the courts have long recognized that although a “hose” may be considered a “tube” in common meaning, they are not interchangeable terms for tariff purposes. *Citing John V. Carr & Son, Inc. v. United States*, 76 Cust.Ct. 162, C.D. 4652 (1976) (interpreting the meanings of the terms “hose” and “pipes and tubes” within the context of the Tariff Schedule of the United States (TSUS)); *see also J.E. Bernard & Co., Inc. v. United States*, 64 Cust.Ct. 425, C.D. 4029 (1970) (in comparing the TSUS tariff terms “copper tubing” and “flexible metal tubing,” the court expressed the principle that quite often articles that literally appear to respond to the common meaning of a tariff

term are not the articles classified in a tariff sense); *R.J. Saunders & Co., Inc. v. United States*, 49 C.C.P.A. 87, C.A.D. 801 (1962). Thus, under the TSUS, CBP consistently held that hose fittings are not properly classifiable under the TSUS provision for pipe and tube fittings. See C.I.E. 953/63 (July 2, 1963), C.I.E. 1684/65 (October 18, 1965), TC 465.251 M (June 18, 1968), TC 426.89 AS (November 27, 1968), MFG 423.371 G (September 8, 1970), and HQ 064538 (April 17, 1980). While prior TSUS cases are not dispositive, “[n]evertheless, on a case-by-case basis prior decisions should be considered instructive in interpreting the HTSUS, particularly where the nomenclature previously interpreted in those decisions remains unchanged and no dissimilar interpretation is required by the text of the HTSUS.” H.R. Conf. Rep. No. 100–576, at 549–50 (1988), reprinted in 1988 U.S.C.C.A.N. 1547, 1582–83; see also NY 870421, dated February 7, 1992.

The text of heading 7307, HTSUS, provides for “tube or pipe fittings,” which is similar to the TSUS text in the cases discussed above (“pipe and tube fittings,” heading 613, TSUS). Thus, with regard to the competing HTSUS provisions at issue, CBP’s position is that if an iron or steel fitting is a part of general use and is designed in such a manner where it can be used in conjunction with tubes or pipes, or tubes, pipes and hoses, that fitting is classified in heading 7307. See NY K87518, dated July 21, 2004; see also NY H87517, dated February 20, 2002.

However, and again with regard to the competing headings at issue, if such fittings meet the terms of Note 2 to Section XVI and are considered to be parts of hydraulic systems, such as hose fittings (as opposed to “parts of general use” of heading 7307, HTSUS), they are classified in heading 8412, HTSUS. See NY K89798, dated October 18, 2004; NY N006172, dated February 28, 2007; NY H82321, dated June 25, 2001; NY N242950, dated June 26, 2013; see also HQ 956743, dated January 24, 1995 (stating the general principle).

CBP concludes that the subject fittings are parts of general use that can connect tubes and pipes, and are thus classified under heading 7307, HTSUS, by application of GRI 1 and the exclusionary effect of Legal Note 1(g) to Section XVI. Finally, with regard to Petitioner’s argument that GRI 3 is applicable, in order for classification by application of GRI 3 to be appropriate, a good must be unable to be classified by application of GRIs 1 or 2, and the good must be *prima facie* classifiable in two or more headings. In this instance, goods of heading 7307, HTSUS, are explicitly excluded from heading 8412, HTSUS, by application of Legal Note 1(g) to Section XVI. Therefore,

GRI 3 is not applicable. In addition, GRI 3 does not apply because the fittings do not consist of more than one material or substance.

### Comments

Pursuant to section 175.21, CBP Regulations (19 CFR 175.21), before making a determination on this matter, CBP invites written comments on the petition from interested parties.

The domestic interested party petition concerning the tariff classification of hydraulic system fittings, as well as all comments received in response to this notice, will be available for public inspection on the docket at [www.regulations.gov](http://www.regulations.gov). Please note that any submitted comments that CBP receives by mail will be posted on the above-referenced docket for the public's convenience.

### Authority

This notice is published in accordance with 19 U.S.C. 1516 and section 175.21 of the CBP Regulations (19 CFR 175.21).

Dated: February 4, 2016.

R. GIL KERLIKOWSKE,  
*Commissioner,*  
*U.S. Customs and Border Protection.*

[Published in the Federal Register, February 9, 2016 (81 FR 6880)]



## ACCREDITATION AND APPROVAL OF PAN PACIFIC SURVEYORS, INC., AS A COMMERCIAL GAUGER AND LABORATORY

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** Notice of accreditation and approval of Pan Pacific Surveyors, Inc., as a commercial gauger and laboratory.

**SUMMARY:** Notice is hereby given, pursuant to CBP regulations, that Pan Pacific Surveyors, Inc., has been approved to gauge and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as May 12, 2015.

**EFFECTIVE DATE:** The accreditation and approval of Pan Pacific Surveyors, Inc., as commercial gauger and laboratory became effective on May 12, 2015. The next triennial inspection date will be scheduled for May 2018.

**FOR FURTHER INFORMATION CONTACT:** Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific

Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202-344-1060.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Pan Pacific Surveyors, Inc., 444 Quay Avenue, Suite #7, Wilmington, CA 90744, has been approved to gauge and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Pan Pacific Surveyors, Inc., is approved for the following gauging procedures for petroleum and certain petroleum products set forth by the American Petroleum Institute (API):

API chapters	Title
3 .....	Tank gauging.
7 .....	Temperature Determination.
8 .....	Sampling.
12 .....	Calculations.
17 .....	Maritime Measurements.

Pan Pacific Surveyors, Inc., is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27-02 .....	ASTM D-1298	Standard Test Method for Density, Relative Density(Specific Gravity), or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method.
N/A .....	ASTM D-4007	Standard Test Method for Water and Sediment in Crude Oil by the Centrifuge Method (Laboratory Procedure).

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to [cbp.labhq@dhs.gov](mailto:cbp.labhq@dhs.gov). Please reference the Web site listed below for the current CBP Ap-

proved Gaugers and Accredited Laboratories List. <http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>.

Dated: February 01, 2016.

IRA S. REESE,  
*Executive Director,  
Laboratories and Scientific  
Services Directorate.*

[Published in the Federal Register, February 11, 2016 (81 FR 7364)]

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**ACCREDITATION AND APPROVAL OF SGS NORTH  
AMERICA, INC., AS A COMMERCIAL GAUGER AND  
LABORATORY**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** Notice of accreditation and approval of SGS North America, Inc., as a commercial gauger and laboratory.

**SUMMARY:** Notice is hereby given, pursuant to CBP regulations, that SGS North America, Inc., has been approved to gauge and accredited to test petroleum and petroleum products for customs purposes for the next three years as of June 17, 2015.

**EFFECTIVE DATE:** The accreditation and approval of SGS North America, Inc., as commercial gauger and laboratory became effective on June 17, 2015. The next triennial inspection date will be scheduled for June 2018.

**FOR FURTHER INFORMATION CONTACT:** Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW, Suite 1500N, Washington, DC 20229, tel. 202-344-1060.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that SGS North America, Inc., 151 James Drive West, St. Rose, LA 70087, has been approved to gauge and accredited to test petroleum and petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. SGS North America, Inc., is approved for the following gauging procedures for petroleum and certain petroleum products set forth by the American Petroleum Institute (API):

API chapters	Title
3 .....	Tank gauging.
7 .....	Temperature Determination.
8 .....	Sampling.
9 .....	Density Determination.
12 .....	Calculations.
17 .....	Maritime Measurements.

SGS North America, Inc., is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27-01 .....	ASTM D-287 .....	Standard test method for API Gravity of crude petroleum products and petroleum products (Hydrometer Method).
27-03 .....	ASTM D-4006 .....	Standard test method for water in crude oil by distillation.
27-04 .....	ASTM D-95 .....	Standard test method for water in petroleum products and bituminous materials by distillation.
27-05 .....	ASTM D-4928 .....	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27-06 .....	ASTM D-473 .....	Standard test method for sediment in crude oils and fuel oils by the extraction method.
27-08 .....	ASTM D-86 .....	Standard Test Method for Distillation of Petroleum Products.
27-13 .....	ASTM D-4294 .....	Standard test method for sulfur in petroleum and petroleum products by energy-dispersive x-ray fluorescence spectrometry.
27-14 .....	ASTM D-2622 .....	Standard test method for Sulfur in Petroleum Products (X-Ray spectrographic methods).
27-46 .....	ASTM D-5002 .....	Standard Test Method for Density and Relative Density of Crude Oils by Digital Density Analyzer.
27-48 .....	ASTM D-4052 .....	Standard test method for density and relative density of liquids by digital density meter.
27-53 .....	ASTM D-2709 .....	Standard test method for water and sediment in middle distillate by the centrifuge method.
27-58 .....	ASTM D-5191 .....	Standard Test Method For Vapor Pressure of Petroleum Products (Mini Method).

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assur-



ances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to [cbp.labhq@dhs.gov](mailto:cbp.labhq@dhs.gov). Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. <http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>.

Dated: February 01, 2016.

IRA S. REESE,  
*Executive Director,  
Laboratories and Scientific  
Services Directorate.*

[Published in the Federal Register, February 11, 2016 (81 FR 7361)]



### ACCREDITATION AND APPROVAL OF CAMIN CARGO CONTROL, INC., AS A COMMERCIAL GAUGER AND LABORATORY

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** Notice of accreditation and approval of Camin Cargo Control, Inc., as a commercial gauger and laboratory.

**SUMMARY:** Notice is hereby given, pursuant to CBP regulations, that Camin Cargo Control, Inc., has been approved to gauge and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of March 31, 2015.

**EFFECTIVE DATE:** The accreditation and approval of Camin Cargo Control, Inc., as commercial gauger and laboratory became effective on March 31, 2015. The next triennial inspection date will be scheduled for March 2018.

**FOR FURTHER INFORMATION CONTACT:** Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202-344-1060.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Camin Cargo

Control, Inc., 729 West Anaheim St., Suite C, Long Beach, CA 90813, has been approved to gauge and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Camin Cargo Control, Inc., is approved for the following gauging procedures for petroleum and certain petroleum products set forth by the American Petroleum Institute (API):

API chapters	Title
3 .....	Tank gauging.
7 .....	Temperature Determination.
8 .....	Sampling.
9 .....	Density Determination.
11 .....	Physical Property.
12 .....	Calculations.
17 .....	Maritime Measurements.

Camin Cargo Control, Inc., is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27-05 .....	ASTM D-4928 .....	Standard test method for water in crude oils by Coulometric Karl Fischer Titration.
27-06 .....	ASTM D-473 .....	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27-07 .....	ASTM D-4807 .....	Standard Test Method for Sediment in Crude Oil by Membrane Filtration.
27-13 .....	ASTM D-4294 .....	Standard test method for sulfur in petroleum and petroleum products by energy-dispersive x-ray fluorescence spectrometry.
27-46 .....	ASTM D-5002 .....	Standard test method for density and relative density of crude oils by digital density analyzer.
N/A .....	ASTM D-664 .....	Standard Test Method for Acid Number of Petroleum Products by Potentiometric Titration.
N/A .....	ASTM D-4530 .....	Standard Test Method for Determination of Carbon Residue (Micro Method).

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S.

Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to [cbp.labhq@dhs.gov](mailto:cbp.labhq@dhs.gov). Please reference the Web site listed below for the current CBP Approved Gaugers and Accredited Laboratories List. <http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>.

Dated: February 1, 2016.

IRA S. REESE,  
*Executive Director,  
Laboratories and Scientific  
Services Directorate.*

[Published in the Federal Register, February 11, 2016 (81 FR 7365)]



**ACCREDITATION AND APPROVAL OF SGS NORTH AMERICA, INC., AS A COMMERCIAL GAUGER AND LABORATORY**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** Notice of accreditation and approval of SGS North America, Inc., as a commercial gauger and laboratory.

**SUMMARY:** Notice is hereby given, pursuant to CBP regulations, that SGS North America, Inc., has been approved to gauge and accredited to test petroleum and petroleum products for customs purposes for the next three years as of August 11, 2015.

**EFFECTIVE DATE:** The accreditation and approval of SGS North America, Inc., as commercial gauger and laboratory became effective on August 11, 2015. The next triennial inspection date will be scheduled for August 2018.

**FOR FURTHER INFORMATION CONTACT:** Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202-344-1060.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that SGS North America, Inc., 300 George St., East Alton, IL 62024, has been

approved to gauge and accredited to test petroleum and petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. SGS North America, Inc., is approved for the following gauging procedures for petroleum and certain petroleum products set forth by the American Petroleum Institute (API):

API chapters	Title
3 .....	Tank gauging.
7 .....	Temperature Determination.
8 .....	Sampling.
9 .....	Density Determination.
12 .....	Calculations.
17 .....	Maritime Measurements.

SGS North America, Inc., is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27-01 .....	ASTM D-287 .....	Standard test method for API Gravity of crude petroleum products and petroleum products (Hydrometer Method).
27-02 .....	ASTM D-1298 .....	Standard Test Method for Density, Relative Density (Specific Gravity), or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method.
27-03 .....	ASTM D-4006 .....	Standard test method for water in crude oil by distillation.
27-06 .....	ASTM D-473 .....	Standard test method for sediment in crude oils and fuel oils by the extraction method.
27-13 .....	ASTM D-4294 .....	Standard test method for sulfur in petroleum and petroleum products by energy-dispersive x-ray fluorescence spectrometry.
27-46 .....	ASTM D-5002 .....	Standard Test Method for Density and Relative Density of Crude Oils by Digital Density Analyzer.
27-50 .....	ASTM D-93 .....	Standard test methods for flash point by Pensky-Martens Closed Cup Tester.

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger

service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to [cbp.labhq@dhs.gov](mailto:cbp.labhq@dhs.gov). Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. <http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>.

Dated: February 1, 2016.

IRA S. REESE,  
*Executive Director,  
Laboratories and Scientific  
Services Directorate.*

[Published in the Federal Register, February 11, 2016 (81 FR 7362)]

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**MODIFICATION OF NATIONAL CUSTOMS AUTOMATION  
PROGRAM TEST CONCERNING THE AUTOMATED  
COMMERCIAL ENVIRONMENT PARTNER GOVERNMENT  
AGENCY MESSAGE SET REGARDING THE TOXIC  
SUBSTANCES CONTROL ACT CERTIFICATION REQUIRED  
BY THE ENVIRONMENTAL PROTECTION AGENCY**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** General notice.

**SUMMARY:** This document announces U.S. Customs and Border Protection's (CBP's) plan to modify the National Customs Automation Program (NCAP) test concerning the transmission of electronic filings of data to the Automated Commercial Environment (ACE), known as the Partner Government Agency (PGA) Message Set test. This modification expands the use of the ACE PGA Message Set for the transmission of Environmental Protection Agency (EPA) Toxic Substances Control Act (TSCA) certification data. CBP invites public comment concerning the test program.

**DATES:** The modified PGA Message Set test will commence no earlier than February 10, 2016, and will continue until concluded by way of announcement in the **Federal Register**. Comments will be accepted through the duration of the test.

**ADDRESSES:** Comments concerning this notice and any aspect of this test may be submitted at any time during the test via email to Josephine Baiamonte, ACE Business Office (ABO), Office of

International Trade, at *josephine.baiamonte@cbp.dhs.gov*. In the subject line of your email, please indicate, “Comment on EPA TSCA PGA Message Set Test FRN”.

**FOR FURTHER INFORMATION CONTACT:** For EPA-related PGA Message Set test questions, interested parties should send an email message to Loraine Passe, at *Passe.Lorraine@epa.gov*, and they should also send a copy of that message to their assigned CBP client representative. Interested parties without an assigned CBP client representative should direct their questions to Steven Zaccaro at *steven.j.zaccaro@cbp.dhs.gov* with the subject heading “PGA Message Set EPA Test FRN-Request to Participate”.

### **SUPPLEMENTARY INFORMATION:**

#### **Background**

The National Customs Automation Program (NCAP) was established by Subtitle B of Title VI—Customs Modernization, in the North American Free Trade Agreement Implementation Act (Pub. L. 103–182, 107 Stat. 2057, December 8, 1993) (Customs Modernization Act). *See* 19 U.S.C. 1411. Through NCAP, the initial thrust of customs modernization was on trade compliance and the development of the Automated Commercial Environment (ACE), the planned successor to the legacy Customs Automated Commercial System (ACS). ACE is an automated and electronic system for commercial trade processing.

ACE will streamline business processes, facilitate growth in trade, ensure cargo security, and foster participation in global commerce, while ensuring compliance with U.S. laws and regulations and reducing costs for CBP and all its communities of interest. The ability to meet these objectives depends upon successfully modernizing CBP’s business functions and the information technology that supports those functions. CBP’s modernization efforts are accomplished through phased releases of ACE component functionality, designed to introduce a new capability or to replace a specific legacy ACS function. Each release will begin with a test, and will end with mandatory compliance with the new ACE feature, thus retiring the legacy ACS function. Each release builds on previous releases, and sets the foundation for subsequent releases.

For the convenience of the public, a chronological listing of **Federal Register** publications detailing ACE test developments is set forth below in Section XIII, “Development of ACE Prototypes”. The procedures and criteria related to participation in the previous ACE notices remain in effect unless otherwise explicitly changed by this or subsequent notices published in the **Federal Register**.

## I. Authorization for the Test

The Customs Modernization Act provides the Commissioner of CBP with authority to conduct limited test programs or procedures designed to evaluate planned components of the NCAP. This test is authorized pursuant to section 101.9(b) of title 19 of the Code of Federal Regulations (19 CFR 101.9(b)) which provides for the testing of NCAP programs or procedures. *See* Treasury Decision (T.D.) 95–21.

## II. Partner Government Agency Message Set Test

On December 13, 2013, CBP published in the **Federal Register** a notice announcing an NCAP test called the PGA Message Set test. *See* 78 FR 75931. This test is in furtherance of key CBP International Trade Data System (ITDS) initiatives, as provided in the Security and Accountability For Every Port Act of 2006 (“SAFE Port Act”), Public Law 109–347, 120 Stat. 1884 (19 U.S.C. 1411(d)), to achieve the vision of ACE as the “single window” for the Government and trade community. ACE will automate and enhance the interaction between international trade partners, CBP, and PGAs by facilitating electronic collection, processing, sharing, and review of trade data and documents required by Federal agencies during the cargo import and export process. The use of ACE to process trade data will significantly increase efficiency and reduce costs compared to the traditional manual method of processing of paper forms.

The PGA Message Set is the data required to satisfy the PGAs’ reporting requirements. ACE will enable the trade community to submit trade-related data required by the PGAs only once to CBP, thus improving communications between agencies and filers, and shortening entry processing time. This data must be submitted at any time prior to the arrival of the merchandise on the conveyance transporting the cargo to the United States as part of the ACE Cargo Release process. The data will be validated and made available to the relevant PGAs involved in import, export, and transportation-related decision making. The data will satisfy the filer’s obligation to make entry and will allow for earlier release decisions and more certainty for the importer in determining the logistics of cargo delivery. Also, by virtue of being electronic, the PGA Message Set will eliminate the necessity for the submission and subsequent manual processing of paper documents.

The December 2013 **Federal Register** notice announced that ACE would be accepting certain PGA data elements for the Environmental Protection Agency (EPA) and the U.S. Department of Agriculture, Food Safety and Inspection Service (FSIS) for type “01” (consumption) and type “11” (informal) commercial entries filed at specified ports. On February 4, 2015, CBP published the announcement that it had

broadened the PGA Message Set test to accept additional PGA data elements for the EPA, for type “01” (consumption) and type “11” (informal) commercial entries filed at specified ports. *See* 80 FR 6098.

This document announces CBP’s plan to expand the PGA Message Set to allow for the transmission of a certification required by the EPA concerning chemical substances imported in bulk or as part of a mixture, or articles containing a chemical substance or mixture (collectively referred to hereinafter as “chemical substances”). The importation of chemical substances is governed by the Toxic Substances Control Act (“TSCA”) (15 U.S.C. 2601 *et seq.*), and by regulations issued under the authority of section 13(b) of TSCA (15 U.S.C. 2612(b)) by the Secretary of the Treasury in consultation with the Administrator of the Environmental Protection Agency. 19 CFR 12.118. The Secretary of the Treasury shall refuse entry of chemical substances offered for entry in violation of, or not in compliance with rules and orders issued under the TSCA.

The regulations implementing TSCA are contained in §§ 12.118 through 12.127 and § 127.28 of the CBP Regulations (19 CFR 12.118 through 12.127 and 127.28). Importers (or authorized agents of importers) of chemical substances are required to certify either that all chemicals in a shipment are subject to TSCA and comply with all applicable rules and orders or that the chemical shipment is not subject to TSCA. *See* 19 CFR 12.121(a)(1). Generally, this TSCA certification must be filed with the director of the port of entry before release of the shipment and must appear as a typed or stamped statement on an appropriate entry document or as an attachment to that entry document. *See* 19 CFR 12.121(a)(2).

CBP is expanding the use of the PGA Message set to include the required TSCA certification. Filers will be required to electronically transmit the certification required in 19 CFR 12.121(a)(1) indicating either that the chemical substances in the shipment comply with TSCA and all applicable rules and orders or that the chemical substances in the shipment are not subject to TSCA. The technical requirements for submitting the EPA required TSCA certification can be found on the Web site: <http://www.cbp.gov/trade/ace/features>. Select the “PGA Integration” tab, click “ACE Customs and Trade Automated Interface Requirements (CATAIR)” under the Technical column, select the “PGA Message Set” and then scroll down for EPA-specific CATAIR guidelines and message set samples.

The test applies to all modes of transportation and will be in effect at all ports. During this test, participants will collaborate with CBP and the EPA to examine the effectiveness of the single window capability.



### III. Test Participant Responsibilities

PGA Message Set test participants will be required to:

- Transmit the EPA-required TSCA certification electronically once through the single window for use by both CBP and the EPA, using the PGA Message Set;
- Transmit the required information only as part of an ACE Entry Summary certified for cargo release;
- Transmit import filings to CBP via ABI in response to a request for documentation or in response to a request for release information for certified ACE Cargo Release;
- Only transmit to CBP information that has been requested by CBP or EPA;
- Use a software program that has completed ACE certification testing for the PGA Message Set; and
- Take part in a CBP evaluation of this test.

Participants are reminded that they should only file documents that CBP can accept electronically. The documents CBP can accept electronically are listed under the Document Image System (DIS) tab of the ACE Features page on the Web site <http://www.cbp.gov/trade/ace/features>, and, for participants using ABI, in the PGA Message Set part of the CATAIR. When CBP cannot accept additional information electronically, the filer must file the additional information by paper. *See* 78 FR 75931 at 75934–35 (December 13, 2013), for information on Confidentiality (Section XIII) and Misconduct under the PGA Message Set Test (Section XIV).

### IV. Waiver of Regulation Under the Test

For purposes of this test, 19 CFR 12.118 through 12.127 and § 127.28 will be waived for test participants only insofar as eliminating any requirement that may appear in these regulations to file a paper version of the TSCA certification. In its place, test participants are required to transmit electronically the data elements via the PGA Message Set and any supporting documents via DIS. This document does not waive any recordkeeping requirements found in part 163 of title 19 of the CFR (19 CFR part 163) and the appendix to part 163 (commonly known as the “(a)(1)(A) list”).

## V. Eligibility Criteria

As announced in this notice, the use of the PGA Message Set test is expanding to accept EPA-required TSCA certification data and supporting documentation. All other eligibility criteria as specified in prior PGA Message Set test notices remain the same. To be eligible to apply for this modification of the PGA Message Set test, the applicant must be a self-filing importer who has the ability to file ACE Entry Summaries certified for cargo release or a broker who has the ability to file ACE Entry Summaries certified for cargo release. CBP will accept an unlimited number of participants for the test. Test applicants must meet the eligibility criteria described in this document to participate in the test program.

## VI. Application Process

Any parties seeking to participate in the modified PGA Message Set test concerning EPA TSCA data should send an email message to Loraine Passe, at *Passe.Lorraine@epa.gov*, and they should also send a copy of that message to their assigned CBP client representative. Interested parties without an assigned CBP client representative should submit an email to Steven Zaccaro at *steven.j.zaccaro@cbp.dhs.gov* with the subject heading “PGA Message Set EPA Test FRN-Request to Participate”.

CBP client representatives will work with test participants to provide information regarding the transmission of this data. CBP will begin to accept applications on February 10, 2016 and will continue to accept applications throughout the duration of the test. CBP will notify the selected applicants by email of their selection and the starting date of their participation. Selected participants may have different starting dates. An applicant providing incomplete information, or otherwise not meeting participation requirements, will be notified by email and given the opportunity to resubmit its application.

## VII. Test Duration

The modified test will begin no earlier than February 10, 2016 and will continue until concluded by way of announcement in the **Federal Register**. At the conclusion of the test, an evaluation will be conducted to assess the effect that the PGA Message Set has on expediting the submission of the EPA-required TSCA certification and the processing of entries for chemical substances and mixtures. The final results of the evaluation will be published in the **Federal Register** and the *Customs Bulletin* as required by section 101.9(b)(2) of the CBP regulations (19 CFR 101.9(b)(2)).

### **VIII. Comments**

All interested parties are invited to comment on any aspect of this test at any time. CBP requests comments and feedback on all aspects of this test, including the design, conduct, and implementation of the test, in order to determine whether to modify, alter, expand, limit, continue, end, or fully implement this program.

### **IX. Paperwork Reduction Act**

The collection of information in this test modification regarding the required TSCA certification has been reviewed by the Office of Management and Budget (OMB) in accordance with the requirements of the Paperwork Reduction Act (44 U.S.C. 3507). OMB has determined that the TSCA certification is exempt from the Paperwork Reduction Act. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.

### **X. Confidentiality**

Data submitted and entered into the ACE Portal includes information that is exempt or restricted from disclosure by law, such as by the Trade Secrets Act (18 U.S.C. 1905). As stated in previous notices, participation in this or any of the previous ACE tests is not confidential and upon a written Freedom of Information Act (FOIA) request, a name(s) of an approved participant(s) will be disclosed by CBP in accordance with 5 U.S.C. 552.

### **XI. Misconduct Under the Test**

A test participant may be subject to civil and criminal penalties, administrative sanctions, liquidated damages, and/or discontinuance from participation in this test for any of the following:

- Failure to follow the terms and conditions of this test.
- Failure to exercise reasonable care in the execution of participant obligations.
- Failure to abide by applicable laws and regulations that have not been waived.
- Failure to deposit duties or fees in a timely manner.

If the Director, Business Transformation, ACE Business Office (ABO), Office of International Trade, finds that there is a basis for discontinuance of test participation privileges, the test participant will be provided a written notice proposing the discontinuance with a description of the facts or conduct warranting the action. The test

participant will be offered the opportunity to appeal the Director's decision in writing within 10 calendar days of receipt of the written notice. The appeal must be submitted to Executive Director, ABO, Office of International Trade by emailing *Deborah.Augustin@cbp.dhs.gov*.

The Executive Director will issue a decision in writing on the proposed action within 30 working days after receiving a timely filed appeal from the test participant. If no timely appeal is received, the proposed notice becomes the final decision of the Agency as of the date that the appeal period expires. A proposed discontinuance of a test participant's privileges will not take effect unless the appeal process under this paragraph has been concluded with a written decision adverse to the test participant.

In the case of willfulness or when public health, interest, or safety so requires, the Director, Business Transformation, ABO, Office of International Trade, may immediately discontinue the test participant's privileges upon written notice to the test participant. The notice will contain a description of the facts or conduct warranting the immediate action. The test participant will be offered the opportunity to appeal the Director's decision within 10 calendar days of receipt of the written notice providing for immediate discontinuance. The appeal must be submitted to Executive Director, ABO, Office of International Trade by emailing *Deborah.Augustin@cbp.dhs.gov*. The immediate discontinuance will remain in effect during the appeal period. The Executive Director will issue a decision in writing on the discontinuance within 15 working days after receiving a timely filed appeal from the test participant. If no timely appeal is received, the notice becomes the final decision of the Agency as of the date that the appeal period expires.

## **XII. PGA Programs Accepting Data Through the ACE PGA Message Set Test**

Information about PGA participation in ACE, current operational capabilities, and plans for future enhancements are available on this Web site: <http://www.cbp.gov/trade/ace/features>. Select the "PGA Integration" tab and click "ACE PGA Forms List" under the References column for more information on agencies with pilots in preparation for electronic filing.

## **XIII. Development of ACE Prototypes**

A chronological listing of **Federal Register** publications detailing ACE test developments is set forth below.

- ACE Portal Accounts and Subsequent Revision Notices: 67 FR 21800 (May 1, 2002); 69 FR 5360 and 69 FR 5362 (February 4, 2004); 69 FR 54302 (September 8, 2004); 70 FR 5199 (February 1, 2005).
- ACE System of Records Notice: 71 FR 3109 (January 19, 2006).
- Terms/Conditions for Access to the ACE Portal and Subsequent Revisions: 72 FR 27632 (May 16, 2007); 73 FR 38464 (July 7, 2008).
- ACE Non-Portal Accounts and Related Notice: 70 FR 61466 (October 24, 2005); 71 FR 15756 (March 29, 2006).
- ACE Entry Summary, Accounts and Revenue (ESAR I) Capabilities: 72 FR 59105 (October 18, 2007).
- ACE Entry Summary, Accounts and Revenue (ESAR II) Capabilities: 73 FR 50337 (August 26, 2008); 74 FR 9826 (March 6, 2009).
- ACE Entry Summary, Accounts and Revenue (ESAR III) Capabilities: 74 FR 69129 (December 30, 2009).
- ACE Entry Summary, Accounts and Revenue (ESAR IV) Capabilities: 76 FR 37136 (June 24, 2011).
- Post-Entry Amendment (PEA) Processing Test: 76 FR 37136 (June 24, 2011).
- ACE Announcement of a New Start Date for the National Customs Automation Program Test of Automated Manifest Capabilities for Ocean and Rail Carriers: 76 FR 42721 (July 19, 2011).
- ACE Simplified Entry: 76 FR 69755 (November 9, 2011).
- National Customs Automation Program (NCAP) Tests Concerning Automated Commercial Environment (ACE) Document Image System (DIS): 77 FR 20835 (April 6, 2012).
- National Customs Automation Program (NCAP) Test Concerning Automated Commercial Environment (ACE) Simplified Entry: Modification of Participant Selection Criteria and Application Process: 77 FR 48527 (August 14, 2012).
- Modification of NCAP Test Regarding Reconciliation for Filing Certain Post-Importation Preferential Tariff Treatment Claims under Certain FTAs: 78 FR 27984 (May 13, 2013).

- Modification of Two National Customs Automation Program (NCAP) Tests Concerning Automated Commercial Environment (ACE) Document Image System (DIS) and Simplified Entry (SE), 78 FR 44142 (July 23, 2013).
- Modification of Two National Customs Automation Program (NCAP) Tests Concerning Automated Commercial Environment (ACE) Document Image System (DIS) and Simplified Entry (SE); Correction; 78 FR 53466 (August 29, 2013).
- Modification of NCAP Test Concerning Automated Commercial Environment (ACE) Cargo Release (formerly known as Simplified Entry): 78 FR 66039 (November 4, 2013).
- Post-Summary Corrections to Entry Summaries Filed in ACE Pursuant to the ESAR IV Test: Modifications and Clarifications: 78 FR 69434 (November 19, 2013).
- National Customs Automation Program (NCAP) Test Concerning the Submission of Certain Data Required by the Environmental Protection Agency and the Food Safety and Inspection Service Using the Partner Government Agency Message Set Through the Automated Commercial Environment (ACE): 78 FR 75931 (December 13, 2013).
- Modification of National Customs Automation Program (NCAP) Test Concerning Automated Commercial Environment (ACE) Cargo Release for Ocean and Rail Carriers: 79 FR 6210 (February 3, 2014).
- Modification of National Customs Automation Program (NCAP) Test Concerning Automated Commercial Environment (ACE) Cargo Release To Allow Importers and Brokers To Certify From ACE Entry Summary: 79 FR 24744 (May 1, 2014).
- Modification of National Customs Automation Program (NCAP) Test Concerning Automated Commercial Environment (ACE) Cargo Release for Truck Carriers: 79 FR 25142 (May 2, 2014).
- Modification of National Customs Automation Program (NCAP) Test Concerning Automated Commercial Environment Document Image System: 79 FR 36083 (June 25, 2014).
- Announcement of eBond Test: 79 FR 70881 (November 28, 2014).
- eBond Test Modifications and Clarifications: Continuous Bond Executed Prior to or Outside the eBond Test May Be Converted to an eBond by the Surety and Principal, Termination of an

eBond, Identification of Principal on an eBond by Filing Identification Number, and Email Address Correction: 80 FR 899 (January 7, 2015).

- Modification of National Customs Automation Program (NCAP) Test Concerning Automated Commercial Environment (ACE) Document Image System Relating to Animal and Plant Health Inspection Service (APHIS) Document Submissions: 80 FR 5126 (January 30, 2015).
- Modification of National Customs Automation Program (NCAP) Test Concerning the use of Partner Government Agency Message Set through the Automated Commercial Environment (ACE) for the Submission of Certain Data Required by the Environmental Protection Agency (EPA): 80 FR 6098 (February 4, 2015).
- Announcement of Modification of ACE Cargo Release Test to Permit the Combined Filing of Cargo Release and Importer Security Filing (ISF) Data: 80 FR 7487 (February 10, 2015).
- Modification of NCAP Test Concerning ACE Cargo Release for Type 03 Entries and Advanced Capabilities for Truck Carriers: 80 FR 16414 (March 27, 2015).
- Automated Commercial Environment (ACE) Export Manifest for Air Cargo Test: 80 FR 39790 (July 10, 2015).
- National Customs Automation Program (NCAP) Concerning Remote Location Filing Entry Procedures in the Automated Commercial Environment (ACE) and the Use of the Document Image System for the Submission of Invoices and the Use of eBonds for the Transmission of Single Transaction Bonds: 80 FR 40079 (July 13, 2015).
- Modification of National Customs Automation Program (NCAP) Test Concerning the Automated Commercial Environment (ACE) Partner Government Agency (PGA) Message Set Regarding Types of Transportation Modes and Certain Data Required by the National Highway Traffic Safety Administration (NHTSA): 80 FR 47938 (August 10, 2015).
- Modification of National Customs Automation Program (NCAP) Test Concerning the Submission of Certain Data Required by the Food and Drug Administration (FDA) Using the Partner Government Agency (PGA) Message Set Through the Automated Commercial Environment (ACE): 80 FR 52051 (August 27, 2015).

- Automated Commercial Environment (ACE) Export Manifest for Rail Cargo Test: 80 FR 54305 (September 9, 2015).
- Animal and Plant Health Inspection Service: International Trade Data System Test Concerning the Electronic Submission to the Automated Commercial Environment of Data Using the Partner Government Agency Message Set: 80 FR 59721 (October 2, 2015).
- Automated Commercial Environment (ACE) Filings for Electronic Entry/Entry Summary (Cargo Release and Related Entry): 80 FR 61278 (October 13, 2015).
- Modification of the National Customs Automation Program (NCAP) Test Concerning the Automated Commercial Environment (ACE) Document Image System (DIS) Regarding Future Updates and New Method of Submission of Accepted Documents: 80 FR 62082 (October 15, 2015).
- Modification of National Customs Automation Program (NCAP) Test Concerning Automated Commercial Environment (ACE) Cargo Release for Entry Type 52 and Certain Other Modes of Transportation: 80 FR 63576 (October 20, 2015).
- Announcement of the Modification of the National Customs Automation Program Test Concerning the Automated Commercial Environment Portal Account To Establish the Exporter Portal Account: 80 FR 63817 (October 21, 2015).
- Modification of National Customs Automation Program (NCAP) Test Concerning Automated Commercial Environment (ACE) Entry Summary, Accounts and Revenue (ESAR) Test of Automated Entry Summary Types 51 and 52 and Certain Modes of Transportation: 80 FR 63815 (October 21, 2015).

Dated: February 5, 2016.

BRENDA B. SMITH,  
*Assistant Commissioner,  
Office of International Trade.*

[Published in the Federal Register, February 10, 2016 (81 FR 7133)]



**COPYRIGHT, TRADEMARK, AND TRADE NAME  
RECORDATIONS****(No. 1 2016)**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** The following copyrights, trademarks, and trade names were recorded with U.S. Customs and Border Protection in January 2016. The last notice was published in the CUSTOMS BULLETIN on January 27, 2016.

Corrections or updates may be sent to: Intellectual Property Rights Branch, Regulations and Rulings, Office of International Trade, U.S. Customs and Border Protection, 90 K Street, NE., 10th Floor, Washington, D.C. 20229-1177.

**FOR FURTHER INFORMATION CONTACT:** LaVerne Watkins, Paralegal Specialist, Intellectual Property Rights Branch, Regulations & Rulings, Office of International Trade at (202) 325-0095.

Dated:

CHARLES R. STEUART  
*Chief,*  
*Intellectual Property Rights Branch*  
*Regulations & Rulings*  
*Office of International Trade*

## CBP IPR RECORDATION — February 2016

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
COP 16-00001	01/12/2016	01/12/2036	Lokai Bracelet Hangtag.	Lokai Holdings, LLC.	No
COP 16-00002	01/21/2016	01/21/2036	multi_eiffel	WobbleWorks, Inc.	No
COP 16-00003	01/26/2016	01/26/2036	SUPER MARIO MAKER	Nintendo of America Inc.	No
COP 16-00004	01/26/2016	01/26/2036	FOX amiibo Figure and Commercial Packaging	Nintendo of America Inc.	No
COP 16-00005	01/26/2016	01/26/2036	ZELDA amiibo Figure and Commercial Packaging	Nintendo of America Inc.	No
COP 16-00006	01/26/2016	01/26/2036	Welcome to Animal Crossing, amiibo cards ? Series 1.	Nintendo of America Inc.	No
COP 16-00007	01/27/2016	01/27/2036	DUMP CAKES	Telebrands Corp.	No
COP 16-00008	01/27/2016	01/27/2036	DUMP DINNERS	Telebrands Corp.	No
COP 16-00009	01/27/2016	01/27/2036	COLORAMA Cats and Kittens	Telebrands Corp.	No
TMK 02-01045	01/13/2016	01/11/2026	LAVA	WD-40 COMPANY	No
TMK 02-01045	01/13/2016	01/11/2026	LAVA	WD-40 COMPANY	No
TMK 03-00524	01/13/2016	12/24/2022	NOEL DESIGN	Kate Spade, LLC	No
TMK 03-00524	01/13/2016	12/24/2022	NOEL DESIGN	Kate Spade, LLC	No
TMK 03-00549	01/20/2016	02/26/2023	KATE SPADE NEW YORK	Kate Spade, LLC	No
TMK 03-00549	01/20/2016	02/26/2023	KATE SPADE NEW YORK	Kate Spade, LLC	No
TMK 03-00550	01/15/2016	03/25/2022	KATE SPADE	KATE SPADE, LLC	No

**CBP IPR RECORDATION — February 2016**

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TMK 03-00550	01/15/2016	03/25/2022	KATE SPADE	KATE SPADE, LLC	No
TMK 03-00699	01/13/2016	07/24/2021	KATE SPADE NEW YORK	Kate Spade, LLC	No
TMK 03-00699	01/13/2016	07/24/2021	KATE SPADE NEW YORK	Kate Spade, LLC	No
TMK 03-00700	01/13/2016	05/05/2022	KATE SPADE NEW YORK	Kate Spade, LLC	No
TMK 03-00700	01/13/2016	05/05/2022	KATE SPADE NEW YORK	Kate Spade, LLC	No
TMK 04-00001	01/13/2016	10/15/2023	NOEL DESIGN	Kate Spade, LLC	No
TMK 04-00001	01/13/2016	10/15/2023	NOEL DESIGN	Kate Spade, LLC	No
TMK 04-00311	01/20/2016	09/11/2022	JACK SPADE	KATE SPADE, LLC	No
TMK 04-00311	01/20/2016	09/11/2022	JACK SPADE	KATE SPADE, LLC	No
TMK 04-00312	01/20/2016	09/11/2022	KATE SPADE	Kate Spade, LLC	No
TMK 04-00312	01/20/2016	09/11/2022	KATE SPADE	Kate Spade, LLC	No
TMK 05-00195	01/05/2016	07/18/2025	Helmet Design	PITTSBURGH STEELERS LLC	No
TMK 05-00195	01/05/2016	07/18/2025	Helmet Design	PITTSBURGH STEELERS LLC	No
TMK 05-00711	01/27/2016	08/10/2025	MAGIC BULLET	CAPBRAN HOLDINGS, LLC	No
TMK 05-00711	01/27/2016	08/10/2025	MAGIC BULLET	CAPBRAN HOLDINGS, LLC	No
TMK 05-00712	01/21/2016	06/01/2025	THE MAGIC BULLET	CAPBRAN HOLDINGS, LLC	No
TMK 05-00712	01/21/2016	06/01/2025	THE MAGIC BULLET	CAPBRAN HOLDINGS, LLC	No

**CBP IPR RECORDATION — February 2016**

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TMK 06-00596	01/13/2016	01/04/2026	LOVE SPELL	Victoria's Secret Stores Brand Management, Inc.	No
TMK 06-00596	01/13/2016	01/04/2026	LOVE SPELL	Victoria's Secret Stores Brand Management, Inc.	No
TMK 06-01383	01/26/2016	04/10/2026	Cetrotide & Design	ZENTARIS IVF GMBH	No
TMK 06-01383	01/26/2016	04/10/2026	Cetrotide & Design	ZENTARIS IVF GMBH	No
TMK 07-00670	01/15/2016	04/17/2026	NOLVASAN	ZOETIS SERVICES LLC	No
TMK 07-00670	01/15/2016	04/17/2026	NOLVASAN	ZOETIS SERVICES LLC	No
TMK 08-00192	01/06/2016	06/08/2023	Charge card design	American Express Marketing & Development Corp.	No
TMK 08-00192	01/06/2016	06/08/2023	Charge card design	American Express Marketing & Development Corp.	No
TMK 08-01040	01/06/2016	04/30/2026	JAEGERMEISTER & Design (label)	MAST-JAEGERMEISTER SE EUROPEAN COMPANY	No
TMK 08-01040	01/06/2016	04/30/2026	JAEGERMEISTER & Design (label)	MAST-JAEGERMEISTER SE EUROPEAN COMPANY	No
TMK 09-00241	01/22/2016	07/18/2016	Pet Ball Thrower Configuration	DOSKOCIL MANUFACTURING COMPANY, INC.	No
TMK 09-00241	01/22/2016	07/18/2016	Pet Ball Thrower Configuration	DOSKOCIL MANUFACTURING COMPANY, INC.	No

## CBP IPR RECORDATION — February 2016

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 09-00801	01/20/2016	04/17/2026	MONROE	TENNECO AUTOMOTIVE OPERATING COMPANY INC.	No
TMK 09-00801	01/20/2016	04/17/2026	MONROE	TENNECO AUTOMOTIVE OPERATING COMPANY INC.	No
TMK 10-00984	01/15/2016	02/28/2026	SKIDLESS	YOGITOEES LLC	No
TMK 10-00984	01/15/2016	02/28/2026	SKIDLESS	YOGITOEES LLC	No
TMK 10-00985	01/13/2016	09/09/2019	(Orange Dot)	YOGITOEES LLC	No
TMK 10-00985	01/13/2016	09/09/2019	(Orange Dot)	YOGITOEES LLC	No
TMK 10-00987	01/15/2016	02/15/2026	YOGITOEES	YOGITOEES LLC	No
TMK 10-00987	01/15/2016	02/15/2026	YOGITOEES	YOGITOEES LLC	No
TMK 10-00988	01/21/2016	05/05/2018	YOGITOEES and Orange Dot Design	YOGITOEES LLC	No
TMK 10-00988	01/21/2016	05/05/2018	YOGITOEES and Orange Dot Design	YOGITOEES LLC	No
TMK 10-00991	01/13/2016	12/29/2019	Orange Dot Design	YOGITOEES LLC	No
TMK 10-00991	01/13/2016	12/29/2019	Orange Dot Design	YOGITOEES LLC	No
TMK 11-00002	01/13/2016	01/18/2026	PRS	PAUL REED SMITH GUITARS, LIMITED PARTNERSHIP	No
TMK 11-00002	01/13/2016	01/18/2026	PRS	PAUL REED SMITH GUITARS, LIMITED PARTNERSHIP	No
TMK 11-00004	01/20/2016	01/15/2026	PAUL REED SMITH	PAUL REED SMITH GUITARS, LIMITED PARTNER SHIP	No

## CBP IPR RECORDATION — February 2016

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tm	Owner Name	GM Restricted
TMK 11-00004	01/20/2016	01/15/2026	PAUL REED SMITH	PAUL REED SMITH GUITARS, LIMITED PARTNER SHIP	No
TMK 11-00134	01/26/2016	04/21/2026	DESIGN ONLY	PAUL REED SMITH GUITARS, LIMITED PARTNERSHIP	No
TMK 11-00134	01/26/2016	04/21/2026	DESIGN ONLY	PAUL REED SMITH GUITARS, LIMITED PARTNERSHIP	No
TMK 13-00239	01/20/2016	01/18/2026	VIRAMUNE	BOEHRINGER INGELHEIM PHARMACEUTICALS, INC.	No
TMK 13-00239	01/20/2016	01/18/2026	VIRAMUNE	BOEHRINGER INGELHEIM PHARMACEUTICALS, INC.	No
TMK 13-01196	01/21/2016	01/25/2026	ROYAL SALUTE (Stylized)	CHIVAS HOLDINGS (IP) LIMITED	No
TMK 13-01196	01/21/2016	01/25/2026	ROYAL SALUTE (Stylized)	CHIVAS HOLDINGS (IP) LIMITED	No
TMK 14-00886	01/26/2016	01/25/2026	FERRARI	Ferrari S.p.A.	No
TMK 14-00886	01/26/2016	01/25/2026	FERRARI	Ferrari S.p.A.	No
TMK 16-00001	01/05/2016	07/14/2025	LP and Design	La Pointique International, Ltd.	No
TMK 16-00002	01/05/2016	04/12/2020	LP and Design	La Pointique International, Ltd.	No
TMK 16-00003	01/05/2016	08/12/2025	CAR VISION	INTEC Video Systems, Inc.	No
TMK 16-00004	01/05/2016	08/10/2025	VIDEO SENTINEL	INTEC Video Systems, Inc.	No
TMK 16-00005	01/05/2016	03/01/2026	SEE HAPPY	SPY OPTIC INC.	No
TMK 16-00006	01/05/2016	03/01/2026	SEE BETTER. FEEL BETTER.	SPY OPTIC INC.	No

## CBP IPR RECORDATION — February 2016

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 16-00007	01/05/2016	03/01/2026	SEE BETTER. FEEL BETTER. PERFORM BETTER.	SPY OPTIC INC.	No
TMK 16-00008	01/05/2016	03/01/2026	HAPPINESS GUARANTEED	SPY OPTIC INC.	No
TMK 16-00009	01/05/2016	09/03/2024	ENSTILAR	LEO Pharma A/S	No
TMK 16-00010	01/06/2016	12/01/2025	XERSION	J. C. Penney Purchasing Corporation	No
TMK 16-00011	01/06/2016	02/03/2026	AMBRIELLE	J. C. Penney Purchasing Corporation	No
TMK 16-00012	01/06/2016	02/03/2026	A.N.A.A NEW APPROACH	J. C. Penney Purchasing Corporation	No
TMK 16-00013	01/06/2016	12/08/2025	FLIRTTITUDE	J. C. Penney Purchasing Corporation	No
TMK 16-00014	01/06/2016	12/01/2025	MIXIT	J. C. Penney Purchasing Corporation	No
TMK 16-00015	01/06/2016	01/16/2023	AMERICAN EXPRESS	American Express Marketing & Development Corp.	No
TMK 16-00016	01/06/2016	12/25/2022	AMERICAN EXPRESS (Blue box logo)	American Express Marketing & Development Corp.	No
TMK 16-00017	01/06/2016	10/21/2025	PLENTI	American Express Marketing & Development Corp.	No
TMK 16-00018	01/06/2016	02/24/2020	design only	American Express Marketing & Development Corp.	No
TMK 16-00019	01/06/2016	11/02/2021	TRIPPLITE	Trippe Manufacturing Company	No
TMK 16-00020	01/06/2016	01/13/2026	STYLUS	J. C. Penney Purchasing Corporation	No
TMK 16-00021	01/06/2016	01/13/2026	SLEEP CHIC	J. C. Penney Purchasing Corporation	No

## CBP IPR RECORDATION — February 2016

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 16-00022	01/06/2016	12/01/2025	TOTAL GIRL	J. C. Penney Purchasing Corporation	No
TMK 16-00023	01/06/2016	12/08/2025	JCPENNEY HOME	J. C. Penney Purchasing Corporation	No
TMK 16-00024	01/06/2016	12/01/2025	HOME EXPRESSIONS	J. C. Penney Purchasing Corporation	No
TMK 16-00025	01/06/2016	04/20/2024	INTERLOCKING UK (stylized)	University of Kentucky	No
TMK 16-00026	01/06/2016	09/23/2025	POST-ID	Bradley Willow, LLC	No
TMK 16-00027	01/07/2016	09/02/2025	C-PREME and Design	C Preme Limited, LLC	No
TMK 16-00028	01/07/2016	04/27/2025	BULT and Design	C Preme Limited, LLC	No
TMK 16-00029	01/07/2016	11/06/2023	RASKULLZ and Design	C Preme Limited, LLC	No
TMK 16-00030	01/07/2016	12/10/2023	VIDEOHEAD	C Preme Limited, LLC	No
TMK 16-00031	01/11/2016	12/25/2017	VIGRX PLUS	Leading Edge Marketing, Inc.	No
TMK 16-00032	01/12/2016	11/11/2025	HYRULE	Nintendo of American Inc.	No
TMK 16-00033	01/12/2016	11/04/2019	PEPPA PIG	ENTERTAINMENT ONE UK ASTLEY BAKER DAVIES LIMITED	No
TMK 16-00034	01/12/2016	06/17/2025	CROC	TURBO ION, INC.	No
TMK 16-00035	01/12/2016	06/30/2025	CROC & design	TURBO ION, INC.	No
TMK 16-00036	01/12/2016	11/04/2025	Peppa Pig Design Mark	Astley Baker Davies Ltd Entertainment One UK	No
TMK 16-00037	01/12/2016	11/25/2025	MANDUKA	Manduka LLC	No



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Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tm	Owner Name	GM Restricted
TMK 16-00038	01/13/2016	10/23/2023	KRASHI (STYLIZED)	C Preme limited, LLC	No
TMK 16-00039	01/13/2016	04/28/2024	WET & Design	Trigg Laboratories, Inc.	No
TMK 16-00040	01/13/2016	03/02/2019	eQua	Manduka LLC	No
TMK 16-00041	01/13/2016	09/18/2023	Dot Design	YOGITOES LLC	No
TMK 16-00042	01/13/2016	05/24/2018	TIGNANELLO	MARCHESI ANTINORI S.P.A.	No
TMK 16-00043	01/13/2016	10/16/2022	DESIGN ONLY	Illinois Tool Works Inc.	No
TMK 16-00044	01/13/2016	07/30/2023	FROM THE COW TO THE PEOPLE IN TWO MOONS	Des Lunas Artisan Cheese LLC	No
TMK 16-00045	01/13/2016	04/05/2026	DOS LUNAS ARTISAN CHEESE and Design	Des Lunas Artisan Cheese LLC	No
TMK 16-00046	01/13/2016	07/05/2023	CLETO REYES & DESIGN	PEREZ; EDUARDO ALBERTO REYES	No
TMK 16-00047	01/13/2016	01/28/2019	CLETO REYES PROFESIONAL and Design	Reyes Perez, Eduardo Alberto	No
TMK 16-00048	01/14/2016	08/23/2017	ULYSSE NARDIN & Design	MANUFACTURE ET FABRIQUE DE MONTRES ET CHRONOMETRES ULYSSE NARDIN LE LOCLE S.A.	No
TMK 16-00049	01/15/2016	03/06/2026	LANCOME	Lancome Parfums et Beaute & Cie L'Oreal	No
TMK 16-00050	01/15/2016	03/30/2025	BIRD & CRONIN	Bird & Cronin Inc.	No
TMK 16-00051	01/15/2016	03/08/2026	Lifefactory bottle design	Lifefactory, Inc.	No
TMK 16-00052	01/15/2016	10/07/2025	BULLET	CAPBRAN HOLDINGS, LLC	No

## CBP IPR RECORDATION — February 2016

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tm	Owner Name	GM Restricted
TMK 16-00053	01/20/2016	12/22/2025	WEST VIRGINIA UNIVERSITY	West Virginia University Board of Governors on Behalf of West Virginia University	No
TMK 16-00054	01/20/2016	09/19/2022	NUTRI BULLET	CAPBRAN HOLDINGS, LLC	No
TMK 16-00055	01/20/2016	02/04/2025	NUTRIBULLET RX	CAPBRAN HOLDINGS, LLC	No
TMK 16-00056	01/20/2016	02/04/2025	RX	CAPBRAN HOLDINGS, LLC	No
TMK 16-00057	01/20/2016	01/23/2023	NIVEA and Design	Beiersdorf AG	No
TMK 16-00058	01/20/2016	05/26/2023	TRADE MARK PENDLETON HOME COLLECTION & (Teepee) Design	Pendleton Woolen Mills, Inc.	No
TMK 16-00059	01/20/2016	02/19/2024	Mountaineer Mascot Design	West Virginia University Board of Governors on behalf of West Virginia University	No
TMK 16-00060	01/20/2016	09/25/2023	NIVEA MEN and Logo Design	Beiersdorf AG	No
TMK 16-00061	01/20/2016	06/30/2018	ASU and Sunburst Design	Arizona Board of Regents, for and on behalf of Arizona State University	No
TMK 16-00062	01/20/2016	03/16/2025	IZENDO (Stylized)	ENDO KOGYO CO., LTD.	No
TMK 16-00063	01/20/2016	03/22/2026	CASTER SOLUTIONS, INC.	Caster Solutions, Inc.	No
TMK 16-00064	01/20/2016	12/09/2018	MYSTIQUE (Stylized) and Design	BRUSHOPOLIS, INC.	No
TMK 16-00065	01/20/2016	10/06/2020	3D WHITE	The Procter & Gamble Company	No
TMK 16-00066	01/20/2016	04/22/2023	3D WHITE LUXE	The Procter & Gamble Company	No
TMK 16-00067	01/20/2016	09/19/2021	WHITESTRIPS	The Procter & Gamble Company	No

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Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tm	Owner Name	GM Restricted
TMK 16-00068	01/20/2016	11/11/2019	Crest Whitestrips Advanced Seal and Design	The Procter & Gamble Company	No
TMK 16-00069	01/20/2016	10/06/2024	CREST WHITESTRIPS SUPREME	The Procter & Gamble Company	No
TMK 16-00070	01/20/2016	02/24/2026	CREST PRO-HEALTH ADVANCED	The Procter & Gamble Company	No
TMK 16-00071	01/20/2016	06/01/2021	PRO HEALTH FOR ME	The Procter & Gamble Company	No
TMK 16-00072	01/20/2016	01/11/2026	PRO HEALTH	The Procter & Gamble Company	No
TMK 16-00073	01/20/2016	06/15/2021	CREST PRO-HEALTH COMPLETE	The Procter & Gamble Company	No
TMK 16-00074	01/20/2016	10/21/2025	CREST PRO-HEALTH (HD)	The Procter & Gamble Company	No
TMK 16-00075	01/20/2016	08/15/2017	KOOZIE	BIC CORPORATION	No
TMK 16-00076	01/20/2016	01/16/2018	PRO-HEALTH	The Procter & Gamble Company	No
TMK 16-00077	01/20/2016	11/17/2020	PRO-HEALTH	The Procter & Gamble Company	No
TMK 16-00078	01/20/2016	03/16/2019	PRO-HEALTH	The Procter & Gamble Company	No
TMK 16-00079	01/20/2016	05/05/2023	PRO-HEALTH FOR LIFE	The Procter & Gamble Company	No
TMK 16-00080	01/20/2016	11/25/2025	PRO-HEALTH JR.	Procter & Gamble Business Services Canada Company	No
TMK 16-00081	01/20/2016	11/25/2025	PRO-HEALTH JR.	The Procter & Gamble Company	No
TMK 16-00082	01/20/2016	11/03/2020	3D WHITE	The Procter & Gamble Company	No
TMK 16-00083	01/20/2016	10/13/2020	PRO-HEALTH SYSTEM	The Procter & Gamble Company	No

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Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 16-00084	01/21/2016	07/08/2018	PRECISION CLEAN	P&G Business Services Canada Company	No
TMK 16-00085	01/21/2016	08/06/2018	FLOSS ACTION	Procter & Gamble Business Services Canada Company	No
TMK 16-00086	01/21/2016	06/10/2025	ORAL-B PROWHITE	Procter & Gamble Business Services Canada Company	No
TMK 16-00087	01/21/2016	01/06/2023	HINDS	HINDS PRODUCTS, INC.	No
TMK 16-00088	01/21/2016	09/17/2018	LIGHTSTIM	MEDICAL LIGHT DEVICES, INC.	No
TMK 16-00089	01/21/2016	03/01/2026	a and Design	Nintendo of America Inc.	No
TMK 16-00090	01/21/2016	03/15/2026	AMOPÉ and Design	LRC Products Limited	No
TMK 16-00091	01/21/2016	10/08/2024	DESIGN ONLY (BALL VALVE)	Fumoto Giken Co., Ltd.	No
TMK 16-00092	01/21/2016	10/08/2024	DESIGN ONLY (Valve)	Fumoto Giken Co., Ltd.	No
TMK 16-00093	01/26/2016	08/26/2025	TOROFUX	Flowtoys	No
TMK 16-00094	01/26/2016	01/29/2023	TED BAKER	No Ordinary Designer Label Limited TA Ted Baker	No
TMK 16-00095	01/26/2016	04/07/2023	TED BAKER	No Ordinary Designer Label Limited TA Ted Baker	No
TMK 16-00096	01/26/2016	12/11/2017	TED BAKER LONDON Design Mark	No Ordinary Designer Label Ltd. TA Ted Baker	No
TMK 16-00097	01/26/2016	12/02/2024	TED BAKER	No Ordinary Designer Label Limited TATed Baker	No

## CBP IPR RECORDATION — February 2016

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 16-00098	01/26/2016	03/23/2025	TED BAKER	No Ordinary Designer Label Ltd. TA Ted Baker	No
TMK 16-00099	01/26/2016	05/10/2025	ZEROBOR	Crespel & Deiters GmbH & Co. KG GmbH & Co. KG	No
TMK 16-00100	01/27/2016	08/12/2025	FREEDOM FIGHTER	Northrop Grumman Systems Corporation	No
TMK 16-00101	01/27/2016	12/16/2017	TED BAKER	No Ordinary Designer Label Limited TATED BAKER	No
TMK 16-00102	01/27/2016	04/12/2026	VENOM and Design	Lightforce Australia Pty Ltd.	No
TMK 16-00103	01/27/2016	09/02/2025	TIGER II	Northrop Grumman Systems Corporation	No
TMK 16-00104	01/27/2016	04/26/2026	GNARLY RIDER	Gnarly Ride, Inc.	No
TMK 96-00757	01/21/2016	11/01/2025	VICTORIA'S SECRET	VICTORIA'S SECRET STORES BRAND MANAGEMENT, INC.	No
TMK 96-00757	01/21/2016	11/01/2025	VICTORIA'S SECRET	VICTORIA'S SECRET STORES BRAND MANAGEMENT, INC.	No
TMK 98-00499	01/21/2016	04/14/2026	SPECIALIZED	SPECIALIZED BICYCLE COMPONENTS, INC.	No
TMK 98-00499	01/21/2016	04/14/2006	SPECIALIZED	SPECIALIZED BICYCLE COMPONENTS, INC.	No

Total Records: 177  
Date as of 2/1/2016

**AGENCY INFORMATION COLLECTION ACTIVITIES:****Application To Establish a Centralized Examination Station**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** 60-Day notice and request for comments; extension of an existing collection of information.

**SUMMARY:** U.S. Customs and Border Protection (CBP) of the Department of Homeland Security will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: Application to Establish a Centralized Examination Station. CBP is proposing that this information collection be extended with no change to the burden hours or to the information collected. This document is published to obtain comments from the public and affected agencies.

**DATES:** Written comments should be received on or before April 11, 2016 to be assured of consideration.

**ADDRESSES:** Written comments may be mailed to U.S. Customs and Border Protection, Attn: Tracey Denning, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177, at 202-325-0265.

**SUPPLEMENTARY INFORMATION:** CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13). The comments should address: (a) Whether the 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 estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual cost burden to respondents or record keepers from the collection of

information (total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for OMB approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

**Title:** Application to Establish a Centralized Examination Station.

**OMB Number:** 1651-0061.

**Abstract:** A Customs and Border Protection (CBP) port director decides when his or her port needs one or more Centralized Examination Stations (CES). A CES is a facility where imported merchandise is made available to CBP officers for physical examination. If it is decided that a CES is needed, the port director solicits applications to operate a CES. The information contained in the application will be used to determine the suitability of the applicant's facility; the fairness of fee structure; and the knowledge of cargo handling operations and of CBP procedures. The names of all corporate officers and all employees who will come in contact with uncleared cargo will also be provided so that CBP may perform background investigations. The CES application is provided for by 19 CFR 118.11 and is authorized by 19 U.S.C. 1499, Tariff Act of 1930.

**Current Actions:** CBP proposes to extend the expiration date of this information collection with no change to the burden hours or to the information collected.

**Type of Review:** Extension (without change).

**Affected Public:** Businesses.

**Estimated Number of Respondents:** 50.

**Estimated Time per Respondent:** 2 hours.

**Estimated Total Annual Burden Hours:** 100.

Dated: February 8, 2016.

TRACEY DENNING,  
*Agency Clearance Officer,*  
*U.S. Customs and Border Protection.*

[Published in the Federal Register, February 11, 2016 (81 FR 7365)]

**AGENCY INFORMATION COLLECTION ACTIVITIES:****Application-Permit-Special License Unlading-Lading-Overtime Services**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** 30-Day notice and request for comments; Extension of an existing collection of information.

**SUMMARY:** U.S. Customs and Border Protection (CBP) of the Department of Homeland Security will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: Application-Permit-Special License Unlading-Lading-Overtime Services (CBP Form 3171). This is a proposed extension of an information collection that was previously approved. CBP is proposing that this information collection be extended with no change to the burden hours or to the information collected. This document is published to obtain comments from the public and affected agencies.

**DATES:** Written comments should be received on or before March 14, 2016 to be assured of consideration.

**ADDRESSES:** Interested persons are invited to submit written comments on this proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov) or faxed to (202) 395-5806.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177, at 202-325-0265.

**SUPPLEMENTARY INFORMATION:** This proposed information collection was previously published in the **Federal Register** (80 FR 68326) on November 4, 2015, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10. CBP invites the general public and other Federal agencies to comment on proposed and/ or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13;



44 U.S.C. 3507). The comments should address: (a) Whether the 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 estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden, including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual costs to respondents or record keepers from the collection of information (total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for OMB approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

**Title:** Application-Permit-Special License Unlading-Lading-Overtime Services.

**OMB Number:** 1651-0005.

**Form Number:** CBP Form 3171.

**Abstract:** The Application-Permit-Special License Unlading-Lading-Overtime Services (CBP Form 3171) is used by commercial carriers and importers as a request for permission to unlade imported merchandise, baggage, or passengers. It is also used to request overtime services from CBP officers in connection with lading or unlading of merchandise, or the entry or clearance of a vessel, including the boarding of a vessel for preliminary supplies, ship's stores, sea stores, or equipment not to be reladen. CBP Form 3171 is provided for 19 CFR 4.10, 4.30, 4.37, 4.39, 4.91, 10.60, 24.16, 122.29, 122.38, 123.8, 146.32 and 146.34. This form is accessible at: <http://www.cbp.gov/newsroom/publications/forms?title=3171>.

**Current Actions:** CBP proposes to extend the expiration date of this information collection with no change to the estimated burden hours or to CBP Form 3171.

**Type of Review:** Extension (without change).

**Affected Public:** Businesses.

**Estimated Number of Respondents:** 1,500.

**Estimated Number of Annual Responses per Respondent:** 266.

**Estimated Number of Total Annual Responses:** 399,000.

**Estimated Time per Response:** 8 minutes.

**Estimated Total Annual Burden Hours:** 51,870.

Dated: February 8, 2016.

TRACEY DENNING,  
*Agency Clearance Officer,*  
*U.S. Customs and Border Protection.*

[Published in the Federal Register, February, 2016 (81 FR 7361)]

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**AGENCY INFORMATION COLLECTION ACTIVITIES:  
Regulations Relating to Recordation and Enforcement of  
Trademarks and Copyrights**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** 60-Day notice and request for comments; extension of an existing collection of information.

**SUMMARY:** U.S. Customs and Border Protection (CBP) of the Department of Homeland Security will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: Regulations Relating to Recordation and Enforcement of Trademarks and Copyrights (Part 133 of the CBP Regulations). CBP is proposing that this information collection be extended with no change to the burden hours or to the information collected. This document is published to obtain comments from the public and affected agencies.

**DATES:** Written comments should be received on or before April 11, 2016 to be assured of consideration.

**ADDRESSES:** Written comments may be mailed to U.S. Customs and Border Protection, Attn: Tracey Denning, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177, at 202-325-0265.

**SUPPLEMENTARY INFORMATION:** CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13). The comments should

address: (a) Whether the 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 estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual cost burden to respondents or record keepers from the collection of information (total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for OMB approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

**Title:** Regulations Relating to Recordation and Enforcement of Trademark and Copyrights (Part 133 of the CBP Regulations)

**OMB Number:** 1651-0123.

**Abstract:** Title 19 of the United States Code section 1526(e) prohibits the importation of articles that bear a counterfeit mark of a trademark that is registered with the United States Patent and Trademark Office (USPTO) and recorded with U.S. Customs and Border Protection (CBP). Pursuant to 15 U.S.C. 1124, the importation of articles that copy or simulate the trade name of a manufacturer or trader, or copy or simulate a trademark registered with the USPTO and recorded with CBP is prohibited. Likewise, under 17 U.S.C. 602 and 17 U.S.C. 603, the importation of articles that constitute an infringement of copyright in protected copyrighted works is prohibited. Both 15 U.S.C. 1124 and 17 U.S.C. 602, authorize the Secretary of the Treasury to prescribe by regulation for the recordation of trademarks, trade names and copyrights with CBP. Additional rulemaking authority in this regard is conferred by CBP's general rulemaking authority as found in 19 U.S.C. 1624.

CBP officers enforce these intellectual property rights at the border. The information that respondents must submit in order to seek the assistance of CBP to protect against infringing imports is specified for trademarks under 19 CFR 133.2 and 133.3, and the information to be submitted for copyrights is specified under 19 CFR 133.32 and 133.33. Trademark, trade name, and copyright owners seeking border enforcement of their intellectual property rights provide information through the recordation process in order to assist CBP officers in identifying violating articles at the border. Respondents may submit

this information through the IPR e-Recordation Web site at <https://iprr.cbp.gov/>.

**Current Actions:** CBP proposes to extend the expiration date of this information collection with no change to the burden hours or to the information collected.

**Type of Review:** Extension (without change).

**Affected Public:** Businesses and Individuals.

**Estimated Number of Respondents:** 2,000.

**Estimated Time per Respondent:** 2 hours.

**Estimated Total Annual Burden Hours:** 4,000.

Dated: February 8, 2016.

TRACEY DENNING,  
*Agency Clearance Officer,*  
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[Published in the Federal Register, February 11, 2016 (81 FR 7363)]

## AGENCY INFORMATION COLLECTION ACTIVITIES:

### Country of Origin Marking Requirements for Containers or Holders

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** 30-Day notice and request for comments; Extension of an existing collection of information.

**SUMMARY:** U.S. Customs and Border Protection (CBP) of the Department of Homeland Security will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: Country of Origin Marking Requirements for Containers or Holders. This is a proposed extension of an information collection that was previously approved. CBP is proposing that this information collection be extended with no change to the burden hours or to the information collected. This document is published to obtain comments from the public and affected agencies.

**DATES:** Written comments should be received on or before March 9, 2016 to be assured of consideration.

**ADDRESSES:** Interested persons are invited to submit written comments on this proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and

Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to [aira\\_submission@omb.eop.gov](mailto:aira_submission@omb.eop.gov) or faxed to (202) 395-5806.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177, at 202-325-0265.

**SUPPLEMENTARY INFORMATION:** This proposed information collection was previously published in the **Federal Register** (80 FR 60396) on October 6, 2015, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10. CBP invites the general public and other Federal agencies to comment on proposed and/ or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13; 44 U.S.C. 3507). The comments should address: (a) Whether the 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 estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden, including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual costs to respondents or record keepers from the collection of information (total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for OMB approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

**Title:** Country of Origin Marking Requirements for Containers or Holders.

**OMB Number:** 1651-0057.

**Abstract:** Section 304 of the Tariff Act of 1930, as amended, 19 U.S.C. 1304, requires each imported article of foreign origin, or its container, to be marked in a conspicuous place as legibly, indelibly and permanently as the nature of the article or container permits, with the English name of the country of origin. The marking informs the ultimate purchaser in the United States of the name country in which the article was manufactured or produced. The marking requirements for containers are provided for by 19 CFR 134.22(b).

**Current Actions:** CBP proposes to extend the expiration date of this information collection with no change to the burden hours or to the information collected.

**Type of Review:** Extension (without change).

**Affected Public:** Businesses.

**Estimated Number of Respondents:** 250.

**Estimated Number of Responses per Respondent:** 40.

**Estimated Time per Response:** 15 seconds.

**Estimated Total Annual Burden Hours:** 41.

Dated: February 3, 2016.

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## AGENCY INFORMATION COLLECTION ACTIVITIES:

### Application for Exportation of Articles Under Special Bond

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**ACTION:** 30-Day notice and request for comments; Extension of an existing collection of information.

**SUMMARY:** U.S. Customs and Border Protection (CBP) of the Department of Homeland Security will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: Application for Exportation of Articles under Special Bond (CBP Form 3495). This is a proposed extension of an information collection that was previously approved. CBP is proposing that this information collection be extended with no change to the burden hours or to the information collected. This document is published to obtain comments from the public and affected agencies.

**DATES:** Written comments should be received on or before March 9, 2016 to be assured of consideration.

**ADDRESSES:** Interested persons are invited to submit written comments on this proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and

Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to [aira\\_submission@omb.eop.gov](mailto:aira_submission@omb.eop.gov) or faxed to (202) 395-5806.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177, at 202-325-0265.

**SUPPLEMENTARY INFORMATION:** This proposed information collection was previously published in the **Federal Register** (80 FR 62085) on October 15, 2015, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10. CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13; 44 U.S.C. 3507). The comments should address: (a) Whether the 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 estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden, including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual costs to respondents or record keepers from the collection of information (total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for OMB approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

**Title:** Application for Exportation of Articles under Special Bond.

**OMB Number:** 1651-0004.

**Form Number:** CBP Form 3495.

**Abstract:** CBP Form 3495, *Application for Exportation of Articles Under Special Bond*, is an application for exportation of articles entered under temporary bond pursuant to 19 U.S.C. 1202, Chapter 98, subchapter XIII, Harmonized Tariff Schedule of the United States, and 19 CFR 10.38. CBP Form 3495 is used by importers to notify CBP that the importer intends to export goods that were subject to a duty exemption based on a temporary stay in this country. It also serves as a permit to

export in order to satisfy the importer's obligation to export the same goods and thereby get a duty exemption. This form is accessible at: <http://www.cbp.gov/newsroom/publications/forms?title=3495&=Apply>.

**Current Actions:** CBP proposes to extend the expiration date of this information collection with no change to the burden hours or to the information being collected.

**Type of Review:** Extension (without change).

**Affected Public:** Businesses.

**Estimated Number of Respondents:** 500.

**Estimated Number of Responses per Respondent:** 30.

**Estimated Total Annual Responses:** 15,000.

**Estimated Time per Response:** 8 minutes.

**Estimated Total Annual Burden Hours:** 2,000.

Dated: February 1, 2016.

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