

directed to Larry Hall, BIS ICB Liaison, (202) 482-4895, [lhall@bis.doc.gov](mailto:lhall@bis.doc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

This information is collected as supporting documentation for license applications to export petroleum (crude oil) and is used by licensing officers to determine the exporter's compliance with the five statutes governing such transactions.

##### II. Method of Collection

Submitted electronically or in paper form.

##### III. Data

*OMB Control Number:* 0694-0027.

*Form Number(s):* None.

*Type of Review:* Regular submission.

*Affected Public:* Business or other for-profit organizations.

*Estimated Number of Respondents:* 76.

*Estimated Time per Response:* 38 minutes to 8 hours.

*Estimated Total Annual Burden Hours:* 138.

*Estimated Total Annual Cost to Public:* \$0.

##### IV. Request for Comments

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

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

Dated: March 8, 2010.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 2010-5367 Filed 3-11-10; 8:45 am]

**BILLING CODE 3510-33-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[Application No. 10-00002]

#### Export Trade Certificate of Review

**ACTION:** Notice of Application (#10-00002) for an Export Trade Certificate of Review from EFS International Corporation/DBA: EFS Global Trade and Export ("EFS").

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

**FOR FURTHER INFORMATION CONTACT:** Joseph E. Flynn, Director, Office of Competition and Economic Analysis, International Trade Administration, by telephone at (202) 482-5131 (this is not a toll-free number) or E-mail at [oetca@ita.doc.gov](mailto:oetca@ita.doc.gov).

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from state and federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Export Trading Company Act of 1982 and 15 CFR 325.6(a) require the Secretary to publish a notice in the **Federal Register** identifying the applicant and summarizing its proposed export conduct.

#### Request for Public Comments

Interested parties may submit written comments relevant to the determination whether a Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked privileged or confidential business information will be deemed to be nonconfidential. An original and five (5) copies, plus two (2) copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Export Trading

Company Affairs, International Trade Administration, U.S. Department of Commerce, Room 7021-X H, Washington, DC 20230, or transmit by E-mail at [oetca@ita.doc.gov](mailto:oetca@ita.doc.gov). Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the Certificate. Comments should refer to this application as "Export Trade Certificate of Review, application number 10-00002." A summary of the application follows.

#### Summary of the Application

*Applicant:* EFS International Corporation/DBA: EFS Global Trade and Export ("EFS"), 102 E 3rd Avenue, Newark, NJ 07104-2706.

*Contact:* Mr. Francisco J. Salcedo, Telephone: (973) 336-7026.

*Application No.:* 10-00002.

*Date Deemed Submitted:* February 26, 2010.

*Members:* None.

The applicant (EFS) seeks a Certificate of Review to engage in the Export Trade Activities and Methods of Operation described below in the following Export Trade and Export Markets.

#### I. Export Trade

##### 1. Product

All Products.

##### 2. Services

All Services.

##### 3. Technology Rights

Technology rights that relate to Products and Services including, but not limited to, patents, trademarks, copyrights, and trade secrets.

##### 4. Export Trade Facilitation Services (as They Relate to the Export of Products, Services, and Technology Rights)

Export Trade Facilitation Services including, but not limited to, professional services in the areas of government relations and assistance with state and federal programs; foreign trade and business protocol; consulting; market research and analysis; collection of information on trade opportunities; marketing; negotiations; joint ventures; shipping; export management; export licensing; advertising; documentation and services related to compliance with customs requirements; insurance and financing; trade show exhibitions; organizational development; management and labor strategies; transfer of technology; transportation

services; and facilitating the formation of shippers' associations.

## II. Export Markets

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

## III. Export Trade Activities and Methods of Operation

1. With respect to the export of Products and Services, licensing of Technology Rights and provision of Export Trade Facilitation Services, EFS International, subject to the terms and conditions listed below, may:

- a. Provide and/or arrange for the provisions of Export Trade Facilitation Services and engage in promotional and marketing activities;
- b. Collect information on trade opportunities in the Export Markets and distribute such information to clients;
- c. Enter into exclusive and/or non-exclusive licensing and/or sales agreements with Suppliers for the export of Products, Services, and/or Technology Rights to Export Markets;
- d. Enter into exclusive and/or non-exclusive agreements with distributors and/or sales representatives in Export Markets;
- e. Allocate export sales or divide Export Markets among Suppliers for the sale and/or licensing of Products, Services, and/or Technology Rights;
- f. Allocate export orders among Suppliers;
- g. Establish the price of Products, Services, and/or Technology Rights for sales and/or licensing in Export Markets; and taking title to when provided in order to facilitate the export of goods or services produced in the United States;
- h. Negotiate, enter into, and/or manage licensing agreements for the export of Technology Rights;
- i. Enter into contracts for shipping to Export Markets; and
- j. Refuse to provide Export Trade Facilitation Services to customers in any Export Market or Markets.

2. EFS International may exchange information with individual Suppliers on a one-to-one basis regarding that Supplier's inventories and near-term production schedules in order that the availability of Products for export can be determined and effectively coordinated by EFS International with its distributors in Export Markets.

## IV. Terms and Conditions

1. In engaging in Export Trade Activities and Methods of Operation, EFS International will not intentionally disclose, directly or indirectly, to any Supplier any information about any other Supplier's costs, production, capacity, inventories, domestic prices, domestic sales, or U.S. business plans, strategies, or methods that is not already generally available to the trade or public.

2. EFS International will comply with requests made by the Secretary of Commerce on behalf of the Secretary or the Attorney General for information or documents relevant to conduct under the Certificate. The Secretary of Commerce will request such information or documents when either the Attorney General or the Secretary of Commerce believes that the information or documents are required to determine that the Export Trade, Export Trade Activities and Methods of Operation of a person protected by this Certificate of Review continue to comply with the standards of section 303(a) of the Act.

### Definition

"Supplier" means a person who produces, provides, or sells Products, Services, and/or Technology Rights.

Dated: March 8, 2010.

**Joseph E. Flynn,**

*Director, Office of Competition and Economic Analysis.*

[FR Doc. 2010-5388 Filed 3-11-10; 8:45 am]

**BILLING CODE 3510-DR-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-AY72**

### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Amendment 10 to the Fishery Management Plan for Spiny Lobster Resources of the Gulf of Mexico and South Atlantic

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of Intent (NOI) to prepare an environmental impact statement (EIS); request for comments.

**SUMMARY:** NMFS, Southeast Region, in collaboration with the Gulf of Mexico and South Atlantic Fishery Management Councils (Councils) intends to prepare an EIS to describe and analyze a range of alternatives for management actions

to be included in an amendment to the Fishery Management Plan for the Spiny Lobster Resources of the Gulf of Mexico and South Atlantic (FMP). These alternatives will consider measures to set annual catch limits (ACLs) and accountability measures (AMs) for Caribbean spiny lobster; delegate management of Caribbean spiny lobster to Florida; remove from the FMP or reclassify several other species of lobster currently in the FMP; establish sector allocations; redefine biological reference points; update the framework process; and set other management measures. The purpose of this NOI is to solicit public comments on the scope of issues to be addressed in the EIS.

**DATES:** Written comments on the scope of issues to be addressed in the EIS must be received by NMFS by April 12, 2010.

**ADDRESSES:** You may submit comments, identified by RIN 0648-AY72, by any one of the following methods:

- Electronic Submissions: Submit all electronic public comments via the Federal e-Rulemaking Portal <http://www.regulations.gov>
- Mail: Susan Gerhart, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701

Instructions: No comments will be posted for public viewing until after the comment period is over. All comments received are a part of the public record and will All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information. Comments should apply to the control date as an eligibility requirement for a catch share program, not the catch share program itself.

To submit comments through the Federal e-Rulemaking Portal: <http://www.regulations.gov>, enter "NOAA-NMFS-2010-0044" in the keyword search, then select "Send a Comment or Submission." NMFS will accept anonymous comments (enter N/A in the required fields, if you wish to remain anonymous). You may submit attachments to electronic comments in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

**FOR FURTHER INFORMATION CONTACT:** Susan Gerhart; phone: (727) 824-5305.

**SUPPLEMENTARY INFORMATION:** In 2006, the Magnuson-Stevens Fishery Conservation and Management Act was re-authorized and included a number of