

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

Communication and processing of export orders; inspection, fumigation and stevedoring; transportation; freight forwarding and trade documentation; insurance; billing of foreign buyers; collection of letters of credit and other financial instruments.

### B. 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).

### C. Export Trade Activities and Methods of Operation

To engage in Export Trade in the Export Markets, The Connell Company may:

- (i) solicit orders from foreign purchasers;
- (ii) receive information on a one-to-one basis from individual Suppliers regarding inventories and near-term production schedules for the purpose of determining the availability of Products for purchase and export;
- (iii) confer from time to time, on a one-to-one basis, with individual Suppliers regarding a potential purchase by The Connell Company with regard to the quantities, price, delivery schedule, and other pertinent matters pertaining thereto;
- (iv) allocate export sales among individual Suppliers, provided that The Connell Company does not intentionally disclose to any Supplier any information about other Suppliers' sales to The Connell Company for export;
- (v) enter into purchase agreements with one or more Suppliers for the purchase of Products in the United States, and sales agreements with one or more foreign purchasers for the sale of Products in the Export Markets;
- (vi) refuse to purchase from one or more Suppliers for reasons The Connell Company deems fit; and
- (vii) as the single buyer of Products, coordinate schedules for delivery of Products to the dock among Suppliers; allocate dock space; allocate Products to various vessels; coordinate stevedoring from the inland trucks to the dock and from the dock to the vessels; arrange for inspection by both U.S. and foreign inspection services; arrange for fumigation of the Products; arrange for various documentation regarding the cargo; and provide for other Export

Trade Facilitation Services as they relate to the export of Products.

### D. Terms and Conditions of Certificate

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

### E. Definitions

"Supplier" means a person that produces, provides, or sells Products.

### F. Protection Provided by Certificate

The Certificate protects The Connell Company, its directors, officers, and employees acting on its behalf, from private treble damage actions and government criminal and civil suits under U.S. federal and state antitrust laws for the export conduct specified in the Certificate and carried out during its effective period in compliance with its terms and conditions.

### G. Effective Period of Certificate

The Certificate continues in effect from the effective date indicated below until it is relinquished, modified, or revoked as provided in the Act and the Regulations.

### H. Other Conduct

Nothing in the Certificate prohibits The Connell Company from engaging in conduct not specified in the Certificate, but such conduct is subject to the normal application of the antitrust laws.

### I. Disclaimer

The issuance of the Certificate of Review to The Connell Company by the Secretary of Commerce with the concurrence of the Attorney General under the provisions of the Act does not

constitute, explicitly or implicitly, an endorsement or opinion by the Secretary or by the Attorney General concerning either (a) the viability or quality of the business plans of The Connell Company or (b) the legality of such business plans of The Connell Company under the laws of the United States (other than as provided in the Act) or under the laws of any foreign country. The application of the Certificate to conduct in export trade where the United States Government is the buyer or where the United States Government bears more than half the cost of the transaction is subject to the limitations set forth in Section V.(D.) of the "Guidelines for the Issuance of Export Trade Certificates of Review (Second Edition)", 50 Fed. Reg. 1786 (January 11, 1985).

Dated: November 21, 1995.

W. Dawn Busby,

Director, Office of Export Trading Company Affairs.

[FR Doc. 95-29283 Filed 11-30-95; 8:45 am]

BILLING CODE 3510-DR-P

## National Oceanic and Atmospheric Administration

[I.D. 112195A]

### Mid-Atlantic Fishery Management Council; Meeting

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Mid-Atlantic Fishery Management Council's Surf Clam and Ocean Quahog Industry Advisory Committee will hold a public meeting.

**DATES:** The meeting will be held on December 12, 1995, from 10:00 a.m. until 5:00 p.m.

**ADDRESSES:** The meeting will be held at the Doubletree Guest Suites Philadelphia International Airport, 4101 Island Avenue, Philadelphia, PA; telephone: (215) 365-6600.

*Council Address:* Mid-Atlantic Fishery Management Council, 300 S. New Street, Dover, DE 19901.

**FOR FURTHER INFORMATION CONTACT:** David R. Keifer, Executive Director; telephone: (302) 674-2331.

**SUPPLEMENTARY INFORMATION:** The purpose of the meeting is to discuss the overfishing definition for Surf Clams and Ocean Quahogs.

### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for