

U.S. Customs and Border Protection



ACCREDITATION OF DIXIE SERVICES, INC., AS A COMMERCIAL LABORATORY

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

ACTION: Notice of accreditation of Dixie Services, Inc., as a commercial laboratory.

SUMMARY: Notice is hereby given that, pursuant to 19 CFR 151.12, Dixie Services, Inc., 1706 First Street, Galena Park, TX 77547, has been accredited to test petroleum, petroleum products, organic chemicals and vegetable oils for customs purposes, in accordance with the provisions of 19 CFR 151.12. Anyone wishing to employ this entity to conduct laboratory analyses should request and receive written assurances from the entity that it is accredited by the U.S. Customs and Border Protection to conduct the specific test requested. Alternatively, inquires regarding the specific test this entity is accredited 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 Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. http://cbp.gov/linkhandler/cgov/trade/automated/labs_scientific_svcs/commercial_gaugers/gaulist.ctt/gaulist.pdf.

DATES: The accreditation of Dixie Services, Inc., as commercial laboratory became effective on July 12, 2012. The next triennial inspection date will be scheduled for July 2015.

FOR FURTHER INFORMATION CONTACT: Christopher Mocella, Laboratories and Scientific Services, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, 202-344-1060.

Dated: November 8, 2012.

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

[Published in the Federal Register, November 16, 2012 (77 FR 68801)]

Docket No. [Docket No. USCBP-2012-0041]**ADVISORY COMMITTEE ON COMMERCIAL OPERATIONS
OF CUSTOMS AND BORDER PROTECTION (COAC)**

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security (DHS).

ACTION: Committee Management; Notice of Federal Advisory Committee Meeting.

SUMMARY: The Advisory Committee on Commercial Operations of Customs and Border Protection (COAC) will meet on December 4, 2012, in Washington, DC. The meeting will be open to the public.

DATES: COAC will meet on Tuesday, December 4, 2012, from 1:00 p.m. to 6:00 p.m. EST. Please note that the meeting may close early if the committee has completed its business.

If you plan on attending, please register either online at https://apps.cbp.gov/te_registration/index.asp?w=111 or by email to tradeevents@dhs.gov, or by fax to 202-325-4290 by close-of-business on November 30, 2012.

If you have completed an online on-site registration and wish to cancel your registration, you may do so at https://apps.cbp.gov/te_registration/cancel.asp?w=111. Please feel free to share this information with interested members of your organizations or associations.

ADDRESSES: The meeting will be held at Ronald Reagan Building in the Horizon Ballroom, 1300 Pennsylvania Avenue NW., Washington, DC 20229. All visitors to the Ronald Reagan Building must show a state-issued ID or Passport to proceed through the security checkpoint to be admitted to the building.

For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, contact Ms. Wanda Tate, Office of Trade Relations, U.S. Customs and Border Protection at 202-344-1661 as soon as possible.

To facilitate public participation, we are inviting public comment on the issues to be considered by the committee as listed in the "Agenda" section below.

Comments must be submitted in writing no later than November 26, 2012, and must be identified by USCBP-2012-0041 and may be submitted by *one* of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Email: Tradeevents@dhs.gov.* Include the docket number in the subject line of the message.
- *Fax: 202–325–4290.*
- *Mail: Ms. Wanda Tate, Office of Trade Relations, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Room 3.5A, Washington, DC 20229.*

Instructions: All submissions received must include the words “Department of Homeland Security” and the docket number for this action. Comments received will be posted without alteration at <http://www.regulations.gov>, including any personal information provided. Do not submit personal information to this docket.

Docket: For access to the docket to read background documents or comments received by the COAC, go to <http://www.regulations.gov>.

There will be three public comment periods held during the meeting on December 4, 2012. Speakers are requested to limit their comments to two (2) minutes or less to facilitate greater participation. Contact the individual listed below to register as a speaker. Please note that the public comment period for speakers may end before the time indicated on the schedule that is posted on the CBP web page at the time of the meeting.

FOR FURTHER INFORMATION CONTACT: Ms. Wanda Tate, Office of Trade Relations, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Room 3.5A, Washington, DC 20229; telephone 202–344–1440; facsimile 202–325–4290.

SUPPLEMENTARY INFORMATION:

Notice of this meeting is given under the *Federal Advisory Committee Act*, 5 U.S.C. App. (Pub. L. 92–463). The COAC provides advice to the Secretary of Homeland Security, the Secretary of the Treasury, and the Commissioner of U.S. Customs and Border Protection (CBP) on matters pertaining to the commercial operations of CBP and related functions within DHS or the Department of the Treasury.

Agenda

The COAC will hear from the following subcommittees on the topics listed below and then will review, deliberate, provide observations and formulate recommendations on how to proceed on those topics:

- The work of the Trade Facilitation Subcommittee: Recommendations and resolutions on CBP’s Trade Transformation initiatives, recommendations on the role of the customs brokers in regard to the Centers of Excellence and Expertise (CEEs), and

recommendations based on the results from the COAC Industry Survey regarding the expected benefits of the CEEs.

- The work of the Role of the Broker Subcommittee: Recommendations and resolutions on various aspects of CBP's effort to revise the role of the customs broker in the CBP regulations (19 CFR Part 111) which includes whether the initiative in the area of continuing education should be pursued, requirements for brokers to obtain *bona fides* for their importer clients before transacting customs business on the client's behalf, and comments on possible revision to CBP Form 5106 (Importer Identification Input Record). In addition, recommendations will be made regarding the role of customs brokers in the CEEs.
- The work of Automated Commercial Environment (ACE) Strategic Communications Working Group: Presentation of a white paper and recommendation how CBP should proceed in communicating with the trade community as the agency shifts from the Automated Commercial System (ACS) to ACE as functionality becomes available.
- The work of the One U.S. Government at the Border Subcommittee: Recommendation for addressing a One U.S. Government Approach to Trusted Trader Programs and provide the subcommittee term end report.
- The Intellectual Property Rights Enforcement Subcommittee's work on providing CBP with guidance on new tools to be used in the port of entry to help identify counterfeit products, the distribution chain management and serialization pilot project, and modification to the CBP recordation database of federally registered trademarks, trade names and copyrights.
- The Anti-Dumping/Countervailing Duties Subcommittee's term end report and a discussion on the impact of trade enforcement and trade intelligence initiatives.
- The Bond Subcommittee's work on proposed modifications to the CBP Form 5106 (Importer Identification Input Record), liquidated damages/mitigation guidelines, and the use of single transaction bonds (STBs) when additional security is merited. The Subcommittee will respond to the CBP Deputy Commissioner's request to look into the possibility of issuing bonds prior to the foreign departure of goods that are intended for importation into the United States.

- An update from CBP's Agriculture Programs and Trade Liaison on the July 2012 USDA/Animal Plant Health Inspection Service (APHIS) and CBP Joint Stakeholder Conference.

Prior to the COAC taking action on any of these topics of the eight above-mentioned subcommittees, working groups, and Agriculture Programs and Trade Liaison, members of the public will have an opportunity to provide comments orally or, for comments submitted electronically during the meeting, by reading the comments into the record.

The COAC will also receive term-end reports, updates and discuss the following Initiatives and Subcommittee topics that were discussed throughout the 12th Term meetings as set forth below:

- The National Strategy for Global Supply Chain Security as it relates to an effort to solicit, consolidate, and provide to DHS sector and stakeholder input on implementation of the National Strategy.
- The work of the Land Border Security Subcommittee: updates and observations on the Customs—the 21st Century Border Management Initiative and Beyond the Border initiatives.
- The Air Cargo Security Subcommittee's work on the Air Cargo Advance Screening (ACAS) pilot, and a discussion of the operational involvement of freight forwarders as well as the next steps in drafting a notice of proposed rulemaking.
- The Export Subcommittee's work on where it stands in identifying incentives for U.S. exporters to participate in Customs-Trade Partnership Against Terrorism (C-TPAT)/Authorized Economic Operator (AEO) programs and a review of the subcommittee's scope and goals for the 13th Term COAC.

Dated: November 9, 2012.

MARIA LUISA O'CONNELL,
Senior Advisor for Trade,
Office of Trade Relations.

[Published in the Federal Register, November 16, 2012 (77 FR 68802)]

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 that, pursuant to 19 CFR 151.13, SGS North America, Inc., 4701 East Napoleon (Hwy 90), Sulphur, LA 70663, has been approved to gauge petroleum, petroleum products, organic chemicals and vegetable oils for customs purposes, in accordance with the provisions of 19 CFR 151.13. 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, inquires 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 Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. *http://www.cbp.gov/linkhandler/cgov/trade/basic_trade/labs_scientific_svcs/commercial_gaugers/gaulist.ctt/gaulist.pdf*

DATES: The approval of SGS North America, Inc., as commercial gauger became effective on May 22, 2012. The next triennial inspection date will be scheduled for May 2015.

FOR FURTHER INFORMATION CONTACT: Stephen Cassata, Laboratories and Scientific Services, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, 202-344-1060.

Dated: November 14, 2012.

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

AGENCY INFORMATION COLLECTION ACTIVITIES: **Holders or Containers Which Enter the United States Duty Free**

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day Notice and request for comments; Extension of an existing collection of information.

SUMMARY: As part of its continuing effort to reduce paperwork and respondent burden, CBP invites the general public and other Federal agencies to comment on an information collection requirement concerning the Holders or Containers which Enter the United States Duty Free. This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104–13).

DATES: Written comments should be received on or before January 22, 2013, to be assured of consideration.

ADDRESSES: Direct all written comments to U.S. Customs and Border Protection, Attn: Tracey Denning, Regulations and Rulings, Office of International Trade, 799 9th Street NW., 5th 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, 799 9th Street NW., 5th 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 Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

Title: Holders or Containers which Enter the United States Duty Free.

OMB Number: 1651-0035.

Form Number: None.

Abstract: All articles that are brought into the United States are subject to duty unless they are specifically exempt under the Harmonized Tariff Schedules of the United States (HTSUS), codified as 19 U.S.C. 1202. Item 9801.00.10 (HTSUS) provides that articles that were manufactured in the U.S. and exported and returned without having been advanced in value or improved in condition by any process of manufacture may be brought back into the U.S. duty-free. In addition, Item 9803.00.50 (HTSUS) provides for the duty-free entry of substantial holders or containers of foreign manufacture if duty had been paid upon a previous importation pursuant to the provisions of 19 CFR 10.41b.

Although an article may be brought back into the United States without being subject to duty, a consumption entry must nevertheless be made along with the reason for the article not being subject to duty set forth on the entry. However, an importer who brings in merchandise packed in U.S. manufactured containers or holders or previously duty-paid containers or holders, and does so several times a year involving a great many containers or holders, may mark the container or holder with the HTSUS number in lieu of filing of entry papers each time. CBP believes such frequent filing of entry papers for these containers or holders would be overly burdensome to the importer or shipper.

19 CFR 10.41 provides that substantial holders or containers are to have prescribed markings in clear and conspicuous letters of such a size that they will be easily discernable. Section 10.41b of the CBP regulations eliminates the need for an importer to file entry documents by instead requiring the marking of the containers or holders to indicate under which item number of the HTSUS the containers or holders are entitled duty free entry.

In order to comply with 19 CFR 10.41b, the owner of the holder or container is required to place the markings on a metal tag or plate containing the following information: 9801.00.10, HTSUS; the name of the owner; and the serial number assigned by the owner. In the case of serially numbered holders or containers of foreign manufacture for which free clearance under the second provision of item

9803.00.50 HTSUS is claimed, the owner must place the following markings containing the following information: 9803.00.50 HTSUS; the port code numbers of the port of entry; the entry number; the last two digits of the fiscal year of entry covering the importation of the holders and containers on which duty was paid; the name of the owner; and the serial number assigned by the owner.

ACTION: 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: 20.

Estimated Number of Responses per Respondent: 18.

Estimated Number of Total Annual Responses: 360.

Estimated Total Annual Burden Hours: 90.

Dated: November 14, 2012.

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

[Published in the Federal Register, November 20, 2012 (77 FR 69650)]

AGENCY INFORMATION COLLECTION ACTIVITIES:

Application-Permit-Special License Unlading-Lading-Overtime Services

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day Notice and request for comments; Extension of an existing collection of information.

SUMMARY: As part of its continuing effort to reduce paperwork and respondent burden, CBP invites the general public and other Federal agencies to comment on an information collection requirement concerning the Application-Permit-Special License Unlading-Lading-Overtime Services (CBP Form 3171). This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13).

DATES: Written comments should be received on or before January 22, 2013, to be assured of consideration.

ADDRESSES: Direct all written comments to U.S. Customs and Border Protection, Attn: Tracey Denning, Regulations and Rulings, Office of International Trade, 799 9th Street NW., 5th 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, 799 9th Street NW., 5th 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 Office of Management and Budget (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 authorized by 19 USC 1447, 1448, 1449, 1450,

1451, 1452, 1453, 1454, 1455, and 1551. It 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://forms.cbp.gov/pdf/CBP_Form_3171.pdf.

ACTION: 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: November 15, 2012.

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

[Published in the Federal Register, November 20, 2012 (77 FR 69649)]

