

administrative jurisdiction over the land, and segregation shall not have the effect of authorizing any use of the land by the Department of the Air Force.

Dated: September 9, 1996.

J. David Brunner,
Deputy State Director for Resource Services.
[FR Doc. 96-24001 Filed 9-18-96; 8:45 am]

BILLING CODE 4310-GG-M

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-378]

Certain Asian-Style Kamaboko Fish Cakes; Notice of Issuance of Limited Exclusion Order and Cease and Desist Orders and Termination of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has issued a limited exclusion order and cease and desist orders to domestic respondents New Japan Food Corporation and Rhee Brothers, Inc. in the above-captioned investigation and terminated the investigation.

FOR FURTHER INFORMATION CONTACT: Jay H. Reiziss, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3116.

SUPPLEMENTARY INFORMATION:

Complainant Yamasa Enterprises filed a complaint with the Commission on August 15, 1995, and a supplementary complaint on September 6, 1995, alleging that certain respondents were importing, selling for importation, and selling in the United States after importation certain Asian-style kamaboko fish cakes bearing marks or logos that were infringing trademarks owned by Yamasa Enterprises. The complaint named six entities as respondents: Yamasa Kamaboko Co., Ltd. ("YKCL"), Alpha Oriental Foods, Inc. ("Alpha"), N.A. Sales, Inc., New Japan Food Corporation ("New Japan"), Rhee Brothers, Inc. ("Rhee Brothers"), and Rokko Trading Co., Inc. N.A. Sales, Inc. and Rokko Trading Co., Inc. were terminated from the investigation on the basis of a settlement agreement. Alpha was never served and is believed to be out of business.

The Commission voted to institute an investigation of Yamasa Enterprise's complaint on September 12, 1995. 60 FR 48722 (September 20, 1995). On December 6, 1995, the complaint was

amended to reflect the issuance to complainant by the U.S. Patent and Trademark Office on September 12, 1995, of a registered trademark for the word "Yamasa."

On May 21, 1996, the ALJ issued Order No. 15 comprising, inter alia, two initial determinations (IDs) in which he granted (1) complainant's motion for summary determination that its investments in the United States satisfy the domestic industry requirement of section 337, and (2) complainant's motion for summary determination on all issues (including domestic industry) necessary to establish a violation of section 337. Order No. 15 also granted complainant's motion that respondents Rhee Brothers and New Japan be found in default, and granted in part complainant's motion for evidentiary sanctions against respondent YKCL for its failure to provide discovery.

On June 21, 1996, the Commission determined not to review the IDs, thereby finding a violation of section 337, and issued a notice seeking submissions from the parties on the issues of remedy, the public interest, and bonding. Complainants and the IA filed briefs on the issues of remedy, the public interest, and bonding. None of the respondents filed any written submissions on these issues. No reply briefs were filed.

Having reviewed the record in this investigation, including the written submissions of the parties, the Commission made its determinations on the issues of remedy, the public interest, and bonding. The Commission determined that a limited exclusion order prohibiting the unlicensed importation for consumption of infringing Asian-style Kamaboko fish cakes produced and/or imported by YKCL is an appropriate remedy. In addition, the Commission issued cease and desist orders to domestic respondents New Japan and Rhee Brothers requiring them to cease and desist from the following activities in the United States: importing, selling, marketing, advertising, distributing, soliciting agents or distributors for, offering for sale, or otherwise transferring (except for exportation) in the United States infringing imported Asian-style kamaboko fish cakes.

The Commission also determined that the public interest factors enumerated in 19 U.S.C. §§ 1337 (d) and (f) do not preclude the issuance of the limited exclusion order and the cease and desist orders, and that the bond during the Presidential review period shall be in the amount of one hundred (100) percent of the entered value of the imported fish cakes.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and section 210.50 of the Commission's Rules of Practice and Procedure (19 CFR 210.50).

Copies of the Commission's remedial orders, the Commission opinion in support thereof, and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

Issued: September 13, 1996.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 96-24032 Filed 9-18-96; 8:45 am]

BILLING CODE 7020-02-P

[Investigation No. 731-TA-746 (Final)]

Beryllium Metal and High-Beryllium Alloys From Kazakhstan

AGENCY: United States International Trade Commission.

ACTION: Scheduling of the final phase of an antidumping investigation.

SUMMARY: The Commission hereby gives notice of the scheduling of the final phase of antidumping investigation No. 731-TA-746 (Final) under section 735(b) of the Tariff Act of 1930 (19 U.S.C. 1673d(b)) (the Act) to determine whether an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of less-than-fair-value imports from Kazakhstan of beryllium metal and high-beryllium alloys.¹

¹ The imported products covered by this investigation consist of beryllium metal and high-beryllium alloys with a beryllium content equal to or greater than 30 percent by weight, whether in ingot, billet, powder, block, lump, chunk, blank, or other semifinished form. These are intermediate or semifinished products that require further machining, casting and/or fabricating into sheet, extrusions, forgings or other shapes in order to meet the specifications of the end user. Beryllium metal and alloys in which beryllium predominates by weight are provided for in subheadings 8112.11.30 and 8112.11.60 of the Harmonized Tariff Schedule of the United States (HTS). Other alloys containing beryllium are provided for elsewhere in the HTS—

Continued

For further information concerning the conduct of this phase of the investigation, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207), as amended by 61 FR 37818, July 22, 1996. **EFFECTIVE DATE:** August 26, 1996.

FOR FURTHER INFORMATION CONTACT: Bonnie Noreen (202-205-3167), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server (<http://www.usitc.gov> or <ftp://ftp.usitc.gov>).

SUPPLEMENTARY INFORMATION:

Background.—The final phase of this investigation is being scheduled as a result of an affirmative preliminary determination by the Department of Commerce that imports of beryllium metal and high-beryllium alloys from Kazakhstan are being, or are likely to be, sold in the United States at less than fair value within the meaning of section 733 of the Act (19 U.S.C. 1673b). The investigation was requested in a petition filed on March 14, 1996, by Brush Wellman Inc., Cleveland, OH.

Participation in the investigations and public service list.—Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the final phase of this investigation as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission's rules, no later than 21 days prior to the hearing date specified in this notice. A party that filed a notice of appearance during the preliminary phase of the investigation need not file an additional notice of appearance during this final phase. The Secretary will maintain a public service list containing the names and addresses of all persons, or their

representatives, who are parties to the investigation.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.—Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in the final phase of this investigation available to authorized applicants under the APO issued in the investigation, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the investigations. A party granted access to BPI in the preliminary phase of the investigation need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Staff report.—The prehearing staff report in the final phase of this investigation will be placed in the nonpublic record on January 6, 1997, and a public version will be issued thereafter, pursuant to section 207.22 of the Commission's rules.

Hearing.—The Commission will hold a hearing in connection with the final phase of this investigation beginning at 9:30 a.m. on January 22, 1997, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before January 13, 1997. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on January 16, 1997, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 days prior to the date of the hearing.

Written submissions.—Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.23 of the Commission's rules; the deadline for filing is January 14, 1997. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing

briefs, which must conform with the provisions of section 207.25 of the Commission's rules. The deadline for filing posthearing briefs is January 28, 1997; witness testimony must be filed no later than three days before the hearing. In addition, any person who has not entered an appearance as a party to the investigation may submit a written statement of information pertinent to the subject of the investigations on or before January 28, 1997. On February 7, 1997, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before February 11, 1997, but such final comments must not contain new factual information and must otherwise comply with section 207.30 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: This investigation is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

Issued: September 13, 1996.

By order of the Commission.

Donna R. Koehnke,
Secretary.

[FR Doc. 96-24022 Filed 9-18-96; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Notice of Lodging of Two Consent Decrees Pursuant to the Comprehensive Environmental Response Compensation and Liability Act of 1980 as Amended

In accordance with Department of Justice policy, 28 CFR 50.7, notice is hereby given that two proposed partial consent decrees in *United States v. International Paper Company, et al.*, Civil No. 94-4681 (BDP), were lodged on August 18, 1996 with the United States District Court for the Southern District of New York. The decrees

e.g., aluminum-beryllium alloys are provided for in HTS subheading 7601.20.90. In its notice, Commerce stated "[a]lthough the HTS subheading is provided for convenience and customs purposes, our written description of the scope of this investigation is dispositive."