

Intended Use: See notice at 63 FR 58368, October 30, 1998. *Order Date:* August 13, 1998.

Docket Number: 98-055. *Applicant:* Mount Sinai School of Medicine, New York, NY 10029. *Instrument:* Electron Microscope and Accessories, Model H-7500. *Manufacturer:* Hitachi Scientific Instruments, Japan. *Intended Use:* See notice at 63 FR 63292, November 12, 1998. *Order Date:* June 30, 1998.

Comments: None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as these instruments are intended to be used, was being manufactured in the United States at the time the instruments were ordered. *Reasons:* Each foreign instrument is a conventional transmission electron microscope (CTEM) and is intended for research or scientific educational uses requiring a CTEM. We know of no CTEM, or any other instrument suited to these purposes, which was being manufactured in the United States either at the time of order of each instrument or at the time of receipt of application by the U.S. Customs Service.

Frank W. Creel,

Director, Statutory Import Programs Staff.
[FR Doc. 99-1774 Filed 1-25-99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

University of Minnesota, et al.; Notice of Consolidated Decision on Applications for Duty-Free Entry of Scientific Instruments

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

Comments: None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instruments described below, for such purposes as each is intended to be used, is being manufactured in the United States.

Docket Number: 98-046. *Applicant:* University of Minnesota, Minneapolis, MN 55455. *Instrument:* (2) Bioelectric Impedance Tomographs, Models APT/EIT and Mk3a EIT/APT. *Manufacturer:* University of Sheffield, United

Kingdom. *Intended Use:* See notice at 63 FR 50556, September 22, 1998. *Reasons:* The foreign instrument provides real time dynamic imaging of cardiac blood volume changes and characterization of tissues such as the lung using 16-channel recording for bioelectric impedance tomography. *Advice received from:* National Institutes of Health, December 10, 1998.

Docket Number: 98-049. *Applicant:* North Carolina State University, Raleigh, NC 27695-7212. *Instrument:* Oxylite Oxygen Monitor, Model 2000. *Manufacturer:* Oxford Optonix Ltd., United Kingdom. *Intended Use:* See notice at 63 FR 58368, October 30, 1998. *Reasons:* The foreign instrument provides an optical technique that incorporates a non-metallic fiber optic probe that may remain in-situ during magnetic resonance imaging. *Advice received from:* National Institutes of Health, December 10, 1998.

Docket Number: 98-056. *Applicant:* University of Wisconsin-Madison, Madison, WI 53706. *Instrument:* Piezo Manipulator, Model PPM-150FU. *Manufacturer:* Prime Tech Ltd., Japan. *Intended Use:* See notice at 63 FR 63292, November 12, 1998. *Reasons:* The foreign instrument provides a rapid and controllable deformation piezo electric element to drill carefully through the zona pellucida and enter a cell with minimal damage or deformation during transgenic cloning procedures. *Advice received from:* National Institutes of Health, December 11, 1998.

The National Institutes of Health advises in its memoranda that (1) the capabilities of each of the foreign instruments described above are pertinent to each applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value for the intended use of each instrument.

We know of no other instrument or apparatus being manufactured in the United States which is of equivalent scientific value to any of the foreign instruments.

Frank W. Creel,

Director, Statutory Import Programs Staff.
[FR Doc. 99-1775 Filed 1-25-99; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

University of Hawaii, et al.; Notice of Consolidated Decision on Applications for Duty-Free Entry of Scientific Instruments

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

Comments: None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instruments described below, for such purposes as each is intended to be used, is being manufactured in the United States.

Docket Number: 98-058. *Applicant:* University of Hawaii, Honolulu, HI 96822. *Instrument:* Directional Wave Buoy. *Manufacturer:* Datawell bv, The Netherlands. *Intended Use:* See notice at 63 FR 65174, November 25, 1998. *Reasons:* The foreign instrument provides (1) capability for long-term deployment over deep water in the open ocean for measuring directional waves, (2) real time data access through telemetry to onshore locations and (3) compatibility with similar research projects in this area. *Advice received from:* Two domestic manufacturers of similar equipment, July 2, 1998.

Docket Number: 98-060. *Applicant:* Iowa State University of Science & Technology, Ames, IA 50011-3616. *Instrument:* Variable Temperature Scanning Tunneling Microscope. *Manufacturer:* Omicron Vakuum Physik, Germany. *Intended Use:* See notice at 63 FR 69264, December 16, 1998. *Reasons:* The foreign instrument provides (1) precise control of the temperature of the sample and the STM scanner over a range of 25° K to 750° K, (2) deposition of metal within the microscope and (3) continuous imaging of the sample during deposition. *Advice received from:* A domestic manufacturer of similar equipment, August 25, 1998.

Domestic manufacturers of similar equipment advise that (1) the capabilities of each of the foreign instruments described above are pertinent to each applicant's intended purpose and (2) they know of no domestic instrument or apparatus of equivalent scientific value for the intended use of each instrument (comparable cases).

We know of no other instrument or apparatus being manufactured in the United States which is of equivalent scientific value to either of the foreign instruments.

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 99-1776 Filed 1-25-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 010899C]

Marine Mammals; Scientific Research Permit (PHF393-1480-00)

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

ACTION: Issuance of Permit.

SUMMARY: Notice is hereby given that Ms. Deborah A. Glockner-Ferrari, 39 Woodvine Court, Covington, LA 70433, has been issued a permit to take North Pacific humpback whales (*Megaptera novaeangliae*), bottlenose dolphins (*Tursiops truncatus*), Hawaiian spinner dolphins (*Stenella longirostris*), spotted dolphins (*Stenella attenuata*), false killer whales (*Pseudorca crassidens*), and pilot whales (*Globicephala macrorhynchus*) for purposes of scientific research.

ADDRESSES: The permit and related documents are available for review upon written request or by appointment in the following offices:

Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910 (301/713-2289);

Regional Administrator, Southwest Region, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213 (562/980-4001); and

Protected Species Program Manager, Pacific Islands Area Office, 2570 Dole Street, Room 106, Honolulu, HI 9682-2396 (808/973-2987).

FOR FURTHER INFORMATION CONTACT: Jeannie Drevenak, 301/713-2289.

SUPPLEMENTARY INFORMATION: On December 4, 1998, notice was published in the Federal Register (63 FR 67045) that a request for a scientific research permit to take the above-references species had been submitted by the above-named individual. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations

Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered fish and wildlife (50 CFR parts 217-227).

Issuance of this permit, as required by the ESA, was based on a finding that such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of the endangered species which is the subject of this permit, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: January 19, 1999.

Ann D. Terbush,

Chief, Permits and Documentation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 99-1767 Filed 1-25-99; 8:45 am]

BILLING CODE 3510-22-F

CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 99-1]

Cadet Manufacturing Company; Complaint

AGENCY: Consumer Product Safety Commission.

ACTION: Publication of a complaint under the Consumer Product Safety Act.

SUMMARY: Under provisions of its Rules of Practice for Adjudicative Proceeding (16 CFR Part 1025), the Consumer Product Safety Commission must publish in the **Federal Register** Complaints which it issues. Published below is a Complaint in the matter of Cadet Manufacturing Company. **SUPPLEMENTARY INFORMATION:** The text of the Complaint appears below.

Dated: January 21, 1999.

Sadye E. Dunn,

Secretary.

In the Matter of Cadet Manufacturing Company, 2500 W. Fourth Plain Boulevard, Vancouver, Washington 98660, a Domestic Corporation.

COMPLAINT

Nature of Proceedings

1. This is an administrative enforcement proceeding pursuant to section 15 of the Consumer Product Safety Act ("CPSA"), as amended, 15 U.S.C. 2064, for public notification and remedial action to protect the public from substantial risks of injury presented by certain electric in-wall heaters manufactured by Cadet

Manufacturing Company of Vancouver, Washington. This proceeding is governed by the Rules of Practice for Adjudicative Proceedings before the Consumer Product Safety Commission, 16 CFR Part 1025.

Jurisdiction

2. This proceeding is instituted pursuant to the authority contained in sections 15(c), (d), and (f) of the CPSA, 15 U.S.C. 2064(c), (d), and (f).

Parties

3. Complaint Counsel is the staff of the Legal Division, Office of Compliance, Consumer Product Safety Commission, an independent federal regulatory commission established pursuant to section 4 of the CPSA, 15 U.S.C. 2053.

4. Respondent Cadet Manufacturing Company ("Cadet") is a domestic corporation last organized and existing under the laws of the State of Washington, since 1993, with its principal place of business located at 2500 W. Fourth Plain Boulevard, Vancouver, Washington 98660.

5. Cadet manufactures electric heaters for use in or around a permanent or temporary household or residence; and is, therefore, a "manufacturer" of "consumer product[s]," as those terms are defined in sections 3(a) (1) and (4) of the CPSA, 15 U.S.C. 2052(a) (1) and (4).

Consumer Products

6. Since 1978, Cadet has manufactured and distributed in commerce electric in-wall heaters for use in homes and residences under the brand names "Cadet" and "Encore," all models and variants within each model of the series FW (models FW-051, FW-101, FW-122, FW-202, FW-202, and FW-751), manufactured between 1978 and 1989; series FX (Models FX-051, FX-052, FX-071, FX-072, FX-101, FX-102, FX-151, FX-122, FX-152, FX-202, and FX-242), manufactured between 1984 and 1995; series LX (models LX-242, LX-242, LX-302, LX-302, LX-402, LX-402, and LX-482), manufactured between 1984 and 1995; series TK (models TK-051, TK-071, TK-072, TK-101, TK-102, TK-151, and TK-152), manufactured between 1986 and 1998; series ZA (models ZA-051, ZA-052, ZA-071, ZA-072, ZA-101, ZA-102, ZA-122, ZA-151, ZA-152, ZA-202, ZA-242, manufactured between 1984 and 1995); first generation series Z (models Z-072, Z-101, Z-102, Z-152, Z-202, and Z-208), manufactured between 1993 and 1997; and/or all series and models of the same or functionally identical heaters