

Description of respondents: Individuals, Federal, State, and local government agencies, non-profit institutions, and businesses and other for-profits.

Estimated completion time: 1 hour for the survey of State biological data and information bases; .5 hour for the survey of taxonomic expertise; 1 hour for the survey of systematics collections.

Annual responses: 500 for the survey of State biological data and information bases; 500 for the survey of taxonomic expertise; 500 for the survey of systematics collections.

Annual burden hours: 500 for the survey of State biological data and information bases; 250 for the survey of taxonomic expertise; 500 for the survey of systematics collections.

Bureau clearance officer: Don W. Minnich, (202) 482-4838.

Dated: May 25, 1995.

Doyle G. Frederick,
Assistant Director.

[FR Doc. 95-13847 Filed 6-6-95; 8:45 am]

BILLING CODE 4310-DP-M

INTERNATIONAL TRADE COMMISSION

[Investigation 332-363]

Chemicals and Chemical Products: Probable Effect of Certain Modifications to North American Free Trade Agreement Rules of Origin Pertaining to Such Products

AGENCY: International Trade Commission.

ACTION: Institution of investigation and scheduling of public hearing.

EFFECTIVE DATE: May 31, 1995.

SUMMARY: Following receipt on May 5, 1995, of a request from the United States Trade Representative (USTR), the Commission instituted investigation No. 332-363, Chemicals and Chemical Products: Probable Effect of Certain Modifications to North American Free Trade Agreement Rules of Origin Pertaining to Such Products, under section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(g)).

FOR FURTHER INFORMATION CONTACT: Information on industry sectors may be obtained from Edmund Cappuccilli, Office of Industries (202-205-3368) or Elizabeth Nesbitt, Office of Industries (202-205-3355); and on legal aspects, from William Gearhart, Office of the General Counsel (202-205-3091). The media should contact Margaret O'Laughlin, Office of Public Affairs (202-205-1819). Hearing impaired

individuals are advised that information on this matter can be obtained by contacting the TDD terminal on (202-205-1810).

BACKGROUND: Chapter 4 and Annex 401 of the North American Free Trade Agreement (NAFTA), which entered into force on January 1, 1994, contain the rules of origin for application of the tariff provisions of the Agreement to trade in goods.

Section 202(q) of the North American Free Trade Agreement Implementation Act authorizes the President, subject to the consultation and layover requirements of section 103 of the Act, to proclaim such modifications to the rules as may from time to time be agreed to by the NAFTA countries. One of the requirements set out in section 103 is that the President obtain advice, regarding any proposed modification in the Rules contained in Annex 401, from the United States International Trade Commission.

In its report the Commission will, as requested by the USTR in his letter of May 5, 1995, seek to provide advice on the probable effect of the proposed revised rules of origin attached to the letter. As requested, the Commission will seek to provide such advice by September 5, 1995. Copies of the proposed revised rules, which cover the goods described in Chapters 28 through 38 of the Harmonized Tariff Schedule of the United States, will be available from the Office of the Secretary at the Commission or from the Commission's Internet web server (<http://www.usitc.gov>).

PUBLIC HEARING: A public hearing in connection with the investigation will be held at the U.S. International Trade Commission Building, 500 E Street SW, Washington, DC, beginning at 9:30 a.m. on July 11, 1995. All persons shall have the right to appear, by counsel or in person, to present information and to be heard. Requests to appear at the public hearing should be filed with the Secretary, United States International Trade Commission, 500 E Street SW, Washington, DC, 20436, no later than 5:15 p.m. on June 28, 1995. Any prehearing briefs (original and 14 copies) should be filed not later than 5:15 p.m., June 28, 1995; the deadline for filing post-hearing briefs or statements is 5:15 p.m., July 18, 1995. In the event that, as of the close of business on June 28, 1995, no witnesses are scheduled to appear at the hearing, the hearing will be cancelled. Any person interested in attending the hearing as an observer or non-participant may call the Secretary to the Commission (202-205-

2000) after June 28, 1995, to determine whether the hearing will be held.

WRITTEN SUBMISSIONS: In lieu of or in addition to participating in the hearing, interested parties are invited to submit written statements concerning the matters to be addressed by the Commission in its report on this investigation. Commercial or financial information that a submitter desires the Commission to treat as confidential must be submitted on separate sheets of paper, each clearly marked "Confidential Business Information" at the top. All submissions requesting confidential treatment must conform with the requirements of section § 201.6 of the Commission's *Rules of Practice and Procedure* (19 C.F.R. 201.6). All written submissions, except for confidential business information, will be made available in the Office of the Secretary of the Commission for inspection by interested parties. To be assured of consideration by the Commission, written statements relating to the Commission's report should be submitted to the Commission at the earliest practical date and should be received no later than the close of business on July 18, 1995. All submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW, Washington, DC 20436. 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.

Issued: May 31, 1995.

By order of the Commission.

Donna R. Koehnke,
Secretary.

[FR Doc. 95-13903 Filed 6-6-95; 8:45 am]

BILLING CODE 7020-02-P

[Investigation No. 337-TA-349]

Certain Diltiazem Hydrochloride and Diltiazem Preparations; Notice of Commission Decisions Affirming in Part, Taking No Position in Part, and Vacating in Part an Initial Determination; Granting of a Joint Motion To Terminate Certain Respondents on the Basis of a Settlement Agreement; Denial of a Motion To Intervene

AGENCY: International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to affirm the claim interpretation and infringement findings and to take no

position on the issues of validity and unenforceability in the initial determination (ID) issued by the presiding administrative law judge (ALJ) on February 1, 1995, in the above-captioned investigation in accordance with *Beloit Corporation v. Valmet Oy, TVW Paper Machines, Inc. and the United States International Trade Commission*, 742 F.2d 1421 (Fed. Cir. 1984). The Commission has also vacated as moot ALJ Order No. 52. Finally, the Commission has determined to grant a joint motion to terminate certain respondents on the basis of a settlement agreement, and to deny a motion to intervene in the investigation.

FOR FURTHER INFORMATION CONTACT: Cynthia P. Johnson, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202-205-3098.

SUPPLEMENTARY INFORMATION: On February 1, 1993, Tanabe Seiyaku Co., Ltd. (Tanabe) and Marion Merrell Dow, Inc. (MMD) (collectively "complainants") filed a complaint under section 337 alleging unfair acts in the importation and sale of diltiazem hydrochloride and diltiazem preparations ("diltiazem") by nine proposed respondents: (1) Abic Ltd. of Netanya, Israel ("Abic"); (2) Gyma Laboratories of America, Inc. of Garden City, New York ("Gyma"); (3) Profarmaco Nobel SRL of Milan, Italy; (4) Mylan Pharmaceuticals, Inc. of Morgantown, West Virginia; (5) Mylan Laboratories, Inc. of Pittsburgh, Pennsylvania (collectively referred to as the "Profarmaco respondents"); (6) Orion Corporation Fermion of Espoo, Finland; (7) Interchem Corporation of Paramus, New Jersey; (8) Copley Pharmaceuticals, Inc. of Canton, Massachusetts; and (9) Rhone-Poulenc Rorer, Inc. of Collegeville, Pennsylvania (collectively referred to as the "Fermion respondents"). Complainants alleged infringement of claim 1 of U.S. Letters Patent 4,438,035 ("the '035 patent"). On March 25, 1993, the Commission voted to institute an investigation of the complaint of Tanabe and MMD. 58 FR 16846 (March 31, 1993).

On May 6, 1993, complainants moved to amend the complaint and notice of investigation to add Plantex U.S.A., Inc. as a respondent. On May 20, 1993, the ALJ issued an ID amending the complaint and notice of investigation to add Plantex as a respondent. Plantex participated in the investigation with respondent Abic, Inc.

On February 1, 1995, the presiding ALJ issued his final ID finding that there was no violation of section 337. He found that claim 1 of the '035 patent

was not infringed by any of respondents' processes, that claim 1 was invalid as obvious under 35 U.S.C. 103, and that the '035 patent was unenforceable because of complainants' inequitable conduct during reexamination proceedings before the U.S. Patent and Trademark Office. In a separate order (Order No. 52), issued on the same date, the ALJ granted respondents' motion for evidentiary sanctions against complainants.

On March 30, 1995, the Commission determined to review the following issues in the ID: (1) Claim interpretation; (2) whether claim 1 of the '035 patent is infringed by respondents' processes; (3) whether claim 1 of the '035 patent is invalid as obvious under 35 U.S.C. 103; (4) whether the '035 patent is unenforceable; and (5) Order No. 52. Order No. 52 was considered to be part of the ID. The Commission posed several specific questions for the parties. The Commission also requested information on the status of the Abic respondents.

On April 13, 1995, complainants and Abic Ltd. and Plantex U.S.A. ("the Abic respondents") filed a joint motion to terminate the investigation as to the Abic respondents on the basis of a settlement agreement. Additionally, on April 13, 1995, Mr. James Gambrell filed a motion to intervene in the investigation.

This action is taken under the authority of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) and Commission interim rule 210.56 (19 CFR 210.56).

Copies of the Commission's Order, the Commission Opinion in support thereof, the nonconfidential version of the ID, 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: June 1, 1995.

By order of the Commission.

Donna R. Koehnke,
Secretary.

[FR Doc. 95-13902 Filed 6-6-95; 8:45 am]

BILLING CODE 7020-02-P

INTERSTATE COMMERCE COMMISSION

[No. 41573¹]

Anacomp, Inc.; Crest Manufacturing Incorporated; Godfrey Marine; Harrison International Incorporated; Health and Personal Care Distribution Conference, Inc.; National Small Shipments Traffic Conference, Inc.; and Truckpro Parts & Service, Inc.—Petition for Declaratory Order—Certain Rates and Practices of Churchill Truck Lines, Inc. (Trans-Allied Audit Company, Inc.)

AGENCY: Interstate Commerce Commission.

ACTION: Institution of declaratory order proceeding.

SUMMARY: The Commission is instituting a proceeding under 49 U.S.C. 10321 and 5 U.S.C. 554(e) to determine whether the collection of undercharges by or on behalf of Churchill Truck Lines, Inc. (Churchill) or Trans-Allied Audit Company, Inc. (Trans-Allied), based on recharacterization of the service provided by Churchill as regular route instead of irregular route, constitutes an unreasonable practice under 49 U.S.C. 10701(a).

DATES: Comments by or on behalf of Churchill or Trans-Allied and any person desiring to submit comments in support of their position are due June 27, 1995. Petitioners' replies and any comments from all other interested persons are due July 7, 1995.

ADDRESSES: The original and 10 copies of comments and replies, which should refer to No. 41573, must be sent to: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue, N.W., Washington, DC 20423. One copy of comments by or on behalf of Churchill or Trans-Allied must be served simultaneously on petitioners' representatives: Richard H. Streeter, 1401 Eye Street, N.W., Suite 500, Washington, DC 20005; and Daniel J. Sweeney, 1750 Pennsylvania Ave., NW., Washington, DC 20006.

¹ This notice embraces docket Nos. 41561, 41567, 41574, and 41575, which involve separately filed petitions seeking declaratory relief from undercharges sought by Churchill Truck Lines, Inc., so that the parties in those proceedings may be served with a copy of this notice. Those proceedings are not consolidated with this one, but parties to those proceedings may request that their proceedings be held in abeyance pending resolution of this proceeding. In No. 41561, a procedural schedule was established by decision served April 18, 1995; in No. 41567, a procedural schedule was established by decision served April 28, 1995; and in Nos. 41574 and 41575, procedural schedules will be established unless the parties request otherwise.