

rule that amended 7 CFR 301 and that was published at 60 FR 39835-39837 on August 4, 1995.

Authority: 7 U.S.C. 150bb, 150dd, 150ee, 150ff, 161, 162, and 164-167; 7 CFR 2.17, 2.51, and 371.2(c).

Done in Washington, DC, this 23rd day of October 1995.

Terry L. Medley,

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 95-26728 Filed 10-26-95; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Customs Service

#### 19 CFR Part 4

[T.D. 95-88]

#### Addition of Belize to the List of Nations Entitled to Special Tonnage Tax Exemption

**AGENCY:** U.S. Customs Service, Department of the Treasury.

**ACTION:** Final rule.

**SUMMARY:** Pursuant to information provided by the Department of State, the United States Customs Service has found that no discriminating duties of tonnage or imposts are imposed or levied in the ports of Belize upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in the same from the United States or from any foreign country. Accordingly, vessels of Belize are exempt from special tonnage taxes and light money in ports of the United States. This document amends the Customs Regulations by adding Belize to the list of nations whose vessels are exempt from payment of any higher tonnage duties than are applicable to vessels of the United States and from the payment of light money.

**EFFECTIVE DATE:** The exemption from special tonnage taxes and light money for vessels registered in Belize became effective on March 7, 1995. This amendment is effective October 27, 1995.

**FOR FURTHER INFORMATION CONTACT:** Barbara E. Whiting, Entry and Carrier Rulings Branch, (202) 482-7040.

#### SUPPLEMENTARY INFORMATION:

##### Background

Generally, the United States imposes regular and special tonnage taxes, and a duty of a specified amount per ton called "light money" on all foreign vessels which enter United States ports

(46 U.S.C. App. 121, 128). However, vessels of a foreign nation may be exempted from the payment of special tonnage taxes and light money upon presentation of satisfactory proof that no discriminatory duties of tonnage or impost are imposed by that foreign nation on U. S. vessels or their cargoes (46 U.S.C. App. 141).

Section 4.22, Customs Regulations (19 CFR 4.22), lists those nations whose vessels have been found to be exempt from the payment of any higher tonnage duties than are applicable to vessels of the United States and from the payment of light money. The authority to amend this section of the Customs Regulations has been delegated to the Chief, Regulations Branch.

##### Finding

On the basis of information received from the Department of State regarding the absence of discriminating duties of tonnage or impost imposed on U.S. vessels in the ports of Belize, the Customs Service has determined that vessels of Belize are exempt from the payment of the special tonnage tax and light money, effective March 7, 1995. The Customs Regulations are amended accordingly.

Inapplicability of Public Notice and Delayed Effective Date Requirements, the Regulatory Flexibility Act and Executive Order 12866

Because this amendment merely implements a statutory requirement and confers a benefit upon the public, pursuant to 5 U.S.C. 553(b)(B), notice and public procedure are unnecessary; further, for the same reasons, good cause exists for dispensing with a delayed effective date under 5 U.S.C. 553(d)(1) and (3). Since this document is not subject to the notice and public procedure requirements of 5 U.S.C. 553, it is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This amendment does not meet the criteria for a "significant regulatory action" as specified in Executive Order 12866.

##### Drafting Information

The principal author of this document was Janet L. Johnson, Regulations Branch, U. S. Customs Service. However, personnel from other offices participated in its development.

##### List of Subjects in 19 CFR Part 4

Cargo vessels, Customs duties and inspection, Maritime carriers, Vessels.

##### Amendment to the Regulations

Part 4, Customs Regulations (19 CFR part 4), is amended as set forth below.

## PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

1. The general authority for Part 4 and relevant specific authority continue to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1431, 1433, 1434, 1624; 46 U.S.C. App. 3, 91.

\* \* \* \* \*

Section 4.22 also issued under 46 U.S.C. App. 121, 128, 141;

\* \* \* \* \*

#### § 4.22 [Amended]

2. Section 4.22 is amended by adding "Belize" in appropriate alphabetical order.

Dated: October 23, 1995.

Harold M. Singer,

*Chief, Regulations Branch.*

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## 19 CFR Part 12

[T.D. 95-87]

RIN 1515-AB44

### Enforcement of ITC Exclusion Orders

**AGENCY:** Customs Service, Department of the Treasury.

**ACTION:** Final rule.

**SUMMARY:** This document amends the Customs Regulations regarding unfair competition to reflect Customs authority to enforce seizure and forfeiture orders issued by the United States International Trade Commission (ITC). These orders would be issued for articles which had previously been denied entry pursuant to an ITC exclusion order. Such seizure and forfeiture orders may be issued only when the owner, importer or consignee of such articles has previously attempted to import articles subject to an exclusion order into the U.S.; the articles have previously been denied entry; and the owner, importer or consignee has been notified in writing of the previous denial of entry. The amendment sets forth the procedures Customs will follow when seizures are made for violations of the ITC exclusion orders. It also describes the appeal rights and procedures available to parties who have an interest in the seized property.

**EFFECTIVE DATE:** November 27, 1995.

**FOR FURTHER INFORMATION CONTACT:** Vicki Allums, Intellectual Property Rights Branch, U.S. Customs Service, (202) 482-6960.