

**Scope of Policy**

This draft policy applies to all pertinent organizational elements of the Services and includes all efforts funded, authorized, or carried out by the Services relative to recreational fisheries and implementation of the ESA.

**Public Comments Solicited**

The Services intend that any final policy be accurate and effective and take advantage of information and recommendations from all interested parties. Therefore, the Services solicit comments and suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party. The final decision on this policy will take into consideration any comments and any additional information received by the Services, and may lead to a policy that differs from this draft. The Services' decision will be published for public information.

**Author/Editor**

The editors of this draft policy are David Harrelson of the Fish and Wildlife Service's Division of Endangered Species, Mail Stop 452 ARLSQ, 1849 C Street, NW, Washington, DC 20240 (703/358-2171), Bob Batky of the Fish and Wildlife Service's Division of Fish Hatcheries, Mail Stop 832 ARLSQ, 1849 C Street, NW, Washington, DC 20240 (703/358-1715), and Marta Nammack of the National Marine Fisheries Service's Endangered Species Division, 1315 East-West Highway, Silver Spring, Maryland 20910 (301/713-1401).

**Authorities**

Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1544), Fish and Wildlife Act of 1956 (16 U.S.C. 742a-742j), Fish and Wildlife Coordination Act (16 U.S.C. 661-667e), Federal Water Project Recreation Act (16 U.S.C. 460 (L)(12)-460(L)(21)), Federal Aid in Sport Fish Restoration Act (16 U.S.C. 777-777k), Anadromous Fish Conservation Act (16 U.S.C. 757a-757g), Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801-1862), National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347).

Dated: December 1, 1995.

Mollie H. Beattie,  
*Director, U.S. Fish and Wildlife Service,  
Department of the Interior.*

Dated: December 4, 1995.

Rolland A. Schmittin,  
*Assistant Administrator for Fisheries,  
National Marine Fisheries Service, National  
Oceanic and Atmospheric Administration,  
Department of Commerce.*

[FR Doc. 95-30485 Filed 12-11-95; 2:13 pm]

BILLING CODE 4310-55-M

**Notice of Receipt of Applications for Permit**

The following applicants have applied for a permit to conduct certain activities with endangered species. This notice is provided pursuant to Section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531, *et seq.*):

PRT-808054

*Applicant:* Sedgewick County Zoo, Wichita, KS.

The applicant requests a permit to import four male and one female captive-born and captive-held Puerto Rican boas (*Epicrates inornatus*), and five male captive-born and captive-held Jamaican boas (*Epicrates subflavus*) from the Granby Zoo, Canada, to enhance the propagation and survival of the species through captive breeding.

PRT-809370

*Applicant:* Wildlife Conservation Society, Bronx, NY.

The applicant has requested a permit to import blood and tissue samples, and salvaged tissue samples from available carcasses collected in the Campos de Tuyu Wildlife Preserve, Argentina, from free-living pampas deer (*Ozotoceros bezoarticus*) for the purpose of enhancement of the species through scientific research.

PRT-809275

*Applicant:* Philadelphia Zoological Garden, Philadelphia, PA.

The applicant requests a permit to import three male and three female African wild dogs (*Lycaon pictus pictus*) bred in captivity at the De Wildt Cheetah Centre, De Wildt, South Africa, for the purpose of enhancement of the survival of the species through propagation.

Written data or comments should be submitted to the Director, U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, Room 420(c), Arlington, Virginia 22203 and must be received by the Director within 30 days of the date of this publication.

Documents and other information submitted with these applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents to the following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, Room 420(c), Arlington, Virginia 22203. Phone: (703/358-2104); FAX: (703/358-2281).

Dated: December 8, 1995.

Caroline Anderson,  
*Acting Chief, Branch of Permits, Office of  
Management Authority.*

[FR Doc. 95-30399 Filed 12-12-95; 8:45 am]

BILLING CODE 4310-55-P

**INTERNATIONAL TRADE COMMISSION**

[Investigation No. 337-TA-366]

**Certain Microsphere Adhesives, Process for Making Same, and Products Containing Same, Including Self-Stick Repositionable Notes; Notice of Termination of Investigation and Issuance of Limited Exclusion Order**

**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 in the above-captioned investigation and terminated the investigation.

**FOR FURTHER INFORMATION CONTACT:** Jean Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3104.

**SUPPLEMENTARY INFORMATION:** This investigation was instituted by the Commission on June 8, 1994, based on a complaint filed by Minnesota Mining and Manufacturing Co. (3M). On March 23, 1995, the then presiding administrative law judge (ALJ) (Chief Judge Janet Saxon) issued her final ID in the investigation. The ALJ determined that a violation of section 337 of the Tariff Act of 1930, as amended, had occurred by reason of infringement of certain claims of U.S. Letters Patent 4,166,152 (the '152 patent) in the importation or sale of certain products containing microsphere adhesives by Kudos Finder Tape Industrial Ltd. and Kudos Finder Trading Co. (collectively,

Kudos). The finding of violation as to Kudos was based on adverse inferences drawn from Kudos' failure to cooperate in discovery. The ID found no violation as to respondents Taiwan Hopax Chemicals Manufacturing, Co., Ltd.; Yuen Foong Paper Co., Ltd.; Beautone Specialties Co., Ltd.; and Beautone Specialties Co. (collectively, Beautone).

On April 17, 1995, 3M, Beautone, and the Commission investigative attorney (IA) filed petitions for review of the ID. On April 27, 1995, they filed responses to each other's petitions. On May 23, 1995, the Commission determined to review the issues of (1) claim interpretation, (2) patent infringement by Beautone and Kudos, (3) patent validity under 35 U.S.C. §§ 102(f), 102(g), and 112, second paragraph, and (4) domestic industry. The Commission determined not to review the remainder of the ID. The Commission also determined to remand the ID to the ALJ for additional findings and for clarification of certain findings made in the ID concerning the issues under review.

Subsequent to remand of the ID, the investigation was reassigned to Judge Paul Luckern, who, on August 8, 1995, issued his ID on remand. 3M and Beautone filed petitions for review on August 18, 1995. 3M, Beautone, and the IA filed responses to the petitions. On September 22, 1995, the Commission determined not to review the remand ID, thereby resolving the issues of claim interpretation and validity under 35 U.S.C. § 112, and the validity of claims 1, 2, 4, and 5. The Commission determined not to review the ALJ's remand ID and requested written submissions on the issues of remedy, the public interest, and bonding. 60 *Fed. Reg.* 50215 (1995) (Sept. 28, 1995). On review the Commission determined that claims 7, 8, and 10 were not invalid under 35 U.S.C. §§ 102(f), 102(g); that Beautone did not infringe any of the '152 patent claims in issue; that Kudos infringed claims 1, 4, and 7, based on adverse inferences; and that there is a domestic industry.

Submissions on remedy, the public interest, and bonding were received from complainant 3M, respondent Beautone, and the IA. Complainant, respondents, and the IA also filed reply submissions on those issues.

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 the appropriate form of relief is a limited exclusion order prohibiting the unlicensed importation

of infringing microsphere adhesives, and products containing same, including repositionable notes and products containing repositionable notes, manufactured and/or imported by or on behalf of Kudos. The order applies to any of the affiliated companies, parents, subsidiaries, licensees, contractors, or other related business entities, or their successors or assigns of Kudos FINDER Tape Industrial Ltd. and Kudos FINDER Trading Co.

The Commission also determined that the public interest factors enumerated in 19 U.S.C. § 1337(d) do not preclude the issuance of the limited exclusion order, and that the bond during the Presidential review period shall be in the amount of 100 percent of the entered value of the articles in question.

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 210.58 of the Commission's Interim Rules of Practice and Procedure (19 C.F.R. § 210.58) (1994).

Copies of the Commission order, 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.

By order of the Commission.

Issued: December 8, 1995.

Donna R. Koehnke,

Secretary.

[FR Doc. 95-30398 Filed 12-12-95; 8:45 am]

BILLING CODE 7020-02-P

## INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 32704]

### East Cooper and Berkeley Railroad—Construction and Operation Exemption—in Berkeley County, SC

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Exemption.

**SUMMARY:** The Commission exempts from the prior approval requirements of 49 U.S.C. 10901 the construction and operation by East Cooper and Berkeley Railroad (EC&B) of a 1.7-mile rail line running northwest from the terminus of

EC&B's line (milepost 14.8) near Wando, in Berkeley County, SC.

**DATES:** This exemption is effective on December 13, 1995. Petitions to reopen must be filed by January 2, 1996.

**ADDRESSES:** Send pleadings, referring to Finance Docket No. 32704, to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue, N.W., Washington, D.C. 20423-0001; and (2) Petitioner's representative: David F. Groose, P.O. Box 279, Charleston, SC 29402-0279.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 927-5610. [TDD for the hearing impaired: (202) 927-5721.]

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC NEWS & DATA, Inc., Interstate Commerce Commission Building, 1201 Constitution Avenue, N.W., Room 2229, Washington, D.C. 20423-0001. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services at (202) 927-5721.]

Decided: December 5, 1995.

By the Commission, Chairman Morgan, Vice Chairman Owen, and Commissioner Simmons.

Vernon A. Williams,

Secretary.

[FR Doc. 95-30389 Filed 12-12-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32817]

### Pine Belt Southern Railroad Company, Inc.—Trackage Rights Exemption—The Western Railway of Alabama

The Western Railway of Alabama (WRA) has agreed to grant overhead trackage rights to Pine Belt Southern Railroad Company, Inc. (PBRR),<sup>1</sup> on WRA's line of railroad as follows: (1) that portion of WRA's Lafayette Line beginning at its point of switch at valuation Station (V.S.) 1005+80, WRA milepost XXB-107.37, and extending north 369 feet (0.07 miles) to the ownership point between WRA and PBRR opposite V.S. 1002+11.0, milepost XXB-107.29; and (2) that portion of WRA's main track beginning at the point of switch of the Lafayette Line at V.S. 1005+80, WRA milepost XXB-

<sup>1</sup> The overhead trackage rights between Opelika and Roanoke Junction, AL, will allow PBRR to route traffic between Opelika to Lafayette, AL (Lafayette Line), via a combination of lines purchased from Central of Georgia Railroad Company a wholly owned subsidiary of Norfolk Southern Railway Company, and trackage rights acquired from WRA.