

of human erythrocytes and its interaction with sugars and inhibitory molecules. *Application accepted by Commissioner of Customs*: September 18, 1996.

Frank W. Creel,  
Director, Statutory Import Programs Staff.  
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## National Institute of Standards and Technology

[Docket No. 96090249-6249-01]

RIN 0693-xx23

### National Voluntary Conformity Assessment System Evaluation (NVCASE) Program

**AGENCY:** National Institute of Standards and Technology, Commerce.

**ACTION:** Notice; request for public comment.

**SUMMARY:** This is to advise the public that the National Institute of Standards and Technology (NIST) received a letter dated July 24, 1996 from The American Society of Mechanical Engineers (ASME) requesting the development of a new program under the National Voluntary Conformity Assessment System Evaluation (NVCASE) Program to evaluate and recognize that organization as an accreditor of product certification bodies. The goal is to have pressure equipment tested and certified in the United States and have the results accepted in European Union (EU) member states on an equal basis as if performed in those countries under Council Directive 87/404/EEC with 90/488/EEC amendment.

**DATES:** Comments on this request must be received by January 2, 1997.

**ADDRESSES:** Comments should be submitted in writing to Robert L. Gladhill, NVCASE Program Manager, NIST, Bldg. 820, Room 282, Gaithersburg, MD 20899, by fax at 301-963-2871, or E-mail robert.gladhill@nist.gov.

**FOR FURTHER INFORMATION CONTACT:** Robert L. Gladhill, NVCASE Program Manager, at NIST, Bldg. 820, Room 282, Gaithersburg, MD 20899, by telephone at 301-975-4273 by fax at 301-963-2871 or by E-mail at robert.gladhill@nist.gov.

**SUPPLEMENTARY INFORMATION:** The NVCASE procedures at 15 CFR Part 286 require NIST to seek public consultation when it receives such requests. This program involves a collection of information subject to the Paperwork Reduction Act. This collection is

approved by the Office of Management and Budget under Control No. 0693-0019.

The Text of the Request follows:

July 24, 1996.

Mr. Robert L. Gladhill,  
Program Manager, NVCASE Program,  
NIST,  
Bldg. 820, Room 282,  
Gaithersburg, MD 20899.

Dear Mr. Gladhill: The American Society of Mechanical Engineers (ASME) is seeking recognition under NVCASE for our conformity assessment program for pressure equipment.

Since 1916, ASME has conducted conformity assessment programs for pressure equipment constructed in accordance with the ASME Boiler and Pressure Vessel Code. The Code provides rules for materials, design, fabrication, inspection, testing, quality control, certification, and marking of pressure equipment. Accredited manufacturers are authorized to use one or more of ASME's proprietary marks. Twenty-two marks are registered in the US and about the world.

In accordance with a 1972 Consent Decree with the United States government, ASME administers its accreditation programs uniformly about the world. There are more than 4000 accredited manufacturers in 55 countries. The ASME mark is required by law in most US States and all Canadian Provinces, and is used in 80 countries.

The following is the information you indicated was necessary for evaluation of our request:

**Foreign Requirements:** The corresponding foreign requirements are the European Union's directives for pressure equipment, specifically:

- Council Directive on the harmonization of the laws of the Member States relating to simple pressure vessels (87/404/EEC with 90/488/EEC amendment).
- Council Directive on the approximation of the laws of the Member States concerning pressure equipment (second reading and adoption scheduled for June 1996) ASME is participating in discussions regarding a mutual recognition agreement.

**Industrial Sector:** The industrial sector includes manufacturers of pressure equipment, including boilers, pressure vessels, piping, pressure relief devices, and materials. Manufacturers of machinery that incorporate these vessels are also affected.

The ASME accreditation program is utilized by the following US federal agencies:

- Department of Defense
- Department of Energy
- Department of Transportation
  - Coast Guard
  - Research and Special Programs Administration
- General Services Administration
- National Aeronautics and Space Administration
- Nuclear Regulatory Commission
- Occupational Safety and Health Administration

**Program Area:** The program includes both product and quality system certification.

**Level of Recognition:** ASME seeks recognition of its conformity assessment programs.

**Recommended Criteria, Technical Requirements:** The basic criteria for the program are the ASME Boiler and Pressure Vessel Code and ISO 9001. The corresponding European Union requirements are their Simple Pressure Vessel Directive and the Pressure Equipment Directive noted above.

**Rationale:** Currently, simple pressure vessels entering the EU must be CE marked. By mid 1997, there will be a similar requirement for pressure equipment. Authorization to affix the CE mark requires acceptance by an organization (notified body) which an EU Member State has appointed to carry out the conformity assessment activities. A notified body may subcontract certain technical aspects to a US organization, however, it may not subcontract initial assessment nor acceptance/approval.

Recognition of ASME as a competent technical body in the area of pressure equipment and conformity assessment would allow for mutual recognition agreements that would be of benefit to ASME Certificate Holders and companies that incorporate vessels into machinery. There are currently 3000 accredited companies in the US and 1100 in other countries.

Please let us know if any additional information is required at this time. We would also be willing to meet with you to discuss the process.

Sincerely,

David A. Wizda,  
Director, Conformity Assessment.

Interested parties should respond in writing to the above address. All comments submitted will become part of the public record and will be available for inspection and copying at the U.S. Department of Commerce Central Records and Inspection Facility, Room 6020, Herbert C. Hoover Building, 14th and Constitution Avenue, Washington, DC 20230.

Dated: October 10, 1996.

Samuel Kramer,  
Associate Director.  
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## National Oceanic and Atmospheric Administration

[I.D. 100896B]

### Small Takes of Marine Mammals Incidental to Specified Activities; U.S. Coast Guard

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