

K filed with the U.S. Securities and Exchange Commission from 1993 to 2002 shows that during that period the Companies purchased a reduced amount of all our fabric needs (not just worsted wool) from Burlington Industries, and imported significantly more fabric.

Fiscal year ended November 30	Percent of fabric needs	
	Purchases from Burlington Industries	Imports
2002	8	65
2001	11	55
2000	20	40
1999	25	33
1998	33	30
1997	40	22
1996	43	19
1995	46	17
1994	51	20
1993	48	25

Purchases from Burlington Industries for the period July 1, 2002 to June 30, 2003 were not significant. Whereas in prior periods the companies purchased over one million square meters from Burlington.

Today, the Companies rely on mills in more than 15 countries to supply worsted wool fabric. Therefore, we know that unless the limitations are significantly increased, we will be unable to receive adequate TRQ allocations to satisfy our needs.

Hickey-Freeman only uses fabric described in HTS heading 9902.51.12. Because of the nature of the fabric used by Hickey-Freeman, Burlington has not been a significant worsted wool fabric supplier to Hickey-Freeman for many years. This situation stands in stark contrast to that of decades ago when Burlington was such a large fabric supplier that Hickey-Freeman purchased business interruption insurance to insure against financial losses should Burlington's mills be unable to fulfill Hickey-Freeman's fabric orders. Hickey-Freeman has been a significant customer of Loro Piana USA (Warren of Stafford), but has reduced its purchases over the last few years because that mill has been unable to satisfy our fabric needs at the same level as it had previously. In 2000, Loro Piana USA (Warren of Stafford) supplied approximately 30 percent of Hickey-Freeman's total fabric purchases. Today, Hickey-Freeman relies on mills in 6 countries to supply worsted wool fabric.

In the period January 1, 2003 to June 30, 2003 compared to January 1, 2002 to June 30, 2002, our business changed significantly in that we produced significantly more garments using worsted wool fabrics finer than 18.5 microns and fewer garments using worsted wool fabric greater than 18.5 microns.

We are attaching, as part of this modification request, business confidential production and other data required under the regulations and request that it be protected from disclosure. This data is separately attached and is labeled "Business Confidential."

This letter and the attached Business Confidential data provides the basis for our requested modification.

As an officer of the company submitting this request, I have personal knowledge of the matters set forth herein, and I certify that the information is complete and accurate. I acknowledge that false representations to a federal agency may result in criminal penalties under federal law.

Homi B. Patel,

*President and Chief Executive Officer,
Hartmarx Corporation.*

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DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

[Docket No. 031003246-3246-01]

National Voluntary Conformity Assessment System Evaluation (NVCASE) Program

AGENCY: National Institute of Standards and Technology, Commerce.

ACTION: Notice.

SUMMARY: The National Institute of Standards and Technology (NIST) announces the establishment of a sub-program under the National Voluntary Conformity Assessment System Evaluation (NVCASE) program to recognize accreditors of certification bodies involved in organic production and processing. The sub-program is being established pursuant to NVCASE procedures in response to a request from the International Organic Accreditation Service. Accreditation bodies recognized by NIST may then accredit certification bodies that are involved in organic production and processing.

The action being taken under this notice addresses both general and specific NVCASE requirements relating to organic production and processing. Sub-program requirements have been developed in accordance with NVCASE procedures and with public consultation. Public input was obtained at an open meeting on May 9, 2003.

DATES: Applications will be accepted beginning December 4, 2003.

ADDRESSES: Applications for recognition may be obtained from, and returned to, NVCASE Program Manager, NIST, 100 Bureau Drive, Mailstop 2150, Gaithersburg, MD 20899-2150, (Attention: Jogindar S. Dhillon), or by fax (301) 975-5414, or e-mail at dhillon@nist.gov.

FOR FURTHER INFORMATION CONTACT: Jogindar S. Dhillon, NIST, 100 Bureau Drive, Mailstop 2150, Gaithersburg, MD

20899-2150, fax: (301) 975-5414, e-mail: dhillon@nist.gov.

SUPPLEMENTARY INFORMATION: The NVCASE sub-program to recognize accreditation bodies that accredit certification bodies for organic production and processing is being established in accordance with NVCASE program procedures, 15 CFR 286.2(b)(3)(iii). The general and specific requirements were established pursuant to NVCASE procedures as cited in 15 CFR 286.5. Public consultation on these requirements was conducted at a workshop held on May 9, 2003. This workshop was announced in the **Federal Register** Vol. 68, No. 63/ Wednesday, April 2, 2003.

NIST will apply the general requirements contained in the International Organization for Standardization/International Electrotechnical Commission (ISO/IEC) Guide 61—"General Requirements for Assessment and Accreditation of Certification/Registration Bodies" or its latest revision to all applicant accreditation bodies. These general requirements will be supplemented by specific technical requirements outlined below and contained in the NVCASE handbook, available upon request from NIST.

Under this sub-program, NIST-recognized accreditors will accredit certification bodies for conformance to:

- (i) The International Federation of Organic Agriculture Movements' (IFOAM) Accreditation Criteria and IFOAM Basic Standards for organic production and processing; and/or
- (ii) ISO/IEC Guide 65—"General Requirements for bodies operating product certification systems"—and international standards, as requested by the applicant certification bodies, in the field of organic production and processing.

NVCASE recognition of an accreditor of "Organic Production and Processing" certification bodies does not convey recognition by any other organization.

NIST will accept applications from interested accreditation bodies for recognition to accredit certification bodies involved in organic production and processing until December 4, 2003. All accreditation bodies that have submitted a complete application and required fees to NIST within 30 days after the beginning of the acceptance of applications will be included in an initial group for evaluation. Applications received subsequently will be considered on an as-received basis for evaluation after the initial group of applicants has been considered. You may request a copy of the application

from the NVCASE Program Manager at the contact information noted above. Further information for the evaluation process can be obtained from the NVCASE Program Handbook, NISTIR 6440; 2002 ED, available at <http://ts.nist.gov/nvcase>. The fees are estimated upon submission of the application on an individual basis. NIST will announce the recognition of qualified accreditation bodies on the NVCASE web site at <http://ts.nist.gov/nvcase>.

This notice contains a collection of information requirement subject to the Paperwork Reduction Act. This collection of information has been approved by the Office of Management and Budget (OMB) under the following control Number: 0693-0019. Notwithstanding any other provision of law, no person is required to respond nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number.

Dated: October 28, 2003.

Arden L. Bement, Jr.,

Director.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. 030509119-3269-03; I.D. 103003B]

Magnuson-Stevens Act Provisions; Fishing Capacity Reduction Program; Pacific Coast Groundfish Fishery; California, Washington, and Oregon Fisheries for Coastal Dungeness Crab and Pink Shrimp

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

ACTION: Notice of fishing capacity reduction payment tender.

SUMMARY: NMFS issues this notice to inform the public about tendering reduction payments under the Pacific

Coast groundfish fishing capacity reduction program. NMFS has accepted reduction bids. A successful referendum has approved the reduction loan repayment fees. NMFS is ready to tender reduction payments to accepted bidders.

ADDRESSES: Send questions about this notice to Michael L. Grable, Chief, Financial Services Division, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3282.

FOR FURTHER INFORMATION CONTACT: Michael L. Grable, (301) 713-2390.

SUPPLEMENTARY INFORMATION:

I. Background

Congress enacted the Pacific Coast groundfish fishing capacity reduction program ("program") on February 20, 2003. The program's objective is reducing the fishery's harvesting capacity. This helps financially stabilize this limited-entry fishery.

NMFS implemented the program by **Federal Register** notification. It published the initial notification on May 28, 2003 (68 FR 31653) and the final notification on July 18, 2003 (68 FR 42613). Persons wanting further program details should refer to these notifications.

This is a voluntary program. Program participants permanently relinquish their fishing permits. Their vessels can never fish again. The Program also involves the California, Washington, and Oregon fisheries for Dungeness crab and pink shrimp. Bidders who have these permits relinquish them along with their groundfish trawl permits.

The program's maximum cost is \$46 million. A 30-year loan finances \$36 million. Future fish landing fees repay the loan. Each of the seven fisheries involved pays fees at different rates. Congress appropriated the remaining \$10 million of the program's cost.

Groundfish permit holders bid for reduction payments. NMFS scores each bid amount against the bidder's past ex-vessel revenues. A reverse auction accepts bids whose amounts are the lowest percentages of revenues. This creates reduction contracts.

A referendum about the fees follows the bidding process. The reduction contracts become void unless the

majority of votes cast in the referendum approve the fees. All seven fisheries vote in the referendum. A statutory formula assigns different weights to each fishery's votes.

II. Present Status

NMFS invited program bids on July 18, 2003. The bidding period opened on August 4, 2003, and closed on August 29, 2003. One hundred eight groundfish permit owners submitted bids. These totaled \$59,786,471. NMFS accepted 92 bids. These totaled \$45,752,471. The next lowest scoring bid would have exceeded the program's maximum cost. The accepted bids involved 92 fishing vessels as well as 240 fishing permits. Ninety two of the permits were groundfish trawl permits. One hundred twenty one were crab and shrimp permits. The remaining 27 were other Federal permits.

NMFS mailed ballots to referendum voters on September 30, 2003. The voting period opened on October 15, 2003. It closed on October 29, 2003. NMFS received 1,105 timely votes. After weighting, 85.85 percent of the votes approved the fees. The referendum was successful. The reduction contracts are in full force and effect.

III. Purpose

NMFS publishes this notification to inform the public before tendering reduction payments to the 92 accepted bidders. On December 4, 2003, accepted bidders must permanently stop all further fishing with the reduction vessels and permits. NMFS will revoke the relinquished Federal permits. NMFS will advise California, Oregon, and Washington about the relinquished state permits. NMFS will notify the National Vessel Documentation Center to revoke the reduction vessels' fisheries endorsement. NMFS will also notify the U.S. Maritime Administration to restrict these vessels' transfer to foreign ownership or registry.

This notification begins the 30-day period and puts the public (including vessel or permit creditors) on notice. See the adjacent table for accepted bidders, vessels, and permits.

IV. Accepted Bidders, Vessels, and Permits

Accepted bidder	Vessel		Permit	
	Name	Official No.	Fishery	Number
AMBITION, INC	EUROCLYDON	913987	ENDORSEMENT WITH TRAWL GEAR in NWR.	GF0636
AMBITION, INC	EUROCLYDON	913987	SHRIMP in CA	41581
AMBITION, INC	EUROCLYDON	913987	SHRIMP in OR	90107
AMBITION, INC	EUROCLYDON	913987	SHRIMP in WA	57343