SUMMARY: This action withdraws the FAA’s interpretation of the special rule for model aircraft. That interpretation no longer is valid or necessary because Congress repealed the special rule for model aircraft.

DATES: The interpretation published on June 25, 2014 (79 FR 36172) is withdrawn as of April 11, 2019.

FOR FURTHER INFORMATION CONTACT: Jonathan W. Cross, Regulations Division, Office of the Chief Counsel, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone 202–267–7173; email: jonathan.cross@faa.gov.

SUPPLEMENTARY INFORMATION: Section 336 of the FAA Modernization and Reform Act of 2012 (FMRA) established the special rule for model aircraft (Pub. L. 112–95, Feb. 14, 2012). On June 25, 2014, the FAA published an interpretation of that special rule with a request for comments (79 FR 36172). The interpretation clarified, among other things, that: (1) Model aircraft must satisfy all criteria of section 336(a) to qualify as model aircraft and be exempt from future FAA rulemaking; and (2) the FAA retains enforcement authority against operators who endanger the safety of the national airspace system. The FAA received more than 18,000 comments from organizations and individuals to the interpretation.

Section 349 of the FAA Reauthorization Act of 2018 repealed section 336 of FMRA and replaced it with a new exception to conduct limited recreational operations of unmanned aircraft without FAA certification or operating authority (Pub. L. 115–254, Oct. 5, 2018).

As a result of the repeal of the special rule for model aircraft, the FAA’s June 25, 2014, interpretation is no longer valid or necessary. Accordingly, the FAA is withdrawing the interpretation. Because that interpretation is withdrawn, the FAA will take no further action to respond to any comments to the interpretation.

Issued in Washington, DC, on March 12, 2019.

Daniel K. Elwell,
Acting Administrator.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

14 CFR Parts 1264 and 1271

RIN 2700–AE48


Implementation of the Federal Civil Penalties Inflation Adjustment Act and Adjustment of Amounts for 2019

Correction

In rule document 2019–06555 appearing on pages 13114–13115 in the issue of April 4, 2019, make the following correction:

§ 1264.102 [Corrected]

■ On page 13115, in the second column, in amendatory instruction 2, the fifth line (“b)(1)(iii)” should read “b)(1)(ii)”.

[FR Doc. C1–2019–06555 Filed 4–10–19; 8:45 am]

BILLING CODE 1301–00–D

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 744

[Docket No. 190130021–9021–01]

RIN 0694–AH73

Revisions to the Unverified List (UVL)

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule.

SUMMARY: The Bureau of Industry and Security (BIS) is amending the Export Administration Regulations (EAR) by adding fifty (50) persons to the Unverified List (“UVL”), removing ten (10) persons, and adding an additional address for one (1) person currently listed on the UVL. The fifty persons are added to the UVL on the basis that BIS could not verify their bona fides because an end-use check could not be completed satisfactorily for reasons outside the U.S. Government’s control. BIS is adding a new address for one person as BIS has determined that this person is receiving exports from the United States at an additional address.

DATES: This rule is effective: April 11, 2019.

FOR FURTHER INFORMATION CONTACT: Kevin Kurland, Director, Office of Enforcement Analysis, Bureau of Industry and Security, Department of Commerce, Phone: (202) 482–4255 or by email at UVLRequest@bis.doc.gov.

SUPPLEMENTARY INFORMATION:

Background

The Unverified List, found in Supplement No. 6 to Part 744 to the EAR, contains the names and addresses of foreign persons who are or have been parties to a transaction, as that such parties are described in § 748.5 of the EAR, involving the export, reexport, or transfer (in-country) of items subject to the EAR, and whose bona fides (i.e., legitimacy and reliability relating to the end use and end user of items subject to the EAR) has been unable to verify through an end-use check. BIS may add persons to the UVL when BIS or federal officials acting on BIS’s behalf have been unable to verify a foreign person’s bona fides because an end-use check, such as a pre-license check (PLC) or a post-shipment verification (PSV), cannot be completed satisfactorily for such purposes for reasons outside the U.S. Government’s control.

There are occasions where, for a number of reasons, end-use checks cannot be completed. These include reasons unrelated to the cooperation of the foreign party subject to the end-use check. For example, BIS sometimes initiates end-use checks and cannot find a foreign party at the address indicated on export documents and cannot locate the party by telephone or email. Additionally, BIS sometimes is unable to conduct end-use checks when host government agencies do not respond to requests to conduct end-use checks, are prevented from scheduling such checks by a party to the transaction other than the foreign party that is the proposed subject of the end-use check, or refuse to schedule them in a timely manner. Under these circumstances, although BIS has an interest in informing the public of its inability to verify the foreign party’s bona fides, there may not be sufficient information to add the foreign person at issue to the Entity List under § 744.11 of the EAR (Criteria for revising the Entity List). In such circumstances, BIS may add the foreign person to the UVL.

Furthermore, BIS sometimes conducts end-use checks but cannot verify the bona fides of a foreign party. For example, BIS may be unable to verify bona fides if during the conduct of an end-use check a recipient of items subject to the EAR is unable to produce the foreign party’s bona fides, because such a party refuses to cooperate or refuse to schedule them in a timely manner. Under these circumstances, BIS may add the foreign person to the UVL.

There are other circumstances in which BIS is unable to verify the foreign party’s bona fides, but it does not initiate end-use checks, such as a foreign party is unable to produce the foreign party’s bona fides. For example, BIS wishes to update the UVL because of reasons other than end-use checks. Under these circumstances, BIS may add the foreign person to the UVL.

In addition to the reasons described above, BIS is unable to verify the foreign party’s bona fides for a number of reasons that need not be addressed within the framework of the EAR, such as those circumstances described in § 738.5(c).
Changes to the EAR

Supplement No. 6 to Part 744 (“the Unverified List” or “UVL”)

This rule adds fifty (50) persons to the UVL by amending Supplement No. 6 to Part 744 of the EAR to include their names and addresses. BIS adds these persons in accordance with the criteria for revising the UVL set forth in §744.15(d) of the EAR. The new entries consist of thirty-seven persons located in China, six in Hong Kong, four in the United Arab Emirates, two in Malaysia, and one in Indonesia. Each listing is grouped within the UVL by country with each party’s name(s) listed in alphabetical order under the country; each entry includes available alias(es) and address(es), as well as the Federal Register citation and the date the person was added to the UVL. The UVL is included in the Consolidated Screening List, available at www.export.gov.

This rule also adds one additional address for one person currently listed on the UVL, Ling Ao Electronic Technology Co., Ltd., a.k.a. Voyage Technology (HK) Co., Ltd., a.k.a. Xuan Qi Oil Trading Co., Ltd., as BIS has determined that this person is receiving exports from the United States at an additional address. Further, this rule fixes minor typographical errors in two of the existing addresses for the same company.

Finally, this rule removes ten persons from the UVL. BIS is removing these persons pursuant to information received by BIS pursuant to §744.15(d) of the EAR and further review conducted by BIS. This final rule implements the decision to remove the following three persons located in China, one person located in Finland, five persons located in Russia, and one person located in the United Arab Emirates from the UVL:

China

(1) Jiujiang Jinxin Nonferrous Metals Co., Ltd., Xunyang Chem. Bldg., Materials Factory, Xunyang District, Jiujiang City, China,
(2) Liupanshui Normal University, 19 Minhu Road, Zhongshan District, Liupanshui, Guizhou, 553004, China, and
(3) Yantai Salvage Bureau, No. 100 Zhifuaduo East Road, Zhifu District, Yantai, Shandong, 264012, China

Finland

(1) Net Logistics JVM OY, a.k.a. Net Logistic JVM OY, Eskolanctie 1, Helsinki, Finland, 00720 and Merituulentie 486, Port Mussalo, Kotka, Finland 48310

Russia

(1) Eltech Ltd., 3A, pl. Konstitutsii, Saint Petersburg 196247, Russia,
(2) MT Systems, Kalinina Street 13, Saint Petersburg 198090, Russia,
(3) Romona Inc., Prospekt Mira 426, Yuzhno-Sakhalinsk 693004, Russia,
(4) Sakhalin Energy Investment Company Ltd., Dzerzhinskogo Street 35, Yuzhno-Sakhalinsk 693020, Russia, and
(5) SIC Dipaul, Bolshaya Monetnaya Street 16, Saint Petersburg 197101, Russia, and 5B, Rentgena ul., Saint Petersburg 197101, Russia

United Arab Emirates

(1) GenX Middle East FZEE, a.k.a. GenX Systems LLC, #510–511 Le Solarium Building, Dubai Silicon Oasis, Dubai, UAE, and P.O. Box 121225, Office M07, Al Zahra, Khaled Bin Al Waleed Road, Bur Dubai, Dubai, UAE.

Savings Clause

Shipments (1) removed from license exception eligibility or that are now subject to requirements in §744.15 of the EAR as a result of this regulatory action; (2) eligible for export, reexport, or transfer (in-country) without a license before this regulatory action; and (3) on dock for loading, on lighter, laden aboard an exporting carrier, or en route aboard a carrier to a port of export, on April 11, 2019, pursuant to actual orders, may proceed to that UVL listed person under the previous license exception eligibility or without a license so long as the items have been exported from the United States, reexported or transferred (in-country) before May 13, 2019. Any such items not actually exported, reexported or transferred (in-country) before midnight on May 13, 2019 are subject to the requirements in §744.15 of the EAR in accordance with this regulation.

Export Control Reform Act of 2018

On August 13, 2018, the President signed into law the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which included the Export Control Reform Act of 2018 (ECRA) (Title XVII, Subtitle B of Pub. L. 115–232) that provides the legal basis for BIS’s principal authorities and serves as the authority under which BIS issues this rule. As set forth in Section 1768 of ECRA, all delegations, rules, regulations, orders, determinations, licenses, or other forms of administrative action that have been made, issued, conducted, or allowed to become effective under the Export Administration Act of 1979 (50 U.S.C. 4601 et seq.) (as in effect prior to August 13, 2018, and as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) and Executive Order 13222 of August 17, 2001, 3 CFR, 2001 Comp., p. 783 (2002), as amended by Executive Order 13637 of March 8, 2013, 78 FR 16129 (March 13, 2013), and as extended by the Notice of August 8, 2018, 83 FR 39971 (August 13, 2018)), or the Export Administration Regulations, and are in effect as of August 13, 2018, shall continue in effect according to their terms until modified, superseded, set aside, or revoked under the authority of ECRA.

Rulemaking Requirements

1. Executive Orders 13563 and 12866 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits of reducing costs, of harmonizing rules, and of promoting flexibility. This rule has not been a significant regulatory action,” under section 3(f) of Executive Order 12866. This rule is not
an Executive Order 13771 regulatory action because this rule is not significant under Executive Order 12866.

2. Pursuant to Section 1762 of the Export Control Reform Act of 2018 (Title XVII, Subtitle B of Pub. L. 115–232), which was included in the John S. McCain National Defense Authorization Act for Fiscal Year 2019, this action is exempt from the Administrative Procedure Act (5 U.S.C. 553) requirements for notice of proposed rulemaking, opportunity for public participation and delay in effective date.

The analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 et. seq.) are not applicable because no general notice of proposed rulemaking was required for this action. Accordingly, no regulatory flexibility analysis is required, and none has been prepared.

3. Notwithstanding any other provision of law, no person is required to respond to, nor is subject to a penalty for failure to comply with, a collection of information, subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.) (PRA), unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number. This regulation involves collections previously approved by OMB under the following control numbers: 0694–0088, 0694–0122, 0694–0134, and 0694–0137.

This rule slightly increases public burden in a collection of information approved by OMB under control number 0694–0088, which authorizes, among other things, export license applications. The removal of license exceptions for listed persons on the Unverified List will result in increased license applications being submitted to BIS by exporters. Total burden hours associated with the Paperwork Reduction Act and OMB control number 0694–0088 is expected to increase minimally, as the suspension of license exceptions will only affect specific individual listed persons. The increased burden under 0694–0088 is reciprocal to the decrease of burden under 0694–0137, and results in no change of burden to the public. This rule also increases public burden in a collection of information under OMB control number 0694–0122, as a result of the exchange of UVL statements between private parties, and under OMB control number 0694–0134, as a result of appeals from persons listed on the UVL for removal of their listing. The total increase in burden hours associated with both of these collections is expected to be minimal, as they involve a limited number of persons listed on the UVL.

4. This rule does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

List of Subjects in 15 CFR Part 744

Exports, Reporting and recordkeeping requirements, Terrorism.

Accordingly, part 744 of the Export Administration Regulations (15 CFR parts 730 through 774) is amended as follows:

PART 744—[AMENDED]

1. The authority citation for part 744 is revised to read as follows:


2. Supplement No. 6 to Part 744 is amended by:

a. Adding thirty-seven entries, in alphabetical order, under “China”;

b. Removing the entry for “Jiujiang Jinxin Nonferrous Metals Co., Ltd.” under “China”;

c. Removing the entry for “Liupanshui Normal University” under “China”;

d. Removing the entry for “Yantai Salvage Bureau” under “China”;

e. Removing the entry for “Net LNG Energy Investment Company Ltd.” a.k.a. Net LNG JV (China) under “Finland”;

f. Adding six entries, in alphabetical order, under “Hong Kong”;

g. Revising the entry for “Hong Kong”.

3. The additions and revision read as follows:

Supplement No. 6 to Part 744—Unverified List

<table>
<thead>
<tr>
<th>Country</th>
<th>Listed person and address</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHINA</td>
<td>* * * * * *</td>
</tr>
</tbody>
</table>

Anhui Institute of Metrology, No. 13, Yanan Road, Baohue Industrial Development District, Hefei, China 230051.
<table>
<thead>
<tr>
<th>Country</th>
<th>Listed person and address</th>
<th>Federal Register citation and date of publication</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Beijing Institute of Nanoenergy and Technology, 30 Xue YuanLu HaiDianQu, Beijing, China 100083.</td>
<td>84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.</td>
</tr>
<tr>
<td></td>
<td>Center for High Pressure Science and Technology Advanced Research, 1690 Caillur Rd, Bldg #6, Pudong, Shanghai, China 201203.</td>
<td>84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.</td>
</tr>
<tr>
<td></td>
<td>Changchun National Extreme Precision Optics Co Ltd, No. 3608 Dong Nanhu Road, Jilin Province, Changchun, China 130000.</td>
<td>84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.</td>
</tr>
<tr>
<td></td>
<td>Beijing Institute of Nanoenergy and Technology, 30 Xue YuanLu HaiDianQu, Beijing, China 100083.</td>
<td>84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.</td>
</tr>
<tr>
<td></td>
<td>Guangdong University of Technology, No 100 Waihuan Xi Road, Guangzhou Higher Education Mega Ctr, Guangzhou, China 510006.</td>
<td>84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.</td>
</tr>
<tr>
<td></td>
<td>Hubei Flying Optical, No 1, Changfei Avenue, Yanhua, Industrial Park, Jianghan Oil Field, Qianjiang, China.</td>
<td>84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.</td>
</tr>
<tr>
<td></td>
<td>Shanghai Institute of Applied Physics, Chinese Academy of Sciences, 239 Zhangheng Road, Pudong District, Shanghai, China.</td>
<td>84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.</td>
</tr>
<tr>
<td></td>
<td>Shanghai Institute of Technical Physics, Chinese Academy of Sciences, 500 Yu Tian Road, Shanghai, China 200033.</td>
<td>84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.</td>
</tr>
</tbody>
</table>
Country Listed person and address Federal Register citation and date of publication


Tongji University, 1239 Siping Road, Shanghai, China 200092 ............ 84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.

TRI Microsystems, Rm 2806, Building A, Rongchao Yinglong Mansion, No. 5 Longfu Road, Longchen Street, Longgang District, Shenzhen, China. 84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.


Xi'an Micromach Photon Manufacture Technology, No. 60 Western Road, New High Tech Park, Xi'an, China 710000. 84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.

Xi'an Jiaotong University, School of Electrical Engineering, No. 28 Xianning West Road, Xi'an, Shaanxi, China 710049. 84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.

Xi'an Jiaotong University, No. 99 Yanxiang Road, Qujiang, Xi'an, China 71000. 84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.


Zhejiang Xizi Aviation, No. 277 Xinken Road, Qianjin, Technological Development Area, Zhejiang, China 311222. 84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.


Able Supply Chain Limited, Rm 511, 5/F, Corporation Park, 1 On Lai Street, Sha Tin, New Territories, Hong Kong; and Rm 605, 6/F, Corporation Park, 1 On Lai Street, Sha Tin, New Territories, Hong Kong; and Unit C, 9/F, Winning House, No. 72–76 Wing Lok Street, Sheung Wan, Hong Kong. 84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.

Boson Technology Co., Limited., Unit 22, 10/F, Nan Fung Commercial Centre, 19 Lam Lok Street, Kowloon, Kwan Tong, Hong Kong; and Room 1907, 19/F, Lee Garden One, 33 Hysan Avenue, Causeway Bay, Hong Kong; and Room 1501 (462), 15/F, SPA Centre, 53–55 Lockhart Road, Wan Chai, Hong Kong. 84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.

HK Hengyu Storage Logistics Limited, Rm 2309, 23/F, Ho King Commercial Centre, 2–16 Fayuen St, Mongkok, Kwan Tong, Hong Kong; and Flat/Rm B10, 9/F, Mai Hing Factory Building, 16–18 Shing Yip Street, Kowloon, Kwan Tong, Hong Kong; and Flat/Rm B11, 12/F Mai Hing Factory Building, 16–18 Shing Yip Street, Kowloon, Kwan Tong, Hong Kong. 84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.
<table>
<thead>
<tr>
<th>Country</th>
<th>Listed person and address</th>
<th>Federal Register citation and date of publication</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Ling Ao Electronic Technology Co. Ltd, a.k.a. Voyage Technology (HK) Co., Ltd., a.k.a. Xuan Qi Technology Co. Ltd, Room 17, 7/F, Metro Centre Phase 1, No. 32 Lam Hing St., Kowloon Bay, Kwun Tong, Hong Kong; and 15B, 15/F, Cheuk Nang Plaza, 250 Hennessy Road, Wan Chai, Hong Kong; and Flat C, 11/F, Block No. 2, Camelpaint Bldg., 62 Hoi Yuen Street, Kwun Tong, Kowloon, Hong Kong; and Room C1–D, 6/F, Wing Hing Industrial Building, 14 Hing Yip Street, Kwun Tong, Kowloon, Hong Kong; and Flat/Rm. A30, 9/F Silvercorp International Tower, 707–713 Nathan Road, Mongkok, Kowloon, Hong Kong; and Room 912A, 9/F, Witty Commercial Building, 1A–1L Tung Choi Street, Mongkok, Kowloon, Hong Kong; and Unit A, 7/F, King Yip Factory Bldg., 59 King Yip Street, Kwun Tong, Kowloon, Hong Kong; and Unit D, 16/F, One Capital Place, 18 Luard Road, Wan Chai, Hong Kong; and Unit B213, 1/F, New East Sun Industrial Bldg., 18 Shing Yip Street, Kowloon, Kwun Tong, Hong Kong; and 15B, 15/F, Cheuk Nang Plaza, 250 Hennessy Road, Wan Chai, Hong Kong; and Flat/Rm. A30, 9/F Silvercorp International Tower, 707–713 Nathan Road, Mongkok, Kowloon, Hong Kong; and Room 912A, 9/F, Witty Commercial Building, 1A–1L Tung Choi Street, Mongkok, Kowloon, Hong Kong; and Unit A, 7/F, King Yip Factory Bldg., 59 King Yip Street, Kwun Tong, Kowloon, Hong Kong; and Unit D, 16/F, One Capital Place, 18 Luard Road, Wan Chai, Hong Kong; and Unit B213, 1/F, New East Sun Industrial Bldg., 18 Shing Yip Street, Kowloon, Kwun Tong, Hong Kong.</td>
<td>80 FR 4779, 01/29/15., 80 FR 60532, 10/7/15., 82 FR 16733, 04/06/17., 83 FR 22845, 05/17/18., 84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.</td>
</tr>
<tr>
<td></td>
<td>Rising Logistics Company Limited, Workshop 12, 13/F, Block B, New Trade Plaza, No. 6, On Ping Street, Sha Tin, New Territories, Hong Kong; and Unit 208, 2/F, Block B, Hoi Luen Industrial Centre, 55 Hoi Yuen Road, Kowloon, Hong Kong; and Unit 1105, Hua Qin International Building, 340 Queens Road, Central, Hong Kong Island, Hong Kong.</td>
<td>84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.</td>
</tr>
<tr>
<td></td>
<td>Swelatel Technology Limited, Rm. 19C, Lockhart Ctr., 301–307 Lockhart Rd., Wan Chai, Hong Kong; and Rm. 2107, Lippo Centre Tower 2, 89 Queensway, Admiralty, Wan Chai, Hong Kong.</td>
<td>84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.</td>
</tr>
<tr>
<td>UNITED ARAB EMIRATES ......</td>
<td>EBN AUF Trading, P.O. Box 330073, Ras Al Khaimah, United Arab Emirates; and P.O. Box 42558, Ras Al Khaimah, United Arab Emirates. Empire of East General Trading, M110, Al Khaleej Center, Bur Dubai, Dubai, UAE; and 112 Al-Ain Center, Al Mankhool Road, Bur Dubai, Dubai, UAE 34608; and 112 Al-Ain Center, P.O. Box 112100, Bur Dubai, Dubai, UAE 34608; and Office #1904, Al Mousa Tower 2, Sheikh Zayed Road, Dubai, UAE.</td>
<td>84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.</td>
</tr>
<tr>
<td></td>
<td>Kassem IT, Techno Park Office 135, JAFZA Building 22, P.O. Box 98166, Jebel Ali Free Zone, Dubai, UAE; and Warehouse UD2, Between Roundabout 7.8, Jebel Ali Free Zone, Dubai, UAE; and Roundabout 8 WA—06, Jebel Ali Free Zone, Dubai, UAE.</td>
<td>84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.</td>
</tr>
<tr>
<td></td>
<td>Pacific Ocean Star General Trading, aka Pacific Ocean Marine Services, Floor 12A/Office 04, Damac Executive Bay Tower B, Al A’aml St., Business Bay, P.O. Box 187128, Dubai, UAE; and Office 707, Damac Executive Bay Tower B, Al A’aml St., Business Bay, P.O. Box 187128, Dubai, UAE.</td>
<td>84 FR [INSERT FEDERAL REGISTER PAGE NUMBER] 4/11/2019.</td>
</tr>
</tbody>
</table>
Dated: April 5, 2019.

Nazak Nikakhtar,
Assistant Secretary for Industry & Analysis,
Performing the Non-Exclusive Duties of the
Under Secretary for Industry and Security.

[FR Doc. 2019–07211 Filed 4–10–19; 8:45 am]
BILLING CODE 3510–33–P

DEPARTMENT OF THE TREASURY

Alcohol and Tobacco Tax and Trade
Bureau

27 CFR Part 16
[Docket No. TTB–2019–0002; Notice No. 180]

Civil Monetary Penalty Inflation
Adjustment—Alcoholic Beverage
Labeling Act

AGENCY: Alcohol and Tobacco Tax and
Trade Bureau, Treasury.

ACTION: Notice of civil monetary penalty
adjustment.

SUMMARY: This document informs the
public that the maximum penalty for
violations of the Alcoholic Beverage
Labeling Act (ABLA) is being adjusted
in accordance with the Federal Civil
Penalties Inflation Adjustment Act of
1990, as amended. Prior to the
publication of this document, any
person who violated the provisions of
the ABLA was subject to a civil penalty
of not more than $20,521, with each
day constituting a separate offense. This
document announces that this
maximum penalty is being increased to
$21,039.

DATES: The new maximum civil penalty
for violations of the ABLA takes effect
on April 11, 2019 and applies to
penalties that are assessed after that
date.

FOR FURTHER INFORMATION CONTACT: Rita
D. Butler, Regulations and Rulings
Division, Alcohol and Tobacco Tax and
Trade Bureau, 1310 C Street NW, Box
12, Washington, DC 20005; (202) 453–
1039, ext. 101.

Background

Statutory Authority for Federal Civil
Monetary Penalty Inflation Adjustments

The Federal Civil Penalties Inflation
Adjustment Act of 1990 (the Inflation
Adjustment Act), Public Law 101–410,
104 Stat. 890, 28 U.S.C. 2461 note, as
amended by the Federal Civil Penalties
Inflation Adjustment Act Improvements
Act of 2015, Public Law 114–74, section
701, 129 Stat. 584, requires the regular
adjustment and evaluation of civil
monetary penalties to maintain their
deterrent effect and helps to ensure that
penalty amounts imposed by the
Federal Government are properly
accounted for and collected. A “civil
monetary penalty” is defined in the
Inflation Adjustment Act as any penalty,
fine, or other such sanction that is: (1)
For a specific monetary amount as
provided by Federal law, or has a
maximum amount provided for by
Federal law; (2) assessed or enforced by
an agency pursuant to Federal law; and
(3) assessed or enforced pursuant to an
administrative proceeding or a civil
action in the Federal courts.

The Inflation Adjustment Act, as
amended, requires agencies to adjust
civil monetary penalties annually by the
inflation adjustment described in
section 5 of the Inflation Adjustment
Act. The Act also provides that any
increase in a civil monetary penalty
shall apply only to civil monetary
penalties, including those whose
associated violation predated such an
increase, which are assessed after the
date the increase takes effect.

The Inflation Adjustment Act, as
amended, provides that the inflation
adjustment does not apply to civil
civil monetary penalties under the Internal
Revenue Code of 1986 or the Tariff Act
of 1930.

Alcoholic Beverage Labeling Act

The Alcohol and Tobacco Tax and
Trade Bureau (TTB) administers the
Federal Alcohol Administration Act
(FAA Act) pursuant to section 1111(d)
of the Homeland Security Act of 2002,
codified at 6 U.S.C. 531(d). The
Secretary has delegated various
authorities through Treasury
Department Order 120–01, dated
December 10, 2013, (superseding
Treasury Department Order 120–01,
dated January 24, 2003), to the TTB
Administrator to perform the functions
and duties in the administration and
enforcement of this law.

The FAA Act contains the Alcoholic
Beverage Labeling Act (ABLA) of 1988,
Public Law 100–690, 27 U.S.C. 213–
219a, which was enacted on November
18, 1988. Section 204 of the ABLA,
codified in 27 U.S.C. 215, requires that
a health warning statement appear on
the labels of all containers of alcoholic
beverages manufactured, imported, or
bottled for sale or distribution in the
United States, as well as on containers
of alcoholic beverages that are
manufactured, imported, bottled, or
labeled for sale, distribution, or
shipment to members or units of the
U.S. Armed Forces, including those
located outside the United States.

The health warning statement
requirement applies to containers of
alcoholic beverages manufactured,
imported, or bottled for sale or
distribution in the United States on or
after November 18, 1989. The statement
reads as follows:

GOVERNMENT WARNING: (1) According
to the Surgeon General, women should not
drink alcoholic beverages during pregnancy
because of the risk of birth defects. (2)
Consumption of alcoholic beverages impairs
your ability to drive a car or operate
machinery, and may cause health problems.

Section 204 of the ABLA also
specifies that the Secretary of the
Treasury shall have the power to ensure
the enforcement of the provisions of the
ABLA and issue regulations to carry
them out. In addition, section 207 of the
ABLA, codified in 27 U.S.C. 218,
provides that any person who violates
the provisions of the ABLA is subject to
a civil penalty of not more than $10,000,
with each day constituting a separate
offense.

Most of the civil monetary penalties
administered by TTB are imposed by
the Internal Revenue Code of 1986, and
thus are not subject to the inflation
adjustment mandated by the Inflation
Adjustment Act. The only civil
monetary penalty enforced by TTB that
is subject to the inflation adjustment is
the penalty imposed by the ABLA at 27

TTB Regulations

The TTB regulations implementing
the ABLA are found in 27 CFR part 16,
and the regulations implementing the
Inflation Adjustment Act with respect to
the ABLA penalty are found in 27 CFR
16.33. This section indicates that the
ABLA provides that any person who
violates the provisions of this part shall
be subject to a civil penalty of not more
than $10,000, but also states that,
pursuant to the provisions of the
Federal Civil Penalties Inflation
Adjustment Act of 1990, as amended,
this civil penalty is subject to periodic
cost-of-living adjustment. Accordingly,
any person who violates the provisions