



DEPARTMENT OF COMMERCE

International Trade Administration

Application No. 03-1A008

Export Trade Certificate of Review

ACTION: Notice of Application for an Amended Export Trade Certificate of Review by California Pistachio Export Council (“CPEC”), Application No. 03-1A008.

SUMMARY: The Secretary of Commerce, through the International Trade Administration, Office of Trade and Economic Analysis (OTEA), has received an application for an amended Export Trade Certificate of Review (“Certificate”) from CPEC. This notice summarizes the proposed amendment and seeks public comments on whether the amended Certificate should be issued.

FOR FURTHER INFORMATION CONTACT: Joseph E. Flynn, Director, Office of Trade and Economic Analysis, International Trade Administration, by telephone at (202) 482-5131 (this is not a toll-free number) or email at etca@trade.gov.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. Sections 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from State and Federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. The regulations implementing Title III are found at 15 CFR Part 325 (2015). Section 302(b)(1) of the Export Trade Company Act of 1982 and 15 CFR 325.6(a) require the Secretary to publish a notice in the Federal Register identifying the applicant and summarizing its application. Under 15 CFR 325.6(a), interested parties may, within twenty days after the date of this notice, submit written comments to the Secretary on the application.

REQUEST FOR PUBLIC COMMENTS: Interested parties may submit written comments relevant to the determination whether an amended Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked as privileged or confidential business information will be deemed to be nonconfidential.

An original and five (5) copies, plus two (2) copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Office of Trade and Economic Analysis, International Trade Administration, U.S. Department of Commerce, Room 21028, Washington, DC 20230.

Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the amended Certificate. Comments should refer to this application as “Export Trade Certificate of Review, application number 03-1A008.”

SUMMARY OF THE APPLICATION

Applicant: California Pistachio Export Council, 512 C Street, NE Washington DC 20002

Contact: Robert I. Schramm, Senior Associate at Schramm, Williams & Associates, Inc., (202)-543-4455

Application No.: 03-1A008

Date Deemed Submitted: November 3, 2015

Proposed Amendment:

1. Remove the following company as Member of the Certificate: Gold Coast Pistachios, Inc.
2. Change the name of the following existing Member: A&P Growers Cooperative, Inc. is now Horizon Marketing Agency in Common Cooperative Inc.

CPEC's proposed amendment of its Export Trade Certificate of Review would result in the following entities as Members under the Certificate:

- a) Keenan Farms, Inc.
- b) Monarch Nut Company
- c) Nichols Pistachio
- d) Primex Farms, LLC
- e) Setton Pistachio of Terra Bella, Inc.
- f) Horizon Marketing Agency in Common Cooperative Inc.

Date: November 13, 2015

Joseph Flynn, Director
Office of Trade and Economic Analysis
International Trade Administration
(202) 482-5131
etca@trade.gov

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