

inspection, fumigation, and freight forwarding; insurance and financing; documentation and services related to compliance with customs requirements; sales and marketing; export brokerage; foreign marketing and analysis; foreign market development; overseas advertising and promotion; Products-related research and design based upon foreign buyer and consumer preferences; inspection and quality control; shipping and export management; export licensing; provisions of overseas sales and distribution facilities and overseas sales staff; legal, accounting, and tax assistance; development and application of management information systems; trade show exhibitions; professional services in the area of government relations and assistance with federal and state export assistance programs (e.g., export enhancement and market promotion programs); invoicing (billing) foreign buyers; collecting (letters of credit and other financial instruments) payment for Products; and arranging for payment of applicable commissions and fees.

#### Export Markets

All parts of the world except the United States (the fifty states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands).

#### Export Trade Activities and Methods of Operations

To engage in Export Trade in the Export Markets, SunWest (and its affiliated company and Member SunWest Milling Company, Inc.) may:

1. Exchange information with Suppliers or Export Intermediaries individually regarding availability of Products for export, prices of Products for sale in the Export Markets, and coordinating the export of Products to Export Markets;
2. Confer with Suppliers individually regarding offers to purchase and offers to sell by SunWest for specific export sales opportunities;
3. Process other Suppliers' harvest rice to marketable finished Products for Export Markets via drying, storage, milling, and packaging processes;
4. Solicit other Suppliers to offer/sell Products to SunWest or its Member for subsequent sales into Export Markets;
5. Solicit orders for the export of Products from potential foreign distributors and purchasers in Export Markets;

6. Prepare and submit offers of Products to potential foreign distributors, purchasers, and other entities for sale in Export Markets;

7. Establish the price and quantity of Products for sale in Export Markets and set other terms for any export sale;

8. Negotiate and enter into agreements for sale of Products in Export Markets;

9. Enter into agreements to purchase Products from one or more Suppliers to fulfill specific export sales obligations. In such agreements, SunWest and its Member may agree to purchase Products for sale in the Export Markets exclusively from one or more Suppliers, and the Supplier (or Suppliers) may agree to deal exclusively with SunWest or its Member for the sale of their Products in the Export Markets.

10. Assign sales of Products to, and/or divide or share export orders among, Suppliers or other persons based on orders, export markets, territories, customers, or any other basis SunWest or its Member deem appropriate;

11. Broker and take title to the Products;

12. Enter into agreements with one or more Export Intermediaries for the sale of Products in the Export Markets, in which agreements (a) SunWest or its Member may agree to deal exclusively with that Export Trade Intermediary in a particular Export Market, and/or (b) that Export Intermediary may agree to represent SunWest or its Member exclusively in a particular export market for the export of Products;

13. Enter into agreements with customers in the Export Markets in which the customer may agree to purchase Products exclusively from SunWest or its Member;

14. Apply for and utilize government export assistance and incentive programs;

15. Refuse to (a) purchase Products, (b) sell Products, (c) provide Services, or (d) provide information regarding export sales of Products to any Supplier(s) or other entities for any reason SunWest or its Member deem appropriate;

16. Refuse to (a) sell Products, (b) quote prices of Products, (c) provide Export Trade Facilitation Services, (d) provide information regarding Products, or (e) market or sell Products to any customers or distributors in the Export Markets, or in any countries or geographic areas in the Export Markets; and

17. Meet with Suppliers or other entities periodically to discuss general matters specific to the activities approved in this Certificate (not related to price and supply arrangements between SunWest or its Member and the individual Suppliers) such as relevant

facts concerning the Export Markets (e.g., demand conditions, transportation costs and prices in the export markets), or the possibility of joint marketing, bidding or selling arrangements in the Export Markets.

#### Terms and Conditions of Certificate

1. Neither SunWest nor its Member shall intentionally disclose, directly or indirectly, to any Supplier any information regarding any other Supplier's costs, production, inventories, domestic prices, domestic sales, capacity to produce products for domestic sale, domestic orders, terms of domestic marketing or sale, or U.S. business plans, strategies, or methods, unless such information is already generally available to the trade or public.

2. SunWest and its Member will comply with requests made by the Secretary of Commerce on behalf of the Secretary or the Attorney General for information or documents relevant to conduct under the Certificate. The Secretary of Commerce will request such information or documents when either the Attorney General or the Secretary of Commerce believes that the information or documents are required to determine that the Export Trade, Export Trade Activities and Methods of Operation of a person protected by this Certificate of Review continue to comply with the standards of section 303(a) of the Act.

#### Definitions

"Supplier" means a person who mills, produces, provides, markets, or sells Products, Services, and/or Technology Rights.

"Export Intermediary" means a person who acts as a distributor, representative, sales or marketing agent, joint marketer, or broker, or who performs similar functions.

Dated: September 24, 2012.

**Joseph E. Flynn,**

*Director, Office of Competition and Economic Analysis.*

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#### DEPARTMENT OF COMMERCE

#### National Institute of Standards and Technology

#### Visiting Committee on Advanced Technology

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Visiting Committee on Advanced Technology (VCAT or Committee), National Institute of Standards and Technology (NIST), will meet in open session on Tuesday, October 16, 2012, from 9 a.m. to 5 p.m. Mountain Time and Wednesday, October 17, 2012, from 8:30 a.m. to 11:30 a.m. Mountain Time. The VCAT is composed of fifteen members appointed by the Under Secretary of Commerce for Standards and Technology who are eminent in such fields as business, research, new product development, engineering, labor, education, management consulting, environment, and international relations.

**DATES:** The VCAT will meet on Tuesday, October 16, 2012, from 9 a.m. to 5 p.m. Mountain Time and Wednesday, October 17, 2012, from 8:30 a.m. to 11:30 a.m. Mountain Time.

**ADDRESSES:** The meeting will be held in Building 81, Room 1A116, at the National Institute of Standards and Technology, Boulder, Colorado 80305-3328. Please note admittance instructions under the **SUPPLEMENTARY INFORMATION** section of this notice.

**FOR FURTHER INFORMATION CONTACT:** Stephanie Shaw, VCAT, NIST, 100 Bureau Drive, Gaithersburg, Maryland 20899-1060, telephone number 301-975-2667. Ms. Shaw's email address is [stephanie.shaw@nist.gov](mailto:stephanie.shaw@nist.gov).

**SUPPLEMENTARY INFORMATION:**

**Authority:** 15 U.S.C. 278 and the Federal Advisory Committee Act, as amended, 5 U.S.C. App.

The purpose of this meeting is to review and make recommendations regarding general policy for NIST, its organization, its budget, and its programs within the framework of applicable national policies as set forth by the President and the Congress. The agenda will include an update on NIST followed by presentations and discussions on NIST's R&D planning and its activities and programs related to the Centers of Excellence, manufacturing, and next generation of measurement services. The VCAT Subcommittee on Safety will review and discuss its recent activities. The meeting also will include laboratory tours and conclude with a wrap-up discussion of recommendations and the path forward for the 2012 VCAT Annual Report. The agenda may change to accommodate Committee business. The final agenda will be posted on the NIST web site at <http://www.nist.gov/director/vcat/agenda.cfm>.

Individuals and representatives of organizations who would like to offer

comments and suggestions related to the Committee's affairs are invited to request a place on the agenda. On October 17, approximately one-half hour will be reserved in the morning for public comments and speaking times will be assigned on a first-come, first-serve basis. The amount of time per speaker will be determined by the number of requests received, but is likely to be about 3 minutes each. The exact time for public comments will be included in the final agenda that will be posted on the NIST Web site at <http://www.nist.gov/director/vcat/agenda.cfm>. Questions from the public will not be considered during this period. Speakers who wish to expand upon their oral statements, those who had wished to speak, but could not be accommodated on the agenda, and those who were unable to attend in person are invited to submit written statements to the VCAT, NIST, 100 Bureau Drive, MS 1060, Gaithersburg, Maryland 20899, via fax at 301-216-0529 or electronically by email to [gail.ehrlich@nist.gov](mailto:gail.ehrlich@nist.gov).

All visitors to the NIST site are required to pre-register to be admitted. Please submit your name, time of arrival, email address and phone number to Stephanie Shaw by 5:00 p.m. Eastern Time, Tuesday, October 9, 2012. Non-U.S. citizens must also submit their country of citizenship, title, employer/sponsor, and address. Ms. Shaw's email address is [stephanie.shaw@nist.gov](mailto:stephanie.shaw@nist.gov) and her phone number is 301-975-2667.

Dated: September 25, 2012.

**Willie E. May,**

*Associate Director for Laboratory Programs.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XC260**

### Mid-Atlantic Fishery Management Council (MAFMC); Public Meetings

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

**ACTION:** Notice of public meetings.

**SUMMARY:** The Mid-Atlantic Fishery Management Council (Council), its Visioning and Strategic Planning Working Group, and Spiny Dogfish Committee will hold public meetings.

**DATES:** The meetings will be held Monday October 15, 2012 through Thursday, October 18, 2012. See

**SUPPLEMENTARY INFORMATION** for specific dates and times.

**ADDRESSES:** The meetings will be held at the Ocean Place, One Ocean Blvd., Long Branch, NJ 07740; telephone: (732) 571-4000.

*Council address:* Mid-Atlantic Fishery Management Council, 800 N. State St., Suite 201, Dover, DE 19901; telephone: (302) 674-2331.

**FOR FURTHER INFORMATION CONTACT:** Christopher M. Moore, Ph.D. Executive Director, Mid-Atlantic Fishery Management Council; telephone: (302) 526-5255.

**SUPPLEMENTARY INFORMATION:**

**Monday, October 15, 2012**

1 p.m. until 5 p.m.—The Visioning and Strategic Planning Working Group will meet.

**Tuesday, October 16, 2012**

9 a.m. until 5 p.m.—The Visioning and Strategic Planning Working Group will meet.

5 p.m. until 6 p.m.—There will be a Public Listening Session.

**Wednesday, October 17, 2012**

9 a.m.—The Council will convene.

9 a.m. until 10 a.m.—The Council will receive a presentation regarding the Management Strategy Evaluation (MSA) Summer Flounder Study.

10 a.m. until noon—Delaware Special Management Zone (SMZ) request will be discussed.

1 p.m. until 2 p.m.—Dogfish Amendment 3 will be discussed.

2 p.m. until 3 p.m.—Spiny Dogfish Specifications will be approved as a Committee of the Whole.

3 p.m. until 4 p.m.—Framework 7 (Meeting 2) and 8 (Meeting 1) to the Mackerel, Squid, and Butterfish FMP will be discussed.

4 p.m. until 5 p.m.—The Standardized Bycatch Reporting Methodology (SBRM) Fishery Management Action Team (FMAT) Report will be given.

**Thursday, October 18, 2012**

9 a.m. until 10 a.m.—The Council will receive a presentation from the Science Center for Marine Fisheries (SCeMFiS).

10 a.m. until 1 p.m.—The Council will hold its regular Business Session to approve the August 2012 minutes; receive the South Atlantic Council Liaison, Organizational, Executive Director's, and Science Reports, and, conduct any continuing and/or new business.

Agenda items by day for the Council's Committees and the Council itself are:

On Monday, October 15—The Visioning and Strategic Planning