

Federal Register Listing

VOL. 58, NO.82

Notices

DEPARTMENT OF COMMERCE

International Trade Administration (ITA)

[Docket No. 930360-3060]

Trade Fair Certification Program: Support for Privately Organized International Trade Fairs

58 FR 26116

DATE: Friday, April 30, 1993

ACTION: Notice of revisions to the Trade Fair Certification Program: Support for privately organized international trade fairs.

SUMMARY: This notice sets forth the revised objectives, procedures, and application review criteria associated with the U.S. Department of Commerce's Trade Fair Certification Program, which recognizes and endorses selected, privately organized, U.S. participation in foreign trade fairs.

The revised program criteria contained in this notice include the following principal additions, changes, and clarifications to the current program:

A \$1,750 non-refundable contribution is required upon Certification.

Fairs occurring in cities or locales where the U.S. Department of Commerce (Commerce) has no U.S. and Foreign Commercial Service (US&FCS) office, or where the US&FCS representative responsible for the industry theme of such a fair is based off-site, may incur additional expense for the applicant.

First-time fairs are not eligible for Certification.

Applicants applying for Certification of an existing trade fair must have experience in recruiting U.S. exhibitors for that show or another show with the same industry theme.

Applications for Certification must include satisfactory documentation, in English, of the commitment of necessary exhibit space by the owner or lessor of the facility in which the fair will be held. Documentation should consist of: (1) A lease or letter from the owner or lessor stating that the applicant holds the necessary exhibition space, or a letter

demonstrating an offer of specific exhibition space by the owner or lessor of the facility; and (2) a letter indicating the applicant's acceptance of the terms.

Applications must be received no later than 270 days prior to the commencement of the fair for which Certification is sought, but no earlier than the conclusion of the prior event.

Only applications submitted by U.S. persons or entities will be considered. For this purpose, the U.S. subsidiary, branch or agent of a foreign firm is considered a U.S. person or entity. Applications for fairs in which [*26117] the designated organizer's U.S.-based office or agent does not lease space directly must be submitted by the foreign fair organizer and co-signed by the U.S.-based agent or recruiter.

Certified fair organizers must provide a list of recruited U.S. participants to the Commerce project officer and to the appropriate U.S. and Foreign Commercial Service office 30 days prior to the event.

All products to be exhibited by recruited U.S. participants must (1) be manufactured or produced in the United States, or (2) if manufactured or produced outside of the United States, be marketed under the name of a U.S. firm and have U.S. content representing at least fifty-one percent of the value of the finished good or service.

DATES: These revised administrative procedures are effective on the date of publication in the Federal Register.

ADDRESSES: Trade Fair Certification Program, Room 2116, Export Promotion Services, International Trade Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Manager, Trade Fair Certification, U.S. Department of Commerce, Room 2116, 14th and Constitution Avenue, NW., Washington, DC 20230. Tel: (202) 482-2525 Fax: (202) 482-0115 (for communication purposes only; facsimile applications will not be accepted).

SUPPLEMENTARY INFORMATION:

Trade Fair Certification Program Background

This Federal Register notice replaces, in full, the Federal Register notices of August 4, 1987, 52 FR 28934-28936, and May 12, 1983, 48 FR 21520-21522.

Per the Mutual Education and Cultural Exchange Act of 1961 (MECEA)(22 U.S.C. 2455(f)), Commerce established the Trade Fair Certification Program in 1983 to encourage qualified private sector organizers to recruit U.S. exhibitors for overseas trade fairs. The revised program set forth in this notice provides the private sector with greater opportunities to work with Commerce in support of their participation in overseas trade fairs.

In lieu of Commerce, private sector organizers assume the responsibilities of organizing Certified Trade Fairs, or U.S. participation in them. Certification assures Commerce recognition and support of the efforts of private sector trade fair organizers, as well as trade associations and other export promotion organizations, to recruit U.S. exporters for specific overseas fairs recognized by the Department as good export opportunities.

Certification provides a means for the exporter to verify that a particular trade fair will be a good promotional medium. Prospective U.S. exhibitors at Certified Trade Fairs know that Commerce personnel will be available to assist them and to counsel them about export matters that may arise before, during and after the show. Certification thus indirectly serves the U.S. manufacturer or service provider seeking export opportunities.

The private sector organizer usually takes the initiative to request Certification of a fair; however, on occasion, Commerce may identify a fair as a potential candidate for Certification. In those instances where there is no known private sector entity in the United States recruiting for the fair, Commerce will notify organizers of fairs that have been Certified during the preceding two years about such opportunities and place a similar notice in the Federal Register.

With the exception of catalog exhibitions, Commerce will not Certify a fair for which it is also recruiting or intends to recruit exhibitors.

Certification is for one fair only. Organizers of fairs that have been Certified previously, must, nevertheless, apply for Certification of the currently anticipated event in order to permit Commerce to evaluate current market conditions.

Commerce does not provide any financial assistance to organizers or to exhibitors at Certified Trade Fairs. The Certified organizer contributes \$1,750 to assist in defraying Commerce expenses incurred in supporting the organizer and the fair. Commerce may provide additional services, for which the applicable post's Senior Commercial Officer will determine, subject to review by US&FCS in Washington, any additional contribution required of the organizer.

Certification indicates that Commerce has found the applicable fair to be a good market opportunity warranting participation by U.S. exporters. Certification indicates that the fair and the organizer have met basic criteria and that the organizer is qualified to perform in a manner supportive of Commerce's objectives. However, Certification does not constitute a guarantee of the fair's success or of the organizer's performance.

Commerce limits Certification to those fairs that, in its judgment, most clearly meet its program objectives and selection criteria. A decision not to Certify a fair does not mean that the event should not be considered as a promotional tool by U.S. firms.

Trade Fair Criteria for Awarding Certification

Subject to Commerce's budgetary and resource constraints, Certification will be granted to those fairs which, in the judgment of Commerce, most clearly and best meet the following criteria:

(a) The fair must be a good market opportunity for the featured industry or industries.

In applying this criterion, Commerce will consider such factors as:

(i) Whether the fair's industry theme is included on Commerce's Best Prospect or Best Market list. Information about the Best Prospect and Best Market lists is available from the Trade Fair Certification staff, Commerce District Offices and US&FCS sections overseas;

(ii) The degree to which the fair provides promise of foreign market exposure for the latest technology or techniques in an industry or in a commercially recognized category of goods or services;

(iii) Whether the fair provides a unique opportunity for export promotion within a particular market;

(iv) The appropriateness of the fair for a minimum of 10 U.S. industry participants, ideally located in an identifiable U.S. pavilion within the show; and

(v) Whether such participants are likely to exhibit goods or services representing U.S. industry in the particular field involved.

(b) The fair must have good potential for export promotion.

In applying this criterion, Commerce will consider:

(i) Whether the industry or target market of the fair promises to attract foreign customers for U.S. goods or services; and

(ii) The "marketability" of the overall industry goods or services likely to be exhibited, i.e., the sales potential in the market area and the suitability of the goods or services as identified in the application for Certification.

(c) The fair must be one for which recognition and support would be consistent with Commerce's overall export promotion program and its priorities for allocation of its resources and name association.

In applying this criterion, Commerce will consider such factors as:

(i) Whether the fair is a first-time event. First time fairs are not eligible for Certification. A first-time fair is a distinctly separate and uniquely titled trade show that has not been held before in the applicable country. The term "first-time event" does not refer to a show different in name only from a previous identical fair. A fair developed as a "breakout" show from an existing fair will be considered a first-time fair;

(ii) Whether an existing fair has occurred in the applicable country prior to the submission of an application for Certification. Applications for a fair that occurs in different countries on a rotating basis under the same title will be considered provided the fair has occurred in the relevant country during the preceding five years;

(iii) Whether Commerce is recruiting or intends to recruit exhibitors for the fair. With the exception of catalog exhibitions, Commerce will not Certify a fair for which it also is recruiting or intends to recruit exhibitors; and

(iv) The theme, timing and location of the fair; previous exhibitors' assessment of the fair; the past experience of the organizer with the event; the post's familiarity with the fair (and, if applicable, the post's recommendation in its end-of-show report for the previous event); and whether Commerce's support would contribute to the enhancement of the participants' export potential.

Application Procedures

(a) Applications must be received no later than 270 days prior to the first day of the fair, and no earlier than the conclusion of the prior occurrence of the event.

(b) Only a U.S. person may apply for Certification. For purposes of this paragraph, "U.S. person" means a U.S. citizen, an entity (such as a corporation, partnership, association or other entity) created under the laws of the United States or of any state, and the U.S. branch or agent of a foreign person. Applications for fairs in which the designated organizer's U.S.-based office or agent does not lease space directly must be submitted by the foreign fair organizer and co-signed by the U.S.-based agent or recruiter.

(c) Applications that are received within 30 days of the receipt of the first application with respect to a fair will be considered concurrently with the first application. Applications received more than 30 days after receipt of the application will be considered, in order of receipt, but only if no prior application has been accepted for Certification.

(d) Applications for all fairs must include satisfactory documentation, in English, of the commitment of necessary exhibit space by the owner or lessor of the facility in which the fair will be held. Documentation should consist of: (1) A lease or letter from the owner or lessor stating that the applicant holds the necessary exhibition space, or a letter

demonstrating an offer of specific exhibition space by the owner or lessor of the facility; and (2) a letter indicating the applicant's acceptance of the terms.

(e) Applications will be deemed received only if they are complete, i.e., all questions on the application [Form ITA 4100P] are addressed and documentation of lease arrangements, as provided in paragraph (d) above, is included. The collection of this information has been approved by the Office of Management and Budget, OMB Control Number 0625-0130.

Applications deemed incomplete will be returned to the applicant. The 30-day period referred to in paragraph (c) will commence when Commerce first deems an application complete and received.

(f) Application form ITA-4100P can be obtained by contacting the Manager for Trade Fair Certification listed in this notice.

Applicant Criteria for Certification

(a) Financial capability and personnel resources sufficient to plan and implement a successful fair and organize a U.S. pavilion or exhibitor group, including, but not limited to, having a U.S. office or appropriate U.S. representative for recruitment of participants and the capability to provide exhibition and sundry trade services to exhibitors;

(b) Experience in trade fair management and evidence of successful recruitment of U.S. exhibitors for that show or another show with the same industry theme;

(c) A high-level management commitment to develop and execute the trade fair and/or organization of the U.S. pavilion or group of U.S. exhibitors;

(d) Documentation showing a firm agreement committing both the applicant and the owner or lessor of exhibit space at the fair per paragraph (d) in the preceding section;

(e) A commitment to recruit at least 10 U.S. companies to participate in the fair;

(f) The ability and commitment to provide a comprehensive show and/or U.S. pavilion or exhibitor group management and marketing effort, including the ability to identify, and seek participation by, infrequent exporters and small- and medium-sized companies, and

(g) The ability and commitment to satisfy U.S. exhibitors' needs by arranging or providing exhibition services, including, but not limited to, booth design and construction, transportation or display, cleaning services and market promotion.

Specific responsibilities of the Certified show organizer/recruiter:

(a) Make a \$1,750 non-refundable contribution to Commerce within 30 days of notice that the fair has been Certified.

(b) Designate an individual on the organizer's staff to work on all aspects of the show with Commerce personnel assigned to coordinate activities for the exhibition.

(c) Provide the following exhibition services:

(i) Display space comparable with industry standards for trade events;

(ii) Forwarding with exhibit set-up services including, but not limited to, unloading participants' equipment at the exhibition site, delivery to the participants' booths, unpacking, placement in display area, storing packing crates, repacking and loading for onward shipment, customs clearance, and any other services required to assure the prompt and orderly receipt and dispatch of materials in and out of the exhibition site;

(iii) Installation of a display system, chairs, tables, standard company identification and standard agent identification signs;

(iv) Normal utilities and hook-up services; and

(v) Assistance in hiring interpreters, clerical personnel or booth attendants required by participants. All fees to be charged to participants for standard and supplementary services must be stated in the organizer's application and be within a reasonable range of such charges in the market as can be verified by Commerce's post in-country.

(d) Undertake, as appropriate, a comprehensive promotional campaign, such as in-country pre-show press conferences and meetings to reach importers, distributors, agents, buyers, and end-users.

(e) If required by the Senior Commercial Officer, provide at no cost to the post, space and/or furnished booth for use as a Business Information Office (BIO). If a U.S. pavilion is utilized, the BIO should be co-located with the exhibitors in the U.S. pavilion.

(f) In keeping with Commerce's mandate, show evidence of efforts to target infrequent exporters (new-to-market firms) and small and medium-sized firms in its recruitment efforts.

(g) If the fair is located at a site where there is no US&FCS Section or where the US&FCS representative responsible for the show's industry theme is based off-site, pay per diem and travel-related expenses, subject to Commerce [*26119] guidelines and the post's utilization of its allocation of the Certification fee.

(h) Subject to Departmental guidelines, pay per diem and travel-related expenses for U.S. Department of Commerce employee(s) whom the organizer has requested to attend the fair.

(i) Provide a list of recruited U.S. participants to the Commerce project officer and to the appropriate US&FCS office 30-days prior to commencement of the fair.

(1) Are manufactured or produced in the United States; or

(2) If manufactured or produced outside of the United States, are marketed under the name of a U.S. firm and have U.S. content representing at least 51 percent of the value of the finished good or service.

(k) Prominently display the Trade Fair Certification logo on event promotional materials, on all exhibition booth fascia, and throughout the U.S. pavilion, if one is organized.

(l) Provide an after show report (Form 4103-P supplied by Commerce) to the Senior Commercial Officer at post and to the Commerce project officer within 14 days of the show's closing. This report will be incorporated into an overall report completed by the post for use in evaluating: The fair; the effectiveness of support provided by Commerce; and the organizer's performance.

Commerce reserves the right to "decertify" a fair at any time after Certification is granted if, in the opinion of Commerce, the organizer has not or is not likely to fulfill its obligations as established by the Certification criteria. In such an event, the organizer shall remain solely responsible for its obligations to the recruited U.S. participants. Commerce may withdraw all assistance and support, including the right of the organizer to use the Trade Fair Certification logo.

Department of Commerce Services and Responsibilities

The support provided for Certified Trade Fairs will generally be identical, but minor variances may exist, depending on the specific needs of the organizer and of Commerce.

For Certified Trade Fairs, Commerce will:

(a) Provide the successful applicant with a certificate designating the fair as being Certified by the U.S. Department of Commerce;

(b) Authorize the use of Commerce's "Trade Fair Certification" logo and other Commerce-approved references that indicate the U.S. Government recognizes and supports the fair, pursuant to and in accordance with such terms and conditions, including the US&FCS Logotype Style Manual, as Commerce might prescribe;

(i) The Trade Fair Certification Program of the U.S. Department of Commerce is the principal program used to support private sector-recruitment and organization of overseas trade fairs. Use of the Trade Fair Certification logo for Certified Trade Fairs is conditioned on it being the dominant logo to promote the fair to U.S. exhibitors;

(ii) If other U.S. Government or non-government logos are used, they must appear in smaller versions and not be co-mingled with the Trade Fair Certification logo;

(iii) All promotional material using the Trade Fair Certification logo should be sent to the project officer for file-keeping purposes. Advance review of the materials is not required, unless the show organizer has questions about proper use of the logo; and

(iv) Failure to abide by the regulations regarding proper use of the Trade Fair Certification logo may result in the fair being de-certified. A copy of the proper guidelines for using the Trade Fair Certification logo is supplied to the organizer upon Certification.

(i) The Trade Fair Certification Program of the U.S. Department of Commerce is the principal program used to support private sector-recruitment and organization of overseas trade fairs. Use of the Trade Fair Certification logo for Certified Trade Fairs is conditioned on it being the dominant logo to promote the fair to U.S. exhibitors;

(j) Upon request and to the extent available, arrange counseling for exhibitors by District Office Trade Specialists, International Economic Policy country desk officers and Trade Development industry officers.

The US&FCS Section Abroad will:

(a) Furnish the organizer with a list of key local government entities, associations, distributors, agents, and other relevant information;

(b) Promote the fair locally by including an announcement of the event in its commercial newsletter or equivalent;

(c) Upon request by the post and subject to the availability of resources, provide staff at a Business Information Office to counsel U.S. exhibitors, facilitate contacts between exhibitors and visitors, and promote the services of the individual post. The BIO cannot be used for any other purpose, unless agreed to by the post and the US&FCS Export Promotion Services (EPS) office; and

(d) Upon request by the organizer and subject to the availability of resources, provide additional services, including, but not limited to the following: An exhibitor briefing, reception, promotional mailing, ribbon-cutting ceremony, and press conference.

The costs of these additional services, over and above the post's allocation of the Certification fee, shall be assumed by the organizer.

Such costs will be determined by the Senior Commercial Officer, subject to review by EPS and US&FCS management.

Dated: April 21, 1993.

Ann H. Watts

Director, Cooperative Events Division, Export Promotion Services, U.S. and Foreign Commercial Service, International Trade Administration, U.S. Department of Commerce.

[FR Doc 93-10126 Filed 4-29-93; 8:45 am]

BILLING CODE 3510-FP-U

INTERNATIONAL COPYRIGHT, U.S. & FOREIGN COMMERCIAL SERVICE AND U.S. DEPARTMENT OF STATE, 2000. ALL RIGHTS RESERVED OUTSIDE OF THE UNITED STATES.