

Dated: October 23, 2009.

Karen V. Gregory,
Secretary.

[FR Doc. E9-25962 Filed 10-27-09; 8:45 am]

BILLING CODE 4730-01-P

FEDERAL MARITIME COMMISSION

Ocean Transportation Intermediary License; Revocations

The Federal Maritime Commission hereby gives notice that the following Ocean Transportation Intermediary licenses have been revoked pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. Chapter 409) and the regulations of the Commission pertaining to the licensing of Ocean Transportation Intermediaries, 46 CFR part 515, effective on the corresponding date shown below:

License Number: 013868N.

Name: Cruz International, Inc.

Address: 2206 Saxon Street, Tampa, FL 33605.

Date Revoked: September 11, 2009.

Reason: Failed to maintain a valid bond.

License Number: 019052N.

Name: Deans & Associate Freight System Inc.

Address: 225-10 Merrick Blvd., Laurelton, NY 11413.

Date Revoked: September 27, 2009.

Reason: Failed to maintain a valid bond.

License Number: 019117F.

Name: East-West CFS, Inc.

Address: 14821 Northam Street, La Mirada, CA 90638.

Date Revoked: September 20, 2009.

Reason: Failed to maintain a valid bond.

License Number: 020780N.

Name: Kevin Jung dba US Global Logistics.

Address: 540 S. Catalina Street, Ste. 209, Los Angeles, CA 90020.

Date Revoked: September 26, 2009.

Reason: Failed to maintain a valid bond.

License Number: 004474N.

Name: Logistics Transportation Services, Inc.

Address: 23171 Mills Road, Porter, TX 77365.

Date Revoked: September 29, 2009.

Reason: Surrendered license voluntarily.

License Number: 017140N.

Name: Meridian Containers (USA) Ltd.

Address: 47 Raritan Ave., Ste. B, Highland Park, NJ 08904.

Date Revoked: September 19, 2009.

Reason: Failed to maintain a valid bond.

License Number: 021775F.

Name: Prologistics, Inc.

Address: 9715 Carnegie Ave., El Paso, TX 79925.

Date Revoked: September 23, 2009.

Reason: Failed to maintain a valid bond.

License Number: 019125F.

Name: Monumental Shipping & Moving Corp.

Address: 103-10 Astoria Blvd., E. Elmhurst, NY 11369.

Date Revoked: September 28, 2009.

Reason: Surrendered license voluntarily.

Sandra L. Kusumoto,

Director, Bureau of Certification and Licensing.

[FR Doc. E9-25961 Filed 10-27-09; 8:45 am]

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FEDERAL MARITIME COMMISSION

[Docket No. 09-07]

World Chance Logistics (Hong Kong), Ltd. and Yu, Chi Shing, a.k.a. Johnny Yu—Possible Violations of Section 10 of the Shipping Act of 1984; Order of Investigation and Hearing

World Chance Logistics (Hong Kong), Ltd., (“World Chance”) is a foreign based tariffed and bonded non-vessel operating common carrier (“NVOCC”) registered with the Federal Maritime Commission (“Commission”) as Org. No. 018712. World Chance is located at #8 Des Voeux Road West, Rms. 1401-1402, Hong Kong, China. Yu, Chi Shing, a.k.a. Johnny Yu (“Mr. Yu”) is the company’s sole shareholder and chief executive officer.

Based on evidence available to the Commission, it appears that World Chance and Mr. Yu may have permitted unrelated shippers of pyrotechnics to have direct access to the rates in World Chance’s service contracts. Moreover, it also appears that World Chance and Mr. Yu may have provided rates and charges to pyrotechnics shippers which were not in accordance with the rates and charges contained in World Chance’s tariff.

Additionally, in 2005, Mr. Yu incorporated Fireworks Logistics Association Ltd. (“FLA”) as a “private limited company” in Hong Kong. FLA, however, does not appear to have a separate legal identity, and lists World Chance’s Hong Kong address as its own and uses World Chance’s telephone and fax numbers and its email account. From the evidence developed, it appears that by entering into service contracts in FLA’s name, World Chance and Mr. Yu may have utilized FLA as an unfair

device or means to obtain lower rates and to receive volume incentive payments not otherwise applicable.

Section 10(a)(1) of the 1984 Act, 46 U.S.C. 41102(a) prohibits any person from knowingly and willfully obtaining or attempting to obtain ocean transportation of property at less than the otherwise applicable rates or charges “by means of false billing, false classification, false weighing, false report of weight, false measurement, or any other unjust or unfair device or means * * *.” Section 10(b)(1) of the 1984 Act, 46 U.S.C. 41104(1), prohibits a carrier from allowing any person to obtain transportation of property at less than the rates and charges in the carrier’s tariff or filed contracts “by means of false billing, false classification * * * or by any other unjust or unfair device or means.” Section 10(b)(2) of the 1984 Act, 46 U.S.C. 41104(2), prohibits providing service in the liner trades “not in accordance with” the rates and charges published in a tariff or filed in an NVOCC service arrangement.

Pursuant to section 13 of the 1984 Act, 46 U.S.C. 41109, a party is subject to a civil penalty not exceeding \$5,000 for each violation unless the violation was willfully and knowingly committed, in which case the amount of the civil penalty may not exceed \$25,000 for each violation.¹

Now therefore, it is ordered, that pursuant to sections 10 and 11 of the 1984 Act, 46 U.S.C. 41102(a), and 41104(1) and (2), an investigation is instituted to determine:

(1) Whether World Chance Logistics (Hong Kong), Ltd. and/or Yu, Chi Shing, a.k.a. Johnny Yu, violated section 10(a)(1) of the 1984 Act, 46 U.S.C. 41102(a), by utilizing Fireworks Logistics Association, Ltd. as an unfair device or means to obtain lower rates and receive volume incentive payments not otherwise applicable;

(2) Whether World Chance Logistics (Hong Kong), Ltd. and/or Yu, Chi Shing, a.k.a. Johnny Yu, violated section 10(b)(1) of the 1984 Act, 46 U.S.C. 41104(1), by allowing persons to obtain transportation of property at less than the rates and charges in the carrier’s tariff or filed contracts “by means of false billing, false classification * * * or by any other unjust or unfair device or means;”

(3) Whether World Chance Logistics (Hong Kong), Ltd. and/or Yu, Chi Shing,

¹ Effective July 31, 2009, the maximum levels of civil penalties were adjusted for inflation to \$8,000 and \$40,000, respectively. For the period of violations discussed in this memorandum prior to July 31, 2009, the maximum level of civil penalties was \$6,000 and \$30,000, respectively.