UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF INDUSTRY AND SECURITY
WASHINGTON, D.C. 20230

In the Matter of:

Viking SA
Zone Industrialle Hanesboesch
K-4562 Differdange, Luxembourg

Respondent

ORDER RELATING TO VIKING SA

The Bureau of Industry and Security, U.S. Department of Commerce ("BIS") has notified Viking SA ("Viking SA"), of its intention to initiate an administrative proceeding against Viking SA pursuant to Section 766.3 of the Export Administration Regulations (currently codified at 15 C.F.R. Parts 730-774 (2007)) (the "Regulations"),[1] and Section 13(c) of the Export Administration Act of 1979, as amended (50 U.S.C. app. §§ 2401-2420 (2000)) (the "Act"),[2] through issuance of a proposed charging letter to Viking SA that alleged that Viking SA committed four violations of the Regulations. Specifically, the charges are:

[1] The violations alleged to have been committed occurred between 2001 and 2002. The Regulations governing the violations at issue are found in the 2001 through 2002 versions of the Code of Federal Regulations (15 C.F.R. Parts 730-774 (2001-2002)). The 2007 Regulations establish the procedures that apply to this matter.

[2] Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 2, 2006 (71 Fed. Reg. 44,551 (Aug. 7, 2006)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. §§ 1701-1706 (2000) ("IEEPA").

Charge 1 15 C.F.R. § 764.2(b): Causing the Export of Fire Extinguishing Equipment from the United States to Iran without the Required U.S. Government Authorization

Between on or about December 18, 2001 and on or about January 4, 2002, Viking SA caused the doing of an act prohibited by the Regulations. Specifically, Viking SA ordered fire extinguishing equipment, items that are subject to the Regulations[3] and the Iranian Transactions Regulations ("ITR") of the Department of the Treasury's Office of Foreign Assets Control ("OFAC")[4], from the United States and/or sold the items to a customer in Iran without the required U.S. Government authorization[5]. Viking SA's ordering and/or selling of these items caused the unlicensed export of these items to Iran. Pursuant to Section 746.7 of the Regulations and Section 560.204 of the ITR, the export of these items required OFAC authorization and no authorization was obtained. In engaging in this activity, Viking SA committed one violation of Section 764.2(b) of the Regulations.

Charge 2 15 C.F.R. § 764.2(e): Acting with Knowledge of a Violation

Between on or about December 18, 2001 and on or about January 4, 2002, in connection with the transaction described in Charge 1, above, Viking SA ordered and/or sold items to be exported from the United States and subject to the Regulations with knowledge that a violation of the Regulations was about to occur or was intended to occur in connection with the items. Viking SA knew or had reason to know that exports from the United States to Iran required authorization from the U.S. Government, and knew or had reason to know that the ultimate destination for the items was Iran. Viking SA knew or had reason to know that exports to Iran required authorization from the U.S. Government since, *inter alia,* on or around December 12, 2001, the chief operating officer of Viking SA's parent company informed Viking SA's management that a license was required to export items to Iran. Viking SA knew or had reason to know that the ultimate destination for the fire extinguishing equipment was Iran since, *inter alia*, internal Viking SA documents showed the end-user was Melli Etfae located in Iran. In engaging in this activity, Viking SA committed one violation of Section 764.2(e) of the Regulations.

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[3] These items were classified as EAR99, which is a designation for items subject to the Regulations but not listed on the Commerce Control List. 15 C.F.R. § 734.3(c).
[4] 31 C.F.R. Part 560.
[5] Under the Regulations, the export of an item subject to the Regulations that will transit through a country or countries or be transshipped in a country or countries to a new country, or is intended for reexport to the new country, is deemed to be an export to the new country. 15 C.F.R. § 734.2(b)(6).

Charge 3 15 C.F.R. § 764.2(b): Causing an Attempted Export of Fire Extinguishing Equipment from the United States to Iran without the Required U.S. Government Authorization

Between on or about January 31, 2002 and on or about February 13, 2002, Viking SA caused the doing of an act prohibited by the Regulations. Specifically, Viking SA ordered fire extinguishing equipment, items that are subject to the Regulations and the Iranian Transactions Regulations ("ITR") of the Department of the Treasury's Office of Foreign Assets Control ("OFAC"), from the United States and/or sold the items to a customer in Iran without the required U.S. Government authorization. Viking SA's ordering and/or selling of these items caused the attempted unlicensed export of these items to Iran. Pursuant to Section 746.7 of the Regulations and Section 560.204 of the ITR, the export of these items to Iran required OFAC authorization and no authorization was obtained. In engaging in this activity, Viking SA committed one violation of Section 764.2(b) of the Regulations.

Charge 4 15 C.F.R. § 764.2(e): Acting with Knowledge of a Violation

Between on or about January 31, 2002 and on or about February 13, 2002, in connection with the transaction described in Charge 3, above, Viking SA ordered and/or sold items to be exported from the United States and subject to the Regulations with knowledge that a violation of the Regulations was about to occur or was intended to occur in connection with the items. Viking SA knew or had reason to know that exports from the United States to Iran required authorization from the U.S. Government, and knew or had reason to know that the ultimate destination of the items was Iran. Viking SA knew or had reason to know that exports to Iran required authorization from the U.S. Government since, *inter alia,* on or about December 12, 2001, the chief operating officer of Viking SA's parent company informed Viking SA's management that a license was required to export items to Iran. Viking SA knew or had reason to know that the ultimate destination for the fire extinguishing equipment was Iran since, *inter alia*, internal Viking SA documents showed the end-user was Melli Etfae located in Iran. In engaging in this activity, Viking SA committed one violation of Section 764.2(e) of the Regulations.

WHEREAS, BIS and Viking SA have entered into a Settlement Agreement pursuant to Section 766.18(a) of the Regulations whereby they agreed to settle this matter in accordance with the terms and conditions set forth therein, and

WHEREAS, I have approved of the terms of such Settlement Agreement;

IT IS THEREFORE ORDERED:

FIRST, that a civil penalty of $44,000 is assessed against Viking SA, which shall be paid to the U.S. Department of Commerce within 30 days from the date of entry of this Order. Payment shall be made in the manner specified in the attached instructions.

SECOND, that, pursuant to the Debt Collection Act of 1982, as amended (31 U.S.C. §§ 3701-3720E (2000)), the civil penalty owed under this Order accrues interest as more fully described in the attached Notice, and, if payment is not made by the due date specified herein, Viking SA will be assessed, in addition to the full amount of the civil penalty and interest, a penalty charge and an administrative charge, as more fully described in the attached Notice.

THIRD, that the timely payment of the civil penalty set forth above is hereby made a condition to the granting, restoration, or continuing validity of any export license, license exception, permission, or privilege granted, or to be granted, to Viking SA. Accordingly, if Viking SA should fail to pay the civil penalty in a timely manner, the undersigned may enter an Order denying all of Viking SA's export privileges for a period of one year from the date of entry of this Order.

FOURTH, that Viking SA shall perform an audit of its internal compliance program within 12 months from the date of entry of this Order. Said audit shall be in substantial compliance with the Export Management Systems audit module, which is available from the BIS website at http://www.bis.doc.gov/complianceandenforcement/ExportManagementSystems.htm, which is incorporated by reference. A copy of said audit report shall be transmitted to the Office of Export Enforcement, High Point Plaza, 4415 West Harrison Street, Suite 530, Hillside, IL 60162 no later than 13 months from the date of entry of the Order.

FIFTH, that the proposed charging letter, the Settlement Agreement, and this Order shall be made available to the public.

This Order, which constitutes the final agency action in this matter, is effective immediately.

Darryl W. Jackson
Darryl W. Jackson
Assistant Secretary of Commerce
for Export Enforcement

Entered this 26th day of July, 2007.

UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF INDUSTRY AND SECURITY
WASHINGTON, D.C. 20230

In the Matter of:	)
	)
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Viking SA	)
Zone Industrialle Hanesboesch	)
K-4562 Differdange, Luxembourg	)
	)
	)
Respondent	)

SETTLEMENT AGREEMENT

This Settlement Agreement ("Agreement") is made by and between Viking SA of Luxembourg ("Viking SA"), and the Bureau of Industry and Security, U.S. Department of Commerce ("BIS") (collectively, the "Parties"), pursuant to Section 766.18(a) of the Export Administration Regulations (currently codified at 15 C.F.R. Parts 730-774 (2007)) (the "Regulations"),[1] issued pursuant to the Export Administration Act of 1979, as amended (50 U.S.C. app. §§ 2401-2420 (2000)) (the "Act"),[2]

WHEREAS, BIS has notified Viking SA of its intention to initiate an administrative proceeding against Viking SA, pursuant to the Act and the Regulations;

[1] The violations alleged to have been committed occurred between 2001 and 2002. The Regulations governing the violations at issue are found in the 2001 through 2002 versions of the Code of Federal Regulations (15 C.F.R. Parts 730-774 (2001-2002)). The 2007 Regulations establish the procedures that apply to this matter.

[2] Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 2, 2006 (71 Fed. Reg. 44,551 (Aug. 7, 2006)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. §§ 1701-1706 (2000) ("IEEPA").

WHEREAS, BIS has issued a proposed charging letter to Viking SA that alleged that Viking SA committed four violations of the Regulations, specifically:

Charge 1 15 C.F.R. § 764.2(b): Causing the Export of Fire Extinguishing Equipment from the United States to Iran without the Required U.S. Government Authorization

Between on or about December 18, 2001 and on or about January 4, 2002, Viking SA caused the doing of an act prohibited by the Regulations. Specifically, Viking SA ordered fire extinguishing equipment, items that are subject to the Regulations[3] and the Iranian Transactions Regulations ("ITR") of the Department of the Treasury's Office of Foreign Assets Control ("OFAC")[4], from the United States and/or sold the items to a customer in Iran without the required U.S. Government authorization[5]. Viking SA's ordering and/or selling of these items caused the unlicensed export of these items to Iran. Pursuant to Section 746.7 of the Regulations and Section 560.204 of the ITR, the export of these items required OFAC authorization and no authorization was obtained. In engaging in this activity, Viking SA committed one violation of Section 764.2(b) of the Regulations.

Charge 2 15 C.F.R. § 764.2(e): Acting with Knowledge of a Violation

Between on or about December 18, 2001 and on or about January 4, 2002, in connection with the transaction described in Charge 1, above, Viking SA ordered and/or sold items to be exported from the United States and subject to the Regulations with knowledge that a violation of the Regulations was about to occur or was intended to occur in connection with the items. Viking SA knew or had reason to know that exports from the United States to Iran required authorization from the U.S. Government, and knew or had reason to know that the ultimate destination for the items was Iran. Viking SA knew or had reason to know that exports to Iran required authorization from the U.S. Government since, *inter alia,* on or around December 12, 2001, the chief operating officer of Viking SA's parent company informed Viking SA's management that a license was required to export items to Iran. Viking SA knew or had reason to know that the ultimate destination for the fire extinguishing equipment was Iran since, *inter alia,* internal Viking SA documents showed the end-user was Melli Etfae located in Iran. In engaging in this activity, Viking SA committed one violation of Section 764.2(e) of the Regulations.

[3] These items were classified as EAR99, which is a designation for items subject to the Regulations but not listed on the Commerce Control List. 15 C.F.R. § 734.3(c).
[4] 31 C.F.R. Part 560.
[5] Under the Regulations, the export of an item subject to the Regulations that will transit through a country or countries or be transshipped in a country or countries to a new country, or is intended for reexport to the new country, is deemed to be an export to the new country. 15 C.F.R. § 734.2(b)(6).

Charge 3 15 C.F.R. § 764.2(b): Causing an Attempted Export of Fire Extinguishing Equipment from the United States to Iran without the Required U.S. Government Authorization

Between on or about January 31, 2002 and on or about February 13, 2002, Viking SA caused the doing of an act prohibited by the Regulations. Specifically, Viking SA ordered fire extinguishing equipment, items that are subject to the Regulations and the Iranian Transactions Regulations ("ITR") of the Department of the Treasury's Office of Foreign Assets Control ("OFAC"), from the United States and/or sold the items to a customer in Iran without the required U.S. Government authorization. Viking SA's ordering and/or selling of these items caused the attempted unlicensed export of these items to Iran. Pursuant to Section 746.7 of the Regulations and Section 560.204 of the ITR, the export of these items to Iran required OFAC authorization and no authorization was obtained. In engaging in this activity, Viking SA committed one violation of Section 764.2(b) of the Regulations.

Charge 4 15 C.F.R. § 764.2(e): Acting with Knowledge of a Violation

Between on or about January 31, 2002 and on or about February 13, 2002, in connection with the transaction described in Charge 3, above, Viking SA ordered and/or sold items to be exported from the United States and subject to the Regulations with knowledge that a violation of the Regulations was about to occur or was intended to occur in connection with the items. Viking SA knew or had reason to know that exports from the United States to Iran required authorization from the U.S. Government, and knew or had reason to know that the ultimate destination of the items was Iran. Viking SA knew or had reason to know that exports to Iran required authorization from the U.S. Government since, *inter alia,* on or about December 12, 2001, the chief operating officer of Viking SA's parent company informed Viking SA's management that a license was required to export items to Iran. Viking SA knew or had reason to know that the ultimate destination for the fire extinguishing equipment was Iran since, *inter alia*, internal Viking SA documents showed the end-user was Melli Etfae located in Iran. In engaging in this activity, Viking SA committed one violation of Section 764.2(e) of the Regulations.

WHEREAS, Viking SA has reviewed the proposed charging letter and is aware of the allegations made against it and the administrative sanctions which could be imposed against it if the allegations are found to be true;

WHEREAS, Viking SA fully understands the terms of this Agreement and the Order ("Order") that the Assistant Secretary of Commerce for Export Enforcement will issue if he approves this Agreement as the final resolution of this matter;

WHEREAS, Viking SA enters into this Agreement voluntarily and with full knowledge of its rights;

WHEREAS, Viking SA states that no promises or representations have been made to it other than the agreements and considerations herein expressed;

WHEREAS, Viking SA neither admits nor denies the allegations contained in the proposed charging letter;

WHEREAS, Viking SA wishes to settle and dispose of all matters alleged in the proposed charging letter by entering into this Agreement; and

WHEREAS, Viking SA agrees to be bound by the Order, if entered;

NOW THEREFORE, the Parties hereby agree as follows:

1. BIS has jurisdiction over Viking SA, under the Regulations, in connection with the matters alleged in the proposed charging letter.

2. The following sanction shall be imposed against Viking SA in complete settlement of the alleged violations of the Regulations relating to the transactions detailed in the proposed charging letter:

   a. Viking SA shall be assessed a civil penalty in the amount of $44,000, all of which shall be paid to the U.S. Department of Commerce within 30 days from the date of entry of the Order.

   b. The timely payment of the civil penalty agreed to in paragraph 2.a is hereby made a condition to the granting, restoration, or continuing validity of any export license, permission, or privilege granted, or to be granted, to Viking SA. Failure to make timely payment of the civil penalty set forth above may result in the denial of all of Viking SA's export privileges for a period of one year from the date of imposition of the penalty.

   c. Viking SA shall perform an audit of its internal compliance program within 12 months of the date of entry of the Order. Said audit shall be in substantial compliance with the Export Management System audit module, which is available from the BIS website at http://www.bis.doc.gov/complianceandenforcement/ExportManagementSystems.htm, which is incorporated by reference. A copy of said audit report shall be transmitted to the Office of Export Enforcement, High Point Plaza, 4415 West Harrison Street, Suite 530, Hillside, IL 60162, no later than 13 months from the date of entry of the Order.

3. Subject to the approval of this Agreement pursuant to paragraph 8 hereof, Viking SA hereby waives all rights to further procedural steps in this matter (except with respect to any alleged violations of this Agreement or the Order, if entered), including, without limitation, any right to: (a) an administrative hearing regarding the allegations in any charging letter; (b) request a refund of any civil penalty paid pursuant to this Agreement and the Order, if entered; and (c) seek judicial review or otherwise contest the validity of this Agreement or the Order, if entered.

4. Upon entry of the Order and timely payment of the $44,000 civil penalty, BIS will not initiate any further administrative proceeding against Viking SA in connection with any violation of the Act or the Regulations arising out of the transactions identified in the proposed charging letter.

5. BIS will make the proposed charging letter, this Agreement, and the Order, if entered, available to the public.

6. This Agreement is for settlement purposes only. Therefore, if this Agreement is not accepted and the Order is not issued by the Assistant Secretary of Commerce for Export Enforcement pursuant to Section 766.18(a) of the Regulations, no Party may use this Agreement in any administrative or judicial proceeding and the Parties shall not be bound by the terms contained in this Agreement in any subsequent administrative or judicial proceeding.

7. No agreement, understanding, representation or interpretation not contained in this Agreement may be used to vary or otherwise affect the terms of this Agreement or the Order, if entered, nor shall this Agreement serve to bind, constrain, or otherwise limit any action by any other

agency or department of the U.S. Government with respect to the facts and circumstances addressed herein.

8. This Agreement shall become binding on the Parties only if the Assistant Secretary of Commerce for Export Enforcement approves it by entering the Order, which will have the same force and effect as a decision and order issued after a full administrative hearing on the record.

9. Each signatory affirms that he has authority to enter into this Settlement Agreement and to bind his respective party to the terms and conditions set forth herein.

BUREAU OF INDUSTRY AND SECURITY U.S. DEPARTMENT OF COMMERCE	VIKING SA
John McKenna Acting Director Office of Export Enforcement	Chris Dugan, Esq. Behnam Dayanim, Esq. Paul, Hastings, Janofsky & Walker LLP Attorneys for Viking SA
Date: 7/27/07	Date: 7/27/07

PROPOSED CHARGING LETTER

REGISTERED MAIL - RETURN RECEIPT REQUESTED

Viking SA
Zone Industrialle Haneboesch
L-4562 Differdange, Luxembourg

Attn: *Mr. D'Antonio*
Director of Operations

Dear Mr. D'Antonio:

The Bureau of Industry and Security, U.S. Department of Commerce ("BIS"), has reason to believe that Viking SA of Luxembourg ("Viking SA") has committed four violations of the Export Administration Regulations (the "Regulations"),[1] which are issued under the authority of the Export Administration Act of 1979, as amended (the "Act").[2] Specifically, BIS charges that Viking SA committed the following violations:

Charge 1 15 C.F.R. § 764.2(b): Causing the Export of Fire Extinguishing Equipment from the United States to Iran without the Required U.S. Government Authorization

Between on or about December 18, 2001 and on or about January 4, 2002, Viking SA caused the doing of an act prohibited by the Regulations. Specifically, Viking SA ordered fire extinguishing equipment, items that are subject to the Regulations[3] and the Iranian Transactions Regulations ("ITR") of the Department of the Treasury's Office of Foreign Assets Control ("OFAC")[4], from the United States and/or sold the items to a customer in Iran without the

[1] The Regulations are currently codified in the Code of Federal Regulations at 15 C.F.R. Parts 730-774 (2007). The charged violations occurred between 2001- 2002. The Regulations governing the violations at issue are found in the 2001-2002 versions of the Code of Federal Regulations (15 C.F.R. Parts 730-774 (2001-2002)). The 2007 Regulations set forth the procedures that apply to this matter.

[2] 50 U.S.C. app. §§ 2401-2420 (2000). Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 C.F.R., 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 2, 2006 (71 Fed. Reg. 44,551 (Aug. 7, 2006)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. §§ 1701-1706 (2000) ("IEEPA"). The Act and the Regulations are available on the Government Printing Office website at: *http://www.access.gpo.gov/bis/.*

[3] These items were classified as EAR99, which is a designation for items subject to the Regulations but not listed on the Commerce Control List. 15 C.F.R. § 734.3(c).

[4] 31 C.F.R. Part 560.

required U.S. Government authorization[5]. Viking SA's ordering and/or selling of these items caused the unlicensed export of these items to Iran. Pursuant to Section 746.7 of the Regulations and Section 560.204 of the ITR, the export of these items required OFAC authorization and no authorization was obtained. In engaging in this activity, Viking SA committed one violation of Section 764.2(b) of the Regulations.

Charge 2 15 C.F.R. § 764.2(e): Acting with Knowledge of a Violation

Between on or about December 18, 2001 and on or about January 4, 2002, in connection with the transaction described in Charge 1, above, Viking SA ordered and/or sold items to be exported from the United States and subject to the Regulations with knowledge that a violation of the Regulations was about to occur or was intended to occur in connection with the items. Viking SA knew or had reason to know that exports from the United States to Iran required authorization from the U.S. Government, and knew or had reason to know that the ultimate destination for the items was Iran. Viking SA knew or had reason to know that exports to Iran required authorization from the U.S. Government since, *inter alia,* on or around December 12, 2001, the chief operating officer of Viking SA's parent company informed Viking SA's management that a license was required to export items to Iran. Viking SA knew or had reason to know that the ultimate destination for the fire extinguishing equipment was Iran since, *inter alia*, internal Viking SA documents showed the end-user was Melli Etfae located in Iran. In engaging in this activity, Viking SA committed one violation of Section 764.2(e) of the Regulations.

Charge 3 15 C.F.R. § 764.2(b): Causing an Attempted Export of Fire Extinguishing Equipment from the United States to Iran without the Required U.S. Government Authorization

Between on or about January 31, 2002 and on or about February 13, 2002, Viking SA caused the doing of an act prohibited by the Regulations. Specifically, Viking SA ordered fire extinguishing equipment, items that are subject to the Regulations and the Iranian Transactions Regulations ("ITR") of the Department of the Treasury's Office of Foreign Assets Control ("OFAC"), from the United States and/or sold the items to a customer in Iran without the required U.S. Government authorization. Viking SA's ordering and/or selling of these items caused the attempted unlicensed export of these items to Iran. Pursuant to Section 746.7 of the Regulations and Section 560.204 of the ITR, the export of these items to Iran required OFAC authorization and no authorization was obtained. In engaging in this activity, Viking SA committed one violation of Section 764.2(b) of the Regulations.

[5] Under the Regulations, the export of an item subject to the Regulations that will transit through a country or countries or be transshipped in a country or countries to a new country, or is intended for reexport to the new country, is deemed to be an export to the new country. 15 C.F.R. § 734.2(b)(6).

Charge 4 15 C.F.R. § 764.2(e): Acting with Knowledge of a Violation

Between on or about January 31, 2002 and on or about February 13, 2002, in connection with the transaction described in Charge 3, above, Viking SA ordered and/or sold items to be exported from the United States and subject to the Regulations with knowledge that a violation of the Regulations was about to occur or was intended to occur in connection with the items. Viking SA knew or had reason to know that exports from the United States to Iran required authorization from the U.S. Government, and knew or had reason to know that the ultimate destination of the items was Iran. Viking SA knew or had reason to know that exports to Iran required authorization from the U.S. Government since, *inter alia,* on or about December 12, 2001, the chief operating officer of Viking SA's parent company informed Viking SA's management that a license was required to export items to Iran. Viking SA knew or had reason to know that the ultimate destination for the fire extinguishing equipment was Iran since, *inter alia*, internal Viking SA documents showed the end-user was Melli Etfae located in Iran. In engaging in this activity, Viking SA committed one violation of Section 764.2(e) of the Regulations.

* * * * *

Accordingly, Viking SA is hereby notified that an administrative proceeding is instituted against it pursuant to Section 13(c) of the Act and Part 766 of the Regulations for the purpose of obtaining an order imposing administrative sanctions, including any or all of the following:

- The maximum civil penalty allowed by law of $11,000 per violation;[6]
- Denial of export privileges; and/or
- Exclusion from practice before BIS.

If Viking SA fails to answer the charges contained in this letter within 30 days after being served with notice of issuance of this letter, that failure will be treated as a default. *See* 15 C.F.R. §§ 766.6 and 766.7. If Viking SA defaults, the Administrative Law Judge may find the charges alleged in this letter are true without a hearing or further notice to Viking SA. The Under Secretary of Commerce for Industry and Security may then impose up to the maximum penalty for the charges in this letter.

Viking SA is further notified that it is entitled to an agency hearing on the record if it files a written demand for one with its answer. *See* 15 C.F.R. § 766.6. Viking SA is also entitled to be represented by counsel or other authorized representative who has power of attorney to represent it. *See* 15 C.F.R. §§ 766.3(a) and 766.4.

The Regulations provide for settlement without a hearing. *See* 15 C.F.R. § 766.18. Should Viking SA have a proposal to settle this case, Viking SA or its representative should transmit it to the attorney representing BIS named below.

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[6] 15 C.F.R. § 6.4(a)(4)

The U.S. Coast Guard is providing administrative law judge services in connection with the matters set forth in this letter. Accordingly, Viking SA's answer must be filed in accordance with the instructions in Section 766.5(a) of the Regulations with:

U.S. Coast Guard ALJ Docketing Center
40 S. Gay Street
Baltimore, Maryland 21202-4022

In addition, a copy of Viking SA's answer must be served on BIS at the following address:

Chief Counsel for Industry and Security
Attention: Gregory Michelsen
Room H-3839
United States Department of Commerce
14th Street and Constitution Avenue, N.W.
Washington, D.C. 20230

Gregory Michelsen is the attorney representing BIS in this case; any communications that Viking SA may wish to have concerning this matter should occur through her. Mr. Michelsen may be contacted by telephone at (202) 482-5301.

Sincerely,

John McKenna
Acting Director
Office of Export Enforcement