



UNITED STATES DEPARTMENT OF COMMERCE
Bureau of Industry and Security
Washington, D.C. 20230

WARNING LETTER

June 30, 2011

Barthco International Inc.
The Navy Yard
5101 South Broad Street
Philadelphia, PA 19112

Gentlemen/Ladies:

Case No. 07-13

We, the Office of Antiboycott Compliance, Bureau of Industry and Security, United States Department of Commerce ("BIS"), following our examination of certain export transactions of Barthco International Inc. ("Barthco"), have reason to believe that you, Barthco, have violated the Export Administration Regulations (currently codified at 15 C.F.R. Parts 730-774 (2011)) (the "Regulations"),¹ which are issued under the authority of the Export Administration Act of 1979, as amended (50 U.S.C. app. §§2401-2420 (2000))(the "Act"),² in that, on one occasion, you failed to report to the Department of Commerce ("Department") your receipt of a request to engage in a restrictive trade practice or boycott, as required by the Regulations.

Specifically, on or about March 26, 2006, in connection with the sale and/or transfer of goods or services (including information) from the United States to Kuwait, you received advice of Letter of Credit number GB/IMLC/06/00634 issued by the Gulf Bank KSC (Kuwait) which set out the following documentary requirements of the letter of credit:

46 Documents Required... 46A(1)(C) "The name and nationality/origin of the manufacturers of each item of the manufactured/processed good.
46 A (4) Bill of lading to mention: The carrying vessel is allowed to enter Kuwaiti ports. A separate declaration to this effect from the captain or owner or agent of vessel is acceptable.

¹ The alleged violation occurred during the year 2006. The Regulations governing the violation at issue are found in the 2006 version of the Code of Federal Regulations (15 C.F.R. Parts 730-774 (2006)). The prior years' Regulations are substantially the same as the 2011 version of the Regulations which governs the procedural aspects of 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 of which was August 12, 2010 (75 Fed. Reg. 50681(August 16, 2010)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. §§ 1701-1707 (2000)).



Section 760.5 of the Regulations requires United States persons to report to the Department their receipt of such requests. You failed to report to the Department your receipt of this request.

All U.S. persons are required to comply with the Regulations. However, having considered all the facts and circumstances known to us at this time, we are closing this investigation with the issuance of this Warning Letter.

This Warning Letter applies only to the transaction referred to herein. Other violations of the Regulations not expressly referred to in this Warning Letter may result in the institution of administrative proceedings against you which could result in the imposition of civil penalties and/or any of the other sanctions set forth in Section 764.3 of the Regulations. You should, therefore, ensure that Barthco strictly adheres to the Regulations in all future transactions.

Warning letters are made available for public inspection in the Freedom of Information Reading Room section displayed on the Bureau of Industry and Security web site, at <http://efoia.bis.doc.gov>.

Should you have any questions or comments relating to this Warning Letter, please contact me at (202) 482-2381.

Sincerely,

Handwritten signature of Edward O. Weant, III in black ink.

Edward O Weant, III
Director
Office of Antiboycott Compliance



UNITED STATES DEPARTMENT OF COMMERCE
Bureau of Industry and Security
Washington, D.C. 20230

APR 29 2011

WARNING LETTER

Ref: 2011/B001/FR/NC

JLG Industries, Inc.
13712 Crayton Boulevard
Hagerstown, MD 21742-2386

Attention: Ignacio Cortina, Esq.
Assistant General Counsel

Gentlemen/Ladies:

Case No. 08-09

We, the Office of Antiboycott Compliance, Bureau of Industry and Security, United States Department of Commerce ("BIS"), following our examination of certain export transactions of JLG Industries, Inc. ("JLG"), have reason to believe that you, JLG, have violated the Export Administration Regulations (currently codified at 15 C.F.R. Parts 730-774 (2011)) (the "Regulations"),¹ which are issued under the authority of the Export Administration Act of 1979, as amended (50 U.S.C. app. §§2401-2420 (2000))(the "Act"),² in that, on one occasion, you failed to report to the Department of Commerce ("Department") your receipt of a request to engage in a restrictive trade practice or boycott, as required by the Regulations.

Specifically, on or about January 27, 2006, in connection with the sale and/or transfer of goods or services (including information) from the United States to Kuwait, you received advice of Letter of Credit number GB/IMLC/06/00634 issued by the Gulf Bank KSC (Kuwait) which set out the following documentary requirements of the letter of credit:

46 DOCUMENTS REQUIRED:

46A:

(1) SIGNED COMMERCIAL INVOICE IN TRIPLICATE SHOWING:...

(C)THE NAME AND NATIONALITY/ORIGIN OF THE MANUFACTURERS OF EACH ITEM OF THE MANUFACTURED/ PROCESSED GOODS...

¹ The alleged violation occurred during the year 2006. The Regulations governing the violation at issue are found in the 2006 version of the Code of Federal Regulations (15 C.F.R. Parts 730-774 (2006)). The prior years's Regulations are substantially the same as the 2011 version of the Regulations which governs the procedural aspects of 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 of which was August 12, 2010 (75 Fed. Reg. 50681(August 16, 2010)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. §§ 1701-1707 (2000)).



(4)... BILL OF LADING TO MENTION:...

(C) THE CARRYING VESSEL IS ALLOWED TO ENTER KUWAITI PORTS. A SEPARATE DECLARATION TO THIS EFFECT FROM THE CAPTAIN OR OWNER OR AGENT OF VESSEL IS ACCEPTABLE...

47 ADDITIONAL CONDITIONS:...

47A SHIPMENT OF GOODS OF ISRAELI ORIGIN AND SHIPMENT FROM AND/OR TRANSSHIPMENT AT ISRAEL IS PROHIBITED.

Section 760.5 of the Regulations requires United States persons to report to the Department their receipt of such requests. You failed to report to the Department your receipt of this request.

All U.S. persons are required to comply with the Regulations. However, having considered all the facts and circumstances known to us at this time, we are closing this investigation with the issuance of this Warning Letter.

This Warning Letter applies only to the transaction referred to herein. Other violations of the Regulations not expressly referred to in this Warning Letter may result in the institution of administrative proceedings against you which could result in the imposition of civil penalties and/or any of the other sanctions set forth in Section 764.3 of the Regulations. You should, therefore, ensure that JLG strictly adheres to the Regulations in all future transactions.

Warning letters are made available for public inspection in the Freedom of Information Reading Room section displayed on the Bureau of Industry and Security web site, at <http://efoia.bis.doc.gov>.

Should you have any questions or comments relating to this Warning Letter, please contact me at (202) 482-2381.

Sincerely,



Edward O Weant, III
Director
Office of Antiboycott Compliance