

Dated: August 17, 2001.

Bernard T. Carreau,

Acting Assistant Secretary for Import Administration.

Appendix—Issues in Decision Memo

Comments

1. Applying the Separate Rates Test to Beijing Concord
2. Applying the Separate Rates Test to Huanri General
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[FR Doc. 01-21345 Filed 8-22-01; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

Notice of Determination with Respect to Modification of Tariff Rate Quotas on the Import of Certain Worsted Wool Fabrics

AGENCY: International Trade Administration, Department of Commerce.

ACTION: The Department has recommended that no modification be made to the tariff rate quotas.

SUMMARY: The Department of Commerce has determined that the 2001 limitation on the quantity of imports of worsted wool fabrics that may be imported under the tariff rate quotas established by Title V of the Trade and Development Act of 2000 should not be modified.

FOR FURTHER INFORMATION CONTACT: Sergio Botero, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4058.

BACKGROUND:

Title V of the Trade and Development Act of 2000 (The Act) creates two tariff rate quotas, providing for temporary reductions in the import duties on two categories of worsted wool fabrics suitable for use in making suits, suit-type jackets, or trousers. For worsted wool fabric with average fiber diameters greater than 18.5 microns (new Harmonized Tariff Schedule of the United States (HTS) heading 9902.51.11), the reduction in duty is limited to 2,500,000 square meter equivalents per year. For worsted wool fabric with average fiber diameters of 18.5 microns or less (new HTS heading 9902.51.12), the reduction is limited to 1,500,000 square meter equivalents per year. Both these limitations may be

modified by the President, not to exceed 1,000,000 square meter equivalents per year for each tariff rate quota.

The Act requires annual consideration of requests by U.S. apparel manufacturers for modification of the limitation on the quantity of fabric that may be imported under the tariff rate quotas, and grants the President the authority to proclaim modifications to the limitations. In determining whether to modify the limitations, specified U.S. market conditions with respect to worsted wool fabric and worsted wool apparel must be considered.

In Presidential Proclamation 7383, of December 1, 2000, the President authorized the Secretary of Commerce to determine whether the limitations on the quantity of imports of worsted wool fabrics under the tariff rate quotas should be modified and to recommend to the President that appropriate modifications be made.

On January 22, the Department published regulations establishing procedures for considering requests for modification of the limitations. 66 FR 6459, 15 C.F.R. 340. These procedures include an annual solicitation in the Federal Register of requests to modify the limitations, notice in the Federal Register of any such request(s) and a solicitation of public comments on such request(s).

The regulations provide that not more than 30 days following the close of the comment period, the Department will determine whether the limitations on the quantity of imports under the tariff rate quotas should be modified, and recommend to the President that appropriate modifications be made.

A request was received on April 13, 2001 from Hartmarx Corporation, on behalf of the Tailored Clothing Association, to increase the level of both 2001 tariff rate quotas by 1,000,000 square meter equivalents. On June 11, 2001, the Department solicited comments on the request and comments were received from eighteen companies and organizations.

After reviewing the request, the comments received, and other information obtained, including a report prepared by the U.S. International Trade Commission, and after considering the specific market conditions set forth in the Act, the Department has determined that the 2001 limitation on the quantity of imports of worsted wool fabrics that may be imported under the tariff rate quotas established by Title V of the Trade and Development Act of 2000 should not be modified. Accordingly, the Department has recommended to the President that no modification be made to the tariff rate quotas.

Dated: August 14, 2001

Linda M. Conlin,

Assistant Secretary for Trade Development, Department of Commerce.

[FR Doc. 01-21328 Filed 8-22-01; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 081001G]

Marine Mammals; Permits

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

ACTION: Receipt of application for a scientific research permit (File No. 1003-1646); receipt of application to amend Permit No. 455-1445-01.

SUMMARY: Notice is hereby given of the following actions for takes of marine mammal species for the purposes of scientific research and enhancement: NMFS has received a permit application from: Jennifer Burns, University of Alaska Fairbanks, 3211 Providence Drive, Anchorage, Alaska 99508-8104 (File No. 1003-1646); NMFS has received an application for a permit amendment from The Waikiki Aquarium, 2777 Kalakaua Avenue, Honolulu, HI 96815 (Bruce Carlson, Principle Investigator; Permit No. 455-1445-01).

DATES: Written or telefaxed comments on the permit application or amendment request must be received on or before September 24, 2001.

ADDRESSES: Written comments on the permit application or amendment request should be sent to the appropriate office as indicated below. Comments may also be sent via fax to the number indicated for the application or amendment request. Comments will not be accepted if submitted via e-mail or the internet. The application and related documents are available for review upon written request or by appointment in the following office(s):

For permit application (File No. 1003-1646): Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668; phone (907) 586-7221; fax (907) 586-7249;

For amendment request (Permit No. 455-1445-01): Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562) 980-4001; fax (562) 980-4018; and

Pacific Islands Area Office, NMFS, 1601 Kapiolani Blvd., Room 1110,

Honolulu, HI 96814-4700; phone (808) 973-2935; fax (808) 973-2941.

All documents may also be reviewed by appointment in the Permits and Documentation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 713-2289; fax (301) 713-0376.

Written comments or requests for a public hearing on this application should be mailed to the Chief, Permits and Documentation Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

FOR FURTHER INFORMATION CONTACT: Amy Sloan or Ruth Johnson, (301) 713-2289.

SUPPLEMENTARY INFORMATION: The subject permit and amendment are requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-227).

New Application Received

File No. 1003-1646: Dr. Burns proposes to import marine mammal parts (blood, blubber and muscle biopsies, and flipper tissue) from Canadian populations of harbor seals (*Phoca vitulina*), hooded seals (*Cystophora cristata*), harp seals (*Phoca groenlandica*), and grey seals (*Halichoerus grypus*). These tissues will be used to study physiological adaptations of foraging in marine mammals and more specifically, the development of body oxygen stores in phocid pups.

Amendment Request Received

Permit No. 455-1445-01 currently authorizes the Waikiki Aquarium to hold Hawaiian monk seals (*Monachus schauinslandi*) for the purpose of enhancing the survival and recovery of the species. The scientific research portion of the permit, which expired June 30, 2001, involved studies on the efficiency with which the monk seals assimilate and metabolize amino acids and fatty acids from common prey types, and the elucidation and monitoring of how reproductive and

metabolic activities are related in male monk seals. The applicant proposes to extend this portion of the permit to allow these research projects to continue through the duration of the enhancement permit, until June 30, 2003. The research projects will remain the same with the exception of the feeding study, where natural prey fish will be replaced with capelin, herring, smelt, squid, and/or lobster to ensure consistent quality in the food fed to the seals and to minimize the potential for introducing ciguatera. In addition, changes to training protocols for application to collection of samples for the scientific research studies and husbandry purposes are requested, including increasing training for blood sampling from one time per month to two times per week, training for voluntary swallowing of a feeding tube, and training to receive intramuscular injections.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activities proposed are categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application and amendment request to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: August 16, 2001.

Ann D. Terbush,

Chief, Permits and Documentation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 01-21330 Filed 8-22-01; 8:45 am]

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CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 01-C0010]

Mast Industries, Inc., (A wholly Owned Subsidiary of The Limited, Inc.) and the Limited, Inc., a Corporation Provisional Acceptance of a Settlement Agreement and Order

AGENCY: Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: It is the policy of the Commission to publish settlements which it provisionally accepts under the Consumer Product Safety Act in the **Federal Register** in accordance with the terms of 16 CFR 1118.20. Published below is a provisionally-accepted

Settlement Agreement with Mast Industries, Inc., (A wholly owned subsidiary of The Limited, Inc.) and The Limited, Inc., a corporation containing a civil penalty of \$500,000.

DATES: Any interested person may ask the Commission not to accept this agreement or otherwise comment on its contents by filing a written request with the Office of the Secretary by September 7, 2001.

ADDRESSES: Persons wishing to comment on this Settlement Agreement should send written comments to the Comment 01-C0010, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

FOR FURTHER INFORMATION CONTACT: Melissa V. Hampshire, Trial Attorney, Office of the General Counsel, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-0980, 2208.

SUPPLEMENTARY INFORMATION: The text of the Agreement and Order appears below.

Dated: August 16, 2001.

Todd A. Stevenson,
Acting Secretary.

Settlement Agreement and Order

1. This Settlement Agreement, made by and between the staff of the U.S. Consumer Product Safety Commission ("the staff") and Mast Industries, Inc. (hereinafter "Mast") and The Limited, Inc. (hereinafter "The Limited"), any of their subsidiary or affiliated companies in accordance with 16 CFR 1605.13 of the Commission's Procedures for Investigations, Inspections, and Inquiries under the Flammable Fabrics Act ("FFA"), is a settlement of the staff allegations set forth below.

I. The Parties

2. The Consumer Product Safety Commission ("Commission") is an independent federal regulatory agency responsible for the enforcement of the Flammable Fabrics Act, 15 U.S.C. 1191 *et seq.*

3. Mast Industries, Inc. is a corporation organized and existing under the laws of the State of Delaware with its principal place of business 100 Old River Road, Andover Massachusetts, 01810. Mast is a wholly owned subsidiary of The Limited, Inc.

4. The Limited, Inc. is a corporation organized and existing under the laws of the State of Delaware with its principal corporate offices at Three Limited Parkway, Columbus Ohio, 43216.

II. Staff Allegations

5. The following children's sleepwear imported and distributed by Mast and