

(the Act), the 2002 Agreement provides for the implementation of reference prices below which the signatory producers/exporters agree not to sell the subject merchandise. As specified in section IV.G of the 2002 Agreement, the Department agreed to conduct an analysis of the reference prices in order to evaluate whether the 2002 Agreement fulfills the requirements of section 734(c)(1)(A) of the Act. Based on our findings, we have determined that it is appropriate to increase the reference price for the winter season (October 23 through June 30) from \$0.2108 per pound to \$0.2169 per pound. The reference price for the summer season (July 1 through October 22) will remain at \$0.172 per pound.

The new reference price for the winter season of \$0.2169 per pound is effective November 1, 2003. The new box-weight chart, which reflects a new reference price for the winter season applied to common box types that are shipped from Mexico to the United States, can be viewed at the following URL: <http://www.ia.ita.doc.gov/tomato/new-agreement/documents/boxweightchart.html>.

#### Clarifications and Corrections

After publication of the 2002 Agreement the Department received several requests for clarification and it identified certain ministerial errors in the 2002 Agreement. On May 21, 2003, the Department released proposed clarifications and corrections to interested parties and invited them to comment. The signatories of the 2002 Agreement filed comments on May 30, 2003, proposing several modifications. No other party commented on the proposed clarification and corrections.

After reviewing the comments, the Department has decided to make the following clarifications and corrections to the 2002 Agreement:

1. To correct a ministerial error in the **FOR FURTHER INFORMATION CONTACT** section, the telephone number for Janis Kalnins should be (202) 482-1392.

2. To correct a typographical error, the first sentence of section A.2. of Appendix B should read as follows:

When normal value is based on constructed value, the Department will compute constructed values (CVs) for each growing season based on the sum of each respondent's growing costs for each type of tomato plus amounts for selling, general, and administrative expenses (SG&A).

3. To correct a typographical error, the current URL of the website identified in the second sentence of the third paragraph of Appendix C, the last sentence of the fifth paragraph of

Appendix D, the third sentence of the last paragraph of Appendix E, and the third sentence of number four of Appendix F is: [http://ia.ita.doc.gov/tomato/new-agreement/documents/suggested\\_forms](http://ia.ita.doc.gov/tomato/new-agreement/documents/suggested_forms).

4. To correct a ministerial error, the third sentence of section A.2. of Appendix D should read as follows:

For purposes of this Agreement, a condition defect is any condition defect listed in the chart in part A.5. below.

5. Appendix D, section A.5. should read as follows:

Under this Agreement, adjustments to the sales price of signatory tomatoes will be permitted only for condition defects. The term "condition defect" is intended to have the same definition recognized by the Fresh Products Branch of the United States Department of Agriculture, with the exception of abnormal coloring, and, therefore, covers the following items:

#### Condition Defects

Sunken & Discolored Areas  
Sunburn  
Internal Discoloration  
Freezing Injury  
Chilling Injury  
Gray Mold Rot  
Bacterial Soft Rot  
Soft/Decay<sup>1</sup>  
Bruising  
Nailhead Spot  
Skin Checks  
Decayed and Moldy Stems  
Waxy Blister  
White Core  
Discolored or Dried-out Jelly Around Seeds

6. To ensure consistency with the actual entry documentation currently used by Canadian Customs, the Department will interpret the parenthetical reference to "Landing Form" as referring to Form B3 or the Canada Customs Coding Form.

7. To correct a typographical error, the title of Appendix F should read as follows:

Appendix F—Suspension of Antidumping Investigation—Fresh Tomatoes From Mexico—Procedure Signatories Must Follow for Selling Subject Merchandise for Processing.

Dated: October 29, 2003.

**James J. Jochum,**

*Assistant Secretary for Import Administration.*

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<sup>1</sup> The most common decays listed by the USDA are pleospora rot, phoma rot, alternaria rot, and blossom end rot.

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-122-841]

#### Carbon and Certain Alloy Steel Wire Rod From Canada: Initiation of Countervailing Duty Changed Circumstances Review

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**ACTION:** Notice of initiation of changed circumstances review of the countervailing duty order.

**SUMMARY:** On October 1, 2003, Georgetown Steel Company (formerly GS Industries), Gerdau Ameristeel U.S. Inc. (formerly Co-Steel Raritan), Keystone Consolidated Industries, Inc., and North Star Steel Texas, Inc., filed a request for a countervailing duty changed circumstances review. Specifically, they request that the Department of Commerce revoke the countervailing duty order on carbon and certain alloy steel wire rod from Canada. In response, the Department of Commerce is initiating a changed circumstances review of the countervailing duty order on carbon and certain alloy steel wire rod from Canada. Interested parties are invited to comment on this notice of initiation.

**EFFECTIVE DATE:** November 3, 2003.

**FOR FURTHER INFORMATION CONTACT:** S. Anthony Grasso, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-3853.

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 22, 2002, the Department of Commerce (the "Department") published a countervailing duty order on carbon and certain alloy steel wire rod from Canada. *See Notice of Countervailing Duty Orders: Carbon and Certain Alloy Steel Wire Rod from Brazil and Canada*, 67 FR 64871 (October 22, 2002). On October 1, 2003, the Department received a request from Georgetown Steel Company (formerly GS Industries), Gerdau Ameristeel U.S. Inc. (formerly Co-Steel Raritan), Keystone Consolidated Industries, Inc., and North Star Steel Texas, Inc., the petitioners in the original investigation, that the Department initiate a changed circumstances review for purposes of revoking the countervailing duty ("CVD") order. Also the petitioners request that, upon revocation of the

CVD order, the Department fully refund any countervailing duties deposited pursuant to the order. The petitioners state that they are no longer interested in maintaining the countervailing duty order or in the imposition of CVD duties on the subject merchandise.

### Scope of the Review

The merchandise covered by this review is certain hot-rolled products of carbon steel and alloy steel, in coils, of approximately round cross section, 5.00 mm or more, but less than 19.00 mm, in solid cross-sectional diameter.

Specifically excluded are steel products possessing the above-noted physical characteristics and meeting the *Harmonized Tariff Schedule of the United States* ("HTSUS") definitions for (a) stainless steel; (b) tool steel; (c) high nickel steel; (d) ball bearing steel; and (e) concrete reinforcing bars and rods. Also excluded are (f) free machining steel products (*i.e.*, products that contain by weight one or more of the following elements: 0.03 percent or more of lead, 0.05 percent or more of bismuth, 0.08 percent or more of sulfur, more than 0.04 percent of phosphorus, more than 0.05 percent of selenium, or more than 0.01 percent of tellurium).

Also excluded from the scope are 1080 grade tire cord quality wire rod and 1080 grade tire bead quality wire rod. Grade 1080 tire cord quality rod is defined as: (i) Grade 1080 tire cord quality wire rod measuring 5.0 mm or more but not more than 6.0 mm in cross-sectional diameter; (ii) with an average partial decarburization of no more than 70 microns in depth (maximum individual 200 microns); (iii) having no inclusions greater than 20 microns; (iv) having a carbon segregation per heat average of 3.0 or better using European Method NFA 04-114; (v) having a surface quality with no surface defects of a length greater than 0.15 mm; (vi) capable of being drawn to a diameter of 0.30 mm or less with 3 or fewer breaks per ton, and (vii) containing by weight the following elements in the proportions shown: (1) 0.78 percent or more of carbon, (2) less than 0.01 percent of aluminum, (3) 0.040 percent or less, in the aggregate, of phosphorus and sulfur, (4) 0.006 percent or less of nitrogen, and (5) not more than 0.15 percent, in the aggregate, of copper, nickel and chromium.

Grade 1080 tire bead quality rod is defined as: (i) Grade 1080 tire bead quality wire rod measuring 5.5 mm or more but not more than 7.0 mm in cross-sectional diameter; (ii) with an average partial decarburization of no more than 70 microns in depth (maximum individual 200 microns); (iii)

having no inclusions greater than 20 microns; (iv) having a carbon segregation per heat average of 3.0 or better using European Method NFA 04-114; (v) having a surface quality with no surface defects of a length greater than 0.2 mm; (vi) capable of being drawn to a diameter of 0.78 mm or larger with 0.5 or fewer breaks per ton; and (vii) containing by weight the following elements in the proportions shown: (1) 0.78 percent or more of carbon, (2) less than 0.01 percent of soluble aluminum, (3) 0.040 percent or less, in the aggregate, of phosphorus and sulfur, (4) 0.008 percent or less of nitrogen, and (5) either not more than 0.15 percent, in the aggregate, of copper, nickel and chromium (if chromium is not specified), or not more than 0.10 percent in the aggregate of copper and nickel and a chromium content of 0.24 to 0.30 percent (if chromium is specified).

The designation of the products as "tire cord quality" or "tire bead quality" indicates the acceptability of the product for use in the production of tire cord, tire bead, or wire for use in other rubber reinforcement applications such as hose wire. These quality designations are presumed to indicate that these products are being used in tire cord, tire bead, and other rubber reinforcement applications, and such merchandise intended for the tire cord, tire bead, or other rubber reinforcement applications is not included in the scope. However, should petitioners or other interested parties provide a reasonable basis to believe or suspect that there exists a pattern of importation of such products for other than those applications, end-use certification for the importation of such products may be required. Under such circumstances, only the importers of record would normally be required to certify the end use of the imported merchandise.

All products meeting the physical description of subject merchandise that are not specifically excluded are included in this scope.

The products under investigation are currently classifiable under subheadings 7213.91.3010, 7213.91.3090, 7213.91.4510, 7213.91.4590, 7213.91.6010, 7213.91.6090, 7213.99.0031, 7213.99.0038, 7213.99.0090, 7227.20.0010, 7227.20.0020, 7227.20.0090, 7227.20.0095, 7227.90.6051, 7227.90.6053, 7227.90.6058, and 7227.90.6059 of the HTSUS. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this proceeding is dispositive.

### Initiation of Changed Circumstances Review

Section 751(d)(1) of the Tariff Act of 1930, as amended (the "Act"), and 19 CFR 351.222(g) of the Department's regulations, provide that the Department may revoke an antidumping or countervailing duty order, in whole or in part, after conducting a changed circumstances review pursuant to section 751(b) of the Act and concluding from the available information that changed circumstances exist sufficient to warrant revocation or termination. The Department may conclude that changed circumstances sufficient to warrant revocation (in whole or in part) exist when producers accounting for substantially all of the production of the domestic like product to which the order pertains have expressed a lack of interest in the order, in whole or in part. See section 782(h)(2) of the Act and § 351.222(g)(1) of the Department's regulations.

The petitioners state that they are producers of carbon and certain alloy steel wire rod but do not identify the percentage of production of the domestic like product they represent. At present, the Department has no information on the record that the other known domestic producers of wire rod have no interest in maintaining the countervailing duty order with respect to the subject merchandise imported from Canada. In particular, the Department does not have information on the record of this changed circumstances review that the petitioners account for substantially all, or at least 85 percent, of the production of the domestic like product. See *Certain Tin Mill Products From Japan: Final Results of Changed Circumstances Review*, 66 FR 52109 (October 12, 2001); see also, 19 CFR 351.208(c).

Accordingly, we are not combining this initiation with a preliminary determination, pursuant to 19 CFR 351.221(c)(3)(ii). This notice of initiation will accord all interested parties an opportunity to address this proposed revocation.

Pursuant to section 751(b)(1) of the Act, the Department will conduct a changed circumstances review upon receipt of information concerning, or a request from an interested party of, a countervailing duty order which shows changed circumstances sufficient to warrant a review of the order. Pursuant to section 751(b)(4) of the Act, the Department finds the petitioners' statement that no further interest exists in continuing the order with respect to carbon and certain alloy steel wire rod from Canada serves as good cause to

review a determination that was made less than 24 months after the date of publication of notice of that determination. Therefore, in accordance with section 751(b)(1) of the Act, we are initiating a changed circumstances review based upon the request made by the petitioners.

If, as a result of this review, we revoke the order, we intend to instruct the U.S. Customs and Border Protection ("CBP") to liquidate without regard to applicable countervailing duties, and refund any estimated countervailing duties collected on, all unliquidated entries of the merchandise subject to the order, as described above under the "Scope of the Review" section, entered, or withdrawn from warehouse, for consumption on or after February 8, 2002, *i.e.*, the publication date of the Department's preliminary determination (*see Preliminary Affirmative Countervailing Duty Determination: Carbon and Certain Alloy Steel Wire Rod from Canada*, 67 FR 5984). We will also instruct CBP to pay interest on such refunds with respect to the subject merchandise entered, or withdrawn from warehouse, for consumption on or after October 22, 2002, in accordance with section 778 of the Act. The current requirement for a cash deposit of estimated countervailing duties on the subject merchandise will continue unless, and until, we publish a final determination to revoke in whole.

#### Public Comment

Interested parties are invited to comment on the initiation of this changed circumstances review. Parties who submit argument in this proceeding are requested to submit with the argument (1) a statement of the issue, and (2) a brief summary of the argument. All written comments may be submitted by interested parties not later than 14 days after the date of publication of this notice in accordance with 19 CFR 351.303, with the exception that only three (3) copies need be served on the Department, and shall be served on all interested parties on the Department's service list in accordance with 19 CFR 351.303.

The Department will publish in the **Federal Register** a notice of preliminary results of changed circumstances review, in accordance with 19 CFR 351.221(c)(3), which will set forth the factual and legal conclusions upon which our preliminary results are based, and a description of any action proposed based on those results.

This notice is published in accordance with section 751(b)(1) of the Act and sections 351.216 and 351.222 of the Department's regulations.

Dated: October 28, 2003.

**James J. Jochum,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 102803D]

#### Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Joint Mid-Atlantic Fishery Management Council (MAFMC) and the Atlantic States Marine Fisheries Commission's (ASMFC) Summer Flounder, Scup, and Black Sea Bass Industry Advisors will hold a public meeting.

**DATES:** The meeting will be held on Thursday, November 20, 2003 from 9 a.m. until 4 p.m.

**ADDRESSES:** The meeting will be held at the Sheraton BWI, 7032 Elm Road, Baltimore, MD; telephone: 410-859-3300.

*Council address:* Mid-Atlantic Fishery Management Council, Room 2115, 300 S. New Street, Dover, DE 19904. ASMFC, 1444 Eye Street, NW, 6th Floor, Washington, DC 20005.

#### FOR FURTHER INFORMATION CONTACT:

Daniel T. Furlong, Executive Director, MAFMC, telephone: 302-674-2331, ext. 19.; Vince O'Shea, Executive Director, ASMFC, telephone: 202-289-6400, ext. 304.

**SUPPLEMENTARY INFORMATION:** The purpose of this meeting is to discuss the 2004 recreational management measures for summer flounder, scup, and black sea bass.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

## Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Joanna Davis at the Mid-Atlantic Council Office (see **ADDRESSES**) at least 5 days prior to the meeting date.

Dated: October 28, 2003.

**Richard W. Surdi,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### National Sea Grant Review Panel

**AGENCY:** National Oceanic and Atmospheric Administration, Commerce.

**ACTION:** Notice of public meeting.

**SUMMARY:** This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the Sea Grant Review Panel. The meeting will have several purposes. Panel members will discuss and provide advice on the National Sea Grant College Program in the areas of program evaluation, strategic planning, education and extension, science and technology programs, and other matters as described below:

**DATES:** The announced meeting is scheduled during two days: Wednesday, November 12, 8:30 a.m. to 6 p.m.; Thursday, November 13, 8:30 a.m. to 3 p.m.

**ADDRESSES:** U.S. Department of Commerce, Herbert C. Hoover Building, 14th & Constitution Avenue, Northwest, Rooms 1414 and 1412, respectively, Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:** Dr. Francis M. Schuler, Designated Federal Official, National Sea Grant College Program, National Oceanic and Atmospheric Administration, 1315 East-West Highway, Room 11837, Silver Spring, Maryland 20910, (301) 713-2445.

**SUPPLEMENTARY INFORMATION:** The Panel, which consists of a balanced representation from academia, industry, state government and citizens groups, was established in 1976 by section 209 of the Sea Grant Improvement Act (Public Law 94-461, 33 U.S.C. 1128). The Panel advises the Secretary of Commerce and the Director of the National Sea Grant College Program