

packaged in plastic bags. Crepe paper may or may not be bleached, dye-colored, surface-colored, surface decorated or printed, glazed, sequined, embossed, die-cut, and/or flame-retardant. Subject crepe paper may be rolled, flat or folded, and may be packaged by banding or wrapping with paper, by placing in plastic bags, and/or by placing in boxes for distribution and use by the ultimate consumer. Packages of crepe paper subject to this order may consist solely of crepe paper of one color and/or style, or may contain multiple colors and/or styles.

The merchandise subject to this order does not have specific classification numbers assigned to them under the Harmonized Tariff Schedule of the United States ("HTSUS"). Subject merchandise may be under one or more of several different HTSUS subheadings, including: 4802.30; 4802.54; 4802.61; 4802.62; 4802.69; 4804.39; 4806.40; 4808.30; 4808.90; 4811.90; 4818.90; 4823.90; 9505.90.40. The tariff classifications are provided for convenience and customs purposes; however, the written description of the scope of this order is dispositive.

Antidumping Duty Order

On January 18, 2005, the International Trade Commission (the ITC) notified the Department of Commerce (the Department) of its final determination pursuant to section 735(b)(1)(A)(I) of the Tariff Act of 1930, as amended (the Act), that the industry in the United States producing crepe paper is materially injured by reason of less-than-fair-value imports of subject merchandise from the People's Republic of China (PRC). In addition, the ITC notified the Department of its final determination that critical circumstances do not exist with respect to imports of subject merchandise from the PRC that are subject to the Department's affirmative critical circumstances finding. Therefore, in accordance with section 736(a)(1) of the Act, the Department will direct U.S. Customs and Border Protection (CBP) to assess, upon further advice by the Department, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price of the merchandise for all relevant entries of crepe paper from the PRC. These antidumping duties will be assessed on all unliquidated entries of crepe paper from the PRC entered, or withdrawn from the warehouse, for consumption on or after September 21, 2004, the date on which the Department published its *Notice of Preliminary Determination of Sales at Less Than Fair Value, Affirmative Preliminary Determination*

of Critical Circumstances and Postponement of Final Determination: Certain Tissue Paper Products and Crepe Paper From the People's Republic of China ("Preliminary Determination"), 69 FR 56407 (Sep. 21, 2004).

With regard to the ITC negative critical circumstances determination, we will instruct Customs to lift suspension and to release any bond or other security, and refund any cash deposit made, to secure the payment of antidumping duties with respect to entries of the merchandise entered, or withdrawn from warehouse, for consumption on or after June 23, 2004, but before September 21, 2004. June 23, 2004, is 90 days prior to September 21, 2004, the date of publication of the Preliminary Determination in the **Federal Register**.

CBP must require, at the same time as importers would normally deposit estimated duties on this merchandise, a cash deposit equal to the estimated weighted-average antidumping duty margins noted below. The "PRC-Wide" rates apply to all exporters of subject merchandise not specifically listed.¹ The weighted-average dumping margins are as follows:

Manufacturer/exporter	Margin (percent)
Everlasting Business and Industry Co. Ltd	266.83
Fujian Nanping Investment and Enterprise Co., Ltd	266.83
Ningbo Spring Stationary Co., Ltd	266.83
PRC-Wide Rate ²	266.83

This notice constitutes the antidumping duty order with respect to crepe paper from the PRC, pursuant to section 736(a) of the Act. Interested parties may contact the Department's Central Records Unit, Room B-099 of the Main Commerce Building, for copies of an updated list of antidumping duty orders currently in effect.

This order is published in accordance with section 736(a) of the Act and 19 CFR 351.211.

¹ In the Final Determination, the two mandatory respondents, Fuzhou Light and Magicpro, as well as Fujian Xinjifu, a Section A respondent who chose not to participate in verification, were assigned the PRC-Wide rate of 266.38 percent because they withdrew from the investigation, resulting in the Department's finding of total adverse facts available for both companies.

² As stated in Footnote 1, Fuzhou Light and Magicpro were inadvertently identified as exporters in the "Final Determination of Investigation" section in the Final Determination with a rate of 266.83. Instead, Fuzhou Light and Magicpro should have been included in the PRC entity and assigned the PRC-wide rate of 266.83.

Dated: January 18, 2005.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 05-1354 Filed 1-24-05; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-351-840]

Notice of Request for Information and Extension of Time: Certain Orange Juice From Brazil

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

EFFECTIVE DATE: January 25, 2005.

FOR FURTHER INFORMATION CONTACT: Elizabeth Eastwood or Jill Pollack, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230, telephone: (202) 482-3874 or (202) 482-4593.

SUPPLEMENTARY INFORMATION:

The Petition

On December 27, 2004, the Department of Commerce (the Department) received an antidumping duty petition (petition) filed by Florida Citrus Mutual, A. Duda & Sons, Inc. (doing business as Citrus Belle), Citrus World, Inc., Peace River Citrus Products, Inc., and Southern Garden Citrus Processing Corporation (doing business as Southern Gardens) (collectively "the petitioners").

Scope of the Petition

The following language describes the imported merchandise from Brazil that the petitioners intend to be included in the scope of the investigation.

The product under investigation is certain orange juice for transport and/or further manufacturing, produced in two different forms: (1) Frozen orange juice in a highly concentrated form, sometimes referred to as frozen concentrated orange juice for further manufacturing (FCOJM); and (2) pasteurized single-strength orange juice which has not been concentrated, referred to as Not-From-Concentrate (NFC).

There is an existing antidumping duty order on frozen concentrated orange juice (FCOJ) from Brazil. See *Antidumping Duty Order: Frozen Concentrated Orange Juice from Brazil*, 52 FR 16426 (May 5, 1987). Therefore,

the scope with regard to FCOJM covers only FCOJM produced and/or exported by those companies who were excluded or revoked from the existing antidumping order on FCOJ from Brazil as of December 27, 2004. Those companies are Cargill Citrus Limitada, Citrosuco Paulista S.A., Coopercitrus Industrial Frutesp, Frutropic, Montecitrus Industria e Comercio Limitada, and Sucocitrico Cutrale SA. Reconstituted orange juice and frozen orange juice for retail (FCOJR) are also excluded from the scope of the investigation. Reconstituted orange juice is produced through further manufacture of FCOJM, by adding water, oils and essences to the orange juice concentrate. FCOJR is concentrated orange juice, typically at 42° Brix, in a frozen state, packed in retail sized containers ready for sale to consumers. FCOJR, a finished consumer product, is produced through further manufacture of FCOJM, a bulk manufacturer's product.

The subject merchandise is currently classifiable under item 2009.11.00, 2009.12.25 and 2009.12.45, and 2009.19.00 of the *Harmonized Tariff Schedule of the United States* (HTSUS). These HTSUS subheadings are provided for convenience and for customs purposes only and are not dispositive, but rather the written description of the scope of this investigation is dispositive.

Domestic Like Product

Section 771(10) of the Tariff Act of 1930, as amended (the Act), defines the domestic like product as "a product which is like, or in the absence of like, most similar in characteristics and uses with the article subject to investigation." Thus, the reference point from which the domestic like product analysis begins is "the article subject to investigation," *i.e.*, the class or kind of merchandise to be investigated, which normally will be the scope as defined in the petition.

Determination of Industry Support for the Petition

Section 732(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 732(c)(4)(A) of the Act provides that the Department's industry support determination be based on whether a minimum percentage of the relevant industry supports the petition. A petition meets this requirement if the domestic producers or workers who support the petition account for: (1) At least 25 percent of the total production of the domestic like product; and (2) more than 50 percent of the production of the domestic like product produced

by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 732(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, the Department shall: (1) Poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (2) determine industry support using a statistically valid sampling method to poll the industry.

Request for Information

In the instant case, we have received challenges to industry support from U.S. producers and need to determine the production quantities and levels of imports of U.S. producers, as well as the relationships between U.S. and foreign producers, in order to evaluate the calculation of industry support in the petition. Because the petition has not established that domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product support the petition, we must "poll or otherwise determine industry support for the petition by the industry."

In accordance with section 732(c)(4)(D) of the Act and in order to determine whether the petition establishes support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, we are hereby requesting that all domestic producer/manufacturers of certain orange juice submit to the Department a response to the questions posted on Import Administration's Web site: <http://ia.ita.doc.gov>.

Filing Requirements

Given the very short period in which we must determine industry support, the number of potential responses, and the fact that industry support may not be re-examined after initiation, we are waiving the filing requirements set forth in 19 C.F.R. § 351.303 for certain parties submitting information on industry support. This waiver of the filing requirements will not apply to: 1) the submission of documents that are not in response to the information requested in this notice; or 2) parties that are familiar with the conduct of antidumping and countervailing proceedings through prior involvement in such proceedings (*e.g.*, parties represented by law firms that are involved in other AD/CVD cases).

This limited waiver is applicable only until January 26, 2005, the deadline for submitting the information requested in this notice. This waiver is intended to expedite the receipt of information that is essential to our analysis of industry support by providing information on the production of the domestic like product by petitioning and non-petitioning companies. By avoiding delays in the receipt of such information, we will have more time to analyze whether the statutory requirements concerning industry support for the above-referenced petitions have been met.

All parties submitting any information must include the following statement in their response: "I, (name and title), currently employed by (person), certify that (1) I have read the attached submission, and (2) based on the information made available to me by (person), I have no reason to believe that this submission contains any material misrepresentation or omission of fact." All information received by the Department will be treated as business proprietary information as outlined in our regulations (19 CFR 351.304-306), unless otherwise noted. Please note that all company names will be treated as public information. In addition, note that all business proprietary documents received by the Department in response to this notice will be served to those individuals with access to business proprietary information under the Administrative Protective Order (APO). All public documents may be made available to those parties on the public service list. The APO service lists and the public service lists are available on Import Administration's Web site: <http://ia.ita.doc.gov>.

Information submitted to the Department in response to this notice should be faxed to the following number: 202-482-4776. Furthermore, all such information will be placed on the official record of the proceeding. Responses to this notice are due no later than January 26, 2005. Responses after this date may not be reviewed by the Department and therefore, not included in the analysis.

Extension of Time

Section 732(c)(1)(A)(ii) of the Act provides that within 20 days of the filing of an antidumping duty petition, the Department will determine, *inter alia*, whether the petition has been filed by or on behalf of the U.S. industry producing the domestic like product. Section 732(c)(1)(B) provides that the deadline for the initiation determination can be extended by 20 days in any case in which the Department must "poll or

otherwise determine support for the petition by the industry”

We will require additional information from the petitioners and the domestic producers of certain orange juice in order to make our determination regarding industry support and/or time to analyze the petitioners' responses to our requests for information. See the "Determination of Industry Support for the Petition" section of this notice, above. Therefore, it is necessary to extend the deadline for decision on initiation for a period not to exceed 40 days from the filing of the petition. As a result, the initiation determination is due no later than February 7, 2005.

International Trade Commission (ITC) Notification

Because the Department has extended the deadline of the initiation determination, the Department will contact the ITC and will make this extension notice available to the ITC.

Dated: January 18, 2005.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 05-1355 Filed 1-24-05; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

National Ocean Service; Final Criteria and Data Fields for an Inventory of Existing Marine Managed Areas and Response to Comments

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Notice of final criteria and data fields for building an Inventory of Marine Managed Areas and response to comments on draft criteria.

SUMMARY: NOAA and the Office of the Secretary, Department of the Interior (DOI), on July 23, 2003, jointly proposed criteria, definitions, and data fields that will be used in development of an Inventory of U.S. Marine Managed Areas (MMAs). The MMA Inventory will provide information that will lead to the fulfillment of requirements of Executive Order (E.O.) 13158 on Marine Protected Areas (MPAs). This action provides the final criteria and data fields that will be used to develop and complete the MMA Inventory and summarizes and responds to comments received on the notice of July 23rd. This will allow the completion of Phase I, development of the MMA Inventory, to

be followed by the development of criteria for and the List of MPAs (Phase II) called for in E.O. 13158.

DATES: Effective on January 25, 2005.

FOR FURTHER INFORMATION CONTACT: Joseph A. Uravitch, Director, National Marine Protected Areas Center, NOAA, (301) 713-3100, x195.

SUPPLEMENTARY INFORMATION: Electronic Access: This Federal Register document also is accessible via the internet at the Office of the Federal Register's Web site at http://www.access.gpo.gov/su_docs/aces/aces140.html.

I. Background and Overview of MMA Criteria

E.O. 13158 directs DOC and DOI, in consultation with the Department of Defense, the Department of State, the United States Agency for International Development, the Department of Transportation, the Environmental Protection Agency, the National Science Foundation, and other pertinent federal agencies, to work with non-federal partners to protect significant natural and cultural resources within the marine environment of the United States, including the Great Lakes, by strengthening and expanding a scientifically-based comprehensive National System of MPAs. A key purpose of E.O. 13158 is to "enhance the conservation of our Nation's natural and cultural marine heritage and the ecologically and economically sustainable use of the marine environment for future generations." A first step in developing this scientifically-based National System of MPAs is the development of an inventory of MMAs. This inventory will become the initial pool of sites from which the List of MPAs called for in section 4(d) of the E.O. 13158 will be developed.

DOC and DOI were given specific roles by E.O. 13158. DOC has delegated lead responsibility to the Under Secretary of Commerce for Oceans and Atmosphere. DOI has delegated its lead to the Assistant Secretary, Lands and Minerals Management. NOAA and DOI have stewardship responsibilities for marine resources under various federal laws, including the Magnuson-Stevens Fishery Conservation and Management Act, the Endangered Species Act, the Marine Mammal Protection Act, the Coastal Zone Management Act, the National Marine Sanctuaries Act, the Antiquities Act, the National Wildlife Refuge System Administration Act, the Outer Continental Shelf Lands Act, and the National Park Service Organic Act. These and other authorities direct DOC and DOI agencies to manage marine

areas for a wide variety of objectives. Area-based management has been used for years to protect marine habitat and submerged cultural resources, rebuild and sustain fisheries, provide recreational opportunities, promote marine research, recover endangered species, and support local economies that depend on ocean resources. These areas have been managed in different ways ranging from restricting specific activities and allowing sustainable use of natural resources within an area, to the establishment of marine reserves that limit access and close the site to all uses except research.

The MMA Inventory will be used in Phase I to inform federal, state, commonwealth, territorial, local, and tribal agencies of the locations and characteristics of existing MMAs and to form a pool from which sites may later be considered for placement on the List of MPAs (Phase II). Resource managers and others can use this information to better manage these areas and determine the effectiveness of individual sites, as well as regional and national assemblages. The core purposes of the MMA Inventory are:

- Providing centralized, easily accessed information on and maps of existing federal, State, commonwealth, territorial, local, and tribal MMAs in the United States;
- Providing information and tools for environmental assessments and effectiveness monitoring (supporting independent analyses and studies of a wide variety of marine issues by governmental and non-governmental users);
- Providing important site-specific information for developing and maintaining the official nationwide List of MPAs required by section 4(d) of E.O. 13158; and
- Providing information to fulfill other requirements of E.O. 13158.

NOAA and DOI have placed a variety of protective or restrictive measures on different marine areas to achieve different management purposes. The definitions and working criteria in this notice are being used to build the MMA Inventory and may, at some future date, be used in determining which sites should be placed on the List of MPAs (Phase II). These definitions and criteria are final and incorporate public comment, as appropriate, but may be changed at some future date if required by experience gained by using the MMA Inventory and implementing E.O. 13158. The public will be informed of such changes to the criteria through the **Federal Register** and the MPA Web site, <http://www.mpa.gov>.