

**DEPARTMENT OF COMMERCE****International Trade Administration**

[C-122-848]

**Hard Red Spring Wheat from Canada: Rescission of Countervailing Duty Administrative Review**

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

**SUMMARY:** The Department of Commerce initiated an administrative review of the countervailing duty order on hard red spring wheat from Canada, covering the period January 1, 2004, through December 31, 2004. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 71 FR 68535 (November 27, 2006). As a result of a timely withdrawal of the request for review by the Canadian Wheat Board, we are rescinding this review.

**EFFECTIVE DATE:** March 13, 2007.

**FOR FURTHER INFORMATION CONTACT:**

Audrey Twyman or Brandon Farlander, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-3534 and (202) 482-0182, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

On October 23, 2003, the Department of Commerce ("the Department") published a countervailing duty order on hard red spring wheat ("HRSW") from Canada. See *Notice of Countervailing Duty Order: Hard Red Spring Wheat from Canada*, 68 FR 60642 (October 23, 2003). On October 31, 2005, the Canadian Wheat Board ("CWB") requested an administrative review of the countervailing duty order on HRSW from Canada covering the period January 1, 2004, through December 31, 2004. At the same time, the CWB requested that the review be deferred for one year. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Deferral of Administrative Reviews*, 70 FR 72107 (December 1, 2005). On November 27, 2006, we automatically initiated the deferred 2004 review. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 71 FR 68535 (November 27, 2006). On February 26, 2007, the CWB withdrew its request for review.

**Scope of the Countervailing Duty Order**

Imports covered by this order are all varieties of HRSW from Canada. This includes, but is not limited to, varieties commonly referred to as Canada Western Red Spring, Canada Western Extra Strong, and Canada Prairie Spring Red. The merchandise subject to this order is currently classifiable under the following *Harmonized Tariff Schedule of the United States* ("HTSUS") subheadings: 1001.90.10.00, 1001.90.20.05, 1001.90.20.11, 1001.90.20.12, 1001.90.20.13, 1001.90.20.14, 1001.90.20.16, 1001.90.20.19, 1001.90.20.21, 1001.90.20.22, 1001.90.20.23, 1001.90.20.24, 1001.90.20.26, 1001.90.20.29, 1001.90.20.35, and 1001.90.20.96. This order does not cover imports of wheat that enter under the subheadings 1001.90.10.00 and 1001.90.20.96 that are not classifiable as HRSW. Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this order is dispositive.

**Rescission of Review**

The Department's regulations at 19 CFR 351.213(d)(1) provide that the Department will rescind an administrative review if a party that requested a review withdraws the request within 90 days of the date of publication of the notice of initiation of the requested review. The CWB withdrew its request for an administrative review on February 26, 2007, which is within the 90-day deadline. No other party requested a review of this order. Therefore, the Department is rescinding this administrative review.

The Court of International Trade issued a temporary restraining order, covering 10 days, effective March 1, 2007, instructing the Department not to liquidate CWB imports of the subject merchandise. As long as a temporary restraining order, or preliminary injunction, is in place pursuant to the ongoing litigation, the Department will not order liquidation of the relevant entries.

This notice also serves as a reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply

with the regulations and the terms of an APO is a sanctionable violation.

This notice is issued and published in accordance with section 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: March 6, 2007.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[I.D. 022807C]

**Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permit**

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

**ACTION:** Notice; request for comments.

**SUMMARY:** The Assistant Regional Administrator for Sustainable Fisheries, Northeast Region, NMFS (Assistant Regional Administrator) has made a preliminary determination that the subject Exempted Fishing Permit (EFP) application from the University of New Hampshire (UNH) for an exemption from Gulf of Maine (GOM) Rolling Closure Areas III and IV requirements of the Northeast (NE) Multispecies Fishery Management Plan (FMP), for the purpose of designing and testing a raised footrope haddock trawl, contains all of the required information and warrants further consideration. The EFP is intended to facilitate research that would lead to the development of a viable alternative to traditional fishing gear for landing haddock, while minimizing the impact on species of concern and other bycatch. The Assistant Regional Administrator has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the FMP. However, further review and consultation may be necessary before a final determination is made to issue the EFP. Therefore, NMFS announces that the Assistant Regional Administrator proposes to issue an EFP that would allow vessels to conduct fishing operations that are otherwise restricted by the regulations governing the fisheries of the Northeastern United States.