

Antidumping duty proceedings	Period to be reviewed
Weifang Shennong Foodstuff Co., Ltd. WSSF Corporation (Weifang). Xiamen Huamin Import Export Company. You Shi Li International Trading Co., Ltd. Zhangzhou Xiangcheng Rainbow Greenland Food Co., Ltd. Zhengzhou Harmoni Spice Co., Ltd. Zhengzhou Yuanli Trading Co., Ltd.	

<sup>1</sup> If one of the above-named companies does not qualify for a separate rate, all other exporters of certain hot-rolled carbon steel flat products from the People's Republic of China who have not qualified for a separate rate are deemed to be covered by this review as part of the single PRC entity of which the named exporters are a part.

<sup>2</sup> If one of the above-named companies does not qualify for a separate rate, all other exporters of certain cut-to-length carbon steel plate from the People's Republic of China who have not qualified for a separate rate are deemed to be covered by this review as part of the single PRC entity of which the named exporters are a part.

<sup>3</sup> If one of the above-named companies does not qualify for a separate rate, all other exporters of Fresh Garlic from the People's Republic of China who have not qualified for a separate rate are deemed to be covered by this review as part of the single PRC entity of which the named exporters are a part.

### Countervailing Duty Proceedings

None.

### Suspension Agreements

None.

During any administrative review covering all or part of a period falling between the first and second or third and fourth anniversary of the publication of an antidumping duty order under section 351.211 or a determination under section 351.218(f)(4) to continue an order or suspended investigation (after sunset review), the Secretary, if requested by a domestic interested party within 30 days of the date of publication of the notice of initiation of the review, will determine, consistent with *FAG Italia v. United States*, 291 F.3d 806 (Fed. Cir. 2002), as appropriate, whether antidumping duties have been absorbed by an exporter or producer subject to the review if the subject merchandise is sold in the United States through an importer that is affiliated with such exporter or producer. The request must include the name(s) of the exporter or producer for which the inquiry is requested.

Interested parties must submit applications for disclosure under administrative protective orders in accordance with 19 CFR 351.305.

These initiations and this notice are in accordance with section 751(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1675(a)), and 19 CFR 351.221(c)(1)(i).

Dated: December 18, 2008.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*  
[FR Doc. E8-30682 Filed 12-23-08; 8:45 am]

**BILLING CODE 3510-DS-P**

### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

**RIN 0648-XM36**

#### Marine Mammals; File No. 1058-1733

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

**ACTION:** Notice; receipt of application for amendment.

**SUMMARY:** Notice is hereby given that Mark Baumgartner, Ph.D., MS #33, Woods Hole Oceanographic Institute, Woods Hole, Massachusetts, 02543, has requested an modification to scientific research Permit No. 1058-1733.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before January 23, 2009.

**ADDRESSES:** The amendment request and related documents are available for review by selecting "Records Open for Public Comment" from the Features box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov/index.cfm>, and then selecting File No. 1058-1733 from the list of available applications. These documents also are available for review upon written request or by appointment in the following offices:

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)427-2521 and Northeast Region, NMFS, 55 Great Republic Drive, Gloucester, MA 01930; phone (978)281-9300; fax (978)281-9333.

Written comments or requests for a public hearing on this request should be submitted to the Chief, Permits, Conservation and Education 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 modification request would be appropriate.

Comments may also be submitted by facsimile at (301)427-2521, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for providing e-mail comments is [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: File No. 1058-1733.

**FOR FURTHER INFORMATION CONTACT:**

Amy Hapeman or Kristy Beard, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject amendment to Permit No. 1058-1733 is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (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 (16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226).

Permit No. 1058-1733, issued on June 27, 2007 (72 FR 36429), authorizes the permit holder to examine baleen whale foraging and diving behaviors in the Southern Ocean as well as to determine the overlap of diving behaviors with the vertical structure of fixed fishing gear in the North Atlantic Ocean. In the Southern Ocean, researchers may closely approach humpback (*Megaptera novaeangliae*), blue (*Balaenoptera musculus*), fin (*B. physalus*), sei (*B. borealis*), and Antarctic minke (*B. bonaerensis*) whales during vessel surveys for photo-identification,

behavioral observation, suction-cup tagging, tracking, and incidental harassment. In the North Atlantic, researchers may closely approach up to 324 of each species of humpback, fin, and sei whales annually during vessel surveys for photo-identification, behavioral observation, tracking, and incidental harassment. Of these animals, up to 108 of each species may be suction-cup tagged annually during surveys.

The permit holder requests an amendment to the permit to authorize the close vessel approach of up to 90 animals of each of the following species annually for suction-cup tagging: North Atlantic right (*Eubalaena glacialis*), North Pacific right (*E. japonica*), blue, and Eastern gray whales (*Eschrichtius robustus*) and up to 180 bowhead whales (*Balaena mysticetus*) in North Pacific, Arctic and/or North Atlantic waters. Dr. Baumgartner also requests to closely approach up to 45 animals each of the following species annually for satellite tagging using dermal attachments: North Pacific right, and Eastern gray whales and North Atlantic right, blue, humpback, fin, and sei whales and up to 180 bowhead whales in North Atlantic, North Pacific and/or Arctic waters. Dr. Baumgartner could incidentally harass up to 800 animals of each species during close vessel approaches annually. This research will provide a better understanding of large whale distribution and foraging ecology by gathering data on predator-prey relationships, diving behavior, day vs. night behavior, and acoustic behavior. The amendment would be valid until the permit expires on May 31, 2012.

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

Dated: December 18, 2008.

**P. Michael Payne,**

*Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. E8-30713 Filed 12-23-08; 8:45 am]

**BILLING CODE 3510-22-S**

**COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS**

**Entry of Shipments of Cotton, Wool, and Man-Made Fiber Apparel in Excess of 2008 Agreement Limits**

December 19, 2008

**AGENCY:** The Committee for the Implementation of Textile Agreements (CITA).

**ACTION:** Directive to Commissioner, Customs and Border Protection.

**FOR FURTHER INFORMATION CONTACT:** Ross Arnold, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212.

**SUPPLEMENTARY INFORMATION:**

**Authority:** Executive Order 11651 of March 3, 1972, as amended, Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1857).

In the letter to the Commissioner of U.S. Customs and Border Protection published below, U.S. Customs and Border Protection is directed to implement staged entry limits for China for shipments in excess of 2008 agreement limits.

In a **Federal Register** Notice published on June 16, 2008 (73 FR 33992), the Committee for the Implementation of Textile Agreements (CITA) advised the public that any overshipments of the 2008 limits of the U.S. - China Bilateral Textile Agreement would be subject to staged entry procedures laid out in the notice.

The procedures laid out below apply only in cases of overshipments of the 2008 agreed quota limits for China.

For all shipments exported in 2008 that exceed the applicable 2008 agreed quota limits for China, entry will not be permitted until February 1, 2009. From February 1 through February 28, 2009, entry will be permitted to goods in an amount equal to 5 percent of the applicable 2008 base quota limit. For each succeeding month, beginning on the first day of the month and extending through the last day of the month, entry will be permitted to goods in an amount equal to 5 percent of the applicable base 2008 quota limit, until all shipments in excess of the quota limits have been entered.

The 5 percent staged entry limits described above are published in the

following letter to the Commissioner of U.S. Customs and Border Protection.

**Janet E. Heinzen,**

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

**Committee for the Implementation of Textile Agreements**

December 19, 2008.

Commissioner,  
U.S. Customs and Border Protection,  
Washington, DC 20229.

Dear Commissioner: This directive provides instructions on permitting entry to goods shipped in excess of 2008 quota limits for China.

For all shipments exported in 2008 that exceed the applicable 2008 agreed quota limits for China, you are directed to deny entry until February 1, 2009, subject to the following procedure. From February 1, through February 28, 2009, you are directed to permit entry to goods in an amount equal to 5 percent of the applicable 2008 base quota limit. For each succeeding month, beginning on the first day of the month and extending through the last day of the month, you are directed to permit entry to goods in an amount equal to 5 percent of the applicable base 2008 quota limit, until all shipments in excess of the quota limits have been entered.

The monthly 5 percent staged entry limits described above are listed below:

Category	5 percent of base limit
332/432/632-T (plus baby socks) <sup>1</sup> .	4,252,922 dozen pair, of which not more than 4,043,310 dozen pair shall be in categories 332/432/632-B (plus baby socks) <sup>2</sup> .
347/348 .....	1,272,148 dozen.
352/652 .....	1,225,759 dozen.

<sup>1</sup> Categories 332/432/632-T: baby socks: only HTS numbers 6111.20.6050, 6111.30.5050 and 6111.90.5050; within Category 632: only HTS number 6115.10.4000, 6115.10.5500, 6115.30.9010, 6115.96.6020, 6115.96.9020, 6115.99.1420, and 6115.99.1920.

<sup>2</sup> Categories 332/432/632-B: baby socks: only HTS numbers 6111.10.6050, 6111.30.5050 and 6111.90.5050; within Category 632: only HTS numbers 6115.10.4000, 6115.10.5500, 6115.96.6020, 6115.96.9020, 6115.99.1420, and 6115.99.1920.

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Janet E. Heinzen,

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

[FR Doc. E8-30691 Filed 12-23-08; 8:45 am]

**BILLING CODE 3510-DS**