

average dumping margin for the reviewed firm is listed below in the section entitled "Final Results of Review."

EFFECTIVE DATE: May 5, 1997.

FOR FURTHER INFORMATION CONTACT:

James Doyle, Lisa Yarbrough or Abdelali Elouaradia, AD/CVD Enforcement, Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-3793.

SUPPLEMENTARY INFORMATION:

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, as amended by the interim regulations published in the **Federal Register** on May 11, 1995 (60 FR 25130).

Background

On March 17, 1997, the Department issued preliminary results of its new shipper review (62 FR 12599) of the antidumping duty order on red raspberries from Canada (50 FR 26019, June 24, 1985). We invited interested parties to comment and received no comments. The Department has now conducted this review in accordance with section 751 of the Act and section 353.22 of its regulations.

Scope of the Review

The merchandise covered by this review are shipments of fresh and frozen red raspberries packed in bulk containers and suitable for further processing. The subject merchandise is currently classifiable under the Harmonized Tariff Schedule of the United States (HTSUS) item numbers 0810.20.90, 0810.20.10, 0811.20.20. The HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

Final Results of Review

The final results remain unchanged from the preliminary results as the Department used the same methodology described in the preliminary results. As a result of our comparison of export price and constructed export price to normal value, we determine that the

following weighted-average dumping margin exists:

Exporter/ processor	Period	Margin
Berryhill	06/01/95-05/31/96	1.56

The results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the determination and for future deposits of estimated duties. The posting of a bond or security in lieu of a cash deposit, pursuant to section 751(a)(2)(B)(iii) of the Act and section 353.22(h)(4) of the Department's regulations, will no longer be permitted for this firm. The Department will issue appraisal instructions directly to the US Customs Service.

Furthermore, the following deposit requirements will be effective for all shipments of the subject merchandise, entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results of this administrative review, as provided for by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for this reviewed company will be 1.56%; (2) for exporters/processors not covered in this review, but covered in previous reviews or the original less-than-fair-value (LTFV) in investigation, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter/processor is not a firm covered by this review, previous reviews, or the original LTFV investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other exporters/processors or manufacturers not previously reviewed will continue to be 2.41%, the "All Others" rate from the LTFV investigation.

These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice serves as a final reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their

responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d)(1). Timely written notification of the return/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 new shipper administrative review and this notice are in accordance with section 751(a)(2)(B) of the Act (19 U.S.C. 1675(a)(2)(B)) and 19 CFR 353.22(h).

Dated: April 24, 1997.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 97-11657 Filed 5-2-97; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 020497A]

Peer Review Panels; Gulf of Mexico Red Snapper Research

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

ACTION: Notice reopening nomination process.

SUMMARY: Notice is hereby given that the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS), is reopening the nomination process for an additional 30 days for interested parties to submit nominations for membership on three independent peer review panels being convened under section 407(a) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), to review the basis for management of the red snapper stock in the Gulf of Mexico. Nominations may be submitted by academic institutions, state fishery management agencies, the fishing industry, other interested non-governmental organizations, and the public.

Three panels, (1) a Statistics Review Panel, (2) an Economics Review Panel and (3) a Science and Management Review Panel will be established. Panels will consist of independent experts in the appropriate disciplines.

The Statistics Review Panel will review the accuracy, precision, and adequacy of the commercial,

recreational, and charter boat red snapper catch and effort statistics. The Economics Review Panel will review the costs and benefits analyses conducted in preparation of Amendment 8 to the Reef Fish Fishery Management Plan, including a review of all reasonable alternatives to an individual fishing quota program for the red snapper fishery in the Gulf of Mexico. The Science and Management Review Panel will review the scientific and management basis for managing the red snapper stock in the Gulf of Mexico. The Science and Management Review Panel will be charged with evaluating the existing scientific information and management measures for red snapper in the Gulf of Mexico *in toto* and will include the results from the statistics and economic reviews. In addition, the Science and Management Review Panel will review the results from the 1995 assessment and the independent assessments currently being conducted, the appropriateness of the scientific methods, information, and models used to assess the status and trends of the red snapper stock, and the appropriateness and adequacy of the management measures in the fishery management plan for red snapper for conserving and managing the fishery. Each reviewer will prepare a report of his/her findings and recommendations.

To ensure participation by all interested parties and that the review panels are afforded all relevant information to reach objective findings, NMFS is accepting recommendations for individuals or representatives of organizations who cannot serve on one of the review panels because of previous or current involvement in the fishery or because of financial interests in the outcome of the reviews to present information to the peer review panels.

DATES: Nominations and recommendations must be received June 4, 1997.

ADDRESSES: Nominations and recommendations along with a listing of background, experience, and credentials are to be submitted to the Director, Office of Science and Technology, NMFS, 1315 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: The Director, Office of Science and Technology, at (301) 713-2367.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Act requires the Secretary of Commerce (Secretary) to conduct a thorough and independent evaluation of the scientific and management basis for conserving and managing the red snapper fishery in the Gulf of Mexico. Specifically section

407(a)(1) of the Act requires the Secretary to, "initiate an independent peer review to evaluate: (A) the accuracy and adequacy of fishery statistics used by the Secretary for the red snapper fishery in the Gulf of Mexico to account for all commercial, recreational, and charter fishing harvests and fishing effort on the stock; (B) the appropriateness of the scientific methods, information, and models used by the Secretary to assess the status and trends of the Gulf of Mexico red snapper stock and as the basis for the fishery management plan for the Gulf of Mexico red snapper fishery; (C) the appropriateness and adequacy of the management measures in the fishery management plan for red snapper in the Gulf of Mexico for conserving and managing the red snapper fishery under this Act; and (D) the costs and benefits of all reasonable alternatives to an individual fishing quota program for the red snapper fishery in the Gulf of Mexico. (2) The Secretary shall ensure that commercial, recreational, and charter fishermen in the red snapper fishery in the Gulf of Mexico are provided an opportunity to—(A) participate in the peer review under this subsection; and (B) provide information to the Secretary concerning the review of fishery statistics under this subsection without being subject to penalty under this Act or other applicable law for any past violation of a requirement to report such information to the Secretary."

Who May Submit Nominations for Panel Membership

Any person or organization may submit nominations for any of the review panels. When submitting nominations, include the submitting person or organization's name and affiliation along with a detailed listing of each nominee's background, experience, and credentials. Nominees for any of the review panels must have outstanding scientific or management credentials relevant to the charge to the panel. Nominations for the review panels may be made from international as well as national scientific bodies, fishery management organizations, academia, or similar organizations. Panel members will be selected by a panel of senior NMFS scientists in consultation with appropriate interested parties.

Who May Serve on Review Panels

To avoid conflicts of interest and ensure an independent review, nominees for any of the review panels who have been directly involved in the collection, evaluation, and

interpretation of information used in the management of the red snapper or shrimp fishery in the Gulf of Mexico or in the management of red the snapper in the Gulf of Mexico during the last 4 years, who may gain financially from the outcome of this review, or whose immediate family, organization, or company may gain financially from the outcome of these reviews will not be accepted for membership on any of the review panels.

Cost Reimbursement

Panel members will be paid a fixed, predetermined amount at a level comparable to that paid to Council members and commensurate with the amount of time required to participate in the review. It is anticipated that the Statistics and Economic Reviews will require 80 hours and the Science and Management Review will require 100 hours. In addition, all travel expenses for review panel members to attend panel meetings and presentations will be paid by the government at the prevailing government rates.

Panel Meetings

Each review panel will meet one or two times. At least one of these meetings will be for the presentation of information to the panel by scientists, fishery managers, and fishing industry representatives; a second meeting may be necessary to review results of additional analyses, or to discuss findings and recommendations. In addition, the reviewers may caucus by conference call to discuss review plans or the result of particular analyses. Each panel will have three or four members. A NMFS scientist will serve as a coordinator for the panels, but will not serve as a member of any panel.

Format of the Reviews

The reviews will require that each panel meets for 5 days. The first half of the reviews will involve scientists from NMFS, fishery management agencies, academia, and the fishing industry who have been involved in research or management of red snapper in the Gulf of Mexico or as part of the fishing industry. The second half of the review will be reserved for panel deliberations and preliminary report writing. Following the panel meeting, the panel will work by correspondence. A final report will be prepared by each of the reviewers and submitted to the Director of the Office of Science and Technology. Additional meetings may be necessary to discuss issues arising during presentations from interested parties or preparation of the panel report. An independent contractor will be selected

to prepare a final consolidated report which incorporates the findings, recommendations and discussions of the reviewers' reports. The reviewers' reports will be included in the final report in their entirety as annexes.

1. Statistics Review Panel

The Statistics Review Panel will consider the accuracy and adequacy of fishery statistics for the red snapper fishery in the Gulf of Mexico to account for all commercial, recreational, and charter fishing harvests and fishing effort on the stock. In addition, the Statistics Review Panel will consider the collection of information on bycatch in the shrimp trawl fishery in the Gulf of Mexico and the estimation of total bycatch for the shrimp fishery. The Statistics Review Panel will review the current data collection programs conducted by NMFS and states that are used in the assessment process including the cooperative commercial fisheries statistics program, the Marine Recreational Fishery Statistics Survey, the headboat sampling program, the observer program that collects bycatch information for the shrimp fishery, fishery independent surveys, and appropriate state sampling programs that are used in the assessments. The goal of this review is to examine the fishery information collection programs in the Gulf of Mexico which provide the scientific data for managing the fishery, setting regulations, determining allocations and conducting stock assessments. The report from this review will be part of the information to be considered during the Science and Management Review.

2. Economics Review Panel

The Economics Review Panel will consider the data that are available to conduct economic inquiries and will review and evaluate the economic analyses that are currently available and that contribute to the understanding of the economic ramifications of alternative management strategies for red snapper. The goal of this review is to examine the analyses conducted in support of establishing an individual transferable quota system for the red snapper fishery and determine whether the analyses were sufficient and whether additional analyses of other alternatives are called for.

3. Science and Management Review Panel

The Science and Management Review Panel will consider all aspects of the scientific and management basis for managing the red snapper stock in the Gulf of Mexico. The review will

consider the appropriateness of the scientific methods, information, and models used to assess the status and trends of the Gulf of Mexico red snapper stock and their usefulness as the basis for the fishery management plan for the Gulf of Mexico red snapper fishery. It will also consider the appropriateness and adequacy of the management measures in the fishery management plan for red snapper in the Gulf of Mexico for conserving and managing the red snapper fishery under the Magnuson-Stevens Act. The goal of this review is to examine the available scientific data relating to the status of U.S. Gulf of Mexico red snapper, to determine the best scientific advice to be derived from it, and to determine whether the preferred management options are supported by the scientific advice.

Presentation of Information to Review Panels

Recommendations of individuals or representatives of organizations to present information to the review panels may be submitted by any person or organization. When submitting recommendations for presentations, include the person or organization's name and affiliation along with a brief listing of each person's background, experience, and the type of information to be presented. Individuals recommended for presentations may have previous involvement in the assessment or management of the red snapper fishery, may have a financial interest in fisheries affected by the outcome of these reviews, or may represent other interested parties. A wide range of presenters will be selected to ensure that representatives from all sectors affected by management of red snapper in the Gulf of Mexico have an opportunity to present information to the review panels.

Dated: April 29, 1997.

Nancy Foster,

Deputy Assistant Administrator, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 042897C]

Endangered Species; Permits

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

ACTION: Receipt of an application for modification 4 to incidental take permit 844 (P503I).

SUMMARY: Notice is hereby given that the Idaho Department of Fish and Game in Boise, ID (IDFG) has applied in due form for modification 4 to permit 844 authorizing an incidental take of a threatened species associated with sport-fishing activities.

DATES: Written comments or requests for a public hearing on the modification application must be received on or before June 4, 1997.

ADDRESSES: The application and related documents are available for review in the following offices, by appointment:

Office of Protected Resources, F/PR3, NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3226 (301-713-1401); and

Environmental and Technical Services Division, 525 NE Oregon Street, Suite 500, Portland, OR 97232-4169 (503-230-5400).

Written comments or requests for a public hearing should be submitted to the Chief, Environmental and Technical Services Division, Portland.

SUPPLEMENTARY INFORMATION: IDFG requests modification 4 to permit 844 under the authority of section 10 of the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531-1543) and the NMFS regulations governing ESA-listed fish and wildlife permits (50 CFR parts 217-227).

Permit 844 authorizes IDFG an incidental take of adult and juvenile, threatened, Snake River spring/summer chinook salmon (*Oncorhynchus tshawytscha*) and adult, threatened, Snake River fall chinook salmon (*Oncorhynchus tshawytscha*) associated with the State of Idaho's sport-fishing activities. For modification 4, IDFG requests an incidental take of residual, endangered, Snake River sockeye salmon (*Oncorhynchus nerka*) associated with a kokanee fishery in Redfish Lake from May 1 through August 7, 1997. The fishery is proposed as a kokanee control measure. A reduction of the kokanee population in Redfish Lake is desirable because kokanee compete directly with ESA-listed sockeye salmon in the lake for food and habitat and threaten IDFG's effort to re-establish the endangered salmon's productivity in the lake. In 1995 and 1996, NMFS provided authorization to IDFG for an incidental take of residual, endangered, Snake River sockeye salmon associated with a kokanee fishery in Redfish Lake. Angler retention of Redfish Lake kokanee has not been allowed since 1992 because of