

applications for physical damage is December 19, 1998 and for economic injury the termination date is July 19, 1999.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: November 4, 1998.

**Herbert L. Mitchell,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. 98-30147 Filed 11-9-98; 8:45 am]

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## DEPARTMENT OF STATE

[Public Notice No. 2927]

### Shipping Coordinating Committee, International Maritime Organization (IMO) Legal Committee; Notice of Meeting

The U.S. Shipping Coordinating Committee (SHC) will conduct an open meeting at 10:00 a.m., on Thursday, December 3, 1998, in Room 2415 at U.S. Coast Guard Headquarters, 2100 Second Street, SW, Washington, DC. The purpose of this meeting is to report on the 78th session of the IMO Legal Committee, which was held October 19-23, 1998, in London. The meeting will address: provision of financial security for passenger claims, provision of financial security for other maritime claims, compensation for pollution from ships' bunkers, and a draft convention on wreck removal, as well as other matters.

Members of the public are invited to attend the SHC meeting, up to the seating capacity of the room. For further information, contact either Captain Malcolm J. Williams, Jr., or Lieutenant William G. Rospars, U.S. Coast Guard (G-LMI), 2100 Second Street, SW., Washington, DC 20593, telephone (202) 267-1527, fax (202) 267-4496.

Dated: November 4, 1998.

**Stephen M. Miller,**

*Chairman, Shipping Coordinating Committee.*

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## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. 301-100a]

### Implementation of WTO Recommendations Concerning the European Communities' Regime for the Importation, Sale and Distribution of Bananas

AGENCY: Office of the United States Trade Representative.

**ACTION:** Notice of proposed determination of action to be taken; request for public comment; notice of public hearing.

**SUMMARY:** The United States Trade Representative requests written comments and invites testimony in the context of a public hearing on its proposed determination that the imposition of prohibitive (100 percent *ad valorem*) duties on selected products from the European Communities (EC) is an appropriate action under section 306(b) and 301(a) of the Trade Act of 1974, as amended, should the EC fail to implement the recommendations of the World Trade Organization Dispute Settlement Body concerning the EC's regime for the importation, sale, and distribution of bananas within the prescribed reasonable period of time, which expires on January 1, 1999. The products to be affected by the proposed duty increase will be drawn from the list of products set forth in the Annex to this notice. The USTR intends to publish a notice on December 15, 1998 describing the actions that it would take, beginning as early as February 1, 1999.

**DATES:** Requests to testify at the public hearing and written testimony for the public hearing are due by noon on Monday, November 30, 1998; the public hearing will be held on Wednesday, December 9, 1998; written comments, in lieu of written and oral testimony, are due by noon on Thursday, December 10, 1998; and rebuttal briefs, if needed, are due by noon on Friday, December 11, 1998.

**ADDRESSES:** 600 17th Street, NW, Washington, DC 20508.

**FOR FURTHER INFORMATION CONTACT:** Rachel Shub, Associate General Counsel, (202) 395-7305; or Ralph Ives, Deputy Assistant U.S. Trade Representative, (202) 395-3320.

**SUPPLEMENTARY INFORMATION:** January 1, 1999 is the deadline for the European Communities' (EC) implementation of the recommendations of the World Trade Organization (WTO) Dispute Settlement Body (DSB) concerning the EC's regime for the importation, sale, and distribution of bananas (banana regime). On October 22, 1998, the United States Trade Representative (USTR) published a notice [63 FR 56687] of a proposed affirmative determination under section 306(b) of the Trade Act of 1974, as amended (Trade Act) (19 U.S.C. 2416), that the measures the EC has undertaken to apply as of January 1, 1999 fail to implement the WTO recommendations concerning the EC banana regime. Such

a determination will require the USTR also to determine what further action to take under section 301(a) in the event the EC has failed to implement the WTO recommendations by January 1, 1999.

Permissible actions under section 301(a) of the Trade Act include: action to suspend, withdraw or prevent the application of benefits of trade agreement concessions to the EC; imposition of duties or other import restrictions on goods of the EC or fees or restrictions on services of the EC; and restriction or denial of service sector access authorizations with respect to services of the EC. The USTR proposes that the imposition of prohibitive (100 percent *ad valorem*) duties on selected products from the EC is an appropriate action should the EC fail to implement the WTO recommendations within the prescribed reasonable period of time. The products to be affected by the duty increase will be drawn from the list of products set forth in the Annex to this notice.

The USTR intends to publish a notice on December 15, 1998 describing the actions that it would take beginning February 1, 1999. If the EC requests arbitration under Article 22.6 of the WTO Dispute Settlement Understanding (DSU), the USTR would delay implementation of action until the completion of the arbitration proceedings or until March 3, 1999, whichever is earlier.

The announcement of the USTR's determination on December 15 and the subsequent implementation of action are contingent upon the EC's failure to suspend the implementation of its new banana regime and to implement a regime consistent with the WTO's recommendations. The dates on which the USTR intends to implement action—February 1 or no later than March 3, 1999—correspond to the dates contemplated by sections 306(b) and 305(a) of the Trade Act as well as Article 22 of the DSU.

Section 306(b) of the Trade Act requires the USTR to determine what further action it shall take under section 301(a) if the USTR considers that a foreign country has failed to implement a recommendation made pursuant to dispute settlement proceedings under the WTO. The USTR shall make this determination no later than thirty days after the expiration of the reasonable period of time provided for such implementation under Article 21.3 of the DSU, which is January 31, 1999 in this case. Section 305(a)(1) requires the USTR to implement such action by no later than thirty days after the date on which that determination is made, or March 2 in this case.