

preliminary determination in an administrative review within 245 days after the last day of the anniversary month of an order for which a review is requested and a final determination within 120 days after the date on which the preliminary determination is published. However, section 751(a)(3)(A) of the Act and section 351.213(h)(2) of the Department's regulations provide that when it is not practicable to complete the review within the specified time period, the Department may extend this time period by 120 days. Because of the complexities in this administrative review, it is not practicable to complete this review within the time limits mandated by section 751(a)(3)(A) of the Act. See Memorandum from Bernard T. Carreau to Robert S. LaRussa, Extension of Time Limit for Preliminary Results of Antidumping Duty Administrative Review: Porcelain-On-Steel Cooking Ware from the People's Republic of China, on file in the Central Record Unit, Room B-099, Main Commerce Building.

Accordingly, the Department is extending the deadline for issuing the preliminary results of this review until no later than December 31, 1999. In accordance with section 751(a)(3)(A) of the Act, we plan to issue the final results of this administrative review within 120 days after publication of the preliminary results.

Dated: August 16, 1999.

**Bernard T. Carreau,**

*Deputy Assistant Secretary for AD/CVD Enforcement Group II.*

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BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-828]

#### **Antidumping Administrative Review of Silicomanganese from the People's Republic of China: Time Limit**

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

**ACTION:** Notice of extension of time limit for preliminary results of review.

**SUMMARY:** The Department of Commerce (the Department) is extending the time limit for the preliminary results of the administrative review of the antidumping duty order on Silicomanganese from the People's Republic of China. The review covers two manufacturer/exporters of the subject merchandise to the United

States for the period December 1, 1997, through November 30, 1998.

**EFFECTIVE DATE:** August 25, 1999.

**FOR FURTHER INFORMATION CONTACT:** Timothy Finn or Jim Terpstra, Group II, Office IV, AD/CVD Enforcement, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230, telephone: (202) 482-0065, or (202) 482-3965, respectively.

**SUPPLEMENTARY INFORMATION:** Because it is not practicable to complete the preliminary results of this review within the initial time limit established by the Uruguay Round Agreements Act (245 days after the last day of the anniversary month), pursuant to section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), the Department is extending the time limit for completion of the preliminary results until November 1, 1999. See 19 CFR 351.213 (g)(2) and the Memorandum from Bernard T. Carreau to Robert S. LaRussa, on file in the Central Records Unit located in room B-099 of the main Department of Commerce building.

This extension is in accordance with section 751(a)(3)(A) of the Act (19 U.S.C. 1675(a)(3)(A)).

Dated: August 16, 1999.

**Bernard T. Carreau,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. 99-22084 Filed 8-24-99; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-810]

#### **Stainless Steel Bar from India; Preliminary Results of New Shipper Review**

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

**ACTION:** Notice of preliminary results of new shipper review of stainless steel bar from India.

**SUMMARY:** In response to requests from Jyoti Steel Industries, Parekh Bright Bars Pvt. Ltd., and Shah Alloys Ltd., the Department of Commerce is conducting a new shipper review of the antidumping duty order on stainless steel bar from India. This review covers these companies' sales of stainless steel bar to the United States during the period February 1, 1998 through July 31, 1998.

We have preliminarily determined that, during the period of review, Parekh

Bright Bars Pvt. Ltd. has made sales of subject merchandise below normal value and that Jyoti Steel Industries and Shah Alloys Ltd. have not made sales of subject merchandise below normal value. If these preliminary results are adopted in our final results, we will instruct the Customs Service not to assess antidumping duties.

Interested parties are invited to comment on these preliminary results.

**EFFECTIVE DATE:** August 25, 1999.

**FOR FURTHER INFORMATION CONTACT:** Stephanie Hoffman, James Breeden, or Melani Miller, Office 1, AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington D.C. 20230; telephone (202) 482-4198, (202) 482-1174, or (202) 482-0116, respectively.

**SUPPLEMENTARY INFORMATION:**

#### **Applicable Statute**

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended ("the Act"), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act. In addition, all references to the Department of Commerce's ("the Department's") regulations are to 19 CFR Part 351 (April 1998).

#### **Background**

On August 18 and August 31, 1998, the Department received requests from Jyoti Steel Industries ("Jyoti"), Parekh Bright Bars Pvt. Ltd. ("Parekh"), and Shah Alloys Ltd. ("Shah") to conduct a new shipper review of the antidumping duty order on stainless steel bar from India. Our notice initiating the new shipper review of these companies was published in the **Federal Register**, on October 30, 1998 (63 FR 58367). The period covered by this review is February 1, 1998, through July 31, 1998.

#### **Scope of Review**

Imports covered by this review are shipments of stainless steel bar ("SSB"). SSB means articles of stainless steel in straight lengths that have been either hot-rolled, forged, turned, cold-drawn, cold-rolled or otherwise cold-finished, or ground, having a uniform solid cross section along their whole length in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles, hexagons, octagons, or other convex polygons. SSB includes cold-finished SSBs that are turned or ground in straight lengths, whether produced from hot-rolled bar or from straightened

and cut rod or wire, and reinforcing bars that have indentations, ribs, grooves, or other deformations produced during the rolling process.

Except as specified above, the term does not include stainless steel semi-finished products, cut length flat-rolled products (*i.e.*, cut length rolled products which if less than 4.75 mm in thickness have a width measuring at least 10 times the thickness, or if 4.75 mm or more in thickness having a width which exceeds 150 mm and measures at least twice the thickness), wire (*i.e.*, cold-formed products in coils, of any uniform solid cross section along their whole length, which do not conform to the definition of flat-rolled products), and angles, shapes and sections.

The SSB subject to this order is currently classifiable under subheadings 7222.10.0005, 7222.10.0050, 7222.20.0005, 7222.20.0045, 7222.20.0075, and 7222.30.0000 of the Harmonized Tariff Schedule of the United States ("HTSUS"). Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this order is dispositive.

#### Use of Facts Otherwise Available

Parekh failed to respond to the Department's supplemental questionnaire and request for cost information (*i.e.*, Section D of the original questionnaire). Section 776(a)(2)(A) of the Act provides for the use of facts available when an interested party withholds information that has been requested by the Department. As described in more detail below, Parekh has failed to provide information explicitly requested by the Department; therefore, we must resort to the facts otherwise available.

In using the facts otherwise available, however, pursuant to section 782(e) of the Act, the Department must determine whether information Parekh already submitted for the record of this review may be used in calculating a dumping margin. Section 782(e) of the Act provides that the Department shall not decline to consider information that is submitted by an interested party and that is necessary to the determination but which does not meet all the applicable requirements established by the Department if—

- (1) The information is submitted by the deadline established for its submission,
- (2) The information can be verified,
- (3) The information is not so incomplete that it cannot serve as a reliable basis for reaching the applicable determination,

(4) The interested party has demonstrated that it acted to the best of its ability in providing the information and meeting the requirements established by the Department with respect to the information, and

(5) The information can be used without undue difficulties.

Parekh did respond to the Department's original questionnaire and a supplemental questionnaire. However, Parekh failed to respond to a second supplemental questionnaire requesting clarification of deficient information in Parekh's previous responses. Moreover, as explained in the "Normal Value" section of this notice below, the Department has preliminarily determined to base normal value on constructed value ("CV") for all three respondents. Parekh failed to provide requested cost information necessary for the calculation of CV. Therefore, we find the information already on the record so incomplete that it cannot serve as a reliable basis for calculating a dumping margin. Consequently, we are not using any of the information submitted by Parekh for our preliminary results and are relying instead on facts available.

In selecting from among the facts otherwise available, section 776(b) of the Act provides that the Department may use an inference that is adverse to the interests of a party if it determines that party has failed to cooperate to the best of its ability. On May 18, 1999, the Department issued a second supplemental questionnaire to Parekh. The Department did not receive a response to this questionnaire, nor did it receive a request from Parekh for an extension of time to respond. The Department made several efforts to contact Parekh regarding the status of its questionnaire response, but was unable to reach any of Parekh's personnel. Consistent with section 782(d) of the Act, the Department sent a letter to Parekh on July 16, 1999, advising the company that its lack of cooperation may result in the use of facts otherwise available. Parekh did not respond to this letter. Additionally, in the Department's May 18, 1999, letter to Parekh, the Department informed Parekh that if it chose not to offer evidence demonstrating why a particular market situation does not exist in the home market, it should submit a response to section D of the original questionnaire (*i.e.*, cost information). Parekh did not submit any information concerning the particular market situation, nor did it submit cost information.

The Department finds that by not providing necessary information specifically requested by the

Department and discontinuing its participation in this review, Parekh has failed to cooperate to the best of its ability. Therefore, in selecting facts available, the Department determines that an adverse inference is warranted. As adverse facts available, we have preliminarily assigned a margin of 21.02 percent to Parekh's sales of the subject merchandise.

This margin, calculated for sales by Mukand Limited during the investigation, represents the highest weighted-average margin determined for any firm during any segment of this proceeding. Information from prior segments of the proceeding constitutes secondary information and section 776(c) of the Act provides that the Department shall, to the extent practicable, corroborate that secondary information from independent sources reasonably at its disposal. The Statement of Administrative Action ("SAA") provides that "corroborate" means simply that the Department will satisfy itself that the secondary information to be used has probative value (*see*, H.R. Doc. 316, Vol. 1, 103d Cong., 2d Sess. 870 (1994)).

To corroborate secondary information, the Department will, to the extent practicable, examine the reliability and relevance of the information to be used. However, unlike other types of information, such as input costs or selling expenses, there are no independent sources for calculated dumping margins. Thus, in an administrative review, if the Department chooses as adverse facts available a calculated dumping margin from a prior segment of the proceeding, it is not necessary to question the reliability of the margin for that time period. With respect to the relevance aspect of corroboration, however, the Department will consider information reasonably at its disposal as to whether there are circumstances that would render a margin inappropriate. Where circumstances indicate that the selected margin is not appropriate as adverse facts available, the Department will disregard the margin and determine an appropriate margin (*see, e.g., Fresh Cut Flowers from Mexico; Final Results of Antidumping Duty Administrative Review*, 61 FR 6812, 6814 (Feb. 22, 1996) (where the Department disregarded the highest margin as adverse facts available because the margin was based on another company's uncharacteristic business expense resulting in an unusually high margin)).

As discussed above, it is not necessary to question the reliability of a calculated margin from a prior segment of the proceeding. Further, there are no

circumstances indicating that this margin is inappropriate as facts available. Therefore, we preliminarily find that the 21.02 percent rate is corroborated.

#### United States Price

In calculating the price to the United States, we used export price ("EP"), in accordance with section 772(a) of the Act, because the subject merchandise was sold directly to the first unaffiliated purchaser in the United States prior to importation into the United States and use of constructed export price was not otherwise indicated.

We calculated EP based on the CIF price to the United States. In accordance with section 772(c)(2) of the Act, we made deductions, as appropriate, for foreign inland freight, international freight, marine insurance, and brokerage and handling.

#### Normal Value

*Viability:* In order to determine whether Shah, Jyoti, and Parekh made a sufficient volume of sales in the home market to serve as a viable basis for calculating normal value ("NV"), we compared the respondents' volume of home market sales of the foreign like product to the volume of U.S. sales of the subject merchandise in accordance with section 773(a) of the Act. We found that each respondent's aggregate volume of home market sales of the foreign like product was greater than five percent of its respective aggregate volume of U.S. sales of the subject merchandise. Even though this result would normally indicate that NV should be based on home market sales, as explained below, information on the record indicates that a "particular market situation" exists in the home market that renders the otherwise viable home market an inappropriate basis for NV.

In a letter dated February 3, 1999, the petitioners stated that the dates of the home market sale reported by Parekh and Shah were outside the period of review. Lacking home market sales in the period of review, the petitioners argued that both Parekh's and Shah's home markets were not viable.

In considering this argument, the Department notes that section 773(a)(1)(A) of the Act states that NV shall be based upon the price at which the foreign like product is first sold in the usual commercial quantities and in the ordinary course of trade "at a time *reasonably corresponding* to the time of the sale used to determine the export price or constructed export price" (emphasis added). Neither the Department's regulations nor the SAA offer any further clarification of the time

period the Department should examine in determining market viability.

However, the Department has developed a methodology for determining contemporaneity for purposes of comparing NV with export price or constructed export price. The Department's regulations at 19 CFR 351.414(e)(2) provide that if there are no sales of the foreign like product in the month of the U.S. sale under consideration, the Secretary will select as the contemporaneous month the most recent of the three months prior to the month of the U.S. sale, and if there are no sales of the foreign like product during any of these months, the earlier of the two months following the month of the U.S. sale in which there was a sale of the foreign like product. This methodology commonly is referred to as the 90/60-day contemporaneity window.

Although both Shah and Parekh's home market sales were made outside the period of review, we have preliminarily determined that, since both respondents' home market sales were within the 90/60-day contemporaneity window they would be used for comparison purposes. Because the time of these home market sales "reasonably corresponds" to the time of the sales used to establish EP, we have examined whether these sales constitute a viable home market for the purpose of determining NV.

*Particular Market Situation:* On March 8, 1999, the petitioners alleged that Shah, Jyoti, and Parekh made home market sales identical to their U.S. sales, after making their U.S. sales, in order to artificially establish zero dumping margins. Consequently, the petitioners alleged that the home market constitutes a fictitious market within meaning of section 773(a)(2), and that the Department should not use the home market sales as the basis for normal value. In the alternative, the petitioners claimed that a particular market situation within the meaning of section 773(a)(1)(C)(iii) exists in the home market because all three respondents made a single sale in the home market that constituted five percent or more of sales to the U.S. market. The petitioners asserted that in light of this particular market situation, the Department was precluded from using respondents' home market sales for calculating normal value. See May 18, 1999, Memorandum to Laurie Parkhill, "Home Market Viability, Fictitious Market, and Particular Market Situation Allegations" ("May 18, 1999 Memo") and June 24, 1999, Memorandum to Richard Moreland, "Particular Market Situation"

("June 24, 1999 Memo") for a detailed discussion of these issues.

In considering the petitioners' fictitious market allegation, we have preliminarily determined that evidence on the record does not support a finding that Shah, Jyoti, or Parekh established a fictitious market. It is the Department's practice in proceedings involving fictitious market allegations to require that the petitioners provide some evidence on the record that establishes the occurrence of different movements in prices at which different forms of the foreign like product are sold before pursuing an allegation. See, e.g., *Tubeless Steel Disc Wheels from Brazil; Final Results of Antidumping Duty Administrative Review*, 56 FR 14085 (April 5, 1991) ("\* \* \* before pursuing a [fictitious market] allegation, the Department must have sufficient evidence that there have been different movements in the prices at which different forms of the subject merchandise have been sold in the home market."). The petitioners have not provided such evidence and, therefore, we have not pursued an inquiry into the petitioners' fictitious market allegations. See May 18, 1999 Memo.

With respect to the petitioners' allegation of a particular market situation, we preliminarily determine that a particular market situation does exist for Shah, Jyoti, and Parekh. According to section 773(a)(1) of the Act, the Department may decline to use home market sales for determining normal value where "the particular market situation in the exporting country does not permit a proper comparison with the export price or constructed export price." The SAA further discusses particular market situations, stating that a particular market situation may exist where a single sale in the home market constitutes five percent of sales to the United States. SAA at 152.

In the instant review, we find that each respondent had a single sale in the home market which constituted more than five percent of the aggregate volume of its U.S. sales. In addition, we note that the subject merchandise is a commodity-type product that can easily be distinguished from a large capital good, such as a printing press, where one home market sale made during the period of review might be a normal situation. We further note that although we gave the respondents an opportunity to offer information demonstrating why a particular market situation does not exist in the home market, Jyoti and Shah (the two respondents who chose to

submit information)<sup>1</sup> failed to submit information demonstrating why these single, isolated sales in the home market were indicative of actual home market prices of the foreign like product. Accordingly, we preliminarily determine that the respondents' home markets should not be used for purposes of calculating normal value. Moreover, because none of the respondents have made sales to third countries during the POR, we determine that CV is the appropriate basis for normal value. See May 18, 1999 Memo and June 24, 1999 Memo for a more detailed analysis.

**Constructed Value:** In accordance with section 773(e)(1) of the Act, we calculated CV for Shah and Jyoti based on the sum of the respective respondent's cost of materials (net of import duty credits earned on its U.S. sale), labor, overhead, G&A, profit, and U.S. packing costs. (As discussed in the "Facts Available" section above, we could not calculate CV for Parekh because it failed to respond to our request for necessary cost information.) With respect to G&A, we used the amounts reported by Shah and Jyoti in their 1997-1998 audited financial

statements, and, in accordance with our normal practice, adjusted these amounts to capture those expenses associated with the production of the subject merchandise.

With respect to amounts for profits, section 773(e)(2)(A) of the Act states that CV should include an amount "incurred and realized by the specific exporter or producer being examined in the investigation or review \* \* \* for profits, in connection with the production and sale of a foreign like product, in the ordinary course of trade, for consumption in the foreign country \* \* \*" In this case, the actual amounts incurred and realized by Shah and Jyoti for profits, in connection with their sales of the foreign like product, are based on Shah and Jyoti's respective single home market sales. However, as discussed above, we have determined that these home market sales are not an appropriate basis for normal value because a particular market situation exists. Accordingly, these sales are not an appropriate basis for calculating CV profit. Therefore, as no other actual profit amounts realized by Shah and Jyoti in connection with sales of the

foreign like product are available, we have used an alternative calculation method.

The decision to use an alternative method to determine profit and the selection of the appropriate method depends on the facts of each case. Therefore, the decision to use alternative CV profit data must be made on a case-by-case basis. Based on the facts of the present case, in accordance with section 773(e)(2)(B)(i) of the Act, we calculated the respondents' respective profit based on the respondents' sale of merchandise that is in the same general category of products as the subject merchandise. That is, we calculated profit based on the respondents' respective total sales of all merchandise produced, as reflected in the companies' 1997-1998 audited financial statements.

**Preliminary Results of Review**

As a result of our comparison of EP and NV, we preliminarily determine the following weighted-average dumping margins:

Manufacturer/Exporter	Period	Margin (percent)
Jyoti .....	2/1/98-7/31/98	0.00
Parekh .....	2/1/98-7/31/98	21.02
Shah .....	2/1/98-7/31/98	0.00

Parties to the proceeding may request disclosure within five days of the date of publication of this notice. Any interested party may request a hearing within 30 days of publication. Any hearing, if requested, will be held 2 days after the deadline for filing rebuttal briefs unless the Secretary alters the date. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed no later than 5 days after the deadline for filing case briefs. The Department will issue the final results of this new shipper review, which will include the results of its analysis of issues raised in any such comments, within 90 days of issuing these preliminary results.

Upon completion of this new shipper review, the Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. We have calculated an importer-specific duty assessment rate based on the ratio of the total amount of antidumping duties calculated for the

examined sales made to the total entered value of the examined sales. In order to estimate the entered value, we subtracted international movement expenses (e.g., international freight) from the gross sales value. This rate will be assessed uniformly on all entries made during the POR. The Department will issue appraisal instructions directly to the Customs Service.

The following deposit requirement will be effective upon publication of the final results of this new shipper review for all shipments of stainless steel bar from India entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(1) of the Act: (1) The cash deposit rate for the reviewed companies will be the rates established in the final results of this review; (2) if the exporter is not a firm covered in this review, but was covered in a previous review or the original less-than-fair-value ("LTFV") investigation, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in

this review, a previous review, 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 manufacturers and/or exporters of this merchandise, shall be 12.45 percent, the "all others" rate established in the LTFV investigation (59 FR 66915, December 28, 1994).

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

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) 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

<sup>1</sup> Parekh did not submit any information concerning the particular market situation issue.

occurred and the subsequent assessment of double antidumping duties.

This new shipper review and notice are in accordance with sections 751(a)(2)(B) and 777(i)(1) of the Act.

Dated: August 18, 1999.

**Bernard Carreau,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 081799B]

#### New England Fishery Management Council; Public Meetings

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

**ACTION:** Notice of public meetings.

**SUMMARY:** The New England Fishery Management Council (Council) is scheduling a number of public meetings of its oversight committees and advisory panels in September, 1999 to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from these groups will be brought to the full Council for formal consideration and action, if appropriate.

**DATES:** The meetings will be held between September 7 and September 29, 1999. See **SUPPLEMENTARY INFORMATION** for specific dates and times.

**ADDRESSES:** Meetings will be held in Danvers, MA and Warwick, RI. See **SUPPLEMENTARY INFORMATION** for specific locations.

**FOR FURTHER INFORMATION CONTACT:** Paul J. Howard, Executive Director, New England Fishery Management Council (781) 231-0422. Requests for special accommodations should be addressed to the New England Fishery Management Council, 5 Broadway, Saugus, MA 01906-1036; telephone: (781) 231-0422.

**SUPPLEMENTARY INFORMATION:** Meeting Dates and Agendas

*Tuesday, September 7, 1999, at 9:30 a.m.—Habitat Committee and Advisors Meeting.*

Location: Sheraton Ferncroft Hotel, 50 Ferncroft Road, Danvers, MA 01923; telephone: 978-777-2500.

The committee and advisors will discuss proposed Mid-Atlantic Fishery Management Council Tilefish Fishery Management Plan (FMP) research criteria and objectives for Great South

Channel area reserve; review the status of the draft inshore Gulf of Maine habitat area of particular concern and Long Island Sound essential fish habitat framework adjustment.

*Wednesday, September 8, 1999, 10:00 a.m.—Whiting Committee meeting*

Location: Sheraton Ferncroft Hotel, 50 Ferncroft Road, Danvers, MA 01923; telephone: 978-777-2500.

The Committee will develop a framework adjustment to the Northeast Multispecies FMP that may include options for a whiting mesh size/possession limit category telephone call-in enrollment system as well as options for allowing the use of net strengtheners with 2.5-inch mesh. The Committee also will begin to review and discuss possible issues to be addressed in an upcoming amendment to the Northeast Multispecies FMP, which would remove whiting, red hake, and offshore hake from the Multispecies FMP and establish a separate FMP for these small mesh species.

*Thursday, September 9, 1999, 9:30 a.m.—Groundfish Committee and Groundfish Advisory Panel Joint Meeting*

Location: Sheraton Ferncroft Hotel, 50 Ferncroft Road, Danvers, MA 01923; telephone: (978) 777-2500.

The committee and panel will review and finalize alternatives, and recommend a preferred alternative for a framework adjustment to the Northeast Multispecies FMP to implement mid-season adjustments to the management program for the Gulf of Maine cod fishery that could also carry forward to the 2000-2001 fishing year. The framework action will also modify the Georges Bank cod trip limit adjustment mechanism. The Council held the initial meeting for this framework adjustment on August 10-11, 1999, and identified options for consideration. It will hold the final meeting, to select measures for submission to the Secretary of Commerce, on September 21-23, 1999.

*Thursday, September 9, 1999, 10:00 a.m.—Scallop Advisory Panel Meeting*  
Location: Sheraton Ferncroft Hotel, 50 Ferncroft Road, Danvers, MA 01923; telephone: 978-777-2500.

The advisory panel will consider management adjustments for the 2000 fishing year, beginning March 1, 2000, based on biological, economic, and other information in the Stock Assessment and Fishery Evaluation (SAFE) report. Adjustments are needed to achieve the FMP objectives including preventing overfishing, rebuilding stock biomass, and producing optimum yield.

*Friday, September 10, 1999, 9:30 a.m.—Scallop Committee Meeting*

Location: Sheraton Ferncroft Hotel, 50 Ferncroft Road, Danvers, MA 01923; telephone: 978-777-2500.

The Scallop Plan Development Team will present the annual monitoring SAFE report and from this information and advisor recommendations, the committee will develop management alternatives for consideration at the first framework meeting, scheduled for September 21-23, 1999. Adjustments are needed to achieve the FMP objectives including preventing overfishing, rebuilding stock biomass, and producing optimum yield.

*Thursday, September 16 and Friday, September 17, 1999, at 8:00 a.m.—Scientific and Statistical Committee Meeting*

Location: New England Fishery Management Council Office, 5 Broadway, Saugus, MA 01906; telephone: 781-231-0422.

The Scientific and Statistical Committee will review the 1999 SAFE Report for Atlantic Sea Scallops, including the Scallop Plan Development Team recommendations for the annual adjustment to the Atlantic Sea Scallop FMP. The Committee will report its findings to the Council at the September 21-23, 1999 Council meeting in New Bedford, MA.

*Tuesday and Wednesday, September 28-29, 1999, 9:30 a.m.—Scallop Committee Meeting*

Location: Radisson Hotel, 2081 Post Road, Warwick, RI 02886; telephone: 401-739-3000.

Following an initial framework meeting where the Council will identify management alternatives for framework action, the committee will define and specify these alternatives for the Final Framework 12 document. After analysis by the plan development team, the alternatives will be considered for approval at a final framework meeting, scheduled on November 16-18, 1999.

Although other issues not contained in this notice may be discussed at these meetings, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal Council action during these meetings. Action will be restricted to those issues specifically listed in this notice.

#### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (see **ADDRESSES**) at least 5 days prior to the meeting dates.