

and their directors, officers, and employees acting on their behalf, from private treble damage actions and governmental criminal and civil suits under U.S. Federal and state antitrust laws for the export conduct specified in the Certificate and carried out during its effective period in compliance with its terms and conditions.

#### VIII. Effective Period of Certificate

This Certificate continues in effect from the effective date indicated below until it is relinquished, modified or revoked as provided in the Act and the Regulations.

#### IX. Other Conduct

Nothing in this Certificate prohibits WFE and its Members from engaging in conduct not specified in this Certificate, but such conduct is subject to the normal application of the antitrust laws.

#### X. Disclaimer

The issuance of this Certificate of Review to WFE by the Secretary of Commerce with the concurrence of the Attorney General under the provisions of the Act does not constitute, explicitly or implicitly, an endorsement or opinion by the Secretary of Commerce or the Attorney General concerning either (a) the viability or quality of the business plans of WFE or its Members or (b) the legality of such business plans of WFE or its Members under the laws of the United States (other than as provided in the Act) or under the laws of any foreign country.

The application of this Certificate to conduct in Export Trade where the United States government is the buyer or where the United States Government bears more than half the cost of the transaction is subject to the limitations set forth in Section V(D) of the "Guidelines for the Issuance of Export Trade Certificates of Review (Second Edition)," 50 FR 1786 (January 11, 1985) ("Guidelines").

In accordance with the authority granted under the Act and Regulations, this Export Trade Certificate of Review is hereby granted to Western Fruit Exporters, L.L.C.

The effective date of the Certificate is December 8, 2003. A copy of this certificate will be kept in the International Trade Administration's Freedom of Information Records Inspection Facility Room 4102, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

Dated: December 15, 2003.

**Jeffrey C. Anspacher,**

*Director, Office of Export Trading Company Affairs.*

[FR Doc. 03-31323 Filed 12-17-03; 8:45 am]

**BILLING CODE 3510-DR-P**

### DEPARTMENT OF COMMERCE

#### International Trade Administration

#### Notice of Allocation of Tariff Rate Quotas on the Import of Certain Worsted Wool Fabrics for Calendar Year 2004

December 12, 2003.

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

**ACTION:** Notice of allocation of 2004 worsted wool fabric tariff rate quota.

**SUMMARY:** The Department of Commerce (Department) has determined the allocation for Calendar Year 2004 of imports of certain worsted wool fabrics under tariff rate quotas established by Title V of the Trade and Development Act of 2000 as amended by the Trade Act of 2002. The companies that are being provided an allocation are listed below.

**FOR FURTHER INFORMATION CONTACT:** Sergio Botero, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4058.

#### SUPPLEMENTARY INFORMATION:

#### BACKGROUND:

Title V of the Trade and Development Act of 2000 (The Act) as amended by the Trade Act of 2002 creates two tariff rate quotas, providing for temporary reductions in the import duties on two categories of worsted wool fabrics suitable for use in making suits, suit-type jackets, or trousers. For worsted wool fabric with average fiber diameters greater than 18.5 microns (Harmonized Tariff Schedule of the United States (HTS) heading 9902.51.11), the reduction in duty is limited to 4,500,000 square meters per year. For worsted wool fabric with average fiber diameters of 18.5 microns or less (HTS heading 9902.51.12), the reduction is limited to 3,500,000 square meters per year. The Act requires the President to ensure that such fabrics are fairly allocated to persons (including firms, corporations, or other legal entities) who cut and sew men's and boys' worsted wool suits and suit-like jackets and trousers in the United States and who apply for an allocation based on the amount of such suits cut and sewn during the prior calendar year. Presidential Proclamation 7383, of December 1, 2000, authorized

the Secretary of Commerce to allocate the quantity of worsted wool fabric imports under the tariff rate quotas. On January 22, 2001, the Department published regulations establishing procedures for applying for, and determining, such allocations. 66 FR 6459, 15 CFR 335.

On August 28, 2003, the Department published a notice in the **Federal Register** (68 FR 51767) soliciting applications for an allocation of the 2004 tariff rate quotas with a closing date of September 29, 2003. The Department received timely applications for the HTS 9902.51.11 tariff rate quota from 13 firms. The Department received timely applications for the HTS 9902.51.12 tariff rate quota from 14 firms. All applicants were determined eligible for an allocation. Most applicants submitted data on a business confidential basis. As allocations to firms were determined on the basis of this data, the Department considers individual firm allocations to be business confidential.

#### FIRMS THAT RECEIVED ALLOCATIONS:

HTS 9902.51.11, fabrics, of worsted wool, with average fiber diameter greater than 18.5 micron, certified by the importer as suitable for use in making suits, suit-type jackets, or trousers (provided for in subheading 5112.11.60 and 5112.19.95). Amount allocated: 4,500,000 square meters.

#### Companies Receiving Allocation:

Bowdon Manufacturing Co., Inc.--Bowdon, GA  
Calvin Clothing Company, Inc.--Scranton, PA  
Hartmarx Corporation--Chicago, IL  
Hartz & Company, Inc.--Frederick, MD  
Hugo Boss Cleveland, Inc.--Brooklyn, OH  
JA Apparel Corp.--New York, NY  
John H. Daniel Co.--Knoxville, TN  
Majer Brands Company, Inc.--Hanover, PA  
Saint Laurie Ltd.--New York, NY  
Sewell Clothing Company, Inc.--Bremen, GA  
Southwick Clothing L.L.C.--Lawrence, MA  
Toluca Garment Company--Toluca, IL  
The Tom James Co.--Franklin, TN

HTS 9902.51.12, fabrics, of worsted wool, with average fiber diameter of 18.5 micron or less, certified by the importer as suitable for use in making suits, suit-type jackets, or trousers (provided for in subheading 5112.11.30 and 5112.19.60). Amount allocated: 3,500,000 square meters.

#### Companies Receiving Allocation:

American Fashion, Inc.--Chula Vista, CA  
Retail Brand Alliance, Inc. d/b/a Brooks Brothers--  
New York, NY  
Hartmarx Corporation--Chicago, IL  
Hartz & Company, Inc.--Frederick, MD  
Hugo Boss Cleveland, Inc.--Brooklyn, OH  
JA Apparel Corp.--New York, NY  
John H. Daniel Co.--Knoxville, TN  
Majer Brands Company, Inc.--Hanover, PA

Martin Greenfield--Brooklyn, NY  
 Saint Laurie Ltd--New York, NY  
 Sewell Clothing Company, Inc.--Bremen, GA  
 Southwick Clothing L.L.C.--Lawrence, MA  
 Toluca Garment Compan--Toluca, IL  
 The Tom James Co.--Franklin, TN

Dated: December 12, 2003.

**James C. Leonard III,**

*Deputy Assistant Secretary for Textiles,  
 Apparel and Consumer Goods Industries,  
 Department of Commerce.*

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BILLING CODE 3510-DR-S

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 103003D]

**Marine Mammals; Photography Permit Application No. 1050-1727-00**

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

**ACTION:** Receipt of application.

**SUMMARY:** Notice is hereby given that the NOAA Pribilof Islands Restoration Project Office, National Ocean Service, 7600 Sand Point Way, Seattle, WA 98115 [Principal Investigator: John Lindsay] has applied in due form for a permit to take Northern fur seal seals (*Callorhinus ursinus*) for purposes of commercial/educational photography.

**DATES:** Written or telefaxed comments must be received on or before January 20, 2004.

**ADDRESSES:** The application and related documents are available for review upon written request or by appointment in the following office(s):

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)713-0376; and Northwest Region, NMFS, 7600 Sand Point Way NE, BIN C15700, Bldg. 1, Seattle, WA 98115-0700; phone (206)526-6150; fax (206)526-6426; and, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668; phone (907)586-7221; fax (907)586-7249.

**FOR FURTHER INFORMATION CONTACT:** Ruth Johnson or Jennifer Jefferies (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of section 104(c)(6) 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). Section 104(c)(6) provides for

photography for educational or commercial purposes involving marine mammals in the wild not listed as endangered or threatened. NMFS is currently working on proposed regulations to implement this provision. However, in the meantime, NMFS has received and is processing this request as a "pilot" application for Level B Harassment of non-listed marine mammals for photographic purposes.

The applicant proposes to take by harassment up to 2000 northern fur seals each year during ground and underwater filming activities. The purpose of the proposed project is to collect high-definition digital media of contemporary northern fur seals on the Pribilof Islands, particularly breeding and territorial behaviors in a natural setting on rookeries and haulout areas for public television documentary series. The documentary series will combine footage of northern fur seals with original research, photographs and other documents about the history of commercial fur sealing on the Pribilof Islands, including St. George, St. Paul, Walrus and Otter Islands and Sea Lion Rock. The Permit would expire 2 years after the date of issuance.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Written comments or requests for a public hearing on this application should be mailed 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 request would be appropriate.

Comments may also be submitted by facsimile to (301) 713-0376, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period. Please note that comments will not be accepted by e-mail or by other electronic media.

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 11, 2003.

**Stephen L. Leathery,**

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

[FR Doc. 03-31227 Filed 12-17-03; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 103103A]

**Marine Mammals; File Nos. 704-1698 and 1044-1706**

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

**ACTION:** Issuance of permits.

**SUMMARY:** Notice is hereby given that the following applicants have been issued permits to take marine mammals parts from species of marine mammals under NMFS jurisdiction for purposes of scientific research: (1) The University of Alaska Museum, 907 Yukon Drive, P.O. Box 756960, Fairbanks, AK 99775 (Dr. Gordon Jarrell, Principal Investigator (PI)); and (2) The Alaska Sea Otter and Steller Sea Lion Commission (TASSC), 6239 B Street, Suite 204, Anchorage, AK 99518 (Dr. Dolly Garza, PI).

**ADDRESSES:** The permits and related documents are available for review upon written request or by appointment in the following office(s):

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)713-0376; and Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668; phone (907)586-7221; fax (907)586-7249.

**FOR FURTHER INFORMATION CONTACT:** Ruth Johnson or Amy Sloan, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On September 8, 2003, notice was published in the **Federal Register** (68 FR 52905) that requests for scientific research permits to take marine mammal parts had been submitted by the above-named organizations. The requested permits have been issued 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 (ESA; 16 U.S.C. 1531