

INTERNATIONAL TRADE COMMISSION

[Investigation No. 332–352]

Andean Trade Preference Act: Effect on the U.S. Economy and on Andean Drug Crop Eradication**AGENCY:** International Trade Commission.**ACTION:** Notice of opportunity to submit comments in connection with the 2003 ATPA report.**EFFECTIVE DATE:** March 17, 2004.**FOR FURTHER INFORMATION CONTACT:**

Joanne Guth (202–205–3264 or joanne.guth@usitc.gov), Country and Regional Analysis Division, Office of Economics, U.S. International Trade Commission, Washington, DC 20436. General information concerning the Commission may be obtained by accessing its Internet server (<http://www.usitc.gov>).

Background

Section 206 of the Andean Trade Preference Act (ATPA) (19 U.S.C. 3204) requires that the Commission submit annual reports to the Congress regarding the economic impact of the Act on U.S. industries and consumers and, in conjunction with other agencies, the effectiveness of the Act in promoting drug-related crop eradication and crop substitution efforts of the beneficiary countries. Section 206(b) of the Act requires that each report include:

(1) The actual effect of ATPA on the U.S. economy generally as well as on specific domestic industries which produce articles that are like, or directly competitive with, articles being imported under the Act;

(2) The probable future effect that ATPA will have on the U.S. economy generally and on domestic industries affected by the Act; and

(3) The estimated effect that ATPA has had on drug-related crop eradication and crop substitution efforts of beneficiary countries.

Notice of institution of the investigation and the schedule for such reports under section 206 of ATPA was published in the **Federal Register** of March 10, 1994 (59 FR 11308). The 10th report, covering calendar year 2003, is to be submitted by September 30, 2004.

Written Submissions

The Commission does not plan to hold a public hearing in connection with the preparation of this tenth report. However, interested persons are invited to submit written statements concerning the matters to be addressed in the

report. All written submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street, SW., Washington, DC 20436. All written submissions must conform with the provisions of section 201.8 of the Commission's *Rules of Practice and Procedure* (19 CFR 201.8); any submissions that contain confidential business information must also conform with the requirements of section 201.6 of the Commission's *Rules of Practice and Procedure* (19 CFR 201.6). Section 201.8 of the rules require that a signed original (or a copy designated as an original) and fourteen (14) copies of each document be filed. In the event that confidential treatment of the document is requested, at least four (4) additional copies must be filed, in which the confidential information must be deleted. Section 201.6 of the rules require that the cover of the document and the individual pages clearly be marked as to whether they are the "confidential" or "nonconfidential" version, and that the confidential business information be clearly identified by means of brackets.

All written submissions, except for confidential business information, will be made available in the Office of the Secretary to the Commission for inspection by interested parties. The Commission intends to publish only a public report in this investigation. Accordingly, any confidential business information received by the Commission in this investigation will not be published in a manner that could reveal the operations of the firm supplying the information. To be assured of consideration by the Commission, written statements relating to the Commission's report should be submitted to the Commission at the earliest practical date and should be received no later than the close of business on June 11, 2004.

The Commission's rules do not authorize filing submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's Rules (19 CFR 201.8) (*see Handbook for Electronic Filing Procedures, ftp://ftp.usitc.gov/pub/reports/electronic_filing_handbook.pdf*). Persons with questions regarding electronic filing should contact the Secretary (202–205–2000 or edis@usitc.gov).

The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired individuals can obtain information on this matter by contacting the Commission's TDD terminal on 202–

205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000.

By order of the Commission.

Issued: March 17, 2004.

Marilyn R. Abbott,*Secretary to the Commission.*

[FR Doc. 04–6439 Filed 3–22–04; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Inv. No. 337–TA–493]

In the Matter of Certain Zero-Mercury-Added Alkaline Batteries, Parts Thereof, and Products Containing Same; Notice of a Commission Determination Not To Review an Initial Determination Terminating the Investigation With Respect to One Respondent on the Basis of a Consent Order; Issuance of Consent Order**AGENCY:** International Trade Commission.**ACTION:** Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination ("ID") of the presiding administrative law judge ("ALJ") granting the joint motion of complainants Energizer Holdings, Inc. and Eveready Battery Co., Inc., and respondent Golden Million Enterprises, Inc. to terminate the above-captioned investigation with respect to that respondent on the basis of a consent order.

FOR FURTHER INFORMATION CONTACT:

Michael K. Haldenstein, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone (202) 205–3041. Copies of the ALJ's ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on May 27, 2003, based on a complaint filed by Energizer Holdings, Inc. and Eveready Battery Co., Inc., both of St. Louis, MO, 68 FR 32771 (2003). The complaint as amended alleges violations of section 337 of the Tariff Act of 1930 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain zero-mercury-added alkaline batteries, parts thereof, and products containing same by reason of infringement of claims 1–12 of U.S. Patent No. 5,464,709. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337. The Commission named as respondents 26 companies located in the United States, China, Indonesia, and Japan.

On February 3, 2004, complainants and one respondent, Golden Million Enterprises, Inc., filed a joint motion to terminate the investigation as to the respondent on the basis of settlement agreement and consent order. On February 13, 2004, the Commission investigative attorney filed a response supporting the motion. On February 17, 2004, the ALJ issued the subject ID terminating the investigation as to the respondent on the basis of a settlement agreement and consent order.

No party petitioned for review of the ID pursuant to 19 CFR 210.43(a), and the Commission found no basis for ordering a review on its own initiative pursuant to 19 CFR 210.44. The ID thus became the determination of the Commission pursuant to 19 CFR 210.42(h)(3).

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and Commission rule 210.42, 19 CFR 210.42.

By order of the Commission.
Issued: March 17, 2004.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 04–6438 Filed 3–22–04; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. TA–2104–13]

U.S. Free Trade Agreement With Central America and the Dominican Republic: Potential Economywide and Selected Sectoral Effects

AGENCY: United States International Trade Commission.

ACTION: Institution of investigation.

SUMMARY: Following receipt on January 28, 2004, of a request from the United States Trade Representative (USTR), the Commission instituted investigation No. TA–2104–13, *U.S. Free Trade Agreement With Central America and the Dominican Republic: Potential Economywide and Selected Sectoral Effects*, under section 2104(f) of the Trade Act of 2002 (19 U.S.C. 3804(f)).

Background: As requested by the USTR, the Commission will prepare a report as specified in section 2104(f)(2)–(3) of the Trade Act of 2002 assessing the likely impact of the U.S. free trade agreement (FTA) with Central America and the Dominican Republic on the United States economy as a whole and on specific industry sectors and the interests of U.S. consumers. The report will assess the likely impact of the agreement on the United States economy as a whole and on specific industry sectors, including the impact the agreement will have on the gross domestic product, exports and imports, aggregate employment and employment opportunities, the production, employment, and competitive position of industries likely to be significantly affected by the agreement and the interests of United States consumers.

In preparing its assessment, the Commission will review available economic assessments regarding the agreement, including literature regarding any substantially equivalent proposed agreement, and will provide in its assessment a description of the analyses used and conclusions drawn in such literature, and a discussion of areas of consensus and divergence between the various analyses and conclusions, including those of the Commission regarding the agreement.

Section 2104(f)(2) requires that the Commission submit its report to the President and the Congress not later than 90 days after the President enters into the agreement, which he can do 90 days after he notifies the Congress of his intent to do so. The President notified the Congress on February 20, 2004, of his intent to enter into an FTA with Central America. At that time, the President also stated that negotiations were under way to integrate the Dominican Republic into the FTA with Central America.

The ITC has begun its assessment, and it will seek public input for the investigation through a public hearing on April 27, 2004. The date of the hearing is contingent on the successful conclusion of the negotiations with the Dominican Republic and when a public version of the final agreement is made available by the U.S. Trade Representative.

Effective Date: March 11, 2004.

FOR FURTHER INFORMATION CONTACT: James Stamps, Project Leader, Office of Economics (202–205–3227 or james.stamps@usitc.gov). For information on the legal aspects of this investigation, contact William Gearhart of the Office of the General Counsel (202–205–3091 or william.gearhart@usitc.gov). For media information, contact Peg O’Laughlin (202–205–1819). Hearing impaired individuals are advised that information on this matter can be obtained by contacting the TDD terminal on (202–205–1810).

Public Hearing: A public hearing in connection with this investigation is scheduled to begin at 9:30 a.m. on April 27, 2004, at the U.S. International Trade Commission Building, 500 E Street SW., Washington, DC. All persons may appear by counsel or in person, to present information, and to be heard. In the event that no requests to appear at the hearing are received by the close of business on April 13, 2004, the hearing will be canceled. Any person interested in attending the hearing as an observer or non-participant may call the Secretary (202–205–1816) after April 13, 2004 to determine whether the hearing will be held.

Statements and Briefs: In lieu of or in addition to appearing at the public hearing, interested persons are invited to submit written statements concerning the investigation in accordance with the requirements in the “Submissions” section below. Persons wishing to appear at the public hearing should file a letter with the Secretary, United States International Trade Commission, 500 E St., SW., Washington, DC 20436, not later than the close of business (5:15 p.m.) on April 13, 2004. In addition, persons appearing should file prehearing briefs (original and 14 copies) with the Secretary by the close of business on April 20, 2004. Posthearing briefs should be filed with the Secretary by the close of business on May 4, 2004.

Written Submissions: Written statements should be received by the close of business on May 4, 2004. Commercial or financial information which a submitter desires the Commission to treat as confidential must be submitted on separate sheets of paper, each clearly marked “Confidential Business Information” at the top. All submissions requesting confidential treatment must conform with the requirements of § 201.6 of the Commission’s *Rules of Practice and Procedure* (19 CFR 201.6). All written submissions, except for confidential