

Notices

Federal Register

Vol. 70, No. 134

Thursday, July 14, 2005

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Foreign Agricultural Service

WTO Agricultural Safeguard Trigger Levels

AGENCY: Foreign Agricultural Service, USDA.

ACTION: Notice of product coverage and trigger levels for safeguard measures provided for in the World Trade Organization (WTO) Agreement on Agriculture.

SUMMARY: This notice lists the updated quantity trigger levels for products, which may be subject to additional import duties under the safeguard provisions of the WTO Agreement on Agriculture. Beginning this year, the method of determining these triggers has been modified to exclude trade from countries that are not subject to WTO safeguards. This notice also includes the relevant period applicable for the trigger levels on each of the listed products.

EFFECTIVE DATE: August 14, 2005.

FOR FURTHER INFORMATION CONTACT: Charles R. Bertsch, Multilateral Trade Negotiations Division, Foreign Agricultural Service, room 5524—South Building, U.S. Department of Agriculture, Washington, DC 20250—

1022, telephone at (202) 720–6278, or e-mail charles.bertsch@usda.gov.

SUPPLEMENTARY INFORMATION: Article 5 of the WTO Agreement on Agriculture provides that additional import duties may be imposed on imports of products subject to tariffication as a result of the Uruguay Round if certain conditions are met. The agreement permits additional duties to be charged if the price of an individual shipment of imported products falls below the average price for similar goods imported during the years 1986–88 by a specified percentage. It also permits additional duties to be imposed if the volume of imports of an article exceeds the average of the most recent 3 years for which data are available by 5, 10, or 25 percent, depending on the article. These additional duties may not be imposed on quantities for which minimum or current access commitments were made during the Uruguay Round negotiations, and only one type of safeguard, price or quantity, may be applied at any given time to an article.

Section 405 of the Uruguay Round Agreements Act requires that the President cause to be published in the **Federal Register** information regarding the price and quantity safeguards, including the quantity trigger levels, which must be updated annually based upon import levels during the most recent 3 years. The President delegated this duty to the Secretary of Agriculture in Presidential Proclamation No. 6763, Quantity Based Safeguard Trigger dated December 23, 1994. The Secretary of Agriculture further delegated the duty to the Administrator of the Foreign Agricultural Service (7 CFR 2.43(a)(2)). The Annex to this notice contains the updated quantity trigger levels.

Beginning this year a change has been made in the method for calculating these trigger levels. In previous years imports from all sources were included in the three year average used as the basis of the safeguard triggers. After consulting with the U.S. Trade Representative's Office, it was determined that it is more appropriate to exclude from these calculations imports from countries that are not subject to the WTO safeguard duties. The following countries are not subject to those duties as a result of Free Trade Agreements: Canada, Mexico, Jordan, Singapore, Chile and Australia.

Additional information on the products subject to safeguards and the additional duties which may apply can be found in subchapter IV of Chapter 99 of the Harmonized Tariff Schedule of the United States and in the Secretary of Agriculture's Notice of Safeguard Action, published in the **Federal Register** at 60 FR 427, January 4, 1995.

Notice: As provided in section 405 of the Uruguay Round Agreements Act, consistent with Article 5 of the Agreement on Agriculture, the safeguard quantity trigger levels previously notified are superceded by the levels indicated in the Annex to this notice.

Dated: Issued at Washington, DC this 28 day of June, 2005.

A. Ellen Terpstra,
Administrator, Foreign Agricultural Service,
Annex.

The definitions of these products were provided in the Notice of Safeguard Action published in the **Federal Register**, at 60 FR 427, January 4, 1995.

ANNEX—QUANTITY-BASED SAFEGUARD TRIGGER

Product	Trigger level	Period
Beef	358,015 mt	January 1, 2005 to December 31, 2005.
Mutton	2,105 mt	January 1, 2005 to December 31, 2005.
Cream	5,074,624 liters	January 1, 2005 to December 31, 2005.
Evaporated or Condensed Milk	5,956,000 kilograms	January 1, 2005 to December 31, 2005.
Nonfat Dry Milk	2,060,875 kilograms	January 1, 2005 to December 31, 2005.
Dried Whole Milk	4,186,708 kilograms	January 1, 2005 to December 31, 2005.
Dried Cream	28,042 kilograms	January 1, 2005 to December 31, 2005.
Dried Whey/Buttermilk	185,042 kilograms	January 1, 2005 to December 31, 2005.
Butter	12,278,292 kilograms	January 1, 2005 to December 31, 2005.
Butter Oil and Butter Substitutes	7,294,708 kilograms	January 1, 2005 to December 31, 2005.
Dairy Mixtures	31,026,208 kilograms	January 1, 2005 to December 31, 2005.
Blue Cheese	4,685,625 kilograms	January 1, 2005 to December 31, 2005.
Cheddar Cheese	12,127,708 kilograms	January 1, 2005 to December 31, 2005.
American-Type Cheese	23,336,917 kilograms	January 1, 2005 to December 31, 2005.

ANNEX—QUANTITY-BASED SAFEGUARD TRIGGER

Product	Trigger level	Period
Edam/Gouda Cheese	6,660,467 kilograms	January 1, 2005 to December 31, 2005.
Italian-Type Cheese	22,661,375 kilograms	January 1, 2005 to December 31, 2005.
Swiss Cheese with Eye Formation	35,579,750 kilograms	January 1, 2005 to December 31, 2005.
Gruyere Process Cheese	8,484,500 kilograms	January 1, 2005 to December 31, 2005.
Lowfat Cheese	4,227,750 kilograms	January 1, 2005 to December 31, 2005.
NSPF Cheese	54,338,417 kilograms	January 1, 2005 to December 31, 2005.
Peanuts	56,596 mt	April 1, 2005 to March 31, 2006.
Peanut Butter Paste	2,841 mt	January 1, 2005 to December 31, 2005.
Raw Cane Sugar	1,297,851 mt	October 1, 2004 to September 30, 2005.
Refined Sugar and Syrups	1,096,324	October 1, 2005 to September 30, 2006.
	95,785 mt	October 1, 2004 to September 30, 2005.
Blended Syrups	36,661 mt	October 1, 2005 to September 30, 2006.
	8 mt	October 1, 2004 to September 30, 2005.
Articles Over 65% Sugar	59 mt	October 1, 2005 to September 30, 2006.
	23 mt	October 1, 2004 to September 30, 2005.
Articles Over 10% Sugar	170 mt	October 1, 2005 to September 30, 2006.
	80,886 mt	October 1, 2004 to September 30, 2005.
Sweetened Cocoa Powder	12,067 mt	October 1, 2005 to September 30, 2006.
	531 mt	October 1, 2004 to September 30, 2005.
	660 mt	October 1, 2005 to September 30, 2006.
Chocolate Crumb	9,239,208 kilograms	January 1, 2005 to December 31, 2005.
Lowfat Chocolate Crumb	127,708 kilograms	January 1, 2005 to December 31, 2005.
Infant Formula Containing Oligosaccharides	22,708 kilograms	January 1, 2005 to December 31, 2005.
Mixes and Doughs	6,757 mt	October 1, 2004 to September 30, 2005.
	78 mt	October 1, 2005 to September 30, 2006.
Mixed Condiments and Seasonings	402 mt	October 1, 2004 to September 30, 2005.
	98 mt	October 1, 2005 to September 30, 2006.
Ice Cream	795,143 liters	January 1, 2005 to December 31, 2005.
Animal Feed Containing Milk	254,958 kilograms	January 1, 2005 to December 31, 2005.
Short Staple Cotton	94,717 kilograms	September 20, 2004 to September 19, 2005.
	20,042 kilograms	September 20, 2005 to September 19, 2006.
Harsh or Rough Cotton	0 mt	August 1, 2004 to July 31, 2005.
	0 mt	August 1, 2005 to July 31, 2006.
Medium Staple Cotton	485,971 kilograms	August 1, 2004 to July 31, 2005.
	1,571,375 kilograms	August 1, 2005 to July 31, 2006.
Extra Long Staple Cotton	8,982,620 kilograms	August 1, 2004 to July 31, 2005.
	9,736,417 kilograms	August 1, 2005 to July 31, 2006.
Cotton Waste	0 kilograms	September 20, 2004 to September 19, 2005.
	5,125 kilograms	September 20, 2005 to September 19, 2006.
Cotton, Processed Not Spun	5,343 kilograms	September 11, 2004 to September 10, 2005.
	80,208 kilograms	September 11, 2005 to September 10, 2006.

[FR Doc. 05-13828 Filed 7-13-05; 8:45 am]
 BILLING CODE 3410-10-M

DEPARTMENT OF AGRICULTURE

Forest Service

Mines Management Inc. Montanore Project, Kootenai National Forest, Lincoln County, MT

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The Department of Agriculture, Forest Service, Kootenai National Forest, in conjunction with Montana Department of Environmental Quality, will prepare an environmental impact statement (EIS) to document the analysis and disclose the environmental impacts of the proposed action to permit the construction, operation and reclamation of the Montanore silver/

copper mine project and associated power transmission line. The project is located on public and private islands approximately 18 miles south of Libby, Montana. Mines Management, Inc. submitted a proposed Plan of Operations and an application for a Hard Rock Operating Permit on January 3, 2005, pursuant to Forest Service locatable mineral regulations 36 CFR part 228, subpart A, and the State of Montana Metal Mine Reclamation Act MCA 82-4-301 *et. seq.* A single EIS evaluating all components of the proposed project will be prepared.

DATES: Comments concerning the proposed action must be postmarked by September 15, 2005, to be considered in the draft EIS. The draft EIS is expected May 2006 and the final EIS is expected by January 2007.

ADDRESSES: Send written comments concerning the Proposed Action to Bob Castaneda, Forest Supervisor, Montanore Project, Kootenai National

Forest, 1101 U.S. Hwy 2 West, Libby, MT 59923, or e-mail your comments to rl_montanore@fs.fed.us. All comments received must contain: name of commenter, post service mailing address, and date of comment. Comments sent as an e-mail message should be sent as an attachment to the message. A copy on computer-generated disc, should accompany all comments over one page in length.

FOR FURTHER INFORMATION CONTACT: Bobbie Lacklen, Project Coordinator, Canoe Gulch Ranger Station, 12557 Hwy 37, Libby, Montana 59923. Phone (406) 293-7773, or e-mail at blacklen@fs.fed.us, or consult <http://www.fs.fed.us/rl/kootenai/projects/montanore>.

SUPPLEMENTARY INFORMATION: Mines Management Inc. owns two patented mining claims (HR 133 & HR 134) with mineral rights that extend beneath the Cabinet Mountains Wilderness. On