

Letter from Susan H. Kuhbach to Barbara P. Sidari, dated July 30, 1998, which is available in the CRU.

3. On October 23, 1997, the petitioners filed an application requesting that the Department initiate an anti-circumvention investigation of Barilla S.r.L. ("Barilla"), an Italian producer and exporter of pasta. The Department initiated the investigation on December 8, 1997. See *Initiation of Anti-Circumvention Inquiry on Antidumping Duty Order on Certain Pasta From Italy*, 62 FR 65673 (December 15, 1997). On October 5, 1998, the Department issued its final determination that, pursuant to section 781(a) of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act effective January 1, 1995 ("the Act"), circumvention of the antidumping order on pasta from Italy was occurring by reason of exports of bulk pasta from Italy produced by Barilla which subsequently were repackaged in the United States into packages of five pounds or less for sale in the United States. See *Anti-Circumvention Inquiry of the Antidumping Duty Order on Certain Pasta from Italy: Affirmative Final Determination of Circumvention of the Antidumping Duty Order*, 63 FR 54672 (October 13, 1998).

4. On October 26, 1998, the Department self-initiated a scope inquiry to determine whether a package weighing over five pounds as a result of allowable industry tolerances is within the scope of the antidumping and countervailing duty orders. On May 24, 1999, we issued a final scope ruling finding that, effective October 26, 1998, pasta in packages weighing or labeled up to (and including) five pounds four ounces is within the scope of the antidumping and countervailing duty orders. See *Memorandum from John Brinkmann to Richard Moreland*, dated May 24, 1999, which is available in the CRU.

5. On April 27, 2000, the Department self-initiated an anti-circumvention inquiry to determine whether Pastificio Fratelli Pagani S.p.A.'s importation of pasta in bulk and subsequent repackaging in the United States into packages of five pounds or less constitutes circumvention with respect to the antidumping and countervailing duty orders on pasta from Italy pursuant to section 781(a) of the Act and 19 CFR 351.225(b). See *Certain Pasta from Italy: Notice of Initiation of Anti-Circumvention Inquiry of the Antidumping and Countervailing Duty Orders*, 65 FR 26179 (May 5, 2000). On September 19, 2003, we published an affirmative finding of the anti-

circumvention inquiry. See *Anti-Circumvention Inquiry of the Antidumping and Countervailing Duty Orders on Certain Pasta from Italy: Affirmative Final Determinations of Circumvention of Antidumping and Countervailing Duty Orders*, 68 FR 54888 (September 19, 2003).

#### Rescission of Review

The Department's regulations at 19 CFR 351.213(d)(1) provide that the Department will rescind an administrative review, in part, if a party that requested a review withdraws the request within 90 days of the date of publication of the notice of initiation of the requested review. Pastificio Laporta S.a.s. withdrew its request for an administrative review on September 15, 2005, which is within the 90-day deadline, and no other party requested a review with respect to this company. Therefore, the Department is rescinding this administrative review, in part, for Pastificio Laporta S.a.s..

This notice is issued and published in accordance with 19 CFR 351.213(d)(4).

Dated: October 6, 2005.

**Barbara E. Tillman,**

*Acting Deputy Assistant Secretary for Import Administration.*

[FR Doc. E5-5603 Filed 10-12-05; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### North American Free Trade Agreement, Article 1904 NAFTA Panel Reviews; Notice of Panel Decision

**AGENCY:** NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

**ACTION:** Notice of panel decision.

**SUMMARY:** On October 5, 2005, the binational panel issued its decision in the review of the final results of the countervailing duty determination made by the International Trade Administration (ITA) respecting Certain Softwood Lumber Products from Canada (Secretariat File No. USA-CDA-2002-1904-03) affirmed in part and remanded in part the determination of the Department of Commerce. The Department will return the determination on remand no later than October 28, 2005. A copy of the complete panel decision is available from the NAFTA Secretariat.

**FOR FURTHER INFORMATION CONTACT:** Caratina L. Alston, United States Secretary, NAFTA Secretariat, Suite

2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

**SUPPLEMENTARY INFORMATION:** Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from the other country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established *Rules of Procedure for Article 1904 Binational Panel Reviews* ("Rules"). These Rules were published in the **Federal Register** on February 23, 1994 (59 FR 8686).

*Panel Decision:* On October 5, 2005, the Binational Panel affirmed in part and remanded in part the Department of Commerce's final antidumping duty determination. The following issues were remanded to the Department:

1. The Department was directed to determine the amount of log seller profit to be C\$4.34, and to refrain from apportioning this amount.

2. The Department was directed to adjust the profit figures for Ontario, Manitoba, and Saskatchewan to the extent that their profit figures are derivative of the profit figure for Quebec.

The Investigating Authority was directed to complete its remand determination no later than October 28, 2005.

Dated: October 6, 2005.

**Caratina L. Alston,**

*United States Secretary, NAFTA Secretariat.*

[FR Doc. E5-5590 Filed 10-12-05; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 100605F]

#### Gulf of Mexico Fishery Management Council; Public Meetings

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

**ACTION:** Notice of Public Hearings.

**SUMMARY:** The Gulf of Mexico Fishery Management Council (Council) will convene public hearings to solicit comments on draft Amendment 26 to the Reef Fish Fishery Management Plan (FMP) that contains alternatives to establish an individual fishing quota (IFQ) program for the commercial red snapper fishery in the Gulf of Mexico that has been declared to be overfished and undergoing overfishing.

**DATES:** The public hearings and workshops will be held from October 17 through October 26 at 8 locations throughout the Gulf of Mexico. For those who are unable to attend one of these meetings, a conference call number will be available on Wednesday, October 19, 2005. For specific dates and times see

**SUPPLEMENTARY INFORMATION.**

**ADDRESSES:** The public hearings and workshops will be held in the following locations: Brownsville, Galveston, and Port Aransas, Texas; Baton Rouge, Louisiana; Pascagoula, Mississippi; Orange Beach, Alabama; and Panama City and Tampa, Florida. For specific dates and times (see **SUPPLEMENTARY INFORMATION**).

*Council address:* Gulf of Mexico Fishery Management Council, 2203 North Lois Avenue, Suite 1100, Tampa, FL 33607.

**FOR FURTHER INFORMATION CONTACT:** Mr. Wayne Swingle, Executive Director, Gulf of Mexico Fishery Management Council; telephone: (813) 348-1630.

**SUPPLEMENTARY INFORMATION:** The Gulf of Mexico Fishery Management Council will convene public hearings to solicit comments on Draft Amendment 26 to the Reef Fish Fishery Management Plan (FMP) that contains alternatives to establish an individual fishing quota (IFQ) program for the commercial red snapper fishery in the Gulf of Mexico that has been declared to be overfished and undergoing overfishing. The IFQ program is being considered to address existing and emerging problems resulting from overcapitalization in this fishery while it recovers. Actions being considered as part of the IFQ program include: its duration; eligibility for shares; initial allocation of shares; potential caps and/or restrictions on shares; and transferability of shares. Other actions being considered include: whether or not shares must be used; how adjustments to the commercial quota will affect allocations and shares; the possible requirement of vessel monitoring systems (VMS) on participating vessels; and a cost recovery plan.

The public hearings will begin at 6 p.m. and conclude no later than 10 p.m. at each of the following locations:

Monday, October 17, 2005, National Marine Fisheries Service Laboratory, 3500 Delwood Beach Road, Panama City, FL 32408, (850) 234-6541;

Tuesday, October 18, 2005, Hilton Garden Inn Orange Beach, 23092 Perdido Beach Boulevard, Orange Beach, AL 36561, (251) 974-1600;

Wednesday, October 19, 2005, LaFont Inn, 2703 Denny Avenue, Pascagoula, MS 39567, (228) 762-7111;

Wednesday, October 19, 2005, Tampa Marriott Westshore, 1001 North Westshore Boulevard, Tampa, FL 33607, (813) 287-2555;

Thursday, October 20, 2005, Sheraton Baton Rouge, 102 France Street, Baton Rouge, LA 70802, (225) 242-2600;

Monday, October 24, 2005, Four Points by Sheraton, 3777 North Expressway, Brownsville, TX 78520, (956) 547-1500;

Tuesday, October 25, 2005, University of Texas Marine Science Institute Auditorium, 750 Channel View Drive, Port Aransas, TX 78373, (361) 749-6711;

Wednesday, October 26, 2005, Holiday Inn Galveston, 5002 Seawall Boulevard, Galveston, TX 77550, (409) 740-3581.

Individuals interested in participating in the public hearing process but are unable to attend any of the scheduled hearings, may participate during the October 19, 2005 hearing via telephone. Interested parties should call (800) 547-5078 from any phone at 6 p.m. EDT. A copy of the amendment and related materials can be obtained by calling the Council office at (813) 348-1630. These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Dawn Aring at the Council (see **ADDRESSES**) at least 5 working days prior to the meeting.

Dated: October 6, 2005.

**Emily Menashes,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. E5-5593 Filed 10-12-05; 8:45 am]

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[I.D. 100605D]

**Western Pacific Fishery Management Council; Public Meeting**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; public meeting; public hearing.

**SUMMARY:** The Western Pacific Fishery Management Council (Council) will meet to discuss measures for reducing interactions between seabirds and longline fishing.

**DATES:** The meeting will be held on Tuesday, November 1, 2005, at 12 noon HST.

**ADDRESSES:** The meeting will be held via telephone conference call at the Council office, 1164 Bishop St., Suite 1400, Honolulu, HI 96813; telephone: (808) 522-8220; fax: (808) 522-8226. The call-in number for the conference call is: (866) 867-8289, and the passcode is: 1683776.

**FOR FURTHER INFORMATION CONTACT:** Kitty M. Simonds, Council Executive Director; telephone: (808) 522-8220.

**SUPPLEMENTARY INFORMATION:** The items of discussion in the Council meeting's agenda are as follows:

1. *Pelagic Fisheries.*

On April 6, 2005, the Council transmitted to NMFS an amendment to the Council's Fishery Management Plan for Pelagic Fisheries in the Western Pacific (FMP), that recommended new measures for mitigating interactions between pelagic longline vessels and seabirds. This amendment would require all Hawaii-based longline fishing vessels to either (a) side-set (deploy longline gear from the side of the vessel rather than from the stern), or (b) use a combination of other mitigation measures to prevent seabirds (e.g., Laysan and black-footed albatrosses), from being accidentally hooked or entangled during fishing operations in certain areas. These measures would also reduce the potential for fishery interactions with endangered short-tailed albatrosses that are known to be in the area in which the fishery operates. On July 13, 2005, NMFS published a proposed rule (70 FR 40302) with a request for public comments. Comments received indicated that modification of some aspects of the proposed measures should be considered, based on recent observer and experimental observations.

Under the proposed rule, seabird mitigation measures would be required everywhere for Hawaii-based vessels using shallow-set longline fishing gear, and north of 23°N latitude for Hawaii-based vessels using deep-set longline fishing gear. Operators of shallow-setting longline vessels that elect not to side-set would continue to be required