

7211.90.0000, 7212.40.1000, 7212.40.5000, and 7212.50.5000. Included in this CVD order are flat-rolled products of non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process (i.e., products which have been "worked after rolling")--for example, products which have been beveled or rounded at the edges. Excluded from this order is grade X-70 plate. The HTS item numbers are provided for convenience and customs purposes. The written description remains dispositive.

The Court of Appeals for the Federal Circuit found, in *Duferco Steel, Inc. v. United States*, 296 F.3d 1087 (July 12, 2002), that imported floor plate is excluded from this CVD order on steel plate.

Analysis Of Comments Received

All issues raised in this review are addressed in the Preliminary Issues and Decision Memorandum from Stephen J. Claeys, Deputy Assistant Secretary for Import Administration, to David M. Spooner, Assistant Secretary for Import Administration (*Preliminary Decision Memorandum*), dated concurrently with this notice and which is hereby adopted by this notice. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendation in this public memorandum which is on file in the Central Records Unit, room B-099 of the main Commerce building. In addition, a complete version of the *Preliminary Decision Memorandum* can be accessed directly on the Web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the *Preliminary Decision Memorandum* are identical in content.

Preliminary Results Of Review

The Department preliminarily determines that revocation of the CVD order would likely lead to continuation or recurrence of a countervailable subsidy. The net countervailable subsidy likely to prevail if the order were revoked is:

Producers/exporters	Net Countervailable Subsidy (percent)
Cockerill	2.82
Fafer	0.56
All others (including Clabecq)	0.50

Interested parties may submit case briefs and hearing requests no later than two weeks after the date of publication of these preliminary results, in accordance with 19 CFR 351.309(c)(1)(i) and 19 CFR 351.310(c). Rebuttal briefs, which must be limited to issues raised

in the case briefs, may be filed not later than five days from the filing of the case briefs, in accordance with 19 CFR 351.309(d). If a hearing is requested, parties will be notified of the date, time and location. The Department will issue a notice of final results of this sunset review no later than September 27, 2006, which will include the results of its analysis of issues raised in any such comments.

We are issuing and publishing these preliminary results and notice in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: July 14, 2006.

David M. Spooner,

Assistant Secretary for Import Administration.

[FR Doc. E6-11622 Filed 7-20-06; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 070306C]

Vessel Monitoring Systems; Mobile Transmitter Unit and Enhanced Mobile Transmitter Unit Reimbursement Program

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

ACTION: Notice of vessel monitoring systems reimbursement program.

SUMMARY: The National Marine Fisheries Service announces the availability of approximately \$4.5 million in grant funds for fiscal year (FY) 2006 for vessel owners and/or operators who have purchased an Mobile Transmitter Unit (MTU) or Enhanced-Mobile Transmitter Unit (E-MTU) for the purpose of complying with fishery regulations requiring the use of Vessel Monitoring System (VMS) that became effective during FY 2006. The funds will be used to reimburse vessel owners and/or operators for the purchase price of the MTU or E-MTU. The maximum award per reimbursement is dependent upon the requirements of the applicable fishery management rule.

ADDRESSES: For a reimbursement application contact Pacific States Marine Fisheries Commission (PSMFC), 45 SE 82nd Drive, Suite 100, Gladstone, Oregon 97027-2522, phone 503-650-5300, fax 503-650-5426. To obtain copies of the list of NOAA-approved VMS mobile transmitting units and NOAA-approved VMS communications

service providers write to: VMS Support Center, NOAA Fisheries Office for Law Enforcement (OLE), 8484 Georgia Avenue, Suite 415, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: For current listing information contact Mark Oswell, Outreach Specialist, phone 301-427-2300, fax 301-427-2055. For questions regarding MTU or E-MTU type approval or information regarding the status of VMS systems being evaluated by NOAA for approval, contact Jonathan Pinkerton, National VMS Program Manager, phone 301-427-2300; fax 301-427-2055. For questions regarding VMS installation or activation checklists, contact the VMS Support Center, NOAA Fisheries Office for Law Enforcement (OLE), 8484 Georgia Avenue, Suite 415, Silver Spring, MD 20910, phone 888-219-9228, fax 301-427-0049. For questions regarding reimbursement applications contact Randy Fisher, Executive Director, Pacific States Marine Fisheries Commission (PSMFC), 45 SE 82nd Drive, Suite 100, Gladstone, Oregon 97027-2522, phone 503-650-5300, fax 503-650-5426.

SUPPLEMENTARY INFORMATION:

I. Funding Opportunity Description

This reimbursement opportunity is available to fishing vessel owners and/or operators that have purchased MTU or E-MTU devices in order to comply with fishery regulations developed in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), Public Law 94-265. Only those vessel owners and/or operators purchasing a MTU or E-MTU for compliance to fishery management rules becoming effective on or after October 1, 2005, are eligible for this funding opportunity.

The primary purpose of this reimbursement program is to offset the costs associated with compliance with fishery regulations developed pursuant to the Magnuson-Stevens Act. Reimbursable expenses include the purchase price of a MTU or E-MTU type-approved for a fishery requiring the use of VMS for which the owner and/or operator holds a valid commercial fishery permit in compliance with fishery regulations.

II. Eligibility

To be eligible to receive reimbursement vessel owners and/or operators must first purchase a MTU or E-MTU type-approved for the fishery requiring VMS for which the vessel owner and/or operator holds a valid commercial fishing permit. The vessel

owner and/or operator must have the MTU or E-MTU properly installed on the vessel and activated utilizing a type-approved communications provider. Upon completion of the installation and activation process, the vessel owner and/or operator must contact the VMS Support Center by calling 888-219-9228 to ensure the vessel is properly registered in the VMS system. OLE does not consider a vessel in compliance until the MTU or E-MTU signal has been received and processed by OLE.

III. Process

Vessel owners and/or operators that have purchased a MTU or E-MTU, and have validated their compliance with the applicable regulations through OLE, may contact the PSMFC, 45 SE 82nd Drive, Suite 100, Gladstone, Oregon 97027-2522, phone 503-650-5300, fax 503-650-5426, for a reimbursement application. Once the application is received and completed by the vessel owner and/or operator, it must be returned to PSMFC along with proof of eligibility in order to qualify for an award. The required proof of eligibility includes proof of a valid commercial fishing permit for fishery requiring VMS; proof of purchase and the purchase price of a type-approved MTU or E-MTU; and a valid compliance confirmation code issued by OLE.

Vessel owners and/or operators are not restricted as to which type-approved MTU or E-MTU device they can purchase. However, the amount of the reimbursement will be limited to the cost of the least expensive MTU or E-MTU type-approved for their permitted fishery. Vessel owners and/or operators are encouraged to compare the features of all MTU and E-MTU devices type-approved for their permitted fishery prior to making their purchase decision. Vessel owners/operators are limited to reimbursement of the cost of purchasing one MTU or E-MTU per permitted vessel.

Dated: July 11, 2006.

William T. Hogarth,

*Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

[FR Doc. E6-11550 Filed 7-20-06; 8:45 am]

BILLING CODE 3510-22-S

CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 06-C0005]

Tiffany and Company, a Corporation, Provisional Acceptance of a Settlement Agreement and Order

AGENCY: Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: It is the policy of the Commission to publish settlements which it provisionally accepts under the Consumer Product Safety Act in the **Federal Register** in accordance with the terms of 16 CFR 1118.20(e). Published below is a provisionally-accepted Settlement Agreement with Tiffany and Company, a corporation, containing a civil penalty of \$262,500.

DATES: Any interested person may ask the Commission not to accept this agreement or otherwise comment on its contents by filing a written request with the Office of the Secretary by August 7, 2006.

ADDRESSES: Persons wishing to comment on this Settlement Agreement should send written comments to the Comment 06-C0005, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

FOR FURTHER INFORMATION CONTACT: William J. Moore, Jr., Trial Attorney, Office of Compliance, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-7583.

SUPPLEMENTARY INFORMATION: The text of the Agreement and Order appears below.

Dated: July 18, 2006.

Todd A. Stevenson,
Secretary.

In the Matter of Tiffany and Company, a Corporation

Settlement Agreement and Order

1. This Settlement Agreement is made by and between the staff (the "staff") of the U.S. Consumer Product Safety Commission (the "Commission") and Tiffany and Company ("Tiffany"), a corporation, in accordance with 16 CFR 1118.20 of the Commission's procedures for Investigations, Inspections, and Inquiries under the Consumer Product Safety Act ("CPSA"). This Settlement Agreement and the incorporated attached Order resolve the staff's allegations set forth below.

The Parties

2. The Commission is an independent federal regulatory agency responsible for

the enforcement of the Consumer Product Safety Act, 15 U.S.C. 2051-2084.

3. Tiffany is a corporation organized and existing under the laws of the State of New York with its principal corporate office located at 727 Fifth Avenue, New York, New York. At all times relevant herein Tiffany marketed, distributed and sold fine jewelry, timepieces, china, crystal, silverware and silver baby rattles and teethers, among other consumer products.

Staff Allegations

4. From November 2002 through February 2004, Tiffany sold in United States commerce approximately 4,255 sterling silver rattle/teethers with small farm animal figures ("Teethers").

5. The Teethers are "consumer products" and, at the times relevant herein, Tiffany was a "retailer" of "consumer products", which were "distributed in commerce" as those terms are defined in sections 3(a)(1), (6), (11), and (12) of the CPSA, 15 U.S.C. 2052(a)(1), (6), (11), and (12).

6. The Teethers are defective because a metal bar at the center of the Teether can break off at its soldered joints during use releasing small round beads and small animal figures. The small beads and figures can pose an aspiration and choking hazard to babies.

7. Between November and December 2003, Tiffany learned about at last two incidents of Teethers cracking at the soldered joint. In February 2004, Tiffany learned about one incident in which a Teether broke at the soldered joint, and a baby was reported to be mouthing a small animal figure that fell off of the Teether. Tiffany determined that hand polishing during Teether manufacture could weaken the cross bar solder joints and lead to separation of that metal bar from the Teether ring.

8. Tiffany suspended Teether sales following the February 2004 incident. Tiffany did not report the problem to the Commission. Tiffany received two more reports of Teethers cracking in March 2004. The firm did not report to the Commission until June 2004, after the Commission opened its own investigation and requested Tiffany to do so.

9. Although Tiffany had obtained sufficient information to reasonably support the conclusion that the Teethers contained a defect which could create a substantial product hazard, it failed to inform the Commission of such defect and risk and required by Section 15(b)(2) of the CPSA, 15 U.S.C. 2064(b)(2). In failing to do so, Tiffany "knowingly" violated Section 19(a)(4) of the CPSA, 15 U.S.C. 2068(a)(4), as the