

Dated: March 17, 2009.  
**John M. Andersen,**  
*Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations,*  
 [FR Doc. E9-6347 Filed 3-23-09; 8:45 am]  
**BILLING CODE 3510-DS-P**

**DEPARTMENT OF COMMERCE**  
**International Trade Administration**  
**Quarterly Update to Annual Listing of Foreign Government Subsidies on Articles of Cheese Subject to an In-Quota Rate of Duty**

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

**EFFECTIVE DATE:** March 24, 2009.

**FOR FURTHER INFORMATION CONTACT:** Gayle Longest, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW,

Washington, DC 20230, telephone: (202) 482-3338.

**SUPPLEMENTARY INFORMATION:** Section 702 of the Trade Agreements Act of 1979 (as amended) (“the Act”) requires the Department of Commerce (“the Department”) to determine, in consultation with the Secretary of Agriculture, whether any foreign government is providing a subsidy with respect to any article of cheese subject to an in-quota rate of duty, as defined in section 702(h) of the Act, and to publish an annual list and quarterly updates to the type and amount of those subsidies. We hereby provide the Department’s quarterly update of subsidies on articles of cheese that were imported during the period October 1, 2008 through December 31, 2008.

The Department has developed, in consultation with the Secretary of Agriculture, information on subsidies (as defined in section 702(h) of the Act) being provided either directly or indirectly by foreign governments on articles of cheese subject to an in-quota rate of duty.

The appendix to this notice lists the country, the subsidy program or programs, and the gross and net amounts of each subsidy for which information is currently available. The Department will incorporate additional programs which are found to constitute subsidies, and additional information on the subsidy programs listed, as the information is developed.

The Department encourages any person having information on foreign government subsidy programs which benefit articles of cheese subject to an in-quota rate of duty to submit such information in writing to the Assistant Secretary for Import Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW, Washington, DC 20230.

This determination and notice are in accordance with section 702(a) of the Act.

Dated: March 16, 2009.

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**APPENDIX**  
**SUBSIDY PROGRAMS ON CHEESE SUBJECT TO AN IN-QUOTA RATE OF DUTY**

Country	Program(s)	Gross <sup>1</sup> Subsidy (\$/lb)	Net <sup>2</sup> Subsidy (\$/lb)
27 European Union Member States <sup>3</sup>	European Union Restitution Payments	\$ 0.00	\$0.00
Canada	Export Assistance on Certain Types of Cheese	\$ 0.29	\$ 0.29
Norway	Indirect (Milk) Subsidy	\$ 0.00	\$ 0.00
	Consumer Subsidy	\$ 0.00	\$ 0.00
	Total	\$ 0.00	\$ 0.00
Switzerland	Deficiency Payments	\$ 0.00	\$ 0.00

<sup>1</sup> Defined in 19 U.S.C. 1677(5).

<sup>2</sup> Defined in 19 U.S.C. 1677(6).

<sup>3</sup> The 27 member states of the European Union are: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, the United Kingdom.

[FR Doc. E9-6340 Filed 3-23-09; 8:45 am]  
**BILLING CODE 3510-DS-S**

**DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
**RIN 0648-XO01**  
**Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits**

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

**ACTION:** Notification of a proposal to conduct exempted fishing; request for comments.

**SUMMARY:** The Assistant Regional Administrator for Sustainable Fisheries, Northeast Region, NMFS (Assistant Regional Administrator), has made a preliminary determination that the subject Exempted Fishing Permit (EFP) application that was submitted by the Gulf of Maine Research Institute (GMRI) warrants further consideration and should be issued for public comment. The EFP would exempt participating vessels from the seasonal Atlantic herring (herring) Management Area 1A and Management Area 1B quota closures, seasonal Management Area 1A gear restrictions, and herring trip possession limits. The Assistant Regional Administrator has also made a

preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Atlantic Herring Fishery Management Plan (FMP). However, further review and consultation may be necessary before a final determination is made.

**DATES:** Comments must be received on or before April 8, 2009.

**ADDRESSES:** Comments may be submitted by e-mail to [herring.efp@noaa.gov](mailto:herring.efp@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: “Comments on GMRI herring EFP.” Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 55 Great Republic Drive, Gloucester, MA 01930. Mark the