

rate will be 15.45 percent, the all-others rate established in the less-than-fair-value investigation. These deposit requirements shall remain in effect until further notice.

#### Reimbursement of Duties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent increase in antidumping duties by the amount of antidumping and/or countervailing duties reimbursed.

#### Administrative Protective Order

This notice also is the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

These amended final results of administrative review and notice are issued and published in accordance with sections 751(a)(1) and (h), and 777(i)(1) of the Act, and 19 CFR 351.224.

Dated: March 3, 2010.

**Carole A. Showers,**

*Acting Deputy Assistant Secretary for Import Administration.*

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**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XU49**

#### Fisheries of the Pacific Region

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

**ACTION:** Notification of determination of an overfished condition.

**SUMMARY:** This action serves as a notice that NMFS, on behalf of the Secretary of

Commerce (Secretary), has determined that in the Pacific Region, the petrale sole stock has been determined to be in an overfished condition. The Pacific Fishery Management Council is in the process of reviewing the overfished threshold for petrale sole; however, regardless of future changes, NMFS has determined that the stock is overfished at this time, based on the current status determination criteria. For stocks which NMFS determines to be in an overfished condition and provides notice to the applicable Council, the applicable Council must, within two years of such notification, prepare and implement an FMP amendment or proposed regulations to rebuild such stocks.

**FOR FURTHER INFORMATION CONTACT:** Mark Nelson, (301) 713-2341.

**SUPPLEMENTARY INFORMATION:** Pursuant to sections 304(e)(2) and (e)(7) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1854(e)(2), and implementing regulations at 50 CFR 600.310(e)(2), NMFS, on behalf of the Secretary, must notify the appropriate Council whenever it determines a stock or stock complex is overfished.

For a fishery determined to be in an overfished condition, NMFS requests that the appropriate Council take action to end overfishing in the fishery and to implement conservation and management measures to rebuild affected stocks. A Council receiving notification that a fishery is overfished must, within 2 years of notification, implement a rebuilding plan, through an FMP amendment, which ends overfishing immediately and provides for rebuilding the fishery in accordance with 16 U.S.C. 1854(e)(3)-(4) as implemented by 50 CFR 600.310(j)(2)(ii). When developing rebuilding plans Councils, in addition to rebuilding the fishery within the shortest time possible in accordance with 16 U.S.C. 1854(e)(4) and 50 CFR 600.310(j)(2)(ii), must ensure that such management actions address the requirements to establish a mechanism for specifying and actually specify annual catch limits (ACLs) and accountability measures (AMs) to prevent overfishing in accordance with 16 U.S.C. 1853(a)(15) and 50 CFR 600.310(j)(2)(i) for each affected stock or stock complex.

On February 9, 2010, NMFS notified the Pacific Fishery Management Council that the most recent stock assessment for petrale sole indicated that the biomass fell below the overfished threshold which triggered an overfished determination. The letter acknowledges

that the Pacific Fishery Management Council is in the process of reviewing the overfished threshold for petrale sole. Regardless of future changes to the overfished threshold, based on the current status determination criteria, NMFS has determined the stock to be overfished at this time.

As noted above, within 2 years of notification that a fishery is overfished, the respective Council must adopt and implement a rebuilding plan, through a FMP amendment which immediately ends overfishing and provides for rebuilding of the overfished stock.

Dated: March 3, 2010.

**Emily H. Menashes,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2010-5154 Filed 3-9-10; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[Application No. 99-4A005]

#### Export Trade Certificate of Review

**ACTION:** Notice of Application (#99-4A005) to Amend the Export Trade Certificate of Review Issued to California Almond Export Association, LLC, Application no. 99-00005.

**SUMMARY:** The Export Trading Company Affairs unit, Office of Competition and Economic Analysis, International Trade Administration, U.S. Department of Commerce, has received an application to amend an Export Trade Certificate of Review ("Certificate"). This notice summarizes the proposed amendment and requests comments relevant to whether the amended Certificate should be issued.

**FOR FURTHER INFORMATION CONTACT:** Joseph E. Flynn, Director, Office of Competition and Economic Analysis, International Trade Administration, (202) 482-5131 (this is not a toll-free number) or by E-mail at [oitca@ita.doc.gov](mailto:oitca@ita.doc.gov).

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from State and Federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the