

SUPPLEMENTARY INFORMATION:**Postponement of Preliminary Determinations**

On July 14, 2008, the Department of Commerce (the Department) initiated the antidumping duty investigation on Certain Tow Behind Lawn Groomers and Certain Parts Thereof from the People's Republic of China. *See Certain Tow Behind Lawn Groomers and Certain Parts Thereof From the People's Republic of China: Initiation of Antidumping Duty Investigation*, 73 FR 42315 (July 21, 2008). The notice of initiation stated that the Department would issue the preliminary determination for this investigation no later than 140 days after the date of issuance of the initiation, in accordance with section 773(b)(1)(A) of the Tariff Act of 1930, as amended (the Act).

On November 5, 2008 the petitioner, Agri-Fab Inc., made a timely request pursuant to 19 CFR 351.205(b)(2) and (e) for a 50-day postponement of the preliminary determination. The petitioner requested postponement of the preliminary determination due to the complexity of the investigation.

For the reasons identified by the petitioner and because there are no compelling reasons to deny the request, the Department is postponing the deadline for the preliminary determination under section 773(c)(1)(A) of the Act by 50 days. Because the extended deadline, January 20, 2009, falls on a federal holiday, the deadline for the preliminary determination will be the next business day, Wednesday, January 21, 2009. *See* 19 CFR 351.303(b). The deadline for the final determination will continue to be 75 days after the date of the preliminary determination, unless extended.

This notice is issued and published pursuant to section 733(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: November 10, 2008.

David M. Spooner,

Assistant Secretary for Import Administration.

[FR Doc. E8-27230 Filed 11-14-08; 8:45 am]

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

RIN 0648-XD09

Marine Mammals; File No. 532-1822-03

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

ACTION: Notice; issuance of permit amendment.

SUMMARY: Notice is hereby given that Kenneth Balcomb, Center for Whale Studies, P.O. Box 1577, Friday Harbor, WA 98250 has been issued an amendment to scientific research Permit No. 532-1822-02.

ADDRESSES: The amendment and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)427-2521; and

Northwest Region, NMFS, 7600 Sand Point Way NE, BIN C15700, Bldg. 1, Seattle, WA 98115-0700; phone (206)526-6150; fax (206)526-6426.

FOR FURTHER INFORMATION CONTACT:

Jaclyn Daly or Jennifer Skidmore, (301)713-2289.

SUPPLEMENTARY INFORMATION: On October 10, 2007, notice was published in the *Federal Register* (72 FR 57523) that an amendment of Permit No. 532-1882-02, issued July 17, 2006, had been requested by the above-named individual. The requested amendment has been granted under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226).

The purpose of the amendment is to obtain distribution and movement data of southern resident killer whales during the spring, fall, and winter months via satellite tagging. The permit amendment authorizes the tagging of up to 6 individual adult or sub-adult male southern resident killer whales per year, three of which may be re-tagged per year, throughout the inland waters of Washington and the coastal waters of Washington, Oregon, and California. No more than 12 individuals are authorized to be tagged for the duration of the permit. The permit will expire on April 14, 2011.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an environmental assessment was prepared analyzing the effects of the permitted activities. After a Finding of No Significant Impact, the determination was made that it was not necessary to prepare an environmental impact statement.

Issuance of this permit, as required by the ESA, was based on a finding that such permit: (1) was applied for in good faith; (2) will not operate to the disadvantage of such endangered species; and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: November 10, 2008.

P. Michael Payne,

Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. E8-27223 Filed 11-14-08; 8:45 am]

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COMMISSION OF FINE ARTS**Notice of Meeting**

The next meeting of the U.S. Commission of Fine Arts is scheduled for 20 November 2008, at 10 a.m. in the Commission's offices at the National Building Museum, Suite 312, Judiciary Square, 401 F Street, NW., Washington, DC 20001-2728. Items of discussion may include buildings, parks and memorials.

Draft agendas and additional information regarding the Commission are available on our Web site: <http://www.cfa.gov>. Inquiries regarding the agenda and requests to submit written or oral statements should be addressed to Thomas Luebke, Secretary, U.S. Commission of Fine Arts, at the above address, or call 202-504-2200. Individuals requiring sign language interpretation for the hearing impaired should contact the Secretary at least 10 days before the meeting date.

Dated in Washington DC, 3 November, 2008.

Thomas Luebke,

Secretary.

[FR Doc. E8-27076 Filed 11-14-08; 8:45 am]

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COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS**Amendment of Limitation of Duty- and Quota-Free Imports of Apparel Articles Assembled in Beneficiary ATPDEA Countries from Regional Country Fabric**

November 10, 2008.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Amending the 12-Month Cap on Duty and Quota Free Benefits.

EFFECTIVE DATE: November 17, 2008.

FOR FURTHER INFORMATION CONTACT: Richard Stetson, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3400.

SUPPLEMENTARY INFORMATION:

Authority: Section 3103 of the Trade Act of 2002, Pub. L. No. 107-210; Title VII of the Tax Relief and Health Care Act of 2006 (TRHCA 2006), Pub. L. No. 109-432; H.R. 1830 110th Cong. (2007); Presidential Proclamation 7616 of October 31, 2002 (67 FR 67283, November 5, 2002).

Section 3103 of the Trade Act of 2002 amended the Andean Trade Preference Act (ATPA) to provide for duty and quota-free treatment for certain textile and apparel articles imported from designated Andean Trade Promotion and Drug Eradication Act (ATPDEA) beneficiary countries. Section 204(b)(3)(B)(iii) of the amended ATPA provides duty- and quota-free treatment for certain apparel articles assembled in ATPDEA beneficiary countries from regional fabric and components, subject to quantitative limitation. More specifically, this provision applies to apparel articles sewn or otherwise assembled in one or more ATPDEA beneficiary countries from fabrics or from fabric components formed or from components knit-to-shape, in one or more ATPDEA beneficiary countries, from yarns wholly formed in the United States or one or more ATPDEA beneficiary countries (including fabrics not formed from yarns, if such fabrics are classifiable under heading 5602 and 5603 of the Harmonized Tariff Schedule (HTS) and are formed in one or more ATPDEA beneficiary countries). Such apparel articles may also contain certain other eligible fabrics, fabric components, or components knit-to-shape.

The TRHCA of 2006 extended the expiration of the ATPA to June 30, 2007. See Section 7002(a) of the TRHCA 2006. H.R. 1830 further extended the expiration of the ATPA to February 29, 2008. H.R. 5264 further extended the expiration of the ATPA to December 31, 2008. **See Limitation of Duty- and Quota-Free Imports of Apparel Articles Assembled in Beneficiary ATPDEA Countries from Regional Country Fabric** (73 FR 55502, September 25, 2008).

H.R. 7222, 110th Cong. (2008), further extended the expiration of the ATPA to December 31, 2009. See Pub. L. No. 110-436. The purpose of this notice is to extend the period of the quantitative limitation for preferential tariff treatment under the regional fabric provision for imports of qualifying

apparel articles for a full 12-month period, through September 30, 2009.

For the period beginning on October 1, 2008 and extending through September 30, 2009, the aggregate quantity of imports eligible for preferential treatment under the regional fabric provision is 1,222,785,719 square meters equivalent. Apparel articles entered in excess of this quantity will be subject to otherwise applicable tariffs.

This quantity is calculated using the aggregate square meter equivalents of all apparel articles imported into the United States, derived from the set of Harmonized System lines listed in the Annex to the World Trade Organization Agreement on Textiles and Clothing (ATC), and the conversion factors for units of measure into square meter equivalents used by the United States in implementing the ATC.

Janet E. Heinzen,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. E8-27229 Filed 11-14-08; 8:45 am]

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CONSUMER PRODUCT SAFETY COMMISSION

Third Party Testing for Certain Children's Products; Notice of Requirements for Accreditation of Third Party Conformity Assessment Bodies to Assess Conformity With Part 1501 of Title 16, Code of Federal Regulations

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of Requirements for Accreditation of Third Party Conformity Assessment Bodies to Assess Conformity with part 1501 of Title 16, Code of Federal Regulations.

Introduction: The Consumer Product Safety Act ("CPSA"), at § 14(a)(3)(B)(iii) as added by § 102(a)(2) of the Consumer Product Safety Improvement Act of 2008 ("CPSIA"), Public Law 110-314, directs the U.S. Consumer Product Safety Commission ("CPSC" or "Commission") to publish this notice of requirements for accreditation of third party conformity assessment bodies ("third party laboratories") to test children's products for conformity with the Commission's regulations at 16 CFR part 1501 for identifying toys and other articles intended for use by children under three years of age which present choking, aspiration, or ingestion hazards because of small parts (the "small parts

rule")¹ Each manufacturer (including the importer) or private labeler of products subject to those regulations must have products manufactured more than 90 days after the **Federal Register** publication date of this notice tested by a laboratory accredited to do so and must issue a certificate of compliance with the applicable regulations based on that testing.^{2, 3}

The Commission is also recognizing limited circumstances in which testing performed by a laboratory on or after May 16, 2008, 90 days prior to the date of enactment of CPSIA (August 14, 2008), but prior to Commission acceptance of the laboratory's preexisting accreditation, provided that accreditation is accepted not later than January 20, 2009, may form the basis for the certificate of compliance with the small parts regulation required of the manufacturer or private labeler.

This notice provides the criteria and process for Commission acceptance of accreditation of "third party" laboratories for testing to the small parts regulations (laboratories that are not owned, managed, or controlled by a manufacturer or private labeler of a children's product to be tested by the laboratory for certification purposes), "firewalled" laboratories (those that are owned, managed, or controlled by a manufacturer or private labeler of a children's product to be tested by the laboratory for certification purposes and that seek accreditation under the additional statutory criteria for "firewalled" laboratories), and laboratories owned or controlled in whole or in part by a government.

The requirements of this notice are effective upon its publication in the **Federal Register** and are exempted by CPSIA from the notice and comment rulemaking requirements of the

¹ Section 102 of CPSIA also required the Commission to publish requirements for accreditation of laboratories for testing to the lead paint ban at 16 CFR part 1303 and for testing to the Commission's regulations for full-size baby cribs at 16 CFR part 1508, for non-full-size baby cribs at 16 CFR part 1509, and for pacifiers at 16 CFR part 1511. The requirements for accreditation for testing to the lead paint ban were published in the **Federal Register** on September 22, 2008. 73 FR 54,564-6. The requirements for accreditation for testing to the crib and pacifier regulations were published in the **Federal Register** on October 22, 2008. 73 FR 62,965-7.

² Section 14(a)(2) of the CPSA as added by § 102(a)(2) of CPSIA requires that certification be based on testing of sufficient samples of the product, or samples that are identical in all material respects to the product.

³ Of course, irrespective of certification, the product in question must comply with applicable CPSC requirements. See, e.g., CPSA § 14(h) as added by CPSIA § 102(b).