

**DEPARTMENT OF AGRICULTURE****Special Provision for Frozen Concentrated Orange Juice Under the North American Free Trade Agreement Implementation Act**

**AGENCY:** Foreign Agricultural Service, DOA.

**ACTION:** Notice of Determination of Existence of Price Conditions Necessary for Imposition of Temporary Duty on Frozen Concentrated Orange Juice from Mexico.

**SUMMARY:** Pursuant to Section 309(a) of the North American Free Trade Agreement Implementation Act of 1993 ("NAFTA Implementation Act"), this is a notification that for 5 consecutive business days the daily price for frozen concentrated orange juice was lower than the trigger price.

**FOR FURTHER INFORMATION CONTACT:** Joseph Somers, Horticultural and Tropical Products Division, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, DC 20250-1000 or telephone at (202) 720-2974.

**SUPPLEMENTARY INFORMATION:** The NAFTA Implementation Act authorizes the imposition of a temporary duty (snapback) for Mexican frozen concentrated orange juice when certain conditions exist. Mexican articles falling under subheading 2009.11.00 of the Harmonized Tariff Schedule of the United States (HTS) are subject to the snapback duty provision.

Under Section 309(a) of the NAFTA Implementation Act, certain price conditions must exist before the United States can apply a snapback duty on imports of Mexican frozen concentrated orange juice. In addition, such imports must exceed specified amounts before the snapback duty can be applied. The price conditions exist when for each period of 5 consecutive business days the daily price for frozen concentrated orange juice is less than the trigger price.

For the purpose of this provision, the term "daily price" means the daily closing price of the New York Cotton Exchange, or any successor as determined by the Secretary of Agriculture (the "Exchange"), for the closest month in which contracts for frozen concentrated orange juice are being traded on the Exchange. The term "business day" means a day in which contracts for frozen concentrated orange juice are being traded on the Exchange.

The term "trigger price" means the average daily closing price of the Exchange for the corresponding month during the previous 5-year period, excluding the year with the highest

average price for the corresponding month and the year with the lowest average price for the corresponding month.

Price conditions no longer exist when the Secretary determines that for a period of 5 consecutive days the daily price for frozen concentrated orange juice has exceeded the trigger price. Whenever the price conditions are determined to exist or to cease to exist the Secretary is required to immediately notify the Commissioner of Customs of such determination. Whenever the determination is that the price conditions exist and the quantity of Mexican articles of frozen concentrated orange juice entered exceeds (1) 264,978,000 liters (single strength equivalent) in any of calendar years 1994 through 2002, or (2) 340,560,000 liters (single strength equivalent) in any of calendar years 2003 through 2007, the rate of duty on Mexican articles of frozen concentrated orange juice that are entered after the date on which the applicable quantity limitation is reached and before the date of publication in the **Federal Register** of the determination that the price conditions have ceased to exist shall be the lower of—(1) the column 1—General rate of duty in effect for such articles on July 1, 1991; or (2) the column 1—General rate of duty in effect on that day. For the purpose of this provision, the term "entered" means entered or withdrawn from warehouse for consumption in the customs territory of the United States.

In accordance with Section 309(a) of the NAFTA Implementation Act, it has been determined that for the period September 10-16, 1998, the daily price for frozen concentrated orange juice was less than the trigger price.

Issued at Washington, DC the 25th day of September, 1998.

**Lon Hatamiya,**

*Administrator, Foreign Agricultural Service.*  
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**DEPARTMENT OF AGRICULTURE****Forest Service****Routt Divide Blowdown Analysis; Medicine Bow-Routt National Forest, Hahns Peak/Bears Ears Ranger District, Routt County, CO**

September 28, 1998.

**ACTION:** Notice of intent to prepare an Environmental Impact Statement.

**SUMMARY:** The U.S. Department of Agriculture, Forest Service, Medicine Bow-Routt National Forest will prepare

an Environmental Impact Statement (EIS) to assess and disclose the environmental effects the Upper Elk River Access—Supplement to the North Fork Salvage Decision of a portion of the Routt Divide Blowdown outside the Mount Zirkel Wilderness Area on the Hahns Peak/Bears Ears Ranger District.

The purpose of this action is to implement the North Fork Salvage Analysis decision in a manner that meets the Land and Resource Management Plan for the Routt National Forest, minimizes environmental effects and is cost effective. The action proposed by the Forest Service is to gain permanent access to the Upper Elk River for forest management and recreational purposes and for private landowner access.

Preliminary issues identified concerning this proposal are: (1) Effects relating to building a bridge over the North Fork of the Elk River. (2) Maintaining scenic river character. (3) Status of Diamond Park Road (FDR 431) if a bridge should be built over the North Fork of the Elk River. (4) Cost of implementing the decision to rebuild Diamond Park Road (FDR 431). (5) Effects of reconstructing Diamond Park Road (FDR 431).

**DATES:** Public Scoping will begin with a mailing to people who expressed an interest in the North Fork Salvage Analysis, land owners within the Forest Service boundaries adjacent to the analysis area, and State, County, and local officials.

On October 7th and 19th, 1998 Forest Service specialists will host open houses for the public to discuss the South Fork Analysis at the Steamboat Springs, Colorado Forest Service Office, 925 Weiss Dr. from 2:00 pm until 6:00 pm.

A Draft Environmental Impact Statement is expected to be completed by December, 1998. After a 45 day comment period, a Final Environmental Impact Statement will be prepared for South Fork Analysis.

**ADDRESSES:** Public meetings on South Fork Analysis are scheduled for:

- October 15, 1998, 5:00 pm, at the Steamboat Springs USDA Forest Service Office;
- October 21, 1998, 5:00 pm, at the Saratoga, Wyoming USDA Forest Service Office;
- October 27, 1998, 5:00 pm, at the Clark, Colorado Moon Hill School House;
- October 28, 1998, 5:00 pm, at the USDA Forest Service Office in Walden, Colorado.

Responsible Official: Jerry E. Schmidt, Forest Supervisor, Medicine Bow—