

requirements of the Regulatory Flexibility Act (5 USC 601 et seq.) are inapplicable. Therefore, a regulatory flexibility analysis is not required and has not been prepared.

Dated: February 15, 2007.

R. Matthew Priest,

Deputy Assistant Secretary for Textiles and Apparel.

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DEPARTMENT OF COMMERCE

International Trade Administration

North American Free Trade Agreement (NAFTA), Article 1904 Binational Panel Reviews: Notice of Termination of Panel Review

AGENCY: NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

ACTION: Notice of Consent Motion To Terminate the Panel Review of the final antidumping duty determination and order made by the International Trade Commission, respecting Purified Carboxymethylcellulose ("CMC") from Mexico, Secretariat File No. USA-MEX-2005-1904-05.

SUMMARY: Pursuant to the Notice of Consent Motion To Terminate the Panel Review by the complainants, the panel review is terminated as of February 13, 2007. A panel has not been appointed to this panel review. Pursuant to Rule 71(2) of the *Rules of Procedure for Article 1904 Binational Panel Review*, this panel review is terminated.

FOR FURTHER INFORMATION CONTACT: Caratina L. Alston, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

SUPPLEMENTARY INFORMATION: Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and

the Government of Mexico established *Rules of Procedure for Article 1904 Binational Panel Reviews* ("Rules"). These Rules were published in the **Federal Register** on February 23, 1994 (59 FR 8686). The panel review in this matter was requested and terminated pursuant to these Rules.

Dated: February 15, 2007.

Caratina L. Alston,

United States Secretary, NAFTA Secretariat.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 021507C]

Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Application for an Exempted Fishing Permit

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

ACTION: Notice; receipt of an exempted fishing permit application (EFP); intent to issue the EFP; request for comments.

SUMMARY: NMFS announces the receipt of an exempted fishing permit (EFP) application, and the intent to issue EFPs for vessels participating in an observation program to monitor the incidental take of salmon and groundfish in the shore-based component of the Pacific whiting fishery. The EFPs are necessary to allow trawl vessels fishing for Pacific whiting to delay sorting their catch, and thus to retain prohibited species and groundfish in excess of cumulative trip limits until the point of offloading. These activities are otherwise prohibited by Federal regulations. The EFPs will be effective no earlier than April 1, 2007, and would expire no later than December 31, 2007, but could be terminated earlier under the terms and conditions of the EFPs and other applicable laws.

DATES: Comments must be received by March 9, 2007.

ADDRESSES: Send comments or request for copies of the EFP application to Gretchen Arentzen, Northwest Region, NMFS, 7600 Sand Point Way N.E., Bldg. 1, Seattle, WA 98115 0070 or email EFPwhiting2007.nwr@noaa.gov. Comments sent via email, including all attachments, must not exceed a 10 megabyte file size.

FOR FURTHER INFORMATION CONTACT: Gretchen Arentzen or Becky Renko at (206)526 6140.

SUPPLEMENTARY INFORMATION: This action is authorized by the Magnuson-Stevens Fishery Conservation and Management Act provisions at 50 CFR 600.745, which state that EFPs may be used to authorize fishing activities that would otherwise be prohibited. At the November 2006 Pacific Fishery Management Council (Council) meeting in Del Mar, California, NMFS received an application for these EFPs from the States of Washington, Oregon, and California. An opportunity for public testimony was provided during the Council meeting. The Council recommended that NMFS issue the EFPs, as requested by the States, and forwarded the EFP applications to NMFS.

Each year since 1992, EFPs have been issued to vessels in the Pacific whiting shoreside fishery to allow unsorted catch to be landed. Without an EFP, groundfish regulations at 50 CFR 660.306(a) require vessels to sort their catch at sea. The vessels fishing under the EFPs are required to deliver catch to designated processors. EFPs have been used to: track the incidental take of Chinook salmon as required in the Endangered Species Act (ESA) Section 7 Biological Opinion for Chinook salmon catch in the Pacific whiting fishery; and to track the catch of whiting and other groundfish species such that the fishing industry is not unnecessarily constrained and that the OYs, harvest guidelines, sector allocation and overfished species bycatch limits are not exceeded.

Over the past five years, the number of vessels issued these EFPs has been between 31 and 38 vessels. Issuance of the 2007 EFPs, to approximately 40 vessels, will allow samplers located at the shoreside processing facilities to collect information on the incidental catch of salmon and groundfish in unsorted whiting deliveries. Unlike the at-sea sectors of the Pacific whiting fishery, where catch is sorted and processed shortly after it has been taken, vessels in the shoreside fishery must hold primary season Pacific whiting on the vessel for several hours or days until it can be offloaded at a shoreside processor. Pacific whiting deteriorates rapidly, so it must be handled quickly and immediately chilled to maintain product quality. This is particularly true if the Pacific whiting is to be used to make surimi (a fish paste product). The quality or grade of surimi is highly dependent on the freshness of the Pacific whiting, which demands careful