

submission of rebuttal briefs. Parties will be notified of the time and location.

The Department will publish the final results of this administrative review, including the results of its analysis of issues raised in any case or rebuttal brief, no later than 120 days after publication of these preliminary results, unless extended. See § 351.213(h) of the Department's regulations.

#### Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under section 351.402(f) of the Department's regulations to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This administrative review and notice are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: March 2, 2006.

David M. Spooner,

Assistant Secretary for Import Administration.

[FR Doc. E6-3358 Filed 3-8-06; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

(A 351-840)

#### Antidumping Duty Order: Certain Orange Juice from Brazil

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

**EFFECTIVE DATE:** March 9, 2006.

**FOR FURTHER INFORMATION CONTACT:**

Elizabeth Eastwood or Jill Pollack, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-3874 or (202) 482-4593, respectively.

**SUPPLEMENTARY INFORMATION:**

#### Scope of Order

The scope of this order includes certain orange juice for transport and/or further manufacturing, produced in two different forms: (1) Frozen orange juice in a highly concentrated form, sometimes referred to as frozen

concentrated orange juice for manufacture (FCOJM); and (2) pasteurized single-strength orange juice which has not been concentrated, referred to as not-from-concentrate (NFC). At the time of the filing of the petition, there was an existing antidumping duty order on frozen concentrated orange juice (FCOJ) from Brazil. See *Antidumping Duty Order; Frozen Concentrated Orange Juice from Brazil*, 52 FR 16426 (May 5, 1987).

Therefore, the scope of this order with regard to FCOJM covers only FCOJM produced and/or exported by those companies which were excluded or revoked from the pre-existing antidumping order on FCOJ from Brazil as of December 27, 2004. Those companies are Cargill Citrus Limitada (Cargill), Coinbra-Frutesp S.A. (Coinbra-Frutesp), Sucocitrus Cutrale, S.A. (Cutrale), Fischer S/A - Agroindustria (Fischer), and Montecitrus Trading S.A. (Montecitrus).

Excluded from the scope of the order are reconstituted orange juice and frozen concentrated orange juice for retail (FCOJR). Reconstituted orange juice is produced through further manufacture of FCOJM, by adding water, oils and essences to the orange juice concentrate. FCOJR is concentrated orange juice, typically at 42° Brix, in a frozen state, packed in retail-sized containers ready for sale to consumers. FCOJR, a finished consumer product, is produced through further manufacture of FCOJM, a bulk manufacturer's product. The subject merchandise is currently classifiable under subheadings 2009.11.00, 2009.12.25, 2009.12.45, and 2009.19.00 of the Harmonized Tariff Schedule of the United States (HTSUS). These HTSUS subheadings are provided for convenience and for customs purposes only and are not dispositive. Rather, the written description of the scope of this order is dispositive.

#### Antidumping Duty Order

On February 27, 2006, the International Trade Commission (the ITC) notified the Department of Commerce (the Department) of its final determination pursuant to section 735(b)(1)(A)(i) of the Tariff Act of 1930, as amended (the Act), that the industry in the United States producing certain orange juice is materially injured by reason of less-than-fair-value imports of subject merchandise from Brazil. In addition, the ITC notified the Department of its final determination that critical circumstances do not exist with respect to imports of subject merchandise from Brazil that are subject to the Department's partial affirmative

critical circumstances finding. Therefore, in accordance with section 736(a)(1) of the Act, the Department will direct U.S. Customs and Border Protection (CBP) to assess, upon further advice by the Department, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the U.S. price of the merchandise for all relevant entries of certain orange juice from Brazil. These antidumping duties will be assessed on all unliquidated entries of certain orange juice from Brazil entered, or withdrawn from the warehouse, for consumption on or after August 24, 2005, the date on which the Department published its *Notice of Preliminary Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Affirmative Preliminary Critical Circumstances Determination: Certain Orange Juice from Brazil*, 70 FR 49557 (Aug. 24, 2005). With regard to the ITC negative critical circumstances determination, we will instruct CBP to lift suspension and to release any bond or other security, and refund any cash deposit made, to secure the payment of antidumping duties with respect to entries of the merchandise entered, or withdrawn from warehouse, for consumption on or after May 26, 2005 (*i.e.*, 90 days prior to the date of publication of the preliminary determination in the **Federal Register**), but before August 24, 2005.

Section 733(d) of the Act states that instructions issued pursuant to an affirmative preliminary determination may not remain in effect for more than four months except where exporters representing a significant proportion of exports of the subject merchandise extend that four-month period to not more than six months. In this investigation, the six-month period beginning on the date of the publication of the preliminary determination ended on February 19, 2006. Furthermore, section 737 of the Act states that definitive duties are to begin on the date of publication of the ITC's final injury determination. Therefore, in accordance with section 733(d) of the Act and our practice, we instructed CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of certain orange juice from Brazil entered, or withdrawn from warehouse, for consumption on or after February 19, 2006, and before the date of publication of the ITC's final injury determination in the **Federal Register**. See *Antidumping Duty Order: Certain Color Television Receivers From the*

*People's Republic of China*, 69 FR 31347 (June 3, 2004). Suspension of liquidation will continue on or after this date.

On or after the date of publication of the ITC's notice of final determination in the **Federal Register**, CBP will require, at the same time as importers would normally deposit estimated duties on this merchandise, cash deposits for the subject merchandise equal to the estimated weighted-average antidumping duty margins listed below. We will also instruct CBP that, for NFC, the "All Others" rate applies to all companies not specifically named below. However, for FCOJM, the "All Others" rate only applies to FCOJM produced and/or exported by Cargill and Coinbra-Frutesp.

Manufacturer/Exporter	Weighted-Average Margin (percent)
Fischer S/A – Agroindustria .....	12.46
Montecitrus Trading S.A. ....	60.29
Sucocitrico Cutrale, S.A. ....	19.19
All Others .....	16.51

This notice constitutes the antidumping duty order with respect to certain orange juice from Brazil, pursuant to section 736(a) of the Act. Interested parties may contact the Department's Central Records Unit, Room B-099 of the main Commerce building, for copies of an updated list of antidumping duty orders currently in effect.

This order is published in accordance with section 736(a) of the Act and 19 CFR 351.211.

Dated: February 28, 2006.

**David M. Spooner**,  
*Assistant Secretary.*

[FR Doc. E6-3364 Filed 3-8-06; 8:45 am]

**BILLING CODE 3510-DS-S**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 013006B]

**International Whaling Commission; 58<sup>th</sup> Annual Meeting; Nominations**

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

**ACTION:** Extension of request for nominations.

**SUMMARY:** This notice is to extend the call for nominees for the U.S. Delegation to the June 2006 International Whaling Commission (IWC) annual meeting. A

request for nominations was previously published in the **Federal Register** on February 13, 2006.

**DATES:** All written nominations for the U.S. Delegation to the IWC annual meeting must be received by April 7, 2006.

**ADDRESSES:** All nominations for the U.S. Delegation to the IWC annual meeting should be addressed to Bill Hogarth, U.S. Commissioner to the IWC, and sent via post to: Cheri McCarty, National Marine Fisheries Service, Office of International Affairs, 1315 East West Highway, SSMC3 Room 12603, Silver Spring, MD 20910. Prospective Congressional advisors to the delegation should contact the Department of State directly.

**FOR FURTHER INFORMATION CONTACT:** Cheri McCarty, 301-713-9090, ext. 183.

**SUPPLEMENTARY INFORMATION:** The Secretary of Commerce is charged with the responsibility of discharging the obligations of the United States under the International Convention for the Regulation of Whaling, 1946. The U.S. Commissioner has primary responsibility for the preparation and negotiation of U.S. positions on international issues concerning whaling and for all matters involving the IWC. He is staffed by the Department of Commerce and assisted by the Department of State, the Department of the Interior, the Marine Mammal Commission, and by other agencies. The non-federal representative(s) selected as a result of this nomination process is(are) responsible for providing input and recommendations to the U.S. IWC Commissioner representing the positions of non-governmental organizations. Generally, only one non-governmental position is selected for the U.S. Delegation.

The IWC is hosting its 58<sup>th</sup> annual meeting from June 16-20, 2006, in St. Kitts & Nevis.

Dated: March 6, 2006.

**William T. Hogarth**,  
*Assistant Administrator for Fisheries, National Marine Fisheries Service.*

[FR Doc. 06-2253 Filed 3-6-06; 3:18 pm]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 030306C]

**Endangered Species; File No. 1506**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; receipt of application for permit modification.

**SUMMARY:** Notice is hereby given that Dr. Blair E. Witherington, Florida Fish and Wildlife Conservation Commission, Fish and Wildlife Research Institute, Melbourne Beach Field Laboratory, 9700 South A1A, Melbourne Beach, Florida 32951, has requested a modification to scientific research Permit No. 1506.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before April 10, 2006.

**ADDRESSES:** The modification request 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 Southeast Region, NMFS, 263 13th Ave South, St. Petersburg, FL 33701; phone 727-824-5312; fax 727-824-5309.

Written comments or requests for a public hearing on this request should be submitted to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular modification request would be appropriate.

Comments may also be submitted by facsimile at 301-427-2521, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for providing email comments is *NMFS.Pr1Comments@noaa.gov*. Include in the subject line of the e-mail comment the following document identifier: File No. 1506.

**FOR FURTHER INFORMATION CONTACT:** Amy Hapeman or Patrick Opay, 301-713-2289.

**SUPPLEMENTARY INFORMATION:** The subject modification to Permit No. 1506, issued on March 23, 2005 (70 FR 20530) is requested under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

Permit No. 1506 authorizes the permit holder to study neonate and juvenile