

of International Trade that the July 1999 action terminated as a matter of law on July 29, 2007. See *Gilda Industries, Inc. v. United States*, 622 F.3d 1358 (Fed. Cir. 2010).

In March 2011, Canada and the EU entered into an MOU in connection with the *EC-Beef Hormones* dispute, in which Canada was a co-complainant with the United States. The Canada-EU MOU provides for additional amounts in the TRQ specified in the U.S.-EU MOU: 1,500 metric tons in the first phase, and 3,200 metric tons in a possible second phase starting in August 2012.

For additional background concerning the *EC-Beef Hormones* WTO dispute, the additional duties imposed in connection with the dispute, and the May 2009 MOU, see 64 FR 40638 (July 27, 1999), 73 FR 66066 (Nov. 6, 2008); 74 FR 4265 (Jan. 23, 2009), 74 FR 11613 (March 18, 2009), 74 FR 12402 (March 24, 2009), 74 FR 19263 (April 28, 2009), 74 FR 22626 (May 13, 2009), 74 FR 40864 (August 13, 2009); and 74 FR 48808 (September 24, 2009), as well as the WTO Web site (<http://www.wto.org>) under dispute numbers DS26 and DS48.

## B. Termination of the Remaining Additional Duties

As a result of the decision of the U.S. Court of Appeals for the Federal Circuit, the Trade Representative has decided to terminate the additional duties imposed in connection with the *EC-Beef Hormones* dispute, effective with respect to (a) products that are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice, (b) products that were entered, or withdrawn from warehouse, for consumption after July 29, 2007 where the entry is unliquidated on the date of publication of this notice, and (c) products that were entered, or withdrawn from warehouse, for consumption after July 29, 2007, where the liquidation of the entry is not final. In particular:

(i) The imposition of 100 percent *ad valorem* duties as provided in subheadings 9903.02.21, 9903.02.22, 9903.02.23, 9903.02.24, 9903.02.25, 9903.02.26, 9903.02.27, 9903.02.28, 9903.02.29, 9903.02.30, 9903.02.32, 9903.02.34, 9903.02.43, 9903.02.44, 9903.02.45, and 9903.02.46 of the Harmonized Tariff Schedule of the United States (HTSUS) is terminated with respect to (a) Products that are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice, (b) unliquidated entries made prior to the date of publication of this notice that were entered, or withdrawn from

warehouse, for consumption after July 29, 2007, and (c) products that were entered, or withdrawn from warehouse, for consumption after July 29, 2007, where the liquidation of the entry is not final;

(ii) The imposition of 100 percent *ad valorem* duties as provided in subheading 9903.02.83 of the HTSUS is terminated with respect to (a) products that are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice, (b) unliquidated entries made prior to the date of publication of this notice that were entered, or withdrawn from warehouse, for consumption on or after March 23, 2009, and (c) products that were entered, or withdrawn from warehouse, for consumption on or after March 23, 2009, where the liquidation of the entry is not final;

(iii) The imposition of 100 percent *ad valorem* duties as provided in subheadings 9903.02.31, 9903.02.33, 9903.02.35, 9903.02.36, 9903.02.37, 9903.02.38, 9903.02.39, 9903.02.40, 9903.02.41, 9903.02.42, and 9903.02.47 of the HTSUS is terminated with respect to (a) unliquidated entries made after July 29, 2007 and before March 23, 2009, and (b) products that were entered, or withdrawn from warehouse, for consumption after July 29, 2007 and before March 23, 2009 where the liquidation of the entry is not final;

(iv) The above-listed subheadings, along with any associated superior headings or subheadings, are deleted from the HTSUS, effective on the date of publication of this notice; and

(v) As of the date of publication of this notice, products in subheadings 9903.02.21, 9903.02.22, 9903.02.23, 9903.02.24, 9903.02.25, 9903.02.26, 9903.02.27, 9903.02.28, 9903.02.29, 9903.02.30, 9903.02.32, 9903.02.34, 9903.02.43, 9903.02.44, 9903.02.45, 9903.02.46 and 9903.02.83 of the HTSUS that are entered into a Foreign Trade Zone no longer must be admitted in "privileged foreign status," as defined in 19 C.F.R. 146.41.

## C. Continued Monitoring and Implementation of the MOU

Until the entry into force of the possible second phase of the MOU in August 2012, the United States retains the right under the MOU to impose additional duties on the reduced list of products subject to additional duties after March 23, 2009 (reprinted in the Annex of the notice published on September 24, 2009). The United States also continues to have an authorization from the WTO DSB to suspend concessions on EU products in the amount of \$116.8 million per year. At

this time, however, the MOU is operating successfully by providing increased market access to U.S. beef producers. In light of the currently successful implementation of the MOU, the fact that all additional duties would have to be removed in August 2012 under a possible second phase of the MOU, and to encourage continued cooperation under the MOU, the Trade Representative has determined not to take steps at this time to exercise U.S. rights to impose additional duties on EU products in connection with the *EC-Beef Hormones* dispute.

The Trade Representative will continue to monitor EU implementation of the MOU and other developments affecting market access for U.S. beef products. If implementation of the MOU and other developments do not proceed as contemplated, the Trade Representative will proceed to consider additional actions under Section 301 of the Trade Act.

**William Busis,**

*Chair, Section 301 Committee.*

[FR Doc. 2011-13282 Filed 5-26-11; 8:45 am]

BILLING CODE 3190-W1-P

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Aviation Proceedings, Agreements Filed the Week Ending April 30, 2011

The following Agreements were filed with the Department of Transportation under the Sections 412 and 414 of the Federal Aviation Act, as amended (49 U.S.C. 1382 and 1384) and procedures governing proceedings to enforce these provisions. Answers may be filed within 21 days after the filing of the application.

*Docket Number:* DOT-OST-2011-0087.

*Date Filed:* April 27, 2011.

*Parties:* Members of the International Air Transport Association.

*Subject:* CSC/33/Meet/009/2011 dated 21 April 2011, Expedited Finally, Adopted Resolution 621, 681 and Recommended Practice 1665, Intended effective date: 1 October 2011.

**Renee V. Wright,**

*Program Manager, Docket Operations,  
Federal Register Liaison.*

[FR Doc. 2011-13182 Filed 5-26-11; 8:45 am]

BILLING CODE 4910-9XP