

review), the Secretary, if requested by a domestic interested party within 30 days of the date of publication of the notice of initiation of the review, will determine, consistent with *FAG Italia v. United States*, 291 F.3d 806 (Fed. Cir. 2002), as appropriate, whether antidumping duties have been absorbed by an exporter or producer subject to the review if the subject merchandise is sold in the United States through an importer that is affiliated with such exporter or producer. The request must include the name(s) of the exporter or producer for which the inquiry is requested.

Interested parties must submit applications for disclosure under administrative protective orders in accordance with 19 CFR 351.305.

These initiations and this notice are in accordance with section 751(a) of the Act, (19 USC 1675(a)) and 19 CFR 351.221(c)(1)(I).

Dated: October 23, 2008.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

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**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### **North American Free-Trade Agreement, Article 1904; NAFTA Panel Reviews: Notice of Completion of Panel Review**

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

**ACTION:** Notice of Completion of Panel Review of the final injury determination in the five year antidumping review by the U.S. International Trade Commission, in the matter of Stainless Steel Sheet and Strip from Mexico, Secretariat File No. USA-MEX-2005-1904-06.

**SUMMARY:** Pursuant to the Order of the Binational Panel dated September 10, 2008, affirming the final determination described above, the panel review was completed on September 22, 2008.

#### **FOR FURTHER INFORMATION CONTACT:**

Marsha Ann Y. Iyomasa, Deputy United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, NW., Washington, DC 20230, (202) 482-5438.

**SUPPLEMENTARY INFORMATION:** On September 10, 2008, the Binational Panel issued an order affirming the final determination of the United States

International Trade Commission (ITC) concerning stainless steel sheet and strip from Mexico. The Secretariat was instructed to issue a Notice of Completion of Panel Review on the 31st day following the issuance of the Notice of Final Panel Action, if a request for an Extraordinary Challenge was not filed. No such request was filed. Therefore, on the basis of the Panel Order and Rule 80 of the *Article 1904 Panel Rules*, the Panel Review was completed and the panelists discharged from their duties effective October 23, 2008.

Dated: October 23, 2008.

**Marsha Ann Y. Iyomasa,**

*Deputy United States Secretary, NAFTA Secretariat.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### **Withdrawal of Application for Duty-Free Entry of Scientific Instruments**

Pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; as amended by Pub. L. 106-36; 80 Stat. 897; 15 CFR part 301), the Department of Commerce determines whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States. Applications may be examined between 8:30 A.M. and 5:00 P.M. in Room 2104, Statutory Import Programs Staff, U.S. Department of Commerce 14th and Constitution Ave., NW, Room 2104 Washington, D.C. 20230.

**Docket Number:** 08-046. Applicant: Rice University, 6100 Main Street MS-61, Houston, TX 77005. Instrument: Gemstar camera with photon counting sensitivity. Manufacturer: Photonic Science, United Kingdom. Intended Use: The instrument is intended to be used to record x-ray diffraction from lipidic structures. Application accepted by Commissioner of Customs and Border Protection: August 22, 2008. The Department of Commerce received the Rice University application from Customs and Border Protection on September 2, 2008. The application was reviewed and the Department determined that the application did not have sufficient information for the Department to determine whether an equivalent instrument was being produced in the United States. In accordance with section 301.5(a)(2), the Department contacted the University to

afford them an opportunity to supplement the application by providing further information regarding the purpose of the instrument and whether an equivalent instrument was being produced in the United States. Rice University then informed the Department that they had discovered price was the determining factor in selecting the instrument. The University decided to withdraw the application for the x-ray Gemstar Camera with Photon counting sensitivity since they had been made aware that price could not be considered a pertinent specification in the comparison of instruments, in accordance with section 301.2(s).

Therefore, the Department of Commerce had discontinued the processing of this application, in accordance with section 301.5(g) of the regulations. *See 15 CFR 301.5(g).*

**Faye Robinson,**

*Director, Statutory Import Programs Staff, Import Administration.*

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## DEPARTMENT OF COMMERCE

### **National Oceanic and Atmospheric Administration**

**RIN 0648-AW65**

#### **Atlantic Highly Migratory Species; Atlantic Shark Management Measures**

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

**ACTION:** Extension of comment period.

**SUMMARY:** In order to provide additional opportunities for the public, the Atlantic Regional Fishery Management Councils, the Atlantic and Gulf States Marine Fisheries Commissions, and other interested parties to comment on the Notice of Intent (NOI) and issues and options scoping presentation for Amendment 3 to the 2006 Consolidated Highly Migratory Species (HMS) Fishery Management Plan (FMP), NMFS is extending the scoping comment period for this action. On May 7, 2008, NMFS published an NOI to initiate an amendment to the 2006 Consolidated HMS FMP, including an Environmental Impact Statement. On July 2, 2008, NMFS published a notice that announced the availability of an issues and options scoping presentation describing potential measures for inclusion in Amendment 3 to the 2006 Consolidated HMS FMP and provided