

determined individual rates for Alpanil, Pidilite and AMI Pigments Pvt. Ltd. (AMI). Because AMI's rate is based on partial facts available rather than on total facts available, we are including its rate in the calculation of the "all others" rate in accordance with section 705(c)(5)(A)(i) of the Act. To calculate the "all others" rate, we weight-averaged the individual company rates by each company's respective sales of subject merchandise made to the United States during the POI. These rates are summarized in the table below:

| Producer/ exporter            | Net subsidy rate (percent ad valorem) |
|-------------------------------|---------------------------------------|
| Alpanil Industries Ltd .....  | 17.57                                 |
| Pidilite Industries Ltd ..... | 17.33                                 |
| AMI Pigments Pvt. Ltd .....   | 33.61                                 |
| All Others .....              | 20.55                                 |

In accordance with our preliminary affirmative determination, we instructed U.S. Customs and Border Protection (CBP) to suspend liquidation of all entries of CVP-23 from India, which were entered or withdrawn from warehouse, for consumption on or after April 27, 2004, the date of the publication of our preliminary determination in the **Federal Register**. In accordance with section 703(d) of the Act, we instructed CBP to discontinue the suspension of liquidation for merchandise entered on or after August 26, 2004, but to continue the suspension of liquidation of entries made between April 27, 2004, through August 25, 2004.

If the International Trade Commission (ITC) issues a final affirmative injury determination, we will issue a countervailing duty order, reinstate suspension of liquidation under section 706(a) of the Act for all entries, and require a cash deposit of estimated countervailing duties for such entries of merchandise at the rates indicated above. If the ITC determines that material injury, or threat of material injury, does not exist, this proceeding will be terminated and all estimated duties deposited or securities posted as

a result of the suspension of liquidation will be refunded or canceled.

#### ITC Notification

In accordance with section 705(d) of the Act, we will notify the ITC of our determination. In addition, we are making available to the ITC all non-privileged and non-proprietary information related to this investigation. We will allow the ITC access to all privileged and business proprietary information in our files, provided that the ITC confirms that it will not disclose such information, either publicly or under an administrative protective order (APO), without the written consent of the Assistant Secretary for Import Administration.

#### Return or Destruction of Proprietary Information

In the event that the ITC issues a final negative injury determination, this notice will serve as the only reminder to parties subject to APO of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Failure to comply is a violation of the APO.

This determination is issued and published pursuant to sections 705(d) and 777(i) of the Act.

November 8, 2004.

**James J. Jochum,**

*Assistant Secretary for Import Administration.*

#### Appendix I: Issues and Decision Memorandum

##### Summary

##### I. List of Issues

Comment 1: Alpanil and Meghmani are Affiliated Parties.

Comment 2: The Department Should Continue to Determine that the Following Programs are Countervailable: Pre-Shipment Export Financing Program, Duty Entitlement Passbook Scheme (DEPS), Section 80HHC Income Tax Exemption Scheme, and the State of Gujarat Sales Tax Incentive Scheme.

Comment 3: Alpanil Did Not Use the Pre-Shipment Export Financing Loans Program for U.S. Exports of CVP-23.

Comment 4: Alpanil Did Not Receive Any Benefits from the State of Gujarat Sales Tax Incentive Scheme.

Comment 5: Pidilite's State Sales Tax Deferrals are Countervailable.

Comment 6: CENVAT Credits are Countervailable.

Comment 7: The Department Should Use Adverse Facts Available to Calculate the Subsidy Rates for AMI under Additional Programs.

Comment 8: The Estimated Countervailing Duty Cash Deposit Rates Should be Adjusted to Account for Program-Wide Changes in the DEPS and Section 80HHC Programs

##### II. Subsidies Valuation Information

###### A. Loan Benchmarks

###### B. Cross-Ownership and Attribution of Subsidies

##### III. Use of Adverse Facts Available

##### IV. Analysis of Programs

###### A. Programs Determined To Confer Subsidies

###### 1. GOI Programs

###### a. Pre-Shipment Export Financing

###### b. Duty Entitlement Passbook Scheme (DEPS)

###### c. Income Tax Exemption Scheme, Section 80 HHC

###### d. Export Promotion Capital Goods Scheme (EPCGS)

###### 2. State Programs

###### a. State of Gujarat (SOG) Sales Tax Incentive Scheme

###### b. State of Maharashtra (SOM) Sales Tax Incentive Scheme

###### B. Programs Determined Not To Confer Subsidies

###### GOI Program: Central Value Added Tax (CENVAT) Credits

###### C. Programs Determined Not To Be Used GOI Programs

###### a. Export Processing Zones (EPZs)/Export Oriented Units (EOUs) Programs

###### b. Income Tax Exemption Scheme (Sections 10A and 10B)

###### c. Market Development Assistance

###### d. Special Imprest Licenses

###### e. Duty Free Replenishment Certificate

###### f. Advance License Scheme

###### D. Program Determined To Be Terminated GOI Program: Exemption of Export Credit From Interest Taxes

##### V. Analysis of Comments

##### VI. Recommendation

[FR Doc. E4-3196 Filed 11-16-04; 8:45 am]

**BILLING CODE 3510-DS-P**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[I.D. 111004G]

**North Pacific Fishery Management Council; Notice of Public Meeting**

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

**ACTION:** Meeting of the North Pacific Fishery Management Council's Pacific Northwest Crab Industry Advisory Committee.

**SUMMARY:** The Pacific Northwest Crab Industry Advisory Committee will meet to develop summary comments and recommendations regarding the NOAA proposed rule for implementing the BSAI Crab Rationalization Program, Amendments 18 and 19 to the Fishery Management Plan for Bering Sea Aleutian King and Tanner Crabs.

**DATES:** November 29, 2004, from 9 a.m. to 2 p.m.

**ADDRESSES:** The meeting will be held at 2245 NW 57th Street, Seattle, WA 98107 (at the Leif Erickson Hall in Ballard).

*Council address:* North Pacific Fishery Management Council, 605 W. 4th Ave., Suite 306, Anchorage, AK 99501-2252.

**FOR FURTHER INFORMATION CONTACT:** Diana Stram, Council staff, phone: 907-271-2809.

**SUPPLEMENTARY INFORMATION:****Agenda**

The purpose of the meeting is to develop summary comments and recommendations regarding the NOAA proposed rule for implementing the BSAI Crab Rationalization Program, Amendments 18 and 19 to the Fishery Management Plan for Bering Sea Aleutian King and Tanner Crabs.

**Special Accommodations**

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Gail Bendixen at 907-271-2809 at least seven working days prior to the meeting date.

Dated: November 10, 2004.

**Bruce C. Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 04-25506 Filed 11-12-04; 3:58 pm]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[I.D. 111204A]

**Pacific Fishery Management Council; Notice of Public Meeting**

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

**ACTION:** Notice of the Pacific Fishery Management Council's Ad Hoc Groundfish Habitat Technical Review Committee.

**SUMMARY:** The Pacific Fishery Management Council's (Council) Ad Hoc Groundfish Habitat Technical Review Committee will hold a working meeting on December 7-8, 2004. The meeting is open to the public.

**DATES:** The Ad Hoc Groundfish Habitat Technical Review Committee working meeting will begin Tuesday, December 7, 2004, at 10 a.m. and may go into the evening until business for the day is completed. The meeting will reconvene from 8-4 p.m., Wednesday, December 8, 2004.

**ADDRESSES:** The meeting will be at the following address: Hotel Vintage Plaza, Burgundy Room, 422 SW Broadway Avenue, Portland, OR 97205, telephone 800-243-0555.

*Council address:* Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 200, Portland, OR, 97220-1384.

**FOR FURTHER INFORMATION CONTACT:** Dr. Christopher Dahl, National Environmental Policy Analyst, 503-820-2280.

**SUPPLEMENTARY INFORMATION:** The purpose of the Ad Hoc Groundfish Habitat Technical Review Committee meeting is to provide a technical review of the range of alternatives in a preliminary draft Environmental Impact Statement to designate and conserve Essential Fish Habitat for Pacific Coast groundfish. By holding a public meeting, the committee will provide opportunity for public participation in the review process. The committee will only consider technical and scientific questions and will not engage in policy discussions as part of its mission.

Although non-emergency issues not contained in this notice may come before this Council for discussion, those issues may not be the subject of formal Council action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication

of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

**Special Accommodations**

The meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Ms. Carolyn Porter at 503-820-2280 at least 7 days prior to the meeting date.

Dated: November 12, 2004.

**Bruce C. Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 04-25525 Filed 11-16-04; 8:45 am]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[I.D. 110904I]

**Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits**

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

**ACTION:** Notification of a proposal for a permit to conduct experimental fishing; request for comments.

**SUMMARY:** The Assistant Regional Administrator for Sustainable Fisheries, Northeast Region, NMFS (Assistant Regional Administrator) has made a preliminary determination that the subject Exempted Fishing Permit (EFP) application contains all the required information and warrants further consideration. The Assistant Regional Administrator has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Northeast (NE) Multispecies Fishery Management Plan (FMP). However, further review and consultation may be necessary before a final determination is made to issue the EFP. Therefore, NMFS announces that the Assistant Regional Administrator proposes to issue an EFP that would allow three vessels to conduct fishing operations that are otherwise restricted by the regulations governing the fisheries of the Northeastern United States. The EFP would allow for