

Programs

1. Bridge Financing Program
2. Expansion Loan Program
3. Depop-Repop Loan Program
- Q. PEI Swine Quality Improvement Program

We are not including in our investigation the following programs alleged to benefit producers and exporters of the subject merchandise in Canada:

A. Alberta Agricultural Financial Services Corporation Financing: Farm Development Loan Program

According to the petition, the Farm Development Loan program is a Government of Alberta program that offers short, medium, and long-term loans to farmers in amounts up to C\$250,000 at a "reasonable cost."

The information relied upon by the petitioners in making this allegation related only to the Developing Farmer Loan Program (included above) and not to this program. We find that the petitioners did not provide sufficient evidence, as required by section 702(b) of the Act, that (1) this program was designed for the benefit of live swine producers, (2) swine producers were predominant users of the program, or (3) swine producers received disproportionate benefits under this program. Therefore, because the evidence provided is not sufficient to support the allegations of the elements necessary for the imposition of a countervailing duty imposed by section 701(a) of the Act, we are not investigating this program.

B. Manitoba Agricultural Credit Corporation Financing

1. Direct Lending Program

The MACC Direct Lending Program is intended for the purchase of land or buildings, construction or renovation of farm buildings, breeding stock, debt consolidation, supply-managed quota, and share financing. Manitoba farmers whose annual off-farm income does not exceed C\$70,000 and whose net worth is C\$650,000 or less are eligible to obtain these loans. The maximum amount of the loans are C\$400,000 for individuals and joint farm units and C\$800,000 for partnerships, corporations, or cooperatives.

As we noted in the *Initiation Checklist*, the petitioners withdrew their allegation in regard to this program. See Memorandum from Team to File dated March 29, 2004, "Ex-Parte Meeting with Counsel for Petitioners: Antidumping and Countervailing Duty Petitions on Live Swine from Canada." Moreover, the petitioners did not provide sufficient evidence to support the

allegation. Therefore, we are not initiating an investigation of this program.

2. Bovine Spongiform Encephalopathy ("BSE") Recovery Program

The BSE Recovery Program provides financing to Manitoba cattle and other ruminant producers to address feed purchase requirements and accounts payable which may otherwise jeopardize the continuity of the operation due to the impact of the detection of BSE in Canada. Qualified applicants must be ruminant producers and must demonstrate an agricultural-related financial setback as a consequence of BSE. Loans under this program are capped at C\$50,000 or C\$75,000 depending on whether a shorter or a longer-term loan is needed.

According to the program description, loans issued under this program are limited to ruminant producers only (e.g., cattle or sheep producers). Because swine producers are not ruminant producers, this program would not benefit subject merchandise production. Although the petitioners contend that, because Manitoba's hog producers have been adversely impacted by BSE, this program may have been extended to swine producers, the petitioners do not provide sufficient evidence, beyond mere speculation, to support this allegation. Therefore, because the petitioners have not met the requirements of section 702(b) of the Act, we are not initiating an investigation of this program.

C. Saskatchewan Farm Fuel Program

Under this program, farmers in Saskatchewan are eligible to purchase farm gasoline and propane, as well as marked diesel fuel, tax free from bulk dealers. To qualify for the fuel tax exemption, an individual must have a Fuel Tax Exemption Permit number issued by the Farm Fuel Program and must present that number when making a purchase. Farmers can also obtain the fuel tax rebate on farm gasoline and propane purchased from a retail outlet by applying for the rebate at the end of each year and submitting their fuel purchase receipts.

The petitioners claim that this program is *de facto* specific according to sections 771(5A)(D)(iii)(II) and (III) of the Act because live swine producers are the predominant users of this program and receive a disproportionate share of the program's benefits. According to record information and the description of the program itself, it appears that benefits through this program are available to all farmers in Saskatchewan. The petitioners have not

adequately supported their claims that swine producers received a disproportionate share of the farm fuel tax exemptions or that swine producers are the predominant users of the program. Because the petitioners have not sufficiently supported their claims regarding the specificity of this program, we are not including this program in our investigation.

Distribution of Copies of the Petition

In accordance with section 702(b)(4)(A)(i) of the Act, a copy of the public version of the petition has been provided to the GOC. We will attempt to provide a copy of the public version of the petition to each exporter named in the petition, as provided for under 19 CFR 351.203(c)(2).

ITC Notification

We have notified the ITC of our initiation, as required by section 702(d) of the Act.

Preliminary Determination by the ITC

The ITC will preliminarily determine, within 25 days after the date on which it receives notice of this initiation, whether there is a reasonable indication that imports of live swine from Canada are causing material injury, or threatening to cause material injury, to a U.S. industry. See section 703(a)(2) of the Act. A negative ITC determination will result in the investigation being terminated; otherwise, these investigations will proceed according to statutory and regulatory time limits.

This notice is issued and published pursuant to section 777(i) of the Act.

Dated: April 7, 2004.

James J. Jochum,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

United States and Foreign Commercial Service; United States Commercial Center in Shanghai. Notice of Availability of Office Space on a User-Fee Basis for the Period May 2004 to June 2005

AGENCY: United States and Foreign Commercial Service (the US&FCS).

ACTION: Notice.

Authority: 15 U.S.C. 4723a.

SUMMARY: The US&FCS operates a United States Commercial Center in Shanghai, China (the Shanghai USCC).

The US&FCS encourages U.S. Government agencies, U.S. state and local agencies, and U.S. private organizations which seek to promote U.S. exports, especially U.S. Market Development Cooperator entities, to inquire about available office space at the Shanghai USCC for the period May 2004 to June 2005.

DATES: Submit inquiries on or before April 19, 2004.

ADDRESSES: Send inquiries to the attention of Mr. Alain de Sarran, or of Ms. Ann Bacher, U.S. Department of Commerce, by e-mail:

Alain.DeSarran@mail.doc.gov or *Ann.Bacher@mail.doc.gov*, or by facsimile: (202) 501-6165.

FOR FURTHER INFORMATION CONTACT: Mr. Alain de Sarran, (202) 482-3971.

SUPPLEMENTARY INFORMATION: The US&FCS operates a United States Commercial Center in Shanghai, China, located in the Portman Center, a modern facility in one of Shanghai's main business districts. The US&FCS is authorized to provide business facilities, including office space, in the Shanghai USCC on a cost-recovery basis to promote U.S. exports. Cost recovery is achieved through execution of Memoranda of Understanding containing programmatic and space usage terms between the US&FCS and co-locating entities. The average office size in the Shanghai USCC is approximately 20 square meters. The US&FCS encourages U.S. Government agencies, U.S. state and local agencies, and U.S. private organizations which promote U.S. exports, especially U.S. Market Development Cooperator entities, to inquire about available office space at the Shanghai USCC for the period May 2004 to June 2005.

Carlos Poza,

Assistant Secretary and Director General (acting), United States and Foreign Commercial Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 040704C]

Gulf of Mexico Fishery Management Council; Public Meeting

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

ACTION: Notice of a public meeting.

SUMMARY: The Gulf of Mexico Fishery Management Council will convene public meetings of the Reef Fish Advisory Panel (AP) and the Standing and Special Reef Fish Scientific and Statistical Committee (SSC) on April 28-29, 2004.

DATES: The Council's Reef Fish AP and SSC will convene jointly at 10 a.m. on Wednesday, April 28, 2004 to receive presentations and will meet separately on Thursday, April 29, 2004 for discussions on the presentations beginning at 8:30 a.m. and will conclude by 5 p.m.

ADDRESSES: The meetings will be held at the Wyndham Westshore Hotel, 4860 West Kennedy Boulevard, Tampa, FL; telephone: (813) 286-4400.

Council address: Gulf of Mexico Fishery Management Council, 3018 U.S. Highway 301 North, Suite 1000, Tampa, FL 33619.

FOR FURTHER INFORMATION CONTACT: Mr. Steven Atran, Population Dynamics Statistician, or Mr. Stu Kennedy, Biologist, Gulf of Mexico Fishery Management Council; telephone: (813) 228-2815.

SUPPLEMENTARY INFORMATION: The AP and SSC will meet jointly on Wednesday, April 28 to receive a presentation on the Public Hearing Draft for Amendment 23 of the Reef Fish Fishery Management Plan to set vermilion snapper Sustainable Fisheries Act targets and thresholds and to establish a plan to end overfishing and rebuild the stock. NOAA Fisheries notified the Council on October 30, 2003 that the vermilion snapper stock is overfished and undergoing overfishing. The Council has until October, 2004 to submit a plan to rebuild the vermilion snapper stock to NOAA Fisheries. Draft Amendment 23 develops a rebuilding plan that is in compliance by establishing status determination criteria (minimum stock size threshold, maximum fishing mortality rate, maximum sustainable yield, and optimum yield) and contains alternatives for a rebuilding strategy and harvest reductions that will restore the vermilion snapper stock within ten years, the time frame allowed under Sustainable Fisheries Act.

The AP and SSC will also receive presentations on the Southeast Data and Review (SEDAR) reports for hogfish and goliath grouper. These reports provide independent review of the scientific information and stock assessments critical to management of species within the Council's jurisdiction and form the basis for future management actions.

On Thursday April 29, the AP and SSC will convene separately to discuss

Draft Reef Fish Amendment 23 and the SEDAR reports. The AP and SSC will be asked to review the draft plan and provide recommendations to the Council as to the appropriateness of the preferred alternatives. The SSC will also be asked to evaluate the scientific validity of the biological and economic analyses in the plan. Additionally, the AP and SSC will be asked to review the two SEDAR reports and provide recommendations to the Council on the validity of the conclusions of those reports and future directions.

The recommendations of the AP and SSC will be presented to the Gulf Council at its May 17-20, 2004 meeting in Key Largo, FL. At that meeting, the Council will review and revise as appropriate the Final Public Hearing Draft of Amendment 23, the public hearings will be held in June and the Council will make their final decisions on preferred alternatives at the July, 12-15 meeting in Houston, TX.

Copies of the Draft Reef Fish Amendment 23 and the two SEDAR reports can be obtained by calling the Council office at 813-228-2815 (toll-free 888-833-1844).

Although other non-emergency issues not on the agendas may come before the AP and SSC for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal action during these meetings. Actions of the AP and SSC will be restricted to those issues specifically identified in the agendas and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take action to address the emergency. The established times for addressing items on the agenda may be adjusted as necessary to accommodate the untimely completion of discussion relevant to other agenda items. In order to further allow for such adjustments and completion of all items on the agenda, the meeting may be extended from or completed prior to the date established in this notice.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Trish Kennedy at the Council (see **ADDRESSES**) by April 21, 2004.