

7. The vector agent, the bacterium that was used to deliver the vector DNA and the genes into the plant cell, has been shown to be eliminated and no longer associated with the transformed cotton plants.

8. Horizontal movement of the introduced gene is not possible. The vector acts by delivering the gene to the plant genome (i.e., chromosomal DNA). The vector does not survive in the plants.

9. Glyphosate is one of the herbicides that is rapidly degraded in the environment. It has shown to be less toxic to animals than many herbicides commonly used.

10. Delta-endotoxin is a polypeptide which upon ingestion kills only select lepidopteran insects. Delta-endotoxin is not toxic to other insects, wild or domestic birds, fish or mammals. Because of its safety, its topical application on vegetable crops is permitted up to harvest date.

11. The field test site is small (about 3 acres) and physically isolated by a surrounding area of cultivated land.

The environmental assessment and finding of no significant impact have been prepared in accordance with: (1) The National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4331 *et seq.*), (2) Regulations of the Council on Environmental Quality for Implementing the Procedural Provisions of NEPA (40 CFR Parts 1500-1509), (3) USDA Regulations Implementing NEPA (7 CFR Part 1b), and (4) APHIS Guidelines Implementing NEPA (44 FR 50381-50384, August 28, 1979, and 44 FR 51272-51274, August 31, 1979).

Done in Washington, DC this 21st day of November 1989.

William F. Helms,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 89-27768 Filed 11-27-89; 8:45 am]

BILLING CODE 3410-34-M

DEPARTMENT OF COMMERCE

Bureau of Export Administration

Transportation and Related Equipment, Technical Advisory Committee; Partially Closed Meeting

A meeting of the Transportation and Related Equipment Technical Advisory Committee will be held December 12, 1989, 9:30 a.m., Herbert C. Hoover Building, room 1617-F, 14th Street and Constitution Avenue, NW., Washington, DC. The Committee advises the Office of Technology and Policy Analysis with respect to technical questions which affect the level of export controls

applicable to transportation and related equipment or technology.

AGENDA

General Session

1. Opening Remarks by the Chairman or Commerce Representative.
2. Introduction of Members and Visitors.
3. Presentation of papers or Comments by the Public.
4. Discussion of the Chairmen's Meeting.
5. Review of IL 1460 Revision Relating to Aircraft, Helicopters, and Aero-Engines.
6. Discussion of the Quarterly List Review.
7. Discussion of the 1990 Annual Plan.

Executive Session

8. Discussion of matters properly classified under Executive Order 12356, dealing with the U.S. and COCOM control programs and strategic criteria related thereto.

The General Session of the meeting will be open to the public and a limited number of seats will be available. To the extent time permits, members of the public may present oral statements to the Committee. Written statements may be submitted at any time before or after the meeting. However, in order to facilitate distribution of public presentation materials to the Committee members, the Committee suggests that you forward your public presentation materials two weeks prior to the meeting to the below listed address: Ms. Ruth D. Fitts, U.S. Department of Commerce/BXA, Office of Technology & Policy Analysis, 14th & Constitution Avenue, NW., Room 4069A, Washington, DC 20230.

The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on January 10, 1988, pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, that the series of meetings or portions of meetings of the Committee and of any Subcommittee thereof, dealing with the classified materials listed in 5 U.S.C. 552(c)(1) shall be exempt from the provisions relating to public meetings found in section 10 (a)(1) and (a)(3), of the Federal Advisory Committee Act. The remaining series of meetings or portions thereof will be open to the public.

A copy of the Notice of Determination to close meetings or portions of meetings of the Committee is available for public inspection and copying in the Central Reference and Records Inspection Facility, Room 6628, U.S. Department of

Commerce, Washington, DC. For further information or copies of the minutes call Ruth D. Fitts, 202-377-4959.

Dated: November 21, 1989.

Betty A. Ferrell,

Director, Technical Advisory Committee Unit, Office of Technology and Policy Analysis.

[FR Doc. 89-27766 Filed 11-27-89; 8:45 am]

BILLING CODE 3510-DT-M

Foreign-Trade Zones Board

[Docket 19-89]

Foreign-Trade Zone 22—Chicago, IL; Application for Subzone by E.J. Brach & Sons, Inc., Confectionary Manufacturing Plant, Chicago, IL

The comment period for the above case, involving a proposed special-purpose subzone for the confectionary manufacturing plant of E.J. Brach & Sons, Inc. (54 FR 42317, 10/16/89), is extended to December 29, 1989, to allow interested parties additional time in which to comment on the proposal.

Comments in writing are invited during this period. Submissions shall include 5 copies. Material submitted will be available at: Office of the Executive Secretary, Foreign-Trade Zones Board, U.S. Department of Commerce, Room 2835, 14th and Pennsylvania Avenue, NW., Washington, DC 20230.

Dated: November 20, 1989.

John J. Da Ponte, Jr.,

Executive Secretary.

[FR Doc. 89-27814 Filed 11-27-89; 9:35 am]

BILLING CODE 3510-DS-M

International Trade Administration

[A-588-405]

Cellular Mobile Telephones and Subassemblies From Japan; Preliminary Results of Antidumping Duty Administrative Review

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

ACTION: Notice of Preliminary Results of Antidumping Duty Administrative Review.

SUMMARY: In response to a request by a respondent, the Department of Commerce has conducted an administrative review of the antidumping duty order on cellular mobile telephones and subassemblies from Japan. The review covers one manufacturer of this merchandise and the period December 1, 1987 through November 30, 1988. The review indicates

the existence of dumping margins during this period.

As a result of the review, the Department has preliminarily determined to assess dumping duties equal to the calculated differences between United States price and foreign market value.

Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: November 28, 1989.

FOR FURTHER INFORMATION CONTACT: Anne D'Alauro or Robert Marenick, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone: (202) 377-5255.

SUPPLEMENTARY INFORMATION:

Background

On December 19, 1985, the Department of Commerce ("the Department") published in the *Federal Register* (50 FR 51724) an antidumping duty order on cellular mobile telephones and subassemblies from Japan. One respondent, TDK Corporation ("TDK"), requested in accordance with § 353.53a(a) of the Commerce Regulations (19 CFR 353.53a(a) (1988)) that we conduct an administrative review. We published a notice of initiation of the antidumping duty administrative review on January 31, 1989 (54 FR 4871). The Department has now conducted that administrative review in accordance with section 751 of the Tariff Act of 1930 ("the Tariff Act").

Scope of the Review

The United States has developed a system of tariff classification based on the international harmonized system of Customs nomenclature. On January 1, 1989, the United States fully converted to the Harmonized Tariff Schedule ("HTS") as provided for in section 1201 *et seq.* of the Omnibus Trade and Competitiveness Act of 1988. All merchandise entered, or withdrawn from warehouse, for consumption on or after that date is now classified solely according to the appropriate HTS number(s).

Imports covered by this review are cellular mobile telephones ("CMTs"), CMT transceivers, CMT control units, and certain subassemblies thereof, which meet the tests set forth below. CMTs are radio-telephone equipment designed to operate in a cellular radio-telephone system, *i.e.*, a system that permits mobile telephones to communicate with traditional land-line telephones via a base station, and that permits multiple simultaneous use of particular radio frequencies through the division of the system into independent cells, each of which has its own

transceiving base station. Each CMT generally consists of (1) a transceiver, *i.e.*, a box of electronic subassemblies which receives and transmits calls; and (2) a control unit, *i.e.*, a handset and cradle resembling a modern telephone, which permits a motor-vehicle driver or passenger to dial, speak, and hear a call. They are designed to use motor vehicle power sources. Cellular transportable telephones, which are designed to use either motor vehicle power sources or, alternatively, portable power sources, are included in this antidumping duty order.

Subassemblies are any completed or partially completed circuit modules, the value of which is equal to or greater than five dollars and which are dedicated exclusively for use in CMT transceivers or control units. The term "dedicated exclusively for use" only encompasses those subassemblies that are specifically designed for use in CMTs, and could not be used, absent alteration, in a non-CMT device. The Department selected the five dollar value for defining the scope since this is a value that it has determined is equivalent to a "major" subassembly. The Department feels that a dollar cutoff point is a more workable standard than a subjective determination such as whether a circuit module is "substantially complete." Examples of subassemblies which may fall within this definition are circuit modules containing any of the following circuitry or combinations thereof: audio processing, signal processing (logic), RF, IF, synthesizer, duplexer, power supply, power amplification, transmitter and exciter. The presumption is that CMT subassemblies are covered by the order unless an importer can prove otherwise. An importer will have to file a declaration with the Customs Service to the effect that a particular CMT subassembly is not dedicated exclusively for use in CMTs or that the dollar value is less than five dollars, if he wishes it to be excluded from the order.

The following merchandise has been excluded from this order: pocket-size self-contained portable cellular telephones, cellular base stations or base station apparatus, cellular switches, and mobile telephones designed for operation on other, non-cellular, mobile telephone systems.

During the review period, cellular mobile telephones and subassemblies were classified under Tariff Schedules of the United States item numbers 685.28 and 685.33. This merchandise is currently classified under HTS item numbers 8525.20.60, 8525.10.80, 8527.90.80, 8529.10.60, 8529.90.50,

8542.20.00, and 8542.80.00. The HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

The review covers one manufacturer of Japanese CMTs and subassemblies, TDK, and the period December 1, 1987 through November 30, 1988.

United States Price

In calculating United States price the Department used purchase price, as defined in section 772 of the Tariff Act.

The Department determined that purchase price and not exporter's sales price was the most appropriate indicator of United States price in this case based on the following elements:

1. The merchandise, which was made to order for each U.S. customer, was purchased or agreed to be purchased from TDK, Japan, prior to the date of U.S. importation.
2. The selling agent located in the United States acted only as a processor of sales-related documentation and as a communication link with the unrelated U.S. buyers.
3. For all but one of TDK's U.S. customers, the merchandise was shipped directly from the manufacturer to the unrelated U.S. buyer. Direct shipment to its customers was, therefore, the customary commercial channel of trade. For the remaining U.S. customer, the merchandise was not sold through inventory. Rather, the custom-ordered merchandise was warehoused only to accommodate specific delivery needs stipulated by this customer.

Purchase price was based on the packed f.o.b. (foreign port), f.o.b. (post-clearing at U.S. port), or ex-warehouse price to unrelated purchasers in the United States. Where applicable, we made deductions for foreign "inland freight, Japanese brokerage fees, ocean freight, marine insurance, and customs duties. No other adjustments were claimed or allowed.

Foreign Market Value

In calculating foreign market value the Department used home market price, as defined in section 773 of the Tariff Act, since sufficient quantities of such or similar merchandise were sold in the home market to provide a basis for comparison.

Home market price was based on the packed delivered (customer's warehouse) price to unrelated and related purchasers, with adjustments, where applicable, for inland freight and insurance, differences in merchandise, warranty expenses, warehousing expenses, and differences in the cost of

packing and credit. No other adjustments were claimed or allowed.

Preliminary Results of the Review

As a result of our comparison of United States price to foreign market value, we preliminarily determine that a margin of .95 percent exists for TDK Corporation during the period December 1, 1987 through November 30, 1988.

Parties to the proceeding may request disclosure within 5 days of the date of publication of this notice. Any interested party may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the date of publication, or the first workday thereafter. Case briefs and/or written comments from interested parties may be submitted not later than 30 days after the date of publication. Rebuttal briefs and rebuttals to written comments, limited to issues raised in those comments, may be filed not later than 37 days after the date of publication. Copies of case briefs and rebuttal briefs must be served on interested parties in accordance with § 353.38(e) of the Commerce regulations (54 FR 12785; March 28, 1989) (to be codified at 19 CFR 353.38(e)). The Department will publish the final results of the administrative review including the results of its analysis of any such written comments or oral argument.

Representatives of interested parties may request disclosure of proprietary information under administrative protective order within 10 days of the date that the interested party becomes a party to the proceeding but in no event later than the date the case briefs are due.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between United States price and foreign market value may vary from the percentage stated above. The Department will issue appraisement instructions directly to the Customs Service.

Further, as provided for by section 751(a)(1) of the Tariff Act, a cash deposit of estimated antidumping duties based on the above margin shall be required for TDK. For shipments from the remaining known manufacturers and exporters not covered by this review, the cash deposit will continue to be at the latest rate applicable to each of those firms. For any future entries of this merchandise from a new exporter not covered in this or prior reviews, whose first shipments occurred after November 30, 1988 and who is unrelated to any reviewed firm, a cash deposit of .95 percent shall be required. These deposit requirements are effective for all

shipments of Japanese cellular mobile telephones and subassemblies entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and section 353.22 of the Commerce regulations.

Dated: November 20, 1989.

Lisa B. Barry,

Acting Assistant Secretary for Import Administration.

[FR Doc. 89-27815 Filed 11-27-89; 8:45 am]

BILLING CODE 3510-DS-M

National Oceanic and Atmospheric Administration

Western Pacific Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

The Western Pacific Fishery Management Council will hold a public Fishermen's Forum on December 6, 1989, at 1:30 p.m., at the Ilikai Hotel, Hilo Suite, 1777 Ala Moana Boulevard, Honolulu, HI.

The Forum will provide an opportunity for fishermen to directly discuss with Council members issues of mutual interest including: (1) Ultra-sonic tracking of large pelagic fish; (2) a National Seafood Inspection program for vessels; (3) the U.S. Customs interpretative rule on transshipment and transportation of tuna caught outside the U.S. Exclusive Economic Zone; (4) interactions between local longliners and small boat fishermen; (5) problems in data reporting; and (6) other items of mutual interest.

For more information contact Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council, 1164 Bishop Street, Suite 1405, Honolulu, HI 96813; telephone: (808) 523-1368.

Dated: November 20, 1989.

Richard H. Schaefer,

Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 89-27756 Filed 11-27-89; 8:45 am]

BILLING CODE 3510-22-M

Western Pacific Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

The Western Pacific Fishery Management Council will hold its 46th Scientific and Statistical Committee

(SSC) public meeting on December 4-5, 1989, at 9 a.m., at the Ilikai Hotel, Hilo and Kona Suites, 1777 Ala Moana Boulevard, Honolulu, HI.

The SSC will review the status of programmatic projects in support of fishery management plans (FMPs) for bottomfish, crustaceans, precious corals, and pelagic species. The Committee also will review reports of the Plan Monitoring Team for each FMP and formulate recommendations for the Council. In particular, the SSC will: (1) Review results of the Council FMP Monitoring and Assessment Workshop; (2) review the Planning Team reports on overfishing and thresholds for all FMPs; (3) review the Limited Entry Program for the Northwestern Hawaiian Islands; (4) discuss amendments and the inclusion of tuna management in the Magnuson Fishery Conservation and Management Act; (5) discuss the current status of drift gillnet fishing; and (6) any other SSC business.

For more information contact Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council, 1164 Bishop Street, Suite 1405, Honolulu, HI 96813; telephone: (808) 523-1368.

Dated: November 20, 1989.

Richard H. Schaefer,

Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 89-27757 Filed 11-27-89; 8:45 am]

BILLING CODE 3510-22-M

Western Pacific Fishery Management Council; Public Meeting

AGENCY: The Western Pacific Fishery Management Council and its Standing Committees will hold public meetings on December 5-8, 1989, at the Ilikai Hotel, Hilo Suite, 1777 Ala Moana Boulevard, Honolulu, HI. The Council will begin meeting on December 7 and December 8 at 9 a.m. The Council's Standing Committees will meet on December 5 at 1 p.m., and on December 6 at 8:30 a.m.

At its 67th meeting, the Council will hear routine fisheries reports from state, territorial, and federal governments' representatives on the Council, as well as from private sector Council members from Hawaii, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands (CNMI). The status of fishery management plans (FMPs) covering crustaceans, bottomfish and seamount groundfish, pelagics, and precious corals also will be discussed.

The Council will review and approve (as necessary) the: (1) Planning Team reports on overfishing and thresholds for all FMPs; (2) Northwestern Hawaiian

Islands Limited Entry Program; (3) long-range planning; (4) FMP Monitoring and Assessment Workshop; (5) fishing rights of indigenous peoples/limited entry projects for American Samoa, Guam, and the CNMI; (6) enforcement resources and projects; (7) status of drift gillnet fishing and Magnuson Fishery Conservation and Management Act amendments; (8) general administrative matters including the Council's Statement of Organization, Practices, and Procedures (SOPP), election of officers, Standing Committee assignments; and (9) any other Council business.

For more information contact Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council, 1164 Bishop Street, Suite 1405, Honolulu, HI 96813; telephone: (808) 523-1368.

Dated: November 20, 1989.

Richard H. Schaefer,

Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 89-27758 Filed 11-27-89; 8:45 am]

BILLING CODE 3510-22-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjustment of an Import Limit for Certain Wool Textile Products Produced or Manufactured in the Polish People's Republic

November 21, 1989.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs increasing a limit.

EFFECTIVE DATE: November 21, 1989.

FOR FURTHER INFORMATION CONTACT: Jerome Turtola, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377-4212. For information on the quota status of this limit, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 566-5810. For information on embargoes and quota re-openings, call (202) 377-3715.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

The current limit for Category 433 is being increased for carryforward.

A description of the textile and apparel categories in terms of HTS

numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see Federal Register notice 53 FR 44937, published on November 7, 1988). Also see 53 FR 49584, published on December 8, 1988.

The letter to the Commissioner of Customs and the actions taken pursuant to it are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

Auggie D. Tantillo,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

November 21, 1989.

Commissioner of Customs, Department of the Treasury, Washington, DC 20229.

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on December 2, 1988. That directive concerns imports into the United States of certain cotton, wool and man-made fiber textile products, produced or manufactured in Poland and exported during the twelve-month period which began on January 1, 1989 and extends through December 31, 1989.

Effective on November 21, 1988, the directive of December 2, 1988 is amended further to increase to 8,600 dozen¹ the current limit for wool textile products in Category 433, as provided under the provisions of the current bilateral textile agreement between the Governments of the United States and the Polish People's Republic.

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Auggie D. Tantillo,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 89-27829 Filed 11-27-89; 8:45 am]

BILLING CODE 3510-DR-M

COPYRIGHT ROYALTY TRIBUNAL

[Docket No. 90-1-88JD]

1988 Jukebox Royalty Distribution Proceeding

AGENCY: Copyright Royalty Tribunal.

ACTION: Notice of no controversy; notice of full distribution.

SUMMARY: The Copyright Royalty Tribunal announces that no controversies exist concerning the

distribution of the 1988 jukebox copyright royalties and orders a full distribution of the 1988 jukebox copyright royalty fund.

DATE: Distribution of the 1988 jukebox copyright royalty fund shall take place on November 30, 1989.

FOR FURTHER INFORMATION CONTACT: Robert Cassler, General Counsel, Copyright Royalty Tribunal, 1111 20th Street, NW., Suite 450, Washington, DC 20036 (202-653-5175).

SUPPLEMENTARY INFORMATION: 17 U.S.C. 116(c)(3) authorizes the Copyright Royalty Tribunal (Tribunal) to distribute annually royalty fees paid by jukebox operators to certain copyright owners and performing rights societies.

In this proceeding, the Tribunal takes up the distribution of royalty fees deposited by jukebox operators for the calendar year 1988. During the month of January, 1989, five parties filed timely claims: Asociacion de Compositores y Editores de Musica Latinoamericana (ACEMLA), the American Society of Composers, Authors and Publishers (ASCAP), Broadcast Music, Inc. (BMI), Italian Book Corporation (IBC) and SESAC, Inc. (SESAC).

On April 24, 1989, ACEMLA informed the Tribunal that it had reached a settlement with ASCAP and BMI concerning, among other things, its claim to the 1988 jukebox copyright royalty fund, and it was therefore withdrawing its claim.

On October 2, 1989, in accordance with 17 U.S.C. 116(c)(3), the Tribunal published in the Federal Register a notice requesting all claimants to comment by November 1, 1989 whether any controversies existed concerning the distribution of the 1988 jukebox fund. 54 FR 40473. The comment period was extended at the request of the claimants to November 22, 1989. Order, dated November 1, 1989.

On November 6, 1989, IBC informed the Tribunal that it had reached a settlement with ASCAP, BMI and SESAC concerning its claim to the 1988 jukebox copyright royalty fund, and it was therefore withdrawing its claim.

On November 20, 1989, ASCAP, BMI and SESAC filed a joint comment with the Tribunal, informing the Tribunal that they had reached a voluntary agreement and there existed no more controversies concerning the distribution of the 1988 jukebox fund. In the same filing, the three performing rights societies made a motion for an immediate and complete distribution of the royalties in the 1988 jukebox fund.

On the basis of the filed comments of the claimants, the Tribunal concludes

¹ The limit has not been adjusted to account for any imports exported after December 31, 1988.