

of the first review of this order that the transfer prices at issue were at arm's length, and continued to accept the transfer prices in the second and third reviews, we have scrutinized these prices more closely in more recent reviews. Thus, in the fourth review, we rejected the transfer prices because Cinsa had not documented its claims that these were arm's length prices. (Although the CIT has recently held, in *Cinsa S.A. de C.V. v. United States*, Slip. Op. 97-41 (April 4, 1997), that our determination in that respect was insufficiently supported, the results of remand in that review did indicate that even at the time of the 4th review, it was no longer the Department's policy to accept Cinsa's unsupported assertion that the full extent of the discounts it received beyond those given to unrelated customers was accounted for by any cost efficiencies involved in differences in the terms of sale.) Therefore, Cinsa cannot claim that precedent requires the Department to accept their unmodified transfer prices, in this ninth review, as being at arm's length. The Department must make its determination in each review based on the facts on the record of that segment of the proceeding. Therefore, in this review, we have accepted Cinsa and ENASA's submitted frit values only to the degree that they are supported as embodying market based elements.

Comment 17. Petitioner argues that certain pages of Verification Exhibit 6, (the nature of which is proprietary), are untimely and should be stricken from the record. Petitioner states that moreover, the documents are irrelevant, because they reflect transactions that occurred outside the period of review.

Respondents maintain that although the documents involve assertions that were made outside the 9th POR, these documents establish the validity of Clause 12 of the Agreement between the joint venture partners of ESVIMEX (governing the conditions for purchases by affiliated parties of non-ESVIMEX frit).

DOC Position: We agree with the respondent. At verification, we requested the documentation to which petitioners refer, in order to verify an issue relating to a frit-purchase agreement in effect during the POR. Because any supporting documentation which the Department requests at verification is properly part of the record, there is no reason to strike this document from the record. Because the same agreement was in effect at the time of the affected frit purchases from the unrelated party, the documentation in question is relevant to the interpretation of the terms of that agreement, as is

clear from the proprietary version of the July 18, 1997, verification report.

Final Results of Review

As a result of this review, we have determined that the following margins exist for the period December 1, 1994 through November 30, 1995:

Manufacturer/exporter	Margin (per cent)
Cinsa	6.90
ENASA	2.74

The Department shall determine, and the U.S. Customs Service shall assess, antidumping duties on all appropriate entries. The Department shall issue appraisement instructions directly to the Customs Service.

Furthermore, the following deposit requirements shall be effective, upon publication of this notice of final results of administrative review, for all shipments of the subject merchandise from Mexico that are entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(1) of the Tariff Act: (1) The cash deposit rates for Cinsa and ENASA will be the rates established above; (2) for previously investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, or the original investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters of this merchandise will continue to be 29.52 percent, the all others rate established in the final results of the less than fair value investigation (51 FR 36435, October 10, 1986).

The deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice serves as a final reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice serves as the only reminder to parties subject to administrative protective order (APO) of

their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d). Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulation and the terms of an APO is a sanctionable violation.

This administrative review and notice are in accordance with section 751(a)(1) of the Act and 19 CFR 353.22.

Dated: July 30, 1997.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 072897A]

Endangered and Threatened Species; Draft Recovery Plan for Winter-run Chinook Salmon

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

ACTION: Notice of Availability of a Draft Recovery Plan; request for comments.

SUMMARY: NMFS is announcing the availability of a draft recovery plan for the Sacramento River winter-run chinook salmon (*Oncorhynchus tshawytscha*). NMFS is seeking review and public comments on the recovery plan. Copies are available on request.

DATES: Comments on the draft recovery plan must be received by December 5, 1997, if they are to be considered during preparation of a final recovery plan.

ADDRESSES: Requests for a copy of the draft plan should be addressed to National Marine Fisheries Service, 777 Sonoma Avenue, Room 325, Santa Rosa, CA 95405; telephone: 707-575-6050. Copies of the draft plan can also be obtained from the NMFS Southwest Region World Wide Web site at <http://swr.ucsd.edu>. Written comments and materials regarding the draft plan should be directed to the same address.

FOR FURTHER INFORMATION CONTACT:

Craig Wingert, National Marine Fisheries Service, Southwest Region, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA, 90802-4213; telephone: 562-980-4021.

SUPPLEMENTARY INFORMATION:

Background

Sacramento River winter-run chinook salmon are a unique population of chinook salmon in the Sacramento River and are distinguished from other runs based on the timing of their upstream migration and spawning season. Adult winter-run chinook generally leave the ocean and migrate through the Sacramento-San Joaquin Delta to the upper Sacramento River during the winter and spawn during the summer.

The Endangered Species Act requires that a recovery plan be developed and implemented for the survival and conservation of listed species, unless it is determined that a plan will not promote the conservation of the species. Because it was determined that a recovery plan was necessary for the survival and conservation of the endangered Sacramento River winter-run chinook salmon, NMFS appointed a Recovery Team (Team) to assist in the development of the recovery plan for the species. In March 1996, the Team submitted its final recommendations to NMFS. NMFS used these recommendations to formulate the Draft Winter-run Chinook Salmon Recovery Plan.

The draft plan discusses the natural history and current status of winter-run chinook salmon and factors leading to its decline. The draft plan identifies delisting criteria and proposes specific recovery measures considered necessary to achieve recovery and delist the species. Recovery measures are identified for seven broad goals, including restoring spawning and rearing habitat, improving juvenile survival, improving adult passage in their upstream migration; artificial propagation, harvest management, improving other fish and wildlife management programs, and improving our understanding of life history and habitat requirements. In addition, an economic analysis evaluates the costs to recovering winter-run chinook.

Public Comments Solicited

NMFS intends that the final recovery plan will take advantage of information and recommendations from all interested parties. Therefore, comments and suggestions are solicited from the public, other concerned governmental agencies, the scientific community, industry, and any other person concerned with this draft recovery plan. Based on requests from the public, NMFS will schedule, announce, and conduct public hearings on the draft recovery plan as necessary.

Dated: July 31, 1997.

Ann D. Terbush,

Chief, Permits Division, Office of Protected Resources, National Marine Fisheries Service.
[FR Doc. 97-20773 Filed 8-6-97; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 072997A]

South Atlantic Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The South Atlantic Fishery Management Council (Council) will hold a meeting of its Calico Scallop Committee and Advisory Panel, Golden Crab Committee, Joint Executive and Finance Committee, Snapper Grouper Committee, Mackerel Committee, Habitat Committee, and Bluefish Committee. A Council Session will also be held.

DATES: The meetings will be held from August 18–22, 1997. See **SUPPLEMENTARY INFORMATION** for specific dates and times.

ADDRESSES: The meetings will be held at the Town and Country Inn, 2008 Savannah Highway, Charleston, SC; telephone: (803) 571-1000; (800) 334-6660.

Council address: South Atlantic Fishery Management Council, One Southpark Circle, Suite 306; Charleston, SC 29407-4699.

FOR FURTHER INFORMATION CONTACT: Susan Buchanan, Public Information Officer; telephone: (803) 571-4366; fax: (803) 769-4520; email: susan.buchanan@noaa.gov

SUPPLEMENTARY INFORMATION:

Meeting Dates

August 18, 1997, 1:30 p.m. to 5:00 p.m.—Joint Calico Scallop Committee and Advisory Panel

The Committee and Advisory Panel will meet to review the management options paper and develop the draft Calico Scallop Fishery Management Plan (FMP).

August 19, 1997, 8:30 a.m. to 12:00 noon—Golden Crab Committee

The Committee will meet to review the draft framework action and develop recommendations for the Council.

August 19, 1997, 1:30 p.m. to 3:30 p.m.—Joint Executive and Finance Committee

The Committees will meet to review and approve proposed changes to 1997 activities and budget and to review and approve the proposed 1998 activities schedule and budget.

August 19, 1997, 3:30 p.m. to 6:00 p.m.—Snapper Grouper Committee

The Committee will meet to receive presentations on *Oculina* research, gag grouper, the South Carolina tagging program, and the economic impact research on saltwater anglers.

August 20, 1997, 8:30 a.m. to 5:00 p.m.—Snapper Grouper Committee

The Committee will meet to review comments from public hearings, letters and NMFS informal review of Snapper Grouper Amendment 9 and the associated Draft Supplemental Environmental Impact Statement, and to develop recommendations for finalizing Amendment 9.

August 21, 1997, 8:30 a.m. to 12:00 noon—Mackerel Committee

The Committee will meet to hear the status of Amendment 8 to the Coastal Migratory Pelagics FMP and framework actions, review the dolphin options paper, and develop management measures for dolphin.

August 21, 1997, 1:30 p.m. to 3:30 p.m.—Habitat Committee

The Committee will meet to hear a status report on the essential fish habitat workshop process, and to review the essential fish habitat plan and comprehensive amendment.

August 21, 1997, 3:30 p.m. to 4:30 p.m.—Bluefish Committee

The Committee will meet to review the Bluefish public hearing draft document and develop recommendations to the Mid-Atlantic Fishery Management Council (MAFMC) and the Atlantic States Marine Fisheries Commission (ASMFC).

August 21, 1997, 5:00 p.m. to 6:30 p.m.—Council Session

The full Council will convene to elect a Council Chairman and Vice-Chairman and hear the Mackerel Committee report before developing management measures for dolphin.

August 22, 1997, 8:30 a.m. to 5:00 p.m.—Council Session

The full Council will convene at 8:30 a.m., to take public comment on Snapper Grouper Amendment 9 before hearing the Snapper Grouper Committee report and taking final action on Amendment 9 for submission to the Secretary of Commerce; At 11:00 a.m., the Council will take public comment on golden crab framework actions before making a decision on these actions as necessary; At 2:00 p.m., the Council will