

**SUMMARY:** The purpose of this notice is to notify all interested parties that the Agricultural Marketing Service (AMS) will hold a Fruit and Vegetable Industry Advisory Committee (Committee) meeting that is open to the public. The U.S. Department of Agriculture (USDA) established the Committee to examine the full spectrum of issues faced by the fruit and vegetable industry and to provide suggestions and ideas to the Secretary of Agriculture on how USDA can tailor its programs to meet the fruit and vegetable industry's needs. This notice sets forth the schedule and location for the meeting.

**DATES:** Tuesday, January 11, 2005, from 8 a.m. to 1 p.m., and Wednesday, January 12, 2005, from 8 a.m. to 2 p.m. As part of the meeting, Committee members will tour the National Training and Development Center on Tuesday, January 11, 2005, from 2 p.m. to 4 p.m.

**ADDRESSES:** The Committee meeting will be held at the Hilton Hotel, 1767 King Street, Alexandria, VA. The tour of the National Training and Development Center will take place at 100 Riverside Parkway, Suite 101, Fredericksburg, VA.

**FOR FURTHER INFORMATION CONTACT:** Andrew Hatch, Designated Federal Official, USDA, AMS, Fruit and Vegetable Programs. Telephone: (202) 690-0182. Facsimile: (202) 720-0016. E-mail: [andrew.hatch@usda.gov](mailto:andrew.hatch@usda.gov).

**SUPPLEMENTARY INFORMATION:** Pursuant to the Federal Advisory Committee Act (FACA) (5 U.S.C. App. II), the Secretary of Agriculture established the Committee in August 2001 to examine the full spectrum of issues faced by the fruit and vegetable industry and to provide suggestions and ideas to the Secretary on how USDA can tailor its programs to meet the fruit and vegetable industry's needs. The Committee was re-chartered in July 2003 and new members were appointed from industry nominations.

AMS Deputy Administrator for Fruit and Vegetable Programs, Robert C. Keeney, serves as the Committee's Executive Secretary. Representatives from USDA mission areas and other government agencies affecting the fruit and vegetable industry will be called upon to participate in the Committee's meetings as determined by the Committee Chairperson. AMS is giving notice of the Committee meeting to the public so that they may attend and present their recommendations. Reference the date and address section of this announcement for the time and place of the meeting.

Topics to be discussed include: Perishable Agricultural Commodities Act branch reorganization status and

transportation issues, crop insurance, the Regulatory Flexibility Act, the school lunch procurement study, Fruit and Vegetable Dispute Resolution Corporation overview, and ways that USDA programs can encourage increased consumption of fruits and vegetables. Those parties that would like to speak at the meeting should register on or before January 5, 2005. To register as a speaker, please e-mail your name, affiliation, business address, e-mail address, and phone number to Mr. Andrew C. Hatch at: [andrew.hatch@usda.gov](mailto:andrew.hatch@usda.gov) or facsimile to (202) 720-0016. Speakers who have registered in advance will be given priority. Groups and individuals may submit comments for the Committee's consideration to the same e-mail address. The meeting will be recorded, and information about obtaining a transcript will be provided at the meeting.

The Secretary of Agriculture selected a diverse group of members representing a broad spectrum of persons interested in providing suggestions and ideas on how USDA can tailor its programs to meet the fruit and vegetable industry's needs. Equal opportunity practices were considered in all appointments to the Committee in accordance with USDA policies.

If you require special accommodations, such as a sign language interpreter, please use either contact name listed above.

Dated: December 10, 2004.

**A.J. Yates,**

*Administrator, Agricultural Marketing Service.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### North American Free-Trade Agreement (NAFTA), Article 1904 NAFTA Panel Reviews; Decision of the Committee

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

**ACTION:** Notice of corrected decision of Extraordinary Challenge Committee.

**SUMMARY:** On October 7, 2004 the Extraordinary Challenge Committee (ECC) issued its decision in the matter of Pure Magnesium from Canada, Secretariat File No. ECC-2003-1904-01USA. On November 12, 2004, the Extraordinary Challenge Committee issued a correction to their decision.

The corrections do not alter the substance of the opinion.

#### FOR FURTHER INFORMATION CONTACT:

Caratina L. Alston, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

**Committee Decision:** The Committee concluded that the panel manifestly exceeded its powers by failing to apply the correct standard of review; such action materially affected the Panel's decision, but; that the Panel's action did not threaten the integrity of the binational panel review process.

Accordingly the challenge was dismissed and by virtue of section 3 of NAFTA Annex 1904.13 the challenged panel decision stands affirmed. The Committee, however, discovered some minor errors in the decision and has provided a corrected version. Copies of the corrected decision are available from the NAFTA Secretariat.

Dated: December 7, 2004.

**Caratina L. Alston,**

*United States Secretary, NAFTA Secretariat.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Federal Consistency Appeal by Pedro Vidal From an Objection by the Puerto Rico Planning Board

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (Commerce).

**ACTION:** Notice of closure—administrative appeal decision record.

**SUMMARY:** This announcement provides notice that the decision record has been closed for an administrative appeal filed with the Department of Commerce by Pedro Vidal.

**DATES:** The decision record for the Pedro Vidal administrative appeal will close as of the date of publication of this notice.

**ADDRESSES:** Materials from the appeal record are available at the Office of the Assistant General Counsel for Ocean Services, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, 1305 East-West Highway, Silver Spring, MD 20910.

#### FOR FURTHER INFORMATION CONTACT:

Nancy Briscoe, Attorney-Adviser, NOAA Office of the General Counsel, 301-713-1219.