

method that will prevent reconstruction of the information in whole or in part.

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Andean Trade Preference Act (ATPA), as Amended: Notice Regarding the 2008 Annual Review

AGENCY: Office of the United States Trade Representative.

ACTION: Notice.

SUMMARY: With respect to the Annual Review under the ATPA, the Office of the United States Trade Representative (USTR) received no new petitions in August-September 2008 to review certain practices in a beneficiary developing country to determine whether such country is in compliance with the ATPA eligibility criteria. USTR received updates to two petitions that are currently under review and a request to withdraw a petition that was under review. This notice specifies the status of the petitions filed in prior years that have remained under review. This notice does not relate to the Bolivia-specific review initiated on October 1, 2008 (73 FR 57158).

FOR FURTHER INFORMATION CONTACT: Bennett M. Harman, Deputy Assistant U.S. Trade Representative for Latin America, at (202) 395-9446.

SUPPLEMENTARY INFORMATION: The ATPA (19 U.S.C. 3201 *et seq.*), as renewed and amended by the Andean Trade Promotion and Drug Eradication Act of 2002 (ATPDEA) in the Trade Act of 2002 (Pub. L. 107-210) and the Act to Extend the Andean Trade Preference Act (Pub. L. 110-436), provides trade benefits for eligible Andean countries. Pursuant to section 3103(d) of the ATPDEA, USTR promulgated regulations (15 CFR part 2016) (68 FR 43922) regarding the review of eligibility of countries for the benefits of the ATPA, as amended. The 2008 Annual ATPA Review is the fifth such review to be conducted pursuant to the ATPA regulations.

In a **Federal Register** notice dated August 14, 2008, USTR initiated the 2008 ATPA Annual Review and announced a deadline of September 15, 2008 for the filing of petitions (73 FR 47633). Chevron submitted information updating the petition it originally filed in 2004, which remains under review. USTR also received updated information from the U.S./Labor Education in the Americas Project (US/

LEAP) concerning its petition related to worker rights in Ecuador, which has been under consideration since the 2003 ATPA review. The AFL-CIO filed a submission which indicated that it is no longer seeking a removal of ATPA benefits from Ecuador over worker rights issues. The Trade Policy Staff Committee (TPSC) is therefore terminating its review of the AFL-CIO petition filed in 2003.

Following is the list of all petitions from prior years that will remain under review through December 31, 2009, which is the period that the ATPA is in effect:

Ecuador Human Rights Watch.
Ecuador U.S./Labor Education in the Americas Project.
Ecuador Chevron Texaco.
Peru Princeton Dover.
Peru Duke Energy.

Carmen Suro-Bredie,
Chairman, Trade Policy Staff Committee.

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. USTR-2008-0036]

Review of Action Taken in Connection With WTO Dispute Settlement Proceedings on the European Communities' Measures Concerning Meat and Meat Products

AGENCY: Office of the United States Trade Representative.

ACTION: Request for comments.

SUMMARY: The interagency section 301 Committee is soliciting written comments on possible modifications to the action taken by the United States Trade Representative ("Trade Representative") in connection with the World Trade Organization ("WTO") authorization in the *EC-Beef Hormones* dispute to the United States to suspend concessions and related obligations with respect to the European Communities ("EC"). The *EC-Beef Hormones* dispute concerned the EC's ban on the import of U.S. meat and meat products produced from animals treated with any of six hormones for growth promotion purposes. Annex I to this notice contains a list of EC products with respect to which the United States is currently imposing increased rates of duty (100 percent *ad valorem*) pursuant to the WTO's authorization. Annex II to this notice contains a list of potential alternative products under consideration for the imposition of increased duties. Comments are

requested with respect to (i) whether products listed in Annex I should be removed from the list or remain on the list (and if a product remains on the list, whether the currently applied rate of duty should be increased), (ii) whether products listed in Annex II should be included on a revised list and be subjected to increased rates of duty, and (iii) the products of which member States of the EC should be subjected to increased rates of duty.

DATES: To be assured of consideration, comments should be submitted by 5 p.m. on December 8, 2008.

ADDRESSES: Comments should be submitted (i) electronically via the Internet at <http://www.regulations.gov>, or (ii) by fax to Sandy McKinzy at (202) 395-3640. For documents sent by fax, USTR requests that the submitter provide a confirmation copy to <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Gwendolyn Diggs, Staff Assistant to the section 301 Committee, (202) 395-5830, for questions concerning procedures for filing submissions in response to this notice; Roger Wentzel, Director, Agricultural Affairs, (202) 395-6127 or David Weiner, Director for the European Union, (202) 395-4620 for questions concerning the *EC-Beef Hormones* dispute; or William Busis, Associate General Counsel (202) 395-3150 and Chair of the Section 301 Committee, for questions concerning procedures under Section 301. For further information on using the <http://www.regulations.gov> Web site, please consult the resources provided on the Web site by clicking on "How to Use This Site" on the left side of the home page.

SUPPLEMENTARY INFORMATION:

A. The EC-Beef Hormones Case

The EC bans the import of beef and beef products produced from animals to which any of six hormones¹ have been administered for growth promotion purposes. The effect of the EC ban is to prohibit the import of substantially all U.S.-produced beef and beef products. In February 1998, the WTO Dispute Settlement Body ("DSB") found that the EC ban was inconsistent with EC obligations under the WTO Agreement. In July 1999, a WTO arbitrator determined that the EC import ban on U.S. beef and beef products has nullified or impaired U.S. benefits under the WTO Agreement in the amount of \$116.8 million each year. On July 26, 1999, the DSB authorized the

¹ The six hormones at issue are estradiol 17-β, testosterone, progesterone, zeranol, trenbolone acetate ("TBA") and melengestrol acetate ("MGA").