### III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange asserts that the foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act [14] and Rule 19b–4(f)(6) thereunder [15] because the rule change does not:

(i) Significantly affect the protection of investors or the public interest;

(ii) Impose any significant burden on competition; and

(iii) Become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest.[16] The Exchange has requested that the Commission waive the 30-day operative delay and designate the proposed rule change effective immediately.

The Commission hereby grants the request.[17] The Commission believes that such waiver is consistent with the protection of investors and the public interest because the sole purpose of the rule change to accurately reflect the new expiration date of a Commission exemption.

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

### IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

*Electronic Comments*

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an e-mail to *rule-comments@sec.gov*. Please include File No. SR–PCX–2005–84 on the subject line.

*Paper Comments*

- Send paper comments in triplicate to Jonathan G. Katz, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549–9303.

All submissions should refer to File No. SR–PCX–2005–84. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule changes between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of PCX. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File No. SR–PCX–2005–84 and should be submitted on or before August 1, 2005.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[18]

**Jill M. Peterson,**

*Assistant Secretary.*

[FR Doc. 05–13546 Filed 7–8–05; 8:45 am]

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## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Generalized System of Preferences (GSP): Notice of the Results of the 2004 Annual Product Review

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice.

**SUMMARY:** This notice announces the disposition of the product petitions accepted for review in the 2004 GSP Annual Product Review (including self-initiated product reviews) and the results of the 2004 *De Minimis* Waiver, the 2004 Redesignation, and the 2004 Competitive Need Limitation Reviews.

**FOR FURTHER INFORMATION CONTACT:** The GSP Subcommittee, Office of the United States Trade Representative (USTR), Room F–220, 1724 F Street, NW., Washington, DC 20508. The telephone number is (202) 395–6971 and the facsimile number is (202) 395–9481.

**SUPPLEMENTARY INFORMATION:** The GSP program provides for the duty-free importation of designated articles when imported from beneficiary developing countries. The GSP program is authorized by Title V of the Trade Act of 1974 (19 U.S.C. 2461, *et seq.*), as amended (the ''Trade Act''), and is implemented in accordance with Executive Order 11888 of November 24, 1975, as modified by subsequent Executive Orders and Presidential Proclamations.

In the 2004 Annual Review, the GSP Subcommittee of the Trade Policy Staff Committee reviewed petitions to change the product coverage of the GSP. The disposition of those petitions is described in Annex I of this notice.

In the 2004 *De Minimis* Waiver and Redesignation Review, the GSP Subcommittee evaluated the appraised import values of each GSP-eligible article in 2004 to determine whether an article from a GSP beneficiary developing country exceeded the GSP Competitive Need Limitations (CNLs). Articles that exceeded one of the GSP CNLs in 2004, and that are newly excluded from GSP eligibility for a specific country, are listed in Annex II. Certain articles from GSP-eligible countries that had previously exceeded one of the CNLs, but had fallen below the CNLs in 2004 ($115 million and 50 percent of U.S. imports of the article), were redesignated for GSP eligibility. These articles and countries are listed in Annex III. *De minimis* waivers were granted to certain articles that exceeded the 50 percent import share CNL but for which the aggregate value of the imports of that article was below the 2004 *de minimis* level of $17.0 million. Annex IV to this notice contains a list of the articles and the associated countries granted *de minimis* waivers.

**Marideth J. Sandler,**

*Executive Director, Generalized System of Preferences (GSP) Program, Chairman, GSP Subcommittee.*

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[14] 15 U.S.C. 78s(b)(3)(A).

[15] 17 CFR 240.19b–4(f)(6).

[16] In addition, Rule 19b–4(f)(6)(iii) states that the Exchange must provide the Commission with written notice of its intent to file the proposed rule change at least five days prior to the date of filing of the proposed rule change. The Commission has determined to waive the requirement in this case.

[17] For purposes only of accelerating the operative date of the proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[18] 17 CFR 200.30–3(a)(12).

**Annex I. Decisions on Product Petitions in the 2004 GSP Annual Review**

| Case # | HTS | Product | Decision |
|---|---|---|---|
| | | | |
| | | **A. Petitions to Add Products to GSP** | |
| 2004-01 | 0804.10.20 | Dates, fresh of dried, whole with or without pits | Deny |
| 2004-02 | 0804.10.40 | Dates, fresh or pact, whole packed over 4.6 kg | Grant |
| 2004-03 | 0804.10.60 | Dates whole without pits, over 4.6 kg | Grant |
| 2004-04 | 0804.10.80 | Dates, other than whole | Deny |
| 2004-05 | 2008.99.25 | Dates, otherwise prepared | Deny |
| 2004-06 | 5702.51.20 | Rugs, hand loomed, hand woven | Grant ** |
| 2004-07 | 5702.91.30 | Rugs, hand loomed, hand woven | Grant ** |
| 2004-08 | 5702.92.0010 | Rugs, hand loomed, hand woven | Grant |
| 2004-09 | 5702.99.1010 | Rugs, hand loomed, hand woven | Grant ** |
| 2004-10 | 5703.10.0020 | Rugs, hand loomed, hand woven | Grant |
| 2004-11 | 5703.20.10 | Rugs, hand loomed, hand woven | Grant |
| 2004-12 | 5703.30.0020 | Rugs, hand loomed, hand woven | Grant |
| 2004-13 | 7320.10.60 | Leaf Springs for Heavy Trucks | Deny |
| ** India excluded for exceeding the CNL. | | | |
| | | **B. Petition to Remove Product from GSP** | |
| 2004-14 | 3904.61.00 | Polytetrafluorethylene (PTFE) Resin | Deny |
| | | | |
| | | **C. Petitions to Waive Competitive Need Limits** | |
| 2004-15 | 3823.19.20 | Fatty acids from coconut oil [Philippines] | Grant |
| 2004-16 | 4107.19.50 | Upholstery leather [Argentina] | Grant |
| 2004-17 | 4107.92.80 | Fancy leather [Argentina] | Grant |
| 2004-18 | 6802.91.25 | Travertine [Turkey] | Deny |
| | | | |
| | | **Addendum: USTR self-initiated petitions to waive Competitive Need Limitation for Certain Countries** | |

| | | | |
|---|---|---|---|
| | | **Addendum: USTR self-initiated petitions to waive Competitive Need Limitation for Certain Countries** | |
| 2004-19 | 4412.13.40 | Certain plywood sheets N/O 6 mm thick [Indonesia] | Grant |
| 2004-20 | 7113.11.50 | Certain silver articles of jewelry [Thailand] | Grant |
| 2004-21 | 9001.30.00 | Contact lenses [Indonesia] | Grant |
| 2004-22 | 9009.12.00 | Electrostatic photocopying apparatus [Thailand] | Grant |

## Annex II. New Products Receiving CNL Exclusions

| HTSUS | Partner | Imports | Share | Product description (truncated) |
|---|---|---|---|---|
| 06031080 | Colomb | 115,305,852 | 37.3 | Cut flowers and flower buds suitable for bouquets or ornamental purposes, fresh cut |
| 08045080 | Phil R | 11,674,130 | 54.6 | Guavas, mangoes, and mangosteens, dried |
| 44121940 | Brazil | 249,969,702 | 55.3 | Plywood of wood sheets, n/o 6 mm thick each, with outer plies of coniferous wood, |
| 68022110 | Turkey | 16,383,548 | 60.2 | Monumental or building stone & arts. thereof, of travertine, simply cut/sawn, |
| 68029120 | Turkey | 35,757,101 | 57.9 | Monumental or building stone & arts. thereof, of travertine, dressed or polished but |
| 68029300 | India | 143,962,887 | 15.8 | Monumental or building stone & arts. thereof, of granite, further worked than |
| 72024950 | Russia | 27,333,597 | 51.4 | Ferrochromium containing by weight 3 percent or less of carbon |
| 74081160 | Russia | 131,841,505 | 18.7 | Refined copper, wire, w/maximum cross-sectional dimension over 6 mm but not over |
| 74081900 | Brazil | 65,406,618 | 53 | Refined copper, wire, w/maximum cross-sectional dimension of 6 mm or less |
| 84099991 | Brazil | 123,499,421 | 15.7 | Parts nesi, used solely or principally with the engines of heading 8408, for vehicles |
| 85443000 | Hondura | 161,843,236 | 2.9 | Insulated ignition wiring sets and other wiring sets of a kind used in vehicles, aircraft |

## Annex III. Products Receiving Redesignation

| HTUS | Partner | 2004 Imports | Share | Description (truncated) |
|---|---|---|---|---|
| 16041450 | Thailnd | 0 | 0 | Tunas and skipjack, not in airtight containers, not in bulk or in immediate containers |
| 38231920 | Phil R | 23,320,315 | 38.9 | Industrial monocarboxylic fatty acids or acid oils from refining derived from |
| 46019105 | India | 0 | 0 | Plaits of vegetable materials and similar products of such plaiting materials, whether |
| 46019905 | India | 223,019 | 6 | Plaits and similar products of plaiting materials (not vegetable), whether or not |
| 71131925 | Turkey | 4,531,856 | 9.7 | Gold mixed link necklaces and neck chains |
| 71162005 | Thailnd | 5,392,584 | 7.6 | Jewelry articles of precious or semiprecious stones, valued not over $40 per |
| 71162015 | Thailnd | 1,723,503 | 3.6 | Jewelry articles of precious or semiprecious stones, valued over $40 per piece |
| 74031100 | Russia | 7,440,250 | 0.3 | Refined copper cathodes and sections of cathodes |
| 76151930 | Thailnd | 104,994,950 | 29.9 | Aluminum, cooking and kitchen ware (o/than cast), enameled or glazed or |
| 85165000 | Thailnd | 72,014,101 | 8 | Microwave ovens of a kind used for domestic purposes |

## Annex IV. Products Receiving de Minimis Waivers

| HTSUS Subheading | Trading Partner | 2004 U.S. Imports | Article description (truncated) |
|---|---|---|---|
| 02023002 | Uruguay | $284,693 | High-qual. beef cuts, boneless, processed, frozen, descr in gen. note 15 of the HTS |
| 03026910 | Phil R | $373,678 | Fish, nesi, excl. fillets, livers and roes, fresh or chilled, scaled, in immediate containers weighing with |
| 03052020 | Russia | $81,000 | Sturgeon roe, dried, smoked, salted or in brine |
| 04100000 | Indnsia | $9,603,442 | Edible products of animal origin, nesi |
| 07114000 | India | $2,603,454 | Cucumbers including gherkins, provisionally preserved but unsuitable in that state for immediate |
| 07129070 | Egypt | $448,493 | Dried fennel, marjoram, savory and tarragon nesi, whole, cut, sliced, broken or in powder, but not |
| 07139060 | India | $277,679 | Dried leguminous vegetables nesi, shelled, if entered for consumption during the period from May 1 |
| 07139080 | India | $248,546 | Dried leguminous vegetables nesi, shelled, if entered Sept. 1 through the following April 30, or |
| 08025020 | Turkey | $595,594 | Pistachios, fresh or dried, in shell |
| 08106000 | Thailnd | $896,308 | Durians, fresh |
| 08134010 | Thailnd | $2,176,992 | Papayas, dried |
| 08134080 | Thailnd | $1,063,290 | Tamarinds, dried |
| 11023000 | Thailnd | $2,840,742 | Rice flour |
| 12021040 | Egypt | $24,510 | Peanuts (ground-nuts), not roasted or cooked, in shell, subject to add. US note 2 to Ch.12 |
| 13019040 | India | $3,000 | Turpentine gum (oleoresinous exudate from living trees) |
| 14019040 | Argent | $1,456,227 | Lime bark, raffia, reeds, rushes, cleaned, bleached or dyed cereal straw, other vegetable materials nesi, |
| 15179010 | Argent | $4,013,177 | Edible artificial mixtures of products provided for in headings 1501 to 1515, cont. 5% or more by weight |
| 16010040 | Brazil | $86,503 | Sausages and similar products of beef, beef offal or blood; food preparations based on these |
| 16025009 | Argent | $9,343,952 | Prepared or preserved meat of bovine animals, cured or pickled, not containing cereals or vegetables |
| 17019180 | Brazil | $783,662 | Cane/beet sugar & pure sucrose, refined, solid, w/added flavoring, nesoi |
| 17029035 | Brazil | $5,263,728 | Invert molasses |
| 18061043 | Brazil | $71,582 | Cocoa powder, o/90% by dry wt of sugar, subject to gen. note 15 of the HTS |
| 19012045 | Argent | $29,730 | Mixes for bakers wares (dairy prod. of Ch4 US note 1), n/o 25% bf, not retail, subj. to add. US nte 10 to |
| 20060070 | Thailnd | $2,158,760 | Fruit nesi, and nuts, except mixtures, preserved by sugar (drained, glace or crystallized) |
| 20089935 | Thailnd | $3,952,479 | Lychees and longans, otherwise prepared or preserved, nesi |
| 20089950 | Thailnd | $1,884,349 | Papayas, other than pulp, otherwise prepared or preserved, nesi |
| 20093920 | Brazil | $65,676 | Lime juice, Brix value exceeding 20, fit for beverage purposes |
| 23050000 | Argent | $958,171 | Oilcake and other solid residues, resulting from the extraction of peanut (ground-nut) oil |
| 23063000 | Argent | $1,515,813 | Oilcake and other solid residues, resulting from the extraction of vegetable fats or oils, of sunflower |
| 25151220 | Turkey | $719,497 | Travertine, merely cut into blocks or slabs of a rectangular (including square) shape |
| 28042900 | Russia | $10,658,127 | Rare gases, other than argon |
| 28262000 | Brazil | $241,099 | Fluorosilicates of sodium or of potassium |
| 28401100 | Turkey | $40,247 | Anhydrous disodium tetraborate (refined borax) |
| 28401900 | Turkey | $4,032,757 | Disodium tetraborate (refined borax) except anhydrous |
| 28415010 | Kazakhs | $154,777 | Potassium dichromate |
| 28419020 | Kazakhs | $4,017,017 | Ammonium perrhenate |
| 28500020 | Russia | $122,240 | Hydride, nitride, azide, silicide and boride of vanadium |

## Annex IV. Products Receiving de Minimis Waivers (continued)

| | | | |
|---|---|---|---|
| 29035100 | Romania | $405,000 | 1,2,3,4,5,6-Hexachlorocyclohexane |
| 29036908 | Brazil | $4,363,152 | p-Chlorobenzotrifluoride; and 3,4-Dichlorobenzotrifluoride |
| 29095040 | Indnsia | $3,424,538 | Oderificious or flavoring compounds of ether-phenols, ether-alcohol-phenols & their halogenated, |
| 29153400 | Russia | $138,793 | Isobutyl acetate |
| 29349918 | Brazil | $3,142,569 | Aromatic or modified aromatic pesticides nesoi, of other heterocyclic compounds, nesoi |
| 38084010 | Argent | $4,750,143 | Disinfectants, containing any aromatic or modified aromatic disinfectant |
| 41012040 | Brazil | $3,300 | Whole bovine hides/skins (not buffalo) (n/o 8 kg dried, 10 kg dry salted or 16 kg fresh/otherwise |
| 41015050 | Brazil | $198,910 | Whole raw bovine hides/skins (not buffalo), weight over 16 kg, surface area over 2.6 m2, pretanned |
| 41019035 | Argent | $320 | Raw buffalo hides and skins (other than whole), pretanned but not further prepared |
| 41019040 | Argent | $28,846 | Raw bovine hides and skins (other than whole), vegetable pretanned but not further prepared |
| 41062190 | India | $532,034 | Hides and skins of goats or kids, without hair on, tanned but not further prepared, in the wet state other |
| 41062200 | Pakistn | $776,991 | Hides and skins of goats or kids, without hair on, tanned but not further prepared, in the dry state |
| 41071140 | India | $17,395 | Full grain unsplit whole buffalo leather, without hair on, surface over 2.6 sq m, prepared after tanning or |
| 41071160 | Brazil | $1,552,924 | Full grain unsplit upper & sole leather of bovines (not buffalo) nesoi or equine, w/o hair on, prepared |
| 41071240 | India | $683,632 | Grain split whole buffalo leather, without hair on, unit surface area over 2.6 sq m, prepared after tanning |
| 41079140 | India | $247,776 | Full grain unsplit buffalo leather (not whole), w/o hair on, prepared after tanning or crusting (including |
| 41079940 | India | $49,648 | Buffalo leather other than full grains unsplit & grain splits, not whole, w/o hair on, prepared after |
| 42029204 | Phil R | $8,448,354 | Insulated beverage bags, outer surface of textile materials, interior only flexible plastic container store |
| 50071030 | India | $4,652,181 | Woven fabrics of noil silk, containing 85 percent or more by weight of silk or silk waste |
| 52083120 | India | $170,712 | Dyed plain weave certified hand-loomed fabrics of cotton, containing 85% or more cotton by weight, |
| 52084120 | India | $369,602 | Plain weave certified hand-loomed fabrics of cotton, 85% or more cotton by weight, weighing not over |
| 52084210 | India | $137,456 | Plain weave certified hand-loomed fabrics of cotton, 85% or more cotton by weight, over 100 but n/o |
| 52093130 | India | $2,834,467 | Dyed, plain weave certified hand-loomed fabrics of cotton, containing 85% or more cotton by weight, |
| 52094130 | India | $1,772,543 | Plain weave certified hand-loomed fabrics of cotton, cont. 85% or more cotton by weight,weighing over |
| 71132025 | India | $805,195 | Base metal clad w/gold mixed link necklaces and neck chains |
| 72021110 | Georgia | $5,526,351 | Ferromanganese containing by weight more than 2 percent but not more than 4 percent of carbon |
| 73072110 | India | $9,125,962 | Stainless steel, flanges for tubes/pipes, forged, not machined, not tooled and not otherwise processed |
| 74130090 | Turkey | $9,037,011 | Copper, stranded wire, cables, plaited bands and the like, not electrically insulated, fitted with fittings |
| 81121200 | Kazakhs | $882,137 | Beryllium, unwrought; beryllium powders |
| 81121900 | Kazakhs | $1,939,062 | Beryllium, articles nesoi |
| 84069030 | Brazil | $394,242 | Parts of steam turbines, rotors, not further worked than cleaned or machined for removal of fins, etc., |
| 84101300 | Brazil | $1,584,040 | Hydraulic turbines and water wheels of a power exceeding 10,000 kW |
| 85281216 | Thailnd | $1,275,264 | Non-high def. color television reception app., nonprojection, w/CRT, display diag. ov 34.29 cm but |
| 85283050 | India | $305,789 | High definition color video projectors, with a cathode-ray tube, incorporating VCR or player |
| 90160040 | Thailnd | $968,238 | Jewelers' balances (nonelectrical) of a sensitivity of 5 cg or better, with or without weights, and parts |
| 96142060 | Turkey | $112,243 | Smoking pipes and bowls, wholly of clay, and other smoking pipes w/bowls wholly of clay |

[FR Doc. 05–13592 Filed 7–8–05; 8:45 am]

BILLING CODE 3190–W5–C