

price discriminator for the sales to the United States. To permit the reseller to claim the producer's rate when the reseller is the price discriminator for the U.S. sale allows a reseller to sell subject merchandise in the United States without the appropriate discipline of an antidumping duty order. Furthermore, the current methodology permits a reseller to undercut, with impunity, the price of an original producer which has worked to establish a lower rate through its pricing practices.

*Comment 16:* The American Bearings Manufacturers Association (ABMA) and The Timken Company support the October 15, 1998, proposed clarification of the automatic-liquidation procedures. The ABMA asserts that the Department's assignment of the producer's company-specific cash-deposit rate is an inappropriate basis upon which to assess final antidumping duties on entries on an intermediary's exports and urges the Department to adopt and finalize the proposed clarification promptly.

*Response:* As we stated in response to Comment 15, above, if the producer has no knowledge of a reseller's U.S. transactions, use of the producer's rate for final duty assessment, where a review of the producer has been requested, is not appropriate because it does not reflect the reseller's pricing practices.

### Implementation

This clarification will apply to all entries for which the anniversary month for requesting an administrative review of an antidumping duty order or finding is May 2003 or later.

Further, this clarification addresses the assessment of duties on imports of merchandise from a market-economy country and subject to an antidumping duty order. This clarification does not apply to imports of merchandise from non-market-economy (NME) countries which may be subject to an antidumping duty order. In addition, this clarification does not apply to imports of merchandise subject to a countervailing duty order because this issue does not arise in the subsidy enforcement context.

Dated: April 30, 2003.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-337-803]

#### **Fresh Atlantic Salmon From Chile: Extension of Preliminary Results of Antidumping Duty Administrative Review**

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

**EFFECTIVE DATE:** May 6, 2003.

**FOR FURTHER INFORMATION CONTACT:** Salim Bhabhrawala or Constance Handley at (202) 482-1784 or (202) 482-0631, Office of AD/CVD Enforcement 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

#### **Time Limits**

##### *Statutory Time Limits*

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), requires the Department of Commerce (the Department) to complete the preliminary results of an administrative review within 245 days after the last day of the anniversary month of an order/finding for which a review is requested and the final results within 120 days after the date on which the preliminary results are published. However, if it is not practicable to complete the review within these time periods, section 751(a)(3)(A) of the Act allows the Department to extend the time limit for the preliminary results to a maximum of 365 days after the last day of the anniversary month of an order/finding for which a review is requested, and for the final results to 180 days (or 300 days if the Department does not extend the time limit for the preliminary results) from the date of publication of the preliminary results.

##### *Background*

On August 27, 2002, the Department of Commerce (the Department) published a notice of initiation of administrative review of the antidumping duty order on fresh Atlantic salmon from Chile, covering the period July 1, 2001, through June 30, 2002. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 67 FR 55000 (August 27, 2003). The preliminary results of this proceeding were due no later than April 2, 2003.

On March 17, 2003, the Department determined that it was not practicable to

complete the preliminary results of this review within the original time limit and extended the time limit for the completion of the preliminary results until no later than May 1, 2003. See *Fresh Atlantic Salmon from Chile: Extension of Preliminary Results of Antidumping Duty Administrative Review*, 68 FR 12671 (March 17, 2003); see also Memorandum from Gary Taverman, Director, Office 5 to Holly Kuga, Acting Deputy Assistant Secretary Re: Extension of Time Limit for Preliminary Results of Review (March 11, 2003), which is on file in the Central Records Unit, Room B-099 of the main Commerce building.

On April 29, 2003, L.R. Enterprises submitted a letter withdrawing all of its requests for reviews. In its letter, L.R. Enterprises stated that it had no further interest in maintaining the order. Respondents Pesquera Eicosal Ltda., Cultivadora de Salmones Linao Ltda., and Salmones Tecmar S.A. also submitted letters withdrawing their requests for review.

In addition, on the same day, U.S. fresh Atlantic salmon producers Atlantic Salmon of Maine, Cypress Island, Inc., Heritage Salmon Inc., Maine Nordic Salmon and Stolt Sea Farm Inc., submitted requests that the Department conduct a changed circumstances review for the purposes of revoking the order pursuant to Section 751(b)(1)(A) of the Act and 19 CFR 351.222(g). All of these U.S. producers stated that they were no longer interested in maintaining the order.

##### *Extension of Time Limit for Preliminary Results of Review*

The Department needs time to consider L.R. Enterprises recent notification that it is no longer interested in maintaining the order, and the requests for a changed circumstances review. Because we are considering initiating a changed circumstance review in the near future, we determine that it is not practicable to complete the preliminary results of this review within the time limit. Therefore, the Department is further extending the time limit for completion of the preliminary results until no later than July 31, 2003. We intend to issue the final results no later than 120 days after publication of the preliminary results notice.

This extension is in accordance with section 751(a)(3)(A) of the Act.

Dated: May 1, 2003.

Holly A. Kuga,

Acting Deputy Assistant Secretary for AD/  
CVD Enforcement II.

[FR Doc. 03-11178 Filed 5-5-03; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-570-848]

**Freshwater Crawfish Tail Meat From the People's Republic of China: Initiation of Antidumping Duty New Shipper Review**

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

**SUMMARY:** The Department of Commerce (the Department) has received a timely request to conduct a new shipper review of the antidumping duty order on freshwater crawfish tail meat from the People's Republic of China ("PRC"). In accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.214(d), we are initiating this new shipper review for Shanghai Ocean Flavor International Trading Co., Ltd. (Shanghai Ocean Flavor) and its producer Jiangxi Quanfu Aquatic Foods Co., Ltd. (Jiangxi Quanfu).

**EFFECTIVE DATE:** May 6, 2003.

**FOR FURTHER INFORMATION CONTACT:** Thomas Gilgunn or Addilyn Chams-Eddine, AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230;

telephone: (202) 482-4236 or (202)482-0648, respectively.

**Background**

On March 28, 2003, the Department received a timely request from Shanghai Ocean Flavor, in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214(c), for a new shipper review of this antidumping duty order on freshwater crawfish tail meat from the People's Republic of China ("PRC"), which has a September anniversary date and a March semiannual anniversary date.

As required by 19 CFR 351.214(b)(2)(ii) and (iii)(A), Shanghai Ocean Flavor, an exporter of crawfish tail meat, has certified that it did not export freshwater crawfish tail meat to the United States during the period of investigation ("POI"), and that it has never been affiliated with any exporter or producer which exported freshwater crawfish tail meat to the United States during the POI. In addition, the producer, Jiangxi Quanfu, certified that it did not export freshwater crawfish tail meat to the United States and that it has never been affiliated with any exporter or producer who exported the subject merchandise to the United States during the POI. Shanghai Ocean Flavor has further certified, pursuant to the requirements of CFR 19 351.214(b)(2)(iii) (B), that its export activities are not controlled by the central government of the PRC.

Pursuant to 19 CFR 351.214(b)(2)(iv), Shanghai Ocean Flavor submitted documentation establishing the date on which it first shipped the subject merchandise to the United States, the date of entry of the first shipment, the

volume of that shipment, and the date of the first sale to an unaffiliated customer in the United States. Shanghai Ocean Flavor provided the same documentation for its one subsequent shipment.

After reviewing the submissions with respect to the new shipper review request filed on behalf of Shanghai Ocean Flavor and Jiangxi Quanfu, the Department has found that the requirements set forth in 19 CFR 351.214(b) for the initiation of a new shipper review have been met.

**Initiation of Review**

In accordance with section 751(a)(2)(B)(ii) of the Act and 19 CFR 351.214(d)(1), we are initiating a new shipper review of the antidumping duty order on freshwater crawfish tail meat from the PRC. Based on our analysis of the information and documentation provided with the new shipper review request, as well as our analysis of proprietary import data from the U.S. Bureau of Customs and Border Protection ("BCBP"), we intend to carefully examine the *bona fides* of Shanghai Ocean Flavor's U.S. sales during the course of this new shipper review. We intend to issue the preliminary results of the review no later than 180 days after the date on which the review is initiated.

In accordance with 19 CFR 351.214(g)(1)(i)(B), the period of review ("POR") for a new shipper review, initiated in the month immediately following the semiannual anniversary month, will be the six-month period immediately preceding the semiannual anniversary month. Therefore, the POR for this new shipper review is:

Antidumping duty proceeding	Period to be reviewed
Freshwater Crawfish Tail Meat from the PRC: ..... Shanghai Ocean Flavor International Trading Co., Ltd.. Jiangxi Quanfu Aquatic Foods Co., Ltd..	09/01/02-02/28/03

We will instruct the BCBP to allow, at the option of the importer, the posting, until the completion of the review, of a bond in lieu of a cash deposit for each entry of the merchandise exported by Shanghai Ocean Flavor. This action is in accordance with 19 CFR 351.214(e). We will apply the bonding option under 19 CFR 351.107(b)(1)(i) only to entries of subject merchandise exported by Shanghai Ocean Flavor for which Jiangxi Quanfu, the producer under review, is the supplier.

The interested parties that need access to proprietary information in this new shipper review should submit

applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 19 CFR 351.306.

This initiation and notice are in accordance with sections 751(a)(2)(B) of the Act (19 U.S.C.1675(a)) and 19 CFR 351.214(d).

Dated: April 30, 2003.

Barbara E. Tillman,

Acting Deputy Assistant Secretary for Import Administration, Group III.

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-570-836]

**Glycine from the People's Republic of China: Initiation of Antidumping Duty New Shipper Review**

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

**SUMMARY:** The Department of Commerce (the Department) has received a timely request to conduct a new shipper review of the antidumping duty order on