

Ministerial Error Allegations From the Section A Respondents

The Department addresses allegations of ministerial error with regard to Section A Respondents in its *Memorandum to the File, dated August 20, 2004, from Nicole Bankhead and Paul Walker, Case Analysts through James C. Doyle, Program Manager, Regarding Antidumping Duty Investigation of Certain Frozen and*

Canned Warmwater Shrimp from the Socialist Republic of Vietnam: Allegations of Ministerial Error from Section A Respondents. Specifically, these allegations concern price negotiations, the acceptance of an investment licence in lieu of a business license and the dating of submissions.

Amended Preliminary Determination

For the purposes of this amended preliminary determination, we are

changing our finding in the *Preliminary Determination* and granting a separate rate to one additional Section A Respondent, Kien Giang Seaproduct Import Export Co. ("Kisimex"), based on the Department's re-examination of evidence on the record. As a result of our correction of ministerial errors in the *Preliminary Determination*, we have determined that the following weighted-average dumping margin applies:³

CERTAIN FROZEN AND CANNED WARMWATER SHRIMP FROM THE SOCIALIST REPUBLIC OF VIETNAM: SECTION A RESPONDENTS

Exporter and producer	Original preliminary margin (percent)	Amended preliminary margin (percent)
Kien Giang Seaproduct Import Export Co.	93.13	16.01

Because the ministerial errors alleged for the Mandatory Respondents do not constitute *significant* ministerial errors under 351.224(g), we are not changing the weighted-average dumping margin listed in the *Preliminary Determination*. In addition, the Vietnamese-wide rate remains unchanged.

The collection of bonds or cash deposits and suspension of liquidation will be revised accordingly and parties will be notified of this determination, in accordance with section 733(d) and (f) of the Act.

International Trade Commission Notification

In accordance with section 733(f) of the Act, we have notified the International Trade Commission ("ITC") of our amended preliminary determination. If our final determination is affirmative, the ITC will determine before the later of 120 days after the date of the preliminary determination or 45 days after our final determination whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports, or sales (or the likelihood of sales) for importation, of the subject merchandise.

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act and 19 CFR 351.224(e).

Dated: August 23, 2004.

James J. Jochum,
Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE**International Trade Administration**

[A-475-818]

Certain Pasta From Italy: Notice of Initiation of Antidumping Duty New Shipper Review for the Period July 1, 2003, Through June 30, 2004

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

ACTION: Notice of Initiation of Antidumping New Shipper Review in Certain Pasta from Italy.

EFFECTIVE DATE: September 1, 2004.

SUMMARY: The Department of Commerce (the Department) has received a request to conduct a new shipper review of the antidumping duty (AD) order on certain pasta from Italy. In accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.214(d) (2003), we are initiating an AD new shipper review for Atar S.r.L. (Atar).

FOR FURTHER INFORMATION CONTACT: Dennis McClure or James Terpstra at (202) 482-5973 and (202) 482-3965, respectively; AD/CVD Operations 3, Import Administration, International

Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

SUPPLEMENTARY INFORMATION:**Background**

On July 30, 2004, the Department received a timely request from Atar, in accordance with 19 CFR 351.214(b), for a new shipper review of the AD order on certain pasta from Italy, which has a July anniversary month.¹

As required by 19 CFR 351.214(b)(2)(i) and (iii)(A), Atar certified that it did not export subject merchandise to the United States during the period of investigation (POI), and that it has never been affiliated with any exporter or producer which exported subject merchandise during the POI.² Pursuant to 19 CFR 351.214(b)(2)(iv), the company submitted documentation establishing the date on which it first shipped the subject merchandise to the United States, the date of entry of that first shipment, the volume of that and subsequent shipments, and the date of the first sale to an unaffiliated customer in the United States.³

Initiation of Reviews

In accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214(d), and based on information on the record, we are initiating an AD new shipper review for Atar. We intend to issue the preliminary results of this new shipper review not later than 180 days after initiation of this review. We intend to issue final results of this review no

³ For the antidumping duty margin for all Section A Respondents not listed here, see *Preliminary Determination*, 69 FR 42654 (July 16, 2004).

¹ See *Certain Pasta from Italy*, 61 FR 38547 (July 24, 1996).

² See submission from Grunfeld, Desiderio, Lebowitz, Silverman & Klestadt LLP on behalf of Atar S.r.L. to the Department regarding Request for New Shipper Review, Case A-475-818, dated July 30, 2004.

³ *Id.*

later than 90 days after the date on

which the preliminary results are issued. See 19 CFR 351.214(i).

New shipper review proceeding	Period to be reviewed
Atar S.r.L.	07/01/03–06/30/04 (AD)

We will instruct U.S. Customs and Border Protection to allow, at the option of the importer, the posting, until the completion of the reviews, of a bond or security in lieu of a cash deposit for each entry of the subject merchandise from the above-listed company in accordance with 19 CFR 351.214(e). Because Atar certified that it both produces and exports the subject merchandise, the sale of which is the basis for these new shipper review requests, we will permit the bonding privilege only with respect to entries of subject merchandise for which Atar is both the producer and exporter.

Interested parties that need access to proprietary information in this new shipper review should submit applications for disclosure under administrative protective orders in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are in accordance with section 751(a) of the Act and 19 CFR 351.214(d).

Dated: August 24, 2004.

Jeffrey A. May,

Deputy Assistant Secretary for Import Administration.

[FR Doc. E4–1983 Filed 8–31–04; 8:45 a.m.]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–894, A–570–895]

Certain Tissue Paper Products and Certain Crepe Paper Products From the People's Republic of China: Postponement of the Preliminary Determinations of the Antidumping Investigations

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

SUMMARY: The Department of Commerce (“the Department”) is postponing the preliminary determinations in the antidumping investigations of certain tissue paper products and certain crepe paper products from the People's Republic of China (“PRC”) until no later than September 14, 2004. This postponement is made pursuant to

section 733(c)(1)(B) of the Tariff Act of 1930, as amended (“the Act”).

EFFECTIVE DATE: September 1, 2004.

FOR FURTHER INFORMATION CONTACT: John Conniff or Alex Villanueva, at (202) 482–1009 or (202) 482–3208, respectively, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

On March 8, 2004, the Department initiated antidumping investigations of imports of certain tissue paper products and certain crepe paper products from the PRC. See *Notice of Initiation of Antidumping Duty Investigations: Certain Tissue Paper Products and Certain Crepe Paper Products from the People's Republic of China*, 69 FR 12128 (March 15, 2004) (“Initiation Notice”). Section 733(b) of the Act requires the Department to make a preliminary determination no later than 140 days after the date of initiation. On July 12, 2004, the Department extended the preliminary determinations of the certain tissue paper and certain crepe paper products from PRC investigations in accordance with Section 733(c)(1)(B) of the Act. See *Postponement of Preliminary Determinations of Antidumping Duty Investigations: Certain Tissue Paper Products and Certain Crepe Paper Products from PRC* 69 FR 41785 (July 12, 2004). The preliminary determinations in the investigation of certain tissue paper and certain crepe paper products from PRC are now due not later than August 25, 2004.

Postponement of Preliminary Determinations

As discussed below, we have determined that these investigations are extraordinarily complicated within the meaning of section 733(c)(1)(B)(i) of the Act. Furthermore, we have determined that the parties concerned are cooperating, as required by section 733(c)(1)(B) of the Act, and that additional time is necessary to make these preliminary determinations in accordance with section 733(c)(1)(B)(ii) of the Act.

In the investigation of certain tissue paper products, one of the respondents has submitted complex reporting methodologies for its factors of production (“FOPs”), which require detailed analysis by the Department. In addition, the Department may require additional information from the mandatory respondents for this preliminary determination. The Department can only complete its analysis and gather all of the necessary information by postponing the preliminary determination.

In the investigation of certain crepe paper products, the Department requires additional time to evaluate the section A responses and relevant information on the record so as to determine the appropriate margin for the section A respondents.

Therefore, it is the Department's decision to postpone the current preliminary determinations so that all of the issues currently under investigation at this time can be addressed in the most complete manner possible.

For the reasons identified above, we are postponing the preliminary determinations under section 733(c)(1)(B) of the Act, to no later than September 14, 2004, the 190th day after the date on which the investigation was initiated. The deadline for the final determinations will continue to be 75 days after the date of the preliminary determinations. This notice is issued and published pursuant to sections 733(c)(2), 733(f) and 777(i) of the Act.

Dated: August 25, 2004.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. E4–2004 Filed 8–31–04; 8:45 am]

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