

Extension of Time Limits for Preliminary Results

Pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2) of the Department's regulations, the Department may extend the deadline for completion of the preliminary results of a review if it determines that it is not practicable to complete the preliminary results within the statutory time limit of 245 days from the last day of the anniversary month of the order for which the administrative review was requested. Because of the complexity of the issues, the scheduling of verification, and the numerous filing difficulties experienced by all the parties in this case, it is not practicable for the Department to complete this review within the time limit mandated by section 751(a)(3)(A) of the Act. Furthermore, the Department requires additional time to evaluate information submitted by Shichang.

Therefore, in accordance with section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2) of the Department's regulations, the Department is extending the time limits for the preliminary results by 120 days, to no later than June 29, 2004. The deadline for the final results of this review will continue to be 120 days after publication of the preliminary results.

Dated: January 8, 2004.

Joseph A. Spetrini,

Deputy Assistant Secretary for Import Administration, Group 3.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-337-806]

Individually Quick Frozen Red Raspberries From Chile: Notice of Partial Rescission of Antidumping Duty Administrative Review

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

ACTION: Notice of partial rescission of first administrative review.

SUMMARY: In response to requests from interested parties, the Department of Commerce is conducting an administrative review of the antidumping duty order on individually quick frozen red raspberries from Chile. This review covers sales of individually quick frozen red raspberries to the United States during the period December 31, 2001 through June 30,

2003. Based on a request for withdrawal of the review with respect to certain companies, we are rescinding, in part, the first administrative review.

EFFECTIVE DATE: January 15, 2004.

FOR FURTHER INFORMATION CONTACT: Cole Kyle, Office 1, AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington DC 20230; telephone (202) 482-1503.

SUPPLEMENTARY INFORMATION:

Background

On July 2, 2003, the Department of Commerce ("the Department") published in the **Federal Register** a notice of the opportunity to request an administrative review in the above-cited segment of the antidumping duty proceeding (*see* 68 FR 39511). We received a timely filed request for review of 51 companies from the Pacific Northwest Berry Association, Lynden, Washington, and each of its individual members, Curt Maberry Farm, Enfield Farms, Inc., Maberry Packing, and Rader Farms, Inc. (collectively, "the petitioners"). We also received timely filed requests for review from Fruticola Olmue S.A. ("Olmue"), Santiago Comercio Exterior Exportaciones Ltda. ("SANCO"), and Vital Berry Marketing S.A. ("Vital Berry").¹ On August 22, 2003, we initiated an administrative review of the 51 companies (*see* 68 FR 50750).

On November 20 and, further, on December 12, 2003, the petitioners requested that the Department extend the deadline for interested parties to withdraw review requests. In accordance with its regulatory discretion in this respect, as detailed at 19 CFR 351.213(d)(1) (2003), the Department granted the petitioners' requests and extended the deadline for interested parties to withdraw their requests for review. *See* Memorandum to the File dated November 20, 2003, *Request for Extension of Deadline for Withdrawing from Review*; *see also* Memorandum to the File dated December 12, 2003, *Second Request for Extension of Deadline for Withdrawing from Review*.

On January 2, 2004, we received comments from Valles Andinos S.A. ("Valles Andinos") opposing any potential request by the petitioners that their request for review of that company be withdrawn.

On January 5, 2004, we received a timely filed request from the petitioners

withdrawing their request for review for all of the companies for which they had requested an administrative review, except Uren Chile S.A.

Partial Rescission of Antidumping Administrative Review

Because the petitioners were the only party to request an administrative review for all companies except Olmue, SANCO, and Vital Berry, and because they filed their withdrawal request within the deadline established by the Department, we are hereby rescinding the administrative review with respect to the following companies in accordance with 19 CFR 351.213(d)(1):

Agricola Nova Ltda.;
Agrocomercial Las Tinajas Ltda.;
Agroindustria Framberry Ltda.;
Agroindustria Niquen Ltda.;
Agroindustria Sagrada Familia Ltda.;
Agroindustria y Frigorifico M y M Ltda.;
Agroindustrial Frisac Ltda.;
Agroindustrial Frutos del Maipo Ltda.;
Agroindustrial Merco Trading Ltda.;
Agroindustrias San Francisco Ltda.;
Agross S.A.;
Alimentos Prometeo Ltda.;
Alimentos y Frutos S.A.;
Andesur S.A.;
Angloeuro Comercio Exterior S.A.;
Armijo Carrasco, Claudio del Carmen;
Arvalan S.A.;
Bajo Cero S.A.;
Certified Pure Ingredients (Chile) Inc. y Cia. Ltda.;
Chile Andes Foods S.A.;
Comercializadora Agrícola Berries & Fruit Ltda.;
Comercializadora de Alimentos del Sur Ltda.;
Comercio y Servicios S.A.;
Copefruit S.A.;
C y C Group S.A.;
Exportaciones Meyer S.A.;
Exportadora Pentagro S.A.;
Francisco Nancuvilu Punsin;
Frigorifico Ditzler Ltda.;
Frutas de Guaico S.A.;
Fruticola Viconto S.A.;
Hassler Monckeberg S.A.;
Hortifrut S.A.;
Interagro Comercio Y Ganado S.A.;
Kugar Export Ltda.;
Maria Teresa Ubilla Alarcon;
Multifrigo Valparaiso S.A.;
Nevada Export S.A.;
Prima Agrotrading Ltda.;
Procesadora y Exportadora de Frutas y Vegetales;
Rio Teno S.A.;
Sociedad Agrícola Valle del Laja Ltda.;
Sociedad Exportaciones Antiquina Ltda.;
Sociedad San Ernesto Ltda.;
Terra Natur S.A.;
Terrazas Export S.A.;
Valles Andinos S.A.

¹ These three companies were included in the petitioners' request for review of 51 companies.

Concerning Valles Andinos' objection to the petitioners' request to withdraw the review with respect to Valles Andinos, we note that Valles Andinos did not itself request an administrative review. Rather, the review was requested solely by the petitioners. Therefore, because the petitioners requested a review of Valles Andinos and subsequently withdrew that request in a timely fashion, we are rescinding the administrative review with respect to Valles Andinos, as indicated above.

The following companies remain respondents in this administrative review: Olmue, SANCO, Vital Berry, and Uren Chile.

Assessment

The Department will instruct U.S. Customs and Border Protection ("CBP") to assess antidumping duties on all appropriate entries. For those companies for which this review is rescinded, antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(I).

The Department will issue appropriate assessment instructions directly to the CBP within 15 days of publication of this notice.

Cash Deposit Rates

For the companies for which this review is rescinded, the cash deposit rate will continue to be 6.33 percent, the "all others" rate established in the less-than-fair-value investigation. *See Notice of Amended Final Determination of Sales at Less Than Fair Value: IQF Red Raspberries From Chile*, 67 FR 40270 (June 12, 2002).

These cash deposit requirements shall remain in effect until publication of the final results of the next administrative review.

Notification to Importers

This notice serves as a reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

Notification Regarding APOs

This notice also serves as a reminder to parties subject to administrative protective orders ("APOs") of their

responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

This notice is issued and published in accordance with section 777(i) of the Tariff Act of 1930, as amended and 19 CFR 351.213(d)(4).

Dated: January 9, 2004.

James J. Jochum,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-601]

Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China: Amended Final Results of Antidumping Administrative Review

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

ACTION: Notice of final court decision and amended final results of administrative review.

SUMMARY: The United States Court of International Trade has affirmed the Department of Commerce's final remand results affecting the final weighted-average margins for the 1997-1998 administrative review of the antidumping duty order on tapered roller bearings and parts thereof, finished and unfinished, from the People's Republic of China. There was no appeal to the United States Court of Appeals for the Federal Circuit. As there is now a final and conclusive court decision in this case, we are amending the final results of review and we will instruct the U.S. Customs and Border Protection to liquidate entries subject to this review. The period of review is June 1, 1997, through May 31, 1998.

EFFECTIVE DATE: January 15, 2004.

FOR FURTHER INFORMATION CONTACT: S. Anthony Grasso or Andrew Smith, AD/CVD Enforcement Group I, Office 1, Import Administration, International Trade Administration, U.S. Department

of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-3853 or (202) 482-1276, respectively.

SUPPLEMENTARY INFORMATION:

Background

On November 15, 1999, the Department of Commerce (the "Department") published the final results of administrative review of the antidumping duty order on tapered roller bearings and parts thereof, finished and unfinished ("TRB"), from the People's Republic of China covering the period June 1, 1997, through May 31, 1998. *See Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China; Final Results of 1997-1998 Antidumping Duty Administrative Review and Final Results of New Shipper Review*, 64 FR 61837 (November 15, 1999) ("Final Results").

Luoyang Bearing Factory and the Timken Company contested the Department's decision in the *Final Results*. In issuing its decision in this case, the United States Court of International Trade ("CIT") instructed the Department to exclude the category "consumption of traded goods" from the direct input costs used in the calculation of the surrogate overhead, profit, and SG&A ratios used in the Department's antidumping duty margin calculations.

The Department issued final results of redetermination pursuant to remand on December 30, 2002, and on July 14, 2003. The CIT affirmed the Department's final remand results and dismissed the case on October 27, 2003. *See Luoyang Bearing Factory v. United States*, Slip Op. 03-141 (CIT October 27, 2003). There was no appeal to the United States Court of Appeals for the Federal Circuit. As there is now a final and conclusive court decision in this action, we are amending our final results of review and we will instruct the U.S. Customs and Border Protection ("CBP") to liquidate entries subject to this review.

Amendment to Final Results

Pursuant to section 516A(e) of the Tariff Act of 1930, as amended (the "Act"), we are now amending the final results of administrative review of the antidumping duty order of TRBs from the People's Republic of China for the period of review June 1, 1997, through May 31, 1998. In the *Final Results*, we established antidumping duty margins for Luoyang Bearing Factory ("Luoyang") and Premier Bearing and Equipment, Ltd. ("Premier"). Accordingly, we are amending the