

As the trade association and one of the contractors noted, the Government currently buys the 60 percent of its requirement for the interment flags which is not set aside for the Committee's program in equal shares from four contractors. According to the most recent figures available to the Committee, the difference between the value of the flags which the three contractors are selling to the Government and the flags they would sell if the proposed increase in the Committee set-aside were to occur represents a very small percentage of these contractors' total sales (the fourth contractor failed to provide sales figures to the Committee). Accordingly, the Committee has concluded that this small loss, even taking into account the nature of the flag market as described by the contractors, is not likely to have a severe adverse impact on the contractors. It should be noted that the proposed addition will only slightly lessen the number of interment flags available for commercial contractors to provide the Government, so the predicted impacts based on total loss of these contracts, including possible layoffs and other financial challenges, should not occur. As for the contractor mentioned in the Committee staff director's 1997 letter, its sales have increased substantially since then, so the Committee does not believe that it would be inappropriate to add the increased quantity of interment flags to the Procurement List.

The Committee questioned the two nonprofit agencies mentioned by the third contractor, and was told that both had paid in full for the consulting services of that contractor. Neither agency recalls making unauthorized releases of confidential information received from the contractor in connection with the consulting contract, which occurred a number of years ago. The contractor's questions concerning the nonprofit status of one of the nonprofit agencies come from that agency having bought the assets of two for-profit companies, in 2003 and 2004. The nonprofit agency did not acquire the companies as corporate entities. The assets were integrated into the nonprofit agency's manufacturing operations. The nonprofit agency's external auditors have determined that the nonprofit agency is not generating any business income unrelated to its nonprofit status as a result of these acquisitions. Therefore, the Committee does not believe that the nonprofit status of this agency is open to question.

*The following material pertains to all of the items being added to the Procurement List.*

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the products and services and impact of the additions on the current or most recent contractors, the Committee has determined that the product and services listed below are suitable for procurement by the Federal Government under 41 U.S.C. 46–48c and 41 CFR 51–2.4.

#### **Regulatory Flexibility Act Certification**

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the product and services to the Government.
2. The action will result in authorizing small entities to furnish the product and services to the Government.
3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46–48c) in connection with the product and services proposed for addition to the Procurement List.

#### **End of Certification**

Accordingly, the following product and services are added to the Procurement List:

##### *Product*

*Product/NSN:* Flag, National, Interment (Additional 10% of the Veterans Affairs Requirement for a total of 50% on the Procurement List) 8345–00–656–1432.

*NPA:* Goodwill Industries of South Florida, Inc., Miami, Florida.

*NPA:* Huntsville Rehabilitation Foundation, Huntsville, Alabama.

*NPA:* North Bay Rehabilitation Services, Inc., Rohnert Park, California.

*Contract Activity:* Department of Veterans Affairs, Washington, DC.

##### *Services*

*Service Type/Location:* Custodial Services, Naval Air Station Whidbey Island, Basewide, Oak Harbor, Washington.

*NPA:* New Leaf, Inc., Oak Harbor, Washington.

*Contract Activity:* Naval Facilities Engineering Command, Oak Harbor, Washington.

*Service Type/Location:* Medical Transcription, VA Medical Center, Building 36, Northport, New York.

*NPA:* National Telecommuting Institute, Inc., Boston, Massachusetts.

*Contract Activity:* VA Medical Center—Northport, Northport, New York.

*Service Type/Location:* Telephone Switchboard Operations, VA Central California Health Care System, 2615 E. Clinton Avenue, Fresno, California.

*NPA:* Project HIRED, Santa Clara, California.

*Contract Activity:* VA Palo Alto Health Care System, Livermore, California.

This action does not affect current contracts awarded prior to the effective date of this addition or options that may be exercised under those contracts.

**Sheryl D. Kennerly,**

*Director, Information Management.*

[FR Doc. 04–17384 Filed 7–29–04; 8:45 am]

**BILLING CODE 6353–01–P**

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## **DEPARTMENT OF COMMERCE**

### **Foreign-Trade Zones Board**

**[Order No. 1343]**

#### **Expansion of Foreign-Trade Zone 171, Liberty County, Texas, Area**

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the Liberty County Economic Development Corporation, grantee of Foreign-Trade Zone 171, submitted an application to the Board for authority to expand FTZ 171 to include three sites (306 acres) at 75 South Industrial Park (Site 7), 75 North Industrial Park (Site 8), and M&M Designs Industrial Park (Site 9), Huntsville, in Walker County, Texas, adjacent to the Houston Customs port of entry (FTZ Docket 49–2003; filed 9/23/03);

*Whereas*, notice inviting public comment was given in the **Federal Register** (68 FR 57406, 10/3/03), and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

*Whereas*, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations are satisfied, and that the proposal is in the public interest;

*Now, therefore*, the Board hereby orders:

The application to expand FTZ 171 is approved, subject to the Act and the Board's regulations, including Section 400.28.

Signed in Washington, DC, this 22nd day of July 2004.

Holly Kuga,

*Acting Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.*

Attest:

Dennis Puccinelli,

*Executive Secretary.*

[FR Doc. 04-17420 Filed 7-29-04; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-848]

#### **Freshwater Crawfish Tail Meat from the People's Republic of China: Notice of Rescission of Antidumping Duty New Shipper Review of Shanghai Ocean Flavor International Trading Co., Ltd.**

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

**SUMMARY:** On April 30, 2003 the Department of Commerce (Department) initiated a new shipper review of the antidumping duty order on freshwater crawfish tail meat from the People's Republic of China covering the period September 1, 2002, through February 28, 2003. *See Freshwater Crawfish Tail Meat from the People's Republic of China: Initiation of Antidumping Duty New Shipper Review*, 68 FR 23962 (May 6, 2003) (*Initiation Notice*). This new shipper review covered the Shanghai Ocean Flavor International Trading Co., Ltd. (Shanghai Ocean), an exporter of subject merchandise. For the reasons discussed below, we are rescinding the review of Shanghai Ocean.

**EFFECTIVE DATE:** July 30, 2004.

**FOR FURTHER INFORMATION CONTACT:** Thomas Gilgunn at (202) 482-4236, AD/CVD Enforcement, Office 7, Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

Since the Department published its preliminary results for this new shipper review, *see Notice of Preliminary Results of Antidumping Duty New Shipper Review: Freshwater Crawfish Tail Meat from the People's Republic of China*, 69 FR 9800 (March 2, 2004), the following events have occurred. On April 5, 2004, Shanghai Ocean and the Crawfish Processors Alliance (petitioners) filed case briefs. On April

12, 2004, Shanghai Ocean and the petitioners filed rebuttal briefs. On April 26, 2004, the Department issued a supplemental questionnaire. On May 1, 2004, Shanghai Ocean submitted its supplemental questionnaire response. On May 5, 2004, a hearing was held. On June 2, 2004, we asked Shanghai Ocean to explain the significant and material differences between the invoices and the packing lists provided to the Department by Shanghai Ocean and those provided to Customs and Border Protection (CBP) at time of entry. Moreover, we advised Shanghai Ocean that unless they demonstrated with supporting evidence that the documents they submitted to the Department were accurate, we may rescind this review consistent with section 351.214(b)(2)(iv) of the Department's regulations. Shanghai Ocean submitted its response on June 8, 2004.

##### **Scope of the Antidumping Duty Order**

The product covered by this antidumping duty order is freshwater crawfish tail meat, in all its forms (whether washed or with fat on, whether purged or unpurged), grades, and sizes; whether frozen, fresh, or chilled; and regardless of how it is packed, preserved, or prepared. Excluded from the scope of the order are live crawfish and other whole crawfish, whether boiled, frozen, fresh, or chilled. Also excluded are saltwater crawfish of any type, and parts thereof. Freshwater crawfish tail meat is currently classifiable in the Harmonized Tariff Schedule of the United States (HTS) under item numbers 1605.40.10.10 and 1605.40.10.90, which are the new HTS numbers for prepared foodstuffs, indicating peeled crawfish tail meat and other, as introduced by CBP in 2000, and HTS items 0306.19.00.10 and 0306.29.00, which are reserved for fish and crustaceans in general. The HTS subheadings are provided for convenience and customs purposes only. The written description of the scope of this order is dispositive.

##### **Rescission of Review**

Pursuant to sections 351.214(b)(2)(iv)(B-C) of the Department's regulations, a request for a new shipper review must contain documentation which establishes the volume of the exporter's first and subsequent shipments of subject merchandise to the United States and the date of the exporter's first sale of subject merchandise to an unaffiliated customer in the United States. At the time Shanghai Ocean requested this new shipper review, it appeared that the regulatory requirements were met and

we initiated the new shipper review. *See Initiation Notice*. Since the initiation, Shanghai Ocean has acknowledged that the commercial documents it provided with the request for review, in accordance with sections 351.214(b)(2)(iv)(B-C) of the Department's regulations, were not the same commercial documents submitted to CBP at the time of entry. The Department's analysis of the two sets of commercial documents show that there are material and significant differences between the documents submitted to the Department and those submitted to CBP. As such, we have determined that we cannot rely on the commercial documents submitted to the Department in Shanghai Ocean's request for new shipper review. Accordingly, we are rescinding this new shipper review. Because much of the information on which the Department has based its decision is business proprietary information, our full analysis is set forth in our memorandum "Freshwater Crawfish Tail Meat from The People's Republic of China: Rescission of the New Shipper Review of Shanghai Ocean Flavor International Trade Co., Ltd." dated July 23, 2004, a public version of which is on file in the Central Records Unit, Room B-099, Department of Commerce. Since the Department is rescinding this new shipper review, we are not calculating a company-specific rate for Shanghai Ocean. As such, we are not addressing issues raised in the case briefs by Shanghai Ocean and the petitioners regarding surrogate values and calculation methodology.

##### **Cash Deposit Requirements**

The Department will notify CBP that bonding is no longer permitted to fulfill security requirements for shipments from Shanghai Ocean of freshwater crawfish tail meat from the PRC entered, or withdrawn from warehouse, for consumption in the United States on or after the publication of this notice of rescission of antidumping duty new shipper review in the **Federal Register**. Further, effective upon publication of this notice for all shipments of the subject merchandise exported by Shanghai Ocean, and entered, or withdrawn from warehouse, for consumption, the cash deposit rate will be the PRC-wide rate of 223.01 percent *ad valorem*.

##### **Assessment of Antidumping Duties**

The Department will instruct CBP to assess antidumping duties on all appropriate entries. Since we are rescinding this antidumping duty new shipper review with respect to Shanghai Ocean, the PRC-wide rate of 223.01