

DEPARTMENT OF COMMERCE**International Trade Administration**

[C-351-504, A-351-503, A-122-503, A-570-502, A-821-801, A-823-801, A-570-001]

Iron Construction Castings From Brazil, Canada and China; Solid Urea From Russia and Ukraine; and Potassium Permanganate From China; Extension of Time Limits for the Final Results of Sunset Reviews of Countervailing and Antidumping Duty Orders

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

EFFECTIVE DATE: January 27, 2005.

FOR FURTHER INFORMATION CONTACT: Martha Douthit, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-5050.

Extension of Preliminary and Final Results of Reviews

In accordance with section 751(c)(5)(B), the Department of Commerce ("the Department") may extend the period of time for making its determination by not more than 90 days, if it determines that the review is extraordinarily complicated. As set forth in 751(c)(5)(C)(v) of the Tariff Act of 1930, as amended ("the Act"), the Department may treat a sunset review as extraordinarily complicated if it is a review of a transition order, as is the case in these proceedings. Therefore, the Department has determined, pursuant to section 751(c)(5)(C)(v) of the Act, that the sunset reviews of the countervailing duty order on iron construction castings from Brazil and the antidumping duty orders on iron construction castings from Brazil, Canada and China; solid urea from Russia and Ukraine; and potassium permanganate from China, are extraordinarily complicated and require additional time for the Department to complete its analysis. The Department's final results of these sunset reviews were originally scheduled for January 31, 2005. The Department will extend the deadlines in this proceedings and, as a result, intends to issue the final results of the sunset reviews on iron construction castings from Brazil, Canada and China; solid urea from Russia and Ukraine; and potassium permanganate from China on or about March 31, 2005, in accordance with section 751(c)(5)(B).

Dated: January 19, 2005.

Gary Taverman,

Acting Deputy Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE**International Trade Administration**

[A-351-605]

Frozen Concentrated Orange Juice from Brazil; Initiation of Changed Circumstances Antidumping Duty Administrative Review

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

SUMMARY: The Department of Commerce (the Department) is initiating a changed circumstances administrative review of the antidumping duty order on frozen concentrated orange juice (FCOJ) from Brazil (*see Notice of Antidumping Duty Order: Frozen Concentrated Orange Juice from Brazil* (52 FR 16426, May 5, 1987)) in response to a request from Louis Dreyfus Citrus Inc., a U.S. importer of FCOJ from Brazil, COINBRA-Frutesp, S.A. (COINBRA-Frutesp), a manufacturer/exporter of FCOJ from Brazil, and the affiliated companies of the Louis Dreyfus group (collectively "Louis Dreyfus"). These entities have requested that the Department conduct a changed circumstances review to determine that COINBRA-Frutesp is the successor-in-interest to Coopercitrus Industrial Frutesp, S.A. (Frutesp), and as a result to find that FCOJ from Brazil manufactured and exported by COINBRA-Frutesp is not subject to the antidumping duty order on FCOJ from Brazil.

EFFECTIVE DATE: January 27, 2005.

FOR FURTHER INFORMATION CONTACT: Elizabeth Eastwood or Jill Pollack, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-3874 and (202) 482-4593, respectively.

SUPPLEMENTARY INFORMATION:

Background:

On May 5, 1987, the Department published in the *Federal Register* an antidumping duty order on FCOJ from Brazil covering all Brazilian producers except Sucocitriculo Cultrale, S.A. *See Antidumping Duty Order; Frozen Concentrated Orange Juice from Brazil*, 52 FR 16426 (May 5, 1987). On October

21, 1991, the Department revoked the antidumping duty order with regard to Frutesp. *See Frozen Concentrated Orange Juice from Brazil; Final Results and Termination in Part of Antidumping Duty Administrative Review; Revocation in Part of Antidumping Duty Order*, 56 FR 52510 (Oct. 21, 1991).

In 1993, Louis Dreyfus purchased the shares and assets of Frutesp, and the following year Frutesp changed its name to COINBRA-Frutesp.

On August 3, 2004, Louis Dreyfus informed the Department that it controls, through its member companies, all the assets of COINBRA-Frutesp. In this submission, Louis Dreyfus requested an expedited changed circumstances review to determine that FCOJ from Brazil manufactured by Louis Dreyfus or its affiliates and exported by COINBRA-Frutesp is not subject to the antidumping duty order on FCOJ from Brazil.

On September 17 and November 5, 2004, we requested additional clarification from Louis Dreyfus with respect to the companies that are the subject of its request for a changed circumstances review. On September 20 and November 15, 2004, Louis Dreyfus clarified that it is requesting that COINBRA-Frutesp be designated as the successor-in-interest to Frutesp. According to Louis Dreyfus, this action is necessary because on March 18, 2004, U.S. Customs and Border Protection (CBP) informed Louis Dreyfus that entries of FCOJ manufactured by COINBRA-Frutesp are, in fact, subject to the antidumping duty order on FCOJ, and CBP is currently requiring the payment of cash deposits on such merchandise. Louis Dreyfus asserts that the CBP had not required cash deposits on COINBRA-Frutesp's exports prior to that time.

Scope of the Review

The merchandise covered by this order is FCOJ from Brazil, and is currently classifiable under item 2009.11.00 of the Harmonized Tariff Schedule of the United States (HTSUS). The HTSUS item number is provided for convenience and customs purposes. The Department's written description of the scope of the review remains dispositive.

Initiation of Changed Circumstances Review

Pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (the Act), the Department will conduct a changed circumstances review upon request from an interested party or receipt of information concerning an antidumping

duty order, when either of which shows changed circumstances sufficient to warrant a review of the order. Thus, in accordance with section 751(b) of the Act, the Department is initiating a changed circumstances review to determine whether COINBRA–Frutesp is the successor–in–interest to Frutesp for purposes of determining antidumping duty liability with respect to imports of FCOJ from Brazil produced and exported by COINBRA–Frutesp.

In making a successor–in–interest determination, the Department examines several factors including, but not limited to, changes in: (1) Management; (2) production facilities; (3) supplier relationships; and (4) customer base. *See, e.g., Notice of Final Results of Changed Circumstances Antidumping Duty Administrative Review: Polychloroprene Rubber From Japan*, 67 FR 58 (Jan. 2, 2002); *Brass Sheet and Strip from Canada: Final Results of Antidumping Duty Administrative Review*, 57 FR 20460, 20462 (May 13, 1992). While no single factor or combination of these factors will necessarily provide a dispositive indication of a successor–in–interest relationship, the Department will generally consider the new company to be the successor to the previous company if the new company's resulting operation is not materially dissimilar to that of its predecessor. *See, e.g., Fresh and Chilled Atlantic Salmon from Norway: Final Results of Changed Circumstances Antidumping Duty Administrative Review*, 64 FR 9979 (Mar. 1, 1999); *Industrial Phosphoric Acid from Israel: Final Results of Changed Circumstances Review*, 59 FR 6944 (Feb. 14, 1994). Thus, if the evidence demonstrates that, with respect to the production and sale of the subject merchandise, the new company operates as the same business entity as the former company, the Department will accord the new company the same antidumping treatment as its predecessor.

With regard to Frutesp, Louis Dreyfus claims that the production facilities and contractual relationships with suppliers and customers remained unchanged after Louis Dreyfus assumed control of this company. According to Louis Dreyfus, COINBRA–Frutesp and its assets have remained essentially the same as those of Frutesp for which the order was revoked. In addition, Louis Dreyfus states that changes in the corporate name and ownership are the only material aspects of COINBRA–Frutesp's business that have changed since the Department revoked the antidumping duty order with regard to Frutesp.

In this case, the Department finds that the information submitted by Louis Dreyfus provides sufficient evidence of changed circumstances to warrant a review to determine whether COINBRA–Frutesp is the successor–in–interest to Frutesp. Thus, in accordance with section 751(b)(1) of the Act, we are initiating a changed circumstances review based upon the information contained in Louis Dreyfus' submissions to determine whether the revocation of the order as to Frutesp should apply to merchandise manufactured and exported by COINBRA–Frutesp. Because it is the Department's practice to examine changes in management and customer base as part of its analysis in such a determination, and Louis Dreyfus has not addressed these factors, we are not conducting the changed circumstances review on an expedited basis.

The Department will publish in the **Federal Register** a notice of preliminary results of changed circumstances review, in accordance with 19 CFR 351.221(c)(3)(i) (2004), which will set forth the factual and legal conclusions upon which our preliminary results are based, and a description of any action proposed based on those results. Interested parties may submit comments for consideration in the Department's preliminary results not later than 60 days after publication of this notice. Responses to those comments may be submitted not later than 10 days following submission of the comments. All written comments must be submitted in accordance with 19 CFR 351.303 (2004), and must be served on all interested parties on the Department's service list in accordance with 19 CFR 351.303(f) (2004). The Department will also issue its final results of review within 270 days after the date on which the changed circumstances review is initiated, in accordance with 19 CFR 351.216(e) (2004), and will publish these results in the **Federal Register**.

The current requirement for a cash deposit of estimated antidumping duties on all subject merchandise will continue unless and until it is modified pursuant to the final results of this changed circumstances review.

This notice is in accordance with sections 751(b)(1) of the Act and 19 CFR 351.216 and 351.222 of the Department's regulations.

Dated: January 19, 2005.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 011905F]

Proposed Information Collection; Comment Request; Coral Reef Conservation Program Administration

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before March 28, 2005.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Bill Millhouser 301–713–3155 x189.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Coral Reef Conservation Grant Program provides funds to broad-based applicants with experience in coral reef conservation to conduct activities to protect and conserve coral reef ecosystems. The information submitted is used to determine: (1) whether the applicant qualifies for a waiver of matching funds, and (2) if a proposed project is consistent with the coral reef conservation priorities of authorities with jurisdiction over the area where the project will be conducted.

II. Method of Collection

Information describing the eligibility requirements for a waiver of matching funds is described in the Announcement for Federal Funding Opportunity (FFO) for the NOAA Coral Reef Conservation Grant Program. The FFO can be obtained at <http://www.grants.gov> or <http://www.coralreef.noaa.gov/grants.html>. Respondents are encouraged to email their letters justifying the need for a waiver.