

Dated: August 7, 1998.

**Robert S. LaRussa,**

*Assistant Secretary for Import Administration.*

[FR Doc. 98-21927 Filed 8-13-98; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-560-803]

#### Notice of Postponement of Time Limit for Antidumping Duty Investigation: Extruded Rubber Thread from Indonesia

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

**EFFECTIVE DATE:** August 14, 1998.

#### FOR FURTHER INFORMATION CONTACT:

Russell Morris, Eric Greynolds, or Stephanie Moore at (202) 482-2876, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

#### Postponement

On April 20, 1998, the Department of Commerce (the Department) initiated an antidumping duty investigation of extruded rubber thread from Indonesia. On August 3, 1998, in accordance with section 351.205(e) of the Department's regulations (62 FR 27295, May 19, 1997), the petitioner made a timely request that the Department postpone its preliminary determination. As we find no compelling reasons to deny this request, we are postponing the preliminary determination in this investigation to no later than October 27, 1998, pursuant to section 733(c)(1)(A) of the Tariff Act of 1930, as amended.

This notice is published pursuant to section 733(c)(2) of the Act, and 351.205(f).

Dated: August 7, 1998.

**Robert S. LaRussa,**

*Assistant Secretary for Import Administration.*

[FR Doc. 98-21929 Filed 8-13-98; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-201-820]

#### Amendment to the Suspension Agreement on Fresh Tomatoes from Mexico

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

**ACTION:** Notice of Amendment to the Suspension Agreement on Fresh Tomatoes from Mexico.

**SUMMARY:** The Department of Commerce and producers/exporters of fresh tomatoes from Mexico signed an amendment to the Suspension Agreement on Fresh Tomatoes from Mexico. The amendment establishes new reference prices and provides for enhanced enforcement of the Suspension Agreement.

**EFFECTIVE DATE:** August 21, 1998.

**FOR FURTHER INFORMATION CONTACT:** Gary Taverman at (202) 482-0161 or Judith Wey Rudman at (202) 482-0192; Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, Washington, D.C. 20230.

#### SUPPLEMENTARY INFORMATION:

#### Background

On October 28, 1996, the Department of Commerce ("the Department") and the producers/exporters of fresh tomatoes from Mexico signed the Suspension Agreement on Fresh Tomatoes from Mexico ("the Agreement") and, on November 1, 1996, the Agreement was published in the **Federal Register** (61 FR 56618). Following consultations with producers/exporters of fresh tomatoes from Mexico and with members of the domestic industry, on August 6, 1998, the Department accepted an amendment to the Agreement. The amendment establishes a second reference price and the time periods during which each reference price is applicable. In addition, the amendment establishes documentation requirements as a condition of release of subject tomatoes beyond the Customs port of entry and provides that the Department may notify producer/exporter trade organizations composed of signatory parties of any sales that may have been made at prices inconsistent with the Agreement. Finally, the amendment makes other minor changes to the Agreement to facilitate the Department's administration of the Agreement. The text of the amendment is attached to this notice.

Additional producers/exporters have signed the Agreement as amended. The additional signatories and the revisions provided for in the amendment ensure that the Agreement continues to eliminate completely the injurious effect of imports of tomatoes from Mexico, and that the Agreement continues to be in the public interest.

Dated: August 7, 1998.

**Robert S. LaRussa,**

*Assistant Secretary for Import Administration.*

#### Amendment to the Suspension Agreement on Fresh Tomatoes From Mexico

Consistent with the requirements of section 734(c) of the Tariff Act of 1930, as amended, to eliminate completely the injurious effect of exports to the United States and to prevent the suppression or undercutting of price levels of domestic tomatoes, the Department of Commerce (the Department) and signatory producers/exporters of subject merchandise agree to amend the Suspension Agreement on Fresh Tomatoes From Mexico (the Agreement) as indicated below. All other provisions of the Agreement remain in force and apply to this Amendment.

1. In order to establish a second reference price which would be applicable during the July 1 to October 22 time period and to revise the reference price applicable at all other times of the year, the parties amend the Agreement to add the following after the third paragraph of Appendix A:

The Department and the signatory producers/exporters agree to adjust the reference price applicable to imports into the United States between July 1 and October 22 of any given year. The Department has calculated a reference price for this period by calculating a ratio of Mexican tomato import prices to domestic tomato prices. The ratio consists of weighted-average prices for the United States and Mexico based on data reported by the Agricultural Marketing Service. As calculated pursuant to this methodology, the reference price for the July 1 through October 22 period will be \$0.172 per pound (equivalent to \$4.30 for a 25-pound box).

Effective October 23, 1998, the Department and the signatory producers/exporters have agreed to adjust the reference price applicable to imports into the United States between October 23 and June 30 of any given year. The Department has calculated a reference price for this period by calculating a ratio of Mexican tomato import prices to domestic tomato prices.

The ratio consists of weighted-average prices for the United States and Mexico based on data reported by the Agricultural Marketing Service. As calculated pursuant to this methodology, the reference price for the October 23 through June 30 period will be \$0.2108 per pound (equivalent to \$5.27 for a 25-pound box).

2. In order to revise the time periods during which separate summer/winter reference prices would be applicable and clarify that consultations may be requested at any time after the first year of the Agreement, the parties amend the first four sentences of section IV.G. of the Agreement ("Operations Consultations") to read as follows:

During the first anniversary month of this Agreement, the Department will consult with the signatory producers/exporters regarding the operation of the Agreement. Consultations may be requested by any party to the Agreement following the first anniversary of the Agreement. Consistent with the statutory requirement that the Agreement prevent the suppression or undercutting of price levels of domestic fresh tomatoes, the Department may revise the reference price following consultations under this provision. In particular, the Department expects to make downward or upward adjustments to the reference price to take into account any significant changes within the most recent time period equivalent to the period to which the adjusted price would apply (July 1–October 22; October 23–June 30).

3. In order to vest the Department with sole authority to make revisions to the weight chart used to apply the reference price to particular box configurations, the parties amend the sixth paragraph and first sentence of the seventh paragraph of Appendix A to read as follows:

The reference price for each type of box shall be determined based on the average weights stated in the chart attached as Amendment Appendix A. This chart was based on the average weights used by U.S. Customs at the port of Nogales, AZ for duty assessment purposes, as revised effective February 8, 1997. For example, if the average weight of a 3-layer, 6×6 box of tomatoes is stated as 30 pounds, the reference price for that box will be equal to 30 times the per pound reference price then in effect. If, based upon information that one or more average weights on the chart are no longer accurate, the Department determines to revise an average weight figure, the Department will provide 15 days notice to signatory producers/exporters (through the producer/exporter trade

organizations party to this Agreement) prior to such revised average weights becoming effective for purposes of this Agreement. In making any revisions to the weight chart, the Department will coordinate with the U.S. Customs Service to obtain representative average weights of entries of fresh tomatoes from Mexico.

In the event that a signatory producer/exporter intends to export subject merchandise to the United States in a box for which there is no average weight on the chart, the signatory producer/exporter shall notify the Department in writing no later than 45 days prior to the date of the first export of such boxes to the United States.

4. In order to establish the "reference price declaration" as a condition of release of subject tomatoes beyond the Customs port of entry and to provide for the inclusion of additional information in the "reference price declaration," the parties amend section IV.C.1. of the Agreement ("Shipping and Other Arrangements") to read as follows:

On or after August 1, 1998, the United States shall require presentation of a declaration from the signatory producer/exporter, stating that the entry conforms with the requirement that the merchandise has been or will be sold at or above the reference price, as a condition of release into the United States of fresh tomatoes subject to this Agreement. The declaration presented to the U.S. Customs Service must be an original, dated, sequentially-numbered document signed by the signatory and shall include the signatory identification number, the brand label on the tomatoes, and the identity of the U.S. receiver. Copies of the declaration must be maintained by both the signatory and the U.S. importer to permit verification by the Department. The United States will prohibit the release into the United States of any fresh tomatoes produced by a signatory not accompanied by such a declaration.

5. In order to improve the monitoring of compliance with the Agreement by all parties, the parties amend the Agreement to add the following sentence after the first sentence of section IV.E.1. of the Agreement:

In addition, the Department may notify the potential inconsistency to any producer/exporter trade organization composed of the signatory parties to this Agreement.

6. Unless otherwise provided, the terms of this amendment must be implemented not later than the fifteenth day following signature by the producers/exporters and by the Department of Commerce.

The Parties agree that these amendments constitute an integral part of the Agreement.

Dated: August 6, 1998.

For U.S. Department of Commerce.

Robert S. LaRussa,

*Assistant Secretary for Import Administration.*

	Date
For Agrovisa ABC:	
Alejandro Canelos: .....	6/30/98
For Conrado Gonzalez Sandaval Y Copropiedad:	
Conrado Gonzalez: .....	7/23/98
For Rancho Santa Rosa:	
Daniel Gonzalez: .....	7/8/98
For members of the Confederacion de Asociaciones Agricolas del Estado (CAADES):	
Diego Ley: .....	6/30/98
For Rancho Camino Real S. de R.L. de C.V.:	
Diego Rojas Guevara: .....	7/30/98
For Vizcaino Agrícola S.A. de C.V.:	
Ernesto Echavarria .....	6/30/98
For Rancho Seco:	
Felipe Ruiz Esparza A. ....	7/30/98
For Rancho Santa Lucia:	
Fernando A. Aragon .....	7/9/98
For DBA Dos Amigos:	
Fortino Heredia Villegas .....	7/4/98
For Productora Agrícola Industrial del Noroeste, S.A.:	
Francisco J. Conejo C. ....	7/29/98
On behalf of: Antonio Rodriguez, Benjamin Rodriguez, Carlos Rodriguez, Victor Rodriguez	
For S.P.R. Campesinos de Lopez Rayon San Vicente de R.I.:	
Genaro Urquidez Ruiz .....	7/8/98
For Soc. de Prod. Rural de R.L. Maciel Romero, S.P.R. de R.L.:	
Gerardo Maciel .....	7/8/98
For Everardo Ramon Olmos Asencio	
Gilberto Olmos .....	7/10/98
For Agrícola Yory:	
Hernan Galvez .....	6/30/98
For Rancho Nuevo Produce S.A. de C.V.:	
Hugo Belerra .....	7/30/98
For DBA, Punta Colonet, San Telmo S. de P.R. de R.I.:	
Jose Martinez Lozano .....	7/4/98
For Maria Trinidad Mesta Gonzalez:	
Manuel Ybarguen .....	7/29/98
For Rancho San Marcos:	
Marcos Marron .....	8/4/98
For Members of the Confederacion Nacional de Productores de Hortalizas (C.N.P.H.):	
Mario Robles .....	6/30/98
For Rancho San Miguel:	
Miguel A. Garcia A. ....	7/8/98
For Sociedad Agrícola Bella Vista:	
Ramon Silva .....	7/31/98
For Agrícola La Campana:	

	Date		Date		Date
Ricardo Castaneda .....	7/28/98	For Agricola San Simon S.A. de		On behalf of: Victor	
For Agrovinda, S. de R.L. de C.V.:		C.V.:		Rodriguez	7/29/98
Roberto Rojas Guevara .....	7/30/98	Francisco J. Conejo C.			

### Amendment Appendix A

#### CHART OF AVERAGE WEIGHTS SUSPENSION AGREEMENT ON FRESH TOMATOES FROM MEXICO

Type	Layers	Size	Avg kg Weight	Avg lb Weight*	July 1–October 22 \$.172/lb Reference Price	October 23–June 30 \$.2108/lb Reference Price
Tomato (cherry) .....		12 Baskets .....	6.32	13.93	\$2.40	\$2.94
Tomato (cherry) .....	Bulk .....	Bulk .....	8.13	17.92	3.08	3.78
Tomato (roma) .....	Bulk .....	UC 82** .....	11.69	25.77	4.43	5.43
Tomato .....	2 .....	4x4 .....	10.78	23.77	4.09	5.01
Tomato .....	2 .....	4x5 .....	10.81	23.83	4.10	5.02
Tomato .....	2 .....	5x5 .....	10.43	22.99	3.96	4.85
Tomato .....	2 .....	5x6 .....	9.71	21.41	3.68	4.51
Tomato .....	3 .....	6x6 .....	13.33	29.39	5.05	6.19
Tomato .....	3 .....	6x7 .....	12.92	28.48	4.90	6.00
Tomato .....	Bulk .....	LRG 25 lbs .....	12.15	26.79	4.61	5.65
Tomato (20/Box) .....	Bulk .....	Sml. Ctn. ....	5.57	12.28	2.11	2.59
Tomato (1 Layer) .....	1 .....	Long Box .....	7.41	16.34	2.81	3.44
Tomato (Green) 20# ..	Bulk .....	Small .....	8.16	17.99	3.09	3.79
Tomato .....	1 .....	4x5 .....	5.12	11.29	1.94	2.38
Tomato .....	1 .....	5x5 .....	4.99	11.00	1.89	2.32
Tomato (30/Box) .....	1 .....	Clusters .....	4.70	10.36	1.78	2.18

\*Conversion factor from kg to lb based on 1 kg=2.20462 lbs

\*\*Also applicable to 4/7 bushel cartons.

[FR Doc. 98–21930 Filed 8–13–98; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Export Trade Certificate of Review

**ACTION:** Notice of Application To Amend Certificate.

**SUMMARY:** The Office of Export Trading Company Affairs (“OETCA”), International Trade Administration, Department of Commerce, has received an application to amend an Export Trade Certificate of Review (“Certificate”). This notice summarizes the proposed amendment and requests comments relevant to whether the Certificate should be issued.

**FOR FURTHER INFORMATION CONTACT:** Morton Schnabel, Director, Office of Export Trading Company Affairs, International Trade Administration, (202) 482–5131. This is not a toll-free number.

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001–21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from state and federal

government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Export Trading Company Act of 1982 and 15 CFR 325.6(a) require the Secretary to publish a notice in the **Federal Register** identifying the applicant and summarizing its proposed export conduct.

#### Request for Public Comments

Interested parties may submit written comments relevant to the determination whether an amended Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked privileged or confidential business information will be deemed to be nonconfidential. An original and five copies, plus two copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Office of Export Trading Company Affairs, International Trade Administration, Department of Commerce, Room 1800H, Washington D.C. 20230. Information submitted by any person is exempt from disclosure under the Freedom of Information Act

(5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the certificate. Comments should refer to this application as “Export Trade Certificate of Review, application number 97–2A003.”

The Association for the Administration of Rice Quotas, Inc. (“AARQ”) original Certificate was issued on January 21, 1998 (63 FR 4220, January 28, 1998), and previously amended on June 4, 1998 (63 FR 31738, June 10, 1998). A summary of the application for an amendment follows.

#### Summary of the Application

**Applicant:** The Association for the Administration of Rice Quotas, Inc. (“AARQ”), c/o Thomas Ferrara, AC Humko Rice Specialties, 7171 Goodlett Farms Parkway, Memphis, TN 38018–4909.

**Contact:** M. Jean Anderson, Esquire, Telephone: (202) 682–7217.

**Application No.:** 97–2A003.

**Date Deemed Submitted:** August 4, 1998.

**Proposed Amendment:** AARQ seeks to amend its Certificate to add the