DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–808]

Stainless Steel Wire Rod from India: Extension of Time Limit of Preliminary Results of Antidumping Duty Administrative Review

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

ACTION: Notice of Extension of Time Limit of the Preliminary Results of Antidumping Duty Administrative Review.

SUMMARY: The Department of Commerce (''the Department'') is extending the time limits of the preliminary results of the antidumping duty administrative review of stainless steel wire rod (''SSWR'') from India. This review covers the period December 1, 2000 through November 30, 2001.

EFFECTIVE DATE: November 13, 2002.

FOR FURTHER INFORMATION CONTACT: Stephen Bailey, AD/CVD Enforcement Group III, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482–1102.

SUPPLEMENTARY INFORMATION:

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (''Act''), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act. In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations codified at 19 C.F.R. Part 351 (2001).

Background

On January 29, 2002, we published a notice of initiation of a review of SSWR from India covering the period December 1, 2000 through November 30, 2001. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* January 22, 2002 (67 FR 4236). On July 9, 2002, we published a notice of extension of the preliminary results of administrative review from September 2, 2002, to November 1, 2002. *See Stainless Steel Wire Rod from India: Extension of Time Limit of Preliminary Results of Antidumping Duty Administrative Review,* July 9, 2002 (67 FR 45481) (''*Preliminary Extension Notice*''). Additionally, on September 17, 2002, we published a notice of extension of the preliminary results of administrative review from November 1, 2002, to December 1, 2002. *See Stainless Steel Wire Rod from India: Extension of Time Limit of Preliminary Results of Antidumping Duty Administrative Review*, September 17, 2002 (67 FR 58585).

Extension Of Time Limit Of Preliminary Results

Section 751(a)(3)(A) of the Act states that if it is not practicable to complete the review within the time specified, the administering authority may extend the 245–day period to issue its preliminary results by 120 days. Because the Department has already extended these preliminary results only 90 days, we are allowed to further extend the preliminary results an additional 30 days. Completion of the preliminary results of this review within the 305–day period is not practicable for the following reasons, which were also cited in the *Preliminary Extension Notice*:

• The review involves four companies, a large number of transactions and complex adjustments.

• All companies include sales and cost investigations which require the Department to gather and analyze a significant amount of information pertaining to each company's sales practices, manufacturing costs and corporate relationships.

• Additionally, responses from three of the four companies required the Department to issue multiple supplemental questionnaires which further delayed the planned verification schedules.

• The planned verification for one of the companies was delayed due to the Department having to issue additional supplemental questionnaires.

Therefore, in accordance with section 751(a)(3)(A) of the Act, we are extending the time period for issuing the preliminary results of review by 30 days until December 31, 2002. The final results continue to be due 120 days after the publication of the preliminary results.

Dated: November 11, 2002.

Joseph A. Spetrini,

Deputy Assistant Secretary for Import Administration, Group III.

[FR Doc. 02–28818 Filed 11–12–02; 8:45 am]

BILLING CODE 3510–DS–S

DEPARTMENT OF COMMERCE

International Trade Administration

University of Vermont; Notice of Decision on Application for Duty-Free Entry of Scientific Instrument

This decision is made pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 AM and 5 PM in Suite 4100W, U.S. Department of Commerce, Franklin Court Building, 1099 14th Street, NW, Washington, DC.

Docket Number: 02–033. *Applicant:* University of Vermont, Burlington, VT 05405. *Instrument:* High Speed CCD Camera, Model CPL MS1000. *Manufacturer:* Canadian Photonic Labs, Canada. *Intended Use:* See notice at 67 FR 52944, August 14, 2002.

Comments: None received. *Decision:* Application denied. Instruments or apparatus of equivalent scientific value to the foreign instrument, for such purposes as this instrument is intended to be used, are being manufactured in the United States. *Reasons:* Pursuant to 15 CFR 301.5(d)(1)(iii) duty-free entry is predicated upon a finding by the Director with respect to ''* * * whether an instrument or apparatus of equivalent scientific value to such article, for the purposes for which the article is intended to be used, is being manufactured in the United States.'' Furthermore, 15 CFR 301.5(d)(1)(i) stipulates that ''The determination of scientific equivalency shall be based on a comparison of the pertinent specifications of the foreign instrument with similar pertinent specifications of comparable domestic instruments.'' As defined by 15 CFR 301.2(s):

Pertinent specifications are those specifications necessary for the accomplishment of the specific scientific research or science-related educational purposes described by the applicant. Specifications of features (even if guaranteed) which afford greater convenience, satisfy personal preferences, accommodate institutional commitments or limitations, or assure lower costs of acquisition, installation, operation, servicing or maintenance are not pertinent.

The applicant states that it conducted a thorough search for potential vendors of high-speed CCD imaging systems and contacted relevant manufacturers. The applicant claims that ''It was during this phase that it was realized that many of the products on the market—domestic or otherwise—were (1) unnecessarily

advanced and (2) prohibitively expensive for our needs.'' The applicant then claims, with respect to the foreign article, that ''* * * the other products were unacceptable for the reasons (1) and/or (2).'' The applicant also states that ''The domestic products encountered during the searching were unnecessarily advanced; they were ''overkill'' for the intended types of applications planned.''

The applicant cites only one pertinent specification respecting its requirements; namely a ''high speed'' CCD camera, pointing out that ''Cost rises dramatically with the speed, and the domestic instruments encountered during product searching were designed for frame speeds that were unnecessarily high for the applications being planned. Consequently their costs were prohibitive.'' Notwithstanding design considerations, it is common industry practice to make frame and shutter speeds adjustable, as the foreign manufacturer does, so that most domestic cameras should be operable at slower rates if required. The applicant fails to specify any rate or advance any argument to the contrary.

The regulations explicitly disallow matters of cost, convenience or institutional limitations as pertinent considerations in determining eligibility for duty exemption. Furthermore, a domestic instrument whose performance specifications are superior to those of the foreign instrument is considered ''scientifically equivalent.'' Pursuant to CFR 15 301.5 (d)(1)(i) the necessary condition for duty exemption is that ''* * * the Director finds that the foreign instrument possesses one or more pertinent specifications not possessed by the domestic instrument * * *''. The application has failed to cite any such specification.

Furthermore, 15 CFR 301.5(e)(7) provides, in part, as follows:

Information provided in a resubmission that * * * contradicts or conflicts with information provided in a prior submission, or is not a reasonable extension of the information contained in the prior submission, shall not be considered in making the decision on an application that has been resubmitted. Accordingly, an applicant may elect to reinforce an original submission by elaborating in the resubmission on the description of the purposes contained in a prior submission and may supply additional examples, documentation and/or other clarifying detail, *but the applicant shall not introduce new purposes or other material changes in the nature of the original application.* (Emphasis supplied.)

Consequently, in view of the applicant's own determination, cited above, that equivalent domestic instruments were ''prohibitively expensive'' and by its failure to specify a pertinent feature possessed by the foreign and not by domestic instruments, we conclude that a resubmission cannot establish, without introducing conflicting information or impermissible new purposes, that a scientifically equivalent domestic instrument is not available. Therefore, the application is denied.

Gerald A. Zerdy,

Program Manager, Statutory Import Programs Staff.

[FR Doc. 02–28817 Filed 11–12–02; 8:45 am]

BILLING CODE 3510–DS–P

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjustment of Import Limits for Certain Cotton and Man-Made Fiber Textile Products Produced or Manufactured in Bangladesh

November 6, 2002.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs adjusting limits.

EFFECTIVE DATE: November 14, 2002.

FOR FURTHER INFORMATION CONTACT: Ross Arnold, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port, call (202) 927–5850, or refer to the U.S. Customs website at http://www.customs.gov. For information on embargoes and quota re-openings, refer to the Office of Textiles and Apparel website at http://otexa.ita.doc.gov.

SUPPLEMENTARY INFORMATION:

Authority: Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Executive Order 11651 of March 3, 1972, as amended.

The current limits for certain categories are being adjusted for swing and special shift.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 66 FR 65178, published on December 18, 2001). Also see 66 FR 59409, published on November 28, 2001.

James C. Leonard III,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

November 6, 2002.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229.

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on November 21, 2001, by the Chairman, Committee for the Implementation of Textile Agreements. That directive concerns imports of certain cotton and man-made fiber textile products, produced or manufactured in Bangladesh and exported during the twelve-month period which began on January 1, 2002 and extends through December 31, 2002.

Effective on November 14, 2002, you are directed to adjust the limits for the following categories, as provided for under the Uruguay Round Agreement on Textiles and Clothing:

Category	Adjusted twelve-month limit [1]
334	257,322 dozen.
335	353,041 dozen.
336/636	740,510 dozen.
363	45,979,859 numbers.
369–S [2]	2,883,230 kilograms.
645/646	651,142 dozen.

[1] The limits have not been adjusted to account for any imports exported after December 31, 2001.

[2] Category 369–S: only HTS number 6307.10.2005.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception of the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

James C. Leonard III,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc.02–28767 Filed 11–12–02; 8:45 am]

BILLING CODE 3510–DR–S

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjustment of Import Limits for Certain Cotton and Man-Made Fiber Textile Products Produced or Manufactured in the Philippines

November 6, 2002.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs adjusting limits.