

address number 1 listed above, and at the U.S. Department of Commerce Export Assistance Center, 350 S. Figueroa Street, Suite 509, Los Angeles, California 90071.

Dated: November 26, 2002.

**Dennis Puccinelli,**

*Executive Secretary.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-809]

#### **Certain Forged Stainless Steel Flanges from India: Rescission, in Part, of Antidumping Duty Administrative Review**

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

**SUMMARY:** On February 28, 2002, the Coalition Against Indian Flanges ("petitioners") requested an administrative review of Bhansali Ferromet Pvt. Ltd., Echjay Forgings Limited ("Isibars"), Panchmahal Steel, Ltd., Patheja Forgings and Auto Parts, Ltd., and Viraj Forgings, Ltd. The Department initiated the review on March 27, 2002 (*see Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocations in Part*, 67 FR 14696 (March 27, 2002)). On November 1, 2002, the Department circulated among interested parties an issues and decision memorandum for the intent to rescind the administrative review for Isibars. *See Memorandum for the File From Michael Ferrier Through Richard Weible: Issues and Decision Memorandum for the Intent to Rescind the Antidumping Duty Administrative Review of Certain Forged Stainless Steel Flanges from India for Isibars, Limited ("Isibars")* (November 1, 2002) ("*Isibars Memo*") (public document, on file in the Department's Central Records Unit in Room B-099). We invited interested parties to comment on the Department's intent to rescind the review with respect to Isibars and did not receive any comments. Therefore, we are rescinding this administrative review with respect to Isibars.

**EFFECTIVE DATE:** December 6, 2002.

**FOR FURTHER INFORMATION CONTACT:** Michael Ferrier, Enforcement Group III, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW.,

Room 7866, Washington, DC 20230; telephone (202) 482-1394.

#### **The Applicable Statute**

Unless otherwise indicated, all citations are to the provisions of the Tariff Act of 1930, as amended (the Act). In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations at 19 CFR part 351 (2002).

#### **Scope of the Review**

The products under review are certain forged stainless steel flanges, both finished and not finished, generally manufactured to specification ASTM A-182, and made in alloys such as 304, 304L, 316, and 316L. The scope includes five general types of stainless steel flanges. They are weld-neck, used for butt-weld line connection; threaded, used for threaded line connections; slip-on and lap joint, used with stub-ends/butt-weld line connections; socket weld, used to fit pipe into a machined recession; and blind, used to seal off a line. The sizes of the flanges within the scope range generally from one to six inches; however, all sizes of the above-described merchandise are included in the scope. Specifically excluded from the scope of this order are cast stainless steel flanges. Cast stainless steel flanges generally are manufactured to specification ASTM A-351. The flanges subject to this order are currently classifiable under subheadings 7307.21.1000 and 7307.21.5000 of the Harmonized Tariff Schedule (HTS). Although the HTS subheadings are provided for convenience and customs purposes, the written description of the merchandise under review is dispositive of whether or not the merchandise is covered by the review.

#### **Background**

On February 28, 2002, petitioners requested an administrative review of the six companies, including Isibars. The period of review is February 01, 2001 through January 31, 2002. On April 20, 2002, the Department issued the antidumping questionnaire. On May 28, 2002, Isibars submitted its section A response to the Department's questionnaire. On June 4, 2002 the Department issued its section A supplemental questionnaire. On July 3, 2002, Isibars submitted its response to the section A supplemental questionnaire. On August 12, 2002, Isibars submitted revised versions of its sections A and C responses to the Department's original antidumping questionnaire. On August 15, 2002, the respondent submitted section D of the Department's questionnaire. On

September 10, 2002, and September 17, 2002, the Department issued sections C and D supplemental questionnaires, respectively. On September 24, 2002, Isibars submitted its response to the Department's supplemental C questionnaire. On October 8, 2002, Isibars submitted its supplemental section D response. On November 1, 2002, the Department issued an issues and decision memorandum stating our intent to rescind the administrative review for Isibars. The Department circulated this memorandum among interested parties and received no comments.

#### **Rescission, in Part, of Antidumping Administrative Review**

Pursuant to 19 CFR 351.213(d)(3), the Department may rescind an administrative review, in whole or only with respect to a particular exporter or producer, if the Secretary concludes that, during the period of review, there were no entries, exports, or sales of subject merchandise. On November 1, 2002, the Department issued an issues and decision memorandum stating our intent to rescind the administrative review for Isibars in light of the information on the record that Isibars did not sell, ship, or enter the subject merchandise during the period of review ("POR").

In our memorandum, the Department noted that since Isibars only produces the billet, and does not forge the billet into a flange, Isibars is not the producer of the subject merchandise. Additionally, Isibars stated on the record of this proceeding that it did not negotiate and fix the price of the subject merchandise with the U.S. customer. We concluded that Isibars was not an exporter of the subject merchandise during the POR. U.S. Customs data confirmed that Isibars did not have any entries of forged stainless steel flanges during the POR to the United States. In our memorandum, we recommended rescinding this administrative review with respect to Isibars since there were no sales, entries, or exports of the subject merchandise by Isibars, in accordance with section 351.213 (d)(3) of the Department's regulations. For a more detailed discussion of these points, *see Isibars Memo*. Since the Department has not received any comments regarding the rescission of the administrative review for Isibars, the Department is adopting the position set forth in the *Isibars Memo* and rescinds the administrative review of the antidumping order on certain forged stainless steel flanges with respect to Isibars for the period February 1, 2001 through January 31, 2002. The

Department will issue appropriate instructions to Customs.

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

Dated: November 27, 2002.

**Faryar Shirzad,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-848]

#### Final Results of Expedited Sunset Review: Freshwater Crawfish Tail Meat From the People's Republic of China

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

**ACTION:** Notice of Final Results of Expedited Sunset Review: Freshwater Crawfish Tail Meat From the People's Republic of China.

**SUMMARY:** On August 2, 2002, the Department of Commerce ("the Department") published the notice of initiation of a five-year sunset review of the antidumping duty order on freshwater crawfish tail meat from the People's Republic of China ("PRC"), pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act").<sup>1</sup> On the basis of a notice of intent to participate and adequate substantive comments filed on behalf of domestic interested parties, and inadequate response (in this case no response) from respondent interested parties, the Department determined to conduct an expedited sunset review of this antidumping duty order. As a result of this review, the Department finds that revocation of the antidumping order would be likely to lead to continuation or recurrence of dumping at the levels indicated in the "Final Results of Review" section of this notice.

**EFFECTIVE DATE:** December 6, 2002.

**FOR FURTHER INFORMATION CONTACT:**

Amir R. Eftekhari or James P. Maeder, Jr., Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-5331 or (202) 482-3330.

<sup>1</sup> Notice of Initiation of Five Year "Sunset" Review of Antidumping Duty Order on Freshwater Crawfish Tail Meat from the People's Republic of China, 67 FR 50420 (August 2, 2002).

#### SUPPLEMENTARY INFORMATION:

##### Statute and Regulations

This review is conducted pursuant to sections 751(c) and 752 of the Act. The Department's procedures for the conduct of sunset reviews are set forth in Procedures for Conducting Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders, 63 FR 13516 (March 20, 1998) ("Sunset Regulations") and in 19 CFR part 351 (2002) in general. Guidance on methodological or analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department's Policy Bulletin 98:3 Policies Regarding the Conduct of Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin, 63 FR 18871 (April 16, 1998) ("Sunset Policy Bulletin").

##### Scope of Review

The product covered by this review 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 investigation and 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 (HTSUS) under HTSUS subheading 0306.19.00.10 and 0306.29.00.00. The HTSUS subheadings are provided for convenience and Customs purposes only. The written description of the scope of this proceeding is dispositive.

##### Background

On August 2, 2002, the Department published the notice of initiation of the five-year sunset review of the antidumping duty order on freshwater crawfish tail meat from the PRC in accordance with section 751(c) of the Act.<sup>2</sup> On August 16, 2002, the Department received a Notice of Intent to Participate on behalf of the Crawfish Processors Alliance ("CPA") and its members; the Louisiana Department of Agriculture and Forestry ("LDAF"); Bob Odom, Commissioner; and the Domestic Parties<sup>3</sup> (collectively, "the domestic

<sup>2</sup> Notice of Initiation of Five Year "Sunset" Review of Antidumping Duty Order on Freshwater Crawfish Tail Meat from the People's Republic of China, 67 FR 50420 (August 2, 2002).

<sup>3</sup> The "Domestic Parties" are an ad hoc association comprising the CPA, LDAF,

interested parties") as specified in section 351.218(d)(1)(i) of the Sunset Regulations.

On September 3, 2002, the Department received a complete substantive response from the domestic interested parties, as specified in the Sunset Regulations under section 351.218(d)(3)(i).

The Department did not receive a substantive response from any respondent interested party in this proceeding. Consequently, pursuant to section 751(c)(3)(B) of the Act, and 19 CFR 351.218(e)(1)(ii)(C), the Department conducted an expedited (120-day) sunset review of this order.

##### Analysis of Comments Received

All issues raised by the domestic interested parties to this sunset review are addressed in the Issues and Decision Memorandum ("Decision Memorandum") from Jeffrey A. May, Director, Office of Policy, Import Administration, to Faryar Shirzad, Assistant Secretary for Import Administration, dated November 29, 2002, which is adopted by this notice. The issues discussed in the Decision Memorandum include the likelihood of continuation or recurrence of dumping and the magnitude of the margin likely to prevail were the order revoked. Parties can find a complete discussion of all issues raised in this sunset review and the corresponding recommendations in this public memorandum which is on file in the Central Records Unit, room B-099, of the Department's main building.

In addition, a complete version of the Decision Memorandum can be accessed directly on the internet at <http://ia.ita.doc.gov/frn>, under the heading "November 2002." The paper copy and electronic version of the Decision Memorandum are identical in content.

##### Final Results of Review

We determine that revocation of the antidumping duty order would likely lead to continuation or recurrence of dumping at the following percentage weighted-average margins:

Commissioner Odom, and each of the individual members of the CPA listed in Exhibit A of the Petitioner's Substantive Response dated September 2, 2002. The Domestic Parties are "an association, a majority of whose members is composed of interested parties described in subparagraph (C), (D), or (E) of {19 U.S.C. 1677(9)}[771(9)(C)(D)(E) of the Act] with respect to the domestic like product,' and are an interested party under 19 U.S.C. 1677(9) [771(9)(F) of the Act]."