

date of this addition or options that may be exercised under those contracts.

G. John Heyer,
General Counsel.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-122-845, A-122-847]

Notice of Postponement of Preliminary Antidumping Duty Determinations: Certain Durum Wheat and Hard Red Spring Wheat from Canada

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

SUMMARY: The Department of Commerce is extending the time limit for the preliminary determinations in the antidumping duty investigations on certain durum wheat and hard red spring wheat from Canada from March 12, 2003 until no later than May 1, 2003. This extension is made pursuant to section 733(c)(1)(B) of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act.

EFFECTIVE DATE: January 31, 2003.

FOR FURTHER INFORMATION CONTACT: Jarrod Goldfeder at (202) 482-0189 or Cole Kyle at (202) 482-1503, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

Postponement of Preliminary Determinations

On October 29, 2002, the Department of Commerce ("the Department") published the initiation of the antidumping duty investigations of imports of certain durum wheat and hard red spring wheat from Canada (*see Notice of Initiation of Antidumping Duty Investigations: Certain Durum Wheat and Hard Red Spring Wheat from Canada*, 67 FR 65947 (October 29, 2002) ("Initiation Notice"). The *Initiation Notice* stated that we would make our preliminary determinations for these antidumping duty investigations no later than March 12, 2003, 140 days after the date of issuance of the initiation.

Pursuant to section 733(c)(1)(B) of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act ("the Act"), the Department can extend the period for reaching a preliminary determination until no later than the 190th day after the date on which the

administrating authority initiates an investigation if:

(B) the administrating authority concludes that the parties concerned are cooperating and determines that

(i) the case is extraordinarily complicated by reason of

(I) the number and complexity of the transactions to be investigated or adjustments to be considered,

(II) the novelty of the issues presented, or

(III) the number of firms whose activities must be investigated, and (ii) additional time is necessary to make the preliminary determination.

Regarding the first requirement, we find that all concerned parties are cooperating in each case.

Regarding the second requirement, we find that these cases are extraordinarily complicated because of the novelty of the issues presented. Specifically, the Department requires additional time to examine all relevant facts pertaining to whether a particular market exists in the Canadian market in accordance with section 773(a)(1)(C)(iii) of the Act. Furthermore, once we have determined the appropriate comparison market for these investigations, we need adequate time to gather and analyze the appropriate sales data from the respondent.

Pursuant to section 733(c)(1)(B) of the Act, we have determined that these cases are extraordinarily complicated and that additional time is necessary to make our preliminary determinations. Therefore, we are postponing the preliminary determinations until no later than May 1, 2003.

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

Dated: January 24, 2003.

Faryar Shirzad,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-552-801]

Notice of Preliminary Determination of Sales at Less Than Fair Value, Affirmative Preliminary Determination of Critical Circumstances and Postponement of Final Determination: Certain Frozen Fish Fillets From the Socialist Republic of Vietnam

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

EFFECTIVE DATE: January 31, 2003.

FOR FURTHER INFORMATION CONTACT: Alex Villanueva, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-3208.

Preliminary Determination

We preliminarily determine that certain frozen fish fillets from the Socialist Republic of Vietnam are being, or are likely to be, sold in the United States at less than fair value ("LTFV"), as provided in section 733 of the Tariff Act of 1930, as amended ("the Act"). The estimated margins of sales at LTFV are shown in the "Suspension of Liquidation" section of this notice.

Case History

On June 28, 2002, the Department of Commerce ("Department") received a petition on imports of certain frozen fish fillets from the Socialist Republic of Vietnam ("Vietnam") filed in proper form by Catfish Farmers of America ("CFA") and the individual U.S. catfish processors America's Catch Inc.; Consolidated Catfish Co., L.L.C.; Delta Pride Catfish, Inc.; Harvest Select Catfish, Inc.; Heartland Catfish Company; Pride of the Pond; Simmons Farm Raised Catfish, Inc.; and Southern Pride Catfish Co., Inc., hereinafter referred to collectively as "the petitioners." This investigation was initiated on July 18, 2002. *See Notice of Initiation of Antidumping Duty Investigation: Certain Frozen Fish Fillets from the Socialist Republic of Vietnam* ("Notice of Initiation"), 67 FR 48437 (July 24, 2002). The Department initiated the investigation using both a market economy and non-market economy analysis. For a further discussion of Vietnam's market analysis, please see the "Non Market Economy Country Status" section below. The Department set aside a period for all interested parties to raise issues regarding product coverage. *See Notice of Initiation* at 48437-38. We received comments regarding product coverage from interested parties. For a detailed discussion of the comments regarding the scope of the merchandise under investigation, please see the "Scope of the Investigation" section below.

On August 8, 2002, the United States International Trade Commission ("ITC") issued its affirmative preliminary determination that there is a reasonable indication that an industry in the United States is threatened with material injury by reason of imports from Vietnam of certain frozen fish fillets, which was published in the