

products with odors distinct from those that may emanate from pencils made without the scent infusion. The petitioners indicated that the exclusion of the above-described pencils from the order should be narrowly drawn and not encompass pencils manufactured from recycled paper products without the scent infusion or with odors infused by means not covered by the Patent.

#### Scope of the Order

Imports covered by this order are shipments of certain cased pencils of any shape or dimension which are writing and/or drawing instruments that feature cores of graphite or other materials, encased in wood and/or man-made materials, whether or not decorated and whether or not tipped (e.g., with erasers, etc.) in any fashion, and either sharpened or unsharpened. The pencils subject to the order are classified under subheading 9609.10.00 of the Harmonized Tariff Schedules of the United States (HTSUS). Specifically excluded from the scope of the order are mechanical pencils, cosmetic pencils, pens, non-cased crayons (wax), pastels, charcoals, and chalks. Although the HTSUS subheading is provided for convenience and for U.S. Customs Service (Customs) purposes, our written description of the scope of the order is dispositive.

#### Initiation and Preliminary Results of Changed Circumstances AD Administrative Review, and Intent To Revoke in Part

Section 751(d)(1) of the Act and section 351.222 (g) of the Department's regulations provide that the Department may revoke an AD or countervailing duty order, in whole or in part, after conducting a changed circumstances review and concluding from the available information that changed circumstances sufficient to warrant revocation or termination exist. The Department may conclude that changed circumstances sufficient to warrant revocation (in whole or in part) exist when producers accounting for substantially all of the production of the domestic like product to which the order pertains have expressed a lack of interest in the order, in whole or in part. See section 782(h) of the Act and section 351.222 (g)(1) of the Department's regulations. Based on an affirmative statement by domestic producers of the like product, we find that no interest exists in continuing the AD order with respect to the pencils described above in the "Background," section. Therefore, we are hereby notifying the public of our preliminary intent to revoke, in part, the AD order

on certain cased pencils from the PRC with respect to imports of pencils that meet the above-mentioned description. We intend to modify the scope of the AD order to read as follows:

Imports covered by this order are shipments of certain cased pencils of any shape or dimension which are writing and/or drawing instruments that feature cores of graphite or other materials, encased in wood and/or man-made materials, whether or not decorated and whether or not tipped (e.g., with erasers, etc.) in any fashion, and either sharpened or unsharpened. The pencils subject to the order are classified under subheading 9609.10.00 of the Harmonized Tariff Schedules of the United States (HTSUS). Specifically excluded from the scope of the order are mechanical pencils, cosmetic pencils, pens, non-cased crayons (wax), pastels, charcoals, chalks, and pencils produced under U.S. patent number 6,217,242, from paper infused with scents by the means covered in the above-referenced patent, thereby having odors distinct from those that may emanate from pencils lacking the scent infusion.

Although the HTSUS subheading is provided for convenience and customs purposes our written description of the scope of the order is dispositive.

Furthermore, pursuant to section 351.221(c)(3)(ii) of the Department's regulations, because domestic producers have expressed a lack of interest, we determine that expedited action is warranted and have combined the notices of initiation and preliminary results.

If the final partial revocation occurs, we intend to instruct Customs to liquidate, without regard to applicable antidumping duties, all unliquidated entries of pencils that meet the above-noted specifications, and to refund any estimated antidumping duties collected on such merchandise entered, or withdrawn from warehouse, for consumption on or after December 1, 2001 (the first day of the period covered by the most recently initiated administrative review), in accordance with 19 CFR 351.222. We will also instruct Customs to pay interest on such refunds with respect to the subject merchandise entered, or withdrawn from warehouse, for consumption on or after December 1, 2001, in accordance with section 778 of the Act. The current requirement for a cash deposit of estimated antidumping duties on pencils that meet the above-noted specifications will continue unless, and until, we publish a final determination to revoke the order in part.

#### Public Comment

Interested parties are invited to comment on these preliminary results. Case briefs and/or written comments may be submitted by interested parties

not later than 14 days after the date of publication of this notice. Parties who submit argument in this proceeding are requested to submit with the argument (1) a statement of the issue, and (2) a brief summary of the argument. Pursuant to section 351.309(d) of the Department's regulations, rebuttals to written comments, limited to the issues raised in the case briefs, may be filed not later than five days after the deadline for submission of case briefs. Also, interested parties may request a hearing within 10 days of publication of this notice. Any hearing, if requested, will be held no later than two days after the deadline for the submission of rebuttal briefs, or the first workday thereafter. All written comments shall be submitted in accordance with section 351.303 of the Department's regulations and shall be served on all interested parties on the Department's service list. The Department will issue the final results of this review within the time limits established in section 351.216 (e) of its regulations.

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

Dated: February 6, 2003.

**Faryar Shirzad,**

*Assistant Secretary for Import Administration.*

[FR Doc. 03-3591 Filed 2-12-03; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-848]

#### **Freshwater Crawfish Tail Meat From the People's Republic of China: Extension of Time Limit for Final Results of Administrative Antidumping Review**

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

**SUMMARY:** The Department of Commerce (the Department) is extending the time limit of the final results of the administrative review of the antidumping duty order on freshwater crawfish tail meat from the People's Republic of China until no later than April 14, 2003. The period of review is September 1, 2000, through August 31, 2001. This extension is made pursuant to section 751(a)(3)(A) of the Tariff Act of 1930, as amended.

**EFFECTIVE DATE:** February 13, 2003.

**FOR FURTHER INFORMATION CONTACT:** Eli Blum-Page or Maureen Flannery, Import

Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-0197 and (202) 482-3020, respectively.

#### Statutory Time Limits

Section 751(a)(3)(A) of the tariff Act of 1930 (the Act) requires the Department to issue the preliminary results of an administrative review within 245 days after the last day of the anniversary month of an order for which a review is requested, and final results within 120 days after the date on which the preliminary results are published. However, if it is not practicable to complete the review within the prescribed time period, section 751(a)(3)(A) of the Act allows the Department to extend these deadlines to a maximum of 365 and 180 days, respectively.

#### Background

Based on timely requests from petitioner and two respondent companies, the Department initiated an administrative review of the antidumping duty order on freshwater crawfish tail meat from the People's Republic of China, for the period of September 1, 200, through August 31, 2001. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 66 FR 54195 (October 26, 2001).

On May 28, 2002, the Department published an extension of time limits for the preliminary results of this administrative review. See *Notice of Extension of Time Limit of Preliminary Results of Antidumping Duty Administrative Review: Freshwater Crawfish Tail Meat from the People's Republic of China*, 67 FR 36856. Following this extension, the preliminary results were issued on September 30, 2002. See *Freshwater Crawfish Tail Meat from the People's Republic of China: Notice of Preliminary Results of Antidumping Duty Administrative Review*, 67 FR 63877 (October 16, 2002).

#### Extension of Time Limits for Final Results

This case involves complex issues, including affiliation and the application of facts available. As such, the Department finds that is not practicable to complete this review within the time limits mandated by section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1). Therefore, in accordance with sections 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2), the Department is extending the time limit for the

completion of these final results to 180 days from the date of publication of the preliminary results. These final results will now be due no later than April 14, 2003.

This notice is published pursuant to sections 751(a)(1) and 777(i)(1) of the Act.

Dated: February 7, 2003.

**Joseph A. Spetrini,**

*Deputy Assistant Secretary for Import Administration, Group III.*

[FR Doc. 03-3517 Filed 2-12-03; 8:45 am]

**BILLING CODE 3510-DS-Mt**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-201-802]

#### Gray Portland Cement and Clinker From Mexico; Notice of Amended Final Results of Antidumping Duty Administrative Review

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

**ACTION:** Notice of amended final results of antidumping duty administrative review.

**SUMMARY:** On January 14, 2003, the Department of Commerce published the final results of administrative review of the antidumping duty order on gray portland cement and clinker from Mexico. The review covers one manufacturer/exporter, CEMEX, S.A. de C.V., and its affiliate, GCC Cemento, S.A. de C.V. The period of review is August 1, 2000, through July 31, 2001. Based on a correction of a ministerial error, we have changed the assessment rate calculation for CEMEX, S.A. de C.V., and its affiliate, GCC Cemento, S.A. de C.V.

**EFFECTIVE DATE:** February 13, 2003.

**FOR FURTHER INFORMATION CONTACT:** Hermes Pinilla or Brian Ellman, Office of AD/CVD Enforcement 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-3477 or (202) 482-4852, respectively.

**SUPPLEMENTARY INFORMATION:**

#### Background

On January 14, 2003, the Department of Commerce (the Department) published in the **Federal Register** the final results of the administrative review of the antidumping duty order on gray portland cement and clinker from Mexico (68 FR 1816) (*Final Results*).

On January 14, 2003, CEMEX, S.A. de C.V. (CEMEX), and GCC Cemento, S.A. de C.V. (GCCC), alleged that the Department made a ministerial error in calculating the dumping margin for CEMEX and GCCC in the *Final Results* of the 2000/01 administrative review. Specifically, CEMEX and GCCC alleged that the Department inadvertently did not convert the variable for entered value from short tons to metric tons when calculating the assessment rate. CEMEX and GCCC argue that, by not converting the entered-value variable to a metric-ton basis, the assessment-rate calculation overstates the actual assessment rate. The petitioner did not comment on the ministerial-error allegation.

We agree with respondents' assertion that we neglected to convert the entered-value variable from short tons to metric tons in our calculations. Therefore, we have recalculated the assessment rate for CEMEX and GCCC by converting the entered-value variable from short tons to metric tons.

Correction of this ministerial error does not change the weighted-average margin of 73.74 percent that we calculated for the *Final Results*. Making the correction only changes the importer-specific assessment rate. See Analysis Memorandum dated February 3, 2003, for further information.

#### Assessment Rates

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. As amended by this determination and in accordance with 19 CFR 351.212(b), we have calculated an exporter/importer-specific assessment rate value. For the sales in the United States through the respondents' affiliated U.S. parties, we divided the total dumping margin for the reviewed sales by the total entered value of those reviewed sales. We will direct the Customs Service to assess the resulting percentage margin against the entered customs values for the subject merchandise on each of the entries during the review period (see 19 CFR 351.212(a)).

We are issuing and publishing this determination and notice in accordance with sections 751 (h) and 777(i) (1) of the Act.

Dated: February 3, 2003.

**Faryar Shirzad,**

*Assistant Secretary for Import Administration.*

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**BILLING CODE 3510-DS-P**