

### Assessment

The Department shall determine, and the U.S. Bureau of Customs and Border Protection ("BCBP") shall assess, antidumping duties on all appropriate entries. We will issue assessment instructions directly to BCBP within 15 days of publication of these final results of review. In accordance with 19 CFR 351.106(c)(1), we will instruct BCBP to assess antidumping duties on all appropriate entries covered by this review if any importer-specific assessment rate calculated in the final results of this review is above *de minimis* (i.e., less than 0.50 percent). For assessment purposes, we do not have the actual entered value for Indo Evergreen and Zeta because these respondents are not the importers of record for the subject merchandise. Accordingly, we have calculated importer-specific assessment rates by aggregating the dumping margins calculated for all of Indo Evergreen's and Zeta's U.S. sales examined and dividing the respective amounts by the total quantity of the sales examined for each producer. To determine whether the duty assessment rates were *de minimis*, in accordance with the requirement set forth in 19 CFR 351.106(c)(2), we calculated importer-specific *ad valorem* ratios based on export prices.

With regard to Zeta, in accordance with 19 CFR 351.222(f)(3), we will instruct BCBP to proceed with liquidation, without regard to antidumping duties, of all unliquidated entries of certain preserved mushrooms from Indonesia entered, or withdrawn from warehouse, for consumption on or after February 1, 2002. We will further instruct BCBP to refund with interest any estimated duties collected with respect to unliquidated entries of certain preserved mushrooms exported by Zeta.

### Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) the cash deposit rate for Indo Evergreen (Zeta is exempt due to revocation) is less than 0.50 percent, and therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), and therefore the cash deposit rate is 0.00; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3)

if the exporter is not a firm covered in this review, a prior review, or the original less than fair value ("LTFV") investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 11.26 percent, the "All Others" rate made effective by the LTFV investigation. These requirements shall remain in effect until publication of the final results of the next administrative review.

### Notification to Importers

This notice serves as the only reminder to parties subject to the administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return/destruction of APO material or conversion to judicial protective order is hereby requested. Failure to comply with the regulation and the terms of an APO is a sanctionable violation.

This administrative review and notice are published in accordance with sections 751(a)(1) and 751(d)(1) of the Act and 19 CFR 351.221 and 19 CFR 351.222.

Dated: June 23, 2003.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Quarterly Update to Annual Listing of Foreign Government Subsidies on Articles of Cheese Subject to an In-Quota Rate of Duty

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

**ACTION:** Publication of quarterly update to annual listing of foreign government subsidies on articles of cheese subject to an in-quota rate of duty.

**SUMMARY:** The Department of Commerce, in consultation with the Secretary of Agriculture, has prepared its quarterly update to the annual list of foreign government subsidies on articles of cheese subject to an in-quota rate of duty during the period January 1, 2003 through March 31, 2003. We are

publishing the current listing of those subsidies that we have determined exist.

**EFFECTIVE DATE:** July 2, 2003.

#### FOR FURTHER INFORMATION CONTACT:

Alicia Kinsey, Office of AD/CVD Enforcement VI, Group II, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW., Washington, DC 20230, telephone: (202) 482-2786.

**SUPPLEMENTARY INFORMATION:** Section 702 of the Trade Agreements Act of 1979 (as amended) ("the Act") requires the Department of Commerce ("the Department") to determine, in consultation with the Secretary of Agriculture, whether any foreign government is providing a subsidy with respect to any article of cheese subject to an in-quota rate of duty, as defined in section 702(h) of the Act, and to publish an annual list and quarterly updates of the type and amount of those subsidies. We hereby provide the Department's quarterly update of subsidies on articles of cheese that were imported during the period January 1, 2003 through March 31, 2003.

The Department has developed, in consultation with the Secretary of Agriculture, information on subsidies (as defined in section 702(h) of the Act) being provided either directly or indirectly by foreign governments on articles of cheese subject to an in-quota rate of duty. The appendix to this notice lists the country, the subsidy program or programs, and the gross and net amounts of each subsidy for which information is currently available.

The Department will incorporate additional programs which are found to constitute subsidies, and additional information on the subsidy programs listed, as the information is developed.

The Department encourages any person having information on foreign government subsidy programs which benefit articles of cheese subject to an in-quota rate of duty to submit such information in writing to the Assistant Secretary for Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

This determination and notice are in accordance with section 702(a) of the Act.

Dated: June 25, 2003.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

## APPENDIX—SUBSIDY PROGRAMS ON CHEESE SUBJECT TO AN IN-QUOTA RATE OF DUTY

Country	Program(s)	Gross <sup>1</sup> subsidy (\$/lb)	Net <sup>2</sup> subsidy (\$/lb)
Austria .....	European Union Restitution Payments .....	\$0.14	\$0.14
Belgium .....	EU Restitution Payments .....	0.01	0.01
Canada .....	Export Assistance on Certain Types of Cheese .....	0.23	0.23
Denmark .....	EU Restitution Payments .....	0.06	0.06
Finland .....	EU Restitution Payments .....	0.14	0.14
France .....	EU Restitution Payments .....	0.12	0.12
Germany .....	EU Restitution Payments .....	0.05	0.05
Greece .....	EU Restitution Payments .....	0.05	0.05
Ireland .....	EU Restitution Payments .....	0.06	0.06
Italy .....	EU Restitution Payments .....	0.08	0.08
Luxembourg .....	EU Restitution Payments .....	0.07	0.07
Netherlands .....	EU Restitution Payments .....	0.05	0.05
Norway .....	Indirect (Milk) Subsidy .....	0.35	0.35
	Consumer Subsidy .....	0.16	
		0.16	
		0.51	
Portugal .....	EU Restitution Payments .....	0.04	0.04
Spain .....	EU Restitution Payments .....	0.06	0.06
Switzerland .....	Deficiency Payments .....	0.07	0.07
U.K. ....	EU Restitution Payments .....	0.04	0.04

<sup>1</sup> Defined in 19 U.S.C. 1677(5).<sup>2</sup> Defined in 19 U.S.C. 1677(6).

[FR Doc. 03-16731 Filed 7-1-03; 8:45 am]

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**DEPARTMENT OF COMMERCE****International Trade Administration**

[C-533-837]

**Notice of Initiation of Countervailing Duty Investigation: Certain Colored Synthetic Organic Oleoresinous Pigment Dispersions From India**

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

**ACTION:** Initiation of Countervailing Duty Investigation.

**EFFECTIVE DATE:** July 2, 2003.

**FOR FURTHER INFORMATION CONTACT:** Geoffrey Craig at (202) 482-5256 or Stephen Cho at (202) 482-3798, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

**Initiation of Investigation***The Petition*

On June 5, 2003, the Department of Commerce ("the Department") received a petition filed in proper form by Apollo Colors Inc., General Press Colors, Ltd., Magruder Color Company, Inc., and Sun Chemical Corporation (collectively, "the petitioners"). The Department received petition supplements on June 16, June 18, and June 20, 2003.

In accordance with section 702(b)(1) of the Tariff Act of 1930 ("the Act"), as amended, the petitioners allege that manufacturers, producers, or exporters of certain colored synthetic organic oleoresinous pigment dispersions ("colored pigment dispersions") from India receive countervailable subsidies within the meaning of section 701 of the Act, and that such imports from India are materially injuring, or are threatening to materially injure, an industry in the United States.

The Department finds that the petitioners filed this petition on behalf of the domestic industry because they are interested parties as defined in section 771(9)(C) of the Act and they have demonstrated sufficient industry support with respect to the countervailing investigation that they are requesting the Department to initiate. *See infra*, "Determination of Industry Support for the Petition."

*Scope of Investigation*

The products covered by this investigation are colored synthetic organic pigment dispersions containing pigments classified in either the Azo or Phthalocyanine chemical classes that have been dispersed in an oleoresinous varnish comprised of various combinations of solvents, oils and resins. The subject pigment dispersions are commonly known as "flush" or "flushed color," but the base form of the subject pigment dispersions is also included in the scope of this investigation. The subject pigment dispersions are a thick putty or paste

that contain by weight typically 20 percent or more pigment dispersed in the varnish, and are used primarily for the manufacture of letterpress and lithographic printing inks. The presence of additives, such as surfactants, antioxidants, wetting agents, and driers, in the subject pigment dispersions does not exclude them from the scope of this investigation.

Excluded from the scope of this investigation are dry powder pigments and pigment press cakes, as well as water and flammable solvent based colored pigment dispersions, which typically are used in manufacturing liquid or fluid inks. Also excluded is Yellow 75, which is typically used to make the yellow paint to line roads.

The merchandise subject to this investigation is classifiable under subheadings 3204.17.6020 (Pigment Blue 15:4), 3204.17.6085 (Pigments Red 48:1, Red 48:2, Red 48:3, and Yellow 174), 3204.17.9005 (Pigment Blue 15:3), 3204.17.9010 (Pigment Green 7), 3204.17.9015 (Pigment Green 36), 3204.17.9020 (Pigment Red 57:1), 3204.17.9045 (Pigment Yellow 12), 3204.17.9050 (Pigment Yellow 13), 3204.17.9055 (Pigment Yellow 74), and 3204.17.9086<sup>1</sup> (Pigments Red 22, Red 48:4, Red 49:1, Red 49:2, Red 52:1, Red 53:1, Yellow 14, and Yellow 83) of the Harmonized Tariff Schedule of the United States ("HTS"). Although the HTS subheadings are provided for convenience and customs purposes, the

<sup>1</sup> Prior to July 2002, this number was 3204.17.9085.