

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## AGENCY FOR INTERNATIONAL DEVELOPMENT

### Board for International Food and Agricultural Development; Notice of Meeting

Pursuant to the Federal Advisory Committee Act, notice is hereby given of the one hundred and fortieth meeting of the Board for International Food and Agricultural Development (BIFAD). The meeting will be held from 8 a.m. to 1 p.m. on February 5, 2004 in the ground floor meeting room of the National Association of State Universities & Land Grant Colleges (NASULGC), at 1307 New York Avenue, NW., Washington, DC.

The BIFAD will hear a status report regarding revision of the CRSP Guidelines and a report on the status of the Request for Assistance (RFA) to procure the management entity for the next phase of the SANREM and IPM CRSPs. The Board will also be updated on the implementation of the BIFAD Long-Term Training initiative and hear the report from the East African Regional Training Assessment team. Recommendations from the BIFAD-commissioned study on USAID-university relationships will be considered.

The meeting is free and open to the public. Those wishing to attend the meeting or obtain additional information about BIFAD should contact Curtis Nissly, the Designated Federal Officer for BIFAD. Write him in care of the U.S. Agency for International Development, Ronald Reagan Building, Office of Agriculture and Food Security, 1300 Pennsylvania Avenue, NW., Room 2.11-085, Washington, DC, 20523-2110

or telephone him at (202) 712-1064 or fax (202) 216-3010.

**Curtis Nissly,**

*USAID Designated Federal Officer for BIFAD, Office of Agriculture and Food Security, Bureau for Economic Growth, Agriculture and Trade.*

[FR Doc. 04-279 Filed 1-6-04; 8:45 am]

**BILLING CODE 6116-01-P**

## AGENCY FOR INTERNATIONAL DEVELOPMENT

### Bureau for Democracy, Conflict and Humanitarian Assistance, Office of Food for Peace; Announcement of Draft Pub. L. 480 Title II Cooperating Sponsor Results Reports (FY 2003) and Resource Requests (FY 2005)

Pursuant to the Agricultural Trade Development and Assistance Act of 1954 (Pub. L. 480, as amended), notice is hereby given that the Draft Guidelines for Pub. L. 480 Title II Cooperating Sponsor Results Reports and Resource Requests are being made available to interested parties for the required thirty (30) day comment period.

Individuals who wish to receive a copy of these draft guidelines should contact: Office of Food for Peace, Agency for International Development, RRB 7.06-153, 1300 Pennsylvania Avenue, Washington, DC 20523-7600. Individuals who have questions or comments on the draft guidelines should contact P.E. Balakrishnan at the above address, at (202) 712-1368 or [pebalakrishnan@usaid.gov](mailto:pebalakrishnan@usaid.gov).

The thirty-day comment period will begin on the date that this announcement is published in the **Federal Register**.

Dated: December 22, 2003.

**P.E. Balakrishnan,**

*Acting Deputy Director, Office of Food for Peace Bureau for Democracy, Conflict and Humanitarian Assistance.*

[FR Doc. 04-278 Filed 1-6-04; 8:45 am]

**BILLING CODE 6116-01-M**

## DEPARTMENT OF AGRICULTURE

### Forest Service

### Notice of Southwest Idaho Resource Advisory Committee Meeting

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of meeting.

**SUMMARY:** Pursuant to the authorities in the Federal Advisory Committee Act (Pub. L. 92-463) and under the Secure Rural Schools and Community Self-Determination Act of 2000 (Pub. L. 106-393), the Boise and Payette National Forests' Southwest Idaho Resource Advisory Committee will conduct a business meeting. The meeting is open to the public.

**DATES:** Wednesday, January 21, 2004, beginning at 10:30 a.m.

**ADDRESSES:** Idaho Counties Risk Management Program Building, 3100 South Vista Avenue, Boise, Idaho.

**SUPPLEMENTARY INFORMATION:** Agenda topics will include review and approval of project proposals, ratification of the committee chair, and an open public forum.

**FOR FURTHER INFORMATION CONTACT:**

Randy Swick, Designated Federal Officer, at (208) 634-0401 or e-mail [rswick@fs.fed.us](mailto:rswick@fs.fed.us).

Dated: December 30, 2003.

**E. Jane Cropp,**

*Acting Forest Supervisor, Payette National Forest.*

[FR Doc. 04-264 Filed 1-6-04; 8:45 am]

**BILLING CODE 3410-11-M**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-831]

### Fresh Garlic From the People's Republic of China

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

**ACTION:** Notice of initiation of new shipper antidumping duty review: Fresh garlic from the People's Republic of China.

**EFFECTIVE DATE:** January 7, 2004.

**SUMMARY:** In November 2003, the Department of Commerce received two requests to conduct new shipper reviews of the antidumping duty order on fresh garlic from the People's Republic of China. We have determined that one of these requests meets the statutory and regulatory requirements for the initiation of a new shipper review.

**FOR FURTHER INFORMATION CONTACT:**

Brian Ellman or Mino Hatten at (202) 482-4852 and (202) 482-1690, respectively, AD/CVD Enforcement III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:****Background**

The notice announcing the antidumping duty order on fresh garlic from the People's Republic of China (PRC) was published on November 16, 1994. In November 2003, we received two requests to conduct new shipper reviews of the antidumping duty order.

On November 25, 2003, we received a request for a new shipper review from H&T Trading Company of Hong Kong (H&T). On November 26, 2003, we also received a request for a new shipper review from Jinxiang Shanyang Freezing Storage Co., Ltd. (Shanyang).

H&T and Shanyang certified that they exported the subject merchandise on which they based their requests for a new shipper review, but that they did not grow the subject merchandise. Specifically, H&T certified that Shandong Jining Jinshan Textile Co., Ltd. (Jining Jinshan), grew the subject merchandise it exported, and Shanyang certified that Kaifeng Wangtun Fresh Vegetables Factory (Kaifeng) grew the subject merchandise it exported.

On December 16 and December 23, 2003, respectively, Shanyang and H&T resubmitted their requests for new shipper reviews to correct certain deficiencies (e.g., bracketing of public information) that we identified in their submissions and to provide additional documentation pertaining to the U.S. sales for which they requested new shipper reviews.

**Initiation of New Shipper Review****H&T**

The Department of Commerce (the Department) issued a letter to H&T on December 19, 2003, in which it requested additional documentation establishing H&T's entitlement to a new shipper review. In its December 23, 2003, response, H&T included the sales contract pertaining to its transaction with the grower, Jining Jinshan. The sales contract, which was generated prior to the date of H&T's U.S. sale, specifies the ultimate U.S. destination of the merchandise and stipulates that the transaction between Jining Jinshan and H&T will be conducted in U.S. dollars.

Section 772(a) of the Tariff Act of 1930, as amended (the Act) states in part:

The term "export price" means the price at which the subject merchandise is first sold (or agreed to be sold) before the date of importation by the producer or exporter of the subject merchandise outside of the United States to an unaffiliated purchaser in the United States or to an unaffiliated purchaser for exportation to the United States  
\* \* \*

Accordingly, the Department has interpreted section 772(a) of the Act to mean that it is to use the price at which the first party in the chain of distribution who has knowledge of the U.S. destination of the merchandise sells the subject merchandise, either directly to a U.S. purchaser or to an intermediary such as a trading company. The party making such a sale, with knowledge of destination, is the appropriate party to be reviewed. Our focus is on the first party in the chain of distribution with knowledge of the U.S. destination rather than on the first chronological sale of the merchandise. See, e.g., *Fresh Garlic From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review, Partial Rescission of Administrative Review, and Intent To Rescind Administrative Review in Part*, 68 FR 4758, 4759 (January 30, 2003). One exception to this rule is that, in non-market-economy (NME) cases, we do not base export price on internal transactions between two companies located in the NME. See *Fresh Garlic From the People's Republic of China; Final Results of Antidumping Duty Administrative Review and Partial Termination of Administrative Review*, 62 FR 23758, 23759 (May 1, 1997).

Hong Kong companies are treated as market-economy companies (see *Application of U.S. Antidumping and Countervailing Duty Laws to Hong Kong*, 62 FR 42965 (August 11, 1997)). H&T's request for a new shipper review indicates that the company is based in Hong Kong.

Applying these principles, we are not initiating a new shipper review of H&T's sale to its U.S. customer because evidence on the record supports a finding that Jining Jinshan had knowledge of the U.S. destination when it completed its transaction with H&T. Because of its knowledge and the fact that the sale between Jining Jinshan and H&T was the first non-intra-NME sale in the chain of distribution, this sale is the appropriate basis for determining the export price.

The Department did not receive a request for a new shipper review of Jining Jinshan at any point prior to or

during the anniversary month of the publication of the antidumping duty order. See 19 CFR 351.214(d). Therefore, we find that it is not appropriate to conduct a review of the sale at issue at this time and have determined that H&T is ineligible for a new shipper review based on this transaction.

**Shanyang**

Pursuant to 19 CFR 351.214(b)(2)(i), Shanyang certified that it did not export subject merchandise to the United States during the period of investigation (POI). In addition, pursuant to 19 CFR 351.214(b)(2)(ii)(B), Kaifeng, the grower of the garlic exported by Shanyang, provided certifications that it did not export the subject merchandise to the United States during the POI.

Pursuant to 19 CFR 351.214(b)(2)(iii)(A), Shanyang certified that, since the initiation of the investigation, it has never been affiliated with any exporter or producer who exported the subject merchandise to the United States during the POI, including those not individually examined during the investigation. As required by 19 CFR 351.214(b)(2)(iii)(B), Shanyang also certified that its export activities were not controlled by the central government.

In addition to the certifications described above, Shanyang submitted documentation establishing the following: (1) The date on which it first shipped the subject merchandise for export to the United States and the date on which the subject merchandise was first entered, or withdrawn from warehouse, for consumption; (2) the volume of its first shipment and the volume of subsequent shipments; (3) the date of its first sale to an unaffiliated customer in the United States.

Pursuant to section 751(a)(2)(B) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.214(d)(1), we are initiating a new shipper review for shipments of fresh garlic from the PRC grown by Kaifeng and exported by Shanyang.

The period of review is November 1, 2002, through October 31, 2003. See 19 CFR 351.214(g)(1)(i)(A). We intend to issue final results of these reviews no later than 270 days from the date of initiation. See section 751(a)(2)(B)(iv) of the Act.

Shanyang has certified that it exported but did not grow the subject merchandise on which it based its request for a new shipper review (i.e., Kaifeng certified that it grew the subject merchandise exported by Shanyang). Therefore, until completion of the new shipper review, we will instruct U.S. Customs and Border Protection to allow,

at the option of the importer, the posting of a bond or security in lieu of a cash deposit for entries of subject merchandise grown by Kaifeng and exported by Shanyang.

Interested parties that need access to proprietary information in this new shipper review should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).

Dated: December 31, 2003.

**Louis Apple,**

*Acting Deputy Assistant Secretary for Import Administration.*

[FR Doc. 04-332 Filed 1-6-04; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-412-822]

#### **Stainless Steel Bar From the United Kingdom: Preliminary Results of Antidumping Duty Administrative Review**

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

**ACTION:** Notice of preliminary results of antidumping duty administrative review.

**SUMMARY:** In response to timely requests by one manufacturer/exporter and the petitioners,<sup>1</sup> the Department of Commerce is conducting an administrative review of the antidumping duty order on stainless steel bar from the United Kingdom with respect to one company. The period of review is August 2, 2001, through January 28, 2002, and March 8, 2002, through February 28, 2003.<sup>2</sup>

We preliminarily determine that sales have been made below normal value. Interested parties are invited to comment on these preliminary results. If these preliminary results are adopted in our final results of administrative review, we will instruct U.S. Customs

and Border Protection to assess antidumping duties on all appropriate entries.

**EFFECTIVE DATE:** January 7, 2004.

#### **FOR FURTHER INFORMATION CONTACT:**

Rebecca Trainor or Kate Johnson, Office 2, AD/CVD Enforcement Group I, Import Administration—Room B099, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-4007 or (202) 482-4929, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On March 7, 2000, the Department published in the **Federal Register** an antidumping duty order on stainless steel bar from the United Kingdom (67 FR 10381). On October 10, 2003, we published an amended antidumping duty order (68 FR 58660).

On March 3, 2003, we published a notice advising of the opportunity to request an administrative review of the antidumping duty order on stainless steel bar from the United Kingdom (68 FR 9974). In response to timely requests by two manufacturers/exporters, Corus Engineering Steels Limited (CES) and Firth Rixson Special Steels Limited (FRSS), and the petitioners, the Department published a notice of initiation of an administrative review with respect to two companies: CES and FRSS (68 FR 19498 (April 21, 2003)).

On May 7, 2003, the Department issued antidumping duty questionnaires to the above-mentioned companies. On June 11, 2003, FRSS requested that the Department limit its request for information concerning sales in the United Kingdom and its request for information concerning the cost of production for those sales. On July 8, 2003, we granted FRSS's request to limit its reporting of home market sales and the associated cost of production for those sales.

On June 26, 2003, CES timely withdrew its request for an administration review of the antidumping duty order on stainless steel bar from the United Kingdom for the above-referenced review period. On July 10, 2003, we published a *Notice of Partial Rescission of Antidumping Duty Administrative Review* with respect to CES (68 FR 41112).

We received FRSS's response to the questionnaire on July 25, 2003. We issued supplemental questionnaires in August, September and October 2003, and received responses during the period August through November 2003.

On October 27, 2003, we received notification from counsel for FRSS that the company did not intend to participate any further in the administrative review. For further discussion, see the "Use of Facts Available (FA)" section of this notice.

#### **Scope of the Order**

For purposes of this order, the term "stainless steel bar" includes articles of stainless steel in straight lengths that have been either hot-rolled, forged, turned, cold-drawn, cold-rolled or otherwise cold-finished, or ground, having a uniform solid cross section along their whole length in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles, hexagons, octagons, or other convex polygons. Stainless steel bar includes cold-finished stainless steel bars that are turned or ground in straight lengths, whether produced from hot-rolled bar or from straightened and cut rod or wire, and reinforcing bars that have indentations, ribs, grooves, or other deformations produced during the rolling process.

Except as specified above, the term does not include stainless steel semi-finished products, cut length flat-rolled products (*i.e.*, cut length rolled products which if less than 4.75 mm in thickness have a width measuring at least 10 times the thickness, or if 4.75 mm or more in thickness having a width which exceeds 150 mm and measures at least twice the thickness), products that have been cut from stainless steel sheet, strip or plate, wire (*i.e.*, cold-formed products in coils, of any uniform solid cross section along their whole length, which do not conform to the definition of flat-rolled products), and angles, shapes and sections.

The stainless steel bar subject to this order is currently classifiable under subheadings 7222.11.00.05, 7222.11.00.50, 7222.19.00.05, 7222.19.00.50, 7222.20.00.05, 7222.20.00.45, 7222.20.00.75, and 7222.30.00.00 of the *Harmonized Tariff Schedule of the United States* ("HTSUS"). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

#### **Use of Facts Available**

On October 27, 2003, two weeks prior to the Department's planned verification of FRSS's submitted cost and sales information, FRSS notified the Department that it no longer intended to participate in this administrative review (see printed electronic message from William L. Matthews to LaVonne

<sup>1</sup> The petitioners are Carpenter Technology Corporation; Crucible Specialty Metals Division, Crucible Materials Corporation; Electralloy Corporation, a Division of G.O. Carlson, Inc., and Slater Steels Corporation, Specialty Alloys Division.

<sup>2</sup> The review period does not include January 29, 2002, through March 7, 2002, for reasons explained in our *Notice of Amended Antidumping Duty Orders: Stainless Steel Bar from France, Germany, Italy, Korea, and the United Kingdom*, 68 FR 58660 (October 10, 2003).