DEPARTMENT OF COMMERCE

International Trade Administration

Amendment to the Antidumping Suspension Agreement on Certain Cut-to-Length Carbon Steel Plate Between the United States Department of Commerce and the Government of Ukraine

The United States Department of Commerce (the Department) and the Government of Ukraine hereby amend Section XII of the Agreement Suspending the Antidumping Investigation on Certain Cut-to-Length Carbon Steel Plate from Ukraine (the Agreement), signed October 24, 1997, by adding the following language immediately after the second sentence of Section XII of the Agreement, as amended on December 20, 2002:

In order to provide for the continuation of exports of cut-to-length plate from Ukraine to the United States following the expiration of the one-year extension signed December 20, 2002, by the Department and the Government of Ukraine, the export limits provided for in Section III of this Agreement shall remain in force through November 1, 2004.

If, after said date, the underlying proceeding remains suspended, the Government of Ukraine and the Department will enter into consultations to agree upon export limits in order to permit future shipments under the Agreement.

For the United States Department of Commerce.

Dated: January 16, 2004.

James J. Jochum,

Assistant Secretary for Import Administration.

For the Ministry of Economy and for European Integration Issues of Ukraine.

Mykhailo B. Reznik,

Ambassador of Ukraine to the United States.

[FR Doc. 04–2865 Filed 2–9–04; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–201–817]

Oil Country Tubular Goods From Mexico: Rescission of Antidumping Duty Administrative Review

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

ACTION: Notice of rescission of antidumping duty administrative review.

SUMMARY: On September 30, 2003, the Department of Commerce (the Department) published in the **Federal Register** a notice announcing the initiation of an administrative review of the antidumping duty order on oil country tubular goods (OCTG) from Mexico. The period of review (POR) is August 1, 2002 to July 31, 2003. This review has now been rescinded because one party requesting the review withdrew its request, and the remaining exporter named in the request for review had no entries for consumption of subject merchandise that are subject to review in the United States during the POR.

EFFECTIVE DATE: February 10, 2004.

FOR FURTHER INFORMATION CONTACT: Phyllis Hall or Abdelali Elouaradia, 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) 482–1398 or (202) 482–1374 respectively.

Scope of Review

Imports covered by this review are oil country tubular goods, hollow steel products of circular cross-section, including oil well casing, tubing, and drill pipe, of iron (other than cast iron) or steel (both carbon and alloy), whether seamless or welded, whether or not conforming to American Petroleum Institute (API) or non-API specifications, whether finished or unfinished (including green tubes and limited service OCTG products). This scope does not cover casing, tubing, or drill pipe containing 10.5 percent or more of chromium. The OCTG subject to this order are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7304.29.10.10, 7304.29.10.20, 7304.29.10.30, 7304.29.10.40, 7304.29.10.50, 7304.29.10.60, 7304.29.10.80, 7304.29.20.10, 7304.29.20.20, 7304.29.20.30, 7304.29.20.40, 7304.29.20.50, 7304.29.20.60, 7304.29.20.80, 7304.29.30.10, 7304.29.30.20, 7304.29.30.30, 7304.29.30.40, 7304.29.30.50, 7304.29.30.60, 7304.29.30.80, 7304.29.40.10, 7304.29.40.20, 7304.29.40.30, 7304.29.40.40, 7304.29.40.50, 7304.29.40.60, 7304.29.40.80, 7304.29.50.15, 7304.29.50.30, 7304.29.50.45, 7304.29.50.60, 7304.29.50.75, 7304.29.60.15, 7304.29.60.30, 7304.29.60.45, 7304.29.60.60, 7304.29.60.75, 7305.20.20.00, 7305.20.40.00, 7305.20.60.00, 7305.20.80.00, 7306.20.10.30, 7306.20.10.90, 7306.20.20.00, 7306.20.30.00, 7306.20.40.00, 7306.20.60.10, 7306.20.60.50, 7306.20.80.10, and 7306.20.80.50.

Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive.

The Department has determined that couplings, coupling stock and drill pipe are not within the scope of the antidumping order on OCTG from Mexico. See Letter to Interested Parties; Final Affirmative Scope Decision, August 27, 1998. *See Continuation of Countervailing and Antidumping Duty Orders on Oil Country Tubular Goods From Argentina, Italy, Japan, Korea and Mexico, and Partial Revocation of Those Orders From Argentina and Mexico With Respect to Drill Pipe*, 66 FR 38630, July 25, 2001.

Background

On August 29, 2003, Hylsa, S.A. de C.V. (Hylsa) requested that the Department conduct an administrative review of Hylsa. We initiated the review for Hylsa on September 30, 2003. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation* in part 68 FR 56262 (September 30, 2003). On October 7, 2003, Hylsa withdrew its request and requested that the Department terminate the review with respect to Hylsa. Additionally on September 2, 2003, United States Steel Corporation (petitioner), requested and administrative review of Tubos de Acero de Mexico S.A. (TAMSA), a Mexican producer and exporter of OCTG, with respect to the antidumping order published in the **Federal Register**. *See Antidumping Duty Order: Oil Country Tubular Goods From Mexico*, 60 FR 41055 (August 11, 1995). We initiated the review for TAMSA on October 24, 2003. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation* in part, 68 FR 60910 (October 24, 2003).

SUPPLEMENTARY INFORMATION: On November 5, 2003, the Department issued an antidumping duty questionnaire to TAMSA. On November 26, 2003, TAMSA and Siderca Corporation (TAMSA's U.S. affiliate) claimed that they ''did not directly or indirectly, enter for consumption, or sell, export or ship for entry for consumption in the United States subject merchandise during the period of review.'' Petitioners did not comment on TAMSA's no shipment claim. See Memo to file dated January 12, 2004.

On January 7, 2004, the Department forwarded a no-shipment inquiry to U.S. Bureau of Customs and Border Protection (CBP) for circulation to all CBP ports. CBP did not indicate to the Department that there was any record of consumption entries during the POR of OCTG from Mexico exported by TAMSA.

As part of this investigation, the Department investigated proprietary information from CBP for all HTSUS numbers covered by the scope of this review. After reviewing the customs information, the Department determines that the merchandise entered during the POR was exported from a third country or party without TAMSA's knowledge and properly identified Mexico as the country of origin. *See* Memo to File dated January 22, 2004.

The Department has not been able to identify any other entries for consumption from TAMSA during the POR. Since there were no entries for consumption during the POR of OCTG from TAMSA, and because Hylsa timely withdrew its request for review, *see* 19 CFR 351.213(d)(1), we are rescinding this review in accordance with the Department's practice. The cash deposit rates for these firms will continue to be the rates established in the most recently completed segment of this proceeding.

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

Dated: February 3, 2004.

James J. Jochum,

Assistant Secretary for Import Administration.

[FR Doc.04–2859 Filed 2–9–04; 8:45am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-475–818]

Notice of Final Results of the Sixth Administrative Review of the Antidumping Duty Order on Certain Pasta from Italy and Determination Not to Revoke in Part

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

ACTION: Notice of Final Results of Antidumping Duty Administrative Review and Determination Not to Revoke in Part.

SUMMARY: On August 7, 2003, the Department of Commerce published the preliminary results and partial rescission of the sixth administrative review and intent not to revoke the order in part, for the antidumping duty order on certain pasta from Italy. The review covers ten manufacturers/exporters of the subject merchandise: (1) Pastificio Guido Ferrara S.r.l. (''Ferrara''), (2) Pastificio Lucio Garofalo S.p.A. (''Garofalo''), (3) Pasta Lensi S.r.l. (''Lensi')[1], (4) Industria Alimentare Colavita, S.p.A. (''Indalco'') and its affiliate Fusco S.r.l. (''Fusco'') (collectively ''Indalco''), (5) PAM S.p.A. (''PAM''), (6) Pastificio Fratelli Pagani S.p.A. (''Pagani''), (7) Pastificio Antonio Pallante S.r.l. (''Pallante'') and its affiliate Industrie Alimentari Molisane S.r.l (''IAM'') (collectively ''Pallante''), (8) Rummo S.p.A. Molino e Pastificio (''Rummo''), (9) Molino e Pastificio Tomasello S.r.l. (''Tomasello''), and (10) Pastificio Zaffiri S.r.l. (''Zaffiri''). The period of review (''POR'') is July 1, 2001, through June 30, 2002.

As a result of our analysis of the comments received, these final results differ from the preliminary results. For our final results, we have found that during the POR, Garofalo, Indalco, PAM, Tomasello, and Zaffiri, sold subject merchandise at less than normal value (''NV''). We have also found that Ferrara, Pallante, Pagani, Lensi and Rummo did not make sales of the subject merchandise at less than NV (*i.e.*, they had ''zero'' or *de minimis* dumping margins). We have also determined not to revoke the antidumping duty order with respect to subject merchandise produced and also exported by Pagani. The final results are listed in the section ''Final Results of Review'' below.

EFFECTIVE DATE: February 10, 2004.

FOR FURTHER INFORMATION CONTACT: Alicia Kinsey or Mark Young, AD/CVD Enforcement Office VI, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230; telephone: (202) 482–4793 or (202) 482–6397, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 7, 2003, the Department published the preliminary results of the sixth administrative review of the antidumping duty order on certain pasta from Italy. *See Notice of Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review and Intent Not to Revoke in Part: For the Sixth Administrative Review of the Antidumping Duty Order on Certain Pasta from Italy*, 68 FR 47020 (August 7, 2003) (''*Preliminary Results*''). Although the Department initiated the review of twelve companies, we rescinded the review of two of those companies. *See* Partial Rescission section of the *Preliminary Results* for a more detailed explanation. The review covers the remaining ten manufacturers/exporters. We invited parties to comment on our *Preliminary Results*. Petitioners[2] filed case briefs on September 24, 2003, regarding Rummo, Ferrara, Zaffiri, Garofalo, Indalco, and Pagani. On September 22 through September 24, 2003, PAM, Tomasello, Zaffiri, Lensi, Garofalo, and Rummo filed case briefs. On October 1, 2003, petitioners, Ferrara, Indalco, Pagani, Zaffiri, Garofalo, and Rummo submitted rebuttal briefs. On October 21, 2003, a public hearing was held at the Department of Commerce with respect to PAM. On November 21, 2003, the Department published the extension of final results of the antidumping administrative review of pasta from Italy. See Certain Pasta from Italy: Extension of Final Results of Antidumping Administrative Review, 68 FR 65679 (November 21, 2003).

Scope of Review

Imports covered by this review are shipments of certain non-egg dry pasta in packages of five pounds (2.27 kilograms) or less, whether or not enriched or fortified or containing milk or other optional ingredients such as chopped vegetables, vegetable purees, milk, gluten, diastasis, vitamins, coloring and flavorings, and up to two percent egg white. The pasta covered by this scope is typically sold in the retail market, in fiberboard or cardboard cartons, or polyethylene or polypropylene bags of varying dimensions.

Excluded from the scope of this review are refrigerated, frozen, or canned pastas, as well as all forms of egg pasta, with the exception of non-egg dry pasta containing up to two percent egg white. Also excluded are imports of organic pasta from Italy that are accompanied by the appropriate certificate issued by the Instituto Mediterraneo Di Certificazione, by Bioagricoop Scrl, by QC&I International

[1] The Department determined that Lensi is the successor-in-interest to Italian American Pasta Company Italia S.r.l. (''IAPC''), and that Lensi retains the antidumping and countervailing duty deposit rates assigned to IAPC by the Department in the most recently completed antidumping and countervailing duty administrative reviews. *See Notice of Final Results of Antidumping and Countervailing Duty Changed Circumstances Reviews: Certain Pasta from Italy*, 68 FR 41553 (July 14, 2003).

[2] Petitioners are New World Pasta Company, Dakota Growers Pasta Company, Borden Foods Corporation and American Italian Pasta Company.