0553, 1400 Independence Avenue, SW., Washington, DC 20250-0553, (202) 720–7398; e-mail *Howard_Froehlich@wdc.fsa.usda.gov.*

SUPPLEMENTARY INFORMATION:

Title: Total Quality Systems Audit Program.

OMB Control Number: 0560–0214.

Expiration Date: October 31, 2004.

Type of Request: Revision and extension of a currently approved information collection.

Abstract: The information collected under OMB Control Number 0560-0214, as identified above, allows FSA to administer the TQSA program. The forms approved by this information collection are used by TQSA auditors, employed by FSA, or supplier representatives to secure and record information about the supplier's facility, audit information, and to submit corrective action plans to nonconformances previously found. The information collected is necessary to provide those charged with purchasing FSA commodities a basis to determine whether the supplier's quality management system meets applicable TQSA standards for contract bidding eligibility and to monitor the capability of the quality management system once approved supplier status is achieved. The information collected allows FSA to bill suppliers for the amount of hours TQSA auditors spent auditing supplier's quality management system.

Estimate of Burden: Public reporting burden for this information collection is estimated to average 30 minutes per response.

Respondents: Commodity suppliers participating in the TQSA program.

Estimated Number of Respondents: 200.

Estimated Number of Responses per Respondent: 2.

Estimated Total Annual Burden on Respondents: 400 hours.

Proposed topics for comment include: (a) Whether the continued collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of FSA's estimate of burden including the validity of the methodology and assumptions used; (c) enhancing the quality, utility, and clarity of the information collected; or (d) minimizing the burden of the collection of the information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments should be sent to the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, and to Howard Froehlich at the address listed above. All comments will become a matter of public record.

Signed at Washington, DC, on April 12, 2004.

Verle E. Lanier,

Administrator, Farm Service Agency.

[FR Doc. 04–8846 Filed 4–19–04; 8:45 am]

BILLING CODE 3410–05–P

DEPARTMENT OF AGRICULTURE

Foreign Agricultural Service

Trade Adjustment Assistance for Farmers

AGENCY: Foreign Agricultural Service, USDA.

ACTION: Notice.

The Administrator, Foreign Agricultural Service (FAS), today denied a petition filed by a group of freshwater prawn producers from Kentucky for trade adjustment assistance (TAA) that was filed on February 23, 2004.

FOR FURTHER INFORMATION, CONTACT: Jean-Louis Pajot, Coordinator, Trade Adjustment Assistance for Farmers, FAS, USDA, (202) 720–2916, e-mail: *trade.assistance@fas.usda.gov*.

SUPPLEMENTARY INFORMATION: Upon investigation, the Administrator determined that the price information provided in the petition could not be validated. Thus Kentucky prawn prices could not be verified to have declined by more than 20 percent during the January–December 2002 marketing year, compared to the previous 5-year average, a condition required for certifying a petition for TAA.

Dated: April 9, 2004.

A. Ellen Terpstra,

Administrator, Foreign Agricultural Service.

[FR Doc. 04–8892 Filed 4–19–04; 8:45 am]

BILLING CODE 3410–10–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–841, A–560–817,A–583–840, A–549–823]

Notice of Initiation of Antidumping Duty Investigations:Bottle–Grade Polyethylene Terephthalate (PET) Resin from India,Indonesia, Taiwan, and Thailand

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

ACTION: Initiation of Antidumping DutyInvestigations.

EFFECTIVE DATE: April 20, 2004.

FOR FURTHER INFORMATION CONTACT: Charles Riggle at (202) 482–0650 or Amber Musser at (202) 482–1777, AD/CVD Enforcement Office 5, Group II, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Initiation of Investigations

The Petition

On March 24, 2004, the U.S. Department of Commerce (the Department) received a petition filed in proper form by the United States PET Resin Producers Coalition (the petitioner). The Department received supplemental information from the petitioner on April 5, 2004.

In accordance with section 732(b)(1) of the Tariff Act of 1930, as amended (the Act), the petitioner alleges that imports of polyethylene terephthalate resin (bottle–grade PET resin) from India, Indonesia, Taiwan, and Thailand are, or are likely to be, sold in the United States at less than fair value within the meaning of section 731 of the Act, and that imports from India, Indonesia, Taiwan, and Thailand are materially injuring, or are threatening to materially injure, an industry in the United States.

The Department finds that the petitioner filed the petition on behalf of the domestic industry because it is an interested party as defined in section 771(9)(C) of the Act and it has demonstrated sufficient industry support with respect to each of the antidumping investigations that it is requesting the Department to initiate. *See infra*, "Determination of Industry Support for the Petition.''

Periods of Investigation

The anticipated period of investigation (POI) for these

investigations is January 1, 2003, through December 31, 2003. *See* section 351.204(b)(1) of the Department's regulations (*Antidumping Duties; Countervailing Duties; Final Rule*, 62 FR 27296, 27385 (May 19, 1997)).

Scope of Investigations

The merchandise covered by each of these investigations is bottle–grade polyethylene terephthalate (PET) resin, defined as having an intrinsic viscosity of at least 0.68 deciliters per gram but not more than 0.86 deciliters per gram. The scope includes bottle–grade PET resin that contains various additives introduced in the manufacturing process. The scope does not include post–consumer recycle (PCR) or post–industrial recycle (PIR) PET resin; however, included in the scope is any bottle–grade PET resin blend of virgin PET bottle–grade resin and recycled PET (RPET). Waste and scrap PET is outside the scope of the investigations. Fiber–grade PET resin, which has an intrinsic viscosity of less than 0.68 deciliters per gram, is also outside the scope of the investigations.

The merchandise subject to these investigations is properly classified under subheading 3907.60.0010 of the Harmonized Tariff Schedule of the United States (HTSUS); however, merchandise classified under HTSUS subheading 3907.60.0050 that otherwise meets the written description of the scope is also subject to these investigations. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.

During our review of the petition, we discussed the scope with the petitioner to ensure that it is an accurate reflection of the products for which the domestic industry is seeking relief. As discussed in the preamble to the Department's regulations (*Antidumping Duties; Countervailing Duties; Final Rule*, 62 FR 27296, 27323 (May 19, 1997)), we are setting aside a period for parties to raise issues regarding product coverage. The Department encourages all parties to submit such comments within 20 calendar days of publication of this notice. Comments should be addressed to Import Administration's Central Records Unit, Room 1870, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230. The period of scope consultations is intended to provide the Department with ample opportunity to consider all comments and consult with parties prior to the issuance of the preliminary determinations.

Determination of Industry Support for the Petition

Section 732(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 732(c)(4)(A) of the Act provides that the Department's industry support determination, which is to be made before the initiation of the investigations, be based on whether a minimum percentage of the relevant industry supports the petition. A petition satisfies this requirement if the domestic producers or workers who support the petition account for (1) at least 25 percent of the total production of the domestic like product; and (2) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 732(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, the Department shall either poll the industry or rely on other information in order to determine if there is support for the petition.

Section 771(4)(A) of the Act defines the "industry'' as the producers of a domestic like product. Thus, to determine whether a petition has the requisite industry support, the statute directs the Department to look to producers and workers who produce the domestic like product. The U.S. International Trade Commission (ITC), which is responsible for determining whether "the domestic industry'' has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both the Department and the ITC must apply the same statutory definition regarding the domestic like product (section 771(10) of the Act), they do so for different purposes and pursuant to separate and distinct authority. In addition, the Department's determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to law.[1]

Section 771(10) of the Act defines the domestic like product as "a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title.'' Thus, the reference point from which the domestic like product analysis begins is "the article subject to an investigation,'' *i.e.*, the class or kind of merchandise to be investigated, which normally will be the scope as defined in the petition.

In this case, the petition covers a single class or kind of merchandise, bottle–grade PET resin, as defined in the "Scope of Investigations'' section above. The petitioner does not offer a definition of domestic like product distinct from the scope of the investigations. Further, based on our analysis of the information presented to the Department by the petitioner, we have determined that there is a single domestic like product, which is consistent with the definition of the "Scope of the Investigations'' section above, and have analyzed industry support in terms of this domestic like product.

The Department has determined that the petitioner has established industry support representing over 50 percent of total production of the domestic like product. *See* Antidumping Duty Initiation Checklist: Bottle–Grade Polyethylene Terephthalate (PET) Resin from India, Indonesia, Taiwan, and Thailand (Initiation Checklist) (April 13, 2004), on file in the Central Records Unit, Room B–099 of the Department of Commerce. Thus, no polling of the domestic industry by the Department pursuant to section 732(c)(4)(D) of the Act is required. In addition, the Department received no opposition to the petition from domestic producers of the like product. Therefore, the petitioner and domestic producers who support the petition account for at least 25 percent of the total production of the domestic like product, and the requirements of section 732(c)(4)(A)(i) of the Act are met. Furthermore, the petitioner and domestic producers who support the petition account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for or opposition to the petition. Thus, the requirements of section 732(c)(4)(A)(ii) of the Act also are met.

Accordingly, we determine that the petition is filed on behalf of the domestic industry within the meaning of section 732(b)(1) of the Act. *See* Initiation Checklist at Attachment II.

Export Price and Normal Value

The following are descriptions of the allegations of sales at less than fair value upon which the Department based its decision to initiate these investigations.

[1] *See USEC, Inc., v. United States*, 132 F. Supp. 2d 1,8 (CIT 2001), citing *Algoma Steel Corp. Ltd., v. United States*, 688 F. Supp. 639, 642-44 (CIT 1988). *See also High Information Content Flat Panel Displays and Display Glass from Japan: Final Determination; Rescission of Investigation and Partial Dismissal of Petition*, 56 FR 32376, 32380-81 (July 16, 1991).

The sources of data for the deductions and adjustments relating to U.S. and home market prices, and constructed value (CV), are discussed in greater detail in the Initiation Checklist. The petitioner stated it was unable to obtain information regarding specific sales or offers for sale of subject merchandise in Indonesia, Taiwan, and Thailand or in any third country. Therefore for these three countries, the petitioner based normal value (NV) on CV. *See* Petition at 17–18. Should the need arise to use any of this information as facts available under section 776 of the Act in our preliminary or final determinations, we may re–examine the information and revise the margin calculations, if appropriate.

India

Export Price

The petitioner based export price (EP) on average unit values (AUVs) of bottle–grade PET resin imports from India for the POI. The petitioner derived such values from import statistics under the HTSUS subheading 3907.60.0010. The petitioner did not make any adjustments to the AUVs.

Normal Value

With respect to NV, the petitioner calculated an average home market price for bottle–grade PET resin based on information obtained from Reliance Industries' website. Reliance Industries' price information was considered a reasonable surrogate for all Indian producers as it is India's largest bottle–grade PET resin producer.

The petitioner calculated NV using a home market price quoted in Indian Rupees per kilogram and converted to U.S. cents per pound. NV was adjusted for export packing costs based on the assumption that export shipments to the United States were made in bulk containers. NV was not adjusted for home market packing costs, as it was assumed that home market shipments were made in bulk in an unpacked condition. In addition, NV was not adjusted for home market freight costs, as it was assumed that the published selling prices on Reliance Industries web page are ex–factory. *See* Initiation Checklist for details.

The estimated dumping margin for subject merchandise from India, based on a comparison of EP and NV based on the average home market price described above, is 35.51 percent.

Indonesia

Export Price

The petitioner based EP on AUVs of bottle–grade PET resin imports from Indonesia for the POI. The petitioner derived such values from import statistics under the HTSUS subheading 3907.60.0010. The petitioner did not make any adjustments to the AUVs.

Normal Value

Pursuant to sections 773(a)(4), 773(b) and 773(e) of the Act, the petitioner based NV for sales in Indonesia on CV. The petitioner calculated CV using the same cost of manufacture (COM), selling, general and administrative (SG&A) and interest expense figures used to compute the cost of production (COP).

According to section 773(b)(3) of the Act, COP consists of COM, SG&A expenses, financial expenses, and packing expenses. The petitioner calculated COM based on its own production experience, adjusted for known differences between costs incurred to produce bottle–grade PET resin in the United States and Indonesia using publicly available data. To calculate SG&A and interest, the petitioner relied upon amounts reported by an Indonesian PET resin producer in its 2001 financial statements, which were the most recent available. The petitioner did not include packing costs, as it was assumed that most home market shipments are made in bulk in an unpacked condition.

Consistent with section 773(e)(2) of the Act, the petitioner included in CV an amount for profit. For profit, the petitioner relied upon amounts reported by the same Indonesian bottle-grade PET resin producer in its 2001 financial statements. In addition, the petitioner added export packing costs to CV.

The estimated dumping margin for subject merchandise from Indonesia, based on a comparison of EP and NV based on CV, is 27.61 percent.

Taiwan

Export Price

The petitioner based EP on AUVs of bottle–grade PET resin imports from Taiwan for the POI. The petitioner derived such values from import statistics under the HTSUS subheading 3907.60.0010. The petitioner did not make any adjustments to the AUVs.

Normal Value

Pursuant to sections 773(a)(4), 773(b) and 773(e) of the Act, the petitioner based NV for sales in Taiwan on CV. The petitioner calculated CV using the same COM, SG&A and interest expense figures used to compute the COP.

According to section 773(b)(3) of the Act, COP consists of COM, SG&A expenses, financial expenses, and packing expenses. The petitioner calculated COM based on its own production experience, adjusted for known differences between costs incurred to produce bottle–grade PET resin in the United States and Taiwan using publicly available data. To calculate SG&A and interest, the petitioner relied upon amounts reported by a Taiwanese PET resin producer in its 2002 financial statements. The petitioner did not include packing costs, as it was assumed that most home market shipments are made in bulk in an unpacked condition.

Consistent with section 773(e)(2) of the Act, the petitioner included in CV an amount for profit. For profit, the petitioner relied upon amounts reported by the same Taiwanese PET resin producer in its 2002 financial statements. In addition, the petitioner added export packing costs to CV.

The estimated dumping margin for subject merchandise from Taiwan, based on a comparison of EP and NV based on CV, is 37.35 percent.

Thailand

Export Price

The petitioner based EP on AUVs of bottle–grade PET resin imports from Thailand for the POI. The petitioner derived such values from import statistics under the HTSUS subheading 3907.60.0010. The petitioner did not make any adjustments to the AUVs.

Normal Value

Pursuant to sections 773(a)(4), 773(b) and 773(e) of the Act, the petitioner based NV for sales in Thailand on CV. The petitioner calculated CV using the same COM, SG&A and interest expense figures used to compute the COP.

According to section 773(b)(3) of the Act, COP consists of COM, SG&A expenses, financial expenses, and packing expenses. The petitioner calculated COM based on its own production experience, adjusted for known differences between costs incurred to produce bottle–grade PET resin in the United States and Thailand using publicly available data. To calculate SG&A and interest, the petitioner relied upon amounts reported in an Indian PET resin producer's 2003 financial statements. We revised the petitioner's SG&A and financial expense rates calculation by using average SG&A and financial expense rates from the financial statements for two companies located in Thailand which are involved in industry sectors comparable to the bottle–grade PET resin industry. The SG&A and financial expense ratios were based on the financial statements of these two companies that were provided

by the petitioner as an alternative to using the Indian company's financial statements. The petitioner did not include packing costs, as it was assumed that most home market shipments are made in bulk in an unpacked condition. *See* Initiation Checklist at Attachment V for details.

Consistent with section 773(e)(2) of the Act, the petitioner included in CV an amount for profit. For profit, the petitioner relied upon amounts reported in an Indian PET resin producer's 2003 financial statements. We revised the petitioner's CV profit rate calculation by using an average profit rate from the financial statements of two companies located in Thailand which are involved in industry sectors comparable to the bottle–grade PET resin industry. The financial statements of the two Thai companies were provided by the petitioner as an alternative to using the Indian company's financial statements. In addition, the petitioner added export packing costs to CV. *See* Initiation Checklist at Attachment V for details.

The estimated dumping margin for subject merchandise from Thailand, based on a comparison of EP and NV based on CV, is 41.28 percent.

Fair Value Comparisons

Based on the data provided by the petitioner, there is reason to believe that imports of bottle–grade PET resin from India, Indonesia, Taiwan, and Thailand are being, or are likely to be, sold at less than fair value.

Critical Circumstances

In its submission, the petitioner claims that, following the initiation of this case, there is a reasonable basis to believe or suspect that critical circumstances will exist with regard to imports of bottle–grade PET resin from India, Indonesia, Taiwan, and Thailand.

Section 733(e)(1) of the Act states that, if a petitioner alleges critical circumstances, the Department will find that such circumstances exist, at any time after the date of initiation, when there is a reasonable basis to believe or suspect that, under subparagraph (A)(i), there is a history of dumping and material injury by reason of dumped imports in the United States or elsewhere of the subject merchandise, or (ii) the person by whom, or for whose account, the merchandise was imported knew or should have known that the exporter was selling the subject merchandise at less than its fair value and that there was likely to be material injury by reason of such sales, and, under subparagraph (B), there have been massive imports of the subject merchandise over a relatively short period. Section 351.206(h) of the Department's regulations defines "massive imports'' as imports that have increased by at least 15 percent over the imports during an immediately preceding period of comparable duration. Section 351.206(i) of the regulations states that "relatively short period'' will normally be defined as the period beginning on the date the proceeding begins and ending at least three months later. To date, the petitioner has not demonstrated that the requirement of "massive imports . . . over a relatively short period'' has been met.

The petitioner alleges that importers knew, or should have known, that bottle–grade PET resin was being sold at less than its fair value. Specifically, the petitioner alleges margins, as adjusted by the Department, of between 27.61 and 41.28 percent, a level high enough to impute importer knowledge that merchandise was being sold at less than its fair value. Additionally, the petitioner references the European Council Regulation (EC) No. 2604/2000 of 27 November 2000, which imposes a definitive antidumping duty and collects definitively the provisional duty imposed on imports of bottle–grade PET resin from India, Indonesia, Malaysia, the Republic of Korea, Taiwan, and Thailand, to establish a history of dumping.

The petitioner requests that, pursuant to section 732(e) of the Act, the Department request U.S. Customs and Border Protection (CBP) to compile information on an expedited basis regarding entries of subject merchandise. We note that section 732(e) of the Act states that when there is a reasonable basis to believe or suspect (1) there is a history of dumping in the United States or elsewhere of the subject merchandise, or (2) the person by whom, or for whose account, the merchandise was imported knew, or should have known, that the exporter was selling the subject merchandise at less than its fair value, the Department may request the Commissioner of Customs to compile information on an expedited basis regarding entries of the subject merchandise.

As noted above, the petitioner has not met the criteria for a finding of critical circumstances. Therefore, at this time, we have no reasonable basis to believe or suspect that critical circumstances exist. However, the petitioner can resubmit its request for a finding of critical circumstances and, if the criteria for such a finding are met, we will issue a critical circumstances finding at the earliest possible date. *See Policy Bulletin 98/4*, 63 FR 55364 (October 15, 1998) (determination of critical circumstances may be made any time after initiation). In addition, we are considering the petitioner's request to obtain information from CBP for monitoring purposes, and will inform interested parties of our determination as soon as practicable.

Allegations and Evidence of Material Injury and Causation

The petitioner alleges that the U.S. industry producing the domestic like product is being materially injured, or is threatened with material injury, by reason of the cumulated imports from India, Indonesia, Taiwan, and Thailand of the subject merchandise sold at less than NV.

The petitioner contends that the industry's injured condition is evident in lost sales and customers, in the declining trends in prices, profits, and domestic market share, and in its reduced ability to reinvest and pursue research and development activities. The allegations of injury and causation are supported by relevant evidence including U.S. import data, affidavits supporting claims of lost sales and declining revenues, and pricing information. The petitioner also alleges the imminent threat of further material injury based on the likely increases in foreign production volume of bottle–grade PET resin, the likelihood of substantially increased imports, and the prices of these imports having the likely effect of depressing or suppressing domestic prices.

The Department has assessed the allegations and supporting evidence regarding material injury, causation, and threat of material injury, and has determined that these allegations are properly supported by accurate and adequate evidence and meet the statutory requirements for initiation. *See* the Initiation Checklist at Attachment IV.

Initiation of Antidumping Investigations

Based upon our examination of the petition, we have found that it meets the requirements of section 732 of the Act. See the Initiation Checklist. Therefore, we are initiating antidumping duty investigations to determine whether imports of bottle–grade PET resin from India, Indonesia, Taiwan, and Thailand are being, or are likely to be, sold in the United States at less than fair value. Unless this deadline is extended, we will make our preliminary determinations no later than 140 days after the date of these initiations.

Distribution of Copies of the Petition

In accordance with section 732(b)(3)(A) of the Act, a copy of the public version of the petition has been provided to the representatives of the governments of India, Indonesia, Taiwan, and Thailand. We will attempt to provide a copy of the public version of the petition to each exporter named in the petition, as provided for under 19 CFR 351.203(c)(2).

ITC Notification

We have notified the ITC of our initiations as required by section 732(d) of the Act.

Preliminary Determinations by the ITC

The ITC will determine no later than May 10, 2004, whether there is a reasonable indication that imports of bottle–grade PET resin from India, Indonesia, Taiwan, and Thailand are causing material injury, or threatening to cause material injury, to a U.S. industry. A negative ITC determination for any country will result in the investigation being terminated with respect to that country; otherwise, these investigations will proceed according to statutory and regulatory time limits. This notice is issued and published pursuant to section 777(i) of the Act.

Dated: April 13, 2004.

Jeffrey May,

Acting Assistant Secretary for Import Administration.

[FR Doc. 04–8938 Filed 4–19–04; 8:45 am]

BILLING CODE 3510–DS–S

DEPARTMENT OF COMMERCE

International Trade Administration

Notice of Initiation of Countervailing Duty Investigations: Bottle–Grade Polyethylene Terephthalate (PET) Resin from India (C–533–842) and Thailand (C–549–824)

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

EFFECTIVE DATE: April 20, 2004.

FOR FURTHER INFORMATION CONTACT: Douglas Kirby (India) or Christian Hughes (Thailand) at (202) 482–3782 or (202) 482–0190 respectively, Office of AD/CVD Enforcement VII, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Initiation of Investigations

The Petition

On March 24, 2004, the U.S. Department of Commerce (the Department) received a countervailing duty petition filed in proper form by the United States PET Resin Producers Coalition ("Petitioner''). The Department received supplemental information to the petition from the petitioner on April 5, 2004. In accordance with section 702(b)(1) of the Tariff Act of 1930, as amended (the Act), petitioner alleges that producers or exporters of bottle–grade PET resin in India and Thailand receive countervailable subsidies within the meaning of section 701 of the Act, and that imports from India and Thailand are materially injuring, or are threatening material injury to, an industry in the United States.

The Department finds that the petitioner filed the petition on behalf of the domestic industry because it is an interested party as defined in section 771(9)(C) of the Act and it has demonstrated sufficient industry support with respect to the countervailing duty investigations that it is requesting the Department to initiate. *See infra*, "Determination of Industry Support for the Petition.''

Period of Investigation

The anticipated period of investigation (POI) for both investigations is January 1, 2003 through December 31, 2003. See section 351.204(b)(2) of the Department's regulations (*Antidumping Duties; Countervailing Duties; Final Rule*, 62 FR 27296, 27385 (May 19, 1997)).

Scope of Investigations

The merchandise covered by each of these investigations is bottle–grade polyethylene terephthalate (PET) resin, defined as having an intrinsic viscosity of at least 0.68 deciliters per gram but not more than 0.86 deciliters per gram. The scope includes bottle–grade PET resin that contains various additives introduced in the manufacturing process. The scope does not include post–consumer recycle (PCR) or post–industrial recycle (PIR) PET resin; however, included in the scope is any bottle–grade PET resin blend of virgin PET bottle–grade resin and recycled PET (RPET). Waste and scrap PET is outside the scope of the investigations. Fiber–grade PET resin, which has an intrinsic viscosity of less than 0.68 deciliters per gram, is also outside the scope of the investigations.

The merchandise subject to these investigations is properly classified under subheading 3907.60.0010 of the Harmonized Tariff Schedule of the United States (HTSUS); however, merchandise classified under HTSUS subheading 3907.60.0050 that otherwise meets the written description of the scope is also subject to these investigations. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.

During our review of the petition, we discussed the scope with the petitioner to ensure that it is an accurate reflection of the products for which the domestic industry is seeking relief. As discussed in the preamble to the Department's regulations (*Antidumping Duties; Countervailing Duties; Final Rule*, 62 FR 27296, 27323 (May 19, 1997)), we are setting aside a period for parties to raise issues regarding product coverage. The Department encourages all parties to submit such comments within 20 calendar days of publication of this notice. Comments should be addressed to Import Administration's Central Records Unit, Room 1870, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230. The period of scope consultations is intended to provide the Department with ample opportunity to consider all comments and consult with parties prior to the issuance of the preliminary determinations.

Consultations

In accordance with Article 13.1 of the Agreement on Subsidies and Countervailing Measures and section 702(b)(4)(A)(ii) of the Act, we held separate consultations regarding this petition with the Government of India ("GOI'') and the Government of Thailand on April 7, 2004. *See Memorandum to the File from Douglas Kirby: Consultations with the Government of India Regarding the Countervailing Duty Petition on PET Resin*, dated April 9, 2004; *see also Memorandum to the File from Christian Hughes: Consultations with the Government of Thailand Regarding the Countervailing Duty Petition on PET Resin*, dated April 8, 2004. Following consultations, the GOI provided information to support its statements at consultations regarding several of the GOI programs alleged by the petitioner. This information was placed in the record and provided to petitioner. *See Memorandum to the File from Dana Mermelstein*, "Petition for the Imposition of Countervailing Duties on Bottle–Grade Polyethylene Terephthalate (PET) Resin from India: Information Submitted by the