

finding as to the scientific equivalency of comparable instruments being manufactured in the United States. Without the collection of the information, DHS and Commerce would not have the necessary information to carry out the responsibilities of determining eligibility for duty-free entry assigned by law.

## II. Method of Collection

The Department of Commerce distributes Form ITA-338P to potential applicants upon request. The applicant completes the form and then forwards it to the DHS. Upon acceptance by DHS as a valid application, the application is transmitted to Commerce for processing.

## III. Data

OMB Number: 0625-0037.

Form Number: ITA-338P.

Type of Review: Extension-Regular Submission.

Affected Public: State or local governments; Federal agencies; nonprofit institutions.

Estimated Number of Respondents: 60.

Estimated Time per Response: 2 hours.

Estimated Total Annual Burden Hours: 120.

Estimated Total Annual Cost: \$152,640 (\$2,640 for respondents and \$150,000 for federal government).

## IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: April 20, 2004.

Madeleine Clayton,

Management Analyst, Office of the Chief Information Officer.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-851]

#### Certain Preserved Mushrooms from the People's Republic of China: Notice of Partial Rescission of Seventh New Shipper Review

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

**ACTION:** Notice of Partial Rescission of Seventh New Shipper Review.

**EFFECTIVE DATE:** April 23, 2004.

**FOR FURTHER INFORMATION CONTACT:** Brian Smith or Terre Keaton, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-1766 or (202) 482-1280, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 7, 2003, the Department published a notice of initiation of an antidumping duty new shipper review on certain preserved mushrooms from the People's Republic of China ("PRC") with respect to the following two PRC companies: Nanning Runchao Industrial Trade Company, Ltd. ("Nanning Runchao") and Guangxi Hengxian Pro-Light Foods, Inc. ("Guangxi Hengxian"). See *Certain Preserved Mushrooms from the People's Republic of China: Initiation of Seventh Antidumping Duty New Shipper Review*, 68 FR 57877.

On April 7, 2004, Nanning Runchao's counsel notified the Department that the U.S. Food and Drug Administration ("USFDA") had ruled that its U.S. shipment of subject merchandise (*i.e.*, the entry which is the basis for its new shipper review request) was being returned to the PRC because it did not comply with USFDA regulations. As a result, the Department informed Nanning Runchao that it was cancelling the verification which was to commence during April 2004 (*see* April 7, 2004, memorandum from team leader to the file). On April 9, 2004, Nanning Runchao withdrew its request for a new shipper review.

Accordingly, we are rescinding the new shipper review with respect to Nanning Runchao for the reasons mentioned below.

##### Scope of Order

The products covered by this order are certain preserved mushrooms whether imported whole, sliced, diced,

or as stems and pieces. The preserved mushrooms covered under this order are the species *Agaricus bisporus* and *Agaricus bitorquis*. "Preserved mushrooms" refer to mushrooms that have been prepared or preserved by cleaning, blanching, and sometimes slicing or cutting. These mushrooms are then packed and heated in containers including, but not limited to, cans or glass jars in a suitable liquid medium, including, but not limited to, water, brine, butter or butter sauce. Preserved mushrooms may be imported whole, sliced, diced, or as stems and pieces. Included within the scope of this order are "brined" mushrooms, which are presalted and packed in a heavy salt solution to provisionally preserve them for further processing.

Excluded from the scope of this order are the following: (1) all other species of mushroom, including straw mushrooms; (2) all fresh and chilled mushrooms, including "refrigerated" or "quick blanched mushrooms"; (3) dried mushrooms; (4) frozen mushrooms; and (5) "marinated," "acidified," or "pickled" mushrooms, which are prepared or preserved by means of vinegar or acetic acid, but may contain oil or other additives.<sup>1</sup>

The merchandise subject to this order is classifiable under subheadings: 2003.10.0127, 2003.10.0131, 2003.10.0137, 2003.10.0143, 2003.10.0147, 2003.10.0153 and 0711.51.0000 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.

##### Period of Review

The period of review ("POR") is February 1, 2003, through July 31, 2003.

##### Partial Rescission of Review

The Department's regulations at 19 CFR 351.214(f)(1) provide that the Department may rescind a new shipper review "... if a party that requested a review withdraws its request no later than 60 days after the date of publication of notice of initiation of the requested review." Nanning Runchao withdrew its request for new shipper

<sup>1</sup> On June 19, 2000, the Department affirmed that "marinated," "acidified," or "pickled" mushrooms containing less than 0.5 percent acetic acid are within the scope of the antidumping duty order. See "Recommendation Memorandum-Final Ruling of Request by Tak Fat, *et al.* for Exclusion of Certain Marinated, Acidified Mushrooms from the Scope of the Antidumping Duty Order on Certain Preserved Mushrooms from the People's Republic of China," dated June 19, 2000. This decision is currently on appeal.

review on April 9, 2004. Although Nanning Runchao's withdrawal is more than 60 days from the date of initiation, consistent with the Department's past practice in the context of administrative reviews conducted under section 751(a) of the Act, the Department has discretion to extend the time period for withdrawal on a case-by-case basis. (See e.g. *Iron Construction Castings from Canada: Notice of Rescission of Antidumping Duty Administrative Review*, 63 FR 45797 (August 27, 1998)). In this case, the Department has determined to grant the request to rescind this new shipper review with respect to Nanning Runchao because rescission of this review would not prejudice any party in this proceeding, as Nanning Runchao would continue to be included in the PRC-wide rate to which it was subject at the time of its request for a new shipper review. (See *Silicon Metal from the People's Republic of China: Notice of Rescission of New Shipper Review*, 64 FR 40831 (July 28, 1999)). Nanning Runchao is the only party that requested a review of its sale during the POR, and no other party has objected to its withdrawal of that request. Accordingly, we are rescinding, in part, this new shipper review on certain preserved mushrooms from the People's Republic of China as to Nanning Runchao. This review will continue with respect to Guangxi Hengxian.

#### Notification

We will instruct Customs and Border Protection ("CBP") that bonding will no longer be permitted to fulfill security requirements for shipments from Nanning Runchao of certain preserved mushrooms from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date of this rescission notice. We will also instruct CBP to liquidate any entries by Nanning Runchao during the period of review at the cash deposit rate in effect at the time of entry.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as the only reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the

return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing this determination and notice in accordance with sections 751(a)(2)(B)(iv) and 777(i) of the Act, as amended, and 19 CFR 351.214(f)(3).

Dated: April 19, 2004.

**Jeffrey May,**

*Deputy Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-351-826]

#### Notice of Extension of Preliminary Results of Antidumping Duty Administrative Review: Small Diameter Circular Seamless Carbon and Alloy Steel Standard, Line and Pressure Pipe From Brazil

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

**ACTION:** The Department of Commerce ("the Department") is conducting an administrative review of the antidumping duty order on small diameter circular seamless carbon and alloy steel standard, line and pressure pipe ("seamless pipe") from Brazil in response to a request by respondent V&M do Brasil, S.A. ("VMB"). The review covers shipments to the United States during the period August 1, 2002, to July 31, 2003. For the reasons discussed below, we are fully extending the preliminary results of this administrative review by 120 days, to no later than August 30, 2004. This extension is made pursuant to Section 751(a)(3)(A) of the Tariff Act of 1930, as amended.

**EFFECTIVE DATE:** April 23, 2004.

**FOR FURTHER INFORMATION CONTACT:** Patrick Edwards or Helen Kramer at (202) 482-8029 or (202) 482-0405, respectively; Antidumping and Countervailing Duty Enforcement Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and

Constitution Avenue, NW., Washington, DC 20230.

#### Background

On August 12, 2003, in response to the Department's notice of opportunity to request a review published in the **Federal Register**, VMB requested that the Department conduct an administrative review of the antidumping duty order on seamless pipe from Brazil. The current antidumping duty order applies a company-specific rate for Mannesmann S.A. as well as the "all-others" rate. See Notice of Antidumping Duty Order and Amended Final Determination: Certain Small Diameter Seamless Carbon and Alloy Steel Standard, Line and Pressure Pipe From Brazil, 60 FR 39707 (August 3, 1995).

The Department initiated the review for VMB on September 30, 2003. See Notice of Initiation of Antidumping and Countervailing Duty Administrative Reviews, Requests for Revocation in Part and Deferral of Administrative Reviews, 68 FR 56262.

On January 13, 2004, the Department received a request from United States Steel Corporation, petitioner in this review, to commence a sales-below-cost investigation in this review. See Letter with Attachments from Skadden, Arps, Slate, Meagher & Flom LLP to the Secretary of Commerce, January 13, 2004, on file in the Central Records Unit (CRU) located in room B-099 of the main Commerce Building. The Department initiated a sales-below-cost investigation in this review on February 3, 2004. See Letter and Decision Memorandum from Abelali Elouaradia and Richard Weible, February 3, 2004, on file in the CRU.

The preliminary results are currently due not later than May 1, 2004.

#### Extension of Time Limits for Preliminary Results

Pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2), the Department may extend the deadline for completion of the preliminary results of a review if it determines that it is not practicable to complete the preliminary results within 245 days after the last day of the anniversary month of the date of publication of the order for which the administrative review was requested. There are several complexities in this administrative review that require additional time to resolve, including issues regarding model match characteristics, the necessary revision of cost data, and the need to conduct an analysis of successorship to verify that VMB is the successor in Brazil to Mannesmann S.A. Furthermore, public