

withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the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 Nima will be the rate established in the final results of this administrative review (except that no deposit will be required if the rate is zero or *de minimis*, i.e., less than 0.5 percent); (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 producer is, the cash deposit rate will be the rate established for the most recent period for the producer of the merchandise; and (4) if neither the exporter nor the producer is a firm covered in this review, a prior review, or the original LTFV investigation, the cash deposit rate will continue to be the "all others" rate of 184.28 percent established in the LTFV investigation. This rate reflects the amount of export subsidies found in the final countervailing duty determination in the investigation subtracted from the dumping margin found in the LTFV determination. See Final Affirmative Countervailing Duty Determination and Countervailing Duty Order; In-Shell Pistachios From Iran, 51 FR 8344 (March 11, 1986). These cash deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

#### Notification to Interested Parties

This notice also serves as a preliminary 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 administrative 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 double antidumping duties.

These preliminary results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: July 30, 2004.

**James J. Jochum,**

*Assistant Secretary for Import Administration.*

[FR Doc. 04-18151 Filed 8-6-04; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-122-850]

#### Notice of Postponement of Preliminary Antidumping Duty Determination: Live Swine From Canada

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

**SUMMARY:** The Department of Commerce is postponing the preliminary determination in the antidumping duty investigation on live swine from Canada from August 25, 2004 until no later than October 14, 2004. This extension is made pursuant to section 733(c)(1)(B) of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act.

**EFFECTIVE DATE:** August 9, 2004.

**FOR FURTHER INFORMATION CONTACT:** Cole Kyle at (202) 482-1503 or Andrew Smith at (202) 482-1276, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

#### Postponement of Preliminary Determination

On April 14, 2004, the Department of Commerce ("the Department") published the initiation of the antidumping duty investigation of imports of live swine from Canada. See *Notice of Initiation of Antidumping Investigation: Live Swine from Canada*, 69 FR 19815 (April 14, 2004) ("*Initiation Notice*"). The *Initiation Notice* stated that we would make our preliminary determination for this antidumping duty investigation no later than August 25, 2004, 140 days after the date on which the Department initiated this investigation.

Pursuant to section 733(c)(1)(B) of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act ("the Act"), the Department can extend the period for reaching a preliminary determination until no later than the 190th day after the date on which the administering authority initiates an investigation if:

(B) The administering authority concludes that the parties concerned are cooperating and determines that

(i) The case is extraordinarily complicated by reason of

(I) The number and complexity of the transactions to be investigated or adjustments to be considered,

(II) The novelty of the issues presented, or

(III) The number of firms whose activities must be investigated, and

(ii) Additional time is necessary to make the preliminary determination.

Regarding the first requirement, we find that all concerned parties are cooperating in this case.

Regarding the second requirement, we find that this case is extraordinarily complicated because of the novelty of the issues presented. First, the product in this investigation, live swine, is inherently unique from the manufactured or processed agricultural products that the Department typically encounters in antidumping duty investigations. Further, the corporate structures and production processes of the respondents involved in this investigation are highly complex in that several of the respondents are affiliated with other live swine producers and are involved in substantial further manufacturing activities in the United States. Accordingly, the Department requires additional time to analyze the questionnaire responses submitted, determine how to proceed with respect to the unique issues presented, and collect additional information concerning these issues before the preliminary determination.

Pursuant to section 733(c)(1)(B) of the Act, we have determined that this case is extraordinarily complicated and that additional time is necessary to make our preliminary determination. Therefore, we are postponing the preliminary determination until no later than October 14, 2004, 190 days after the date on which the Department initiated this investigation, in accordance with section 733(c)(1) of the Act.

This notice is published pursuant to section 733(c)(2) of the Act.

Dated: August 3, 2004.

**Jeffrey May,**

*Deputy Assistant Secretary for Import Administration, Group I.*

[FR Doc. 04-18155 Filed 8-6-04; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-886]

#### Antidumping Duty Order: Polyethylene Retail Carrier Bags From the People's Republic of China

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

**SUMMARY:** Pursuant to section 736(a) of the Tariff Act of 1930, as amended, the Department of Commerce is issuing an antidumping duty order on polyethylene retail carrier bags from the People's Republic of China.

**EFFECTIVE DATE:** August 9, 2004.

**FOR FURTHER INFORMATION CONTACT:** Hermes Pinilla, AD/CVD Enforcement, Office 5, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-3477.

**SUPPLEMENTARY INFORMATION:**

**Scope of Order**

The merchandise subject to this antidumping duty order is polyethylene retail carrier bags (PRCBs) which may be referred to as t-shirt sacks, merchandise bags, grocery bags, or checkout bags. The subject merchandise is defined as non-sealable sacks and bags with handles (including drawstrings), without zippers or integral extruded closures, with or without gussets, with or without printing, of polyethylene film having a thickness no greater than 0.035 inch (0.889 mm) and no less than 0.00035 inch (0.00889 mm), and with no length or width shorter than 6 inches (15.24 cm) or longer than 40 inches (101.6 cm). The depth of the bag may be shorter than 6 inches but not longer than 40 inches (101.6 cm).

PRCBs are typically provided without any consumer packaging and free of charge by retail establishments, e.g., grocery, drug, convenience, department, specialty retail, discount stores, and restaurants, to their customers to package and carry their purchased products. The scope of the investigation excludes (1) polyethylene bags that are not printed with logos or store names and that are closeable with drawstrings made of polyethylene film and (2) polyethylene bags that are packed in consumer packaging with printing that refers to specific end-uses other than packaging and carrying merchandise from retail establishments, e.g., garbage bags, lawn bags, trash-can liners.

Imports of the subject merchandise are currently classifiable under

statistical category 3923.21.0090 of the *Harmonized Tariff Schedule of the United States* (HTSUS). This subheading also covers products that are outside the scope of this investigation. Furthermore, although the HTSUS subheading is provided for convenience and customs purposes, our written description of the scope of this investigation is dispositive.

**Antidumping Duty Order**

On August 2, 2004, the International Trade Commission (ITC) notified the Department of Commerce (the Department) of its final determination pursuant to section 735(d) of the Tariff Act of 1930, as amended (the Act), that the industry in the United States producing PRCBs is materially injured within the meaning of section 735(b)(1)(A)(i) of the Act by reason of less-than-fair-value imports of subject merchandise from the People's Republic of China (PRC). Therefore, in accordance with section 736(a)(1) of the Act, the Department will direct U.S. Customs and Border Protection (CBP) to assess, upon further advice by the Department, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the U.S. price of the merchandise for all relevant entries of PRCBs from the PRC. These antidumping duties will be assessed on all unliquidated entries of PRCBs from the PRC entered, or withdrawn from the warehouse, for consumption on or after January 26, 2004, the date on which the Department published its *Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination: Polyethylene Retail Carrier Bags from the People's Republic of China*, 69 FR 3544 (January 26, 2004).

Section 733(d) of the Act states that instructions issued pursuant to an affirmative preliminary determination may not remain in effect for more than

four months except where exporters representing a significant proportion of exports of the subject merchandise request the Department to extend that four-month period to not more than six months. At the request of exporters that account for a significant proportion of exports of PRCBs, we extended the four-month period to not more than six months. See 69 FR at 3545-46. In this investigation, the six-month period began on the date of the publication of the preliminary determination and ended on July 24, 2004. Therefore, in accordance with section 733(d) of the Act and our practice, we will instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of PRCBs from the PRC entered, or withdrawn from warehouse, for consumption on or after July 24, 2004, and before the date of publication of the ITC's final injury determination in the **Federal Register**. Suspension of liquidation will continue on or after this date.

With the exception of subject merchandise manufactured and exported by Hang Lung Plastic Manufactory, Ltd. (Hang Lung) and Nantong Huasheng Plastic Products Co., Ltd (Nantong), on or after the date of publication of the ITC's notice of final determination in the **Federal Register**, CBP will require, at the same time as importers would normally deposit estimated duties on this merchandise, cash deposits for the subject merchandise equal to the estimated weighted-average antidumping margins listed below. Because we found *de minimis* margins for Hang Lung and Nantong, we are excluding merchandise manufactured and exported by Hang Lung and Nantong from this order. The PRC-wide rate applies to all entries of the subject merchandise except for entries from the companies that are identified individually below.

Producer or exporter	Weighted-average percent margin
Dongguan Huang Jiang United Wah Plastic Bag Factory (Also known as Dongwan Nozawa Plastics and United Power Packaging, Ltd.)	23.22
Rally Plastics Company, Ltd.	23.85
Shanghai Glpack Packing Co., Ltd., and Sea Lake PolyethyleneEnterprise, Ltd. (Also known as Sea Lake Plastics Import MaterialProcessing Factory and Sea Lake Plastics Co., Ltd.)	19.79
Xiamen Ming Pak Plastics Co., Ltd.	35.58
Zhongshan Dongfeng Hung Wai Plastic Bag Manufactory	41.28
Beijing Lianbin Plastics and Printing Co., Ltd.	25.69
Dongguan Maruman Plastic Packaging Co., Ltd.(Formerly known as Dongguan Zhongqiao Combine Plastic Bag Factory)	25.69
Good-in Holdings, Ltd.	25.69
Guangdong Esquel Packaging Co., Ltd.	25.69
Nan Sing Plastics, Ltd.	25.69
Ningbo Fanrong Plastics Products Co., Ltd.	25.69
Ningbo Huansen Plasthetics Co., Ltd.	25.69
Rain Continent Shanghai Co., Ltd.	25.69
Shanghai Dazhi Enterprise Development Co., Ltd.	25.69

Producer or exporter	Weighted-average percent margin
Shanghai Fangsheng Coloured Packaging Co., Ltd. ....	25.69
Shanghai Jingtai Packaging Material Co., Ltd. ....	25.69
Shanghai Light Industrial Products Imports and Export Corp. ....	25.69
Shanghai Minmetals Development, Ltd. ....	25.69
Shanghai New Ai Lian Import and Export Co., Ltd. ....	25.69
Shanghai Overseas International Trading Co., Ltd. ....	25.69
Shanghai Yafu Plastics Industries Co., Ltd. ....	25.69
Weihai Weiquan Plastic and Rubber Products Co., Ltd. ....	25.69
Xiamen Xingyatai Industry Co., Ltd. ....	25.69
Xinhui Henglong .....	25.69
PRC-wide Rate .....	77.57

This notice constitutes the antidumping duty order with respect to PRCBs from the PRC, pursuant to section 736(a) of the Act. Interested parties may contact the Department's Central Records Unit, Room B-099 of the Main Commerce Building, for copies of an updated list of antidumping duty orders currently in effect.

This order is published in accordance with section 736(a) of the Act and 19 CFR 351.211.

Dated: August 4, 2004.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 04-18264 Filed 8-6-04; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-557-813]

#### Antidumping Duty Order: Polyethylene Retail Carrier Bags From Malaysia

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

**SUMMARY:** Pursuant to section 736(a) of the Tariff Act of 1930, as amended, the Department of Commerce is issuing an antidumping duty order on polyethylene retail carrier bags from Malaysia.

**EFFECTIVE DATE:** August 9, 2004.

**FOR FURTHER INFORMATION CONTACT:**

David Dirstine, AD/CVD Enforcement, Office 5, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-4033.

**SUPPLEMENTARY INFORMATION:**

**Scope of Order**

The merchandise subject to this antidumping duty order is polyethylene retail carrier bags (PRCBs) which may be referred to as t-shirt sacks, merchandise bags, grocery bags, or checkout bags.

The subject merchandise is defined as non-sealable sacks and bags with handles (including drawstrings), without zippers or integral extruded closures, with or without gussets, with or without printing, of polyethylene film having a thickness no greater than 0.035 inch (0.889 mm) and no less than 0.00035 inch (0.00889 mm), and with no length or width shorter than 6 inches (15.24 cm) or longer than 40 inches (101.6 cm). The depth of the bag may be shorter than 6 inches but not longer than 40 inches (101.6 cm).

PRCBs are typically provided without any consumer packaging and free of charge by retail establishments, e.g., grocery, drug, convenience, department, specialty retail, discount stores, and restaurants, to their customers to package and carry their purchased products. The scope of the investigation excludes (1) polyethylene bags that are not printed with logos or store names and that are closeable with drawstrings made of polyethylene film and (2) polyethylene bags that are packed in consumer packaging with printing that refers to specific end-uses other than packaging and carrying merchandise from retail establishments, e.g., garbage bags, lawn bags, trash-can liners.

Imports of the subject merchandise are currently classifiable under statistical category 3923.21.0090 of the *Harmonized Tariff Schedule of the United States* (HTSUS). This subheading also covers products that are outside the scope of this investigation. Furthermore, although the HTSUS subheading is provided for convenience and customs purposes, our written description of the scope of this investigation is dispositive.

**Antidumping Duty Order**

On August 2, 2004, the International Trade Commission (ITC) notified the Department of Commerce (the Department) of its final determination pursuant to section 735(d) of the Tariff Act of 1930, as amended (the Act), that the industry in the United States producing PRCBs is materially injured

within the meaning of section 735(b)(1)(A)(i) of the Act by reason of less-than-fair-value imports of subject merchandise from Malaysia. Therefore, in accordance with section 736(a)(1) of the Act, the Department will direct U.S. Customs and Border Protection (CBP) to assess, upon further advice by the Department, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price of the merchandise for all relevant entries of PRCBs from Malaysia. These antidumping duties will be assessed on all unliquidated entries of PRCBs from Malaysia entered, or withdrawn from the warehouse, for consumption on or after January 26, 2004, the date on which the Department published its *Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination: Polyethylene Retail Carrier Bags from Malaysia*, 69 FR 3557 (January 26, 2004).

Section 733(d) of the Act states that instructions issued pursuant to an affirmative preliminary determination may not remain in effect for more than four months except where exporters representing a significant proportion of exports of the subject merchandise request the Department to extend that four-month period to not more than six months. At the request of an exporter that accounts for a significant proportion of exports of PRCBs, we extended the four-month period to not more than six months. See 69 FR at 3558. In this investigation, the six-month period began on the date of the publication of the preliminary determination and ended on July 24, 2004. Therefore, in accordance with section 733(d) of the Act and our practice, we will instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of PRCBs from Malaysia entered, or withdrawn from warehouse, for consumption on or after July 24, 2004, and before the date of publication of the