

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-570-506]

**Certain Porcelain-On-Steel Cookware from the People's Republic of China: Initiation of New Shipper Antidumping Duty Review**

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

**EFFECTIVE DATE:** September 16, 2004.

**FOR FURTHER INFORMATION CONTACT:** Anya Naschak at (202) 482-6375 or Benjamin Kong at (202) 482-7907; Office of China/NME Antidumping Duty Enforcement Group, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230.

**SUPPLEMENTARY INFORMATION:**

**Background**

The Department received a timely request from Shanghai Watex Metal Products Co., Ltd. ("Watex") in accordance with 19 CFR 351.214(c), for a new shipper review of the antidumping duty order on porcelain on steel cookware ("POS") from the People's Republic of China ("PRC"), which has a December annual anniversary month and a June semiannual anniversary month. See *Antidumping Duty Order; Porcelain-on-Steel Cooking Ware from the People's Republic of China*, 51 FR 43414 (December 2, 1986). In its request, Watex identified itself as both the producer and exporter of POS. As required by 19 CFR 351.214(b)(2)(i) and (iii)(A), Watex certified that it did not export POS to the United States during the period of investigation ("POI"), and

that it has never been affiliated with any exporter or producer which exported POS during the POI. Furthermore, Watex has also certified that its export activities are not controlled by the central government of the PRC, satisfying the requirements of 19 CFR 351.214(b)(2)(iii)(B). Pursuant to the Department's regulations at 19 CFR 351.214(b)(2)(iv), Watex submitted documentation establishing the date on which the subject merchandise was first entered for consumption in the United States, the volume of that first shipment and any subsequent shipment, and the date of the first sale to an unaffiliated customer in the United States.

On August 26, 2004, and August 27, 2004, the Department issued pre-initiation supplemental questionnaires to Watex to clarify information submitted in its request for a new shipper review. The Department also requested that Watex clarify whether the merchandise exported by Watex and entered during the period of review was in fact subject merchandise (due to the proprietary nature of this information, it is discussed in greater detail in the Letter from the Department dated August 27, 2004, which is on the record in this review and is on file in the Central Records Unit ("CRU") located in room B-099 of the Main Commerce Building). In Watex's supplemental questionnaire response, dated August 31, 2004, Watex responded to the Department's request for clarification and provided additional documentation as requested.

The Department conducted U.S. Customs and Border Protection ("CBP") database queries to determine whether Watex's shipment had entered the United States. In addition, the Department confirmed through research on the internet and through Dunn and

Bradstreet reports that Watex and the importer of record appear to be bona fide companies.

**Scope**

Imports covered by this review are shipments of POS cooking ware, including tea kettles, which do not have self-contained electric heating elements. All of the foregoing are constructed of steel and are enameled or glazed with vitreous glasses. The merchandise is currently classifiable under the Harmonized Tariff Schedule ("HTS") item 7323.94.00. HTS items numbers are provided for convenience and customs purposes. The written description of the scope remains dispositive.

**Initiation of Review**

In accordance with section 751(a)(2)(B) of the Act, as amended, and 19 CFR 351.214(d)(1) of the Department's regulations, and based on information on the record, we are initiating a new shipper review for Watex. See Memorandum to the File through James C. Doyle, New Shipper Review Initiation Checklist, dated September 9, 2004. We intend to issue the preliminary results of this review not later than 180 days after the date on which this review was initiated, and the final results of this review within 90 days after the date on which the preliminary results were issued.

Pursuant to 19 CFR 351.214(g)(1)(i)(B) of the Department's regulations, the period of review ("POR") for a new shipper review initiated in the month immediately following the anniversary month will be the six-month period immediately preceding the semi-annual anniversary month. Therefore, the POR for this new shipper review is:

Antidumping Duty Proceeding	Period to be Reviewed
Exporter/Producer: Shanghai Watex Metal Products Co., Ltd. ....	12/01/03 - 05/31/04

It is the Department's practice in cases involving non-market economies to require that a company seeking to establish eligibility for an antidumping duty rate separate from the country-wide rate to provide evidence of *de jure* and *de facto* absence of government control over the company's export activities. See e.g., *Notice of Preliminary Results of Antidumping Duty New Shipper Review: Honey from the People's Republic of China*, 68 FR 33099 (June 3, 2003); *Notice of Final Results of Antidumping Duty New Shipper Review: Honey from the People's Republic of*

*China*, 68 FR 62053 (October 31, 2004) (unchanged in the final results). Accordingly, we will issue a questionnaire to Watex concerning separate rates. The review will proceed if the responses provide sufficient indication that Watex is not subject to either *de jure* or *de facto* government control with respect to their exports of POS. However, if Watex does not demonstrate its eligibility for a separate rate, then it will be deemed not separate from other companies in the PRC that exported during the POI and the new shipper review will be rescinded.

In accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e), we will instruct CBP to allow, at the option of the importer, the posting, until the completion of the review, of a single entry bond or security in lieu of a cash deposit for certain entries of the merchandise exported by Watex. Specifically, since Watex has identified itself as both the producer and exporter of the subject merchandise for the sale under review, we will instruct CBP to limit the bonding option only to entries of

merchandise exported by Watex that were also produced by Watex.

Interested parties that need access to proprietary information in this new shipper review should submit applications for disclosure under administrative protective orders 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 (19 U.S.C. 1675(a)(2)(B)) and 19 CFR 351.214(d) of the Department's regulations.

Dated: September 9, 2004.

**Jeffrey A. May,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. E4-2221 Filed 9-15-04; 8:45 am]

**BILLING CODE**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### President's Export Council: Meeting of the President's Export Council

**AGENCY:** International Trade Administration, U.S. Department of Commerce.

**ACTION:** Notice of an open meeting.

**SUMMARY:** The President's Export Council (PEC) will hold a full Council meeting to discuss topics related to export expansion. The meeting will include discussion of trade priorities and initiatives, PEC subcommittee activity and proposed letters of recommendation. The PEC was established on December 20, 1973, and reconstituted May 4, 1979, to advise the President on matters relating to U.S. trade. It was most recently renewed by Executive Order 13316.

**DATES:** September 29, 2004. Time: 9 a.m. to 11 a.m.

**ADDRESSES:** Capitol Hill, room to be determined, Washington, DC. This program is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be submitted no later than September 20, 2004, to J. Marc Chittum, President's Export Council, Room H-4043, Washington, DC 20230 (telephone: 202-482-1124). Seating is limited and will be on a first come, first served basis.

**FOR FURTHER INFORMATION CONTACT:** J. Marc Chittum, President's Export Council, Room 4043, Washington, DC 20230 (telephone: 202-482-1124), or visit the PEC Web site, <http://www.ita.doc.gov/td/pec>.

Dated: September 13, 2004.

**J. Marc Chittum,**

*Staff Director and Executive Secretary, President's Export Council.*

[FR Doc. E4-2222 Filed 9-15-04; 8:45 am]

**BILLING CODE 3510-DR-P**

## DEPARTMENT OF COMMERCE

### Minority Business Development Agency

[Docket No. 040909257-4257-01 ]

#### Solicitation of Applications for the Minority Business Development Center (MBDC) Program

**AGENCY:** Minority Business Development Agency, Commerce.

**ACTION:** Notice.

**SUMMARY:** The Minority Business Development Agency publishes this notice to announce an extension of the closing date for a competitive application for the Miami/Ft. Lauderdale Minority Business Development Center (MBDC) Program due to the disaster recovery efforts throughout the state of Florida caused by Hurricane Frances. The closing date September 21, 2004 as originally published in the **Federal Register** Notice (69 FR 51064) on August 17, 2004 has been changed to October 8, 2004. No other changes to the program requirements have been made. Please see the original notice for program information and application requirements.

**DATES:** The new closing date for submittals pertaining to MBDC Application Award Number 04-10-05001-01 is October 8, 2004. Completed applications for the Miami/Ft. Lauderdale MBDC must be received by MBDA no later than 5 p.m. Eastern Daylight Savings Time at the address below. Applications received after the closing date and time will not be considered.

Anticipated time for processing of applications is one hundred twenty (120) days from the date of publication of this notice.

MBDA anticipates that awards for the MBDC program will be made with an anticipated start date of January 1, 2005.

**ADDRESSES:** If the application is mailed by the applicant or its representative, they must submit one (1) signed original plus two (2) copies of the application. Completed application packages must be mailed to: Office of Business Development, Office of Executive Secretariat, HCHB, Room 5063, Minority Business Development Agency, U.S.

Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

If the application is hand-delivered by the applicant or his/her representative, one (1) signed original plus two (2) copies of the application must be delivered to: U.S. Department of Commerce, HCHB, Room 1874, Entrance #10, 15th Street, NW., Washington, DC, located between Pennsylvania and Constitution Avenues.

If applying on-line at <http://www.mbda.gov>, all sections of the application (Program Narrative, SF-424, SF-424A, SF-424B, SF-LLL, CD-346, and CD-511) must be completed in order for the application to be considered. In addition to applying on-line, you must also hand-deliver or mail one original plus two (2) copies of only the pages that require original signatures by the closing date and time stated above.

**FOR FURTHER INFORMATION CONTACT:** For a copy of the Federal Funding Opportunity Announcement as well as further information (including Frequently Asked Questions/Answers, Pre-Application teleconference, etc.), please visit MBDA's Minority Business Internet Portal (MBDA Portal) at <http://www.mbda.gov> or contact the appropriate regional office listed below. A printed application package can also be obtained by contacting the specified MBDA National Enterprise Center (NEC) for the geographic service area in which the project will be located (see Geographic Service Area in this notice).

#### Regional Agency Contacts:

1. **MBDC Application:** Miami/Ft. Lauderdale. Robert Henderson, Regional Director, Atlanta National Enterprise Center, Minority Business Development Agency, U.S. Department of Commerce, 401 W. Peachtree Street, NW., Suite 1715, Atlanta, GA 30308-3516, 404-730-3300.

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

The full text Federal Funding Opportunity Announcement for the MBDC program is available via Web site at <http://www.mbda.gov> or by contacting the MBDA representative identified above. An abbreviated announcement is also available through Grants.gov at <http://www.Grants.gov>.

Applicants for the Miami/Ft. Lauderdale MBDC are encouraged to submit their proposal electronically via the Internet and mail or hand-deliver only the pages that require original signatures by the closing date and time, as stated in this Notice. Applicants may submit their applications on the MBDA