

on supporting documentation and calculations.

#### *Fair Value Comparisons*

Based on the data provided by petitioners, there is reason to believe that imports of magnesium from the PRC and Russia are being, or are likely to be, sold at less than normal value.

#### *Allegations and Evidence of Material Injury and Causation*

Petitioners allege that the U.S. industry producing the domestic like product is being materially injured, or is threatened with material injury, by reason of the individual and cumulated imports of the subject merchandise sold at less than NV.

Petitioners contend that the industry's injured condition and threat of being injured is evident in the domestic industry's decline in domestic capacity, capacity utilization, production, and shipments, loss of U.S. market share, declining employment, declining average unit sales values/industry price erosion, declining financial performance, inability to complete capital and R&D projects, specific instances of lost sales and revenue, and excess capacity in the PRC and Russia. Injury is caused by imports of subject merchandise, which are different under the PRC scope than under the Russian scope. We have assessed the allegations and supporting evidence regarding material injury and causation and we have determined that these allegations are properly supported by adequate evidence and meet the statutory requirements for initiation. See the *Initiation Checklist*.

#### *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. Therefore, we are initiating antidumping duty investigations to determine whether imports of magnesium from the PRC and Russia are being, or are likely to be, sold in the United States at less than normal value. We will make our preliminary determinations no later than 140 days after the date of this initiation, unless this deadline is extended pursuant to section 733(b)(1)(A) of the Act.

#### *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 the PRC and Russia. 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 preliminarily determine no later than April 12, 2004, whether there is a reasonable indication that imports of magnesium from the PRC and Russia are causing material injury, or threatening to cause material injury, to a U.S. industry. A negative ITC determination for either 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: March 18, 2004.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

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## **DEPARTMENT OF COMMERCE**

### **International Trade Administration**

**[A-475-059]**

#### **Notice of Final Results of Antidumping Duty Changed Circumstances Review: Pressure Sensitive Plastic Tape From Italy**

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

**ACTION:** Notice of final results of Antidumping Duty Changed Circumstances Review.

**SUMMARY:** On February 2, 2004, the Department of Commerce (the Department) published a notice of preliminary results of changed circumstances review of the antidumping duty order on pressure sensitive plastic tape (PSPT) from Italy in which we preliminarily determined that Tyco Adhesives Italia S.p.A. (Tyco) is a successor-in-interest company to Manuli Tapes S.p.A. (Manuli). See *Notice of Preliminary Results of Antidumping Duty Changed Circumstances Review: Pressure Sensitive Plastic Tape from Italy*, 69 FR 4922 (February 2, 2004) (*Notice of Preliminary Results*). We gave interested parties an opportunity to comment on the preliminary results, but received no comments. Therefore, the final results

do not differ from the preliminary results of review.

**EFFECTIVE DATE:** March 25, 2004.

**FOR FURTHER INFORMATION CONTACT:** Zev Primor or Mark Manning, AD/CVD Enforcement, Group II, Office 4, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-4114 or (202) 482-5253, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On July 3, 2003, Tyco requested that the Department conduct a changed circumstances review of the antidumping duty order on PSPT from Italy pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.221(c)(3)(ii)(2003). Tyco claims to be the successor-in-interest to Manuli Tapes, S.p.A.,<sup>1</sup> and, as such, claims that it is entitled to receive the same antidumping treatment as Manuli. On August 7, 2003, at the request of the Department, Tyco submitted additional information and documentation pertaining to its changed circumstances request. From November 12 through November 15, 2003, the Department conducted a verification of the information pertaining to this changed circumstances review at Tyco's offices in Novara and Tyco's plant in Formia, both located in Italy.

On February 2, 2004, the Department published the preliminary results of review and invited interested parties to comment. See *Notice of Preliminary Results*. We received no comments.

##### **Scope of Review**

Imports covered by the review are shipments of PSPT measuring over 1<sup>3</sup>/<sub>8</sub> inches in width and not exceeding 4 millimeters in thickness, currently classifiable under items 3919.90.20 and 3919.90.50 of the Harmonized Tariff Schedule of the United States (HTSUS). HTSUS subheadings are provided for convenience and customs purposes. The written description remains dispositive as to the scope of the product coverage.

##### **Final Results of Review**

In antidumping duty changed circumstances reviews involving a successor-in-interest determination, the Department typically examines several factors including, but not limited to, changes in: (1) Management; (2) production facilities; (3) supplier relationships; and (4) customer base.

<sup>1</sup> On December 31, 1999, after merging with another company, Manuli Autoadesivi S.p.A. changed its corporate name to Manuli Tapes S.p.A.

*See Brass Sheet and Strip from Canada: Notice of Final Results of Antidumping Administrative Review*, 57 FR 20460, 20462 (May 13, 1992) (*Canadian Brass*). While no single factor or combination of factors will necessarily be dispositive, the Department generally will consider the new company to be the successor to the predecessor company if the resulting operations are essentially the same as those of the predecessor company. *See, e.g., Industrial Phosphoric Acid from Israel: Final Results of Changed Circumstances Review*, 59 FR 6944, 6945 (February 14, 1994), and *Canadian Brass*, 57 FR 20460. Thus, if the record evidence demonstrates that, with respect to the production and sale of the subject merchandise, the new company operates as the same business entity as the predecessor company, the Department may assign the new company the cash deposit rate of its predecessor. *See, e.g., Fresh and Chilled Atlantic Salmon from Norway: Final Results of Changed Circumstances Antidumping Duty Administrative Review*, 64 FR 9979, 9980 (March 1, 1999).

We have examined the information provided by Tyco and determined that Tyco is the successor-in-interest to Manuli. Tyco's acquisition of Manuli has precipitated minimal changes to the original Manuli corporate structure. Tyco's management, production facilities, supplier relationships, sales facilities and customer base are essentially unchanged from those of Manuli's. Therefore, the record evidence demonstrates that the new entity essentially operates in the same manner as the predecessor company. Consequently, we determined that Tyco should receive the same antidumping duty treatment as Manuli, *i.e.*, zero percent antidumping duty cash deposit rate.

The cash deposit determination from this changed circumstances review will apply to all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this changed circumstances review. *See Granular Polytetrafluoroethylene Resin from Italy: Final Results of Antidumping Duty Changed Circumstances Review*, 68 FR 25327 (May 12, 2003). This deposit rate shall remain in effect until publication of the final results of the next administrative review in which Tyco participates.

#### Notification

This notice serves as a final reminder to parties to administrative protective orders (APOs) of their responsibility

concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(5). Failure to timely notify the Department in writing of the return/destruction of APO material is a sanctionable violation.

This notice is in accordance with sections 751(b) and 777(i)(1) of the Act, and section 351.221(c)(3)(i) of the Department's regulations.

Dated: March 19, 2004.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-853]

#### Notice of Postponement of Final Antidumping Duty Determination: Wax and Wax/Resin Thermal Transfer Ribbons From the Republic of Korea

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

**ACTION:** Postponement of final antidumping duty determination.

**EFFECTIVE DATE:** March 25, 2004.

**FOR FURTHER INFORMATION CONTACT:** Fred Baker or Robert James, AD/CVD Enforcement Office 8, Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-2924 or (202) 482-0649, respectively.

**SUMMARY:** The Department of Commerce (the Department) is postponing the final determination in the antidumping duty investigation of wax and wax/resin thermal transfer ribbons from the Republic of Korea from March 22, 2004 to March 29, 2004.

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 22, 2003, the Department published its Notice of Preliminary Determination of Sales at Not Less Than Fair Value: Wax and Wax/Resin Thermal Transfer Ribbons From the Republic of Korea (68 FR 71078). The preliminary determination was negative. The notice stated the Department would issue its final determination no later than 75 days after the date of the preliminary determination (December 16, 2003).

Section 19 CFR 351.210(b)(2)(i) allows for a postponement of the final

determination until not later than 135 days after the date of publication of the preliminary determination at the request of the petitioner, when the preliminary determination was negative.

On February 12, 2004 the Department postponed the final determination to March 22, 2004 at the request of the petitioner. *See* Notice of Postponement of Final Antidumping Duty Determination: Wax and Wax/Resin Thermal Transfer Ribbons from the Republic of Korea, 69 FR 6941 (February 12, 2004).

#### Postponement of Final Determination

On March 16, 2004, the Department received a request from the petitioner, International Imaging Materials, Inc. (IIMAK), that the Department postpone the final determination until March 29, 2004. IIMAK made this request under section 19 CFR 351.210(b)(2)(i) which, as noted above, allows the petitioner to request a postponement of the final determination if the preliminary determination was negative. There are no compelling reasons for the Department to deny petitioner's request. Therefore, pursuant to section 19 CFR 351.210(b)(2)(i), the Department is postponing the deadline for issuing the final determination until March 29, 2004.

This notice of postponement is in accordance with section 735(a)(2)(B) of the Tariff Act of 1930, as amended, and 19 CFR 351.210(b)(2).

Dated: March 19, 2004.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[Docket No.: 000616180-4095-08]

RIN 0648-ZA91

#### NOAA Climate and Global Change Program, FY 2005 Program Announcement

**AGENCY:** Office of Global Programs, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, Department of Commerce.

**ACTION:** Notice.

**SUMMARY:** The Climate and Global Change Program represents a National Oceanic and Atmospheric Administration (NOAA) contribution to