

Dated: December 23, 2003.

**Holly A. Kuga,**

*Acting Assistant Secretary for Import Administration.*

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**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-122-848]

#### Hard Red Spring Wheat From Canada: Initiation of Expedited Review of the Countervailing Duty Order

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

**ACTION:** Notice of initiation of expedited review of the countervailing duty order: Hard Red Spring Wheat from Canada.

**SUMMARY:** On November 18, 2003, the Department of Commerce received a request to conduct an expedited review of the countervailing duty order on hard red spring wheat from Canada. In accordance with 19 CFR 351.214(k), we are initiating this review.

**EFFECTIVE DATE:** December 31, 2003.

**FOR FURTHER INFORMATION CONTACT:** Daniel J. Alexy or Stephen Cho, Office of Antidumping/Countervailing Duty Enforcement, Group 1, Import Administration, U.S. Department of Commerce, Room 3099, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-1540 and (202) 482-3798, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On November 18, 2003, the Department of Commerce (the "Department") received a request from Richelain Farms ("Richelain") to conduct an expedited review of the countervailing duty order on hard red spring wheat from Canada, issued October 23, 2003 (68 FR 60642). Richelain, a company that was not selected for individual examination during the investigation, made this request pursuant to 19 CFR 351.214(k).

##### Initiation of Expedited Review

In accordance with 19 CFR 351.214(k)(1)(i)-(iii), Richelain certified that it exported the subject merchandise to the United States during the period of investigation; that it is not affiliated with an exporter or producer that the Department individually examined in the investigation; and that it informed the Government of Canada, as the government of the exporting country, that the government will be required to

provide a full response to the Department's questionnaire.

Therefore, in accordance with 19 CFR 351.214(k), we are initiating an expedited review of the countervailing duty order on hard red spring wheat from Canada. Pursuant to 19 CFR 351.214(k)(3), we intend to issue the preliminary results of this expedited review not later than 180 days from the date of initiation of this review. As specified by 19 CFR 351.214(k)(3)(i), the period of review will be based on the same period of time as the investigation, *i.e.*, August 1, 2001, through July 31, 2002.

This expedited review is intended to provide an individual cash deposit rate or exclusion to Richelain. The final results of this expedited review will not be the basis for the assessment of countervailing duties.

Interested parties must submit applications for disclosure under administrative protective orders in accordance with 19 CFR 351.305 and 351.306.

Dated: December 23, 2003.

**Holly A. Kuga,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Notice of Determination with Respect to Modification of Tariff Rate Quotas on the Import of Certain Worsted Wool Fabrics

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

**ACTION:** The Department has determined that no modification be made to the 2004 tariff rate quotas.

**SUMMARY:** The Department of Commerce has determined that the 2004 limitation on the quantity of imports of worsted wool fabrics that may be imported under the tariff rate quotas established by the Trade and Development Act of 2000 (TDA 2000) as amended by the Trade Act of 2002 should not be modified.

**FOR FURTHER INFORMATION CONTACT:** Sergio Botero, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4058.

#### SUPPLEMENTARY INFORMATION:

##### Background

Title V of the TDA 2000 created two tariff rate quotas (TRQs), providing for temporary reductions for three years in

the import duties on limited quantities of two categories of worsted wool fabrics suitable for use in making suits, suit-type jackets, or trousers: (1) for worsted wool fabric with average fiber diameters greater than 18.5 microns (Harmonized Tariff Schedule of the United States (HTS) heading 9902.51.11); and (2) for worsted wool fabric with average fiber diameters of 18.5 microns or less (HTS heading 9902.51.12).

On August 6, 2002, President Bush signed into law the Trade Act of 2002, which includes several amendments to Title V of the TDA 2000. These include the extension of the program through 2005; the reduction of the in-quota duty rate on HTS 9902.51.12 (average fiber diameter 18.5 microns or less) from 6 percent to zero, effective for goods entered, or withdrawn from warehouse for consumption, on or after January 1, 2002; and an increase in the 2003 through 2005 TRQ levels to 3,500,000 square meters for HTS 9902.51.12 and to 4,500,000 square meters for HTS 9902.51.11. Both of these limitations may be modified by the President, not to exceed 1,000,000 square meters per year for each tariff rate quota.

The TDA 2000 requires the annual consideration of requests by U.S. manufacturers of men's or boys' worsted wool suits, suit-type jackets and trousers for modification of the limitation on the quantity of fabric that may be imported under the tariff rate quotas, and grants the President the authority to proclaim modifications to the limitations. In determining whether to modify the limitations, specified U.S. market conditions with respect to worsted wool fabric and worsted wool apparel must be considered.

On January 22, 2001, the Department published regulations establishing procedures for considering requests for modification of the limitations (15 CFR 340) in the **Federal Register**. (See 66 FR 6459.) The regulations provide that not more than 30 days following the close of the comment period, the Department will determine whether the limitations on the quantity of imports under the tariff rate quotas should be modified and recommend to the President that appropriate modifications be made.

On September 26, 2003, the Department published a notice in the **Federal Register** soliciting requests for modification of the 2004 tariff rate quota limitations. (See 68 FR 55591.) The Department received one such request, from Hartmarx Corporation. The request is for the maximum increase (1,000,000 square meters) in each of the two tariff rate quota limitations (HTS 9902.51.11 and HTS 9902.51.12).