

Pursuant to section 773(b)(3) of the Act, COP consists of cost of manufacturing, selling, general and administrative expenses, and packing. The Petitioners calculated COM based on publicly available information and their own production experience, adjusted for known differences between costs incurred to produce processed hazelnuts in the United States and Turkey using publicly available data. To calculate SG&A and interest expense, the Petitioners were unable to obtain the financial statements of a Turkish hazelnut processor and therefore relied upon publicly available information for marketing and financing costs and their experience during the POI for general and administrative costs. Based upon a comparison of the price of the foreign like product in the third-country market, Germany, to the calculated COP of the product, we find reasonable grounds to believe or suspect that sales of the foreign like product were made below the COP, within the meaning of section 773(b)(2)(A)(i) of the Act. Accordingly, the Department is initiating a country-wide cost investigation relating to third-country sales to Germany. We note, however, that if we determine that the home market (*i.e.*, Turkey) is viable, our initiation of a country-wide cost investigation with respect to sales to Germany will be rendered moot.

Based upon the comparison of CV to EP, the Petitioners' calculated estimated dumping margin is 31.80 percent (*See Initiation Checklist*).

#### Fair Value Comparisons

Based on the data provided by Petitioners, there is reason to believe imports of certain processed hazelnuts from Turkey are being, or are likely to be, sold at less than fair 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 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 is evident in examining reduced production, shipments and net income, decreased employment, declining kernel prices, and lost sales and revenue. *See Petition* at pages 23–31. Petitioners assert its share of the market has declined from 2000 to 2002. *See Petition* at page 26. For a full discussion of the allegations and evidence of material injury, *See Initiation Checklist* at Attachment II.

#### Initiation of Antidumping Investigation

Based on our examination of the Petition covering certain processed hazelnuts, we find it meets the requirements of section 732 of the Act. Therefore, we are initiating an antidumping duty investigation to determine whether imports of certain processed hazelnuts from Turkey are being, or are likely to be, sold in the United States at less than normal value. Unless this deadline is extended pursuant to section 733(b)(1)(A) of the Act, we will make our preliminary determinations no later than 140 days after the date of this initiation, or April 19, 2004.

#### 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 representatives of the government of Turkey.

#### International Trade Commission Notification

The ITC will preliminarily determine on December 10, 2003, whether there is reasonable indication that imports of certain processed hazelnuts from Turkey are causing, or threatening, material injury to a U.S. industry. A negative ITC determination will result in the investigation being terminated; otherwise, this investigation will proceed according to statutory and regulatory time limits.

This notice is issued and published pursuant to section 777(i) of the Act.

Date: December 1, 2003.

**James J. Jochum,**

*Assistant Secretary for Import Administration.*

[FR Doc. 03–30261 Filed 12–4–03; 8:45 am]

BILLING CODE 3510–DS–S

#### DEPARTMENT OF COMMERCE

#### International Trade Administration

[C-475–819]

#### Certain Pasta from Italy: Notice of Rescission of Countervailing Duty New Shipper Review

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

**ACTION:** Notice of Rescission of Countervailing Duty New Shipper Review.

**SUMMARY:** On March 5, 2003, the Department of Commerce published in the **Federal Register** (68 FR 10446) a notice announcing the initiation of a

new shipper review of the countervailing duty order on certain pasta from Italy, covering the time period January 1, 2002 through December 31, 2002. On March 24, 2003, the Department published a corrected notice of initiation in the **Federal Register** (68 FR 14198). We are now rescinding this new shipper review. **EFFECTIVE DATE:** December 5, 2003.

**FOR FURTHER INFORMATION CONTACT:** Daniel J. Alexy or John Brinkmann, AD/CVD Enforcement, Group I, Office 1, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone (202) 482–1540 or 482–4126, respectively.

#### SUPPLEMENTARY INFORMATION:

#### Background

On December 17, 2002, the Department of Commerce (the “Department”) received a request from Pastificio Carmine Russo S.p.A. (“Pastificio Russo”), made pursuant to section 751(a)(2)(B) of the Tariff Act of 1930, as amended (the “Act”) and 19 CFR §351.214(b), to conduct a new shipper review of the countervailing duty order on certain pasta from Italy, which was issued on July 24, 1996 (61 FR 38544). On February 24, 2003, the Department received submissions from Pastificio Russo containing additional information.

In accordance with section 751(a)(2)(B) of the Act and 19 CFR §351.214, on February 27, 2003, the Department initiated a countervailing duty new shipper review for certain pasta from Italy, covering calendar year 2002. *See Certain Pasta from Italy: Notice of Initiation of Countervailing Duty New Shipper Review*, 68 FR 10446 (March 5, 2003). Corrections to the initiation notice were published in the **Federal Register** on March 24, 2003 (*See* 68 FR 14198). On August 29, 2003, the Department extended the time limit for the publication of the preliminary results in the new shipper review. *See Certain Pasta From Italy: Notice of Extension of Time Limit for Countervailing Duty New Shipper Review*, 68 FR 51965 (August 29, 2003).

On August 22, 2003, the Department, after receiving a timely request from Pastificio Russo pursuant to 19 CFR §351.213(b)(2), initiated an administrative review covering calendar year 2002 for that company. *See Notice of Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 68 FR 50750 (August 22, 2003). Accordingly, parallel reviews covering the same period of review were initiated

under 19 CFR §351.214 (new shipper review) and 19 CFR §351.213 (administrative review).

### Rescission of New Shipper Review

Section 351.214(j)(1) of the Department's regulations authorizes the Department to rescind a new shipper review where: (1) the producer or exporter's merchandise is also being covered by an administrative review under section 351.213, and; (2) the Department consults with the exporter or producer.

As noted, concurrent reviews of Pasificio Russo were initiated by the Department. The Department also consulted with Pastificio Russo concerning the rescission of the new shipper review. The Department typically does not conduct parallel reviews covering the same period of review, and in this case, the Department preferred proceeding under the administrative review. See Memorandum to File from Senior Office Director Susan Kuhbach, dated November 5, 2003, "Ex Parte Conversation with counsel for Pastificio Carmine Russo, S.p.A.," which is on file in the Central Records Unit in room B-099 of the main Department building. Accordingly, we are rescinding the new shipper review and proceeding with the administrative review.

### Notification

The Department will notify U.S. Customs and Border Protection (Customs) that bonding is no longer permitted to fulfill security requirements for shipments from Pastificio Russo entered, or withdrawn from warehouse, for consumption in the United States on or after the publication of this rescission notice in the **Federal Register**, and that a cash deposit of 3.85 percent *ad valorem* should be collected for any entries exported by Pastificio Russo.

We are publishing this notice of rescission in accordance with 19 CFR §351.214(f)(3).

Dated: December 1, 2003.

**Jeffrey May,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. 03-30262 Filed 12-4-03; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### NOAA Research Draft Report; Request for Public Comment

**ACTION:** Notice of availability and request for public comment.

**SUMMARY:** The Office of Oceanic and Atmospheric Research (OAR), will post the NOAA Research Draft Report for public comment on December 15, 2003. The complete draft document will be posted on the National Oceanic and Atmospheric Administration (NOAA), Science Advisory Board (SAB) Web site at <http://www.sab.noaa.gov/reports/review-draft.pdf>. The panel is seeking public comment from all interested parties. This draft is being issued for comment only and is not intended for interim use. The Review Team will review the public comments received on the draft document. Suggested changes will be incorporated, where appropriate, in the final draft report.

The 2003 House and Senate Appropriations Subcommittee Reports have language pertaining to the Office of Oceanic and Atmospheric Research. The report accompanying the House Commerce, Justice State (CJS) Appropriations Subcommittee mark states: "In recognition of current resource limitations the Committee is forced to operate within, the Committee directs NOAA to review the continued requirements for twelve separate laboratories, six of which are located in Boulder, Colorado. The Committee directs NOAA to submit a laboratory consolidation plan to the Committee by March 15, 2004." The Senate report language states: "NOAA is directed to report to the Committee on Appropriations on the costs and benefits of breaking OAR up into its constituent parts and distributing those parts as desirable to the other line offices. The report should specifically address how the newly configured research sector will directly assist line offices in developing timely solutions to problems confronting NOAA now and in the next 5 years."

In response to the Congressional report language NOAA appointed an "Ad Hoc Review Team" (here called the NOAA Research Review Team), under the auspices of the Science Advisory Board (SAB) consisting of five members. The Review team will be disbanded once the review is completed and a final report issued. This panel is tasked with: (1) Conducting a review of OAR for the purpose of improving the effectiveness

and efficiency of its research enterprise, (2) establishing if OAR is adequately linked to NOAA's service organizations (*i.e.*, National Weather Service (NWS), National Environmental Satellite Data, and Information Service (NESDIS), National Marine Fisheries Service (NMFS), and the National Ocean Service (NOS)), (3) assessing if the research programs are relevant to the needs of these organizations. The team's recommendations will assist NOAA in responding to the language in the 2004 House and Senate CJS appropriation reports.

The NOAA Research Review Team will present its findings to the Science Advisory Board in two (2) reports. The draft of the first report will be posted on the Science Advisory Board Web site at: <http://www.sab.noaa.gov/reports/review-draft.pdf>, on December 15, 2003, for public comment. Public comments may be submitted from December 15, 2003, to January 14, 2004.

NOAA welcomes all comments on the content of the report. We also ask that you comment on any inconsistencies within the report, and omissions of important topics or issues. For any shortcoming that you note in the draft, please propose specific remedies.

Please follow these instructions for preparing and submitting your review. Using the format guidance described below will facilitate the processing of reviewer comments and assure that your comments are appropriately considered. Please provide background information about yourself on the first page of your comments: your name(s), organization(s), area(s) of expertise, mailing address(es), telephone and fax numbers, email address(es). Overview comments on the section should follow your background information and should be numbered. Comments that are specific to particular pages, paragraphs or lines of the section should follow your overview comments and should identify the page numbers to which they apply. Please number all your pages (on the upper right hand of each page), and have your identifying information at the top of each page.

**DATES:** Comments on this draft document must be submitted by January 14, 2004.

**ADDRESSES:** The NOAA Research Review Team Report will be available on the SAB Web site at <http://www.sab.noaa.gov/reports/review-draft.pdf> on December 15, 2003.

All comments should be sent electronically to [research.review@noaa.gov](mailto:research.review@noaa.gov), or to NOAA Research, Science Advisory Board, c/o Ms. M. Whitcomb, Silver Spring Metro