

review or the original LTFV investigation, 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, the previous review, or the original investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers and/or exporters of this merchandise, shall be 6.33 percent, the "all others" rate established in the LTFV investigation (*see* 67 FR 45460, July 9, 2002).

These requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

#### Public Comment

Any interested party may request a hearing within 30 days of publication of this notice. A hearing, if requested, will be held 37 days after the publication of this notice, or the first business day thereafter. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 35 days after the date of publication of this notice. The Department will issue the final results of this administrative review, which will include the results of its analysis of issues raised in any such comments, within 120 days of publication of the preliminary results.

#### Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this 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.

This administrative review and notice are in accordance with sections 751(a)(1) and 777(I)(1) of the Act.

Dated: July 29, 2004.

**Jeffrey May,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-875]

#### Non-Malleable Cast Iron Pipe Fittings From the People's Republic of China: Notice of Rescission of Antidumping Duty Administrative Review

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

**ACTION:** Notice of rescission of antidumping duty administrative review.

**SUMMARY:** In response to a request from Anvil International, Inc. (Anvil) and Ward Manufacturing, Inc. (Ward), domestic producers of subject merchandise and interested parties in this proceeding, the Department of Commerce (the Department) initiated an administrative review of the antidumping duty order on non-malleable cast iron pipe fittings (pipe fittings) from the People's Republic of China (PRC). The period of review (POR) is April 1, 2003, through March 31, 2004. For the reason discussed below, we are rescinding this administrative review.

**EFFECTIVE DATE:** August 6, 2004.

**FOR FURTHER INFORMATION CONTACT:** Sam Zengotibengoa or Mark Manning, Office 4, Office of AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-4195 or (202) 482-5253, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Scope of the Order

For purposes of this review, the products covered are finished and unfinished non-malleable cast iron pipe fittings with an inside diameter ranging from ¼ inch to 6 inches, whether threaded or un-threaded, regardless of industry or proprietary specifications. The subject fittings include elbows, ells, tees, crosses, and reducers as well as flanged fittings. These pipe fittings are also known as "cast iron pipe fittings" or "gray iron pipe fittings." These cast iron pipe fittings are normally produced to ASTM A-126 and ASME B.16.4 specifications and are threaded to ASME B1.20.1 specifications. Most building codes require that these products are Underwriters Laboratories (UL) certified. The scope does not include cast iron soil pipe fittings or grooved fittings or grooved couplings.

Fittings that are made out of ductile iron that have the same physical characteristics as the gray or cast iron fittings subject to the scope above or which have the same physical characteristics and are produced to ASME B.16.3, ASME B.16.4, or ASTM A-395 specifications, threaded to ASME B1.20.1 specifications and UL certified, regardless of metallurgical differences between gray and ductile iron, are also included in the scope of this petition. These ductile fittings do not include grooved fittings or grooved couplings. Ductile cast iron fittings with mechanical joint ends (MJ), or push on ends (PO), or flanged ends and produced to the American Water Works Association (AWWA) specifications AWWA C110 or AWWA C153 are not included.

Imports of covered merchandise are currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers 7307.11.00.30, 7307.11.00.60, 7307.19.30.60 and 7307.19.30.85. HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope of this proceeding is dispositive.

#### Background

On April 1, 2004, the Department published a notice of opportunity to request an administrative review of the antidumping order on pipe fittings from the PRC. *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 69 FR 17129 (April 1, 2004). On May 27, 2004, pursuant to a request made by Anvil and Ward, the Department initiated an administrative review of the antidumping duty order on pipe fittings from the PRC. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 69 FR 30282 (May 27, 2004). On July 27, 2004, Anvil and Ward timely withdrew their request for an administrative review of pipe fittings from the PRC.

#### Rescission of Review

If a party that requested a review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review, the Secretary will rescind the review pursuant to 19 CFR 351.213(d)(1). In this case, Anvil and Ward withdrew their request for an administrative review within 90 days from the date of initiation. No other interested party requested a review and we have received no comments regarding Anvil and Ward's withdrawal of their request

for a review. Therefore, we are rescinding the initiation of this review of the antidumping duty order on pipe fittings from the PRC.

#### Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and subsequent assessment of double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This notice is in accordance with section 777(i)(1) of the Act and 19 CFR 251.213(d)(4).

Dated: August 2, 2004.

Jeffrey May,

Deputy Assistant Secretary for Import Administration, Group I.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-489-805]

#### Certain Pasta From Turkey: Notice of Preliminary Results of Antidumping Duty Administrative Review

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

**ACTION:** Notice of preliminary results of antidumping duty administrative review.

**SUMMARY:** In response to a request by the petitioners, New World Pasta Company, American Italian Pasta Company, and Dakota Growers Pasta Company, the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on certain pasta (pasta) from Turkey for the period July 1, 2002, through June 30, 2003.

We preliminarily determine that during the period of review (POR), Filiz Gida Sanayi ve Ticaret A.S. (Filiz) and Tat Konserve A.Ş. (Tat), successor-in-interest to Pastavilla Makarnacilik San. V. Tic. A.Ş., (Pastavilla)<sup>1</sup> sold subject merchandise at less than normal value (NV). If these preliminary results are adopted in the final results of this administrative review, we will instruct the U.S. Customs and Border Protection (CBP) to assess antidumping duties based on the difference between the export price (EP) and NV.

Interested parties are invited to comment on these preliminary results. Parties who submit comments in this proceeding should also submit with them: (1) A statement of the issues; (2) a brief summary of their comments; and (3) a table of authorities. Further, we would appreciate it if parties submitting written comments would provide the Department with an additional copy of the public version of any such comments on diskette.

**EFFECTIVE DATE:** August 6, 2004.

**FOR FURTHER INFORMATION CONTACT:** Lyman Armstrong or Mark Young, AD/CVD Enforcement, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-3601 or (202) 482-6397, respectively.

#### SUPPLEMENTARY INFORMATION

##### Background

On July 24, 1996, the Department published in the **Federal Register** the antidumping duty order on pasta from Turkey (61 FR 38545). On July 2, 2003, we published in the **Federal Register** the notice of "Opportunity to Request Administrative Review" of this order, for the period July 1, 2002, through June 30, 2003 (68 FR 39511).

On July 31, 2003, we received a request for review on behalf of petitioners, for *Filiz, Tat, Beslen Makarna Gida Sanayi ve Ticaret, A.S., and Beslen Pazarlarma Gida Sanayi ve Ticaret A.S.*, respectively (collectively Beslen), *Gidasa Sabanci Gida Sanayi ve Ticaret, A.S.* (successor to *Maktas Makarnacilik ve Ticaret, A.S.*) (Gidasa), and *Oba Makarnacilik Sanayi ve*

*Ticaret, A.S.*, (Oba) in accordance with 19 CFR 351.213(b)(1). On August 22, 2003, we published the notice of initiation of this antidumping duty administrative review covering the period July 1, 2002, through June 30, 2003, for Filiz, Tat, Beslen, Gidasa, and Oba. See *Notice of Initiation*, 68 FR 50750 (August 22, 2003).

On September 10, 2003, we sent the antidumping duty questionnaires to Filiz, Tat, Beslen, Gidasa, and Oba.<sup>2</sup>

On September 29, 2003, Oba sent a letter to the Department stating that it had no shipments of subject merchandise to the United States. On October 3, 2003, petitioners withdrew their request for review for Beslen, Gidasa, and Oba.

For both Filiz and Tat, the Department disregarded sales below the cost of production during the most recently completed segment of the proceeding in which these companies participated.<sup>3</sup> Therefore, pursuant to section 773(b)(2)(A)(ii) of the Tariff Act of 1930, as amended (the Act), we had reasonable grounds to believe or suspect that sales by these companies of the foreign like product under consideration for the determination of NV in this review were made at prices below the cost of production (COP). Thus, we initiated a cost investigation of Filiz and Tat at the time we initiated the antidumping review.

Filiz and Tat submitted their sections A through D questionnaire responses on October 31, 2003, and November 12, 2003, respectively. Both Tat and Filiz submitted voluntary supplemental submissions to the Department on December 18, 2003. Tat and Filiz also

<sup>2</sup> Section A of the questionnaire requests general information concerning a company's corporate structure and business practices, the merchandise under investigation that it sells, and the manner in which it sells that merchandise in all of its markets. Section B requests a complete listing of all home market sales or, if the home market is not viable, of sales in the most appropriate third-country market (this section is not applicable to respondents in non-market economy cases). Section C requests a complete listing of U.S. sales. Section D requests information on the cost of production of the foreign like product and the constructed value of the merchandise under investigation. Section E requests information on further manufacturing.

<sup>3</sup> For Tat, the fourth administrative review covering the period July 1, 1999, through June 30, 2000, was the most recently completed review. See *Certain Pasta From Turkey: Final Results of Antidumping Duty Administrative Review and Determination Not To Revoke the Antidumping Duty Order in Part*, 67 FR 298 (January 3, 2002) (*Pasta from Turkey 4*). For Filiz, the fifth administrative review covering the period July 1, 2000, through June 30, 2001, was the most recently completed review. See *Certain Pasta From Turkey: Final Results of Antidumping Duty Administrative Review and Determination Not To Revoke the Antidumping Duty Order in Part*, 68 FR 6880 (February 11, 2003) (*Pasta from Turkey 5*).

<sup>1</sup> The Department has previously determined that Tat is the successor-in-interest to Pastavilla Makarnacilik San. V. Tic. A.Ş. (Pastavilla), and that Tat retains the antidumping and countervailing duty deposit rates assigned to Pastavilla by the Department in the most recently completed antidumping and countervailing duty administrative reviews. See *Notice of Final Results of Antidumping and Countervailing Duty Changed Circumstances Reviews: Certain Pasta from Turkey*, 69 FR 1280 (January 8, 2004).