

Department will issue appropriate instructions to Customs.

This notice is issued and published in accordance with section 777(i) of the Act and 19 CFR 351.213(d)(4).

Dated: November 27, 2002.

**Faryar Shirzad,**

*Assistant Secretary for Import Administration.*

[FR Doc. 02-30869 Filed 12-5-02; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-848]

#### Final Results of Expedited Sunset Review: Freshwater Crawfish Tail Meat From the People's Republic of China

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

**ACTION:** Notice of Final Results of Expedited Sunset Review: Freshwater Crawfish Tail Meat From the People's Republic of China.

**SUMMARY:** On August 2, 2002, the Department of Commerce ("the Department") published the notice of initiation of a five-year sunset review of the antidumping duty order on freshwater crawfish tail meat from the People's Republic of China ("PRC"), pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act").<sup>1</sup> On the basis of a notice of intent to participate and adequate substantive comments filed on behalf of domestic interested parties, and inadequate response (in this case no response) from respondent interested parties, the Department determined to conduct an expedited sunset review of this antidumping duty order. As a result of this review, the Department finds that revocation of the antidumping order would be likely to lead to continuation or recurrence of dumping at the levels indicated in the "Final Results of Review" section of this notice.

**EFFECTIVE DATE:** December 6, 2002.

**FOR FURTHER INFORMATION CONTACT:**

Amir R. Eftekhari or James P. Maeder, Jr., Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-5331 or (202) 482-3330.

<sup>1</sup> Notice of Initiation of Five Year "Sunset" Review of Antidumping Duty Order on Freshwater Crawfish Tail Meat from the People's Republic of China, 67 FR 50420 (August 2, 2002).

#### SUPPLEMENTARY INFORMATION:

##### Statute and Regulations

This review is conducted pursuant to sections 751(c) and 752 of the Act. The Department's procedures for the conduct of sunset reviews are set forth in Procedures for Conducting Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders, 63 FR 13516 (March 20, 1998) ("Sunset Regulations") and in 19 CFR part 351 (2002) in general. Guidance on methodological or analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department's Policy Bulletin 98:3 Policies Regarding the Conduct of Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin, 63 FR 18871 (April 16, 1998) ("Sunset Policy Bulletin").

##### Scope of Review

The product covered by this review is freshwater crawfish tail meat, in all its forms (whether washed or with fat on, whether purged or unpurged), grades, and sizes; whether frozen, fresh, or chilled; and regardless of how it is packed, preserved, or prepared. Excluded from the scope of the investigation and order are live crawfish and other whole crawfish, whether boiled, frozen, fresh, or chilled. Also excluded are saltwater crawfish of any type, and parts thereof. Freshwater crawfish tail meat is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under HTSUS subheading 0306.19.00.10 and 0306.29.00.00. The HTSUS subheadings are provided for convenience and Customs purposes only. The written description of the scope of this proceeding is dispositive.

##### Background

On August 2, 2002, the Department published the notice of initiation of the five-year sunset review of the antidumping duty order on freshwater crawfish tail meat from the PRC in accordance with section 751(c) of the Act.<sup>2</sup> On August 16, 2002, the Department received a Notice of Intent to Participate on behalf of the Crawfish Processors Alliance ("CPA") and its members; the Louisiana Department of Agriculture and Forestry ("LDAF"); Bob Odom, Commissioner; and the Domestic Parties<sup>3</sup> (collectively, "the domestic

<sup>2</sup> Notice of Initiation of Five Year "Sunset" Review of Antidumping Duty Order on Freshwater Crawfish Tail Meat from the People's Republic of China, 67 FR 50420 (August 2, 2002).

<sup>3</sup> The "Domestic Parties" are an ad hoc association comprising the CPA, LDAF,

interested parties") as specified in section 351.218(d)(1)(i) of the Sunset Regulations.

On September 3, 2002, the Department received a complete substantive response from the domestic interested parties, as specified in the Sunset Regulations under section 351.218(d)(3)(i).

The Department did not receive a substantive response from any respondent interested party in this proceeding. Consequently, pursuant to section 751(c)(3)(B) of the Act, and 19 CFR 351.218(e)(1)(ii)(C), the Department conducted an expedited (120-day) sunset review of this order.

##### Analysis of Comments Received

All issues raised by the domestic interested parties to this sunset review are addressed in the Issues and Decision Memorandum ("Decision Memorandum") from Jeffrey A. May, Director, Office of Policy, Import Administration, to Faryar Shirzad, Assistant Secretary for Import Administration, dated November 29, 2002, which is adopted by this notice. The issues discussed in the Decision Memorandum include the likelihood of continuation or recurrence of dumping and the magnitude of the margin likely to prevail were the order revoked. Parties can find a complete discussion of all issues raised in this sunset review and the corresponding recommendations in this public memorandum which is on file in the Central Records Unit, room B-099, of the Department's main building.

In addition, a complete version of the Decision Memorandum can be accessed directly on the internet at <http://ia.ita.doc.gov/frn>, under the heading "November 2002." The paper copy and electronic version of the Decision Memorandum are identical in content.

##### Final Results of Review

We determine that revocation of the antidumping duty order would likely lead to continuation or recurrence of dumping at the following percentage weighted-average margins:

Commissioner Odom, and each of the individual members of the CPA listed in Exhibit A of the Petitioner's Substantive Response dated September 2, 2002. The Domestic Parties are "an association, a majority of whose members is composed of interested parties described in subparagraph (C), (D), or (E) of {19 U.S.C. 1677(9)}[771(9)(C)(D)(E) of the Act] with respect to the domestic like product," and are an interested party under 19 U.S.C. 1677(9) [771(9)(F) of the Act]."

Manufacturer/producers/ exporter	Weighted- average margin (percent)
China Everbright Trading Company .....	156.77
Binzhou Prefecture Foodstuffs Import & Export Corp .....	119.39
Huayin Foreign Trade Corp .....	91.50
Yancheng Foreign Trade Corp .....	108.05
Jiangsu Cereals, Oils & Foodstuffs Import & Export Corp ..	122.92
Yancheng Baolong Aquatic Foods Co., Ltd .....	122.92
Huayin Ningtai Fisheries Co., Ltd .....	122.92
Nantong Delu Aquatic Food Co., Ltd .....	122.92
PRC-wide Rate .....	201.63

This notice serves as the only 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. Timely notification of 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 violation which is subject to sanction.

This five-year ("sunset") review and notice are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: November 27, 2002.

**Faryar Shirzad,**

*Assistant Secretary for Import Administration.*

[FR Doc. 02-30870 Filed 12-5-02; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration North American Free-Trade Agreement, Article 1904 NAFTA Panel Reviews; Request for Panel Review

**AGENCY:** NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

**ACTION:** Notice of first request for panel review.

**SUMMARY:** On November 29, 2002, Siderurgica Lazaro Cardenas Las Truchas S.A. de C.V. ("SICARTSA") filed a first request for panel review with the United States Section of the NAFTA Secretariat pursuant to article 1904 of the North American Free Trade Agreement. Panel Review was requested of the Final Affirmative Injury Determination made by the United States International Trade Commission, respecting Carbon and Certain Alloy

Steel Wire Rod from Canada. This determination was published in the **Federal Register**, (67 FR 66662) on November 1, 2002. The NAFTA Secretariat has assigned case number USA-CDA-2002-1904-09 to this request.

**FOR FURTHER INFORMATION CONTACT:** Caratina L. Alston, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

**SUPPLEMENTARY INFORMATION:** Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a request for panel review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established *Rules of Procedure for Article 1904 Binational Panel Reviews* ("rules"). These rules were published in the **Federal Register** on February 23, 1994 (59 FR 8686).

A first request for panel review was filed with the United States Section of the NAFTA Secretariat, pursuant to article 1904 of the Agreement, on November 27, 2002, requesting panel review of the final determination described above.

The rules provide that:

(a) A party or interested person may challenge the final determination in whole or in part by filing a complaint in accordance with rule 39 within 30 days after the filing of the first request for panel review (the deadline for filing a complaint is December 27, 2002);

(b) A party, investigating authority or interested person that does not file a complaint but that intends to appear in support of any reviewable portion of the final determination may participate in the panel review by filing a notice of appearance in accordance with rule 40 within 45 days after the filing of the first request for panel review (the deadline for filing a notice of appearance is January 13, 2003); and

(c) The panel review shall be limited to the allegations of error of fact or law, including the jurisdiction of the investigating authority, that are set out

in the complaints filed in the panel review and the procedural and substantive defenses raised in the panel review.

Dated: December 2, 2002.

**Caratina L. Alston,**

*United States Secretary, NAFTA Secretariat.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### North American Free-Trade Agreement, Article 1904 NAFTA Panel Reviews; Request for Panel Review

**AGENCY:** NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

**ACTION:** Notice of First Request for Panel Review.

**SUMMARY:** On November 27, 2002, Ivaco Inc and Ivaco Rolling Mills Inc. filed a First Request for Panel Review with the United States Section of the NAFTA Secretariat pursuant to Article 1904 of the North American Free Trade Agreement. Panel Review was requested of the Final Affirmative Injury Determination made by the United States International Trade Commission, respecting Carbon and Certain Alloy Steel Wire Rod from Canada. This determination was published in the **Federal Register**, (67 FR 66662) on November 1, 2002. The NAFTA Secretariat has assigned Case Number USA-CDA-2002-1904-09 to this request.

**FOR FURTHER INFORMATION CONTACT:** Caratina L. Alston, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

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