

DEPARTMENT OF COMMERCE**International Trade Administration****[A-122-837]****Antidumping Duty Investigation Covering Greenhouse Tomatoes from Canada: Notice of Postponement of Preliminary Determination**

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

ACTION: Notice of postponement of preliminary antidumping duty determination in antidumping duty investigation.

EFFECTIVE DATES: August 21, 2001.

FOR FURTHER INFORMATION CONTACT: Mark Ross or Minoo Hatten, AD/CVD Enforcement 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-4794 or (202) 482-1690, respectively.

SUMMARY: The Department of Commerce is postponing the preliminary determination of the antidumping duty investigation on greenhouse tomatoes from Canada from September 4, 2001, until September 24, 2001. This extension is made pursuant to section 733(c)(1)(B) of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act.

SUPPLEMENTARY INFORMATION:**The Applicable Statute and Regulations**

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act. In addition, unless otherwise indicated, all citations to Department of Commerce's (the Department's) regulations are to 19 CFR part 351 (2000).

Background

On April 17, 2001, the Department initiated an antidumping duty investigation on greenhouse tomatoes from Canada covering manufacturers and exporters of the subject merchandise to the United States during the period January 1, 2000, through December 31, 2000. See *Initiation of Antidumping Duty Investigation: Greenhouse Tomatoes From Canada*, 66 FR 20630 (April 24, 2001). The notice stated that, unless postponed, the Department would issue its preliminary determination no later than 140 days after the date of the initiation.

Postponement of Preliminary Determination

Pursuant to section 733(c)(1)(A) of the Act and 19 CFR 351.205(e), on August 10, 2001, the petitioners filed a request that the Department postpone the preliminary determination for the investigation covering greenhouse tomatoes from Canada. The petitioners' request for postponement was timely, and the Department finds no compelling reason to deny the request.

Therefore, pursuant to section 733(c)(1)(A) of the Act, we are postponing the preliminary determination in this investigation until September 24, 2001. This notice is issued and published pursuant to section 733(c)(2) of the Act and 19 CFR 351.205(f).

Dated: August 15, 2001.

Bernard T. Carreau,

Acting Assistant Secretary, Import Administration.

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DEPARTMENT OF COMMERCE**International Trade Administration****[A-823-805]****Suspension Agreement on Silicomanganese From Ukraine; Termination of Suspension Agreement and Notice of Antidumping Duty Order**

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

ACTION: Termination of the suspension agreement on silicomanganese from Ukraine and notice of antidumping duty order.

SUMMARY: On July 19, 2001, the Government of Ukraine ("GOU") submitted a memorandum to the Department of Commerce ("the Department") officially requesting termination of the suspension agreement on silicomanganese from Ukraine ("the Agreement.") In accordance with section XIII of the Agreement, termination shall be effective 60 days after notice of termination of the Agreement is given to the Department. Pursuant to both petitioner's and respondents' request of November 1, 1994, the Department issued a final determination in this investigation (*See Notice of Final Determination of Sales at Less Than Fair Value: Silicomanganese From Ukraine*, 59 FR 62711-01 (December 6, 1994). Because the International Trade Commission ("ITC") determined that an

industry in the United States was materially injured by reason of imports of silicomanganese from Ukraine that were being sold at less than fair value, the Department hereby issues an antidumping duty order, effective 60 days from the termination request of the GOU, *i.e.*, September 17, 2001.

EFFECTIVE DATE: September 17, 2001.

FOR FURTHER INFORMATION CONTACT: Jean Kemp or Stephen Bailey, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington D.C. 20230; telephone: (202) 482-4037 or (202) 482-1102, respectively.

SUPPLEMENTAL INFORMATION:**The Applicable Statute**

Unless otherwise indicated, all citations to the statute are references to section 735(d) of the Tariff Act of 1930 (1993) ("the Act"). In addition, unless otherwise indicated, all citations to the Department's regulations are to 19 CFR Part 353 (1993).

Background

On October 31, 1994, the Department signed an agreement with the GOU which suspended the antidumping investigation on silicomanganese from Ukraine. *See Silicomanganese from Ukraine; Suspension of Investigation*, 59 FR 60951 (November 29, 1994). In accordance with section 734(g) of the Act, on December 6, 1994, the Department published its final determination of sales at less than fair value in this case. *See Notice of Final Determination of Sales at Less Than Fair Value: Silicomanganese From Ukraine*, 59 FR 62711 (December 6, 1994). On December 21, 1994, the ITC determined that an industry in the United States was materially injured by reason of imports of silicomanganese from Ukraine that were being sold at less than fair value. (*See Silicomanganese from Brazil, China, Ukraine and Venezuela*, Inv. Nos. 731-TA-671-674 (Final) USITC Pub. 2836 (December 1994)).

On November 30, 1999, petitioner submitted a request for an administrative review of the Agreement pursuant to the notice of *Antidumping and Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 64 FR 62167 (November 16, 1999). On December 28, 1999, the Department initiated a review of the Agreement. *See Notice of Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 64 FR 72644, ("Initiation Notice"). On December 5,