

publication date of these final results of administrative review, as provided by section 751(a)(1) of the Act: (1) The cash deposit rate for the reviewed company will be the rate listed above (except that if the rate is *de minimis*, i.e., less than 0.5 percent, a cash deposit rate of zero will be required); (2) for previously investigated or reviewed companies not listed above, 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, a prior review, or the original less than fair value (LTFV) 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 or exporters will continue to be the "all others" rate of 0.98 percent, which is the "all others" rate established in the LTFV investigation, adjusted for the export subsidy rate in the countervailing duty investigation. *See Amended Final Determination and Order*. These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

Notification to Interested Parties

This notice also serves as a preliminary reminder to importers of their responsibility under § 351.402(f)(2) of the Department's regulations 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 the antidumping duties occurred and the subsequent assessment of double antidumping duties.

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

Dated: October 31, 2003.

James J. Jochum,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-848]

Freshwater Crawfish Tail Meat From the People's Republic of China: Initiation of Antidumping Duty New Shipper Reviews

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

SUMMARY: The Department of Commerce (the Department) has received timely requests from Siyang Foreign Trade Co., Ltd. (Siyang FTC) and its producer Anhui Golden Bird Agricultural & Side-Line Products Development Co., Ltd. (Golden Bird), Yancheng Fuda Foods Co., Ltd. (Fuda), and Qingdao Xiyuan Refrigerate Food Co., Ltd. (Xiyuan) to conduct new shipper reviews of the antidumping duty order on freshwater crawfish tail meat from the People's Republic of China (PRC). Fuda and Xiyuan each produced and exported the subject merchandise. In accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended (the Act), and section 351.214(d) of the Department's regulations, we are initiating these new shipper reviews.

EFFECTIVE DATE: November 6, 2003.

FOR FURTHER INFORMATION CONTACT:

Douglas Kirby or Matthew Renkey, Office of AD/CVD Enforcement VII, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-3782 or (202) 482-2312, respectively.

Background

On July 28, 2003, the Department received a timely request from Siyang FTC, in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214(c), for a new shipper review of this antidumping duty order on freshwater crawfish tail meat from the PRC, which has a September anniversary date. On September 29, 2003, the Department also received timely requests from Fuda and Xiyuan filed in accordance with the statute and regulations. Siyang FTC had made a previous request for a new shipper review which the Department initiated, but later rescinded based on Siyang's failure to provide the proper certifications pursuant to 19 CFR 351.214(b)(2). *See Freshwater Crawfish Tail Meat from the People's Republic of China: Rescission of Antidumping Duty New Shipper Review*, 68 FR 37115 (June 23, 2003). Siyang FTC has submitted the

certifications required for the initiation of this current new shipper review.

As required by 19 CFR 351.214(b)(2)(i), (ii), and (iii)(A), Siyang FTC and its producer Golden Bird, along with Fuda, and Xiyuan have certified that they did not export freshwater crawfish tail meat to the United States during the period of investigation (POI), and that they have never been affiliated with any exporter or producer which exported freshwater crawfish tail meat to the United States during the POI. Siyang FTC, Fuda and Xiyuan have further certified that their export activities are not controlled by the central government of the PRC, pursuant to the requirements of 19 CFR 351.214(b)(2)(iii)(B). Pursuant to the Department's regulations at section 351.214(b)(2)(iv)(A), Siyang FTC, Fuda and Xiyuan each submitted documentation establishing both the date on which they first shipped the subject merchandise to the United States and the date of entry of that first shipment. Pursuant to the Department's regulations at sections 351.214(b)(2)(iv)(B) and (C), Siyang FTC, Fuda, and Xiyuan also provided documentation which established the volume of that shipment and the date of the first sale to an unaffiliated customer in the United States. Also pursuant to the Department's regulations at section 351.214(b)(2)(iv)(B), Siyang FTC reported the volume of subsequent shipments during the period of review (POR). Fuda and Xiyuan certified that they had no subsequent shipments. After reviewing the submissions with respect to the new shipper review requests filed on behalf of Siyang FTC, Fuda and Xiyuan, the Department found that they meet the threshold for initiation in accordance with section 351.214(b) of the Department's regulations.

Initiation of Reviews

In accordance with section 751(a)(2)(B)(ii) of the Act and 19 CFR 351.214(d)(1), we are initiating new shipper reviews of the antidumping duty order on freshwater crawfish tail meat from the PRC.

In accordance with 19 CFR 351.214(g)(1)(i)(A) of the Department's regulations, the POR for a new shipper review, initiated in the month immediately following the anniversary month, will be the twelve-month period immediately preceding the anniversary month. Because of the timing of Siyang FTC's first shipment and the timing of the request, the Department has determined that it is appropriate in this review to extend the POR backwards for Siyang FTC to include its initial new

shipper sale, which was made prior to the standard POR.

The PORs for these new shipper reviews are:

Antidumping duty new shipper reviews	Period to be reviewed
Siyang Foreign Trade Co., Ltd./Producer: Anhui Golden Bird Agricultural & Side-Line Products Development Co., Ltd.	7/1/02–8/31/03
Yancheng Fuda Foods Co., Ltd.	9/1/02–8/31/03
Qingdao Xiyuan Refrigerate Food Co., Ltd.	9/1/02–8/31/03

We will instruct the U.S. Customs and Border Protection (CBP) to allow, at the option of the importer, the posting, until the completion of the review, of a single entry bond or security in lieu of a cash deposit for subject merchandise exported by and produced by the above listed companies. *See* 19 CFR 351.214(e). Siyang FTC certified that it exported but did not produce the subject merchandise on which it based its new shipper review requests, and Golden Bird certified that it produced the subject merchandise exported by Siyang FTC. Therefore, we will instruct CBP to limit the bonding option to entries of subject merchandise exported by Siyang FTC and produced by Golden Bird. Fuda and Xiyuan certified that they both produced and exported the subject merchandise. Therefore, we will instruct CBP to limit the bonding option to entries of subject merchandise both produced and exported by Fuda and Xiyuan.

Interested parties may submit applications for disclosure of business proprietary information under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

These initiations and notice are in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214.

Dated: October 31, 2003.

Joseph A. Spetrini,

Deputy Assistant Secretary for Import Administration, Group III.

[FR Doc. 03–27967 Filed 11–5–03; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

North American Free-Trade Agreement, Article 1904 NAFTA Panel Reviews; Notice of Completion of Panel Review

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

ACTION: Notice of Completion of Panel Review of the final remand determination made by the U.S.

International Trade Administration, in the matter of Gray Portland Cement and Clinker from Mexico (5th Administrative Review), Secretariat File No. USA–97–1904–01.

SUMMARY: Pursuant to the Order of the Binational Panel dated February 10, 2000, affirming the final remand described above was completed on October 30, 2003. With the decision of the Extraordinary Challenge Committee dated October 30, 2003, the above panel review is completed.

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: On February 10, 2000, the Binational Panel issued an order which affirmed the final remand determination of the United States International Trade Administration (“ITA”) concerning Gray Portland Cement and Clinker from Mexico. The Secretariat was instructed to issue a Notice of Completion of Panel Review on the 31st day following the issuance of the Notice of Final Panel Action, if no request for an Extraordinary Challenge was filed. A request for an Extraordinary Challenge Committee was filed on March 23, 2000. On October 30, 2003 the Extraordinary Challenge Committee rendered a decision to affirm the February 10, 2000 panel decision. Based on *Article 1904 Panel Rules*, the Panel Review was completed and the panelists discharged from their duties effective October 30, 2003.

Dated: October 31, 2003.

Caratina L. Alston,

United States Secretary, NAFTA Secretariat.

[FR Doc. 03–27963 Filed 11–5–03; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 102703B]

Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Power Plant Operations

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of issuance of a Letter of Authorization.

SUMMARY: In accordance with the Marine Mammal Protection Act (MMPA), as amended, and implementing regulations, notification is hereby given that NMFS has issued a Letter of Authorization (LOA) to take marine mammals by harassment, injury and mortality, incidental to power plant operations to Seabrook Station nuclear power plant, Seabrook, NH.

DATES: Effective from November 1, 2003, through June 30, 2004.

ADDRESSES: A copy of the October 3, 2003, application is available by writing to P. Michael Payne, Chief, Marine Mammal Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910, or by telephoning the contact listed here.

FOR FURTHER INFORMATION CONTACT:

Kimberly Skrupky, Office of Protected Resources, NMFS, (301) 713–2322, ext 163.

SUPPLEMENTARY INFORMATION:

Background

Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs the Secretary of Commerce to allow, upon request, the incidental, but not intentional taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and regulations are issued.

Permission may be granted for periods of 5 years or less if NMFS finds that the taking will have no more than a