

3, 2003, respectively. In a letter dated March 27, 2003, Siyang informed the Department that the correct company name of its producer of subject merchandise is Anhui Golden Bird Agricultural & Side-Line Products Development Co., Ltd., and noted that the words "& Side-Line" were inadvertently missing from the name of the producer that was used in previous submissions. In the Department's memorandum to the file entitled *Siyang Foreign Trade Corporation's New Shipper Review of Freshwater Crawfish Tail Meat from the People's Republic of China: Intent to Rescind New Shipper Review (Intent to Rescind Memo)*, dated May 19, 2003, we stated our intention to rescind Siyang's new shipper review because the initiation of this new shipper review was not based on complete and accurate information, thereby impairing the Department's ability to properly analyze and investigate certain information contained in Siyang's request for new shipper review. *See Intent to Rescind Memo* at 2.

On May 22, 2003, the Domestic Interested Parties¹ submitted a letter to the Department requesting that Siyang's new shipper review be rescinded as soon as possible in order to prevent further shipments of subject merchandise to the United States from entering under bond using the Siyang/Golden Bird exporter/producer combination antidumping duty rate. This letter also requested the Department to notify the U.S. Bureau of Customs and Border Protection (Customs) forthwith of this action in order to prevent circumvention of the order by allowing shipments to enter under bond for a lengthy period of time.

Rescission of Review

Siyang did not provide the Department with the correct certifications required under section 351.214(b)(2) of the Department's regulations for a new shipper review. Specifically, section 351.214(b)(2)(ii)(B) of the Department's regulations states that, if the company requesting the review is the exporter but not the producer of the subject merchandise, then the request from this company must contain a certification stating that the producer did not export subject merchandise to the United States during the POI. In addition, section

351.214(b)(2)(iii)(A) of the Department's regulations requires that the request for the new shipper review contain a certification that the producer has never been affiliated with any exporter or producer that exported subject merchandise to the United States during the POI. Moreover, section 351.214(b)(2)(iii)(B) of the Department's regulations further specifies that in an antidumping proceeding involving imports from a nonmarket economy country, the request for a new shipper review must also contain a certification that the export activities of the exporter or producer are not controlled by the central government.

As noted above, Siyang failed to identify the correct name of the producer of the subject merchandise for purposes of its required certifications. Furthermore, an official of Golden Bird submitted certifications that did not accurately identify the company's name. Therefore, we find it appropriate to rescind Siyang's new shipper review based on its failure to provide the proper certifications pursuant to 19 CFR 351.214(b)(2).

Notification

The Department will notify Customs that bonding is no longer permitted to fulfill security requirements for shipments using the Siyang/Golden Bird exporter/producer combination antidumping duty rate for freshwater crawfish tail meat from the PRC 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 223.01 percent *ad valorem* should be collected for any entries exported by Siyang.

This notice also serves as the only reminder to parties subject to administrative protective orders (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 material or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanctions.

We are issuing and publishing this determination and notice in accordance with sections 751(a)(2)(B) and 777(i) of the Act.

Dated: June 16, 2003.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-552-801]

Notice of Final Antidumping Duty Determination of Sales at Less Than Fair Value and Affirmative Critical Circumstances: Certain Frozen Fish Fillets from the Socialist Republic of Vietnam

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

ACTION: Notice of Final Antidumping Duty Determination of Sales at Less Than Fair Value and Affirmative Critical Circumstances.

EFFECTIVE DATE: June 23, 2003.

FOR FURTHER INFORMATION CONTACT: Alex Villanueva or James C. Doyle, AD/CVD Enforcement Group III, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-3208, or (202) 482-0159, respectively.

THE APPLICABLE STATUTE:

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 the Department's regulations are to the regulations at 19 CFR 351 (2001).

SUPPLEMENTARY INFORMATION:

FINAL DETERMINATION

We determine that certain frozen fish fillets from the Socialist Republic of Vietnam are being, or are likely to be, sold in the United States at less than fair value ("LTFV"), as provided in section 733 of the Act. The estimated margins of sales at LTFV are shown in the "Suspension of Liquidation" section of this notice.

Case History

We published in the **Federal Register** the preliminary determination in this investigation on January 31, 2003. *See Notice of Preliminary Determination of Sales at Less Than Fair Value,*

¹ The term "Domestic Interested Parties" refers collectively to the following: the Crawfish Processors Alliance and its members as listed in the December 4, 2002 Application for Administrative Protective Order; the Louisiana Department of Agriculture and Forestry; and, Bob Odum, Commissioner.