

*Affirmative Preliminary Determination of Critical Circumstances and Postponement of Final Determination: Certain Frozen Fish Fillets From the Socialist Republic of Vietnam* ("Preliminary Determination"), 68 FR 4986 (January 31, 2003). Since the *Preliminary Determination*, the following events have occurred:

On January 29, 2003, An Giang Fisheries Import and Export Joint Stock Company ("Agifish"), Vinh Hoan Company Limited ("Vinh Hoan"), Nam Viet Company Limited ("Nam Viet") and Can Tho Agricultural and Animal Products Import Export Company ("CATACO"), hereinafter collectively referred to as "Mandatory Respondents," timely filed allegations that the Department made ministerial errors in the *Preliminary Determination*.

On January 29, 2003, for purposes of a preliminary critical circumstances determination, the Department requested monthly shipment data from An Giang Agriculture and Food Import Export Company ("Afie"), Can Tho Animal Fishery Products Processing Export Enterprise ("Cafatex"), Da Nang Seaproducts Import-Export Corporation ("Da Nang"), Mekongfish Company ("Mekonimex"), QVD Food Company Limited ("QVD"), Viet Hai Seafood Company Limited ("Viet Hai"), and Vinh Long Import-Export Company ("Vinh Long"), hereinafter referred to collectively as the "Voluntary Section A Respondents".

On January 30, 2003, the Voluntary Section A Respondents, the Mandatory Respondents, and the Vietnam Association of Seafood Exporters and Producers ("VASEP"), hereinafter referred to collectively as the "Respondents," requested a one-week extension for the critical circumstances monthly shipment data. The Department granted this request on February 3, 2003. The Voluntary Section A Respondents requested a further two-day extension on February 7, 2003, which was granted by the Department on February 10, 2003. Also, on February 3, 2003, the Department granted to the Voluntary Section A Respondents and the Mandatory Respondents a one-week extension for submission of the Sales Reconciliation information.

On February 3, 2003, Catfish Farmers of America ("CFA") and the individual U.S. catfish processors America's Catch Inc.; Consolidated Catfish Co., L.L.C.; Delta Pride Catfish, Inc.; Harvest Select Catfish, Inc.; Heartland Catfish Company; Pride of the Pond; Simmons Farm Raised Catfish, Inc.; and Southern Pride Catfish Co., Inc., hereinafter referred to collectively as "Petitioners," timely filed allegations that the

Department made ministerial errors in the preliminary determination.

On February 6, 2003, the Ministry of Trade of the Socialist Republic of Vietnam ("MOT") requested a two-week extension of the deadline to submit a request for an agreement suspending the present antidumping duty investigation. On February 10, 2003, the Department granted that request, making the deadline February 25, 2003.

On February 7, 2003, Petitioners submitted comments outlining the information relevant to the Department for an additional supplemental questionnaire.

On February 10, 2003, CATACO, Agifish, and Vinh Hoan submitted sales reconciliation information. Nam Viet requested a three-day extension to submit its sales reconciliation, which was granted by the Department on February 11, 2003. Also on February 10, 2003, the Voluntary Section A Respondents submitted monthly shipment data pursuant to the Department's January 29, 2003 request.

On February 11, 2003, the Department issued a request for information and supplemental questionnaire in three sections, with a deadline of February 25, 2003. Section I contained a request for comments or information from all interested parties regarding the Department's methodology for calculating normal value in the *Preliminary Determination*; specifically, whether the Department should continue to value live fish using a surrogate value or use the Respondents' reported upstream factors for producing live fish. The second section contained a supplemental Section D questionnaire to further clarify the four Mandatory Respondent companies' factor of production information. Finally, Section III contained supplemental questions arising from other portions of the four Mandatory Respondents' questionnaire responses.

In a letter dated February 12, 2003, the MOT protested the surrogate values and methodologies the Department used in the *Preliminary Determination* and requested that the Department reconsider certain issues. Also on February 12, 2003, the Voluntary Section A Respondents submitted their sales reconciliation data.

On February 13, 2003, Nam Viet requested a one-day extension to file its sales reconciliation information, which was granted by the Department on February 14, 2003. On February 14, 2003 Nam Viet submitted its sales reconciliation.

On February 19, 2003, the Department requested a more detailed sales reconciliation from the Mandatory and

Voluntary Section A Respondents, including monthly sales data to allow the Department to reconcile the companies' reported U.S. sales figures to their annual financial statements and sales ledgers.

On February 21, 2003, the Mandatory and Voluntary Section A Respondents requested one-week extensions of the deadlines to file the more detailed Sales Reconciliation information and the February 11, 2003 request for comments and supplemental questionnaire. On February 21, 2003, Petitioners requested a one-month extension of the deadline to file comments related to Section I of the February 11, 2003 request for information.

On February 24, 2003, the Department granted the Petitioners and the Respondents a one-week extension of the deadline to file information related to the February 11, 2003 request for information and supplemental questionnaire, until March 4, 2003. Finally, the Department granted a one-week extension to the Respondents to file the more detailed sales reconciliation information, until March 5, 2003.

On February 25, 2003, the Department granted to the Government of Vietnam ("GOV") a second extension of the deadline to file a proposed agreement to suspend the present antidumping duty investigation, for ten days until March 7, 2003.

On February 28, 2003, the Respondents submitted a letter requesting a public hearing pursuant to section 351.310 of the Department's regulations.

On March 3, 2003, Sunnyvale Seafood Corporation, an importer, requested a scope clarification to determine whether Basa "cutlets" are included in the scope of this investigation.

On March 3, 2003, the Department granted the Petitioners' request of an extension of the deadline to submit comments on the Department's use of factor input valuations in the *Preliminary Determination* until March 21, 2003 and the Department granted the Petitioners' request for an extension to submit comments addressing the normal value methodology (referenced in Section I of the February 11, 2003 request for information) until March 7, 2003. Also, on March 3, 2003, the Department granted the Respondents' request for an extension of the deadline to submit all responses pertaining to the February 11, 2003 request for information until March 4, 2003, and the more detailed sales reconciliation until March 5, 2003.

On March 3, 2003, the Petitioners submitted a letter requesting a hearing