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3. Nureddin Shariff Sehweil, a.k.a. Dean Sehweil ("Sehweil"), 888 Cross Grates Boulevard, Slidell, Louisiana 70458, and, 106 Everest Drive, Slidell, Louisiana, 70461, and, P.O. Box 46112, Abu Dhabi, United Arab Emirates.

(Collectively, Uni-Arab, Radi Mustafa, and Sehweil are referred to as "proposed related persons.")

On July 7, 2003, attorneys representing proposed related persons filed a timely opposition to BIS's request that I modify the TDO.

On July 14, 2003, BIS filed its Reply to Respondents' Opposition.

Having reviewed all submissions, I have found the following:

- A close relationship in the conduct of trade or business existed in the past, and continues to exist, between the parties subject to the TDO and the proposed related persons;
- After the TDO was issued, the proposed related persons knew of, and participated in, attempted export transactions in violation of the TDO; and
- The proposed related persons have engaged in business activities with Libya concerning items subject to the EAR without obtaining necessary authorization.

Consequently, I have determined that it is necessary to name the above-named entity and individuals as persons related to Talyi and IBS in order to prevent evasion of the terms and conditions of the TDO.

*It is therefore ordered* that the terms of the TDO denying the export privileges of Talyi and his company IBS, and related person Top Oil, are hereby made applicable to Uni-Arab, Radi Mustafa, and Sehweil as related persons.

In accordance with the provisions of Section 766.23(c) of the EAR, related persons may appeal this Order by filing a full written statement in support of the appeal with the Office of the Administrative Law Judge, U.S. Coast Guard ALJ Docketing Center, 40 South Gay Street, Baltimore, Maryland 21202-4022.

This modification of the TDO is effective immediately and shall remain in effect until the expiration of the TDO.

A copy of this modification to the TDO shall be served on Uni-Arab, Radi Mustafa, and Sehweil, and shall be published in the **Federal Register**.

Entered this 24th day of July, 2003.

**Lisa A. Prager,**

*Acting Assistant Secretary for Export Enforcement.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

**A-570-855**

#### **Certain Non-Frozen Apple Juice Concentrate From the People's Republic of China: Preliminary Results of New Shipper Review**

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

**ACTION:** Notice of Preliminary Results of New Shipper Review.

**SUMMARY:** The Department of Commerce is currently conducting a new shipper review of the antidumping duty order on non-frozen apple juice concentrate from the People's Republic of China, covering the period June 1, 2002, through November 30, 2002.

The new shipper review covers one exporter: Yantai Golden Tide Fruits & Vegetable Food Co., Ltd. We preliminarily determine that sales of non-frozen apple juice concentrate from the People's Republic of China were made below normal value during the period of review by Yantai Golden Tide Fruits & Vegetable Food Co., Ltd.

If these preliminary results are adopted in our final results of review, we will instruct the U.S. Bureau of Customs and Border Protection to assess antidumping duties based on the difference between export price and normal value for Yantai Golden Tide Fruits & Vegetable Food Co., Ltd.

Interested parties are invited to comment on these preliminary results. We will issue the final results no later than 90 days from the date of issuance of these preliminary results.

**EFFECTIVE DATE:** July 30, 2003.

**FOR FURTHER INFORMATION CONTACT:** Audrey Twyman, Stephen Cho or John Brinkmann, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-3534, (202) 482-3798 or (202) 482-4126, respectively.

#### **SUPPLEMENTARY INFORMATION:**

#### **Period of Review**

The period of review ("POR") is June 1, 2002 through November 30, 2002.

## Background

On December 17, 2002, the Department received a timely request from Yantai Golden Tide Fruits & Vegetable Food Co., Ltd. ("Golden Tide"), to conduct a new shipper review.

On January 30, 2003, we published a notice of initiation of a new shipper review of the antidumping duty order on non-frozen apple juice concentrate ("AJC") from the People's Republic of China ("PRC"). *See Non-Frozen Apple Juice Concentrate from the People's Republic of China: Initiation of Antidumping New Shipper Review*, 68 FR 4762 (January 30, 2003). On January 31, 2003, the Department sent a questionnaire to Golden Tide and received a response on March 21, 2003, and a response to a supplemental questionnaire on April 2, 2003.

On June 26, 2003, the Department invited interested parties to comment on surrogate country selection and to provide publicly available information for valuing the factors of production. We received a response from Golden Tide on July 11, 2003.

The Petitioners have not made any written submissions in this proceeding.<sup>1</sup>

## Scope of the Order

The product covered by this order is certain non-frozen apple juice concentrate ( $\geq$ AJC"). Certain AJC is defined as all non-frozen concentrated apple juice with a Brix scale of 40 or greater, whether or not containing added sugar or other sweetening matter, and whether or not fortified with vitamins or minerals. Excluded from the scope of this order are: frozen concentrated apple juice; non-frozen concentrated apple juice that has been fermented; and non-frozen concentrated apple juice to which spirits have been added.

The merchandise subject to this order is classified in the *Harmonized Tariff Schedule of the United States* ("HTSUS") at subheadings 2106.90.52.00, and 2009.70.00.20 before January 1, 2002, and 2009.79.00.20 after January 1, 2002. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

## Separate Rates Determination

The Department has treated the PRC as a nonmarket economy ("NME") country in all previous antidumping

<sup>1</sup> Petitioners are Tree Top, Inc., Knouse Foods Cooperative, Inc., Green Valley Packers, Mason County Fruit Packers Co-op, Inc. and Coloma Frozen Foods, Inc.