

application by the U.S. Customs Service.

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-357-813]

Honey From Argentina: Preliminary Results of Countervailing Duty Administrative Review

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

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of the countervailing duty order on honey from Argentina for the period January 1, 2001 through December 31, 2002. If the final results remain the same as the preliminary results of this review, we will instruct the U.S. Customs and Border Protection (CBP) to assess countervailing duties as detailed in the "Preliminary Results of Administrative Review" section of this notice. Interested parties are invited to comment on the preliminary results of this administrative review. (See the "Public Comment" section of this notice).

EFFECTIVE DATE: December 15, 2003.

FOR FURTHER INFORMATION CONTACT: Thomas Gilgunn or Addilyn Chams-Eddine, Office of AD/CVD Enforcement VII, Import Administration, U.S. Department of Commerce, Room 4012, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-4236 or (202) 482-0648, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 10, 2001, the Department published in the **Federal Register** the countervailing duty order on honey from Argentina. See *Notice of Countervailing Duty Order: Honey From Argentina*, 66 FR 63673. In response to requests for an administrative review of the countervailing duty (CVD) order on honey from Argentina from the Government of Argentina (GOA) and the American Honey Producers Association (petitioners), the Department initiated an administrative review for the period January 1, 2001 through December 31,

2001. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 68 FR 3009 (January 22, 2003) (*Initiation Notice*).

In its request for review, the GOA requested "that the period of review be extended to include calendar year 2002." In the *Initiation Notice*, the Department stated that it was considering the GOA's request. On January 24, 2002, the Department solicited comments from the parties regarding the GOA's request. On February 3, 2003, the GOA submitted comments in support of its request to extend the POR to include calendar year 2002. On February 6, 2003, the petitioners submitted comments arguing against the GOA's request for extension. On February 10, 2003, the GOA submitted additional comments. In addition, on February 10, 2003, the Department offered a final opportunity for both parties to submit final comments on this issue by February 14, 2003. (See memorandum to file from Barbara E. Tillman regarding "Countervailing Duty Order on Honey from Argentina; Telephone Calls to Petitioner and Respondent Concerning Comments on the Period of Review Issue in the first Administrative Review," dated February 13, 2003.) No additional comments were received from either party.

Based on our analysis of the GOA's request and of the comments received on this issue from both the petitioners and the GOA, the Department expanded the POR to include 2002. As such, the instant review covers calendar years, January 1, 2001 through December 31, 2001 and January 1, 2002 through December 31, 2002.¹ (See memorandum from Thomas Gilgunn to Joseph A. Spetrini "Honey from Argentina: Expansion of the Period of Review in the First Administrative Review of the Countervailing Duty Order," dated February 21, 2003.)

On February 21, 2003, we issued a questionnaire to the GOA. On April 14, 2003, the GOA submitted its questionnaire response. On June 10, 2003 and August 15, 2003, the Department issued supplemental questionnaires to the GOA. The GOA submitted responses to those

¹ For the purposes of these preliminary results, we have analyzed data for the period January 1, 2001 through December 31, 2001 to determine the countervailable subsidy rate for exports of subject merchandise made during the periods in 2001 when liquidation of entries was suspended. In addition, we have analyzed data for the period January 1, 2002 through December 31, 2002 to determine the countervailable subsidy rate for exports during that period and to establish the cash deposit rate for subsequent exports of subject merchandise.

supplemental questionnaires on July 14, 2003 and September 22, 2003, respectively. The GOA also submitted additional information regarding certain provincial programs on August 20, 2003 and September 11, 2003. On July 23, 2003, we extended the period for the completion of the preliminary results pursuant to section 751(a)(2)(B)(iv) of the Tariff Act of 1930, as amended (the Act). See *Notice of Extension of Time Limit for the Preliminary Results of Countervailing Duty Administrative Review: Honey from Argentina*, 68 FR 43492 (July 23, 2003).

Verification

As provided in section 782(i) of the Act, the Department conducted on-site verification of the GOA's questionnaire responses from October 14 through October 21, 2003. The Department's findings at verification are detailed in two reports: "First Administrative Review of Honey from Argentina: Verification Report for the Argentine Internal Tax Reimbursement/ Rebate Program (Reintegro); Honey Production, and Export Data," dated November 13, 2003 (*Reintegro Verification Report*); and "First Administrative Review of Honey from Argentina: Verification Report for the Government of Argentina," dated November 20, 2003 (*Honey Verification Report*). Public versions of both reports are on file in the Central Records Unit (CRU) located in room B-099 of the Main Commerce Building.

Scope of the Order

The merchandise covered by this order is artificial honey containing more than 50 percent natural honeys by weight, preparations of natural honey containing more than 50 percent natural honeys by weight, and flavored honey. The subject merchandise includes all grades and colors of honey whether in liquid, creamed, combs, cut comb, or chunk form, and whether packaged for retail or in bulk form.

The merchandise subject to this order is currently classifiable under subheadings 0409.00.00, 1702.90, and 2106.90.99 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and Bureau of Customs and Border Protection (CBP) purposes, the Department's written description of the merchandise covered by this order is dispositive.

Subsidies Valuation Information

A. Aggregation

Under section 777A(e)(2)(B) of the Act, the Department may calculate a