

### Initiation of Antidumping Duty Changed-Circumstances Review

Pursuant to section 751(b)(1) of the Act, the Department will conduct a changed circumstances review upon receipt of information concerning, or a request from an interested party of, an antidumping duty order which shows changed circumstances sufficient to warrant a review of the order.

In making a successor-in-interest determination, the Department examines several factors including, but not limited to, the following changes: (1) Management; (2) production facilities; (3) supplier relationships; and (4) customer base. *See, e.g., Brass Sheet and Strip from Canada; Final Results of Antidumping Duty Administrative Review*, 57 FR 20460 (May 13, 1992) (*Canadian Brass*).

The information submitted by HDP shows changed circumstances sufficient to warrant a review under 19 CFR 351.216. Although HDP did not request a changed circumstances review, we consider that, in order to determine whether Hyundai Hysco is a successor-in-interest to HDP, which was the company originally investigated, we must conduct a changed circumstances review. Therefore, we are initiating a changed circumstances antidumping duty administrative review pursuant to section 751(b)(1) of the Act to determine whether Hyundai Hysco as manufacturer or exporter should be excluded from the antidumping duty order as HDP is.

We will publish in the **Federal Register** a notice of preliminary results of antidumping duty changed circumstances review, in accordance with 19 CFR 351.221(b)(4) and 351.221(c)(3)(i), which will set forth the factual and legal conclusions upon which our preliminary results are based and a description of any action proposed based on those results. As per 351.221(b)(4), interested parties will have an opportunity to comment. The Department will issue its final results of review in accordance with the time limitations set forth in 19 CFR 351.216(e). All written comments must be submitted to the Department and served on all interested parties on the Department's service list in accordance with 19 CFR 351.303.

During the course of this changed circumstances review, we will not change any cash deposit instructions on the merchandise subject to this changed circumstances review, unless a change is determined to be warranted pursuant to the final results of this review.

This notice is in accordance with section 751(b)(1) of the Act and 19 CFR 351.216 and 351.221.

Dated: February 23, 2001.

**Joseph A. Spetrini,**

*Deputy Assistant Secretary, AD/CVD Enforcement Group III.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-201-504]

#### Porcelain-on-Steel Cookware From Mexico: Final Results of Antidumping Duty Administrative Review

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

**ACTION:** Notice of final results of antidumping duty administrative review.

**SUMMARY:** On October 24, 2000, the Department of Commerce published the preliminary results of the thirteenth administrative review of the antidumping duty order on porcelain-on-steel cookware from Mexico. The review covers two manufacturers/exporters. The period of review is December 1, 1998, through November 30, 1999.

Based on our analysis of the comments received, we have made changes in the margin calculations. Therefore, the final results differ from the preliminary results. The final weighted-average dumping margins for the reviewed firms are listed below in the section entitled "Final Results of Review."

**EFFECTIVE DATE:** March 1, 2001.

**FOR FURTHER INFORMATION CONTACT:** Dinah McDougall or Rebecca Trainor, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone: (202) 482-3773 or (202) 482-4007, respectively.

**SUPPLEMENTARY INFORMATION:**

#### The Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department of Commerce's (the Department's) regulations are to 19 CFR Part 351 (1999).

### Background

The review covers two manufacturers/exporters, Cinsa, S.A. de C.V. (Cinsa) and Esmaltaciones de Norte America, S.A. de C.V. (ENASA). The period of review (POR) is December 1, 1998, through November 30, 1999.

On October 24, 2000, the Department published in the **Federal Register** the preliminary results of the thirteenth antidumping duty administrative review of the antidumping duty order on porcelain-on-steel cookware from Mexico (65 FR 63562). We invited parties to comment on the preliminary results of review. We received case briefs from the petitioners and respondents on November 27, 2000. We received rebuttal briefs from petitioners and respondents on December 4, 2000. We held a public hearing on December 12, 2000. We have conducted this administrative review in accordance with section 751 of the Act.

### Scope of Review

The products covered by this review are porcelain-on-steel cookware, including tea kettles, which do not have self-contained heating elements. All of the foregoing are constructed of steel and are enameled or glazed with vitreous glasses. This merchandise is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheading 7323.94.00. Kitchenware currently classifiable under HTSUS subheading 7323.94.00.30 is not subject to the order. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this proceeding is dispositive.

### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this antidumping duty administrative review are addressed in the "Issues and Decision Memorandum" (Decision Memo) from Richard W. Moreland, Deputy Assistant Secretary for Import Administration, to Bernard T. Carreau, fulfilling the duties of Assistant Secretary for Import Administration, dated February 21, 2001, which is hereby adopted by this notice. A list of the issues which parties have raised and to which we have responded, all of which are in the Decision Memo, is attached to this notice as an Appendix. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum which is on file in the Central Records Unit, room B-099 of the main Department building. In addition, a complete version of the

Decision Memo can be accessed directly on the Web at <http://ia.ita.doc.gov/>. The paper copy and electronic version of the Decision Memo are identical in content.

### Changes From the Preliminary Results

Based on our analysis of comments received, we have made certain changes to the margin calculations. For a discussion of these changes, see the "Margin Calculations" section of the Decision Memo, which is on file in room B-099 at the Department and available on the Web at <http://ia.ita.doc.gov/>.

### Final Results of Review

We determine that the following weighted-average margin percentages exist for the period December 1, 1998, through November 30, 1999:

| Manufacturer/exporter | Margin (percent) |
|-----------------------|------------------|
| Cinsa .....           | 10.39            |
| ENASA .....           | 17.69            |

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b), we have calculated importer-specific assessment rates. We will direct Customs to assess the resulting percentage margins against the entered Customs values for the subject merchandise on each importer's entries under the relevant order during the review period.

### Cash Deposit Requirements

The following deposit requirements will be effective upon publication of this notice of final results of the administrative review for all shipments of porcelain-on-steel cookware from Mexico entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(1) of the Act: (1) The cash deposit rates for Cinsa and ENASA will be the rates shown above; (2) for previously reviewed or investigated 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 29.52. This rate is the "All Others" rate from the LTFV investigation.

These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) 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 antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice serves as the only reminder to parties subject to administrative protective order (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 return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing this determination and notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: February 21, 2001.

**Timothy J. Hauser,**

*Acting Under Secretary for International Trade.*

### Appendix—List of Issues

1. Use of Partial Adverse Facts Available
2. Use of an Adverse Inference
3. Selection of the Adverse Facts Available Rate
4. Adjustment of Enamel Frit Prices
5. Calculation of General and Administrative Expenses
6. Treatment of Discounts and Rebates
7. Indirect Selling Expenses
8. Calculation of CEP Profit
9. CEP Offset Adjustment
10. Clerical Errors—Application of Facts Available Margins

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-806]

### Silicon Metal From the People's Republic of China: Notice of Rescission of New Shipper Antidumping Duty Review

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

**ACTION:** Notice of Rescission of New Shipper Antidumping Duty Review.

**EFFECTIVE DATE:** March 1, 2001.

**SUMMARY:** On August 16, 2000 the Department published in the **Federal Register** (65 FR 49965) a notice announcing the initiation of a new shipper review of the antidumping duty order on silicon metal from the People's Republic of China (PRC), covering Groupstars Chemical LLC for the period June 1, 1999 through May 31, 2000. This new shipper review is now being rescinded since Groupstars Chemical LLC (Groupstars Chemical) is not an exporter or producer of subject merchandise as required by 19 CFR 351.214(b)(1).

**FOR FURTHER INFORMATION CONTACT:** Thomas Gilgunn or Douglas Campau, AD/CVD Enforcement Group III, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, telephone: (202) 482-0648 and (202) 482-1395, respectively.

### SUPPLEMENTARY INFORMATION:

#### Background

On June 30, 2000, Groupstars Chemical, requested a new shipper review of the antidumping duty order on silicon metal from the PRC in accordance with 19 CFR 351.214(b). In its request, Groupstars Chemical certified that it was a producer and exporter of silicon metal. Based on this information, the Department initiated a new shipper review of this order on August 16, 2000, in accordance with 19 CFR 351.221(c)(1)(i). However, a review of information now on the record with respect to Groupstars Chemical has led us to conclude that Groupstars Chemical is not, in fact, a producer or exporter of silicon metal. Based on Groupstars Chemical's questionnaire response, the Department determined that Groupstars Chemical was only a U.S. "marketing company" and not a producer or exporter of silicon metal.

#### Rescission of Review

Since Groupstars Chemical is not an exporter or producer of silicon metal as required by 19 CFR 351.214(b)(1), the Department is hereby rescinding Groupstars Chemical's new shipper review.

This determination is issued and published in accordance with section 751 of the Tariff Act of 1930, as amended (19 U.S.C. 1675) and 19 CFR 351.214(f). Effective January 20, 2001, Bernard T. Carreau is fulfilling the duties of the Assistant Secretary for Import Administration.