

## Preliminary Results of Reviews

As a result of our review, we preliminarily determine the weighted-average dumping margins of 3.26 percent for the period August 1, 1999, through July 31, 2000.

Any interested party may request a hearing within 30 days of the date of publication of this notice. A hearing, if requested, will be held at the main Commerce Department building three days after submission of rebuttal briefs.

Issues raised in hearings will be limited to those raised in the respective case and rebuttal briefs. Case briefs from interested parties may be filed no later than 30 days after publication of this notice. Rebuttal briefs, limited to the issues raised in case briefs, may be submitted no later than five days after the deadline for filing case briefs.

Parties who submit case or rebuttal briefs in this proceeding are requested to submit with each argument (1) a statement of the issue, and (2) a brief summary of the argument with an electronic version included.

The Department will publish the final results of this administrative review, including the results of its analysis of issues raised in any such written briefs. The Department will issue final results of this review within 120 days of publication of these preliminary results.

## Assessment Rates

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. We have calculated importer-specific *ad valorem* duty-assessment rates based on the ratio of the total amount of antidumping duties calculated for the examined CEP sales made during the POR to the total customs entered value of the sales used to calculate these duties. We will direct the Customs Service to assess the resulting percentage margin for the reviewed CEP sales uniformly on all entries of that particular importer during the POR as well as on those entries of subject merchandise for which we determined that the special rule for merchandise with value added after importation applied under section 772(e) of the Act. See 19 CFR 351.212(a).

## Cash-Deposit Requirements

The following deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(1) of the Act: (1) The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 rate for Bergerac, N.C. will be the rate established in the final results of review; (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 less-than-fair-value 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 1.38 percent. This is the "All Others" rate from the less-than-fair-value investigation.

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

This notice also serves as a preliminary 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 Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

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

Dated: August 31, 2001.

**Bernard T. Carreau,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 01-22557 Filed 9-6-01; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-001]

### Potassium Permanganate From the People's Republic of China: Notice of Final Results of Antidumping Duty Administrative Review

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

**SUMMARY:** On February 27, 2001, the Department of Commerce ("the Department") published the preliminary results of administrative review of the antidumping duty order on potassium permanganate from the People's Republic of China ("PRC"). This review covers an exporter, Guizhou Provincial

Chemicals Import & Export Corporation ("Guizhou"), and its supplier of potassium permanganate, the Zunyi Chemical Factory ("Zunyi"). The period of review ("POR") is January 1, 1999 through December 31, 1999.

The final weighted-average dumping margin for the reviewed exporter is listed below in the section entitled "*Final Results of Review*." The final margin differs from that published in the preliminary results due to changes that we made since the preliminary results. For details regarding these changes, see the section of the notice entitled "*Changes Since the Preliminary Results*."

**EFFECTIVE DATE:** September 7, 2001.

**FOR FURTHER INFORMATION CONTACT:** Paul Stolz or Howard Smith, AD/CVD Enforcement Group II, Office IV, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-4474 or (202) 482-5193 respectively.

## SUPPLEMENTARY INFORMATION:

### 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 Rounds Agreements Act ("URAA"). In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations at 19 CFR part 351 (2001).

### Background

Since the publication of the preliminary results, the following events have occurred. On March 19, 2001 the respondents and the petitioner (Carus Chemical Company ("Carus")) submitted publicly available information and comments regarding factor valuation. On March 29, 2001 petitioner filed rebuttal comments regarding the respondents' March 19, 2001 factor value submission and objected to respondents' submission because it lacked certificates of accuracy. At the Department's request the respondents submitted an appropriate certificate on April 5, 2001. See the memorandum to the file from the case analyst dated April 16, 2001. In response to the Department's invitation to comment on the preliminary results of review, the petitioner and the respondents filed case briefs on March 30, 2001 and rebuttal briefs on April 5, 2001. The Department held a public

hearing regarding this review on April 13, 2001.

The Department has conducted this administrative review in accordance with section 751 of the Act.

### Scope of the Review

Imports covered by this review are shipments of potassium permanganate, an inorganic chemical produced in free-flowing, technical, and pharmaceutical grades. During the review period, potassium permanganate was classifiable under item 2841.60.0010 of the Harmonized Tariff Schedule ("HTS"). The HTS item number is provided for convenience and Customs purposes. The written description remains dispositive.

### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the "Issues and Decision Memorandum" ("Decision Memorandum") from Bernard T. Carreau, Deputy Assistant Secretary, Import Administration, to Faryar Shirzad, Assistant Secretary for Import Administration, dated concurrently with this notice, 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 Memorandum, 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 Record Unit, room B-099 of the main Department of Commerce building. In addition, a complete version of the Decision Memorandum can be accessed directly on the Web at [www.ia.ita.doc.gov](http://www.ia.ita.doc.gov). The paper copy and electronic version of the Decision Memorandum are identical in content.

### Changes Since the Preliminary Results of Review

Based on our analysis of the petitioner's and the respondents' comments, we have made certain changes to the factors of production and surrogate values used to calculate the margin in the preliminary results. The changes and corrections are discussed in the relevant sections of the Decision Memorandum. In addition, further details regarding the changes and corrections can be found in the surrogate value memorandum (*see Surrogate Values Used for the Final Results of the 1999 Administrative Review of Potassium Permanganate From the People's Republic of China*), which is on file in room B-099 of the

main Department of Commerce building.

### Final Results of Review

We determine that the following percentage weighted-average margins exist for the period January 1, 1999 through December 31, 1999:

Exporter/manufacture	Margin (percent)
Guizhou Provincial Chemicals Import & Export Corporation ...	107.32

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 exporter/importer-specific assessment rates. We divided the total dumping margins for sales to a specific importer by the total quantity of subject merchandise sold to the importer in order to calculate a per-unit dollar assessment. The per-unit dollar amount will be assessed uniformly against each unit of subject merchandise that the importer entered during the POR.

### Cash Deposit Requirements

The following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of potassium permanganate from the PRC 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 the reviewed company will be the rate shown above; (2) for previously reviewed or investigated companies not listed above that have separate rates, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) the cash deposit rate for all other PRC exporters will continue to be 128.94 percent; and (4) the cash-deposit rate for non-PRC exporters will be the rate applicable to the PRC supplier of that exporter.

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 also serves as a 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. Timely 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 section 751(a)(1) and 777(i)(1) of the Act.

Dated: August 27, 2001.

**Faryar Shirzad,**

*Assistant Secretary for Import Administration.*

### Appendix—Issues in Decision Memorandum

#### Comments and Responses

1. Allegations That the Sale is not Bona Fide and There was Fraud Upon the Department's Proceedings
2. Allegation of Failure to Properly Address the Characteristics of the Sale
3. Allegation of Failure to Take into Account the Importer's Resale Price
4. Allegation of Failure to Properly Weigh Evidence Regarding the Shipper's Policy on LCL Shipments
5. Allegation of Failure to Address Fraud on the Department's Proceedings
6. Allegation of Failure to Properly Weigh Evidence Regarding Knowledge of the Hazardous Nature of the Merchandise
7. Allegation of Failure to Take into Account Evidence Regarding the Parties Responsible for the Merchandise Descriptions on House Bills of Lading (HBLs)
8. Allegation of Failure to Properly Weigh Evidence Regarding the Fraudulent HBL
9. Allegation That the Department Improperly Placed the Burden of Proof on Petitioner
10. Allegation of Failure to Determine Whether the Shipment was Legal
11. Allegation That the Department's Approach in the Preliminary Results Undermines Trade Laws
12. Respondents' Failure to Provide the Required Certification with their Factor Value Submission
13. Use of Third-Party Price Quotes Dated after the Preliminary Results
14. Contemporaneity and Representativeness of Respondents' Price Quotes
15. Surrogate Value for Coal
16. Surrogate Value for Drums Used for Packing
17. Surrogate Value for Electricity
18. Surrogate Value for Manganese Dioxide
19. Surrogate Value for Potassium Hydroxide
20. Surrogate Value for Selling, General and Administrative Expenses (SG&A), Factory Overhead and Profit Ratios

21. Surrogate Value for Water
22. Inputs Used to Treat River Water: Lime, Alum, Salt, Electricity and Labor
23. Surrogate Value for Lime
24. Surrogate Value for Alum
25. Surrogate Value for Salt

[FR Doc. 01-22560 Filed 9-6-01; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-122-838]

#### Notice of Postponement of Preliminary Antidumping Duty Determination: Certain Softwood Lumber Products From Canada

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

**EFFECTIVE DATE:** September 7, 2001.

**FOR FURTHER INFORMATION CONTACT:** Charles Riggle or Gabriel Adler, Office 5, Group II, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone (202) 482-0650, or (202) 482-3813, respectively.

#### POSTPONEMENT OF PRELIMINARY

**DETERMINATION:** The Department of Commerce (the Department) is postponing the deadline for issuance of the preliminary determination in the antidumping duty investigation of certain softwood lumber products from Canada until October 15, 2001.

On April 23, 2001, the Department initiated an antidumping investigation of certain softwood lumber products from Canada. *See Initiation of Antidumping Duty Investigation: Certain Softwood Lumber Products from Canada*, 66 FR 21328 (April 30, 2001). The notice stated that the Department would issue its preliminary determination no later than 140 days after the date of initiation (*i.e.*, September 10, 2001). At the request of the petitioner,<sup>1</sup> on July 30, 2001, the Department postponed the date of preliminary determination by two weeks, until September 24, 2001.

In accordance with Section 733(c)(1)(A) of the Tariff Act of 1930, as amended, (the Act), on August 23, 2001, the petitioner filed a request that the Department further postpone the preliminary determination in this investigation by three weeks. The petitioner's request for postponement was timely, and the Department finds

no compelling reason to deny the request. Therefore, in accordance with section 733(c)(1) of the Act, the Department is postponing the deadline for issuing this preliminary determination until October 15, 2001.

This postponement is in accordance with section 733(c) of the Act and 19 CFR 351.205(b)(2).

Dated: August 31, 2001.

**Bernard T. Carreau,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 01-22556 Filed 9-6-01; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-560-811; A-455-803; A-823-809; A-822-804, A-570-860, A-580-844, A-449-804, A-841-804]

#### Antidumping Duty Orders: Steel Concrete Reinforcing Bars From Belarus, Indonesia, Latvia, Moldova, People's Republic of China, Poland, Republic of Korea and Ukraine

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

**ACTION:** Notice of antidumping duty orders.

**EFFECTIVE DATE:** September 7, 2001.

**FOR FURTHER INFORMATION CONTACT:** Alexander Amdur (Belarus) at (202) 482-5346, Maisha Cryor (Indonesia) at (202) 482-5831, Christopher Smith (Latvia and Ukraine) at (202) 482-1442, Michele Mire (Moldova) at (202) 482-4711, Constance Handley (People's Republic of China) at (202) 482-0631, Chris Riker (Poland) at (202) 482-0186, Mark Manning (Republic of Korea) at (202) 482-3936, AD/CVD Enforcement, Group II, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

#### Applicable Statute and Regulations

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 references to the Department of Commerce's (the Department's) regulations are to 19 CFR part 351 (2001).

## Scope of Orders

For purposes of these orders, the product covered is all steel concrete reinforcing bars (rebar) sold in straight lengths, currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under item number 7214.20.00 or any other tariff item number. Specifically excluded are plain rounds (*i.e.*, non-deformed or smooth bars) and rebar that has been further processed through bending or coating. HTSUS subheadings are provided for convenience and Customs purposes. The written description of the scope of this proceeding is dispositive.

## Antidumping Duty Orders

In accordance with section 735(a) of the Act, the Department made its final determinations that rebar from Belarus, Indonesia, Latvia, Moldova, People's Republic of China (PRC), Poland, Republic of Korea (Korea) and Ukraine is being sold at less-than-fair-value (LTFV) (66 FR 18752; 66 FR 33522, 33531). On May 25, 2001, the U.S. International Trade Commission (the ITC) notified the Department of its final determination, pursuant to section 735(b)(1)(A)(i) of the Act, that a regional industry in the United States is materially injured by reason of less than fair value (LTFV) imports of subject merchandise from Indonesia, Poland, and Ukraine. On July 23, 2001, the ITC notified the Department of its final determination, pursuant to section 735(b)(1)(A)(i) of the Act, that a regional industry in the United States is materially injured by reason of LTFV imports of subject merchandise from Belarus, Korea, Latvia, and Moldova, and that a regional industry in the United States is threatened with material injury by reason of LTFV imports of subject merchandise from the PRC.

In addition, the ITC notified the Department of its final determination that critical circumstances do not exist with respect to imports of subject merchandise from all producers and exporters in Poland, the PRC, Korea and Ukraine. Therefore, we will instruct Customs to lift suspension and to release any bond or other security, and refund any cash deposit made, to secure the payment of antidumping duties with respect to entries of the merchandise entered, or withdrawn from warehouse, for consumption prior to the date of publication of the *Preliminary Determinations* in the **Federal Register** (66 FR 8339, 66 FR 8343, 66 FR 8348).

In accordance with section 736(a)(1) of the Act, the Department will direct Customs officers to assess, upon further

<sup>1</sup> Coalition for Fair Lumber Imports Executive Committee.