

Dated at Washington, DC, April 4, 2000.

**Lisa Kelly,**

*Special Assistant to the Staff Director.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-815 & A-580-816]

#### Certain Cold-Rolled Carbon Steel Flat Products and Certain Corrosion-Resistant Carbon Steel Flat Products From Korea: Extension of Time Limit

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

**ACTION:** Notice of extension of time limit.

**SUMMARY:** The Department of Commerce (the Department) is extending the time limit for the preliminary results of the antidumping duty administrative reviews of Certain Cold-Rolled Carbon Steel Flat Products & Certain Corrosion-Resistant Carbon Steel Flat Products from Korea. These reviews cover the period August 1, 1998 through July 31, 1999.

**EFFECTIVE DATE:** April 14, 2000.

**FOR FURTHER INFORMATION CONTACT:** Marlene Hewitt or Jim Doyle, Office of AD/CVD Enforcement, Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC; telephone (202) 482-1385 or 482-0159, respectively.

**SUPPLEMENTARY INFORMATION:** Due to the complexity of issues involved in these cases, it is not practicable to complete these reviews within the original time limit. The Department is extending the time limit for completion of the preliminary results from May 2, 2000 until August 30, 2000, in accordance with Section 751(a)(3)(A) of the Tariff Act of 1930, as amended. See memorandum to Joseph A. Spetrini from Edward Yang regarding the extension of the case deadline. The time limit for the final results would remain at 120 days after the preliminary results are issued. This extension is in accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended (19 U.S.C. Sec. 1675 (a)(3)(A)).

Dated: April 7, 2000.

**Joseph A. Spetrini,**

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-588-815]

#### Gray Portland Cement and Clinker from Japan; Amended Final Results Pursuant to Court Decision

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

**ACTION:** Amended Final Results Pursuant to Court Decision.

**SUMMARY:** On April 29, 1998, the United States Court of International Trade ("CIT") affirmed the determination made by the Department of Commerce ("the Department") pursuant to a remand of the final results of the first antidumping duty administrative review of Gray Portland Cement and Clinker from Japan. *Ad Hoc Committee of Southern California Producers of Gray Portland Cement v. United States*, Slip Op. 98-57 (CIT, April 29, 1998). In the remand determination, the Department (1) included all freight-out and insurance expenses in the computation of total cost when calculating profit; (2) made no deduction to fair market value (FMV) for pre-sale movement expenses when making purchase price (PP) comparisons, and counted the expenses as indirect selling expenses when making exporter sales price (ESP) comparisons; (3) adjusted U.S. price by correcting the deduction for relevant freight expenses; and (4) corrected the per-unit service station expenses included in calculating cost of production (COP). As this decision is now final and conclusive, we are amending the final results.

**EFFECTIVE DATE:** April 14, 2000.

**FOR FURTHER INFORMATION CONTACT:** Nithya Nagarajan, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC. 20230; telephone: (202) 482-5253.

#### SUPPLEMENTARY INFORMATION:

##### Background

On September 20, 1993, the Department published the final results of the first administrative review of the antidumping duty order on Gray Portland Cement and Clinker from Japan (58 FR 48826). On October 18, 1993, the Department published its amended final results (58 FR 53705). The review covered one manufacturer/exporter, Onoda Cement Co., Ltd. ("Onoda"), of the subject merchandise for the period October 31, 1990 through April 30,

1992. The petitioner in this case, the Ad Hoc Committee of Southern California Producers of Gray Portland Cement, and Onoda subsequently appealed the Department's determination before the CIT on ten issues. The CIT issued a remand, at Commerce's request, with respect to four issues and affirmed all other issues. In particular, the Court remanded the case to the Department to (1) reconsider the treatment of freight-out and inland insurance expenses incurred for transportation of the subject merchandise to unrelated customers in the United States; (2) determine the extent to which pre-sale home market transportation costs should be deducted from FMV; (3) calculate the correct amount of freight expenses incurred for shipping to unrelated U.S. customers; and (4) re-open the record to obtain data and recalculate the per-unit amount of service station expenses to be included in calculating COP. *The Ad Hoc Committee of Southern California Producers of Gray Portland Cement v. United States*, 19 CIT 1398, 914 F. Supp. 525 (1995) ("Ad Hoc I").

The Department filed its redetermination on February 22, 1996. The Department, for purposes of the remand, (1) included all freight-out and insurance expenses in the computation of total cost when calculating profit; (2) made no deduction to FMV for pre-sale movement expenses when making PP comparisons, and counted the expenses as indirect selling expenses when making ESP comparisons; (3) did not reduce freight-out costs before deducting them from U.S. price; and (4) corrected the per-unit service station expenses included in calculating COP. On April 29, 1998, the CIT affirmed the Department's remand determination. *Ad Hoc Committee of Southern California Producers of Gray Portland Cement v. United States*, Slip Op. 98-57 (CIT, April 29, 1998). No parties have appealed this decision.

As a result of the remand determination, the final dumping margin for the period October 31, 1990 through April 30, 1992 is as follows:

Manufacturer	Margin (Percent)
Onoda Cement Co., Ltd .....	33.95

The Department will issue appraisal instructions directly to the U.S. Customs Service. The final remand determination of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final remand determination of this review, except as noted below.

Further, we note that the International Trade Commission (ITC), on remand from the CIT in *Mitsubishi Materials Corp. v. United States*, 820 F. Supp. 608 (CIT 1993), determined that imports of Gray Portland Cement and Clinker from Japan threaten material injury to the U.S. industry (ITC publication 2657, *aff'd*, 918 F. Supp 422, 1996). Therefore, the Department shall instruct the U.S. Customs Service to terminate suspension of liquidation and refund any cash deposit and release any bond or other security for all remaining unliquidated shipments of Gray Portland Cement and Clinker from Japan, including those produced by Onoda, entered or withdrawn from warehouse, for consumption prior to May 8, 1991, the date of publication of the ITC's original final determination in the **Federal Register**.

Dated: April 7, 2000.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-506][A-201-504][A-583-508]

#### Continuation of Antidumping Duty Orders: Porcelain-on-Steel Cooking Ware From China, Mexico, and Taiwan

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

**ACTION:** Notice of continuation of antidumping duty orders: Porcelain-on-steel cooking ware from China, Mexico, and Taiwan.

**SUMMARY:** The Department of Commerce ("the Department"), pursuant to sections 751(c) and 752 of the Tariff Act of 1930, as amended ("the Act"), determined that revocation of the antidumping duty orders on porcelain-on-steel ("POS") cooking ware from China, Mexico, and Taiwan are likely to lead to continuation or recurrence of dumping.<sup>1</sup> On April 5, 2000, the International Trade Commission ("the Commission"), pursuant to section 751(c) of the Act, determined that

revocation of the antidumping duty orders on POS cooking ware from China, Mexico, and Taiwan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time (65 FR 17902). Therefore, pursuant to 19 CFR 351.218(f)(4), the Department is publishing notice of the continuation of the antidumping duty orders on POS cooking ware from China, Mexico, and Taiwan.

**EFFECTIVE DATE:** May 14, 2000.

**FOR FURTHER INFORMATION CONTACT:** Martha V. Douthit or Carole A. Showers, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW, Washington, D.C. 20230; telephone: (202) 482-5050 or (202) 482-3217, respectively.

#### SUPPLEMENTARY INFORMATION

##### Background

On February 1, 1999, the Department initiated, and the Commission instituted, sunset reviews (64 FR 4840 and 64 FR 4896, respectively) of the antidumping duty orders on POS cooking ware from China, Mexico, and Taiwan pursuant to section 751(c) of the Act. As a result of its reviews, the Department found that revocation of the antidumping duty orders would likely lead to continuation or recurrence of dumping and notified the Commission of the magnitude of the margin likely to prevail were the order to be revoked (*see Final Results of Expedited Sunset Review: Porcelain-on-Steel Cooking Ware from the People's Republic of China*, 64 FR 50271 (September 16, 1999), *Final Results of Full Sunset Review: Porcelain-on-Steel Cooking Ware from Mexico*, 65 FR 281, (January 4, 2000), and *Final Results of Expedited Sunset Review: Porcelain-on-Steel Cooking Ware from Taiwan*, 64 FR 50487, (September 17, 1999)).

On April 5, 2000, the Commission determined, pursuant to section 751(c) of the Act, that revocation of the antidumping duty orders on POS cooking ware from China, Mexico, and Taiwan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time (*see Porcelain-on-Steel Cooking Ware from China, Mexico, and Taiwan*, 65 FR 17902 (April 5, 2000) and USITC Publication 3286, Investigation Nos. 731-TA-297-299 (Review), March 2000).

#### Scope

*China*—Imports covered by this order are shipments of POS cooking ware from China, including tea kettles, which do not have self-contained electric heating elements. All of the foregoing are constructed of steel and are enameled or glazed with vitreous glasses. The merchandise is currently classifiable under the Harmonized Tariff Schedule ("HTS") number 7323.94.00.

*Mexico*—Imports covered by this order are shipments of POS cooking ware from Mexico, which includes tea kettles, that do not have self-contained electric heating elements. All of the foregoing are constructed of steel and are enameled or glazed with vitreous glasses. This merchandise is currently classifiable under HTS number 7323.94.00. Kitchenware currently entering under HTS number 7323.94.00.30 is not subject to the order.

*Taiwan*—Imports covered by this order are shipments of POS cooking ware from Taiwan. The product under this antidumping duty order does not have self-contained electric heating elements. All of the foregoing are constructed of steel and are enameled or glazed with vitreous glasses. Kitchenware and teakettles are not subject to this order. The merchandise is currently classifiable under the HTS number 7323.94.00.

The following are *Notices of Scope Rulings* with respect to Taiwan. On October 30, 1996, Cost Plus, Inc.'s 10 piece porcelain-on-steel fondue set was found to be within the scope of the order (*see Notice of Scope Rulings*, 62 FR 9176 (February 28, 1992)). On August 18, 1995, Blair Corporation's Blair cooking ware items #1101 (seven piece cookware set), #271911 (eight-quart stock pot), and #271921 (twelve-quart stock pot) were found to be outside the scope of the order (*see Notice of Scope Rulings*, 60 FR 36782 (July 18, 1995)). On September 3, 1992, in response to a request from Mr. Stove Ltd., stove top grills and drip pans were found to be outside the scope of the order (*see Notice of Scope Rulings*, 57 FR 57420 (December 4, 1992)). On September 25, 1992, in response to a request from Metrokane Inc., the "Pasta Time" pasta cooker was found to be within the scope of the order (*see Notice of Scope Rulings*, 57 FR 57420 (December 4, 1992)). On August 23, 1990, in response to a request from RSVF, BBQ grill baskets were found to be outside the scope of the order (*see Notice of Scope Rulings*, 55 FR 43020 (October 25, 1990)).

<sup>1</sup> See *Final Results of Expedited Sunset Review: Porcelain-on-Steel Cooking Ware From the People's Republic of China*, 64 FR 50271 (September 16, 1999), *Final Results of Full Sunset Review: Porcelain-on-Steel Cooking Ware From Mexico*, 65 FR 281 (January 4, 2000), and *Final Results of Expedited Sunset Review: Porcelain-on-Steel Cooking Ware From Taiwan*, 64 FR 50487 (September 17, 1999).