

**ACTION:** Notice of extension of time limit for preliminary results of antidumping duty administrative review.

**EFFECTIVE DATE:** October 6, 2000.

**FOR FURTHER INFORMATION CONTACT:** Jarrod Goldfeder or Greg Campbell at (202) 482-0189 and (202) 482-2239, respectively, Office of AD/CVD Enforcement I, Group I, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave, NW, Washington, DC 20230.

#### Time Limits

##### Statutory Time Limits

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), requires the Department to make a preliminary determination within 245 days after the last day of the anniversary month of an order/finding for which a review is requested and a final determination within 120 days after the date on which the preliminary determination is published. However, if it is not practicable to complete the review within the time period, section 751(a)(3)(A) of the Act allows the Department to extend these deadlines to a maximum of 365 days and 180 days, respectively.

#### Background

On December 28, 1999, the Department published a notice of initiation of administrative review of the antidumping duty order on circular welded non-alloy steel pipe from the Republic of Korea, covering the period November 1, 1998, through October 31, 1999 (64 FR 72644). On July 18, 2000, the Department extended the time limit for completion of the preliminary results by 66 days, or until no later than October 6, 2000. See *Circular Welded Non-Alloy Steel Pipe From the Republic of Korea; Notice of Extension of Time Limit for Preliminary Results and Partial Rescission of Antidumping Administrative Review*, (65 FR 44521).

#### Extension of Preliminary Results of Review

We determine that due to limited administrative resources and complex issues present in this review (e.g., date of sale, level of trade, and CEP offset), it is not practicable to complete the preliminary results of this review within the previously extended time limit. Therefore, the Department is further extending the time limits for completion of the preliminary results by an additional 28 days, or until no later than November 3, 2000.

This extension is in accordance with section 751(a)(3)(A) of the Act.

Dated: October 2, 2000.

**Richard W. Moreland,**

*Deputy Assistant Secretary, Import Administration, Group I.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-803]

#### Heavy Forged Hand Tools From the People's Republic of China: Initiation of New Shipper Antidumping Administrative Review

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

**ACTION:** Notice of initiation of New Shipper Antidumping Administrative Review.

**SUMMARY:** The Department of Commerce ("the Department") has received a request from Shandong Jinma Industrial Group Co., Ltd. ("Jinma") to conduct a new shipper administrative review of the antidumping duty order on hammers/sledges, one of the four classes or kinds of subject merchandise covered by the antidumping duty orders on heavy forged hand tools ("HFHTs") from the People's Republic of China ("PRC"). In accordance with 19 CFR 351.214(d) of the Department's regulations, we are initiating this administrative review.

**EFFECTIVE DATE:** October 6, 2000.

**FOR FURTHER INFORMATION CONTACT:** Frank Thomson or Howard Smith, AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-4793 or (202) 482-5193 respectively.

#### The Applicable Statute and Regulations

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 Round Agreements Act. In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, codified at 19 CFR Part 351 (1999).

#### Background

On July 20, 2000, the Department received a timely request, in accordance

with section 751(a)(2)(B) of the Act and 19 CFR 351.214(c), for a new shipper review of the antidumping duty order on hammers/sledges. The antidumping duty orders on HFHTs from the PRC have a February anniversary month and an August semiannual anniversary month. See *Antidumping Duty Orders: Heavy Forged Hand Tools, Finished or Unfinished, With or Without Handles From the People's Republic of China*, 56 FR 6622 (February 19, 1991).

Pursuant to 19 CFR 351.214(b)(2)(i) and 19 CFR 351.214(b)(2)(iii)(A), Jinma's July 20, 2000 request for review certified that it did not export the subject merchandise to the United States during the period of investigation ("POI") and that it is not affiliated with any company which exported subject merchandise to the United States during the POI. Pursuant to 19 CFR 351.214(b)(2)(iii)(B), Jinma's request certified that its export activities are not controlled by the central government of the PRC.

In addition, pursuant to 19 CFR 351.214(b)(2)(iv), Jinma's request contained documentation establishing: the date after the POI on which Jinma first shipped the subject merchandise for export to the United States, the volume of that shipment, and the date of the first sale to an unaffiliated customer in the United States.

It is the Department's usual practice in cases involving non-market economies to require that a company seeking to establish eligibility for an antidumping duty rate separate from the country-wide rate provide *de jure* and *de facto* evidence of an absence of government control over the company's export activities. See *Certain Preserved Mushrooms from the People's Republic of China: Initiation of New Shipper Antidumping Duty Review*, 65 FR 17257 (March 31, 2000). Accordingly, we will issue a separate rates questionnaire to the above-named respondent. If respondent Jinma provides sufficient evidence that it is not subject to either *de jure* or *de facto* government control with respect to its exports of HFHTs, this review will proceed. If, on the other hand, Jinma does not meet its burden to demonstrate its eligibility for a separate rate, then Jinma will be deemed to be affiliated with other companies that exported during the POI and that did not establish entitlement to a separate rate. This review will then be terminated due to failure of the exporter or producer to meet the requirements of section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(iii)(B).

**Initiation of Review**

In accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214(d), we are initiating a new shipper review of the antidumping duty order on hammers/sledges from the PRC. Therefore, we intend to issue the preliminary results of this review not later than 180 days after the date on which the review is initiated.

Pursuant to 19 CFR 351.214(g)(1)(i)(B) of the Department's regulations, the period of review ("POR") for a new shipper review initiated in the month immediately following the semiannual anniversary month will be the six-month period immediately preceding the semiannual anniversary month. Therefore, the POR for this new shipper is:

Antidumping duty proceeding	Period to be reviewed
HFHTs from the PRC, A-570-803: Shandong Jinma Industrial Group Co., Ltd .....	2/1/00-7/31/00

Subject to receipt of an adequate separate rates questionnaire response from the respondent, we will instruct the U.S. Customs Service to suspend liquidation of unliquidated entries of subject merchandise from the above company and allow, at the option of the importer, the posting of a bond or security in lieu of a cash deposit for each entry of the merchandise exported by the companies listed above, until the completion of the review.

Interested parties must submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are in accordance with section 751(a) of the Act (19 U.S.C. 1675(a)) and 19 CFR 351.214.

Dated: September 28, 2000.

**Holly A. Kuga,**

*Acting Deputy Assistant Secretary For Import Administration.*

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**COMMODITY FUTURES TRADING COMMISSION**

**New York Board of Trade; Proposed Amendments to the Coffee "C" Futures Contract**

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice of availability of proposed amendments to contract terms and conditions.

**SUMMARY:** The New York Board of Trade (Exchange) has proposed amendments to the Exchange's coffee "C" futures contract. The proposed amendments would specify the conditions under which deliverers, receivers and operators of regular warehouses are liable for the repair of torn coffee bags, require that Exchange-licensed warehouses maintain a log of the required weekly inspections of futures delivery coffee, and establish an expedited arbitration procedure to be used in the case of controversies concerning liability for torn bags. The proposed amendments were submitted under the Commission's 45-day Fast Track procedures which provide that, absent any contrary action by the Commission, the proposed amendments may be deemed approved on October 30, 2000—45 days after the Commission's receipt of the proposals. The Acting Director of the Division of Economic Analysis (Division) of the Commission, acting pursuant to the authority delegated by Commission Regulation 140.96, has determined that publication of the proposed amendments is in the public interest and will assist the Commission in considering the views of interested persons.

**DATES:** Comments must be received on or before October 23, 2000.

**ADDRESSES:** Interested persons should submit their views and comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, Three Lafayette Centre, 21st Street, NW, Washington, DC 20581. In addition, comments may be sent by facsimile transmission to facsimile number (202) 418-5521, or by electronic mail to secretary@cftc.gov. Reference should be made to the proposed amendments to the New York Board of Trade coffee "C" futures contract regarding torn coffee bags.

**FOR FURTHER INFORMATION, CONTACT:** Please contact John Bird of the Division of Economic Analysis, Commodity Futures Trading Commission, Three Lafayette Centre, 21st Street NW, Washington, DC 20581, telephone (202) 418-5274. Facsimile number: (202) 418-5527. Electronic mail: jbird@cftc.gov

**SUPPLEMENTARY INFORMATION:** The coffee 'C' futures contract currently calls for the delivery of specified growths of washed arabica coffee packaged in bags and held in storage at Exchange-licensed warehouses located in New York, New Orleans and Miami. The

duties and obligations of licensed warehouse operators are specified in Coffee 'C' Resolution No. 2 Under Part (IV)(2) of Resolution No. 2, Exchange-licensed warehouse operators are required to maintain coffee bags in store in accordance with Exchange standards, including keeping the stored coffee bags and coffee clean, undamaged, and free from any and all foreign matter which could be detrimental to the delivery of the coffee. Licensed warehouse operators also are required to conduct weekly inspections of each lot of Exchange coffee in store to determine the condition and conformity with Exchange standards.

Part (IV)(3) of Resolution No. 2 currently requires that licensed warehouse operators are required to promptly repair any coffee bags that are torn, bags from which coffee beans are sifting, or bags that are in peril of having coffee beans spilled therefrom. Part (IV)(4) further provides that, with the exception of coffee bags that exhibit the aforementioned conditions, the licensed warehouse operator must notify the owner of the coffee of any further maintenance to be performed on the bags and provide the owner five business days to respond. If no response is received within five business days, the owner is deemed to have authorized the maintenance and to have agreed to pay all costs associated with said maintenance. The resolution also currently specifies that the licensed warehouse operator may notify the Exchange if the warehouse operator believes that the response received from the owners is insufficient to bring the coffee bags into compliance with Exchange standards.

The proposed amendments would implement new provisions clarifying the responsibilities of deliverers, receivers and licensed warehouse operators with regard to the repair of torn bags. The proposed amendments would provide, in part, that, if the licensed warehouse operator has given written notice to the deliverer prior to delivery that one or more of the bags containing the delivery coffee are torn, the deliverer of the coffee is responsible for the repair of the torn bag(s). Alternatively, if the warehouse has met its obligations as provided in Coffee "C" Resolution No. 2(IV)(2) and the receiver has failed to inspect the coffee during the seven business days between the issuance of the delivery notice and the delivery date, the receiver is responsible for repair of the bag(s). The proposed amendments will further specify that, in order for the warehouse to demonstrate that it is conducting the weekly inspections of the coffee as required in