

addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations as codified at 19 CFR Part 351 (2000).

### Background

On December 22, 2000, the petitioner, DuPont, requested that the Department conduct an administrative review of the antidumping duty order on polychloroprene rubber from Japan for the period December 1, 1999, through November 30, 2000, covering two producers and/or exporters: Denka and Tosoh. No other interested party requested that the Department conduct an administrative review. On January 31, 2001, the Department initiated an administrative review (66 FR 8379).

### Scope of the Review

Imports covered by this review are shipments of polychloroprene rubber, an oil resistant synthetic rubber also known as polymerized chlorobutadiene or neoprene, currently classifiable under items 4002.42.00, 4002.49.00, 4003.00.00, 4462.15.21 and 4462.00.00 of the *Harmonized Tariff Schedule of the United States* (HTSUS). HTSUS item numbers are provided for convenience and for the U.S. Customs Service purposes. The written descriptions remain dispositive.

### Rescission of 1999/2000 Antidumping Duty Administrative Review

On March 15, 2001, in response to the Department's questionnaire, Tosoh stated that it had made no shipments to the United States of the subject merchandise during the period of review (POR). The Department independently confirmed with the U.S. Customs Service that there were no shipments from Tosoh during the POR. Therefore, in accordance with section 351.213(d)(3) of the Department's regulations, and consistent with our practice, we are treating this firm as a non-shipper for purposes of this review. Moreover, the Department invited interested parties to comment on our intent to rescind this review with respect to Tosoh. See Memorandum to File from Ron Trentham, dated August 9, 2001. Interested parties were given until the close of business on August 17, 2001, to submit their comments. No parties submitted comments. Therefore, we are rescinding this review with respect to Tosoh (see, e.g. *Certain Welded Carbon Steel Pipe and Tube from Turkey: Final Results and Partial Rescission of Antidumping Administrative Review*, 63 FR 35190, 35191 (June 29, 1998)).

On January 30, 2001, the petitioner filed a letter with the Department

withdrawing its request that the Department conduct an administrative review of Denka's sales. This withdrawal complies with section 351.213(d)(1) of the Department's regulations which grants parties 90 days from the publication of the notice of initiation of review to withdraw their request for review. Because of the non-shipper status of Tosoh and DuPont's timely request for the termination of the review for Denka, the Department is rescinding this review in its entirety in accordance with section 351.213(d) of our regulations.

This notice is in accordance with section 751 of the Act and section 351.213(d) of the Department's regulations.

Dated: August 20, 2001.

**Bernard T. Carreau,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. 01-21603 Filed 8-24-01; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-851]

### Final Results of New Shipper Review: Certain Preserved Mushrooms From the People's Republic of China

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

**ACTION:** Notice of Final Results of New Shipper Review.

**SUMMARY:** On June 7, 2001, the Department of Commerce published the preliminary results of the new shipper review on certain preserved mushrooms from the People's Republic of China with respect to Green Fresh Foods (Zhangzhou) Co., Ltd. The period of review is February 1, 2000, through July 31, 2000.

We received case and rebuttal briefs from the petitioners<sup>1</sup> and Green Fresh Foods (Zhangzhou) Co., Ltd. Based on our analysis of the comments received, we have made changes in the margin calculation. Therefore, the final results differ from the preliminary results. The final weighted-average dumping margin

<sup>1</sup> The petitioners are the Coalition for Fair Preserved Mushroom Trade which includes the American Mushroom Institute and the following domestic companies: L.K. Bowman, Inc., Nottingham, PA; Modern Mushroom Farms, Inc., Toughkenamon, PA; Monterey Mushrooms, Inc., Watsonville, CA; Mount Laurel Canning Corp., Temple, PA; Mushrooms Canning Company, Kennett Square, PA; Southwood Farms, Hockessin, DE; Sunny Dell Foods, Inc., Oxford, PA; United Canning Corp., North Lima, OH.

for the reviewed firm is listed below in the section entitled "Final Results of Review."

**EFFECTIVE DATE:** August 27, 2001.

### FOR FURTHER INFORMATION CONTACT:

David J. Goldberger or Katherine Johnson, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-4136 or (202) 482-4929, respectively.

### SUPPLEMENTARY INFORMATION:

#### 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. In addition, unless otherwise indicated, all citations to the Department of Commerce's (the Department's) regulations are to 19 CFR Part 351 (2000).

### Background

On June 7, 2001, the Department published the preliminary results of the new shipper review of Green Fresh Foods (Zhangzhou) Co., Ltd. (Green Fresh) with respect to the antidumping duty order on certain preserved mushrooms from the People's Republic of China (PRC) (66 FR 30695). We invited interested parties to comment on the preliminary results of this review. On July 9, 2001, we received comments from the petitioners and Green Fresh. The petitioners and Green Fresh submitted rebuttal comments on July 16, 2001. The Department has now completed this review, in accordance with section 751 of the Act and 19 CFR 351.214.

### Scope of the Order

The products covered by the order are certain preserved mushrooms whether imported whole, sliced, diced, or as stems and pieces. The preserved mushrooms covered under the order are the species *Agaricus bisporus* and *Agaricus bitorquis*. "Preserved mushrooms" refer to mushrooms that have been prepared or preserved by cleaning, blanching, and sometimes slicing or cutting. These mushrooms are then packed and heated in containers including but not limited to cans or glass jars in a suitable liquid medium, including but not limited to water, brine, butter or butter sauce. Preserved mushrooms may be imported whole, sliced, diced, or as stems and pieces. Included within the scope of the order

are "brined" mushrooms, which are presalted and packed in a heavy salt solution to provisionally preserve them for further processing.

Excluded from the scope of the order are the following: (1) All other species of mushroom, including straw mushrooms; (2) all fresh and chilled mushrooms, including "refrigerated" or "quick blanched mushrooms"; (3) dried mushrooms; (4) frozen mushrooms; and (5) "marinated," "acidified" or "pickled" mushrooms, which are prepared or preserved by means of vinegar or acetic acid, but may contain oil or other additives.<sup>2</sup>

The merchandise subject to the order is currently classifiable under subheadings 2003.10.0027, 2003.10.0031, 2003.10.0037, 2003.10.0043, 2003.10.0047, 2003.10.0053, and 0711.90.4000 of the Harmonized Tariff Schedule of the United States ("HTSUS"). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

#### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this new shipper review are addressed in the "Issues and Decision Memorandum" (Decision Memorandum) from Richard W. Moreland, Deputy Assistant Secretary for Import Administration, to Faryar Shirzad, Assistant Secretary for Import Administration, dated August 8, 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 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 Records Unit in Room B-099 of the main Commerce Building. In addition, a complete version of the Decision Memorandum can be accessed directly on the Web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the Decision Memorandum are identical in content.

<sup>2</sup> On June 19, 2000, the Department affirmed that "marinated," "acidified," or "pickled" mushrooms containing less than 0.5 percent acetic acid are within the scope of the antidumping duty order. See "Recommendation Memorandum—Final Ruling of Request by Tak Fat, et al. for Exclusion of Certain Marinated, Acidified Mushrooms from the Scope of the Antidumping Duty Order on Certain Preserved Mushrooms from the People's Republic of China," dated June 19, 2000.

#### Changes Since the Preliminary Results

Based on our analysis of the comments received, we have made changes to the margin calculation. For a discussion of these changes, see the "Margin Calculations" section of the Decision Memorandum.

#### Final Results of Review

We determine that the following weighted-average margin percentage exists for the period February 1, 2000, through July 31, 2000:

Exporter/manufacturer	Margin percentage
Green Fresh Foods (Zhangzhou) Co., Ltd .....	29.87

#### Assessment Rates

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b), we have calculated an importer-specific ad valorem duty assessment rate. We will direct the Customs Service to assess the resulting rate against the entered customs value for the subject merchandise on the importer's entry under the relevant order during the review period (*see* 19 CFR 351.212(a)). Pursuant to 19 CFR 351.106(c)(2), we will instruct the Customs Service to liquidate without regard to antidumping duties all entries for any importer for whom the assessment rate is *de minimis* (*i.e.*, less than 0.50 percent).

#### Cash Deposit Requirements

The following deposit rates shall be required for merchandise subject to the order entered, or withdrawn from warehouse, for consumption on or after the publication date of this final results of new shipper review, as provided by section 751(a)(1) of the Act: (1) The cash deposit rate for each reviewed company will be the rate indicated above; (2) the cash deposit rate for PRC exporters who received a separate rate in a prior segment of the proceeding but of whom a review was not requested for this POR will continue to be the rate assigned in that segment of the proceeding; (3) the cash deposit rate for the PRC-wide entity (*i.e.*, all other exporters which have not been reviewed) will continue to be 198.63 percent; and (4) the cash deposit rate for non-PRC exporters of subject merchandise from the PRC will be the rate applicable to the PRC supplier of that exporter. These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice 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 double antidumping duties.

This notice also serves as the only reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

This new shipper review and notice are in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.214.

Dated: August 20, 2001.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

#### Appendix—List of Comments and Issues in the Decision Memorandum

Comment 1: Factory Overhead, Selling, General and Administrative and Profit Ratios

Comment 2: Valuation of Steam Coal

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

[C-423-809]

#### Stainless Steel Plate in Coils From Belgium: Final Results of Countervailing Duty Administrative Review

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

**ACTION:** Notice of Final Results of Countervailing Duty Administrative Review.

**SUMMARY:** On April 23, 2001, the Department of Commerce published in the **Federal Register** its preliminary results of administrative review of the countervailing duty order on stainless steel plate in coils from Belgium for the