

**Distribution of Copies of the Petition**

In accordance with section 732(b)(3)(A) of the Act, a copy of the public version of the petition has been provided to the representatives of the government of Japan. We will attempt to provide a copy of the public version of the petition to each exporter named in the petition, as appropriate.

**International Trade Commission Notification**

We have notified the ITC of our initiation, as required by section 732(d) of the Act.

**Preliminary Determination by the ITC**

The ITC will determine, no later than February 28, 2002, whether there is a reasonable indication that imports of PDCVs from Japan are causing material injury, or threatening to cause material injury, to a U.S. industry. A negative ITC determination will result in the investigation being terminated; otherwise, this investigation will proceed according to statutory and regulatory time limits.

This notice is issued and published pursuant to section 777(i) of the Act.

February 4, 2002.

**Faryar Shirzad,**

*Assistant Secretary for Import Administration.*

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**BILLING CODE 3510-DS-S**

**DEPARTMENT OF COMMERCE****INTERNATIONAL TRADE ADMINISTRATION**

[A-351-806]

**Silicon Metal from Brazil; 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 August 6, 2001, the Department of Commerce (the Department) published the preliminary results of administrative review of the antidumping duty order on silicon metal from Brazil. The merchandise covered by this order is silicon metal from Brazil. The review covers four manufacturers/exporters, Rima Industrial SA (Rima), Companhia Ferroligas Minas Gerais - Minasligas (Minasligas), Ligas de Alumina S.A. (LIASA) and Companhia Carbureto de

Calcio (CBCC). The period of review (POR) is July 1, 1999, through June 30, 2000.

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

**EFFECTIVE DATE:** February 12, 2002.

**FOR FURTHER INFORMATION CONTACT:** Maisha Cryor, telephone: (202) 482-5831, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230.

**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's regulations are to 19 CFR Part 351 (2000).

**Background**

On August 6, 2001, the Department published the preliminary results of administrative review of the antidumping duty order on silicon metal from Brazil. See Preliminary Results of Antidumping Duty Administrative Review and Notice of Intent Not To Revoke Order in Part, 66 FR 40980 (August 6, 2001). The review covers four manufacturers/exporters, RIMA, Minasligas, LIASA and CBCC. The POR is July 1, 1999, through June 30, 2000. We invited parties to comment on our preliminary results of review. We received comments on November 21, 2001, from Rima, Minasligas, and CBCC (collectively respondents), and from American Silicon Technologies and Elkem Metals Company (collectively petitioners). On December 4, 2001, we received a rebuttal brief from petitioners and Rima, Minasligas and CBCC. On December 31, 2001, we received comments from petitioners concerning the Department's application of section 772(e) of the Act to CBCC's further manufactured sales in the preliminary results. On January 10, 2002, we received rebuttal comments from CBCC. In response to requests by petitioners, we issued a series of supplemental questionnaires to CBCC on January 2, 25 and 29 of 2002. We received supplemental responses from CBCC on

January 10, 28 and 30 of 2002. We received comments from petitioners on CBCC's responses on February 1, 2002. We received comments from CBCC on petitioners comments on February 4, 2002. The Department has conducted this administrative review in accordance with section 751 of the Act.

**Scope of Review**

The merchandise covered by this administrative review is silicon metal from Brazil containing at least 96.00 percent but less than 99.99 percent silicon by weight. Also covered by this administrative review is silicon metal from Brazil containing between 89.00 and 96.00 percent silicon by weight but which contains more aluminum than the silicon metal containing at least 96.00 percent but less than 99.99 percent silicon by weight. Silicon metal is currently provided for under subheadings 2804.69.10 and 2804.69.50 of the Harmonized Tariff Schedule (HTS) as a chemical product, but is commonly referred to as a metal. Semiconductor grade silicon (silicon metal containing by weight not less than 99.99 percent silicon and provided for in subheading 2804.61.00 of the HTS) is not subject to the order. Although the HTS item numbers are provided for convenience and for U.S. 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 February 4, 2002, 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, room B-099 ("B-099") of the main Department building. In addition, a complete version of the Decision Memorandum can be accessed directly on the Web at [www.ita.doc.gov/import-admin/records/frn/](http://www.ita.doc.gov/import-admin/records/frn/). The paper copy and electronic version of the Decision Memorandum are identical in content.

## Changes Since the Preliminary Results

Based on our analysis of comments received, we have made certain changes in the margin calculations. These changes are discussed in the relevant sections of the "Decision Memorandum," accessible in B-099 and on the Web at [www.ita.doc.gov/import\\_admin/records/frn/](http://www.ita.doc.gov/import_admin/records/frn/).

1. We recalculated Minasligas' home market imputed credit expense using a corrected formula.

2. We corrected the conversion of Minasligas' U.S. inland freight expense.

3. We recalculated Minasligas' home market credit expense using a surrogate interest rate.

4. We recalculated Minasligas' imputed U.S. credit expense using the date of liquidation as the date of payment.

5. We set Minasligas' negative imputed U.S. credit expenses equal to zero.

6. We recalculated the financial expense ratio in CBCC's cost of production (COP) using total financial expenses without any reduction for "financial income."

7. We included interest revenue in the calculation of CBCC's net home market price.

8. We corrected the margin program to properly calculate CBCC's margin pursuant to the special rule.

9. We recalculated CBCC's home market credit expense using a surrogate interest rate.

10. We recalculated CBCC's home market imputed credit expense using the date of shipment from the factory as the date of shipment.

11. We recalculated Rima's general and administrative (G&A) expense ratio using its G&A expenses and annual cost of goods sold as reported on its financial statements.

12. We recalculated Rima's financial expense ratio using its financial expenses and annual cost of goods sold as reported on its financial statements.

13. We recalculated Rima's CV to include an amount for profit.

14. We converted Rima's gross unit price into the proper currency to calculate net U.S. price.

15. We recalculated Rima's home market selling expenses to divide by total cost.

16. We converted CBCC and Rima's U.S. packing costs into U.S. dollars.

17. We recalculated LIASA's home market credit expense using a surrogate interest rate.

**Final Results of Review**

We determine that the following percentage weighted-average margin exists for the period July 1, 1999, through June 30, 2000:

Manufacturer/exporter	Margin (percent)
RIMA .....	0.35
MINASLIGAS .....	1.23
LIASA .....	0.00
CBCC .....	0.02

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. Where the importer-specific assessment rate is above de minimis, we will instruct Customs to assess antidumping duties on that importer's entries of subject merchandise. To calculate assessment rates, we divided the total dumping margins for the reviewed sales by the total entered value of those reviewed sales for each importer. We will direct Customs to assess the resulting percentage margins against the entered Customs values for the subject merchandise on each of that importer's entries under the order during the review period.

**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 silicon metal from Brazil 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 the reviewed companies will be the rate 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 8.10 percent. 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 also serves as a 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. 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) of the Act.

February 4, 2002

**Faryar Shirzad,**

*Assistant Secretary for Import Administration.*

**Appendix Issues in Decision Memorandum**

## Minasligas

*Comment 1: Short-Term Interest Rate*

*Comment 2: Advanced Exchange*

*Contracts (ACCs) and Payment Dates*

*Comment 3: Duty Drawback*

*Comment 4: Offset to Financial Expense*

*Comment 5: Calculation of Home*

*Market Imputed Credit Expense*

*Comment 6: Double Conversion of*

*Inland Freight*

*Comment 7: COS Adjustment for PIS/*

*COFINS*

*Comment 8: Duty Drawback and ICMS*

*and IPI Taxes*

## CBCC

*Comment 9: Shipment Date*

*Comment 10: Consolidated Financial*

*Statement*

*Comment 11: Financial Expense Ratio*

*Comment 12: Short-Term Income Offset*

*Comment 13: Interest Revenue*

*Comment 14: Nature of Sales to an*

*Unaffiliated Customer for Purposes of*

*Determining an Appropriate and*

*Reasonable Surrogate for Purposes of*

*Section 772(e) of the Act*

*Comment 15:* Related-party Transactions and Failure to Examine Documents at Verification  
*Comment 16:* Calculation of EP for Use As a Surrogate Price Under Section 772(e) of the Act  
*Comment 17:* Application of Special Rule in Margin Program  
*Comment 18:* Calculation of Home Market Imputed Credit Expenses  
*Comment 19:* Constructed Export Price (CEP) Profit

Rima

*Comment 20:* Major Input Rule  
*Comment 21:* G&A Expenses  
*Comment 22:* Net Financial Expenses  
*Comment 23:* ICMS, IPI and CV  
*Comment 24:* CV Profit  
*Comment 25:* Currency  
*Comment 26:* Home Market Selling Expenses  
*Comment 27:* Commercial Quantities  
*Comment 28:* Unreviewed and Intervening Years  
*Comment 29:* Aggregate Sales and Commercial Quantities  
*Comment 30:* Impermissible Rule Making and Violation of the APA with Respect to Commercial Quantities

Rima and CBCC

*Comment 31:* Home Market Credit and ICMS  
*Comment 32:* Conversion of U.S. Packing Costs

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-201-822]

#### Stainless Steel Sheet and Strip in Coils 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 of stainless steel sheet and strip from Mexico.

**SUMMARY:** On August 8, 2001, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on stainless steel sheet and strip in coils from Mexico (66 FR 41523). This review covers one manufacturer/exporter, Mexinox, S.A. de C.V. (Mexinox) of the subject merchandise to the United States during the period January 4, 1999

to June 30, 2000. 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 for the reviewed firm is listed below in the section entitled "Final Results of Review."

**EFFECTIVE DATE:** February 12, 2002.

**FOR FURTHER INFORMATION CONTACT:** Deborah Scott or Robert James, AD/CVD Enforcement, Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230, telephone : (202) 482-2657 or (202) 482-0649, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Tariff Act) are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act by the Uruguay Rounds Agreements Act. In addition, unless otherwise indicated, all citations to the Department's regulations are to 19 CFR Part 351 (April 1, 2000).

##### Background

On August 8, 2001, the Department published in the Federal Register the preliminary results of the administrative review of the antidumping duty order on stainless steel sheet and strip in coils from Mexico for the period January 4, 1999 through June 30, 2000. See *Stainless Steel Sheet and Strip in Coils from Mexico; Preliminary Results of Antidumping Duty Administrative Review* (66 FR 41523). In response to the Department's invitation to comment on the preliminary results of this review, Mexinox and Allegheny Ludlum Corporation, Armco Inc., J&L Specialty Steel, Inc., Washington Steel Division of Bethlehem Steel Corporation, United Steelworkers of America, AFL-CIO/CLC, Butler Armco Independent Union, Zanesville Armco Independent Organization, Inc. (collectively, petitioners) filed their case briefs on September 24, 2001 and their rebuttal briefs on October 9, 2001. At the request of respondent, we held a public hearing on October 17, 2001. On November 15, 2001, we published in the Federal Register our notice of the extension of time limits for this review (66 FR 57418). This extension established the deadline for this final as February 4, 2002.

##### Period of Review

The period of review (POR) is January 4, 1999 through June 30, 2000.

##### Scope of the Review

For purposes of this order, the products covered are certain stainless steel sheet and strip in coils. Stainless steel is an alloy steel containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. The subject sheet and strip is a flat-rolled product in coils that is greater than 9.5 mm in width and less than 4.75 mm in thickness, and that is annealed or otherwise heat treated and pickled or otherwise descaled. The subject sheet and strip may also be further processed (e.g., cold-rolled, polished, aluminized, coated, etc.) provided that it maintains the specific dimensions of sheet and strip following such processing.

The merchandise subject to this order is classified in the Harmonized Tariff Schedule of the United States (HTS) at subheadings: 7219.13.00.31, 7219.13.00.51, 7219.13.00.71, 7219.13.00.81, 7219.14.00.30, 7219.14.00.65, 7219.14.00.90, 7219.32.00.05, 7219.32.00.20, 7219.32.00.25, 7219.32.00.35, 7219.32.00.36, 7219.32.00.38, 7219.32.00.42, 7219.32.00.44, 7219.33.00.05, 7219.33.00.20, 7219.33.00.25, 7219.33.00.35, 7219.33.00.36, 7219.33.00.38, 7219.33.00.42, 7219.33.00.44, 7219.34.00.05, 7219.34.00.20, 7219.34.00.25, 7219.34.00.30, 7219.34.00.35, 7219.35.00.05, 7219.35.00.15, 7219.35.00.30, 7219.35.00.35, 7219.90.00.10, 7219.90.00.20, 7219.90.00.25, 7219.90.00.60, 7219.90.00.80, 7220.12.10.00, 7220.12.50.00, 7220.20.10.10, 7220.20.10.15, 7220.20.10.60, 7220.20.10.80, 7220.20.60.05, 7220.20.60.10, 7220.20.60.15, 7220.20.60.60, 7220.20.60.80, 7220.20.70.05, 7220.20.70.10, 7220.20.70.15, 7220.20.70.60, 7220.20.70.80, 7220.20.80.00, 7220.20.90.30, 7220.20.90.60, 7220.90.00.10, 7220.90.00.15, 7220.90.00.60, and 7220.90.00.80. Although the HTS subheadings are provided for convenience and Customs purposes, the Department's written description of the merchandise under review is dispositive.

Excluded from the scope of this order are the following: (1) Sheet and strip that is not annealed or otherwise heat treated and pickled or otherwise descaled; (2) sheet and strip that is cut to length; (3) plate (i.e., flat-rolled