

Dated: February 27, 2002.

**Madeleine Clayton,**

*Departmental Paperwork Clearance Officer,  
Office of the Chief Information Officer.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-421-804]

#### **Certain Cold-Rolled Carbon Steel Flat Products From the Netherlands: Final Results of Changed Circumstances Review**

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

**ACTION:** Final results of changed circumstances review.

**EFFECTIVE DATE:** March 5, 2002.

**SUMMARY:** On November 15, 2001, the Department of Commerce ("the Department") published a notice of initiation and preliminary results of a changed circumstances review for a revocation of the antidumping duty order on certain cold-rolled carbon steel flat products from the Netherlands at the request of a letter dated September 18, 2001 from Bethlehem Steel Corporation, LTV Steel Company, Inc., National Steel Corporation, and United States Steel LLC (collectively, "petitioners"). The Department issued its preliminary results and intent to revoke the antidumping duty order, retroactive to August 19, 1993, given that producers accounting for substantially all of the production of the domestic like product have expressed a lack of interest in the order (*see Certain Cold-Rolled Carbon Steel Flat Products From the Netherlands: Initiation and Preliminary Results of Changed Circumstances Review*, 66 FR 57415 (November 15, 2001)). In our preliminary results we invited interested parties to comment on our preliminary results. We received no comments. Therefore, our final results of the changed circumstances review remain the same as our preliminary results and the Department hereby revokes this order with respect to all unliquidated entries for consumption of the subject merchandise made from August 19, 1993 through January 1, 2000.

**FOR FURTHER INFORMATION CONTACT:** Michael Ferrier or Abdelali Elouaradia, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and

Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-1394 or (202) 482-1374, respectively.

#### **The 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 citations to the Department of Commerce's (the Department's) regulations are to the regulations at 19 CFR part 351 (2001).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On August 19, 1993, the Department published in the **Federal Register** the antidumping duty order on certain cold-rolled carbon steel flat products from the Netherlands (*see Antidumping Duty Order and Amendments to Final Determinations of Sales at Less Than Fair Value: Certain Hot-Rolled Carbon Steel Flat Products and Certain Cold-Rolled Carbon Steel Flat Products from the Netherlands*, 58 FR 44172 (August 19, 1993)). On December 15, 2000, the Department published in the **Federal Register** a revocation of the order effective January 1, 2000 (*see Revocation of Antidumping and Countervailing Duty Orders on Certain Carbon Steel Products From Canada, Germany, Korea, the Netherlands, and Sweden*, 65 FR 78467). On September 18, 2001, Bethlehem Steel Corporation, LTV Steel Company, Inc., National Steel Corporation, and United States Steel LLC (collectively, "petitioners") requested that the order be revoked retroactively to August 19, 1993. In this letter, petitioners indicated that their revocation request applies to all unliquidated entries for consumption of the subject merchandise made from August 19, 1993 through January 1, 2000, and that domestic producers accounting for at least 85 percent of production have expressed a lack of interest in the order with respect to this period prior to January 1, 2000. On November 15, 2001, the Department published a notice of initiation and preliminary results the a changed circumstances review for a revocation of the antidumping duty order on certain cold-rolled carbon steel flat products from the Netherlands. The Department issued its preliminary results and intent to revoke the antidumping duty order, retroactive to August 19, 1993, given that producers accounting for substantially all of the production of the domestic like product have expressed a lack of interest in the order.

#### **Final Results of Review: Revocation of the Antidumping Duty Order**

Pursuant to section 751(d)(1) of the Act, the Department may revoke an antidumping duty order based on a review under section 751(b) of the Act (*i.e.*, a changed circumstances review). Section 782(h)(2) of the Act and § 351.222(g)(1)(i) of the Department's regulations provide that the Secretary may revoke an order, in whole or in part, based on changed circumstances if "{p}roducers accounting for substantially all of the production of the domestic like product to which the order (or the part of the order to be revoked) \* \* \* have expressed a lack of interest in the order, in whole or in part. \* \* \*" In this context, the Department has interpreted "substantially all" production normally to mean at least 85 percent of domestic production of the like product (*see, e.g., Certain Hot-Rolled Lead and Bismuth Carbon Steel Products From the United Kingdom: Final Results of Changed-Circumstances Antidumping and Countervailing Duty Administrative Reviews, Revocation of Orders, and Recission of Administrative Reviews*, 65 FR 13713, 13714 (March 14, 2000)).

Petitioners are domestic interested parties as defined by section 771(9)(C) of the Act and 19 CFR 351.102(b). Petitioners indicate that they, along with other domestic producers that have expressed a lack of interest in the order retroactive to August 19, 1993, represent at least 85 percent of the domestic production of the domestic like product to which this order pertains, and thus account for "substantially all" of the production of the domestic like product.

In this changed circumstances review we have determined to revoke the order in part, retroactive to August 19, 1993, for unliquidated entries in light of the submission by petitioners and particularly in light of the fact that the parties to the litigation concerning these entries have agreed to withdraw their appeals; there is only one importer of record; and we received no comments following our preliminary results of November 15, 2001. We hereby notify the public of our revocation in whole the antidumping duty order on certain cold-rolled carbon steel flat products from the Netherlands retroactive to August 19, 1993.

Upon dismissal by the courts of the pending appeals, we will instruct the Customs Service to refund any estimated antidumping duties collected for all unliquidated entries of certain cold-rolled carbon steel flat products from the Netherlands entered, or withdrawn from warehouse, for

consumption on or after August 19, 1993. We will also instruct the Customs Service to pay interest on any refunds with respect to the subject merchandise entered, or withdrawn from warehouse, for consumption on or after August 19, 1993, in accordance with section 778 of the Act.

This notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.306. 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 sanctionable violation.

This determination is issued and published in accordance with sections 751(b)(1) and 777(i)(1) of the Act and § 351.216 of the Department's regulations.

Dated: February 26, 2002.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-428-821]

#### **Large Newspaper Printing Presses and Components Thereof, Whether Assembled or Unassembled, from Germany: Notice of Preliminary Results of Changed Circumstances Review, Preliminary Intent to Revoke the Antidumping Duty Order, and Preliminary Rescission of Administrative Reviews**

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

**ACTION:** Notice of preliminary results of changed circumstances review, preliminary intent to revoke the antidumping duty order, and preliminary rescission of antidumping duty administrative reviews.

**SUMMARY:** In response to a request by KBA North America, Inc., Web Press Division, a U.S. producer of subject merchandise and an interested party in this proceeding, on November 5, 2001, the Department of Commerce initiated a changed circumstances review to consider revocation of the antidumping duty order on large newspaper printing presses from Germany. We have

preliminarily determined that the producers accounting for all or substantially all of the production of the domestic like product to which the order pertains do not have an interest in maintaining the order. Consequently, we preliminarily intend to revoke the order on large newspaper printing presses from Germany with an effective date of September 1, 1999. In addition, the Department is rescinding preliminarily the ongoing administrative reviews of this order. These reviews cover the periods September 1, 1999, through August 31, 2000, and September 1, 2000, through August 31, 2001. Interested parties are invited to comment on these preliminary results.

**EFFECTIVE DATE:** September 1, 1999.

**FOR FURTHER INFORMATION CONTACT:** David Goldberger or Irene Darzenta Tzafolias AD/CVD Enforcement Group I, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, D.C. 20230; telephone: (202) 482-4136 or (202) 482-0922, respectively.

#### **SUPPLEMENTARY INFORMATION:**

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

#### **Background**

On September 4, 1996, the Department issued the antidumping duty order on large newspaper printing presses (LNPPs) from Germany (61 FR 46623). On September 24, 2001, Koenig & Bauer AG and KBA North America, Inc. Web Press Division (KBA NA, a domestic producer of the subject merchandise; collectively, K&B) requested that the Department revoke the antidumping duty order on LNPPs from Germany through initiation of a changed circumstances review. K&B provided information that Goss, the petitioner in the antidumping duty order proceeding, closed its sole U.S. production facility on August 31, 2001, and is no longer a producer of the merchandise subject to the antidumping duty order. On November 2, 2001, KBA NA stated that it accounts for substantially all of the production of the

domestic like product and no longer has an interest in the continuation of the antidumping order. In addition, prior to K&B's request, on September 19, 2001, MAN Roland Druckmaschinen AG and MAN Roland Inc. (collectively, MAN Roland), a foreign producer/exporter of the subject merchandise and its U.S. affiliate, requested that the Department revoke the antidumping duty order on LNPPs from Germany through a changed circumstances review. MAN Roland provided information similar to K&B's regarding the status of Goss's U.S. production facility. Both K&B and MAN Roland submitted additional material regarding Goss on October 19, 2001, and MAN Roland provided further information on October 29, 2001. In their submissions, both K&B and MAN Roland requested that the order be revoked with respect to any entries of LNPPs that have not yet been the subject of a completed administrative review.

On October 3, 2001, the Department requested Goss to state for the record whether it is a domestic producer of LNPPs. Goss responded on October 19, 2001, stating that it continues to perform certain manufacturing functions at a U.S. facility and thus continues to be a manufacturer, producer, or wholesaler in the United States within the meaning of section 771(9) of the Act. On that basis, Goss contended that the Department should reject the requests for a changed circumstances review.

Based on the information submitted by KBA NA and KBA NA's assertions that it accounted for substantially all of the production of the domestic like product and had no interest in maintaining the order, the Department determined that there was sufficient evidence of changed circumstances to warrant a review under section 751(b)(1) of the Act and 19 CFR 351.222(g) and 351.216, and consequently, initiated a changed circumstances review on November 5, 2001. (See *Large Newspaper Printing Presses and Components Thereof, Whether Assembled or Unassembled, From Germany: Notice of Initiation of Changed Circumstances Review and Consideration of Revocation of the Antidumping Duty Order*, 66 FR 56798 (November 13, 2001) (Initiation Notice).) In the Initiation Notice, we stated that we would consider whether there is interest in continuing the order on the part of the U.S. industry. We also stated that we would publish in the Federal Register a notice of preliminary results of changed circumstances review, in accordance with 19 CFR 351.221(c)(3)(i), prior to the issuance of the final results of the review.