

galvanized, or painted), or end finish (plain end, beveled end, threaded, or threaded and coupled). These pipes and tubes are generally known as standard pipes and tubes and are intended for the low-pressure conveyance of water, steam, natural gas, air, and other liquids and gases in plumbing and heating systems, air-conditioning units, automatic sprinkler systems, and other related uses. Standard pipe may also be used for light load-bearing applications, such as for fence tubing, and as structural pipe tubing used for framing and as support members for reconstruction or load-bearing purposes in the construction, shipbuilding, trucking, farm equipment, and other related industries. Unfinished conduit pipe is also included in this order.

All carbon-steel pipes and tubes within the physical description outlined above are included within the scope of this review except line pipe, oil-country tubular goods, boiler tubing, mechanical tubing, pipe and tube hollows for redraws, finished scaffolding, and finished conduit. In accordance with the Department's *Final Negative Determination of Scope Inquiry on Certain Circular Welded Non-Alloy Steel Pipe and Tube from Brazil, the Republic of Korea, Mexico, and Venezuela* (61 FR 11608, March 21, 1996), pipe certified to the API 5L line-pipe specification and pipe certified to both the API 5L line-pipe specifications and the less-stringent ASTM A-53 standard-pipe specifications, which falls within the physical parameters as outlined above, and entered as line pipe of a kind used for oil and gas pipelines is outside of the scope of the antidumping duty order.

Imports of these products are currently classifiable under the following *Harmonized Tariff Schedule of the United States* ("HTSUS") subheadings: 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, and 7306.30.50.90. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this proceeding is dispositive.

#### Initiation of Changed Circumstances Review

On May 2, 2002, Husteel Co., Ltd. ("Husteel"), notified the Department that, as of April 1, 2002, its corporate name changed from Shinho Steel Co., Ltd. ("Shinho" is a company subject to the antidumping duty order on certain circular welded non-alloy steel pipe from Korea), and requested that the Department initiate a changed circumstances review to confirm that

Husteel is the successor-in-interest to Shinho. Husteel also requested that the Department issue the preliminary results of the changed circumstances review in conjunction with the notice of initiation, in accordance with 19 CFR 351.221(c)(3)(ii).

Husteel provided documentation to support the name change, consisting of the minutes of the shareholders' meeting where the name change was approved, comparison chart of the articles of incorporation, court certification of the name change, and a new business registration certificate issued by tax authorities. Husteel has stated that the company's owners, management structure, production facilities, supplier relationships and customer base remain unchanged, but has not provided documentation supporting these statements.

Pursuant to section 751 (b)(1) of the Act, the Department will conduct a changed circumstances review upon receipt of information, or a request from an interested party, concerning an antidumping duty order which shows changed circumstances sufficient to warrant a review of the order. The information submitted by Husteel shows changed circumstances sufficient to warrant a review. See 19 CFR 351.216(c).

Concerning Husteel's request that the Department issue the preliminary results of the changed circumstances review in conjunction with the notice of initiation, Husteel has not provided sufficient evidence to support a preliminary finding. In making successor-in-interest determinations, the Department examines several factors including, but not limited to, changes in: (1) management; (2) production facilities; (3) supplier relationships; and (4) customer base. See e.g., *Brass Sheet and Strip from Canada; Final Results of Antidumping Duty Administrative Review*, 57 FR 20460, 20461 (May 13, 1992). While no single factor, or combination of factors, will necessarily be dispositive, the Department will generally consider the new company to be the successor to its predecessor company if the resulting operations are essentially the same as the predecessor company. See e.g., *id.* and *Industrial Phosphoric Acid from Israel; Final Results of Changed Circumstances Review*, 59 FR 6944, 6945 (February 14, 1994). Thus, if the evidence demonstrates that, with respect to the production and sale of the subject merchandise, the new company operates as the same business entity as its predecessor, the Department will treat the new company as the successor-in-interest to the predecessor. In this

instance, while Husteel has stated for the record that the company's owners, management structure, production facilities, supplier relationships and customer base remain unchanged, it has not provided evidence supporting these statements.

Therefore, in accordance with section 751(b)(1) of the Act and sections 19 CFR 351.216(b) and 351.221(b)(1), we are initiating a changed circumstances administrative review to determine whether entries naming Husteel as manufacturer or exporter should receive the cash deposit rate currently applied to Shinho.

The Department will publish in the **Federal Register** a notice of preliminary results of changed circumstances antidumping duty administrative review, in accordance with 19 CFR 351.221(b)(4) and 351.221(c)(3)(i), which will set forth the Department's preliminary factual and legal conclusions. The Department will issue its final results of review in accordance with the time limits set forth in 19 CFR 351.216(e).

This notice is published in accordance with section 751(b)(1) of the Act.

Dated: June 12, 2002

**Richard W. Moreland,**

*Deputy Assistant Secretary for Import Administration, Group 1.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-504]

#### Petroleum Wax Candles from the People's Republic of China: Notice of Final Results of New Shipper Review

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

**SUMMARY:** On January 24, 2002, the Department of Commerce (the Department) published the preliminary results of its new shipper review of the antidumping duty order on petroleum wax candles from the People's Republic of China (PRC). See *Preliminary Results of Antidumping Duty New Shipper Review: Petroleum Wax Candles from the People's Republic of China*, 67 FR 3478 (January 24, 2002) (*Preliminary Results*). The new shipper review covers the period August 1, 2000 through January 31, 2001.

Based on our analysis of comments received, we have made changes to the margin calculations. 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:** June 18, 2002.

**FOR FURTHER INFORMATION CONTACT:**

Sally Gannon or Javier Barrientos  
Antidumping/Countervailing Duty  
Enforcement Office VII, Import  
Administration, International Trade  
Administration, U.S. Department of  
Commerce, 14th Street and Constitution  
Avenue, NW, Washington DC 20230;  
telephone (202) 482-0162 and (202)  
482-2243, respectively.

**SUPPLEMENTARY INFORMATION:**

**Applicable Statute**

Unless otherwise indicated, all citations to the statute are references to the Tariff Act of 1930 (the Act), as amended. In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations codified at 19 CFR part 351 (2001). The Department has conducted this new shipper review in accordance with section 751 of the Act.

**Background**

The company covered by this new shipper review is Shanghai New Star Im/Ex Co., Ltd. (New Star). Since the publication of the *Preliminary Results*, the following events have occurred. On February 13, 2002, we received a timely submission of publicly available information on the surrogate values for petroleum wax candles from the National Candles Association, petitioner in this proceeding. On February 24, 2002, we received case briefs from New Star and petitioner. On March 4, 2002, we received rebuttal briefs from New Star and petitioner. New Star's briefs were filed not only on its own behalf, but also on behalf of its U.S. importer. On April 12, 2002, the Department issued its notice of extension of the time limit for the final results of the antidumping new shipper review to May 30, 2002. See *Petroleum Wax Candles from the People's Republic of China: Notice of Extension of Time Limit for Final Results of the Antidumping New Shipper Review*, (67 FR 19160, April 18, 2002). On May 7, 2002, the Department held a public hearing. The Department has now completed this review in accordance with section 751 (a)(2)(B) of the Act.

**Scope of Antidumping Duty Order**

The products covered by this order are certain scented or unscented petroleum wax candles made from petroleum wax and having fiber or

paper-cored wicks. They are sold in the following shapes: tapers, spirals, and straight-sided dinner candles; rounds, columns, pillars, votives; and various wax-filled containers. The products were classified under the Tariff Schedules of the United States (TSUS) item 755.25, Candles and Tapers. The products are currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) item 3406.00.00. Although the HTSUS subheading is provided for convenience and customs purposes, our written description of the scope of this proceeding remains dispositive.

**Analysis of Comments Received**

All issues raised in the briefs filed by parties to this new shipper review are addressed in the *Memorandum from Joseph A. Spetrini, Deputy Assistant Secretary for AD/CVD Enforcement Group III, to Faryar Shirzad, Assistant Secretary for Import Administration: Issues and Decision Memorandum for the Final Results of the Antidumping New Shipper Review of Petroleum Wax Candles from the People's Republic of China*, dated May 30, 2001 (*Decision Memo*), 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 Memo*, 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 of the main Commerce Building. In addition, a complete version of the *Decision Memo* can be accessed directly on the internet at <http://ia.ita.doc.gov>. The paper copy and electronic version of the *Decision Memo* are identical in content.

**Separate Rates**

In the *Preliminary Results*, we found that New Star met the requirements for receiving a separate rate. No new information or evidence of changed circumstances has been presented since then to warrant reconsideration of this finding. Accordingly, New Star has been assigned a separate rate, the rate listed below under "Final Results of Review," for purposes of these final results.

**Changes Since the Preliminary Results**

Based on our analysis of comments received, we have made certain changes in the margin calculations. These include changes to the : time period chosen for factor values; inflation adjustment for electricity; percent factors for factory overhead, SG&A, and

profit; and, foreign port brokerage, handling, and loading costs. For a discussion of the issues and changes made, refer to the *Decision Memo*.

**Final Results of Review**

We determine that the following weighted-average margin exists for the period August 1, 2000 through January 31, 2001:

Manufacturer/Exporter	Percent
Shanghai New Star Import/Export Co., Ltd. ....	95.22%

**Assessment Rates**

The Department shall determine, and the U.S. Customs Service (Customs) shall assess, antidumping duties on all appropriate entries. We have calculated importer-specific assessment rates. We will direct Customs to assess the rate against the entered customs value for each entry of subject merchandise from New Star during the POR.

**Cash Deposit Requirements**

The deposit requirement at the rate noted above, under "Final Results of Review," will be effective for all shipments exported by New Star of petroleum wax candles from the PRC entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice, as provided by section 751(a)(2)(C) of the Act.

For all other companies, the following rates are in effect and remain unaffected by the results of this new shipper review: (1) for previously-reviewed PRC and non-PRC exporters with separate rates, the cash deposit rate will be the company-specific rate established for the most recent period; (2) for all other PRC exporters, the rate will be the current PRC-wide *ad valorem* rate, which is 54.21 percent; and (3) for all other non-PRC exporters of subject merchandise from the PRC, the cash deposit rate will be the rate applicable to the PRC supplier of that exporter.

**Notifications to Parties**

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 subsequent assessment of double 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 section 351.305(a)(3) of the Department's regulations. 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 the terms of an APO is a sanctionable violation.

This new shipper review and notice are in accordance with sections 751(a)(2)(B) and 777(i)(1) of the Act.

DATED: May 30, 2002

Faryar Shirzad,

Assistant Secretary for Import Administration.

## Appendix

### List of Issues

1. Affiliation of Exporter and U.S. Importer
2. Time Periods for Factor Values
3. Factor Value For Coal
4. Inflation Adjustment For Electricity
5. Factor Identification For Additive
6. Percent Factors For Factory Overhead, SG&A, and Profit
7. Number of Labor Hours Incurred in Candle Production
8. Ocean Freight
9. Foreign Port Brokerage, Handling, and Loading Expenses And Marine Insurance

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-869]

### Notice of Amended Final Determination of Sales at Less Than Fair Value: Structural Steel Beams From the People's Republic of China

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

**ACTION:** Notice of amended final determination of sales at less than fair value.

**SUMMARY:** On May 20, 2002, we published in the **Federal Register** our notice of final determination of sales at less than fair value. See *Final Determination of Sales at Less Than Fair Value: Structural Steel Beams from the People's Republic of China*, 67 FR 35479 (May 20, 2002). We are amending our final determination to correct clerical and ministerial errors discovered with respect to the

antidumping duty margin calculations for Maanshan Iron & Steel Co., Ltd.

**EFFECTIVE DATE:** June 18, 2002.

**FOR FURTHER INFORMATION CONTACT:** Lyn Johnson or Richard Rimlinger, AD/CVD Enforcement Group I, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-4733.

### Period of Investigation

The period of investigation is October 1, 2000, through March 31, 2001.

### The Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Act 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 regulations of the Department of Commerce (the Department) are to 19 CFR part 351 (April 2001).

### SUPPLEMENTARY INFORMATION:

#### Background

On May 20, 2002, we published in the **Federal Register** our final determination that structural steel beams from the People's Republic of China (PRC) are being, or are likely to be, sold in the United States at less than fair value (LTFV), as provided in section 735(a) of the Act. See *Final Determination of Sales at Less Than Fair Value: Structural Steel Beams from the People's Republic of China*, 67 FR 35479 (May 20, 2002), and accompanying *Issues and Decision Memorandum (Final Determination)*. Following publication, the Department discovered two ministerial errors it made in the language it used in the notice published in the **Federal Register**. On May 28, 2002, the Committee for Fair Beam Imports and its individual members (the petitioners) filed timely comments on the *Final Determination*. Some of the petitioners' comments were allegations of ministerial errors and others were issues being raised for the first time. On June 3, 2002, the respondent, Maanshan Iron & Steel Co, Ltd. (Maanshan), filed timely rebuttal comments.

#### Scope of Investigation

The scope of this investigation covers doubly-symmetric shapes, whether hot- or cold-rolled, drawn, extruded, formed or finished, having at least one dimension of at least 80 mm (3.2 inches or more), whether of carbon or alloy (other than stainless) steel, and whether

or not drilled, punched, notched, painted, coated, or clad. These structural steel beams include, but are not limited to, wide-flange beams ("W" shapes), bearing piles ("HP" shapes), standard beams ("S" or "I" shapes), and M-shapes. All the products that meet the physical and metallurgical descriptions provided above are within the scope of this investigation unless otherwise excluded. The following products are outside and/or specifically excluded from the scope of this investigation: (1) Structural steel beams greater than 400 pounds per linear foot, (2) structural steel beams that have a web or section height (also known as depth) over 40 inches, and (3) structural steel beams that have additional weldments, connectors, or attachments to I-sections, H-sections, or pilings; however, if the only additional weldment, connector or attachment on the beam is a shipping brace attached to maintain stability during transportation, the beam is not removed from the scope definition by reason of such additional weldment, connector, or attachment.

The merchandise subject to this investigation is classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheadings 7216.32.0000, 7216.33.0030, 7216.33.0060, 7216.33.0090, 7216.50.0000, 7216.61.0000, 7216.69.0000, 7216.91.0000, 7216.99.0000, 7228.70.3040, and 7228.70.6000. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.

#### Analysis of Comments Received

The Department's regulations define a ministerial error as one involving "addition, subtraction, or other arithmetic function, clerical error resulting from inaccurate copying, duplication or the like, and any other similar type of unintentional error which the Secretary considers ministerial." See 19 CFR 351.224(f). After reviewing the allegations, we have determined, in accordance with 19 CFR 351.224, that the *Final Determination* includes ministerial errors. Therefore, we have made changes, described in the section below, to the final determination.

#### Changes Since to Final Determination

We have made the following changes to the notice published in the **Federal Register** and our margin calculations. Please see the *Decision Memorandum* accompanying this notice for a detailed discussion of these changes.