

Dated: September 3, 2002.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 02-23388 Filed 9-12-02; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-501]

#### **Natural Bristle Paintbrushes and Brush Heads From the People's Republic of China; Notice of Rescission, in Part, of Antidumping Duty Administrative Review**

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

**SUMMARY:** In accordance with 19 CFR 351.213(b)(1), the Department received a timely request from petitioner, the Paint Applicator Division of the American Brush Manufacturers Association (Paint Applicator Division), that we conduct an administrative review of the sales of Hebei Founder Import & Export Company (Hebei) and Hunan Provincial Native Products Import & Export Corp. (Hunan). On March 27, 2002, the Department initiated an administrative review of the antidumping duty order on natural bristle paintbrushes and paint brush heads for the period of review (POR) of February 1, 2001 through January 31, 2002. We are now rescinding this review with respect to Hebei because Hebei did not have any sales, shipments, or entries during the POR.

**EFFECTIVE DATE:** September 13, 2002.

**FOR FURTHER INFORMATION CONTACT:** Thomas Gilgunn or Douglas Kirby, AD/CVD Enforcement Group III, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230; telephone: 202-482-4236 and 202-482-3782, respectively.

**SUPPLEMENTARY INFORMATION:**

#### **Applicable Statute and Regulations**

Unless otherwise indicated, all citations are to the Tariff Act of 1930, as amended ("the Act"). In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations codified at 19 CFR part 351 (2001).

#### **Background**

On February 1, 2002, the Department published a notice of opportunity to request an administrative review of the

antidumping duty order on natural bristle paint brushes and brush heads from the People's Republic of China (PRC) (67 FR 4945). On February 28, 2002, the Department received a timely request from petitioner for administrative reviews of Hunan Provincial Native Produce and Animal By-Products Import and Export Corporation (Hunan) and Hebei Founder Import and Export Company (Hebei). On March 27, 2002, the Department initiated an administrative review of the antidumping duty order on natural bristle paintbrushes and brush heads, for the period from February 1, 2001 through January 31, 2002, in order to determine whether merchandise imported into the United States is being sold at less than fair value. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocations in Part* (67 FR 14696). On May 1, 2002 the Department issued antidumping questionnaires to Hebei and Hunan. In its reply to Section A of the questionnaire, Hebei reiterated that it had made no sales or shipments of subject merchandise to the United States during the POR.

The Department also performed a U.S. Customs Service (Customs) query for entries of natural bristle paintbrushes and brush heads, classified under the Harmonized Tariff Schedule of the United States (HTSUS) item number 9603.40.40.40, from the PRC during the POR. We found no entries or shipments from Hebei during the POR.

#### **Rescission, in Part, of Antidumping Administrative Review**

Pursuant to 19 CFR 351.213(d)(3), the Department may rescind an administrative review, in whole or only with respect to a particular exporter or producer, if the Secretary concludes that, during the period covered by the review, there were no entries, exports, or sales of subject merchandise. On August 14, 2002, the Department issued a memorandum stating our intent to rescind the review, in part, with regard to Hebei in light of the information on the record that Hebei did not sell, ship or enter the subject merchandise during the POR. The Department circulated this memorandum among the parties and received no comments. See *Memorandum For the File From Douglas Kirby Through Barbara E. Tillman: Partial Rescission of Antidumping Duty Administrative Review* (August 14, 2002) (public document, on file in the Department's Central Records Unit in Room B-099). Therefore, the Department has determined that it is reasonable to

rescind, in part, the administrative review of the antidumping duty order on natural bristle paintbrushes and paintbrush heads with respect to Hebei for the period February 1, 2001 through January 31, 2002. The Department will issue appropriate assessment instructions to Customs.

The Department is not rescinding its review of the antidumping duty order on natural bristle paintbrushes and brush heads with respect to Hunan, for the period February 1, 2001 through January 31, 2002, because there is evidence on the record of sales made by Hunan to the United States market during the POR.

This notice 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(a)(3). Timely written notification of the return or 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 and notice are issued and published in accordance with 19 CFR 351.213(d)(3) and sections 751(a) and 777(i)(l) of the Act.

Dated: September 6, 2002.

**Faryar Shirzad,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

A-588-854

#### **Certain Tin Mill Products from Japan: Notice of Decision of the Court of International Trade**

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

**EFFECTIVE DATE:** September 13, 2002./P<

**FOR FURTHER INFORMATION CONTACT:** Michael Ferrier or Abdelali Elouaradia at (202) 482-1394 or (202) 482-1374, respectively; Antidumping and Countervailing Duty Enforcement Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

**SUMMARY:** On August 9, 2002, the United States Court of International Trade ("CIT" or "the Court") entered a