

Thus, OEE's investigation demonstrates that Talyi, through IBS, has repeatedly attempted to export items to Libya and Sudan by misrepresenting, deceiving, or lying to U.S. equipment suppliers regarding the ultimate destination of end-user since as far back as 1993, in clear violation of U.S. export control laws, and, that Talyi has exported or participated in the export of U.S.-origin items without obtaining necessary authorizations from BIS or the Treasury Department's OFAC.

OEE's investigation has disclosed the Top Oil Tools, Ltd., 41 Chamale Cove East, Slidell, Louisiana 70460, is related by its ownership, control, affiliation, and connection with Talyi and IBS such that it should be considered a related person under the terms of this order. Top Oil Tools, Ltd. is a business owned and operated by Talyi, it is located at the same address, and it has participated in some of the transactions referenced herein. Consequently, it is necessary to name Top Oil Tools, Ltd. as a person related to Talyi and IBS in order to prevent evasion of the terms and conditions of this order.

In light of the evidence cited above, OEE's investigation demonstrates that Talyi has committed or attempted to commit repeated violations of U.S. export control laws, including the EAR, through his company IBS, that such violations have been deliberate and covert, and that, given the nature of the items shipped, future such violations could go undetected. In addition, a temporary denial order is needed to give notice to companies in the United States and abroad that they should cease dealing with Talyi or IBS in export transactions involving U.S.-origin items. Such a temporary denial order is clearly consistent with the public interest to preclude future violations of the EAR.

Accordingly, I find that a TDO is necessary, in the public interest, to prevent an imminent violation of the EAR. This order is issued on an *ex parte* basis without a hearing based upon BIS's showing that expedited action is required.

*It is therefore ordered:* First, that Yaudat Mustafa Talyi, a.k.a. Joseph Talyi, 888 Cross Gates Boulevard, Slidell, Louisiana 70458 ("Talyi"), and International Business Services, Ltd., 700 Gause Boulevard, Suite 304, Slidell, Louisiana 70458, and 41 Chamale Cove East, Slidell, Louisiana 70460 ("IBS") (hereinafter collectively referred to as the "denied persons"); and the following person subject to the Order by its relationship to the denied person, Top Oil Tools, Ltd., 41 Chamale Cove East, Slidell, Louisiana 70460 (the "related person") (together, the denied

persons and the related person are "persons subject to this Order") may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to the Export Administration Regulations ("EAR"), or in any other activity subject to the EAR, including, but not limited to:

A. Applying for, obtaining, or using any license, License Exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the EAR, or in any other activity subject to the EAR; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the EAR, or in any other activity subject to the EAR.

Second, that no person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of a person subject to this Order any item subject to the EAR;

B. Take any action that facilitates the acquisition or attempted acquisition by a person subject to this order of the ownership, possession, or control of any item subject to the EAR that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby a person subject to this order acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from a person subject to this order of any item subject to the EAR that has been exported from the United States;

D. Obtain from a person subject to this order in the United States any item subject to the EAR with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the EAR that has been or will be exported from the United States and which is owned, possessed or controlled by a person subject to this order, or service any item, of whatever origin, that is owned, possessed or controlled by a person subject to this order if such service involves the use of any item subject to the EAR that has been or will be

exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, that, in addition to the related person named above, after notice and opportunity for comments as provided in § 766.23 of the EAR, any other person, firm, corporation, or business organization related to the denied person by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be made subject to the provisions of this Order.

Fourth, that this Order does not prohibit any export, reexport, or other transaction subject to the EAR where the only items involved that are subject to the EAR are the foreign-produced direct product of U.S.-origin technology.

In accordance with the provisions of § 766.24(e) of the EAR, Talyi or IBS may, at any time, appeal this Order by filing a full written statement in support of the appeal with the Office of the Administrative Law Judge, U.S. Coast Guard ALJ Docketing Center, 40 South Gay Street, Baltimore, Maryland 21202-4022. A related person may appeal to the Administrative Law Judge at the aforesaid address in accordance with the provisions of § 766.23(c) of the EAR.

This Order is effective immediately and shall remain in effect for 180 days.

In accordance with the provisions of § 766.24(d) of the EAR, BIS may seek renewal of this Order by filing a written request not later than 30 days before the expiration date. A respondent may oppose a request to renew this order by filing a written submission with the Assistant Secretary for Export Enforcement, which must be received not later than seven days before the expiration date of the Order.

A copy of this Order shall be served on Talyi and IBS and the related person and shall be published in the **Federal Register**.

Entered this 30th day of September, 2002.

**Michael J. Garcia,**

*Assistant Secretary for Export Enforcement.*

[FR Doc. 02-25221 Filed 10-3-02; 8:45 am]

BILLING CODE 3510-DS-M

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-847]

#### Final Results of Expedited Sunset Review: Persulfates From the People's Republic of China

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

**ACTION:** Notice of final results of expedited sunset review: Persulfates from the People's Republic of China.

**SUMMARY:** On July 22, 1997, the Department of Commerce ("the Department") published the notice of initiation of a five-year sunset review of the antidumping duty order on persulfates from the People's Republic of China ("PRC"), pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act").<sup>1</sup> On the basis of a notice of intent to participate and adequate substantive comments filed on behalf of domestic interested parties, and inadequate response (in this case no response) from respondent interested parties, the Department determined to conduct an expedited sunset review of this antidumping duty order. As a result of this review, the Department finds that revocation of the antidumping order would be likely lead to continuation or recurrence of dumping at the levels indicated in the "Final Results of Review" section of this notice.

**EFFECTIVE DATE:** October 4, 2002.

**FOR FURTHER INFORMATION CONTACT:** Amir R. Eftekhari or James P. Maeder, Jr., Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-5331 or (202) 482-3330.

**SUPPLEMENTARY INFORMATION:**

**Statute and Regulations**

This review is conducted pursuant to sections 751(c) and 752 of the Act. The Department's procedures for the conduct of sunset reviews are set forth in Procedures for Conducting Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders, 63 FR 13516 ("Sunset Regulations") and in 19 CFR part 351 (2001) in general. Guidance on methodological or analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department's Policy Bulletin 98:3 Policies Regarding the Conduct of Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin, 63 FR 18871 (April 16, 1998) ("Sunset Policy Bulletin").

**Scope of Review**

The products covered by this review are persulfates, including ammonium, potassium, and sodium persulfates. The chemical formula for these persulfates are, respectively, (NH<sub>4</sub>)<sub>2</sub>S<sub>2</sub>O<sub>8</sub>, K<sub>2</sub>S<sub>2</sub>O<sub>8</sub>,

and Na<sub>2</sub>S<sub>2</sub>O<sub>8</sub>. Ammonium and potassium persulfates are currently classified under subheading 2833.40.60 of the Harmonized Tariff Schedule of the United States (HTSUS). Sodium persulfates are classified under HTSUS subheading 2833.40.20. The HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope of this proceeding is dispositive.

**Background**

On July 22, 1997, the Department published the notice of initiation of the five-year sunset review of the antidumping duty order on persulfates from the PRC in accordance with section 751(c)(6)(A)(i) of the Tariff Act of 1930.<sup>2</sup> On June 11, 2002, the Department received a Notice of Intent to Participate on behalf of FMC Corporation (collectively, "the domestic interested parties") as specified in § 351.218(d)(1)(i) of the Sunset Regulations.

On July 3, 2002, the Department received a complete substantive response from the domestic interested parties, as specified in the Sunset Regulations under § 351.218(d)(3)(i).

The Department did not receive a substantive response from any respondent interested party in this proceeding. Consequently, pursuant to section 751(c)(3)(B) of the Act, and 19 CFR 351.218(e)(1)(ii)(C), the Department conducted an expedited (120-day) sunset review of this order.

**Analysis of Comments Received**

All issues raised by the domestic interested parties to this sunset review are addressed in the Issues and Decision Memorandum ("Decision Memorandum") from Jeffrey A. May, Director, Office of Policy, Import Administration, to Faryar Shirzad, Assistant Secretary for Import Administration, dated October 2, 2002, which is adopted by this notice. The issues discussed in the Decision Memorandum include the likelihood of continuation or recurrence of dumping and the magnitude of the margin likely to prevail were the order revoked. Parties can find a complete discussion of all issues raised in this sunset review and the corresponding recommendations in this public memorandum which is on file in the Central Records Unit, room B-099, of the Department's main building.

In addition, a complete version of the Decision Memorandum can be accessed directly on the Web at [\[ia.ita.doc.gov/frn\]\(http://ia.ita.doc.gov/frn\), under the heading "October 2002." The paper copy and electronic version of the Decision Memorandum are identical in content.](http://</a></p>
</div>
<div data-bbox=)

**Final Results of Review**

We determine that revocation of the antidumping duty order would likely lead to continuation or recurrence of dumping at the following percentage weighted-average margins:

Manufacturer/producers/exporter	Weighted-average margin (percent)
Sinochem Jiangsu Wuxi Import & Export Corporation (Wuxi)	32.22
Shanghai Ai Jian Import & Export Corporation (Ai Jian) .....	34.41
Guangdong Petroleum Chemical Import and Export Trade (Guangdong) .....	34.97
PRC-wide .....	119.02

This notice serves as the only 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 violation which is subject to sanction.

This five-year ("sunset") review and notice are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: September 30, 2002.

**Faryar Shirzad,**

*Assistant Secretary for Import Administration.*

[FR Doc. 02-25307 Filed 10-3-02; 8:45 am]

**BILLING CODE 3510-DS-P**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-588-833]

**Stainless Steel Bar From Japan: 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 July 31, 2002, the Department of Commerce published the preliminary results of an administrative review of the antidumping duty order

<sup>1</sup> Notice of Initiation of Five Year "Sunset" Reviews, 67 FR 9439 (March 1, 2002).

<sup>2</sup> Notice of Initiation of Five Year "Sunset" Reviews, 67 FR 38332 (June 3, 2002).