

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 1262]

Grant of Authority for Subzone Status, Canon Virginia, Inc. Manufacturing Plant (Computer Printers and Related Products); Newport News, VA

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, the Foreign-Trade Zones Act provides for " * * * the establishment * * * of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," and authorizes the Foreign-Trade Zones Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs ports of entry;

Whereas, the Board's regulations (15 CFR Part 400) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved; and when the activity results in a significant public benefit and is in the public interest;

Whereas, the Virginia Port Authority, grantee of Foreign-Trade Zone 20, has made application to the Board for authority to establish special-purpose subzone status at the computer printer and related products manufacturing plant of Canon Virginia, Inc., located in Newport News, Virginia (FTZ Docket 29-2002, filed July 2, 2002);

Whereas, notice inviting public comment has been given in the Federal Register (67 FR 46632, 7/16/02); and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied, and that approval of the application is in the public interest;

Now, therefore, the Board hereby grants authority for subzone status at the computer printer and related products manufacturing plant of Canon Virginia, Inc., located in Newport News, Virginia, (Subzone 20D), at the locations described in the application, subject to the FTZ Act and the Board's regulations, including § 400.28.

Signed at Washington, DC, this 21st day of November 2002.

Faryar Shirzad,

Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-846]

Brake Rotors from the People's Republic of China: Initiation of New Shipper Antidumping Duty Review

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

SUMMARY: The Department of Commerce has received requests to conduct a new shipper review of the antidumping duty order on brake rotors from the People's Republic of China. In accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended ("the Act"), and 19 C.F.R. 351.214(d), we are initiating a review for Xiangfen Hengtai Brake System Co., Ltd. and Xianghe Xumingyuan Auto Parts Co., Ltd.

EFFECTIVE DATE: December 3, 2002.

FOR FURTHER INFORMATION CONTACT: Terre Keaton or Davina Hashmi, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482-1280 or 482-0984, respectively.

SUPPLEMENTARY INFORMATION:

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. In addition, unless otherwise indicated, all citations to the Department of Commerce ("the Department") regulations are to 19 C.F.R. Part 351 (April 2002).

Background

The Department has received timely requests from Xiangfen Hengtai Brake System Co., Ltd. ("Hengtai") and Xianghe Xumingyuan Auto Parts Co., Ltd. ("Xumingyuan"), in accordance with 19 C.F.R. 351.214(c), for a new shipper review of the antidumping duty order on brake rotors from the People's Republic of China ("PRC"), which has an April anniversary date.

As required by 19 C.F.R. 351.214(b)(2)(i) and (iii)(A), each of the exporters identified above, which are also producers, has certified that it did not export brake rotors to the United States during the period of investigation ("POI"), and that it has never been affiliated with any exporter or producer which did export brake rotors during the POI. Each company has further

certified that its export activities are not controlled by the central government of the PRC, satisfying the requirements of 19 C.F.R. 351.214(b)(2)(iii)(B). Pursuant to the Department's regulations at 19 C.F.R. 351.214(b)(2)(iv), Hengtai and Xumingyuan each submitted documentation establishing the date on which it first shipped the subject merchandise to the United States, the date of entry of that first shipment, the volume of that shipment and the date of the first sale to an unaffiliated customer in the United States.

In accordance with section 751(a)(2)(B) of the Act and 19 C.F.R. 351.214(b), and based on information on the record, we are initiating a new shipper review for Hengtai and Xumingyuan.

It is the Department's usual practice in cases involving non-market economies to require that a company seeking to establish eligibility for an antidumping duty rate separate from the country-wide rate provide de jure and de facto evidence of an absence of government control over the company's export activities. Accordingly, we will issue a questionnaire to Hengtai and Xumingyuan (including a complete separate rates section), allowing approximately 37 days for response. If the response from each respondent provides sufficient indication that it is not subject to either de jure or de facto government control with respect to its exports of brake rotors, the review will proceed. If, on the other hand, a respondent does not demonstrate its eligibility for a separate rate, then it will be deemed to be affiliated with other companies that exported during the POI and that it did not establish entitlement to a separate rate, and the review of that respondent will be rescinded.

Initiation of Review

In accordance with section 751(a)(2)(B)(ii) of the Act and 19 C.F.R. 351.214(d)(1), we are initiating a new shipper review of the antidumping duty order on brake rotors from the PRC. We intend to issue the preliminary results of this new shipper review not later than 180 days after initiation of this review.

Antidumping Duty Proceeding	Period to be Reviewed
PRC: Brake Rotors, A-570-846. Hengtai Brake System Co., Ltd.	04/01/02 - 09/30/02
Xianghe Xumingyuan Auto Parts Co., Ltd.	04/01/02 - 09/30/02

We will instruct the Customs Service to allow, at the option of the importer,