

the provisions of Section 734(i) of the Act shall apply.”

As noted above, the underlying investigation in this proceeding was continued pursuant to section 734(g) of the Act following the acceptance of the Agreement. As a result of the continued investigation, the Department made a final determination of dumping, and the ITC found material injury. Section 734(i)(1)(A) of the Act stipulates that the Department shall:

Suspend liquidation under section 733(d)(2) of unliquidated entries of the merchandise made on the later of—

(i) the date which is 90 days before the date of publication of the notice of suspension of liquidation, or

(ii) the date on which the merchandise the sale or export to the United States of which was in violation of the agreement, or under an agreement which no longer meets the requirements of subsection (b) and (d) or (c) and (d), was first entered, or withdrawn from warehouse, for consumption. . . .

Furthermore, section 734(i)(1)(C) stipulates that the Department shall:

If the investigation was completed under subsection (g), issue an antidumping duty order under section 736(a) effective with respect to entries of merchandise liquidation of which was suspended.

Finally, section 734(i)(1)(E) stipulates that the Department shall:

Notify the petitioner, interested parties who are or were parties to the investigation, and the Commission of its actions under this paragraph.

The GOC’s request for termination of the suspension agreement is effective November 3, 2003, which is the date the agreement will no longer meet the requirements of section 734(d) of the Act. Because the GOC is withdrawing its participation from the Agreement, the Department finds that suspension of the underlying investigation will no longer be in the public interest as of that date (see section 734(d)(1)). Therefore, the Department will direct the U.S. Bureau of Customs and Border Protection (“BCBP”) to suspend liquidation of all entries of CTL plate from China effective November 3, 2003. Accordingly, pursuant to section 734(i)(1)(C) of the Act, the Department hereby issues an antidumping duty order effective November 3, 2003, which is 60 days from the official filing date of the termination request of the GOC.

**Antidumping Duty Order**

In accordance with section 736(a)(1) of the Act, the Department will direct BCBP to assess, beginning on November 3, 2003, antidumping duties equal to the amount by which the normal value of

the merchandise exceeds the export price (or constructed export price) of the merchandise for all entries of CTL plate from China. These antidumping duties will be assessed on all unliquidated entries of CTL plate from China entered, or withdrawn from warehouse, for consumption on or after November 3, 2003.

We will instruct BCBP to require a cash deposit for each entry equal to the antidumping duty margins found in our amended final determination of January 12, 1998, as listed below. These suspension-of-liquidation instructions will remain in effect until further notice. The “China-Wide Rate” applies to all producers and exporters of subject CTL plate not specifically listed. The final weighted-average dumping margins are as follows:

Manufacturer/Exporter	Weighted-average margin (percent)
Anshan (AISCO/Anshan International/Sincerely Asia Ltd) .....	30.68
Baoshan (Bao/Baoshan International Trade Corp/ Bao Steel Metals Trading Corp) .....	30.51
Liaoning .....	17.33
Shanghai Pudong .....	38.16
WISCO (Wuhan/International Economic and Trading Corp/Cheerwu Trader Ltd)	128.59
China-wide Rate .....	128.59

This notice constitutes the antidumping duty order with respect to CTL plate from China. Interested parties may contact the Department’s Central Records Unit, room B-099 of the main Commerce building, for copies of an updated list of antidumping duty orders currently in effect.

This notice is published in accordance with sections 734(i) and 777(i) of the Act. This order is published in accordance with section 736(a) of the Act.

Dated: October 14, 2003.

**James J. Jochum,**

*Assistant Secretary for Import Administration.*

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**BILLING CODE 3510-DS-P**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**(A-201-802)**

**Gray Portland Cement and Clinker From Mexico; Notice of Amended Final Results of Antidumping Duty Administrative Review**

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

**ACTION:** Notice of Amended Final Results of Antidumping Duty Administrative Review.

**SUMMARY:** On September 16, 2003, the Department of Commerce published the final results of administrative review of the antidumping duty order on gray portland cement and clinker from Mexico. The review covers one manufacturer/exporter, CEMEX, S.A. de C.V., and its affiliate, GCC Cemento, S.A. de C.V. The period of review is August 1, 2001, through July 31, 2002.

As a result of our analysis of CEMEX’s, GCCC’s and the petitioner’s comments, we are amending the final results of antidumping administrative review.

**EFFECTIVE DATE:** October 21, 2003.

**FOR FURTHER INFORMATION CONTACT:** Hermes Pinilla or Brian Ellman, Office of AD/CVD Enforcement 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-3477 or (202) 482-4852, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On September 16, 2003, the Department of Commerce (the Department) published in the **Federal Register** the final results of the administrative review of the antidumping duty order on gray portland cement and clinker from Mexico (68 FR 54203) (*Final Results*).

On September 17, 2003, CEMEX, GCCC, and the petitioner filed a timely allegation that the Department made ministerial errors in the *Final Results*. Specifically, CEMEX and GCCC alleged that (1) the Department’s decision to apply adverse facts available to GCCC’s further-manufactured cement sales is a ministerial error, (2) the Department’s conclusion that GCCC’s U.S. affiliate, Rio Grande Materials, Inc., was the only U.S. subsidiary that further-manufactured cement is a ministerial error, (3) the Department made a ministerial error with respect to the

calculation of the per-unit cash-deposit rate, and (4) the Department made a ministerial error when it determined the duty-assessment rate by combining the antidumping duties due for sales by CEMEX and GCCC into one weighted-average rate. The petitioner alleged that the Department inadvertently subtracted GCCC's terminal-specific general and administrative expenses from the calculation of U.S. indirect selling expenses. On September 24, 2003, the petitioner and GCCC submitted rebuttal comments in reply to the ministerial-error allegations.

We have reviewed the calculations in the *Final Results* and find that there are two errors that constitute ministerial errors within the meaning of 19 CFR 351.224(f). We found several of CEMEX's and GCCC's allegations to involve methodological issues rather than ministerial errors and therefore we have not adjusted CEMEX's/GCCC's final antidumping duty margin based on those allegations. For a detailed analysis of the ministerial-error allegations and the Department's position on each, see Memorandum to Jeffrey May, Deputy Assistant Secretary for Import Administration, from Laurie Parkhill, Office Director, Group 1, Office 3, dated October 14, 2003.

Pursuant to section 751(h) of the Tariff Act of 1930, as amended (the Act), we have amended the *Final Results* by correcting the following errors: (1) the calculation of the per-unit cash-deposit amount and (2) the inclusion of GCCC's terminal-specific indirect selling expense in the calculation of U.S. indirect selling expenses. Correction of these errors changes the final antidumping duty margin from 79.81 percent to 80.75 percent and the per-unit cash-deposit amount from U.S. \$61.60 per metric ton to U.S. \$52.42 per metric ton. Consequently, we will issue amended cash-deposit instructions to the U.S. Customs and Border Protection (Customs) to reflect the amendment of the final results of review.

#### Assessment Rates

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. As amended by this determination and in accordance with 19 CFR 351.212(b), we have calculated an exporter/importer-specific assessment rate. For the sales in the United States through the respondents' affiliated U.S. parties, we divided the total dumping margin for the reviewed sales by the total entered value of those reviewed sales. We will direct Customs to assess the resulting percentage margin against the entered customs values for the subject

merchandise on each of the entries during the review period (see 19 CFR 351.212(a)).

We are issuing and publishing this determination and notice in accordance with sections 751(h) and 777(i)(1) of the Act.

Dated: October 15, 2003.

**James J. Jochum,**

*Assistant Secretary for Import Administration.*

[FR Doc. 03-26531 Filed 10-20-03; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-834-807]

#### Silicomanganese from Kazakhstan: Rescission of Antidumping Duty Administrative Review

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

**ACTION:** Notice of Rescission of the Antidumping Duty Administrative Review.

**SUMMARY:** On July 1, 2003, in response to a request made by Considar, an importer of the subject merchandise, the Department of Commerce ("Department") published a notice of initiation of an antidumping duty administrative review of silicomanganese from Kazakhstan, for the period of review ("POR") November 9, 2001 through April 30, 2003. Because Considar has withdrawn its request for review, and there were no other requests for review for this time period, the Department is rescinding this review in accordance with 19 CFR 351.213(d)(1).

**EFFECTIVE DATE:** October 21, 2003.

**FOR FURTHER INFORMATION CONTACT:** James C. Doyle, Enforcement Group III, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, N.W., Washington, D.C. 20230; telephone: 202-482-0159.

#### SUPPLEMENTARY INFORMATION:

##### Background

On February 28, 2003, Considar, an exporter of the subject merchandise, requested that the Department conduct an administrative review of its sales for the period November 9, 2001 through April 30, 2003. Considar was the only interested party to request a review for this time period. On July 1, 2003, the Department published a notice of initiation of the antidumping

administrative review of silicomanganese from Kazakhstan, in accordance with 19 CFR 351.221(c)(1)(i). See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocations in Part*, 68 FR 39055 (July 1, 2003). On July 17, 2003, the Department amended the initiation notice. See *Notice of Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part; Correction*, 68 FR 42373 (July 17, 2003). On September 29, 2003, Considar withdrew its request for review.

#### Rescission of Review

Pursuant to the Department's regulations, the Department will rescind an administrative review "if a party that requested the review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review." See 19 CFR 351.213(d)(1). Considar, the only interested party to request an administrative review for this time period, withdrew its request for this review within the 90-day time limit; accordingly, we are rescinding the administrative review for the period November 9, 2001 through April 30, 2003, and will issue appropriate assessment instructions to the U.S. Bureau of Customs and Border Protection.

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 is issued in accordance with 19 CFR 351.213(d)(4) and section 777(i)(1) of the Tariff Act of 1930, as amended.

Dated: October 14, 2003.

**James J. Jochum,**

*Assistant Secretary for Import Administration.*

[FR Doc. 03-26534 Filed 10-20-03; 8:45 am]

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