

merchandise returned from the United States. In addition, although not a clerical error, we changed the allocation methodology to ensure a more appropriate allocation of these expenses. Lastly, we added U.S. brokerage and handling expenses to this calculation.

3. We applied partial AFA to Delsa's HM inland freight for sales that are not based upon actual, transaction-specific costs, and which have not been specifically verified.

4. We applied partial AFA to Delsa's foreign inland freight, foreign brokerage and handling, and international freight for all U.S. sales that have not been specifically verified.

5. We applied AFA to Delsa's U.S. brokerage and handling expenses that were reported for the first time during verification.

6. We revised the interest rate used in calculating U.S. credit expenses to the correct POI-average Federal Reserve rate.

7. We eliminated the second rebate variable from Delsa's HM price adjustments, pursuant to a minor correction that Delsa submitted at verification.

8. We recalculated Delsa's packaging costs to equal the packaging and packing costs reported for the *Preliminary Determination* less the packing expenses identified at verification. Accordingly, we revised the reported packing expenses to equal the packing expenses identified at verification. Since Delsa packs its products in an identical manner regardless of the market to which they are sold, we used the same values for packing in the home and U.S. markets.

9. We recalculated the adjustments to certain raw material costs based on the comparison of Delsa's reported transfer prices and market prices obtained at verification.

10. We adjusted the startup period for purposes of determining the amount, if any, of the startup adjustment.

11. We recalculated Delsa's financial expense ratio to include net foreign exchange losses in the numerator.

**Final Determination of Investigation**

We determine that the following weighted-average dumping margins exist for the period April 1, 2003, through March 31, 2004:

Manufacturer/exporter	Weighted-Average Margin (percent)
Aragonesas Delsa S.A .....	24.83
All Others .....	24.83

**Continuation of Suspension of Liquidation**

Pursuant to section 735(c)(1)(B) of the Act, we will instruct U.S. Customs and Border Protection ("CBP") to continue to suspend liquidation of all entries of chlorinated isocyanurates from Spain that are entered, or withdrawn from warehouse, for consumption on or after December 20, 2004, the date of publication of the *Preliminary Determination* in the **Federal Register**. We will instruct CBP to continue to require a cash deposit or the posting of a bond for each entry equal to the weighted-average dumping margins in the chart above. These instructions suspending liquidation will remain in effect until further notice.

**International Trade Commission Notification**

In accordance with section 735(d) of the Act, we have notified the International Trade Commission ("ITC") of our determination. As our final determination is affirmative, the ITC will determine, within 45 days, whether these imports are causing material injury, or threat of material injury, to an industry in the United States. If the ITC determines that material injury or threat of injury does not exist, the proceeding will be terminated and all securities posted will be refunded or canceled. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing CBP officials to assess antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

**Notification Regarding Administrative Protective Order**

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(a)(3). Timely written 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 sanctionable violation.

This determination is issued and published in accordance with sections 735(d) and 777(l) of the Act.

Dated: May 2, 2005.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

**Appendix—Issues and Decision Memorandum**

*Part I: Corrections to the Preliminary Calculations:*

Comment 1: Corrections to the Preliminary Calculations.

*Part II: Home Market ("HM") Sales Issues:*

Comment 2: Whether Delsa's Allocation Methodology for HM Inland Freight Results in Unreliable Allocations.

Comment 3: Whether the Department Should Apply Partial Adverse Facts Available ("AFA") to Delsa's HM Inland Freight.

*Part III: United States Sales Issues:*

Comment 4: Whether the Department Should Apply Partial AFA to Delsa's Foreign Inland Freight, Foreign Brokerage and Handling, International Freight Expenses, and U.S. Brokerage and Handling Expenses.

Comment 5: Whether the Department Should Apply the Calculated U.S. Average Short-Term Borrowing Rate to All U.S. Sales.

*Part IV: Cost of Production ("COP") Issues:*

Comment 6: Whether the Department Double Counted Delsa's Reported Packaging and Packing Costs in the Preliminary Determination.

Comment 7: Whether the Packaging and Packing Service Provider is an Affiliated Party and, as Such, Whether the Department Should Adjust the Price of the Services Provided by a Affiliated Party.

Comment 8: Whether Certain Raw Material Inputs Should be Adjusted in Accordance with the Department's Major Input Rule.

Comment 9: Whether the Department Should Allow Delsa's Claimed Startup Adjustment.

Comment 10: Whether the Department Should Adjust Delsa's Financial Expense Ratio for Foreign Exchange Gains and Losses.

Comment 11: Whether the Department Should Make Certain Adjustments to Delsa's General and Administrative Expense Ratio.

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A 588-707]

**Granular Polytetrafluoroethylene Resin from Japan: Notice of Intent to Rescind Antidumping Duty Administrative Review**

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

**SUMMARY:** On September 22, 2004, the Department of Commerce published a notice of initiation of an administrative review of the antidumping duty order on granular polytetrafluoroethylene resin from Japan for the period August 1, 2003, through July 31, 2004. The Department intends to rescind this review after determining that the party requesting the review did not have entries during the period of review upon which to assess antidumping duties.

**EFFECTIVE DATE:** May 10, 2005.

**FOR FURTHER INFORMATION CONTACT:** Dunyako Ahmadu at (202) 482-0198 or Richard Rimlinger at (202) 482-4477, AD/CVD Operations, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:**

**Background**

On August 28, 1988, the Department of Commerce (the Department) published the antidumping duty order for granular polytetrafluoroethylene (PTFE) resin from Japan. See *Antidumping Duty Order; Granular Polytetrafluoroethylene Resin from Japan*, 53 FR 32267 (August 28, 1988). On August 3, 2004, we published a notice of opportunity to request an administrative review of this order for the period August 1, 2003, through July 31, 2004. See *Notice of Opportunity to Request Administrative Review of Antidumping Duty Order, Finding or Suspended Investigation*, 69 FR 46496 (August 3, 2004). On August 30, 2004, Asahi Glass Fluoropolymers Ltd., a Japanese producer and exporter of the subject merchandise, and AGC Chemicals America, an affiliated U.S. importer of subject merchandise (collectively AGC), made a timely request that the Department conduct an administrative review of AGC. On September 22, 2004, in accordance with section 751(a) of the Tariff Act of 1930 as amended (the Act), the Department published in the **Federal Register** a notice of initiation of this antidumping duty administrative review. See *Notice of Initiation of Antidumping Duty and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 69 FR 56745 (September 22, 2004). On October 8, 2004, the Department issued its antidumping duty questionnaire to AGC.

On November 2, 2004, AGC submitted a letter to the Department indicating that it did not have any shipments or entries of subject merchandise during the period of review but had one U.S. sale of PTFE resin during the period of

review. As a result, on November 29, 2004, the Department issued a memorandum recommending rescission of the 2003-2004 administrative review and invited interested parties to comment. See *Memorandum to Barbara E. Tillman, Acting Deputy Assistant Secretary* dated November 29, 2004, (*November 29 Memorandum*). On December 10, 2004, AGC submitted comments in disagreement with the recommendation in the *November 29 Memorandum*. AGC argued that the Department does not have an established practice of conditioning an administrative review on the existence of entries during the period of review and that the Department's interpretation of 19 CFR 351.213(e) in this instance is inconsistent with the plain meaning of the regulation. AGC also argued that because no review of AGC's sales has occurred since the imposition of the antidumping duty order on August 28, 1988, the 2003-2004 administrative review would determine a more accurate deposit rate and, therefore, the Department should not rescind the administrative review.

**Rescission of Review**

Pursuant to 19 CFR 351.213(d)(3), we will rescind an administrative review in whole or only with respect to a particular exporter or producer if we conclude that during the period of review there were no entries, exports, or sales of the subject merchandise, as the case may be. Contrary to AGC's position that rescission of the 2003-2004 administrative review would not be in accordance with law and that the Department does not have an established practice of rescinding an administrative review based solely on the absence of entries, the Department's practice, supported by substantial precedent, requires that there be entries during the period of review upon which to assess antidumping duties, irrespective of the export-price or constructed export-price designation of U.S. sales. See, e.g., *Stainless Steel Plate in Coils from Taiwan: Final Rescission of Antidumping Duty Administrative Review*, 68 FR 63067 (November 7, 2003), and *Stainless Steel Plate in Coils From Taiwan: Final Rescission of Antidumping Duty Administrative Review*, 69 FR 20859 (April 19, 2004). Given that AGC had no entries of subject merchandise during the period of review and that AGC has no entry under suspension of liquidation that corresponds to the sale which occurred during the period of review, we would be unable to assess any antidumping duties resulting from this administrative review. See *November 29 Memorandum*.

Accordingly, we intend to rescind the 2003-2004 administrative review.

**Public Comment**

Any interested party may request a hearing within 20 days of publication of this notice. Any hearing, if requested, will be held 34 days after the date of publication of this notice, or the first working day thereafter. Interested parties may submit case briefs not later than 20 days after the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in such briefs, must be filed not later than 7 days from the case brief after the date of publication of this notice. Parties who submit arguments are requested to submit with the argument (1) a statement of the issue, (2) a brief summary of the argument, and (3) a table of authorities. We will issue our final decision concerning the conduct of the review no later than 120 days from the date of publication of this notice.

Further, absent the completion of the 2003-2004 administrative review, the cash-deposit rate will remain at 51.45 percent and the all other rate will continue to be 91.74 percent (see *Final Determination of Sales at Less Than Fair Value*, 53 FR 25191 (July 5, 1988)).

This notice is published in accordance with section 777(i) of the Act and 19 CFR 351.213(d)(4).

Dated: May 3, 2005.

**Joseph A. Spetrini,**  
*Acting Assistant Secretary for Import Administration.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**(A-570-502)**

**Certain Iron Construction Castings From The People's Republic of China; Five-year ("Sunset") Review of Antidumping Duty Order; Final Results**

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

**SUMMARY:** Summary: On October 1, 2004 the Department of Commerce ("the Department") initiated a sunset review of the antidumping duty order on certain iron construction castings ("iron castings") from the People's Republic of China ("the PRC"). On the basis of the notice of intent to participate, and adequate substantive response filed on behalf of the domestic interested parties and no response from respondent interested parties, the Department