

A. Export or reexport to or on behalf of the Denied Person any item subject to the EAR;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person 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 the Denied Person 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 the Denied Person of any item subject to the EAR that has been exported from the United States;

D. Obtain from the Denied Person 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 the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person 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 after notice and opportunity for comment as provided in section 766.23 of the EAR, any other person, firm, corporation, or business organization related to any of the Respondents 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 Section 766.24(e) of the EAR, the Respondents 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.

In accordance with the provisions of Section 766.24(d) of the EAR, BIS may seek renewal of this Order by filing a written request not later than 20 days before the expiration date. The

Respondents 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 the Respondents and the Related Party, and shall be published in the **Federal Register**.

This order is effective on August 6, 2005, and shall remain in effect for 180 days.

Entered this 1st day of August, 2005.

**Wendy L. Wysong,**

*Acting Assistant Secretary of Commerce for Export Enforcement.*

[FR Doc. 05-15477 Filed 8-4-05; 8:45 am]

**BILLING CODE 3510-DT-M**

## DEPARTMENT OF COMMERCE

### International Trade Administration

**A-570-863**

#### **Honey from the People's Republic of China: Initiation of New Shipper Antidumping Duty Review**

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

**EFFECTIVE DATE:** August 5, 2005.

**SUMMARY:** In June 2005, the Department of Commerce ("the Department") received two requests to conduct new shipper reviews of the antidumping duty order on honey from the People's Republic of China ("PRC"). We have determined that these requests meet the statutory and regulatory requirements for the initiation of new shipper reviews.

**FOR FURTHER INFORMATION CONTACT:**

Anya Naschak at (202) 482-6375 or Candice Kenney Weck at (202) 482-0938; AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:**

**Background**

The Department received timely requests from Shanghai Taiside Trading Co., Ltd. ("Shanghai Taiside") and Wuhan Shino-Food Trade Co., Ltd. ("Shino-Food") in accordance with 19 CFR 351.214 (c), for new shipper reviews of the antidumping duty order on honey from the PRC, which has a December annual anniversary month, and a June semi-annual anniversary month. Shanghai Taiside and Shino-Food identified themselves as producers

and exporters of honey. As required by 19 CFR 351.214(b)(2)(i), and (iii)(A), Shanghai Taiside and Shino-Food certified that they did not export honey to the United States during the period of investigation ("POI"), and that they have never been affiliated with any exporter or producer which exported honey to the United States during the POI. Furthermore, the two companies have also certified that their export activities are not controlled by the central government of the PRC, satisfying the requirements of 19 CFR 351.214(b)(2)(iii)(B). Pursuant to the Department's regulations at 19 CFR 351.214(b)(2)(iv), Shanghai Taiside and Shino-Food submitted documentation establishing the date on which the subject merchandise was first entered for consumption in the United States, the volume of that first shipment and any subsequent shipments, and the date of the first sale to an unaffiliated customer in the United States.

On July 14, 2005, the Department issued a pre-initiation supplemental questionnaire to Shanghai Taiside to clarify certain information submitted in their request to the Department for a new shipper review. In Shanghai Taiside's supplemental questionnaire response, dated July 18, 2005, Shanghai Taiside responded to the Department's request for clarification on its relationship to the importer of record, the merchandise under review, and entry documentation. Also, on July 26, 2005, Shanghai Taiside submitted comments on information obtained by the Department concerning their U.S. customer.

The Department conducted Customs database queries to confirm that Shanghai Taiside's and Shino-Food's shipments had officially entered the United States via assignment of an entry date in the Customs database by U.S. Customs and Border Protection ("CBP"). In addition, the Department confirmed the existence of Shanghai Taiside and Shino-Food and their U.S. customers.

**Initiation of Review**

In accordance with section 751(a)(2)(B) of the Tariff Act of 1930 ("the Act"), as amended, and 19 CFR 351.214(d)(1), and based on information on the record, we are initiating new shipper reviews for Shanghai Taiside and Shino-Food. See Memorandum to the File through James C. Doyle, "New Shipper Review Initiation Checklist," dated August 1, 2005. Although we found that Shanghai Taiside's U.S. customer had asserted in a trade show publication that it is a packing division of a Chinese exporter of honey, Shanghai Taiside asserts in its July 26,

2005, submission that it is not affiliated with its U.S. customer. Therefore, for purposes of this initiation, we find that Shanghai Taiside and its U.S. customer are not affiliated. However, we will examine the issue of Shanghai Taiside's potential affiliation with its U.S. customer further during the course of the new shipper review. We intend to issue the preliminary results of these reviews not later than 180 days after the date on which these reviews were initiated, and the final results of these reviews within 90 days after the date on which the preliminary results were issued.

Pursuant to 19 CFR 351.214(g)(1)(i)(A) of the Department's regulations, the period of review ("POR") for a new shipper review, initiated in the month immediately following the semi-annual anniversary month, will be the six-month period immediately preceding the semi-annual anniversary month. Therefore, the POR for the new shipper reviews of Shanghai Taiside and Shino-Food is December 1, 2004 through May 31, 2005.

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 evidence of *de jure* and *de facto* absence of government control over the company's export activities. Accordingly, we will issue questionnaires to Shanghai Taiside and Shino-Food, including a separate rates section. The review will proceed if the responses provide sufficient indication that Shanghai Taiside and Shino-Food are not subject to either *de jure* or *de facto* government control with respect to their exports of honey. However, if either Shanghai Taiside or Shino-Food does not demonstrate their eligibility for a separate rate, then that company will be deemed not separate from other companies that exported during the POI and the new shipper review will be rescinded as to that company.

In accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e), we will instruct CBP to allow, at the option of the importers, the posting, until the completion of the review, of a single entry bond or security in lieu of a cash deposit for certain entries of the merchandise exported by Shanghai Taiside and Shino-Food. Specifically, since Shanghai Taiside and Shino-Food have stated that they are both the producers and exporters of the subject merchandise for the sales under review, we will instruct CBP to limit the bonding option only to entries of

merchandise that were both exported and produced by Shanghai Taiside and Shino-Food, respectively.

Interested parties that need access to proprietary information in these new shipper reviews should submit applications for disclosure under administrative protective orders in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are in accordance with section 751(a) of the Act (19 U.S.C. 1675(a)) and 19 CFR 351.214(d).

Dated: August 1, 2005.

**Gary Taverman,**

*Acting Deputy Assistant Secretary for Import Administration.*

[FR Doc. E5-4236 Filed 8-4-05; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

(A-580-839, A-583-833)

#### **Certain Polyester Staple Fiber from the Republic of Korea and Taiwan: Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders**

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

**SUMMARY:** On April 1, 2005, the Department of Commerce ("the Department") initiated sunset reviews of the antidumping duty orders on certain polyester staple fiber ("PSF") from the Republic of Korea ("Korea") and Taiwan pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). On the basis of a notice of intent to participate and adequate substantive responses filed on behalf of domestic interested parties and inadequate responses from respondent interested parties, the Department conducted expedited (120-day) sunset reviews. As a result of these sunset reviews, the Department finds that revocation of the antidumping duty orders would likely lead to continuation or recurrence of dumping at the levels identified in the *Final Results of Reviews* section of this notice.

**EFFECTIVE DATE:** August 5, 2005.

**FOR FURTHER INFORMATION:** Yasmin Bordas or David Goldberger, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC 20230; telephone (202) 482-3813 or (202) 482-4136, respectively.

## SUPPLEMENTARY INFORMATION:

### Background

On April 1, 2005, the Department initiated sunset reviews of the antidumping duty orders on PSF from Korea and Taiwan pursuant to section 751(c) of the Act. *See Initiation of Five-year ("Sunset") Reviews*, 70 FR 16800 (April 1, 2005). The Department received a notice of intent to participate from DAK Fibers, LLC; Invista S.a.r.l (formerly Arteva Specialties S.a.r.l., d/b/a KoSa);<sup>1</sup> and Wellman, Inc., (collectively "the domestic interested parties"), within the deadline specified in section 351.218(d)(1)(i) of the Department's regulations ("sunset regulations"). The domestic interested parties claimed interested party status under section 771(9)(C) of the Act, as manufacturers of a domestic-like product in the United States. We received a complete substantive response from the domestic interested parties within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i). We received no responses from any of the respondent interested parties. As a result, pursuant to section 751(c)(53)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department conducted expedited (120-day) sunset reviews of these orders.

### Scope of the Orders

For the purposes of these orders, the product covered is PSF. PSF is defined as synthetic staple fibers, not carded, combed or otherwise processed for spinning, of polyesters measuring 3.3 decitex (3 denier, inclusive) or more in diameter. This merchandise is cut to lengths varying from one inch (25 mm) to five inches (127 mm). The merchandise subject to these orders may be coated, usually with a silicon or other finish, or not coated. PSF is generally used as stuffing in sleeping bags, mattresses, ski jackets, comforters, cushions, pillows, and furniture. Merchandise of less than 3.3 decitex (less than 3 denier) currently classifiable in the *Harmonized Tariff Schedule of the United States* ("HTSUS") at subheading 5503.20.00.20 is specifically excluded from these orders. Also specifically excluded from these orders are polyester staple fibers of 10 to 18 denier that are cut to lengths of 6 to 8 inches (fibers used in the manufacture of carpeting). In addition, low-melt PSF is excluded from these orders. Low-melt PSF is defined as a bi-component fiber with an outer sheath that melts at

<sup>1</sup> On March 11, 2005, the Department was informed that Arteva Specialties, Inc. d/b/a KoSa changed its name to Invista S.a.r.l.