transfer of pipe facilities did not change the ultimate ownership of the two entities. One family member in particular served and currently serves as a chairman for Yieh Phui and a board member for Yieh Hsing; thus, all major company strategy and policy decisions are primarily set, influenced and approved by the same person for both companies. The management for the sales and marketing divisions are also similar. This is evidenced by Yieh Hsing's previous deputy manager of ''Pipe, Plate and Sheet'' serving as the section manager of ''Pipe Marketing and Sales'' for Yieh Phui. Furthermore, Yieh Phui maintains the same order processing, distribution channels and sales correspondence as Yieh Hsing did prior to the transfer of the pipe facilities. *See* SQR dated April 29, 2005, at pages 4–11 and Exhibits 3–6.

The record evidence establishes that the pipe production facilities under Yieh Phui's control have remained largely unchanged since the transfer of assets from Yieh Hsing. Although Yieh Phui appointed a new general manager of its pipe operations, Yieh Phui hired the vast majority of former Yieh Hsing employees and supervisors to operate the facility. The Buy/Sell Agreement between Yieh Hsing and Yieh Phui provides a detailed description of the production facilities that were transferred to Yieh Phui, indicating that the identical processes and facilities were used to produce steel pipe products prior to and after the transfer. *See* SQR dated February 15, 2005, at 3 and Exhibits 1 and 3.

Regarding suppliers, Yieh Phui and Yieh Hsing did not purchase major raw material inputs (*i.e.* hot rolled coils) from identical suppliers. Prior to the transfer of the pipe facilities in 2003, Yieh Hsing had purchased hot rolled coils from certain suppliers at a fixed price pursuant to an annual purchase agreement. This annual purchase agreement expired at the end of 2002 and the associated suppliers refused to renew the agreement as a result of the rapid variation of market prices at that time. Yieh Phui provided price statistics published by the Taiwan Steel and Iron Industrial Association to illustrate this upward market trend in hot rolled coil prices throughout 2002 and early 2003. *See* questionnaire response (QR) dated April 29, 2005, at Exhibit 7. Since Yieh Hsing's suppliers refused to renew the purchase agreement, Yieh Phui opted to purchase the hot rolled coils necessary for its newly–acquired pipe operations through one of its established supplier lines. As Yieh Phui had already been purchasing hot rolled coils for its galvanizing operations prior to 2003, it sought to maintain its business relationships with its major supplier of hot rolled coils at that time. Thus, the record shows that Yieh Phui was not in a position to establish the same supply channels as Yieh Hsing and reasonably maintained its relationship with an existing supplier. The difference in suppliers, therefore, does not demonstrate that the companies are materially dissimilar in this particular case.

With respect to customers, Yieh Phui indicated it assumed the same customer base and sales practices that Yieh Hsing had maintained prior to the transfer of assets. Yieh Phui provided charts and sale documentation illustrating that the same customers, importers and negotiating parties were involved in the sales of pipes as when Yieh Hsing was selling subject pipes. *See* SQR dated April 29, 2005, at 17–19 and Exhibits 9–10 and SQR dated June 13, 2005, at Exhibits 2 and 3. The majority of the persons responsible for negotiating sales of pipe and tubes for Yieh Hsing were hired and assigned such tasks by Yieh Phui after the transfer took place. *See* SQR dated April 29, 2005, at 7–8.

Preliminary Results of the Review

In analyzing the totality of the factors on the record, we preliminarily conclude that Yieh Phui operates in essentially the same manner in terms of production, management, and customer base as Yieh Hsing prior to the transfer of Yieh Hsing's pipe facilities to Yieh Phui. The change in supplier relationships does not demonstrate that the companies are materially dissimilar in this case. Morever, the current structure of Yieh Phui and the previous structure of Yieh Hsing are sufficiently similar to support a finding that Yieh Phui is the successor–in-interest to Yieh Hsing. As a result, we have preliminarily determined, in fact, that Yieh Phui is the successor–in-interest to Yieh Hsing and ought to be accorded the same antidumping duty treatment as its predecessor. Should these preliminary results be adopted in our final results of this changed circumstance review, Yieh Hsing's cash deposit rate (*i.e.*, 1.61 percent) will be applied to Yieh Phui's entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results. Until that time, the cash deposit rate assigned to Yieh Phui's entries is the rate in effect at the time of entry (*i.e.*, the ''all–others'' rate).

Public Comment

Interested parties are invited to comment on these preliminary results. Parties who submit argument in this proceeding are requested to submit with the argument: (1) a statement of the issue, (2) a brief summary of the argument. Any interested party may request a hearing within 10 days of the date of publication of this notice. Any hearing, if requested, will be held no later than 25 days after the date of publication of this notice, or the first workday thereafter. Case briefs may be submitted by interested parties not later than 15 days after the date of publication of this notice. Rebuttal briefs, limited to the issues raised in the case briefs, may be filed not later than 20 days after the date of publication of this notice. All written comments shall be submitted in accordance with 19 CFR § 351.303.

Consistent with 19 CFR § 351.216(e), the Department will publish the final results of this changed circumstance review, including its analysis of issues raised in any written comments, no later than 270 days after the date of publication of the *Initiation Notice*. This notice is in accordance with sections 751(b) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 C.F.R. § 351.221(c)(3)(i) of the Department's regulations.

Dated: October 3, 2005.

Joseph A. Spetrini,

Acting Assistant Secretaryfor Import Administration.

[FR Doc. E5–5712 Filed 10–14–05; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–851]

Notice of Amended Final Results of Antidumping Duty Administrative Review: Certain Preserved Mushrooms from the People's Republic of China

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

SUMMARY: On September 14, 2005 the Department of Commerce (the ''Department'') published the final results and final rescission, in part, of the administrative review of the antidumping duty order on certain preserved mushrooms from the People's Republic of China (''PRC''), covering the period of review (POR) February 1, 2003, through January 31, 2004. *See Certain Preserved Mushrooms from the People's Republic of China: Final Results and Final Rescission, In Part, of Antidumping Duty Administrative Review*, 70 FR 54361 (September 14,

2005) (''*Final Results*''). We are amending our *Final Results* to correct ministerial errors made in the calculations of the dumping margins for Xiamen International Trade & Industrial Co., Ltd. (''XITIC''), Shandong Jiufa Edible Fungus Corporation, Ltd. (''Jiufa'') and Guangxi Hengxian Pro–Lights Foods, Inc. (''Guangxi Hengxian'') pursuant to section 751(h) of the Tariff Act of 1930, as amended (the Act).

EFFECTIVE DATE: October 17, 2005.

FOR FURTHER INFORMATION CONTACT: P. Lee Smith or Christopher Riker, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–1655 or (202) 482–3441, respectively.

SUPPLEMENTARY INFORMATION:

Scope of Order

The products covered by this order are certain preserved mushrooms, whether imported whole, sliced, diced, or as stems and pieces. The certain preserved mushrooms covered under this order are the species *Agaricus bisporus* and *Agaricus bitorquis*. ''Certain Preserved Mushrooms'' refer to mushrooms that have been prepared or preserved by cleaning, blanching, and sometimes slicing or cutting. These mushrooms are then packed and heated in containers including, but not limited to, cans or glass jars in a suitable liquid medium, including, but not limited to, water, brine, butter or butter sauce. Certain preserved mushrooms may be imported whole, sliced, diced, or as stems and pieces. Included within the scope of this order are ''brined'' mushrooms, which are presalted and packed in a heavy salt solution to provisionally preserve them for further processing.

Excluded from the scope of this order are the following: (1) All other species of mushroom, including straw mushrooms; (2) all fresh and chilled mushrooms, including ''refrigerated'' or ''quick blanched mushrooms''; (3) dried mushrooms; (4) frozen mushrooms; and (5) ''marinated,'' ''acidified,'' or ''pickled'' mushrooms, which are prepared or preserved by means of vinegar or acetic acid, but may contain oil or other additives.[1]

The merchandise subject to this order is classifiable under subheadings: 2003.10.0127, 2003.10.0131, 2003.10.0137, 2003.10.0143, 2003.10.0147, 2003.10.0153 and 0711.51.0000 of the Harmonized Tariff Schedule of the United States (''HTSUS''). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

Background

On September 14, 2005, the Department of Commerce published the *Final Results* and corresponding issues and decision memorandum. *See Memorandum from Barbara E. Tillman Acting Deputy Assistant Secretary for Import Administration to Joseph A. Spetrini Acting Assistant Secretary for Import Administration, Issues and Decision Memorandum for the Final Results in the 2003/2004 Administrative Review of Certain Preserved Mushrooms from the People's Republic of China*.

On September 13, 2005, Jiufa, XITIC and the Coalition for Fair Preserved Mushroom Trade (''petitioners'') filed timely allegations that the Department made various ministerial errors in the *Final Results*. On September 16, 2005, China Processed Food Import & Export Company and its affiliates (''COFCO'') filed rebuttal comments to ministerial error allegations submitted by the petitioners.[2] No other interested party submitted ministerial error allegations.

A ministerial error is defined in Section 751(h) of the Act and further clarified in 19 CFR 351.224(f) as ''an error in addition, subtraction, or other arithmetic function, clerical error resulting from inaccurate copying, duplication, or the like, and any other similar type of unintentional error which the Secretary considers ministerial.''

After analyzing all interested parties' comments, we have determined, in accordance with 19 CFR 351.224(e), that ministerial errors existed in the calculations for the *Final Results*. For a detailed discussion of these ministerial errors, as well as the Department's analysis, *see* memorandum from Christopher D. Riker to James C. Doyle, *Analysis of Ministerial Error Allegations*, dated October 7, 2005 (''*Ministerial Error Allegation Memorandum*''). The Ministerial Error Allegation Memorandum is on file in the Central Records Unit, room B–099 in the main Department building.

Therefore, in accordance with Section 751(h) of the Act and 19 CFR 351.224(e), we are amending the *Final Results* of the administrative review of certain preserved mushrooms from the PRC. The revised weighted–average dumping margins are detailed in the ''Antidumping Duty Order'' section, below. For company–specific calculations *see* Memorandum from John Conniff, through Christopher D. Riker to the File, *Analysis Memorandum for the Amended Final Results for XITIC* (October 7, 2005); Memorandum from John Conniff through Christopher D. Riker, to the File, *Analysis Memorandum for the Amended Final Results for Jiufa* (October 7, 2005); Memorandum from Amber Musser through Christopher D. Riker to the File, *Analysis Memorandum for the Amended Final Results for Guangxi Hengxian* (October 7, 2005). The revised final weighted–average dumping margins are as follows:

Exporter	Percent
Shandong Jiufa Edible Fungus Corporation Ltd.	3.60
Xiamen International Trade & Industrial Co., Ltd.	0.00
Guangxi Hengxian Pro–Light Foods (Zhangzhou) Co., Ltd.	21.38

The Department shall determine, and U.S. Customs and Border Protection shall assess, antidumping duties on all appropriate entries based on the amended final results. For details on the assessment of antidumping duties on all appropriate entries, *see Final Results*.

These amended final results are published in accordance with sections 751(h) and 777(I)(1) of the Act.

Dated: October 7, 2005.

Joseph A. Spetrini,

Acting Assistant Secretaryfor Import Administration.

[FR Doc. E5–5714 Filed 10–14–05; 8:45 am]

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[1] On June 19, 2000, the Department affirmed that ''marinated,'' ''acidified,'' or ''pickled'' mushrooms containing less than 0.5 percent acetic acid are within the scope of the antidumping duty order. *See* ''Recommendation Memorandum-Final Ruling of Request by Tak Fat, *et al.* for Exclusion of Certain Marinated, Acidified Mushrooms from the Scope of the Antidumping Duty Order on Certain Preserved Mushrooms from the People's Republic of China,'' dated June 19, 2000. On February 9, 2005, this decision was upheld by the United States Court of Appeals for the Federal Circuit. *See Tak Fat v. United States*, 396 F.3d 1378 (Fed. Cir. 2005).

[2] We have not addressed comments pertaining to clerical allegations relating to COFCO's margin in the *Final Results* because the U.S. Court of International Trade has obtained jurisdiction those results pursuant to COFCO's appeal. *See China Processed Food Import & Export Company v. United States*, Court No. 05-00515 (Complaint filed September 19, 2005); *see also, Zenith Elecs. Corp. v. United States*, 884 F.2d 556, 561 (Fed. Cir. 1989).