specific *ad valorem* ratios based on the estimated entered value.

The Department clarified its ''automatic assessment'' regulation on May 6, 2003 (68 FR 23954). This clarification will apply to entries of subject merchandise during the period of review produced by Huvis for which Huvis did not know the merchandise it sold to an intermediary (*e.g.*, a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all–others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

For Daehan, in the event any entries were made during the POR through intermediaries under the CBP case number for Daehan, the Department is instructing CBP to liquidate these entries and to assess antidumping duties at the all–others rate in effect at the time of entry, consistent with the May 6, 2003 clarification discussed above.

The Department will issue appropriate assessment instructions to CBP within 15 days of publication of these final results of review.

Cash Deposit Rates

The following antidumping duty deposits will be required on all shipments of PSF from Korea entered, or withdrawn from warehouse, for consumption, effective on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) the cash deposit rates for the reviewed company will be the rate listed above (except no cash deposit will be required if a company's weighted–average margin is *de minimis*, *i.e.*, less than 0.5 percent); (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company–specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, the previous review, or the original investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous reviews, the cash deposit rate will be 7.91 percent, the ''all–others'' rate established in *Certain Polyester Staple Fiber from the Republic of Korea: Notice of Amended Final Determination and Amended Order Pursuant to Final Court Decision*, 68 FR 74552 (December 24, 2003). These cash deposit requirements shall remain in effect until publication of the final results of the next administrative review.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

Notification Regarding Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective orders (''APOs'') of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/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 violation which is subject to sanction.

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

Dated: September 28, 2006.

Stephen J. Claeys,

Acting Assistant Secretaryfor Import Administration.

APPENDIX I

List of Comments in the Decision Memorandum

Comment 1: Major Inputs

Comment 2: Overseas Office Expenses

Comment 3: Inclusion of Extraordinary Losses in the G&A Calculation

Comment 4: Interest Earned On Retirement Insurance

Comment 5: Credit Period Recalculation

Comment 6: Computer Program Errors

[FR Doc. E6–16391 Filed 10–3–06; 8:45 am]

BILLING CODE 3510–DS–S

DEPARTMENT OF COMMERCE

International Trade Administration

A–570–825

Sebacic Acid from the People's Republic of China: Notice of Court Decision Not in Harmony with Final Results of Administrative Review

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

SUMMARY: On September 18, 2006, the United States Court of International Trade (''the Court'') sustained the Department of Commerce's (''the Department'') final remand redetermination on its entirety. *See Guangdong Chemicals Import & Export Corporation v. United States*, Ct. No. 05–00023, Slip Op. 06–142 (Ct. Int'l Trade September 18, 2006) (''*Guangdong II*''). This case arises out of the Department's final determination of *Sebacic Acid from the People's Republic of China: Final Results of Antidumping Duty Administrative Review*, 69 FR 75303 (December 16, 2004) (''*Final Results*''). The final judgment in this case was not in harmony with the Department's *Final Results*.

EFFECTIVE DATE: October 4, 2006.

FOR FURTHER INFORMATION CONTACT: Jennifer Moats, AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC 20230; telephone (202) 482–5047.

SUPPLEMENTARY INFORMATION:

Background

In the *Final Results*, the Department selected a surrogate value for sebacic acid in order to determine the portion of the factors of production attributable to sebacic acid and its co–product, capryl alcohol. *See* section 773(c) of the Tariff Act of 1930, as amended (''the Act''). To obtain a surrogate value for sebacic acid, the Department used information from Indian import statistics rather than the use of data maintained by the publication *Chemical Weekly* in its Chemicals Import and Export trade database index (''ChemImpEx'') placed on the record and proposed by Guangdong Chemicals Import & Export Corporation (''Guangdong''). Additionally, the Department changed its methodology between the *Preliminary Results* (*see Sebacic Acid from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review and Notice of Partial Recision*,

69 FR 47409 (August 5, 2004) (''*Preliminary Results*'')) and the *Final Results*, and applied a by–product offset to reflect Guangdong's sale of fatty acid and glycerine made in the production process.

Before the Court, Guangdong challenged the Department's selection of Indian import statistics as the surrogate to value sebacic acid, and its determination to apply the by–product offset after the application of the surrogate financial ratio to manufacturing costs in the *Final Results*. On January 25, 2006, the Court issued a remand in *Guangdong Chemicals Import & Export Corporation v. United States*, Ct. No. 05–00023 Slip Op. 06–13 (January 25, 2006). The Court stated that the Department did not justify its decision to abandon a more product–specific data source. *See id.* at 19. The Court specifically pointed out that a remand was necessary because the Department did not address the data Guangdong used to corroborate its ChemImpEx data, and the Department did not explain why the Department's use of the Indian import statistics was not aberrational given that the data was comprised of a basket category. *See id.* at 19 and 20. The Court concluded that the Department failed to present substantial evidence supporting its surrogate value for sebacic acid. *See id.* at 22.

Additionally, the Court granted the Department's request for a voluntary remand to give interested parties an opportunity to comment on the application of the by–product offset which was changed between the *Preliminary Results* and the *Final Results* without allowing parties the opportunity to comment on this change. *See id.* at 22.

In order to comply with the Court's remand order, the Department reviewed its choice of surrogate value for sebacic acid and made changes to the Indian import statistics to eliminate a value that the Department determined to be aberrational. Also, the Department provided additional explanation of its by–product methodology and provided interested parties an opportunity to comment on its methodology for the redetermination on remand. On May 3, 2006, the Department issued its *Final Redetermination Pursuant to Court Remand* (''*Final Redetermination*'').

Guangdong continued to challenge the Department's determination in the *Final Redetermination*. On September 18, 2006, the Court found that the Department duly complied with the Court's remand order and sustained the *Final Redetermination*. *See Guangdong II*, Slip Op. 06–142 (September 18, 2006). The Court found that the Department's elimination of aberrational values constituted a reasonable step to compensate for some weaknesses in the Indian import statistics. *See id.* at 10. Therefore, the Court found that the Department's selection of surrogate value for sebacic acid is supported by substantial evidence. *See id.* at 12. Also, the Court found that the Department's analysis of the reliability of the Indian import statistics in view of the corroborating evidence submitted by Guangdong was reasonable. *See id.* at 15. Additionally, the Court upheld the Department's decision to account for separable costs associated with by–product sales by applying a by–product credit after the application of financial ratios to manufacturing costs. *See id.* at 21. Therefore, the Department's *Final Redetermination* was sustained in its entirety by the Court. Consequently, the antidumping duty rate for Guangdong will be 19.82 percent.

Timken Notice

In its decision in *Timken Co., v. United States*, 893 F.2d 337, 341 (Fed. Cir. 1990) (''*Timken*''), the United States Court of Appeals for the Federal Circuit held that, pursuant to section 516A(e) of the Act of 1930, the Department must publish a notice of a court decision that is not ''in harmony'' with a Department determination, and must suspend liquidation of entries pending a ''conclusive'' court decision. The Court's decision in Guangdong II on September 18, 2006, constitutes a final decision of that court that is not in harmony with the Department's final results of administrative review. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, the Department will continue the suspension of liquidation of the subject merchandise pending the expiration of the period of appeal, or, if appealed, upon a final and conclusive court decision.

This notice is issued and published in accordance with section 516A(c)(1) of the Act.

Dated: September 28, 2006.

Stephen J. Claeys,

Acting Assistant Secretaryfor Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–427–810]

Corrosion-Resistant Carbon Steel Flat Products From France; Final Results of Full Sunset Review

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

SUMMARY: On November 1, 2005, the Department of Commerce (''the Department'') initiated a sunset review of the countervailing duty (''CVD'') order on certain corrosion-resistant carbon steel flat products from France, 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 an adequate substantive response filed on behalf of the domestic interested party, an adequate response from respondent interested parties, and respondent interested parties' arguments regarding post-investigation privatization of Usinor, the Department determined to conduct a full sunset review of this CVD order pursuant to section 751(c) of the Act and 19 CFR 351.218(e)(2). As a result of this sunset review, the Department finds that revocation of the CVD order would be likely to lead to continuation or recurrence of a countervailable subsidy. Therefore, the Department is not revoking this CVD order.

DATES: *Effective Date:* October 4, 2006.

FOR FURTHER INFORMATION CONTACT: Stephanie Moore or Brandon Farlander, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482–3692 or (202) 482–4136, respectively.

SUPPLEMENTARY INFORMATION:

Background

On November 1, 2005, the Department initiated a sunset review of the CVD order on certain corrosion-resistant carbon steel flat products from France pursuant to section 751(c) of the Act. *See Initiation of Five-Year (''Sunset'') Reviews*, 70 FR 65884 (November 1, 2005).

On May 31, 2006, the Department published the preliminary results of the full sunset review of the instant order. *See Preliminary Results of Full Sunset Review: Certain Corrosion-Resistant Carbon Steel Flat Products from France*, 71 FR 30875 (May 31, 2006). Interested parties were invited to comment on our preliminary results. On July 11, 2006,