

DEPARTMENT OF COMMERCE

International Trade Administration

[A-821-802]

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Amendment to the Notices of Opportunity To Request Administrative Review

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

ACTION: Amendment to Notices of Opportunity To Request Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation.

SUMMARY: This is an amendment to the notices of "Opportunity to Request Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation" with respect to Certain Cut-to-Length Carbon Steel Plate from the Russian Federation, that published on October 1, 2004 (69 FR 58889) and on January 3, 2005 (70 FR 74).

DATES: *Effective Date:* January 11, 2005.

FOR FURTHER INFORMATION CONTACT: Sally Gannon or Jonathan Herzog, Office of Policy and Negotiations, Bilateral Agreements Unit, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington DC 20230; telephone (202) 482-0162 or (202) 482-4271, respectively.

Background

On October 1, 2004, the Department of Commerce ("the Department") published a notice providing the opportunity to request an administrative review of the suspension agreement on Cut-to-Length Steel Plate from the Russian Federation (A-821-808) ("CTL Plate Agreement"). See *Notice of Opportunity to Request Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation*, 69 FR 58889 (October 1, 2004). However, effective January 23, 2003, the Department signed a new CTL Plate Agreement, which replaced the previous agreement. Therefore, the anniversary month of this suspension agreement should be January, and the previous notice was in error with respect to this case. Thus, the Department is now providing notice of the opportunity to request an administrative review of the CTL Plate Agreement for the period of January 1, 2004 through December 31, 2004.

This notice is published in accordance with sections 751(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1675(a)), and 19 CFR 351.221(c)(1)(I).

Dated: January 4, 2005.

Holly A. Kuga,

Senior Office Director, Office 4 for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

A-570-506

Porcelain-on-Steel Cooking Ware from the People's Republic of China: Rescission of Antidumping Duty New Shipper Review

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

SUMMARY: In response to a request from Shanghai Watex Metal Products, Co., Ltd., the Department of Commerce initiated a new shipper review of the antidumping duty order on porcelain-on-steel cooking ware from the People's Republic of China. The period of review is December 1, 2003, through May 31, 2004. For the reasons discussed below, this new shipper review is being rescinded.

EFFECTIVE DATE: January 11, 2005.

FOR FURTHER INFORMATION CONTACT: Anya Naschak or Benjamin Kong, 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) 482-6375 and (202) 482-7907, respectively.

SUPPLEMENTARY INFORMATION:**Background**

On September 16, 2004, the Department of Commerce ("the Department") initiated a new shipper review of Shanghai Watex Metal Products, Co., Ltd. ("Watex") under the antidumping duty order on porcelain-on-steel cooking ware ("POS") for the period December 1, 2003, through May 31, 2004. See *Certain Porcelain-On-Steel Cookware from the People's Republic of China: Initiation of New Shipper Antidumping Duty Review*, 69 FR 55795 (September 16, 2004) ("Initiation Notice"). The Department's initiation of a new shipper review of Watex was based on, among other things, Watex's certification that it was both the exporter and producer of the

subject merchandise for which it requested new shipper review. See 19 CFR 351.214(b)(i) and *Initiation Notice*. Relying on the certification provided by Watex, the Department issued instructions to US Customs and Border Protection ("CBP") in accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended ("the Act"), which allowed, at the option of the importer, the posting, until completion of the review, of a bond or security in lieu of a cash deposit for each entry of the subject merchandise for which Watex was both the producer and exporter.

On October 25, 2004, Watex submitted its Section A, C and D Questionnaire¹ response ("Response") to the Department. In this response, Watex reported for the first time that another company, Shanghai Ping An Enamel Products Co. ("Ping An"), actually produced the subject merchandise that Watex exported to the United States. See Response, at page A-2.

On November 12, 2004, Columbian Home Products, LLC ("Petitioner") submitted a letter to the Department requesting that the Department rescind the new shipper review of Watex because Watex failed to provide the proper certification as required by 19 CFR 251.214(b)(2). Petitioner based its rescission request on Watex's incorrect statement in its initial request that it was both the exporter and producer of the subject merchandise and its failure to provide certifications from Ping An in its initial request for a new shipper review. On November 24, 2004, Watex submitted its response to Petitioner's November 12, 2004, request. Watex claimed that it unintentionally omitted the certification from Ping An in its request for review. Watex further stated that the delayed certification neither materially impacted nor prejudiced any party in the review. On November 29, 2004, Petitioner responded to Watex's November 24, 2004, comments, noting that the essential question is not whether the delayed certification had a material impact or prejudiced any party to this case, but rather whether the regulatory requirements for initiating

¹ Section A of the questionnaire requests general information concerning a company's corporate structure and business practices, the merchandise under this investigation that it sells, and the manner in which it sells that merchandise in all of its markets. Section B requests a complete listing of all home market sales, or, if the home market is not viable, of sales in the most appropriate third-country market (this section is not applicable to respondents in non-market economy (NME) cases). Section C requests a complete listing of U.S. sales. Section D requests information on the factors of production of the merchandise under investigation. Section E requests information on further manufacturing.