petitioner addressed each of the remanded issues and suggested that the Department reopen the administrative record and send a questionnaire to Hynix concerning these issues. The Department declined to reopen the administrative record for further information given the CIT's findings in *Hynix II* and the specific directions contained in the CIT's remand order of November 24, 2003.

In its *Final Results of Redetermination Pursuant to Court Remand: Hynix Semiconductor, Inc, Hynix Semiconductor America, Inc. v. the United States and Micron Technology, Inc.* (Court No. 01–00988) (December 17, 2003) (*Final Results of Remand*), the Department, unable to provide further support, recalculated Hynix's R&D costs to exclude R&D costs for non–subject merchandise; recalculated Hynix's R&D costs to allow for amortization, and; recalculated Hynix's AULs to allow for its reported accounting adjustment. The CIT affirmed the Department's final results of redetermination in their entirety and the case was dismissed. *See Hynix Semiconductor, Inc., v. United States*, 318 F. Supp. 2d 1314 (Ct. Int'l Trade 2004) (*Hynix III*).

In *Hynix III*, the CIT noted that Micron had pointed out a possible clerical error in the calculation of the assessment rate. The CIT stated that it had found no indication that Micron had brought this clerical error to the Department's attention prior to filing comments to the *Final Results of Remand*. Further, the CIT stated that the Department had made no mention of the clerical error in the *Final Results of Remand* and that Hynix had not mentioned the clerical error in their comments to the *Final Results of Remand*. However, the CIT noted that Micron had notified the Department of this error three days after the Department had issued the *Final Results* in October 2001. The Department agreed with Micron and corrected the error, noting that correction of the error ''would have no impact on the dumping margin and would not require publication of amended final results.'' The CIT declined to address this issue but left it to the Department to determine whether there was a clerical error, as alleged by Micron, and to correct that error as it deemed appropriate. On April 19, 2004, consistent with the decision of the U.S. Court of Appeals for the Federal Circuit, in *Timken Co. v. United States*, 893 F. 2d 337 (Fed. Cir. 1990), the Department notified the public that the CIT's decision was ''not in harmony'' with the Department's *Final Results. See Dynamic Random Access Memory Semiconductors of One Megabit or Above From the Republic of Korea: Notice of Court Decision and Suspension of Liquidation*, 69 FR 20856 (April 19, 2004).

Subsequent to the *Hynix III* decision, Hynix appealed the CIT's decisions to the Court of Appeals for the Federal Circuit (Federal Circuit) and Micron cross–appealed. On appeal, the Federal Circuit affirmed the use of Hynix's product–specific R&D expenses and the disallowance of the indefinite deferral of certain R&D. The Federal Circuit reversed the CIT's decision requiring the Department to accept Hynix's amortized R&D expenses and remanded the case to the CIT with instructions to remand the case to the Department to recalculate Hynix's weighted–average antidumping duty by expensing Hynix's R&D costs as in the *Final Results*. *See Hynix Semiconductor, Inc. v. United States*, 424 F 3d 1363 (Fed. Cir. 2005) (*Hynix Semiconductor*) at 1369–1373.

Upon consideration of the decision by the Federal Circuit in *Hynix Semiconductor*, the CIT ordered that the *Final Results of Remand* be remanded to the Department. In its remand, the CIT instructed the Department to recalculate Hynix's weighted–average antidumping duty by expensing R&D cost in a manner consistent with the decision by the Federal Circuit.

On March 31, 2006, the Department issued its *Final Results of Redetermination Pursuant to Court Remand; Hynix Semiconductor, Inc., Hynix Semiconductor America, Inc., v. United States and Micron Technology, Inc.* (*Final Results of Remand II*). In the *Final Results of Remand II*, the Department recalculated Hynix's weighted–average antidumping duty by expensing R&D costs in accordance with the decision by the Federal Circuit.

On July 31, 2006, the CIT found that the Department complied with the CIT's remand order in *Hynix III* and sustained the Department's *Final Results of Remand II*. See *Hynix IV*, 442 F. Supp. 2d 1359 (Ct. Int'l Trade 2006). We are issuing these amended final results to reflect the results of the remand determination because no party has further appealed and there is now a final and conclusive decision in the court proceeding.

Amended Final Results of Review

We are amending the final results of the May 1, 1999—December 31, 1999 administrative review of the antidumping duty order on DRAMs from Korea. The weighted–average antidumping duty for Hynix is 2.70 percent.

In sum, these amended final results of review differ from the *Final Results* in that, pursuant to instructions from the CIT, the Department calculated Hynix's R&D expenses based upon product–specific costs and used Hynix's reported AULs. *See Hynix III*; *see also Hynix IV*.

Assessment

The Department shall determine, and the U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. In accordance with section 351.212(b)(1) of the Department's regulations, we have calculated importer–specific assessment rates by dividing the dumping margins found on the subject merchandise examined by the estimated entered value of such merchandise. Where the importer–specific assessment rates are above *de minimis*, we will instruct CBP to assess antidumping duties on that importer's entries of subject merchandise. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these amended final results of review.

These amended final results of administrative review are issued and published in accordance with section 516A(c)(1) of the Act.

Dated: November 6, 2006.

David M. Spooner,

Assistant Secretary for Import Administration.

[FR Doc. E6–19292 Filed 11–14–06; 8:45 am]

BILLING CODE 3510–DS–S

DEPARTMENT OF COMMERCE

International Trade Administration

A–570–831

Fresh Garlic from the People's Republic of China: Extension of Time Limits for the Preliminary Results of the 11th Administrative Review and New Shipper Reviews

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

EFFECTIVE DATE: November 15, 2006.

FOR FURTHER INFORMATION CONTACT: Irene Gorelik, 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) 482–6905.

SUPPLEMENTARY INFORMATION:

Background

On December 22, 2005, the Department published a notice of initiation of a review of fresh garlic from

the People's Republic of China (''PRC''), covering the period November 1, 2004, through October 31, 2005. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 70 FR 76024 (December 22, 2005). On December 28, 2005, the Department published a notice of initiation of new shipper reviews of fresh garlic from the PRC covering the period November 1, 2004, through October 31, 2005. *See Fresh Garlic from the People's Republic of China: Initiation of New Shipper Reviews*, 70 FR 76765 (December 28, 2005).

On April 28, 2006, the Department aligned the statutory time lines of the 11th administrative review and all but one of the new shipper reviews.[1] On June 14, 2006, the Department published a notice of an extension of time limits for the 11th administrative review and new shipper reviews. *See Fresh Garlic from the People's Republic of China: Extension of Time Limits for the Preliminary Results of the 11th Administrative Review and New Shipper Reviews*, 70 FR 34304 (June 14, 2006), which extended the deadline for the preliminary determination to October 2, 2006. On August 14, 2006, Qingdao Xintianfeng Foods Company Ltd. (''QXF''), whose new shipper review had not been aligned with the administrative review, agreed to waive the new shipper time limits, pursuant to 19 CFR 351.214(j)(3).[2] On August 23, 2006, QXF submitted a letter stating that it agreed to the alignment of the new shipper review with the 11th administrative review and thus waiving the new shipper time limits. On August 14, 2006, the Department aligned the statutory time lines of the 11th administrative review with QXF's new shipper review.[3]

In August 2006, the Department conducted verifications of sales and factors of production (''FOP'') for the five new shipper reviews and one administrative review company. On September 19, 2006, the Department published a second notice of an extension of time limits for the 11th administrative review and new shipper reviews, which extended the deadline for the preliminary determination to November 16, 2006. *See Fresh Garlic from the People's Republic of China: Extension of Time Limits for the Preliminary Results of the 11th Administrative Review and New Shipper Reviews*, 71 FR 54796 (September 19, 2006).

Extension of Time Limit of Preliminary Results

The Department determines that completion of the preliminary results of these reviews within the statutory time period is not practicable, given the extraordinarily complicated nature of the proceeding. The 11th administrative review and new shipper reviews cover nine companies, and to conduct the sales and factor analyses for each requires the Department to gather and analyze a significant amount of information pertaining to each company's sales practices and manufacturing methods. The Department requires more time within which to complete our analysis. Furthermore, the five new shipper reviews involve extraordinarily complicated methodological issues such as the use of intermediate input methodology, potential affiliation issues and the examination of importer information. Additionally, the Department requires additional time to analyze the verification findings of the new shipper reviews.

Therefore, given the number and complexity of issues in this case, and in accordance with sections 751(a)(3)(A) and 751(a)(2)(B)(iv) of the Act, we are extending the time period for issuing the preliminary results of review by 14 days until November 30, 2006. The final results continue to be due 120 days after the publication of the preliminary results.

This notice is published pursuant to sections 751(c)(3)(A) and 751(a)(2)(B)(iv) of the Act, and 19 CFR 351.214(h)(i)(1).

Dated: November 7, 2006.

Stephen J. Claeys,

Deputy Assistant Secretary for Import Administration.

[FR Doc. E6–19294 Filed 11–14–06; 8:45 am]

BILLING CODE 3510–DS–S

[1] *See* the Department's letter to All Interested Parties, dated April 28, 2006.

[2] *See* the Department's letter to All Interested Parties, dated August 14, 2006, where the Department notes that QXF agreed to waive the new shipper time limits.

[3] Id.

DEPARTMENT OF COMMERCE

International Trade Administration

(A–489–807)

Notice of Initiation of New Shipper Antidumping Duty Review: Certain Steel Concrete Reinforcing Bars from Turkey

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

SUMMARY: The Department of Commerce (the Department) has received a request to conduct a new shipper review of the antidumping duty order on certain steel concrete reinforcing bars (rebar) from Turkey published on April 17, 1997. *See Antidumping Duty Order: Certain Steel Concrete Reinforcing Bars from Turkey*, 62 FR 18748 (April 17, 1997) (*Rebar from Turkey Order*). In accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.214(d), we are initiating an antidumping new shipper review of Ege Celik Endustrisi Sanayi ve Ticaret A.S., a producer of subject merchandise, and its affiliated export trading company, Ege Dis Ticaret A.S. (collectively ''Ege Celik'').

EFFECTIVE DATE: November 15, 2006.

FOR FURTHER INFORMATION CONTACT: Irina Itkin or Alice Gibbons, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC, 20230; telephone (202) 482–0656 or (202) 482–0498, respectively.

SUPPLEMENTARY INFORMATION: The Department received a timely request from Ege Celik, in accordance with 19 CFR 351.214(c), for a new shipper review of the antidumping duty order on rebar from Turkey. *See Rebar from Turkey Order*.

Pursuant to 19 CFR 351.214(b)(2), Ege Celik certified that it is both the exporter and producer of the subject merchandise, that it did not export subject merchandise to the United States during the period of the investigation (POI) (January 1, 1995, through December 31, 1995), and that it was not affiliated with any exporter or producer that exported the subject merchandise to the United States during the POI. Ege Celik also submitted documentation establishing the date on which its shipment of subject merchandise first entered for consumption, the volume shipped, and the date of its first sale to an unaffiliated customer in the United States, pursuant to 19 CFR 351.214(b)(2)(i).

Scope of the Order

The product covered by this order is all stock deformed steel concrete reinforcing bars sold in straight lengths and coils. This includes all hot–rolled deformed rebar rolled from billet steel, rail steel, axle steel, or low–alloy steel. It excludes (i) plain round rebar, (ii) rebar that a processor has further worked or fabricated, and (iii) all coated rebar. Deformed rebar is currently classifiable under subheadings 7213.10.000 and 7214.20.000 of the *Harmonized Tariff Schedule of the*