

recurrence of dumping at the following percentage weighted-average margins:

| Manufacturer/Exporter                         | Margin (percent) |
|---|------------------|
| <b>PRC:</b>                                   |                  |
| Hangzhou Spring Washer Plant ("HSWP") .....   | 69.88            |
| HSWP via IFI Morgan Limited .....             | 69.88            |
| HSWP via Carway Development Ltd. ....         | 69.88            |
| HSWP via Midway Fasteners Ltd. ....           | 69.88            |
| HSWP via Linkwell Industry Co., Ltd. ....     | 69.88            |
| HSWP via Fastwell Industry Co., Ltd. ....     | 69.88            |
| HSWP via Sunfast International Corp. ....     | 69.88            |
| HSWP via Winner Standard Parts Co., Ltd. .... | 69.88            |
| All Others .....                              | 128.63           |
| <b>Taiwan:</b>                                |                  |
| Spring Lake Enterprises ....                  | 31.93            |
| Ceimiko Industrial .....                      | 31.93            |
| Par Excellence Industrial ...                 | 31.93            |
| All Others .....                              | 31.93            |

This notice serves as the only reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305 of the Department's regulations. Timely notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

These five-year ("sunset") reviews and notices are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: May 30, 2000.

**Troy H. Cribb,**

*Acting Assistant Secretary for Import Administration.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-570-855]

**Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Non-Frozen Apple Juice Concentrate From the People's Republic of China**

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

**EFFECTIVE DATE:** June 5, 2000.

**FOR FURTHER INFORMATION CONTACT:** Craig Matney, Sally Hastings, or Annika O'Hara, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1778, 482-3464, or 482-3798, respectively.

**Applicable Statute and Regulations**

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended ("the Act"), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act ("URAA"). In addition, unless otherwise indicated, all citations to the Department of Commerce's ("the Department's") regulations are to 19 CFR part 351 (1998).

**Scope of Order**

The product covered by this order is certain non-frozen apple juice concentrate ("NFAJC"). Certain NFAJC is defined as all non-frozen concentrated apple juice with a Brix scale of 40 or greater, whether or not containing added sugar or other sweetening matter, and whether or not fortified with vitamins or minerals. Excluded from the scope of this investigation are: frozen concentrated apple juice; non-frozen concentrated apple juice that has been fermented; and non-frozen concentrated apple juice to which spirits have been added.

The merchandise subject to this order is classified in the *Harmonized Tariff Schedule of the United States* ("HTSUS") at subheadings 2009.70.00.20 and 2106.90.52. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.

**Amended Final Determination**

In accordance with section 735(a) of the Act, on April 13, 2000, the Department published its final determination of the antidumping duty investigation of certain NFAJC from the People's Republic of China ("PRC") in which we determined that U.S. sales of NFAJC from the PRC were made at less than normal value (65 FR 19873 (1998); *NFAJC Final*). On April 18, 2000, we received ministerial error allegations, timely filed pursuant to § 351.224(c)(2) of the Department's regulations from Yantai North Andre Juice Co., Ltd. ("North Andre"); Shaanxi Haisheng Fresh Fruit Juice Co., Ltd. ("Haisheng"); Sanmenxia Lakeside Fruit

Juice Co., Ltd. ("Lakeside"); Shandong Zhonglu Co., Ltd./Rushan Shangjin-Zhonglu Foodstuff Co., Ltd./Shandong Luling Fruit Juice Co./Rushan Dongjin Foodstuffs ("Zhonglu"); Yantai Oriental Juice Co., Ltd. ("Oriental"); Qingdao Nannan Foods Co., Ltd. ("Nannan"); Xian Asia Qin Fruit Co., Ltd. ("Asia"); Xian Yang Fuan Juice Co., Ltd. ("Fuan"); Changsha Industrial Products & Minerals Import and Export Co., Ltd. ("Changsha Industrial"); and Shangdong Foodstuffs Import and Export Corporation ("Shangdong Foodstuffs") (hereinafter collectively referred to as "the respondents") regarding the Department's final margin calculations. On April 24, 2000, we received comments on the respondents' ministerial error allegations from Coloma Frozen Foods, Inc.; Green Valley Packers; Knouse Foods Cooperative, Inc.; Mason County Fruit Packers Co-op, Inc.; and Tree Top Inc. (hereinafter collectively referred to as "the petitioners").

We have determined in accordance with section 735(e) of the Act that a ministerial error in the calculation of the international freight surrogate value was made in our final margin calculations. For a detailed discussion of the above-cited ministerial error allegations and the Department's analysis, see Memorandum to Richard W. Moreland, dated May 8, 2000. We are amending the final determination of the antidumping duty investigation of NFAJC from the PRC to correct this ministerial error. The revised final weighted-average dumping margins are as follows:

| Exporter/manufacturer     | Original weighted-average margin percentage | Revised weighted-average margin percentage |
|---------------------------|---|--|
| North Andre .....         | 0.00  | 0.00                                       |
| Haisheng .....            | 12.90                                       | 12.03                                      |
| Lakeside .....            | 28.54                                       | 27.57                                      |
| Zhonglu .....             | 9.40  | 8.98                                       |
| Oriental .....            | 9.96  | 9.96                                       |
| Nannan .....              | 26.43                                       | 25.55                                      |
| Asia .....                | 15.36                                       | 14.88                                      |
| Yang .....                | 15.36                                       | 14.88                                      |
| Changsha Industrial ..... | 15.36                                       | 14.88                                      |
| Shandong Foodstuffs ..... | 15.36                                       | 14.88                                      |
| PRC-wide rate ..          | 51.74                                       | 51.74                                      |

**Antidumping Duty Order**

On May 30, 2000, in accordance with section 735(d) of the Act, the U.S. International Trade Commission ("ITC") notified the Department that a U.S. industry is "materially injured," within the meaning of section 735(b)(1)(A) of

the Act, by reason of less-than-fair-value imports of NFAJC from the PRC.

Therefore, the Department will direct the U.S. Customs Service to assess, upon further advice by the Department, antidumping duties equal to the amount by which the normal value of the subject merchandise exceeds the export price or constructed export price of the subject merchandise for all entries of NFAJC from the PRC, except for subject merchandise both produced and exported by North Andre, which received a zero final margin. The ITC further found that critical circumstances do not exist with respect to imports of the subject merchandise from the PRC. As a result, antidumping duties will be assessed on all unliquidated entries of NFAJC entered, or withdrawn from warehouse, for consumption on or after November 23, 1999, the date of publication of the Department's preliminary determination in the **Federal Register** (64 FR 65675), and the Department will direct Customs to refund any cash deposits made, or bonds posted, on any subject merchandise which was entered prior to the Department's preliminary determination publication date of November 23, 1999. Finally, we will instruct Customs to liquidate without regard to antidumping duties and to refund all cash deposits, or bonds posted, for entries of subject merchandise both produced and exported by North Andre.

On or after the date of publication of this notice in the **Federal Register**, Customs officers must require, at the same time as importers would normally deposit estimated duties, cash deposits for the subject merchandise equal to the weighted-average antidumping duty margins as noted below:

| Exporter/manufacturer     | Revised Weighted-average margin percentage |
|---------------------------|--|
| North Andre .....         | (1)  |
| Haisheng .....            | 12.03                                      |
| Lakeside .....            | 27.57                                      |
| Zhonglu .....             | 8.98                                       |
| Oriental .....            | 9.96                                       |
| Nannan .....              | 25.55                                      |
| Asia .....                | 14.88                                      |
| Fuan .....                | 14.88                                      |
| Changsha Industrial ..... | 14.88                                      |
| Shandong Foodstuffs ..... | 14.88                                      |
| PRC-wide rate .....       | 51.74                                      |

<sup>1</sup> Excluded.

This notice constitutes the antidumping duty order with respect to NFAJC from the PRC, pursuant to section 735(a) of the Act. Interested parties may contact the Central Records

Unit, Room B-099 of the main Commerce building for copies of an updated list of antidumping duty orders currently in effect.

This order is published in accordance with section 736(a) of the Act and 19 CFR 351.211.

Dated: May 30, 2000.

**Troy H. Cribb,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 00-14029 Filed 6-2-00; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-351-806]

**Silicon Metal From Brazil; Final Results of Expedited Sunset Review of Antidumping Duty Order**

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

**ACTION:** Notice of final results of expedited sunset review of silicon metal from Brazil.

**SUMMARY:** On November 2, 1999, the Department of Commerce ("the Department") initiated a sunset review of the antidumping duty order on silicon metal from Brazil (64 FR 59160) 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 domestic interested parties and inadequate response (in this case, waivers of response) from respondent interested parties, the Department determined to conduct an expedited review. As a result of this review, the Department finds that revocation of the antidumping duty order would likely lead to continuation or recurrence of dumping at the levels indicated in the Final Results of Review section of this notice.

**EFFECTIVE DATE:** June 5, 2000.

**FOR FURTHER INFORMATION CONTACT:**

Kathryn B. McCormick or Carole A. Showers, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1930 or (202) 482-3217, respectively.

**SUPPLEMENTARY INFORMATION:**

**Statute and Regulations**

Unless otherwise indicated, all citations to the Act are references to the provisions effective January 1, 1995, the

effective date of the amendments made to the Act by the Uruguay Round Agreements Act ("URAA"). In addition, unless otherwise indicated, all citations to the Department regulations are to 19 CFR part 351 (1999). Guidance on methodological or analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department's Policy Bulletin 98.3—*Policies Regarding the Conduct of Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin*, 63 FR 18871 (April 16, 1998) ("*Sunset Policy Bulletin*").

**Background**

On November 2, 1999, the Department initiated a sunset review of the antidumping duty order on silicon metal from Brazil (64 FR 59160), pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). The Department received a notice of intent to participate on behalf of American Silicon Technologies ("AST"), Elkem Metals Company ("Elkem"), and Globe Metallurgical Inc. ("Globe") (collectively, "domestic interested parties"), within the applicable deadline (November 15, 1999) specified in 19 CFR 351.218(d)(1)(i). Domestic interested parties claimed interested-party status under section 771(9)(C) of the Act, as U.S. producers of a domestic like product.

On November 29, 1999, we received a waiver of response from respondent interested parties Companhia Brasileira Carbureto de Calcio, Camargo Correa Metais, S.A., Ligas de Alumínio S.A., Companhia Ferroligas Minas Gerais—Minasligas, and RIMA Industrial S.A., pursuant to 19 CFR 351.218(d)(2)(i). On December 2, 1999, we received a waiver of response from respondent interested party Eletrosilex Bela Horizonte.

On December 1, 1999, we received a complete substantive response from domestic interested parties, within the 30-day deadline specified in the *Sunset Regulations* under § 351.218(d)(3)(i). Domestic interested parties claim that, in 1990, Elkem, Globe, and four other domestic producers filed the petition that resulted in the issuance of the antidumping duty order on silicon metal from Brazil (see December 1, 1999, Substantive Response of domestic interested parties at 2). Domestic interested parties also claim that at least one of them has actively participated in each of the administrative reviews conducted by the Department, as well as in a number of related appeals and remand proceedings. *Id.* at 3. Without a substantive response from respondent