

265780 (Preliminary Results). Kerr-McGee Chemical LLC and Chemetals, Inc. (collectively "the petitioners"), submitted their case briefs on June 7, 2000. Tosoh Corporation (Tosoh), the sole respondent in this review, submitted its case brief on June 7, 2000. Both the petitioners and Tosoh submitted their rebuttal on June 12, 2000. The Department has conducted this administrative review in accordance with section 751 of the Act.

### Scope of Review

Imports covered by this review are shipments of EMD from Japan. EMD is manganese dioxide (MnO<sub>2</sub>) that has been refined in an electrolysis process. The subject merchandise is an intermediate product used in the production of dry-cell batteries. EMD is sold in three physical forms, powder, chip or plate, and two grades, alkaline and zinc chloride. EMD is all three forms and both grades is included in the scope of the order. This merchandise is currently classifiable under item number 2820.10.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). The HTSUS number is provided for convenience and customs purposes. It is not determinative of the products subject to the order. The written product description remains dispositive.

### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by the petitioners and Tosoh are addressed in the "Issues and Decision Memorandum" (Decision Memo) from Richard W. Moreland, Deputy Assistant Secretary to Troy H. Cribb, Acting Secretary, dated September 5, 2000, which is hereby adopted by this notice. A list of issues which parties have raised and to which we have responded, all of which are in the Decision Memo, is attached to this notice as an appendix. This Decision Memo, which is a public document, is on the file in the Central Records Unit, Main Commerce Building, Room B-099, and is accessible on the Web at [www.ia.ita.doc.gov](http://www.ia.ita.doc.gov). The paper copy and electronic version of the Decision Memo are identical in content.

### Sunset Revocation

On April 20, 2000, the International Trade Commission (ITC), pursuant to section 751(c) of the Act, determined that revocation of the antidumping duty order on EMD from Japan would not be likely to lead to continuation of recurrence of material injury within a reasonably foreseeable time. Therefore, because the order will be revoked as a result of the ITC's determination with

an effective date of January 1, 2000, no deposit requirements will be effective for shipments entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review

### Final Results of Review

Based on our analysis of the comments received, we made no changes for the final results. Therefore, the final results of review are the same as those we presented in our preliminary results. We have determined that a weighted-average margin of zero percent exists for Tosoh for the period April 1, 1998, through March 31, 1999.

The Department will issue appraisement instruction directly to the Customs Service.

This notice also serves as a 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. 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.

We are issuing and publishing this determination in accordance with sections 751(A)(1) and 777(i)(1) of the Act.

Dated: September 5, 2000.

**Troy H. Cribb,**

*Acting Assistant Secretary for Import Administration.*

### Comments and Responses

1. Determination of U.S. Price
2. Affiliation
3. Matching Methodology

[FR Doc. 00-23797 Filed 9-14-00; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-848]

### Freshwater Crawfish Tail Meat From the People's Republic of China: Notice of Partial Rescission of New Shipper Antidumping Duty Review

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

**ACTION:** Notice of partial rescission of new shipper antidumping duty review

**DATES:** *Effective Date:* September 15, 2000.

**SUMMARY:** On June 1, 2000, the Department of Commerce (the Department) published in the **Federal Register** (65 FR 35046) a notice announcing the initiation of four new shipper reviews of the antidumping duty order on freshwater crawfish tail meat (crawfish) from the People's Republic of China (PRC), covering the period September 1, 1999 through February 29, 2000. One new shipper review is now being rescinded as a result of the withdrawal of request for a new shipper antidumping duty review by Rizhao Riyuan Marine and Food Products Co., Ltd. (Rizhao Riyuan).

### FOR FURTHER INFORMATION CONTACT:

Thomas Gilgunn, AD/CVD Enforcement Group III, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, telephone: (202) 482-0648.

### SUPPLEMENTARY INFORMATION:

#### Background

On March 29, 2000, Rizhao Riyuan, an exporter of the subject merchandise, requested a new shipper review of the antidumping duty order on crawfish from the PRC in accordance with 19 CFR 351.214(b). On June 1, 2000, in accordance with 19 CFR 351.221(c)(1)(i), we initiated a new shipper review of this order for the period September 1, 1999 through February 29, 2000. On July 11, 2000, Rizhao Riyuan withdrew its request for this review.

#### Rescission of Review

The Department's regulations at 19 CFR 351.214(f)(1) provide that a party may withdraw its request for a new shipper review within 60 days of the date of publication of the notice of initiation of the requested review. Rizhao Riyuan's request for withdrawal was made within the 60 day period. Rescission of this review would not prejudice any party in this proceeding, as Rizhao Riyuan would continue to be included in the PRC-wide rate to which it was subject at the time of its request for this new shipper review. Rizhao Riyuan is the only party that requested a review of its sales for the period September 1, 1999 through February 29, 2000, and no other party has objected to its withdrawal of that request. Therefore, we are rescinding this review. This determination is issued and published in accordance with section 751 of the Tariff Act of 1930, as amended (19 U.S.C. 1675) and 19 CFR 351.214(f).

Dated: August 7, 2000.

**Joseph A. Spetrini,**

*Deputy Assistant Secretary, AD/CVD  
Enforcement III.*

[FR Doc. 00-23793 Filed 9-14-00; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-501]

#### **Natural Bristle Paint Brushes and Brush Heads From the People's Republic of China: Amended Final Results of Antidumping Duty Administrative Review**

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

**ACTION:** Notice of amended final results  
of administrative review: natural bristle  
paint brushes and brush heads from the  
People's Republic of China.

**DATES:** *Effective Date:* September 15,  
2000.

#### **FOR FURTHER INFORMATION CONTACT:**

Sarah Ellerman or Maureen Flannery,  
Antidumping/Countervailing Duty  
Enforcement, Import Administration,  
International Trade Administration,  
U.S. Department of Commerce, 14th  
Street and Constitution Avenue, NW.,  
Washington, DC 20230; telephone (202)  
482-4106 or (202) 482-3020,  
respectively.

#### **Applicable Statute**

Unless otherwise indicated, all  
citations to the statute are references to  
the provisions effective January 1, 1995,  
the effective date of the amendments  
made to the Tariff Act of 1930 (the Act)  
by the Uruguay Round Agreements Act  
(URAA). In addition, unless otherwise  
indicated, all citations to the  
Department's regulations are to the  
provisions codified at 19 CFR part 351  
(1999).

#### **Scope of Review**

Imports covered by this review are  
shipments of natural bristle paint  
brushes and brush heads from the PRC.  
Excluded from the review are paint  
brushes and brush heads with a blend  
of 40% natural bristles and 60%  
synthetic filaments. The merchandise  
under review is currently classifiable  
under item 9603.40.40.40 of the  
Harmonized Tariff Schedule of the  
United States (HTSUS). Although the  
HTSUS subheading is provided for  
convenience and customs purposes, the  
Department's written description of the  
merchandise is dispositive.

## **Background**

On July 25, 2000, the Department  
published the final results of its  
administrative review of the  
antidumping duty order on natural  
bristle paint brushes and paint brush  
heads from the People's Republic of  
China (65 FR 45753). This review covers  
two manufacturers/exporters of the  
subject merchandise, Hebei Founder  
Import & Export Company (Founder)  
and Hunan Provincial Native Produce &  
Animal By-Products Import & Export  
Corporation (Hunan), for the period  
February 1, 1998 through January 31,  
1999. The petitioner is the Paint  
Applicator Division of the American  
Brush Manufacturers Association  
(petitioner). After publication of our  
final results, we received timely  
allegations from both Founder and  
petitioner that we made ministerial  
errors in calculating the final results of  
review. In addition, petitioner made a  
timely response to Founder's ministerial  
error allegation. We agree that  
ministerial errors were made and have  
corrected our calculations in accordance  
with section 751 (h) of the Tariff Act.

#### **Analysis of Ministerial Error Allegations Received From Interested Parties**

As defined by section 751(h) of the  
Act, the term ministerial error includes  
errors "in addition, subtraction, or other  
arithmetic function, clerical errors  
resulting from inaccurate copying,  
duplication, or the like, and any other  
type of unintentional error which the  
[Department] considers ministerial."

We received one ministerial error  
allegation from Founder stating that the  
Department calculated the cost of inland  
freight for Founder on a per-kilogram  
basis rather than on a per-brush basis.  
Founder argues that, in order to correct  
this error, the Department should divide  
the cost per kilogram by the weight of  
the two-inch and four-inch brush,  
respectively, to determine the inland  
freight cost per brush. Petitioner  
counters that, if the Department  
determined that it made a ministerial  
error in its calculation of inland freight,  
then the Department should not adopt  
Founder's proposed correction because  
Founder's proposed correction would  
fail to account for the packed weight of  
each brush. Petitioner argues that the  
cost of inland freight should be based on  
packed weight because the brushes are  
shipped from the factory to the port in  
packaged form. Thus, petitioner  
contends that the Department should  
add the per-unit weights of poly-bags,  
boxes, and cartons to the weight of each

brush before calculating a weight-based,  
per-unit inland freight cost.

We agree with Founder that we  
calculated the cost of inland freight on  
a per-kilogram basis, rather than on a  
per-piece basis; however, we disagree  
with Founder's methodology to rectify  
this error. Rather than divide the cost  
per kilogram by the weight of the two-  
inch and four-inch brush respectively,  
we should multiply the cost per  
kilogram by the weight of the two-inch  
and four-inch brushes, thereby deriving  
a cost per brush. In addition, we agree  
with petitioner that Founder's  
methodology fails to account for the  
packed weight of each brush. Therefore,  
we have added the per-unit weights of  
poly-bags, boxes, and cartons to the  
weight of the individual brush to base  
the cost of inland freight on packed  
weights. We have subsequently made  
these changes to the calculations for  
both the two-inch and four-inch brushes  
for the amended final results. For  
further information with regard to the  
changes made in our calculations, see  
*Memorandum to the File from Michael  
Strollo through Maureen Flannery:  
Analysis of Hebei Founder Import and  
Export Corp. (Founder) for the Amended  
Final Results of Review of Natural  
Bristle Paintbrushes and Brush Heads  
from the People's Republic of China  
(Founder Amended Analysis Memo)*,  
dated August XX, 2000.

We also received ministerial error  
allegations from petitioner. Petitioner  
stated that (1) the Department did not  
use the most current wage rates for  
valuing both manufacturing and packing  
labor, and (2) the Department did not  
implement its intentions with respect to  
the valuation of wooden core for  
respondent Founder. Petitioner  
contends that, after case and rebuttal  
briefs were filed in this review, the  
Department published an updated wage  
rate of \$0.80 for China based on 1998  
data. Petitioner maintains that this is the  
most current and contemporaneous  
wage rate that is available to value labor.  
Therefore, petitioner argues that,  
consistent with the regulations, the  
Department should amend the final  
results to incorporate the most current  
wage rate data.

With regard to the Department's  
valuation of Founder's wooden core,  
petitioner refers to the *Memorandum to  
the File from Mike Strollo through  
Maureen Flannery: Analysis of Hebei  
Animal By-Product Import/Export  
Corp., now Hebei Founder Import and  
Export Corp. (Founder), for the Final  
Results of Review of Natural Bristle  
Paintbrushes and Brush Heads from the  
People's Republic of China*, dated July  
13, 2000. In that memorandum, the