

351.106(c)(2), we will instruct the Customs Service to liquidate without regard to antidumping duties all entries of subject merchandise during the POR from each respondent for which the import-specific assessment rate is zero or *de minimis* (i.e., less than 0.50 percent). In accordance with 19 CFR 351.212(b), we have calculated importer-specific ad valorem duty assessment rates. We will direct the Customs Service to assess the resulting percentage margin against the entered Customs values for the subject merchandise on each of that importer's entries under the relevant order during the review period.

#### Cash Deposit Requirements

The following deposit rates shall be required for merchandise subject to the order entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results, as provided by section 751(a)(1) and 751(a)(2)(B) of the Act: (1) The cash deposit rates for Gerber, Raoping Xingyu, Shantou Hongda, and Shenxian Dongxing will be the rates indicated above; (2) the cash deposit rate for PRC exporters for whom the Department has rescinded the review or for whom a review was not requested for this POR (i.e., China Processed, Fujian Yu Xing, Xiamen Jiahua, Fujian Cereals, Shanghai Foodstuffs, the Canned Goods Company of Raoping, Tak Fat, Mei Wei, Zhang Zhou Longhai, Citic Ningbo, Zhejiang Cereals, China Ningbo, Longhai Senox, Beiliu Canned, Putian, General Canned Food Factory of Zhangzhou, Jiangsu Cereals, Shenzhen Cofry, Xiamen Gulong, and Dongya) will continue to be the rate assigned in an earlier segment of the proceeding or the PRC-wide rate of 198.63 percent; (3) the cash deposit rate for all other PRC exporters will continue to be 198.63 percent; and (4) the cash deposit rate for non-PRC exporters of subject merchandise from the PRC will be the rate applicable to the PRC supplier of that exporter. These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice also 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.

This notice also serves as the only reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a). 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 this determination and notice in accordance with sections section 751(a)(1), 751(a)(2)(B), and 777(i) of the Act and 19 CFR 351.213 and 351.214.

Dated: July 5, 2002.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

#### Appendix—Issues in Decision Memo Comments

1. Surrogate Value Selection for Fresh Mushrooms.
2. Surrogate Value Selection for Furnace Oil.
3. Surrogate Value Selection for Straw.
4. Surrogate Value Selection for Cans and Lids.
5. Whether to Use Data Contained in More Current Financial Reports Submitted for Two Indian Producers of the Subject Merchandise.
6. How to Treat Water Costs.
7. Whether to Use Domestic Rather than Import Surrogate Values.
8. Whether to Inflate Certain Surrogate Values Which Cover a Portion of the Period of Review.
9. Whether to Inflate U.S. Dollar-Denominated Surrogate Values to the POR.
10. Whether to Adjust Factors Reported by Raoping Xingyu for Certain Can Sizes.
11. Whether to Adjust Factors Reported by Shantou Hongda and Shenxian Dongxing.
12. The Use of Information Contained in the Petitioners' Case Brief.

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

[A-570-601]

#### **Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China; Amended Final Results of Antidumping Duty Administrative Review**

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

**ACTION:** Notice of final court decision and amended final results of administrative review.

**SUMMARY:** The United States Court of International Trade has affirmed the Department of Commerce's final remand results affecting the final weighted-average margins for the 1995/1996 administrative review of the antidumping duty order on tapered roller bearings and parts thereof, finished and unfinished, from the People's Republic of China. There was no appeal to the United States Court of Appeals for the Federal Circuit. As there is now a final and conclusive court decision in this case, we are amending the final results of review and we will instruct the Customs Service to liquidate entries subject to this review. The period of review is June 1, 1995, through May 31, 1996.

**EFFECTIVE DATE:** July 12, 2002.

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

George Callen or Richard Rimlinger, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-0180 or (202) 482-4477, respectively.

#### **SUPPLEMENTARY INFORMATION:**

#### **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).

#### **Background**

On November 17, 1997, the Department published the final results of administrative review of the antidumping duty order on tapered roller bearings and parts thereof, finished and unfinished (TRBs), from the People's Republic of China covering the period June 1, 1995, through May 31, 1996. *See Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China, Final Results of Antidumping Duty Administrative Review*, 62 FR 61276 (November 17, 1997) (Final Results).

The Timken Company contested the Department's decision in the Final Results. In issuing its decision in this case, the United States Court of International Trade (CIT) instructed the Department to make the following changes to its margin calculations for the Final Results: (1) Determine direct labor costs without relying on labor hours and, if necessary, open the record;

(2) exclude the "purchases of traded goods" from its calculation of the cost of manufacturing; (3) adjust United States price by recalculating marine insurance pursuant to a value-based methodology; and (4) correct clerical errors in the calculation of the weight of scrap for one of the Chinese producers. *See Timken Company v. United States*, Court No. 97-12-02156, Slip Op. 01-96 (CIT August 9, 2001).

In its instructions, the CIT did not refer to companies by name. Accordingly, in implementing the court's instructions for determining direct labor costs without relying on labor hours, excluding the "purchases of traded goods" in calculating the cost of manufacturing, and adjusting United States price by recalculating marine insurance pursuant to a value-based methodology, we calculated the changes for all companies for which we had data and for which we had performed calculations to arrive at the weighted-average dumping margins in the Final Results. For one company, Guizhou Machinery Import and Export Corp. (Guizhou), this resulted in a change in margin from 21.79 percent to 31.05. This new margin is also the highest overall margin calculated in any segment of this proceeding.

The Department issued final results of redetermination on remand on December 13, 1999. The CIT affirmed the Department's final remand results and dismissed the case. *See Timken Company v. United States*, Slip Op. 02-30 (CIT March 20, 2002). There was no appeal to the United States Court of Appeals for the Federal Circuit. As there is now a final and conclusive court decision in this action, we are amending our final results of review and we will instruct the Customs Service to liquidate entries subject to this review.

#### Amendment to Final Results

Pursuant to section 516A(e) of the Act, we are now amending the final results of administrative review of the antidumping duty order on TRBs from the People's Republic of China for the period of review June 1, 1995, through May 31, 1996. In the original Final Results, we established margins for Jilin Machinery Import & Export Corporation (Jilin) and the PRC-wide rate on the basis of total adverse facts available and selected the highest overall margin calculated in any segment of the proceeding. As noted above, that rate is now 31.05 percent, the rate calculated for Guizhou in the final results of redetermination on remand. Accordingly, we are amending the rate for Jilin and the PRC-wide rate

consistent with those final results of redetermination on remand.

Company	Margin
Peer Bearing Co. and Chin Jun Industrial Ltd. ....	3.07
China National Machinery Import and Export Corp. (CMC) .....	3.05
Guizhou Machinery Import and Export Corp. ....	31.05
Liaoning MEC Group Co., Ltd. ....	0.61
Luoyang Bearing Factory .....	3.84
Premier Bearing and Equipment, Ltd. ....	5.60
Shandong Machinery and Equipment Import and Export Corp. ..	19.13
Wanxiang Group Corp. ....	0.11
Xiangfan Machinery Foreign Trade Corp. ....	0.49
Zhejiang Machinery Import and Export Corp. ....	0.17
Jilin .....	31.05
PRC Wide Rate .....	31.05

Accordingly, the Department will determine and the Customs Service will assess appropriate antidumping duties on entries of the subject merchandise exported by firms covered by this review.

We are issuing and publishing this determination in accordance with section 751(a) of the Act.

Dated: July 3, 2002.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

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**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 070902A]

#### Gulf of Mexico Fishery Management Council; Public Meeting

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public meeting.

**SUMMARY:** The Gulf of Mexico Fishery Management Council (Council) will convene a public meeting of the Mackerel Advisory Panel (AP).

**DATES:** The AP meeting is scheduled to begin at 8:30 a.m. on July 29, 2002 and will conclude by 3 p.m.

**ADDRESSES:** The meeting will be held at the New Orleans Airport Hilton Hotel, 901 Airline Highway, Kenner, LA; telephone: 504-469-5000.

*Council address:* Gulf of Mexico Fishery Management Council, 3018 U.S.

Highway 301 North, Suite 1000, Tampa, FL 33619.

**FOR FURTHER INFORMATION CONTACT:** Dr. Richard Leard, Senior Fishery Biologist, Gulf of Mexico Fishery Management Council; telephone: 813-228-2815.

**SUPPLEMENTARY INFORMATION:** The Mackerel AP will convene to review a report of the Mackerel Stock Assessment Panel (MSAP) that includes status of stock information on Gulf Group king mackerel and little tunny, as well as the range of acceptable biological catch (ABC). The Mackerel AP will also review the report of the Socioeconomic Panel (SEP) on these stocks and may make recommendations to the Council for additional management measures based on these reviews. The Mackerel AP will also receive reports on the status of the Dolphin/Wahoo Fishery Management Plan (FMP) that is being developed jointly with the South Atlantic and Caribbean Fishery Management Councils and a regulatory amendment to establish definitions of maximum sustainable yield (MSY), optimum yield (OY), overfishing, and the overfished condition for mackerel and cobia stocks in the Gulf. the various shrimp stocks in the Gulf.

Although other non-emergency issues not on the agendas may come before the Mackerel AP for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal action during the meeting. Actions of the Mackerel AP will be restricted to those issues specifically identified in the agendas and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take action to address the emergency.

Copies of the agenda can be obtained by calling 813-228-2815.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Anne Alford at the Council (see **ADDRESSES**) by July 22, 2002.

Dated: July 9, 2002.

**Richard W. Surdi,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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