

Dated: August 30, 2004.

**James J. Jochum,**

*Assistant Secretary for Import Administration.*

[FR Doc. E4-2080 Filed 9-3-04; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-831]

#### Notice of Amended Final Results of Antidumping Duty New Shipper Review: Fresh Garlic From the People's Republic of China

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

**EFFECTIVE DATE:** September 7, 2004.

**FOR FURTHER INFORMATION CONTACT:** Susan Lehman or Minoo Hatten, AD/CVD Enforcement, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-0180 and (202) 482-1690, respectively.

#### Amendment of Final Results

In accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended (the Act), on July 26, 2004, the Department of Commerce (the Department) issued its notice of final results of antidumping duty new shipper reviews of fresh garlic from the People's Republic of China (PRC).<sup>1</sup> On August 2, 2004, we received a timely ministerial-error allegation from Sunny Import & Export, Ltd. (Sunny), pursuant to 19 CFR 351.224(c)(2). On August 3, 2004, we received comments from the petitioners (the Fresh Garlic Producers Association and its individual members) concerning the final margin calculations for the Jinxiang Dong Yun Freezing Storage Co., Ltd. (Dong Yun). No other party alleged ministerial errors or submitted comments.

After analyzing the submissions, we have determined, in accordance with section 751(h) of the Act and 19 CFR 351.224(e), that we made a ministerial error in our calculation of the number of days Sunny's garlic was held in cold storage. Correcting this error resulted in a revised antidumping margin for Sunny. For a detailed discussion of this ministerial error, see the August 31, 2004, memorandum from Susan

Lehman to the file entitled "Ministerial Error Allegation in the Final Results of the Antidumping Duty New Shipper Review of Sunny Import & Export, Ltd."

We have determined that the issues the petitioners raised in their comments concerning Dong Yun are not ministerial errors as described under section 751(h) of the Act and 19 CFR 351.224(e), and, therefore, have not made any changes to the *Final Results* with respect to Dong Yun. See the August 31, 2004, memorandum from Lyn Johnson to the file entitled "Comments on the Final Results of the Antidumping Duty New Shipper Review of Jinxiang Dong Yun Freezing Storage Co., Ltd."

Pursuant to section 751(h) of the Act and 19 CFR 351.224(e), we are amending the *Final Results* for Sunny. The revised antidumping margin is as follows:

Producer & Exporter	Original final margin (percent)	Amended final margin (percent)
Sunny Import and Export, Ltd. ....	33.66	13.81

#### Duty Assessment and Cash Deposit Requirements

The Department will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. With respect to Sunny, the Department will issue appropriate assessment instructions directly to CBP within 15 days of publication of the amended final results of review. Further, the following cash-deposit requirements will be effective upon publication of these amended final results of review for shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of these amended final results, as provided by section 751(a)(2)(C) of the Act: (1) For subject merchandise grown and exported by Sunny Import and Export, Ltd., the cash-deposit rate will be the rate listed above; (2) for all other subject merchandise exported by Sunny Import and Export, Ltd., the cash-deposit rate will be the PRC-wide rate, which is 376.76 percent; (3) for all other PRC exporters of subject merchandise (including merchandise produced and/or supplied by Sunny Import and Export, Ltd.) which have not been found to be entitled to a separate rate, the cash-deposit rate will be the PRC-wide rate of 376.76 percent; (4) for all non-PRC exporters of subject merchandise, the cash-deposit rate will be the rate applicable to the PRC exporter that

supplied that exporter. These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

With respect to Dong Yun, the duty assessment and cash deposit requirements remain the same (see the *Final Results* at 69 FR 46500).

The amended final results are issued and published pursuant to sections 751(a)(2)(B) and 777(i)(1) of the Act.

Dated: August 31, 2004.

**James J. Jochum,**

*Assistant Secretary for Import Administration.*

[FR Doc. 04-20250 Filed 9-3-04; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-351-605]

#### Frozen Concentrated Orange Juice From Brazil; Final Results of the Expedited Sunset Review of the Antidumping Order

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

**ACTION:** Notice of final results of expedited sunset review of the antidumping order on frozen concentrated orange juice from Brazil.

**SUMMARY:** On April 1, 2004, the Department of Commerce ("the Department") initiated a sunset review of the antidumping duty order on frozen concentrated orange juice ("FCOJ") from Brazil 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 from respondent interested parties, the Department conducted an expedited (120-day) sunset review. As a result of this sunset review, the Department finds that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of dumping. The dumping margins are identified in the Final Results of Review section of this notice.

**EFFECTIVE DATE:** September 7, 2004.

**FOR FURTHER INFORMATION:** Hilary E. Sadler, Esq., Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-4340.

<sup>1</sup> See *Fresh Garlic from the People's Republic of China: Final Results of Antidumping Duty New Shipper Reviews*, 69 FR 47498 (August 3, 2004) (*Final Results*).

**SUPPLEMENTARY INFORMATION:****Background**

On April 1, 2004, the Department published the notice of initiation of the sunset review of the antidumping duty order on FCOJ from Brazil.<sup>1</sup> On April 16, 2004, the Department received a Notice of Intent to Participate from Florida Citrus Mutual; Citrus Belle; Citrus World, Inc.; Peace River Citrus Products, Inc.; and Southern Gardens Citrus Processors Corporation (collectively "domestic interested parties") within the deadline specified in section 315.218(d)(1)(i) of the Department's regulations. The domestic interested parties claimed interested party status under section 771(9)(C) of the Act, as U.S. producers of FCOJ. On May 3, 2004, the Department received complete substantive responses from the domestic interested parties within the deadline specified in section 351.218(d)(3)(i) of the Department's regulations. We did not receive responses from any respondent interested parties to this proceeding, except a participation waiver from Citrovita Agro Industrial, Ltda., a respondent interested party. See response of Citrovita Agro Industrial, Ltda., "FCOJ from Brazil Sunset Review: Clarification" (May 10, 2004). As a result, pursuant to section 751(c)(3)(B) of the Act and section 351.218(e)(1)(ii)(C)(2) of the Department's regulations, the Department determined to conduct an expedited review of this order.

**Scope of the Order**

The merchandise covered by this order is FCOJ from Brazil. The merchandise is currently classifiable under subheading 2009.11.00 of the Harmonized Tariff Schedule United States ("HTS"). The HTS subheading is provided for convenience and customs purposes. The written description remains dispositive.

**Analysis of Comments Received**

All issues raised in these reviews are addressed in the "Issues and Decision Memorandum" ("Decision Memo") from Ronald K. Lorentzen, Acting Director, Office of Policy, Import Administration, to James J. Jochum, Assistant Secretary for Import Administration, dated August 30, 2004, which is hereby adopted by this notice. The issues discussed in the Decision Memo include the likelihood of continuation or recurrence of dumping and the magnitude of the margins likely

to prevail if the order were to be revoked. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum which is on file in room B-099 of the main Commerce Building.

In addition, a complete version of the Decision Memo can be accessed directly on the Web at <http://ia.ita.doc.gov/frn>, under the heading "September 2004." The paper copy and electronic version of the Decision Memorandum are identical in content.

**Final Results of Reviews**

We determine that revocation of the antidumping duty order on FCOJ from Brazil would be likely to lead to continuation or recurrence of dumping at the following percentage weighted-average percentage margins:

Manufacturers/exporters/producers	Weighted average margin (percent)
Citrovita .....	15.98
All Others .....	1.96

We are issuing and publishing the results and notice in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: August 30, 2004.

**James J. Jochum,**

*Assistant Secretary for Import Administration.*

[FR Doc. E4-2082 Filed 9-3-04; 8:45 am]

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**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-570-501, A-588-846]

**Natural Bristle Paint Brushes and Brush Heads From the People's Republic of China and Certain Hot-Rolled Flat-Rolled Carbon-Quality Steel Products From Japan; Extension of Final Results of Expedited Sunset Reviews**

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

**ACTION:** Notice of extension of time limit for final results of expedited sunset reviews: natural bristle paint brushes and brush heads from the People's Republic of China and certain hot-rolled flat-rolled carbon-quality steel products from Japan.

**SUMMARY:** The Department of Commerce ("the Department") is extending the time limit for its final results in the

expedited sunset reviews of the antidumping duty orders on natural bristle paint brushes and brush heads from the People's Republic of China ("PRC") and certain hot-rolled flat-rolled carbon-quality steel products ("hot-rolled steel") from Japan. Based on adequate responses from the domestic interested parties and inadequate responses from respondent interested parties, the Department is conducting expedited sunset reviews to determine whether revocation of the antidumping duty orders would lead to the continuation or recurrence of dumping. As a result of this extension, the Department intends to issue final results of these sunset reviews on or about October 15, 2004.

**EFFECTIVE DATE:** September 7, 2004.

**FOR FURTHER INFORMATION CONTACT:**

Hilary E. Sadler, Esq. (PRC) or Martha Douthitt (Japan), Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-4340 or 482-5050.

**Extension of Final Results**

In accordance with section 751(c)(5)(C)(ii) of the Tariff Act of 1930, as amended ("the Act"), the Department may treat sunset reviews as extraordinarily complicated if the issues are complex in order to extend the period of time under section 751(c)(5)(B) of the Act for making a sunset determination. As discussed below, the Department has determined that these reviews are extraordinarily complicated. On May 3, 2004, the Department published its notice of initiation of sunset reviews of the antidumping duty orders on natural bristle paint brushes and brush heads from the PRC and hot-rolled steel from Japan. See *Initiation of Five-Year (Sunset) Reviews*, 69 FR 24118 (May 3, 2004). The Department determined that it would conduct expedited sunset reviews of these antidumping duty orders based on responses from the domestic interested parties and no responses from the respondent interested parties to the notice of initiation. The Department's final results of these reviews were scheduled for August 31, 2004; however, the Department needs additional time for its analysis to examine certain complex issues. Specifically in the natural bristle paint brushes and brush heads case, the Department is analyzing issues surrounding import volumes. Concerning hot-rolled steel, the Department needs additional time to analyze the issues raised by the parties.

<sup>1</sup> See *Initiation of Five-Year ("Sunset") Reviews*, 69 FR 17129 (April 1, 2004) ("Initiation Notice").