

[FR Doc. 00-7249 Filed 3-22-00; 8:45 am]

BILLING CODE 3510-JT-P

DEPARTMENT OF COMMERCE

International Trade Administration

A-570-803

Heavy Forged Hand Tools From the People's Republic of China; Amended Final Results of Antidumping Duty Administrative Reviews in Accordance with Court Decision

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

ACTION: Notice of amended final results of antidumping duty administrative reviews in accordance with court decision.

SUMMARY: On February 17, 1999, the Court of International Trade (CIT) affirmed the second remand determination of the Department of Commerce (the Department) arising from the administrative reviews of the antidumping duty orders on heavy forged hand tools (HFHTs) from the People's Republic of China (PRC). See *Olympia Industrial, Inc., v. United States*, Slip Op. 99-18, 36 F. Supp. 2d 414 (CIT 1999). As there is now a final and conclusive court decision in this segment, we are amending the final results of reviews in this matter and will instruct the U.S. Customs Service to liquidate entries subject to these amended final results.

EFFECTIVE DATE: March 23, 2000.

FOR FURTHER INFORMATION CONTACT: Michael Strollo 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) 482-5255 and (202) 482-3020, respectively.

SUPPLEMENTARY INFORMATION:**Background**

On February 1, 1991, the Department issued antidumping duty orders on HFHTs from the PRC. See *Antidumping Duty Orders: Heavy Forged Hand Tools, Finished or Unfinished, With or Without Handles from the People's Republic of China*, 56 FR 6622 (February 19, 1991) (*Antidumping Duty Orders*). On September 22, 1995, the Department published its final results of the second administrative reviews of HFHTs for two PRC exporters, Fujian Machinery and Equipment Import and Export

Corporation (FMEC) and Shandong Machinery Import and Export Corporation (SMC). See *Heavy Forged Hand Tools from the People's Republic of China; Final Results of Antidumping Duty Administrative Reviews*, 60 FR 49251 (September 22, 1995) (*Final Results*).

On April 10, 1997, the CIT issued an order remanding these final results to the Department. See *Olympia Indus., Inc. v. United States*, Slip Op. 97-44, 1999 Ct. Int'l Trade Lexis 43 (April 10, 1997). The CIT instructed the Department to (1) assess the reliability of PRC trading company data for valuing steel inputs used to produce HFHTs during the period of review (POR) and (2) calculate inland freight expenses based on the longest distance between input suppliers to the factory.

On July 21, 1997, in accordance with the CIT's remand order, the Department filed its final results pursuant to remand. See *Final Results of Redetermination Pursuant to Court Remand* (July 21, 1997). In considering the Department's remand determination, the CIT sustained Commerce's recalculation of inland freight expenses. The CIT, however, found unreasonable the Department's rejection of the PRC import data without having assessed its reliability. As a result, the CIT again remanded the results so that the Department might consider whether the PRC trading companies' steel input data was the best information available to value the factors of production. *Olympia Industrial, Inc. v. United States*, Slip Op. 98-49, 7 F. Supp. 2d 997 (CIT 1998).

On August 31, 1998, in accordance with the CIT's second remand order, the Department filed its second final results pursuant to remand. See *Final Results of Redetermination Pursuant to Court Remand, Olympia Indus., Inc. v. United States* (August 31, 1998). In this redetermination, the Department first examined the pricing data regarding steel inputs imported into the PRC. The Department determined that the prices paid by the trading company for these imported steel inputs were aberrationally low. Therefore, the Department determined that the PRC trading company pricing data were unreliable and, hence, unacceptable for purposes of valuing the steel inputs used to produce the HFHTs. On February 17, 1999, the CIT upheld the Department's second redetermination on remand. *Olympia Industrial, Inc. v. United States*, 36 F. Supp. 2d 414. Neither party appealed the CIT's decision.

There is now a final and conclusive court decision in this action; therefore,

we are amending our final results of review for the period February 1, 1992 through January 31, 1993. We recalculated margins on each product category for FMEC and SMC. The revised weighted average margins are as follows:

Manufacturer/Exporter	Margin (percent)
Fujian Machinery & Equipment Import & Export Corp.:	
Axes/Adzes	14.23
Bars/Wedges	47.88
Hammers/Sledges	27.71
Picks/Mattocks	89.70
Shandong Machinery Import & Export Corp.:	
Axes/Adzes	14.23
Bars/Wedges	33.87
Hammers/Sledges	22.44
Picks/Mattocks	36.62

Accordingly, the Department will determine, and the Customs Service will assess, anticumping duties on all entries of subject merchandise from FMEC and SMC in accordance with these amended final results. For assessment purposes, we have calculated importer-specific duty assessment rates for each class or kind of merchandise based on the ratio of the total amount of anticumping duties calculated for the examined sales during the POR to the total quantity of sales examined during the POR. The Department will issue appraisal instructions directly to Customs. The above rate will not affect FMEC or SMC's cash deposit rates currently in effect, which continue to be based on the margins found to exist in the most recent completed review.

This notice is published in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and 19 CFR 351.221.

Dated: March 15, 2000.

Robert S. LaRussa,
Assistant Secretary for Import Administration.

[FR Doc. 00-7236 Filed 3-22-00; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

Export Trade Certificate of Review

ACTION: Notice of application to amend certificate.

SUMMARY: The Office of Export Trading Company Affairs ("OETCA"), International Trade Administration, Department of Commerce, has received an application to amend an Export Trade Certificate of Review

("Certificate"). This notice summarizes the proposed amendment and requests comments relevant to whether the amended Certificate should be issued.

FOR FURTHER INFORMATION CONTACT:

Morton Schnabel, Director, Office of Export Trading Company Affairs, International Trade Administration by phone at (202) 482-5131 (this is not a toll-free number) or E-mail at oetca@ita.doc.gov.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. A Certificate of Review protects the holder and the members identified in the Certificate from state and federal government antitrust actions and from private, treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Act and 15 CFR 325.6(a) require the Secretary to publish a notice in the **Federal Register** identifying the applicant and summarizing its proposed export conduct.

Request for Public Comments

Interested parties may submit written comments relevant to the determination whether an amended Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked privileged or confidential business information will be deemed to be nonconfidential. An original and five copies, plus two copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice in writing to: Office of Export Trading Company Affairs, International Trade Administration, Department of Commerce, Room 1104H, Washington, D.C. 20230, or transmitted by E-mail to oetca@ita.doc.gov. Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the Certificate. Comments should refer to this application as "Export Trade Certificate of Review, application number 97-3A003."

The Association for the Administration of Rice Quotas, Inc. ("AARQ") original Certificate was issued on January 21, 1998 (63 FR 4223,

January 28, 1998) and lastly amended on September 4, 1998 (63 FR 53013 October 2, 1998). A summary of the application for an amendment follows.

Summary of the Application

Applicant: The Association for the Allocation of Rice Quotas, Inc. ("AARQ"), c/o Thomas Ferrara, AC HUMKO CORP., 7171 Goodlett Farms Parkway, Cordova, Tennessee 38018-4909.

Contact: M. Jean Anderson, Esquire; Telephone: (202) 682-7217.

Application No.: 97-3A003.

Date Deemed Submitted: March 10, 2000.

Proposed Amendment: AARQ seeks to amend its Certificate to:

1. Add the following companies as new "Members" of the Certificate within the meaning of section 325.2(1) of the Regulations (15 CFR 325.2(1)): ADM Latin, Inc., Decatur, Illinois, and ADM Rice, Inc., Tarrytown, New York (subsidiaries of Archer Daniels Midland Company); AFE (USA), Inc., Houston, Texas; California Commodity Traders, LLC, Sacramento, California; California Pacific Rice Milling, Ltd., Arbuckle, California; Family & Sons, Inc., Miami, Florida; Far West Rice, Inc., Durham, California; Glencore Ltd., Stamford, Connecticut (a subsidiary of Glencore International AG), for the activities of Glencore Grain Division and Glencore Ltd.'s subsidiary, LaGrain International Inc., Baton Rouge, Louisiana; Incomar Texas, Ltd. and its subsidiary, Gulf Rice Arkansas, LLC, Houston, Texas; International Grain Brokerage, LLC, Yuba City, California; JFC International Inc., San Francisco, California (a subsidiary of Kikkoman Corp.); Kitoku America, Inc., Davis, California (a subsidiary of Kitoku Co., Ltd.); Mermentau Rice, Inc., Mermentau, Louisiana; Nishimoto Trading Company, Ltd., Los Angeles, California (a subsidiary of Nishimoto Trading Company, Ltd. (Japan)); PS International, Ltd., Durham, North Carolina; Texana Rice, Inc., Houston, Texas; Wehah Farm, Inc., dba Lundberg Family Farms, Richvale, California;

2. Delete the following companies as "Members" of the Certificate within the meaning of section 325.2(1) of the Regulations (15 CFR 325.2(1)): Broussard Rice Mill, Inc.; Cargill, Inc., for the activities of its division, Cargill Rice Milling; Cargill Rice, Inc.; and Gulf Rice Arkansas, Inc.;

3. Change the listings of the current Members as follows: "AC HUMKO, Corp. for the activities of AC HUMKO Rice Specialties, Brinkley Rice Milling Company, and El Campo Rice Milling Company, Dallas, Texas" should be

amended to read "AC HUMKO Corp., Cordova, Tennessee;" "Busch Agricultural Resources, Inc., St. Louis, Missouri" and "Pacific International Rice Mills, Inc., Woodland, California" should be amended to read "Busch Agricultural Resources, Inc., St. Louis, Missouri, and its subsidiary, Pacific International Rice Mills, Inc., Woodland, California;" "Continental Grain Company, New York, New York" should be amended to read "ContiGroup Companies, Inc., New York, New York;" "Gulf Rice Milling, Inc." and "Gulf Pacific Rice Co., Inc." should be amended to read "Gulf Pacific, Inc., and its subsidiaries, Gulf Pacific Rice Co., Inc., and Gulf Rice Milling, Inc., Houston, Texas;" and "The Connell Company for the activities of Connell Rice & Sugar Co. and Connell International Co." should be amended to read "The Connell Company, Westfield, New Jersey.;" and

4. Amend the portion of its Certificate entitled "Export Markets" to reflect that, because of the dissolution of the Trust Territory of the Pacific Islands and the formation of several independent nations therefrom, export markets that will serve as the basis for distribution of bid proceeds may include the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

Dated: March 20, 2000.

Morton Schnabel,

Director, Office of Export Trading Company Affairs.

[FR Doc. 00-7233 Filed 3-22-00; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

Export Trade Certificate of Review

ACTION: Notice of application.

SUMMARY: The Office of Export Trading Company Affairs ("OETCA"), International Trade Administration, Department of Commerce, has received an application for an Export Trade Certificate of Review. This notice summarizes the conduct for which certification is sought and requests comments relevant to whether the Certificate should be issued.

FOR FURTHER INFORMATION CONTACT: Morton Schnabel, Director, Office of Export Trading Company Affairs, International Trade Administration, (202) 482-5131 (this is not a toll-free number) or E-mail at oetca@ita.doc.gov.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of