

price index published by the Reserve Bank of India. See the Decision Memo at Comment 5.

*Factory Overhead, SG&A and Profit:* We have derived surrogate ratios for factory overhead, SG&A and profit based on financial data for Indian nonferrous metals producers, as published by the CMIE. See the Decision Memo at Comment 9.

*Ocean Freight:* We have used as a surrogate value for ocean freight information obtained from the Federal Maritime Commission on freight rates during the POR. See the Decision Memo at Comment 12.

### Final Results of Review

We determine that the following percentage weighted-average margins exist for the period February 1, 1998, through January 31, 1999:

Exporter	Margin (percent)
CMIECHN/CNIECHN .....	36.49
PRC-wide .....	143.32

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. The Department will issue appraisal instructions directly to the Customs Service.

In order to assess duties on appropriate entries as a result of this review, we have calculated entry-specific duty assessment rates based on the ratio of the amount of duty calculated for each of CMIECHN/CNIECHN's verified sales during the POR to the entered value of the corresponding entry. The Department will instruct the Customs Service to assess these rates on those entries which correspond to sales verified by the Department as having been made directly by CMIECHN/CNIECHN. With respect to Sumitomo Canada, Ltd. (SCL) and London & Scandinavian Metallurgical Co., Ltd. (LSM), third-country resellers which established the identity of their PRC suppliers, the Department will instruct Customs to liquidate these entries at the cash deposit rate in effect for their supplier(s) at the time of entry.

As discussed in the *Preliminary Results*,<sup>2</sup> however, the Customs entry data for the POR indicates that many more shipments of manganese metal listing CMIECHN/CNIECHN as the manufacturer/exporter were entered into the United States than the number of POR sales reported by CMIECHN/CNIECHN. On those entries listing CMIECHN/CNIECHN as the direct

exporter but for which there are no corresponding verified sales or sales by LSM or SCL, the Department will instruct the Customs Service to assess the PRC-wide rate of 143.32 percent. This is consistent with the Department's practice as applied during the previous review.<sup>3</sup> The Department will likewise instruct the Customs Service to assess the PRC-wide rate on all POR entries from China Hunan International Economic Development (Group) Corporation (HIED) and on all entries from other PRC exporters that do not have separate rates.

### Cash Deposit Requirements

The following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of manganese metal from the PRC entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice, as provided by section 751(a)(1) of the Act: (1) The cash deposit rate for CMIECHN/CNIECHN will be the rate shown above; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) for sales made by LSM, SCL and other non-PRC exporters of subject merchandise from the PRC, the cash deposit rates will be those cash deposit rates in effect at the time of entry for their respective PRC supplier(s);<sup>4</sup> and (4) for all other PRC exporters, including HIED, the cash deposit rate will be 143.32 percent. This rate is the "PRC-wide" rate from the less-than-fair-value investigation. 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) 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 a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. 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) and 771(i) of the Act.

Dated: May 3, 2000.

**Troy H. Cribb,**

*Acting Assistant Secretary for Import Administration.*

### Appendix—List of Comments and Issues in the Decision Memorandum

- Comment 1: Application of China-wide Rate
- Comment 2: Normal Value for SCL
- Comment 3: Factual Information Regarding CMIECHN/CNIECHN
- Comment 4: Ore Valuation
- Comment 5: Electricity Valuation
- Comment 6: Liquid Ammonia Valuation
- Comment 7: Selenium Dioxide Valuation
- Comment 8: Positive Mud Valuation
- Comment 9: Factory Overhead, SG&A, and Profit Valuation
- Comment 10: Excluding Labor from Factory Overhead and SG&A Ratios
- Comment 11: Ocean Freight—Use of Reported Costs
- Comment 12: Ocean Freight Valuation

[FR Doc. 00-11736 Filed 5-9-00; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-201-504]

### Porcelain-on-Steel Cookware From Mexico: Final Results of Antidumping Duty Administrative Review

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

**ACTION:** Notice of final results of antidumping duty administrative review.

**SUMMARY:** On November 5, 1999, the Department of Commerce published the preliminary results of the administrative

<sup>3</sup> *Manganese Metal from the People's Republic of China; Final Results of Antidumping Duty Administrative Review*, 64 FR 49449 (September 13, 1999).

<sup>4</sup> See e.g., *Manganese Metal from the People's Republic of China; Final Results of Antidumping Duty Administrative Review*, 64 FR 49447 (September 13, 1999); *Fresh Garlic from the PRC; Final Results of Antidumping Duty Administrative Review and Partial Termination of Administrative Review*, 62 FR 23758, 23760 (May 1, 1997); *Sparklers from the PRC; Final Results of Antidumping Duty Administrative Review*, 61 FR 39630, 39631 (July 30, 1996).

<sup>2</sup> 64 FR at 69001.

review of the antidumping duty order on porcelain-on-steel cookware from Mexico. The review covers two manufacturers/exporters. The period of review is December 1, 1997, through November 30, 1998.

Based on our analysis of the comments received, we have made changes in the margin calculations. Therefore, the final results differ from the preliminary results. The final weighted-average dumping margins for the reviewed firms are listed below in the section entitled "Final Results of Review."

**EFFECTIVE DATE:** May 10, 2000.

**FOR FURTHER INFORMATION CONTACT:** Kate Johnson or Rebecca Trainor, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230; telephone: (202) 482-4929 or (202) 482-4007, respectively.

#### **SUPPLEMENTARY INFORMATION:**

#### **The Applicable Statute**

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).

#### **Background**

The review covers two manufacturers/exporters, Cinsa, S.A. de C.V. (Cinsa) and Esmaltaciones de Norte America, S.A. de C.V. (ENASA). The period of review (POR) is December 1, 1997, through November 30, 1998.

On November 5, 1999, the Department published in the **Federal Register** the preliminary results of the twelfth antidumping duty administrative review of the antidumping duty order on porcelain-on-steel cookware from Mexico (64 FR 60417). On January 14, 2000, respondents submitted a supplemental questionnaire response. On February 3, 2000, the Department published in the **Federal Register** a notice of extension of the time limit for the final results of this review (65 FR 5311). On February 29 and March 1, 2000, the Department conducted a verification on the issue of reimbursement.

We invited parties to comment on the preliminary results of review. A public hearing was held on March 30, 2000. At this hearing the Department gave the petitioner and the respondents an opportunity to comment further on

certain issues. On April 3, 2000, the respondents filed a post-hearing submission. The petitioner declined to file a submission in response to the Department's offer. The Department has conducted this administrative review in accordance with section 751 of the Act.

#### **Scope of Review**

The products covered by this review are porcelain-on-steel cookware, including tea kettles, which do not have self-contained heating elements. All of the foregoing are constructed of steel and are enameled or glazed with vitreous glasses. This merchandise is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheading 7323.94.00. Kitchenware currently classifiable under HTSUS subheading 7323.94.00.30 is not subject to the order. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this proceeding is dispositive.

#### **Verification**

Pursuant to section 782(i) of the Act, we verified the duty reimbursement information provided by Cinsa and ENASA using standard verification procedures, including the examination of relevant sales and financial records, as well as the selection of original documentation containing relevant information. Our verification results are outlined in the public version of the verification report, dated March 15, 2000, and located in the public file in Room B-099 of the Department's main building.

#### **Analysis of Comments Received**

All issues raised in the case and rebuttal briefs by parties to this antidumping duty administrative review are addressed in the "Issues and Decision Memorandum" (Decision Memo) from Richard W. Moreland, Deputy Assistant Secretary for Import Administration, to Troy H. Cribb, Acting Assistant Secretary for Import Administration, dated May 3, 2000, which is hereby adopted by this notice. A list of the 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. 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 the Central Records Unit, room B-099 of the main Department building. In addition, a complete version of the Decision Memo can be accessed directly on the Web at [www.ita.doc.gov/import\\_admin/](http://www.ita.doc.gov/import_admin/)

records/frn. The paper copy and electronic version of the Decision Memo are identical in content.

#### **Duty Reimbursement**

For the reasons outlined in the Decision Memorandum, we have found that Cinsa and ENASA have rebutted the presumption of reimbursement as to twelfth review entries when they become due.

#### **Changes Since the Preliminary Results**

Based on our analysis of comments received, we have made certain changes in the margin calculations. For a discussion of these changes, see the "Margin Calculations" section of the Decision Memo, which is on file in room B-099 at the Department and available on the Web at [www.ita.doc.gov/import\\_admin/records/frn](http://www.ita.doc.gov/import_admin/records/frn).

#### **Final Results of Review**

We determine that the following weighted-average margin percentages exists for the period December 1, 1997, through November 30, 1998:

Manufacturer/exporter	Margin (percent)
Cinsa .....	8.96
ENASA .....	27.37

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b), we have calculated importer-specific assessment rates. We will direct Customs 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 requirements will be effective upon publication of this notice of final results of the administrative review for all shipments of porcelain-on-steel cookware from Mexico entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(1) of the Act: (1) The cash deposit rates for Cinsa and ENASA will be the rates shown above; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate

will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 29.52. This rate is the "All Others" rate from the LTFV investigation.

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) 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 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 751(a)(1) and 777(i) of the Act.

Dated: May 3, 2000.

**Troy H. Cribb,**

*Acting Assistant Secretary for Import Administration.*

#### Appendix—List of Issues

1. Duty Reimbursement
2. Reclassification of All U.S. Sales as Constructed Export Price Sales
3. Indirect Selling Expenses Incurred in Mexico
4. Calculation of Cinsa International Corporation's Indirect Selling Expenses/Bad Debt
5. Calculation of CEP Profit
6. CEP Offset Adjustment
7. Pre-Sale Warehousing Expenses
8. Model Matching Methodology

[FR Doc. 00-11735 Filed 5-9-00; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-122-814]

#### Pure Magnesium From Canada; Preliminary Results of Antidumping Duty Administrative Review and Notice of Intent Not To Revoke Order in Part

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

**ACTION:** Notice of preliminary results of 1998-1999 administrative review and intent not to revoke.

**SUMMARY:** The Department of Commerce is conducting an administrative review of the antidumping duty order on pure magnesium from Canada. The period of review is August 1, 1998 through July 31, 1999. This review covers imports of pure magnesium from one producer/exporter.

We have preliminarily found that sales of subject merchandise have not been made below normal value. We have also preliminarily determined not to revoke the order with respect to pure magnesium from Canada produced by Norsk Hydro Canada, Inc. If these preliminary results are adopted in our final results, we will instruct the Customs Service not to assess antidumping duties.

Interested parties are invited to comment on these preliminary results. We will issue the final results not later than 120 days from the date of publication of this notice.

**EFFECTIVE DATE:** May 10, 2000.

**FOR FURTHER INFORMATION CONTACT:** Zak Smith or Melani Miller, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington D.C. 20230; telephone (202) 482-0189 or (202) 482-0116, respectively.

#### The Applicable Statute and Regulations

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. In addition, unless otherwise indicated, all citations to the Department of Commerce's ("the Department's") regulations refer to 19 CFR Part 351 (1998).

#### Background

The Department published an antidumping duty order on pure magnesium from Canada on August 31, 1992 (57 FR 39390). On August 11,

1999, the Department published a notice of "Opportunity to Request an Administrative Review" of this order (64 FR 43649). On August 13, 1999, Magnesium Corporation of America (the "petitioner") requested an administrative review of imports of the subject merchandise produced by Norsk Hydro Canada, Inc. ("NHCI"). NCHI made a similar request for review on August 18, 1999. We initiated the review on October 1, 1999. This review covers the period August 1, 1998 through July 31, 1999.

The Department is conducting this administrative review in accordance with section 751 of the Act.

#### Scope of Review

The product covered by this review is pure magnesium. Pure unwrought magnesium contains at least 99.8 percent magnesium by weight and is sold in various slab and ingot forms and sizes. Granular and secondary magnesium are excluded from the scope currently classifiable under subheading 8104.11.0000 of the Harmonized Tariff Schedule ("HTS"). The HTS item number is provided for convenience and for customs purposes. The written description remains dispositive.

#### Export Price

For sales to the United States, we used export price ("EP") as defined in section 772(a) of the Act because the merchandise was sold directly to the first unaffiliated purchaser in the United States prior to importation. The use of constructed export prices was not warranted based on the facts of the record. EP was based on the packed, delivered, duties unpaid price to unaffiliated purchasers in the United States. We made a deduction for movement expenses in accordance with section 772(c)(2)(A) of the Act; this included the foreign and U.S. inland freight expenses.

#### Normal Value

We compared the aggregate quantity of home market and U.S. sales and determined that the quantity of the company's sales in its home market was more than five percent of the quantity of its sales to the U.S. market. Consequently, pursuant to section 773(a)(1) of the Act, we based normal value ("NV") on home market sales.

We made adjustments for differences in packing in accordance with sections 773(a)(6)(A) and 773(a)(6)(B)(i) of the Act. We also made adjustments for movement expenses, consistent with section 773(a)(6)(B)(ii) of the Act, for inland freight. In addition, we made adjustments for differences in