

foreign brokerage and handling expenses reported in the U.S. sales listing of the public questionnaire response submitted in the antidumping investigation of Essar Steel Ltd. in *Hot-Rolled from India*. Charges were reported on a per metric ton basis. We adjusted these values to reflect inflation to the POR using the WPI for India from the IFS. See *Factor Values Memo*.

To value marine insurance, we used marine insurance data collected in the tenth administrative review of tapered roller bearings and parts thereof, finished and unfinished, from the People's Republic of China. See *Memorandum to the File: Marine Insurance Rates* (June 30, 1998) included in the *Factor Values Memo*, and Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China; Final Results of the 1996–1997 Administrative Review and New Shipper Review and Determination Not To Revoke Order in Part, 63 FR 63842 (November 17, 1998). We adjusted this value for inflation during the POR using the U.S. dollar PPI data published by the IMF.

TTPC obtained its international freight service from a market economy carrier. Therefore, we are using the amount reported by TTPC, which it incurred in U.S. dollars.

#### Currency Conversion

We made currency conversions pursuant to section 351.415 of the Department's regulations at the rates certified by the Federal Reserve Bank.

#### Preliminary Results of Review

We preliminarily determine that the following dumping margin exists:

Manufacturer/Exporter	Time period	Margin
Baoding Mancheng Eastern Chemical Plant/Tianjin Tiancheng Pharmaceutical Co. Ltd.	3/1/01–2/28/02	43.44%

#### Cash-Deposit Requirements

If these preliminary results are not modified in the final results of this review, a cash deposit rate of 43.44 percent will be effective upon publication of the final results of this new shipper review for all shipments of glycine from the PRC produced by Eastern Chemical and exported by TTPC and entered, or withdrawn from warehouse, for consumption on or after

publication date, as provided for by section 751(a)(2)(c) of the Act. For glycine exported by TTPC but not produced by Eastern Chemical, we will apply as the cash deposit rate the PRC-wide rate, which is currently 155.89 percent.

#### Assessment Rates

Upon completion of this new shipper review, the Department shall determine, and the U.S. Customs Service shall assess, antidumping duties on all appropriate entries. The Department will issue appraisal instructions directly to the U.S. Customs Service within 15 days of the completion of this review. For assessment purposes, we calculated importer-specific assessment rates for glycine from the PRC. Upon the completion of this review, we will direct Customs to assess the resulting *ad valorem* rates on each entry of the subject merchandise by the importer during the POR. For glycine exported by TTPC but not produced by Eastern Chemical, we will assess antidumping duties at the PRC-wide rate.

#### Schedule for Final Results of Review

Pursuant to 19 CFR 351.224(b), the Department will disclose to parties to the proceeding any calculations performed in connection with these preliminary results within five days after the date of publication of this notice. Pursuant to 19 CFR 351.309, interested parties may submit written comments in response to these preliminary results. Normally, case briefs are to be submitted within 30 days after the date of publication of this notice, and rebuttal briefs, limited to arguments raised in case briefs, are to be submitted no later than five days after the time limit for filing case briefs. Parties who submit arguments in this proceeding are requested to submit with the argument: (1) A statement of the issues, and (2) a brief summary of the argument. Case and rebuttal briefs must be served on interested parties in accordance with 19 CFR 351.303(f) of the Department's regulations.

Also, pursuant to 19 CFR 351.310, within 30 days of the date of publication of this notice, interested parties may request a public hearing on arguments to be raised in the case and rebuttal briefs. Unless the Secretary specifies otherwise, the hearing, if requested, will be held two days after the date for submission of rebuttal briefs. Parties will be notified of the time and location. The Department will issue the final results of this new shipper review, which will include the results of its analysis of issues raised in the briefs, within 90 days from the date of the

preliminary results, unless the time limit is extended.

#### Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 351.402(f) of the Department's regulations to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during these review periods. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This new shipper review and this notice are published in accordance with sections 751(a)(2)(B) and 777 (i)(1) of the Act.

Dated: March 11, 2003.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 03–6733 Filed 3–19–03; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–475–703]

#### Granular Polytetrafluoroethylene Resin from Italy; Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review

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

**ACTION:** Notice of Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review.

**SUMMARY:** In response to a request from Solvay Solexis SpA and Solvay Solexis, Inc., the Department of Commerce is initiating a changed circumstances review of the antidumping duty order on granular polytetrafluoroethylene resin from Italy (PTFE) (*see Antidumping Duty Order; Granular Polytetrafluoroethylene Resin from Italy*, 53 FR 33163 (August 30, 1988)) and issuing this notice of preliminary results. We have preliminarily determined that Solvay Solexis is the successor-in-interest to Ausimont SpA.  
**EFFECTIVE DATE:** March 20, 2003.

**FOR FURTHER INFORMATION CONTACT:** Vicki Schepker, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482–1756.

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

On January 27, 2003, Solvay Solexis SpA and Solvay Solexis, Inc. (collectively, Solvay Solexis) requested that the Department of Commerce (the Department) initiate and conduct an expedited changed circumstances review, in accordance with section 351.216 and 351.221(c)(3)(ii) (2003) of the Department's regulations, to confirm that Solvay Solexis is the successor-in-interest to Ausimont SpA and Ausimont USA, Inc. (collectively, Ausimont). In its request, Solvay Solexis stated that Solvay S.A. acquired the assets of Ausimont from its parent company, Montedison, on May 7, 2002. Furthermore, Solvay Solexis requested that Ausimont's cash deposit rate be applied to Solvay Solexis retroactive to January 1, 2003, the effective date of Ausimont's name change. Solvay Solexis also requested that the Department conduct an expedited changed circumstances review pursuant to section 351.221(c)(3)(ii).

On February 10, 2003, Solvay Solexis, formerly Ausimont, submitted additional information and documentation regarding its purchase by the Solvay Group, an international chemical and pharmaceutical company, and Ausimont's subsequent name change to Solvay Solexis. On February 11, 2003, the petitioner, E.I. DuPont de Nemours & Company, opposed Solvay Solexis' requests for an expedited changed circumstances review and for a retroactive assignment of a company-specific cash deposit rate.

**Scope of the Review**

The product covered by this review is granular PTFE resin, filled or unfilled. This order also covers PTFE wet raw polymer exported from Italy to the United States. See *Final Affirmative Determination; Granular Polytetrafluoroethylene Resin from Italy*, 58 FR 26100 (April 30, 1993). This order excludes PTFE dispersions in water and fine powders. Such merchandise is classified under item number 3904.61.00 of the Harmonized Tariff Schedule of the United States (HTSUS). We are providing this HTSUS number for convenience and customs purposes only. The written description of the scope remains dispositive.

**Initiation and Preliminary Results of Changed Circumstances Review**

Pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (the Act), the Department will conduct a changed circumstances review upon receipt of information concerning, or a request

from an interested party for a review of, an antidumping duty order which shows changed circumstances sufficient to warrant a review of the order. As indicated in the Background section, we have received information indicating that Ausimont has been acquired by the Solvay Group. This constitutes changed circumstances warranting a review of the order. Therefore, in accordance with section 751(b)(1) of the Act, we are initiating a changed circumstances review based upon the information contained in Solvay Solexis' submissions.

Section 351.221(c)(3)(ii) of the regulations permits the Department to combine the notice of initiation of a changed circumstances review and the notice of preliminary results in a single notice if the Department concludes that expedited action is warranted. In this instance, because we have the information necessary to make a preliminary finding already on the record, we find that expedited action is warranted and have combined the notice of initiation and the notice of preliminary results.

In making successor-in-interest determinations, the Department examines several factors including, but not limited to, changes in: (1) management; (2) production facilities; (3) supplier relationships; and (4) customer base. See, e.g., *Polychloroprene Rubber from Japan: Final Results of Changed Circumstances Review*, 67 FR 58 (January 2, 2002) citing, *Brass Sheet and Strip from Canada: Notice of Final Results of Antidumping Duty Administrative Review*, 57 FR 20460 (May 13, 1992). While no single factor, or combination of factors, will necessarily prove dispositive, the Department will generally consider the new company to be the successor to its predecessor company if the resulting operations are essentially the same as the predecessor company. *Id.* citing, *Industrial Phosphoric Acid from Israel: Final Results of Changed Circumstances Review*, 59 FR 6944, 6945 (February 14, 1994). Thus, if the evidence demonstrates that, with respect to the production and sale of the subject merchandise, the new company operates as the same business entity as its predecessor, the Department will assign the new company the cash-deposit rate of its predecessor.

In its January 23, 2003, submission Solvay Solexis stated that, prior to its acquisition of Ausimont, neither the Solvay Group, nor any affiliated party of the Group, manufactured or exported subject merchandise. The Solvay Group merged its fluoropolymers business

with that of Ausimont's and Ausimont changed its name to Solvay Solexis effective January 1, 2003. Furthermore, in both its January 23 and February 10, 2003, submissions, Solvay Solexis stated that the change in ownership has not significantly changed the companies' personnel, operations, supplier/customer relationships, or facilities. To support its claims, Solvay Solexis provided press releases discussing Solvay Group's purchase of Ausimont, investor presentations, an application for amended certificate of authority, an amended certificate of incorporation, shareholder meeting minutes, management charts, a letter to customers, and product labels.

In its February 11, 2003, submission the petitioner contended that Solvay Solexis did not provide adequate legal documentation regarding the acquisition or support for its claim that management had not changed substantially as a result of the purchase of Ausimont by the Solvay Group. Furthermore, the petitioner argued that the Department should require Solvay Solexis to submit additional information before the Department made a preliminary finding in this review. Finally, the petitioner argued that the applicable cash deposit rate should not apply to Solvay Solexis retroactively.

Based on the information submitted by Solvay Solexis, we preliminarily find that Solvay Solexis is the successor-in-interest to Ausimont. We find that the company's senior management, production facilities, supplier relationships, and customers have not changed significantly. Furthermore, Solvay Solexis provided management charts in its February 10, 2003, submission that addressed the petitioner's concerns and demonstrated management did not change significantly as a result of the Solvay Group's purchase of Ausimont. Based on all the evidence reviewed, we find that Solvay Solexis operates as the same business entity as Ausimont. Thus, we preliminarily find that Solvay Solexis should receive the same antidumping duty cash-deposit rate (*i.e.*, 12.08 percent) with respect to the subject merchandise as Ausimont, its predecessor company.

However, because cash deposits are only estimates of the amount of antidumping duties that will be due, changes in cash deposit rates are not made retroactive. If Solvay Solexis believes that the deposits paid exceed the actual amount of dumping, it is entitled to request an administrative review during the anniversary month of the publication of the order of those entries to determine the proper

assessment rate and receive a refund of any excess deposits. *See Certain Hot-Rolled Lead and Bismuth Carbon Steel Products From the United Kingdom: Final Results of Changed-Circumstances Antidumping and Countervailing Duty Administrative Reviews*, 64 FR 66880 (November 30, 1999). As a result, if these preliminary results are adopted in our final results of this changed circumstances review, we will instruct the Customs Service to suspend shipments of subject merchandise made by Solvay Solexis at Ausimont's cash deposit rate (*i.e.*, 12.08 percent). Until that time, the cash deposit rate assigned to Solvay Solexis' entries is the rate in effect at the time of entry (*i.e.*, the "all others" rate).

#### Public Comment

Any interested party may request a hearing within 30 days of publication of this notice. *See* 19 CFR 351.310(c). Any hearing, if requested, will be held 44 days after the date of publication of this notice, or the first working day thereafter. Interested parties may submit case briefs and/or written comments not later than 30 days after the date of publication of this notice. Rebuttal briefs and rebuttals to written comments, which must be limited to issues raised in such briefs or comments, may be filed not later than 37 days after the date of publication of this notice. Parties who submit arguments are requested to submit with the argument (1) a statement of the issue, (2) a brief summary of the argument, and (3) a table of authorities.

Consistent with section 351.216(e) of the Department's regulations, we will issue the final results of this changed circumstances review no later than 270 days after the date on which this review was initiated, or within 45 days if all parties agree to our preliminary finding.

We are issuing and publishing this finding and notice in accordance with sections 751(b)(1) and 777(i)(1) of the Act and section 351.216 of the Department's regulations.

March 13, 2003.

#### Joseph Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 03-6732 Filed 3-19-03; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-879]

#### Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination: Polyvinyl Alcohol From the People's Republic of China

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

**ACTION:** Notice of preliminary determination of sales at less than fair value.

**SUMMARY:** We preliminarily determine that polyvinyl alcohol from the People's Republic of China is being, or is likely to be, sold in the United States at less than fair value, as provided in section 733(b) of the Tariff Act of 1930, as amended.

Interested parties are invited to comment on this preliminary determination. We will make our final determination not later than 135 days after the date of publication of this preliminary determination.

**EFFECTIVE DATE:** March 20, 2003.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Eastwood or Alice Gibbons, Office of AD/CVD Enforcement, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-3874 or (202) 482-0498, respectively.

#### Preliminary Determination

We preliminarily determine that polyvinyl alcohol (PVA) from the People's Republic of China (PRC) is being sold, or is likely to be sold, in the United States at less than fair value (LTFV), as provided in section 733 of the Tariff Act of 1930, as amended (the Act). The estimated margins of sales at LTFV are shown in the "Suspension of Liquidation" section of this notice.

#### Case History

Since the initiation of this investigation (*Initiation of Antidumping Duty Investigations: Polyvinyl Alcohol from Germany, Japan, the People's Republic of China, the Republic of Korea, and Singapore*, 67 FR 61591 (Oct. 1, 2002)) (*Initiation Notice*), the following events have occurred:

On October 21, 2002, the United States International Trade Commission (ITC) preliminarily determined that there is reasonable indication that imports of PVA from the PRC are materially injuring the United States

industry. *See* ITC Investigation Nos. 731-TA-1014-1018 (Publication No. 3553 *Polyvinyl Alcohol from Germany, Japan, the People's Republic of China, the Republic of Korea, and Singapore*, 67 FR 65597 (Oct. 25, 2002)).

Also on October 21, 2002, we issued an antidumping questionnaire to the Chinese Ministry of Foreign Trade and Economic Cooperation (MOFTEC) with a letter requesting that it forward the questionnaire to Chinese producers/exporters accounting for all known exports of subject merchandise from the PRC during the period of investigation (POI). The Department also sent courtesy copies of the antidumping questionnaire to the China Chamber of Commerce of Metals, Minerals, and Chemicals Importers and Exporters, to all companies identified in U.S. customs data as exporters of the subject merchandise during the POI with shipments in commercial quantities, and any additional companies identified in the petition as exporters of PVA. These companies included: B.V. Rebes, Chang Chun Plastics Co., Ltd. (Chang Chun),<sup>1</sup> Sichuan Mianyang International Trade Co., Ltd., Sinopec Maoming Refining & Chemical Co., Ltd., Sinopec Sichuan Vinylon Works (SVW), and Sichuan Weinilun Chang. For further discussion, see the November 7, 2002, memorandum from Alice Gibbons to the File entitled "Antidumping Duty Investigation of Polyvinyl Alcohol from the People's Republic of China—Selection of Respondents." The letters sent to MOFTEC and individual exporters provided deadlines for responses to the different sections of the questionnaire.

On October 28, 2002, B.V. Rebes informed us that it is merely a provider of logistics services and, therefore, it did not intend to respond to the Department's questionnaire in this investigation. For further discussion, see the October 28, 2002, memorandum from Elizabeth Eastwood to the File entitled "Response from B.V. Rebes to the Questionnaire in the Antidumping Duty Investigation of Polyvinyl Alcohol from the People's Republic of China." On November 4, 2002, Chang Chun informed us that its records did not reflect any exports of PRC-produced PVA to the United States during the POI. Chang Chun also requested additional U.S. customs information in order to ascertain the reason that it appeared as an exporter. See the February 19, 2003, memorandum from Alice Gibbons to the File entitled "Placing Information on the Record in

<sup>1</sup> Both B.V. Rebes and Chang Chun appeared to be third country resellers.