

to be not massive over a relatively short period from Viet Hai and Mekonimex.

Given the analysis summarized above, and described in more detail in the *Voluntary Critical Circumstances Memo*, we preliminarily determine that critical circumstances exist for imports of certain frozen fish fillets from QVD, Da Nang, Afiex, and Cafatex.

In accordance with section 733(e)(2) of the Act, the Department will direct the U.S. Customs Service (as of March 1, 2003, renamed the U.S. Bureau of Customs and Border Protection) ("Customs") to suspend liquidation of all entries of certain frozen fish fillets from QVD, Da Nang, Afiex, and Cafatex that are entered, or withdrawn from warehouse, for consumption on or after November 2, 2002. Customs shall require a cash deposit or posting of a bond equal to the estimated preliminary dumping margins reflected in the amended preliminary determinations published in the **Federal Register**. The suspension of liquidation will remain in effect until further notice.

We will make a final determination concerning critical circumstances for all producers and exporters of the subject merchandise from Vietnam when we make our final dumping determinations in this investigation, which will be 135 days after publication of the preliminary dumping determination.

This notice is published pursuant to section 777(i) of the Act.

Dated: May 19, 2003.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-501]

Notice of Final Results of Administrative Review: Natural Bristle Paintbrushes and Brush Heads From the People's Republic of China

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

SUMMARY: On March 7, 2003, the Department published the preliminary results of review of the antidumping duty order on natural bristle paintbrushes and brush heads from the People's Republic of China (68 FR 11041). The review covers one manufacturer, Hunan Provincial Produce & Animal By-Products Import & Export Corporation (Hunan), and

exports of the subject merchandise to the United States during the period February 1, 2001 through January 31, 2002.

We gave interested parties an opportunity to comment on the preliminary results of review. We received no comments from any of the parties.

EFFECTIVE DATE: May 28, 2003.

FOR FURTHER INFORMATION CONTACT: Douglas Kirby or Sean Carey, AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington DC 20230; telephone: (202) 482-3782 or (202) 482-3964, respectively.

SUPPLEMENTARY INFORMATION:

Background

On February 1, 2002, the Department published a notice of opportunity to request an administrative review of the antidumping duty order on natural paintbrushes from the People's Republic of China (PRC) (67 FR 4945). On February 28, 2002, the Department received a timely request from the Paint Applicator Division of the American Brush Manufacturers Association, the petitioner, for administrative reviews of Hunan and Hebei Founder Import and Export Company (Hebei). On March 27, 2002, the Department initiated an administrative review of the antidumping duty order on natural paintbrushes, for the period from February 1, 2001 through January 31, 2002, in order to determine whether merchandise imported into the United States is being sold at less than fair value with respect to these two companies. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocations in Part*, 67 FR 14696 (March 27, 2002).

On May 1, 2002, the Department issued antidumping questionnaires to Hunan and Hebei. In its reply to Section A of the questionnaire, Hebei stated that it had made no sales or shipments of subject merchandise to the United States during the POR. The Department also performed a U.S. Customs Service (Customs) data query for entries of paintbrushes from the PRC during the POR. We found no entries or shipments from Hebei during the POR. Thus, the Department rescinded the review with respect to Hebei. *See Natural Bristle Paintbrushes From the People's Republic of China; Notice of Rescission, In Part, of Antidumping Administrative Review*, 67 FR 58018 (September 13, 2002). On November 1, 2002, the

Department extended the deadline for the preliminary results of review of Hunan until January 23, 2003 (67 FR 66614). This deadline was then fully extended, in accordance with section 751(a)(3)(A) of the Tariff Act of 1930 ("the Act") by another 36 days (68 FR 4761). On March 7, 2003, the Department published the preliminary results of review (68 FR 11041). The Department has now completed this review in accordance with section 751 of the Act.

Scope of the Antidumping Duty Order

The products covered by the order are natural paintbrushes from the PRC. Excluded from the order are paintbrushes and brush heads with a blend of 40 percent natural bristles and 60 percent synthetic filaments. The merchandise under review is currently classifiable under item 9603.40.40.40 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, the Department's written description of the merchandise is dispositive.

Final Results of Review

We gave interested parties an opportunity to comment on the preliminary results. The Department received no comments. Accordingly, we continued to find that a margin of 0.00 percent exists for Hunan for the period February 1, 2001 through January 31, 2002. The Department will issue assessment instructions directly to the U.S. Bureau of Customs and Border Protection ("Customs").

Duty Assessment and Cash Deposit Requirement

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. The Department will issue appropriate assessment instructions directly to Customs within 15 days of publication of the final results of review. Furthermore, the following deposit rates will be effective with respect to all shipments of paintbrushes from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this review, as provided for by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for the reviewed company will be the rate indicated above; (2) for companies previously found to be eligible for a separate rate and for which no review was requested, the cash deposit rate will be the rate established in the most recent review of that company; (3) for all other PRC exporters of subject merchandise, the cash deposit

rate will be the PRC-wide rate of 351.92 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 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.

Notification of Interested Parties

This notice serves as a final reminder to importers of their responsibility under section 351.402(f)(2) of the Department's regulations 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 double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with section 351.305(a)(3) of the Department's regulations. 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 the terms of an APO is a sanctionable violation.

This administrative review and notice are in accordance with sections 751(a)(3)(A) and 777(i)(1) of the Act.

Dated: May 19, 2003.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-825]

Sebacic Acid From the People's Republic of China: Notice of Final Results of Changed Circumstances Review and Intent Not To Revoke the Antidumping Duty Order

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

ACTION: Notice of final results of changed circumstances antidumping

duty administrative review and intent not to revoke antidumping duty order.

SUMMARY: On March 27, 2003, the Department published a notice of preliminary results of changed circumstances review and preliminarily found that there was no reasonable basis to determine that changed circumstances sufficient to warrant revocation exist. In our preliminary results, we gave interested parties an opportunity to comment. See 68 FR 14945 (March 27, 2003). On April 25, 2003, the sole domestic producer of sebacic acid, SST Materials, Inc., doing business as Genesis Chemicals, Inc. (Genesis), submitted a letter in support of the Department's preliminary results. We received no other comments. Therefore, the final results do not differ from the preliminary results, and we find that changed circumstances do not exist to warrant revocation of the order. **EFFECTIVE DATE:** May 28, 2003.

FOR FURTHER INFORMATION CONTACT:

Mike Strollo or Gregory E. Kalbaugh at (202) 482-0629 or (202) 482-3693, respectively, 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.

SUPPLEMENTARY INFORMATION:

Background

On March 27, 2003, the Department published in the **Federal Register** a notice of preliminary results of changed circumstances review and preliminary intent not to revoke the antidumping duty order for sebacic acid from the People's Republic of China (PRC). See 68 FR 14945. On April 25, 2003, Genesis submitted comments on the Department's preliminary results. Genesis reiterated that it was the sole domestic producer of sebacic acid, produces commercial quantities of sebacic acid in the United States, and noted that since filing both its questionnaire response and additional comments in February 2003, it has increased its production staff and invested additional capital to increase domestic sebacic acid production capacity. We received no other comments from interested parties on the Department's preliminary results.

Scope of the Review

The products covered by this review are all grades of sebacic acid, a dicarboxylic acid with the formula (CH₂)₈(COOH)₂, which include but are not limited to CP Grade (500ppm maximum ash, 25 maximum APHA color), Purified Grade (1000ppm

maximum ash, 50 maximum APHA color), and Nylon Grade (500ppm maximum ash, 70 maximum ICV color). The principal difference between the grades is the quantity of ash and color. Sebacic acid contains a minimum of 85 percent dibasic acids of which the predominant species is the C₁₀ dibasic acid. Sebacic acid is sold generally as a free-flowing powder/flake.

Sebacic acid has numerous industrial uses, including the production of nylon 6/10 (a polymer used for paintbrush and toothbrush bristles and paper machine felts), plasticizers, esters, automotive coolants, polyamides, polyester castings and films, inks and adhesives, lubricants, and polyurethane castings and coatings.

Sebacic acid is currently classifiable under subheading 2917.13.00.30 of the *Harmonized Tariff Schedule of the United States (HTSUS)*. Although the HTSUS subheading is provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive.

Final Results of Changed Circumstances Review

Pursuant to §751(d) of the Tariff Act of 1930 (the Act), the Department may revoke an antidumping duty order based on a review under §751(b) of the Act. 19 CFR 351.222(g)(1)(i) provides that the Department may revoke an order, in whole or in part, based on changed circumstances if "(p)roducers accounting for substantially all of the production of the domestic like product to which the order (or the part of the order to be revoked) * * * have expressed a lack of interest in the order, in whole or in part * * *" See also §782(h)(2) of the Act. Based on the fact that Genesis objects to the revocation of the antidumping duty order, and has indicated that it comprises the universe of domestic sebacic acid producers, we have determined that there are no grounds for concluding that substantially all of the domestic producers of like product have expressed a lack of interest in maintaining the order.¹ As a result, we determine that changed circumstances sufficient to warrant revocation of the antidumping duty order on sebacic acid from the PRC do not exist. Therefore,

¹ An article from the trade journal "Chemical Market Reporter," dated January 20, 2003, was placed on the record which indicated that: (1) Arizona Chemical Corporation and CasChem, Inc. had been the only domestic producers of sebacic acid but both ceased domestic production of sebacic acid in December 2002; (2) Genesis began producing sebacic acid in December 2002; and (3) Genesis, as of January 2003, was the sole domestic producer of sebacic acid.