

calculation of the per-unit cash-deposit rate, and (4) the Department made a ministerial error when it determined the duty-assessment rate by combining the antidumping duties due for sales by CEMEX and GCCC into one weighted-average rate. The petitioner alleged that the Department inadvertently subtracted GCCC's terminal-specific general and administrative expenses from the calculation of U.S. indirect selling expenses. On September 24, 2003, the petitioner and GCCC submitted rebuttal comments in reply to the ministerial-error allegations.

We have reviewed the calculations in the *Final Results* and find that there are two errors that constitute ministerial errors within the meaning of 19 CFR 351.224(f). We found several of CEMEX's and GCCC's allegations to involve methodological issues rather than ministerial errors and therefore we have not adjusted CEMEX's/GCCC's final antidumping duty margin based on those allegations. For a detailed analysis of the ministerial-error allegations and the Department's position on each, see Memorandum to Jeffrey May, Deputy Assistant Secretary for Import Administration, from Laurie Parkhill, Office Director, Group 1, Office 3, dated October 14, 2003.

Pursuant to section 751(h) of the Tariff Act of 1930, as amended (the Act), we have amended the *Final Results* by correcting the following errors: (1) the calculation of the per-unit cash-deposit amount and (2) the inclusion of GCCC's terminal-specific indirect selling expense in the calculation of U.S. indirect selling expenses. Correction of these errors changes the final antidumping duty margin from 79.81 percent to 80.75 percent and the per-unit cash-deposit amount from U.S. \$61.60 per metric ton to U.S. \$52.42 per metric ton. Consequently, we will issue amended cash-deposit instructions to the U.S. Customs and Border Protection (Customs) to reflect the amendment of the final results of review.

Assessment Rates

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. As amended by this determination and in accordance with 19 CFR 351.212(b), we have calculated an exporter/importer-specific assessment rate. For the sales in the United States through the respondents' affiliated U.S. parties, we divided the total dumping margin for the reviewed sales by the total entered value of those reviewed sales. We will direct Customs to assess the resulting percentage margin against the entered customs values for the subject

merchandise on each of the entries during the review period (see 19 CFR 351.212(a)).

We are issuing and publishing this determination and notice in accordance with sections 751(h) and 777(i)(1) of the Act.

Dated: October 15, 2003.

James J. Jochum,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-834-807]

Silicomanganese from Kazakhstan: Rescission of Antidumping Duty Administrative Review

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

ACTION: Notice of Rescission of the Antidumping Duty Administrative Review.

SUMMARY: On July 1, 2003, in response to a request made by Consider, an importer of the subject merchandise, the Department of Commerce ("Department") published a notice of initiation of an antidumping duty administrative review of silicomanganese from Kazakhstan, for the period of review ("POR") November 9, 2001 through April 30, 2003. Because Consider has withdrawn its request for review, and there were no other requests for review for this time period, the Department is rescinding this review in accordance with 19 CFR 351.213(d)(1).

EFFECTIVE DATE: October 21, 2003.

FOR FURTHER INFORMATION CONTACT: James C. Doyle, Enforcement Group III, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, N.W., Washington, D.C. 20230; telephone: 202-482-0159.

SUPPLEMENTARY INFORMATION:

Background

On February 28, 2003, Consider, an exporter of the subject merchandise, requested that the Department conduct an administrative review of its sales for the period November 9, 2001 through April 30, 2003. Consider was the only interested party to request a review for this time period. On July 1, 2003, the Department published a notice of initiation of the antidumping

administrative review of silicomanganese from Kazakhstan, in accordance with 19 CFR 351.221(c)(1)(i). See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocations in Part*, 68 FR 39055 (July 1, 2003). On July 17, 2003, the Department amended the initiation notice. See *Notice of Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part; Correction*, 68 FR 42373 (July 17, 2003). On September 29, 2003, Consider withdrew its request for review.

Rescission of Review

Pursuant to the Department's regulations, the Department will rescind an administrative review "if a party that requested the review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review." See 19 CFR 351.213(d)(1). Consider, the only interested party to request an administrative review for this time period, withdrew its request for this review within the 90-day time limit; accordingly, we are rescinding the administrative review for the period November 9, 2001 through April 30, 2003, and will issue appropriate assessment instructions to the U.S. Bureau of Customs and Border Protection.

This notice 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 19 CFR 351.305(a)(3). Timely written notification of the return or 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 sanctionable violation. This determination is issued in accordance with 19 CFR 351.213(d)(4) and section 777(i)(1) of the Tariff Act of 1930, as amended.

Dated: October 14, 2003.

James J. Jochum,

Assistant Secretary for Import Administration.

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