

statements indicate that it meets the definition of a "sick" company under the Sick Industrial Companies Act of India. It is the Department's policy to not use the financial statements of a "sick" company for calculating any of the surrogate financial ratios. See *Notice of Final Determination of Sales at Less Than Fair Value and Negative Final Determination of Critical Circumstances: Certain Color Television Receivers From the People's Republic of China*, 69 FR 20594 (April 16, 2004). Therefore, we are not using Hindustan's financial statements in our calculations. With respect to Gujarat, we find that production of the comparable merchandise, hydrogen peroxide, comprises only 1.3 percent by volume of the company's total production. The Department has not had sufficient time to determine whether the balance of Gujarat's production is of merchandise that would also be considered comparable to persulfates. For these preliminary results, therefore, we have not used Gujarat's financial statements in our calculation of surrogate financial ratios for the respondent.

For packing materials, we used the per-kilogram values obtained from the MSFTI and made adjustments to account for freight costs incurred between the suppliers and the factory.

To value foreign brokerage and handling, we used an average of the brokerage and handling data reported in Essar Steel's February 28, 2005, public version response submitted in the 2003-2004 antidumping duty administrative review of Hot-Rolled Carbon Steel Flat Products from India and Pidilite Industries' March 9, 2004, public version response submitted in the antidumping duty investigation of Carbazole Violet Pigment 23 from India. To value truck freight, we used the freight rates published by Indian Freight Exchange available at <http://www.infreight.com>. To value marine insurance, we used a price quote obtained from RJG Consultants and available at <http://www.rjgconstultants.com>.

Where necessary, we adjusted the surrogate values to reflect inflation/deflation using the Indian Wholesale Price Index (WPI) as published on the Reserve Bank of India (RBI) website, available at <http://www.rbi.org.in>. See FOP Memo.

#### Preliminary Results of Review

We preliminarily determine that the following dumping margin exists:

Manufacturer/exporter	Margin (percent)
Degussa-AJ (Shanghai) Initiators Co., Ltd./Shanghai AJ Import and Export Corporation .....	28.91

We will disclose the calculations used in our analysis to parties to this proceeding within five days of the publication date of this notice. See 19 CFR § 351.224(b). Interested parties are invited to comment on the preliminary results. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than 37 days after the date of publication of this notice. Parties who submit arguments are requested to submit with each argument a statement of the issue, a brief summary of the argument, and a table of authorities. Further, we would appreciate it if parties submitting written comments provided an additional copy of the public version of any such comments on a diskette. Any interested party may request a hearing within 30 days of publication of this notice. See 19 CFR 351.310(c). If requested, a hearing will be held 44 days after the publication of this notice or the first workday thereafter. The Department will publish a notice of the final results of this administrative review, which will include the results of its analysis of issues raised in any written comments or hearing, within 120 days from publication of this notice.

#### Assessment

Pursuant to 19 CFR 351.212(b), the Department calculated an assessment rate for each importer of subject merchandise. Within 15 days of the completion of this review, the Department will instruct CBP to assess antidumping duties on all appropriate entries of subject merchandise. We have calculated each importer's duty-assessment rate based on the ratio of the total amount of antidumping duties calculated for the examined sales to the total quantity of sales examined. Where the assessment rate is above *de minimis*, the importer-specific rate will be assessed uniformly on all entries made during the POR.

#### Cash Deposit Requirements

The following cash deposit rates will be effective upon publication of the final results for all shipments of persulfates from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(1) of the Act: (1) for Shanghai AJ,

which has a separate rate, the cash deposit rate will be the company-specific rate established in the final results of the review; (2) the cash deposit rates for any other companies that have separate rates established in the investigation or a previous administrative review of this case, but were not reviewed in this proceeding, will not change; (3) for all other PRC exporters, the cash deposit rate will be the PRC rate, 119.02 percent, the PRC-wide rate established in the less than fair value investigation; and (4) for non-PRC exporters of subject merchandise from the PRC, the cash deposit rate will be the rate applicable to the PRC supplier of that exporter. These deposit rates, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a preliminary 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 double antidumping duties.

This determination is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: August 1, 2005.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

A-475-829

#### Stainless Steel Bar from Italy: Final Results of Antidumping Duty Administrative Review and Rescission of Review

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

**SUMMARY:** On April 7, 2005, the Department of Commerce published the preliminary results of the second administrative review of the antidumping duty order on stainless steel bar from Italy. The period of review is March 1, 2003, through February 29, 2004. This review covers imports of stainless steel bar to the

United States from one producer/exporter. Based on our analysis of the comments received, we conclude that the final results do not differ from the preliminary results of review, in which we found that the respondent in this review did not make shipments of subject merchandise to the United States during the period of review. Therefore, we are rescinding the administrative review. In addition, we continue to find that UGITECH S.A. is the successor-in-interest to Ugine-Savoie Imphy S.A. for purposes of determining antidumping duty liability.

**EFFECTIVE DATE:** August 10, 2005.

**FOR FURTHER INFORMATION CONTACT:** Scott Holland, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC 20230; telephone (202) 482-1279.

**SUPPLEMENTARY INFORMATION:**

**Background**

Since the publication of the preliminary results of this review (see *Stainless Steel Bar from Italy: Preliminary Results of Antidumping Duty Administrative Review and Preliminary Rescission of Review*, 70 FR 17656 (April 7, 2005) (“*Preliminary Results*”)), the following events have occurred:

We invited interested parties to comment on the preliminary results of this review. On May 9, 2005, we received a case brief from the Carpenter Technology Corp., Crucible Specialty Metals, Electralloy Corp., Empire Specialty Steel, Inc., Slater Steels Corp., and the United Steelworkers of America, AFL-CIO/CLC (collectively, “the petitioners”). On May 20, 2005, we received a rebuttal brief from UGITECH S.A. (“UGITECH”) (formerly known as Ugine Savoie-Imphy S.A.), an Italian exporter/producer of the subject merchandise. At the request of the petitioners, the Department held a public hearing on May 31, 2005.

**Scope of the Order**

For purposes of this order, the term “stainless steel bar” includes articles of stainless steel in straight lengths that have been either hot-rolled, forged, turned, cold-drawn, cold-rolled or otherwise cold-finished, or ground, having a uniform solid cross section along their whole length in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles, hexagons, octagons, or other convex polygons. Stainless steel bar includes cold-finished stainless steel bars that

are turned or ground in straight lengths, whether produced from hot-rolled bar or from straightened and cut rod or wire, and reinforcing bars that have indentations, ribs, grooves, or other deformations produced during the rolling process.

Except as specified above, the term does not include stainless steel semi-finished products, cut length flat-rolled products (*i.e.*, cut length rolled products which if less than 4.75 mm in thickness have a width measuring at least 10 times the thickness, or if 4.75 mm or more in thickness having a width which exceeds 150 mm and measures at least twice the thickness), products that have been cut from stainless steel sheet, strip or plate, wire (*i.e.*, cold-formed products in coils, of any uniform solid cross section along their whole length, which do not conform to the definition of flat-rolled products), and angles, shapes and sections.

The stainless steel bar subject to this order is currently classifiable under subheadings 7222.11.00.05, 7222.11.00.50, 7222.19.00.05, 7222.19.00.50, 7222.20.00.05, 7222.20.00.45, 7222.20.00.75, and 7222.30.00.00 of the *Harmonized Tariff Schedule of the United States* (“HTSUS”). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

**Analysis of Comments Received**

The issue raised in the case and rebuttal briefs by parties to this review is addressed in the “Issues and Decision Memorandum for the Final Results in the Antidumping Duty Administrative Review of Stainless Steel Bar from Italy” from Barbara E. Tillman, Acting Deputy Assistant Secretary for Import Administration, to Joseph A. Spetrini, Acting Assistant Secretary for Import Administration, dated August 5, 2005 (“*Decision Memorandum*”), which is hereby adopted by this notice. Attached to this notice as an appendix is a listing of the issue which parties have raised and to which we have responded in the *Decision Memorandum*. Parties can find a complete discussion of the issue raised in this review and the corresponding recommendation in this public memorandum which is on file in the Department’s Central Records Unit, Room B-099 of the main Department building (“CRU”). In addition, a complete version of the *Decision Memorandum* can be accessed directly on the Web at <http://ia.ita.doc.gov/frn/index.html>. The paper copy and electronic version of the *Decision Memorandum* are identical in content.

**Rescission of Administrative Review**

In accordance with 19 CFR 351.213(d)(3), and consistent with the *Preliminary Results*, we are rescinding this review with respect to UGITECH, which reported that it made no shipments of the subject merchandise to the United States during the POR. As stated in the *Preliminary Results*, we examined shipment data furnished by U.S. Customs and Border Protection (“CBP”) and analyzed UGITECH’s quantity and value of sales at verification. See *Memorandum to the File, “Verification of UGITECH S.A.’s No-Shipment Claim,”* (January 13, 2004) (“UGITECH VR”). Based on this information, and for the reasons set forth in the *Decision Memorandum*, we are satisfied that there were no U.S. shipments of subject merchandise from UGITECH during the POR.

**Successor-in-Interest and Final Results of Review**

Consistent with the *Preliminary Results*, we find that UGITECH is the successor-in-interest to Ugine-Savoie Imphy S.A. for antidumping duty cash deposit purposes. Therefore, UGITECH will be assigned the same cash deposit rate with respect to the subject merchandise as the predecessor company, Ugine-Savoie Imphy S.A. (*i.e.*, 33.00 percent). See *Stainless Steel Bar from Italy: Final Results of Antidumping Duty Administrative Review*, 69 FR 32984 (June 14, 2004).

**Cash Deposit**

The cash deposit requirement for this review will be effective upon publication of this notice of final results of review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date in the **Federal Register**. This cash deposit rate shall remain in effect until publication of the final results of the next administrative review involving UGITECH. We will instruct CBP accordingly.

**Notification to Importers**

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) 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.

### Notification Regarding APOs

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.

These results of administrative review and notice are published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: August 4, 2005.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

### APPENDIX I

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

*Comment 1:* Collapsing of UGITECH S.A. and Trafilerie Bedini S.p.A.

[FR Doc. E5-4329 Filed 8-8-05; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

A-427-820

#### Stainless Steel Bar from France: Final Results of Antidumping Duty Administrative Review

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

**SUMMARY:** On April 6, 2005, the Department of Commerce published the preliminary results of the second administrative review of the antidumping duty order on stainless steel bar from France. The review covers UGITECH S.A. (UGITECH), a manufacturer/exporter of the subject merchandise. The period of review is March 1, 2003, through February 29, 2004.

The Department preliminarily determined that UGITECH is the successor-in-interest to Ugine-Savoie Imphy S.A. for purposes of determining antidumping duty liability. The Department is now affirming its preliminary results.

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 margin for the reviewed firm is listed below in the section entitled “Final Results of Review.”

**EFFECTIVE DATE:** August 10, 2005.

**FOR FURTHER INFORMATION CONTACT:**

Terre R. Keaton or David J. Goldberger, AD/CVD Operations, Office 2, Import Administration—Room B099, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1280 or (202) 482-4136, respectively.

**SUPPLEMENTARY INFORMATION:**

#### Background

On April 6, 2005, the Department of Commerce (the Department) published the preliminary results of the second administrative review of the antidumping duty order on stainless steel bar from France (70 FR 17411) (*Preliminary Results*). We invited parties to comment on the *Preliminary Results*. On May 20 and 27, 2005, the parties submitted case and rebuttal briefs, respectively. We have conducted this administrative review in accordance with section 751(a) of the Tariff Act of 1930, as amended (“the Act”).

#### Scope of the Order

For purposes of this order, the term “stainless steel bar” includes articles of stainless steel in straight lengths that have been either hot-rolled, forged, turned, cold-drawn, cold-rolled or otherwise cold-finished, or ground, having a uniform solid cross section along their whole length in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles, hexagons, octagons, or other convex polygons. Stainless steel bar includes cold-finished stainless steel bars that are turned or ground in straight lengths, whether produced from hot-rolled bar or from straightened and cut rod or wire, and reinforcing bars that have indentations, ribs, grooves, or other deformations produced during the rolling process.

Except as specified above, the term does not include stainless steel semi-finished products, cut length flat-rolled products (*i.e.*, cut length rolled products which if less than 4.75 mm in thickness have a width measuring at least 10 times the thickness, or if 4.75 mm or more in thickness having a width which exceeds 150 mm and measures at least twice the thickness), products that have been cut from stainless steel sheet, strip or plate, wire (*i.e.*, cold-formed products in

coils, of any uniform solid cross section along their whole length, which do not conform to the definition of flat-rolled products), and angles, shapes and sections.

The stainless steel bar subject to this order is currently classifiable under subheadings 7222.11.00.05, 7222.11.00.50, 7222.19.00.05, 7222.19.00.50, 7222.20.00.05, 7222.20.00.45, 7222.20.00.75, and 7222.30.00.00 of the *Harmonized Tariff Schedule of the United States* (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

#### Successor-in-Interest Analysis

In the *Preliminary Results*, we determined that UGITECH is the successor-in-interest to Ugine-Savoie Imphy S.A. Neither party objected to our preliminary finding. Therefore, for the final results, we continue to find that UGITECH is the successor-in-interest to Ugine-Savoie Imphy S.A. for antidumping duty cash deposit purposes. We will notify U.S. Customs and Border Protection (CBP) accordingly.

#### 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 August 4, 2005, Issues and Decision Memorandum for the Final Results of Stainless Steel Bar from France (*Decision Memo*), 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 <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the *Decision Memo* are identical in content.

Changes from the Preliminary Results

Based on our analysis of the comments received, we have made certain changes to the margin calculations which are detailed in the *Decision Memo*.

#### Final Results of Review

We determine that the following weighted-average margin percentage exists: