

DEPARTMENT OF COMMERCE**International Trade Administration**

A-588-804

Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from Japan: Amended Final Results of Antidumping Duty Administrative Reviews

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

SUMMARY: On June 27, 2005, the United States Court of International Trade (CIT) affirmed the Department of Commerce's (the Department's) redetermination on remand of the final results of the antidumping duty administrative reviews on antifriction bearings (other than tapered roller bearings) and parts thereof from Japan. See *NSK Ltd. v. United States*, Consol. Court No. 98-07-02527, slip op 05-77 (CIT 2005). The Department is now issuing these amended final results reflecting the court's decision.

EFFECTIVE DATE: October 5, 2005.

FOR FURTHER INFORMATION CONTACT:

Yang Jin Chun or Richard Rimlinger, AD/CVD Operations, Office 5, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-5760 or (202) 482-4477, respectively.

SUPPLEMENTARY INFORMATION:**Background**

On June 18, 1998, the Department published the final results of administrative reviews of the antidumping duty orders on antifriction bearings (other than tapered roller bearings) and parts thereof from Japan for the period May 1, 1996, through April 30, 1997. See *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from France, et al.; Final Results of Antidumping Duty Administrative Reviews*, 63 FR 33320 (June 18, 1998). NSK Ltd. and NSK Corporation (hereafter "NSK") filed a lawsuit challenging the final results. On July 8, 2002, the CIT affirmed the Department's decision to classify NSK's repacking expenses as a selling expense under section 772(d)(1)(B) of the Tariff Act of 1930, as amended (the Act). See *NSK Ltd. v. United States*, 217 F. Supp. 2d 1291 (CIT 2002).

NSK appealed the CIT's judgment to the United States Court of Appeals for the Federal Circuit (CAFC). The CAFC vacated and remanded the Department's decision to classify NSK's repacking expenses as selling expenses and not

movement expenses under section 772(d)(1)(B) of the Act. On February 18, 2005, pursuant to the CAFC's decision, the CIT remanded this case to the Department to revisit its classification of U.S. repacking expenses as selling expenses and provide an explanation for the inconsistent treatment of U.S. repacking expense, U.S. warehousing expense, and U.S. expense for shipping from warehouse to customer. See *NSK Ltd. v. United States*, Consol. Court No. 98-07-02527, slip op. 05-26 (CIT 2005). In accordance with the CIT's remand order in *NSK Ltd.*, slip op. 05-26, the Department filed its remand results on May 18, 2005. In those remand results, the Department reclassified repacking expenses as movement expenses and recalculated NSK's margins accordingly.

On June 27, 2005, the CIT affirmed the Department's final results of remand redetermination in their entirety. See *NSK Ltd.*, slip op 05-77. On July 14, 2005, the Department published *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from Japan: Notice of Court Decision Not in Harmony*, 70 FR 40688 (July 14, 2005). There was no appeal of the CIT's decision to the CAFC within the appeal period. Therefore, the CIT's decision is now final and conclusive.

Amendment to Final Results

We are now amending the final results of these reviews to reflect the final and conclusive decision of the court. The changes to our calculations with respect to NSK resulted in a change in the weighted-average margin for ball bearings from 2.35 percent to 2.34 percent and a change in the weighted-average margin for cylindrical roller bearings from 2.21 percent to 2.19 percent for the period of review. The Department will instruct U.S. Customs and Border Protection to liquidate entries of the ball bearings and cylindrical roller bearings from Japan produced by, exported to, or imported into the United States by NSK during the review period at the assessment rates the Department calculated for these amended final results of reviews.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: September 29, 2005.

Barbara E. Tillman,

Acting Assistant Secretary for Import Administration.

[FR Doc. E5-5460 Filed 10-4-05; 8:45 am]

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DEPARTMENT OF COMMERCE**International Trade Administration**

(A-570-836)

Glycine from the People's Republic of China; Final Results of the Expedited Sunset Review of the Antidumping Duty Order

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

SUMMARY: On June 1, 2005, the Department of Commerce ("the Department") initiated a sunset review of the antidumping duty order on glycine from the People's Republic of China pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). See *Initiation of Five-year (Sunset) Reviews*, 70 FR 31423 (June 1, 2005). On the basis of a notice of intent to participate and an adequate substantive response filed on behalf of the domestic interested parties and inadequate response from respondent interested parties (in this case, no response), the Department conducted an expedited sunset review of the antidumping duty order pursuant to section 751(c)(3)(B) of the Act and section 351.218(e)(1)(ii)(B) of the Department's regulations. As a result of this sunset review, the Department finds that revocation of the antidumping duty order would likely lead to continuation or recurrence of dumping at the levels indicated in the "Final Results of Review" section of this notice.

EFFECTIVE DATE: October 5, 2005.

FOR FURTHER INFORMATION CONTACT:

Maureen Flannery, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1388.

SUPPLEMENTARY INFORMATION:**Background**

On June 1, 2005, the Department initiated a sunset review of the antidumping duty order on glycine from the People's Republic of China pursuant to section 751(c) of the Act. See *Initiation of Five-year (Sunset) Reviews*, 70 FR 31423 (June 1, 2005). The Department received a Notice of Intent to Participate from the following domestic interested parties: the Glycine Fair Trade Committee ("Committee"), an *ad hoc* coalition of domestic producers, and its individual members, Hampshire Chemical Corp. and Chatterm Chemicals, Inc. (collectively "the domestic interested parties"), within the deadline specified in 19 CFR

351.218(d)(1)(I). The domestic interested parties claimed interested party status under section 771(9)(c) of the Act, as U.S. manufacturers of glycine, and sections 771(9)(E) and (F) of the Act, as a trade or business association of domestic manufacturers of glycine whose members are engaged in the production of glycine in the United States. The Department received a complete substantive response from the domestic interested parties within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i). However, the Department did not receive any responses from the respondent interested parties to this proceeding. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department conducted an expedited sunset review of this antidumping duty order.

Scope of the Order

The product covered by the order is glycine, which is a free-flowing crystalline material, like salt or sugar. Glycine is produced at varying levels of purity and is used as a sweetener/taste enhancer, a buffering agent, reabsorbable amino acid, chemical intermediate, and a metal complexing agent. This order covers glycine of all purity levels. Glycine is currently classified under subheading 2922.49.4020 of the Harmonized Tariff Schedule of the United States (HTSUS). In a separate scope ruling, the Department determined that D(-) Phenylglycine Ethyl Dane Salt is outside the scope of the order. *See Notice of Scope Rulings*, 62 FR 62288 (November 21, 1997). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise under the order is dispositive.

Analysis of Comments Received:

All issues raised in this review are addressed in the Issues and Decision Memorandum (“Decision Memorandum”) from Barbara E. Tillman, Acting Deputy Assistant Secretary, Import Administration, to Joseph A. Spetrini, Acting Assistant Secretary for Import Administration, dated September 29, 2005, which is hereby adopted by this notice. The issues discussed in the accompanying Decision Memorandum include the likelihood of continuation or recurrence of dumping were the order revoked and the magnitude of the margin likely to prevail. 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 Commerce building. In addition, a complete version of the Decision Memorandum can be accessed directly on the Web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the Decision Memorandum are identical in content.

Final Results of Review

The Department determines that revocation of the antidumping duty order on glycine from the People’s Republic of China would be likely to lead to continuation or recurrence of dumping at the rates listed below:

Producers/Exporters	Weighted-Average Margin (percent)
Baoding Mantong Fine Chemistry Co., Ltd. ...	155.89
Nantong Dongchang Chemical Industry Corp.	155.89
PRC-wide rate	155.89

Notification regarding Administrative Protective Order:

This notice also serves as the only reminder to parties subject to administrative protective order (“APO”) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305 of the Department’s regulations. Timely 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 violation which is subject to sanction.

We are issuing and publishing the results and notice in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: September 29, 2005.

Barbara E. Tillman,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

A-580-839

Certain Polyester Staple Fiber from the Republic of Korea: Extension of Time Limit for the Final Results of the Antidumping Duty Administrative Review

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

SUMMARY: The Department of Commerce is extending the time limit for the final results of the administrative review of the antidumping duty order on certain polyester staple fiber from the Republic of Korea. The period of review is May 1, 2003, through April 30, 2004. This extension is made pursuant to section 751(a)(3)(A) of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act.

EFFECTIVE DATE: October 5, 2005.

FOR FURTHER INFORMATION CONTACT: Andrew McAllister or Yasmin Bordas, 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) 482-1174 or (202) 482-3813, respectively.

SUPPLEMENTARY INFORMATION:

Background

On June 6, 2005, the Department of Commerce (“the Department”) published the preliminary results of the administrative review of the antidumping duty order on certain polyester staple fiber from the Republic of Korea covering the period May 1, 2003, through April 30, 2004 (70 FR 32756). The final results for the antidumping duty administrative review of certain polyester staple fiber from the Republic of Korea are currently due no later than October 4, 2005.

Extension of Time Limits for Final Results

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act (“the Act”), requires the Department to issue the preliminary results of an administrative review within 245 days after the last day of the anniversary month of an antidumping duty order for which a review is requested and issue the final results within 120 days after the date on which the preliminary results are published. However, if it is not practicable to complete the review within the time period, section 751(a)(3)(A) of the Act allows the Department to extend these deadlines to a maximum of 365 days and 180 days, respectively.

Because the Department requires additional time to review and analyze the comments submitted by interested parties regarding complex physical characteristic codes of control numbers, it is not practicable to complete this review within the originally anticipated time limit (*i.e.*, by October 4, 2005). Accordingly, the Department is extending the time limit for completion