

merchandise under this order is dispositive.

Scope of the CVD Order

The merchandise subject to this order is natural honey, artificial honey containing more than 50 percent natural honey by weight, preparations of natural honey containing more than 50 percent natural honey by weight, and flavored honey. The subject merchandise includes all grades and colors of honey whether in liquid, creamed, combs, cut comb, or chunk form, and whether packaged for retail or in bulk form.

The merchandise subject to this order is currently classifiable under subheadings 0409.00.00, 1702.90.90, and 2106.90.99 of the HTSUS. Although the HTSUS subheadings are provided for convenience and customs purposes, the Department's written description of the merchandise covered by this order is dispositive.

Determination

As a result of the determinations by the Department and the Commission that revocation of these AD and CVD orders would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy and continuation or recurrence of material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the AD orders on honey from Argentina and the PRC and the CVD order on honey from Argentina.

U.S. Customs and Border Protection will continue to collect cash deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of continuation of these orders is the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, the Department intends to initiate the next five-year review of these orders not later than 30 days prior to the fifth anniversary of the effective date of continuation.

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return/destruction or conversion to judicial protective order of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Failure to comply is a violation of the APO which may be subject to sanctions.

These five-year ("Sunset") reviews and this continuation notice are in accordance with section 751(c) of the Act. This notice is published pursuant to 777(i) of the Act.

Dated: July 24, 2007.

David M. Spooner,

Assistant Secretary, for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-428-801]

Ball Bearings and Parts Thereof from Germany: Notice of Court Decision Not in Harmony

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

SUMMARY: On June 29, 2007, the United States Court of International Trade affirmed the Department of Commerce's redetermination on remand of the final results of the administrative review of the antidumping duty order on ball bearings and parts thereof from Germany. See *Paul Mueller Industrie GmbH & Co. v. United States*, Court No. 04-00522, slip op. 07-100 (CIT 2007) (*Paul Mueller*). The Department is now issuing this notice of court decision not in harmony with the Department's determination.

EFFECTIVE DATE: August 2, 2007.

FOR FURTHER INFORMATION CONTACT:

David Dirstine 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) 482-4033 or (202) 482-4477, respectively.

SUPPLEMENTARY INFORMATION:

Background

On September 15, 2004, the Department of Commerce (the Department) published the final results of the administrative review of the antidumping duty order on ball bearings and parts thereof from Germany for the period May 1, 2002, through April 30, 2003. See *Antifriction Bearings and Parts Thereof From France, Germany, Italy, Japan, Singapore, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Rescission of Administrative Reviews in Part, and Determination To Revoke Order in Part*, 69 FR 55574 (September 15, 2004) (*Final Results*). The *Final Results* were amended in *Ball Bearings and Parts Thereof from Germany; Amended Final Results of Antidumping Duty Administrative Review*, 69 FR 63507 (November 2, 2004) (*Amended Final Results*). Paul Mueller Industrie

GmbH (Paul Mueller) and Timken US Corporation (Timken) filed lawsuits challenging the *Final Results* as amended by the *Amended Final Results*. The Department requested a voluntary remand on two issues. On May 26, 2006, the United States Court of International Trade (CIT) granted the Department's request and ordered the Department to address two items: (1) correct a ministerial error involving a billing adjustment reported by Paul Mueller for one home-market transaction and to recalculate its antidumping margin accordingly; (2) explain its treatment of Paul Mueller's inventory carrying costs.

In accordance with the CIT's remand order in *Paul Mueller v. United States*, 435 F. Supp. 2d at 1241, 1246-1247 (CIT 2006), the Department filed its redetermination on remand of the final results (remand results) on September 13, 2006. In its redetermination, the Department corrected the ministerial error and made a change to its treatment of the inventory carrying costs to ensure that home-market and U.S. inventory carrying costs were calculated on a consistent basis. On June 29, 2007, the CIT affirmed the Department's remand results. The CIT's decision was not made publicly available until July 17, 2007, when the Court entered its judgment. See *Paul Mueller*, slip op. 07-100.

Decision Not in Harmony

By affirming the remand results, the CIT recognized that the Department had made a ministerial error in its calculation of a billing adjustment for Paul Mueller and that its initial calculations of inventory carrying costs for Paul Mueller's home-market and U.S. inventory carrying costs were not made on a consistent basis.

The changes to our calculations with respect to Paul Mueller resulted in a change in the weighted-average margin for ball bearings and parts thereof from 0.44 percent to 0.46 percent for the period of review. Accordingly, absent an appeal or, if appealed, upon a final and conclusive court decision in this action, we will amend our final results of this review to reflect the recalculation of the margin for Paul Mueller.

Suspension of Liquidation

The United States Court of Appeals for Federal Circuit (CAFC) held that the Department must publish notice of a decision of the CIT or the CAFC which is not in harmony with the Department's determination. See *The Timken Company v. United States*, 893 F.2d 337, 341 (CAFC 1990). Publication of this notice fulfills that obligation. The CAFC also held that, in such a case, the

Department must suspend liquidation until there is a “conclusive” decision in the action. *Id.* Therefore, the Department must suspend liquidation pending the expiration of the period to appeal the CIT’s June 29, 2007, decision or, if appealed, pending a final and conclusive court decision.

Because entries of ball bearings and parts thereof from Germany produced and exported to the United States by Paul Mueller are currently being suspended pursuant to the court’s injunction order in effect, the Department does not need to order U.S. Customs and Border Protection to suspend liquidation of affected entries. The Department will not order the lifting of the suspension of liquidation on entries of ball bearings and parts thereof made during the review period before a court decision in this lawsuit becomes final and conclusive.

We are issuing and publishing this notice in accordance with section 516A(c)(1) of the Tariff Act of 1930, as amended.

Dated: July 24, 2007.

David M. Spooner,
Assistant Secretary for Import Administration.

[FR Doc. E7-15031 Filed 8-1-07; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-846]

Brake Rotors From the People’s Republic of China: Final Results of Antidumping Duty Administrative and New Shipper Reviews and Partial Rescission of the 2005–2006 Administrative Review

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

SUMMARY: On February 15, 2007, the Department of Commerce (“Department”) published *Brake Rotors From the People’s Republic of China: Preliminary Results of the 2005 2006 Administrative and New Shipper Reviews and Partial Rescission of the 2005 2006 Administrative Review*, 72 FR 7405 (February 15, 2007) (“*Preliminary Results*”). The period of review (“POR”) is April 1, 2005, through March 31, 2006. The administrative review covers three mandatory respondents and 12 separate-rate respondents. The new shipper review covers one new shipper.

We invited interested parties to comment on our *Preliminary Results*. Based on our analysis of the comments

received, we made certain changes to our calculations. The final dumping margins for the administrative and new shipper reviews are listed in the “Final Results of the Reviews” section, below.

EFFECTIVE DATE: August 2, 2007.

FOR FURTHER INFORMATION CONTACT: Jennifer Moats for Longkou Haimeng Machinery Co., Ltd. and Qingdao Golrich Autoparts Co., Ltd., or Frances Veith for Yantai Winhere Auto-Part Manufacturing Co., Ltd. and Qingdao Meita Automotive, AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: 202-482-5047 and 202-482-4295, respectively.

SUPPLEMENTARY INFORMATION:

Background

On February 15, 2007, the Department published the Preliminary Results of the administrative and new shipper reviews of the antidumping duty order on brake rotors from the People’s Republic of China (“PRC”).

On March 6, 2007, the Department issued a letter to all interested parties granting a 28-day extension of time to submit publicly available information to value the factors of production for the final results of these reviews and postponed the briefing schedule pending the Department’s release of the Shandong Huanri Group General Co., Laizhou Huanri Automobile Parts Co., Ltd., and Shandong Huanri Group Co., Ltd. (collectively, “Huanri”) verification report.

From March 20 through March 22, 2007, the Department conducted a verification of Huanri and released its verification report of Huanri on May 4, 2007.¹ On May 9, 2007, the Department issued a memorandum stating that it would revise the surrogate value for steel strap to include Indian import data from Ukraine for February and March 2006 for the final results.² *See*

¹ *See* Memorandum from Eugene Degnan, Senior International Trade Compliance Analyst, AD/CVD Operations, Office 8, and Paul Stolz, International Trade Compliance Analyst, AD/CVD Operations, Office 8, through Robert Bolling, Program Manager, AD/CVD Operations, Office 8 and Wendy J. Frankel, Director, AD/CVD Operations, Office 8, to the File entitled, “Antidumping Duty Administrative Review of Brake Rotors from the People’s Republic of China: Verification of Section A and Quantity and Value Response of Shandong Huanri Group Co., Ltd., Laizhou Huanri Automobile Parts Co., Ltd., and Shandong Huanri Group General Co.,” dated May 4, 2007 (“*Huanri Verification Report*”).

² *See* Memorandum from Ann Fornaro, International Trade Compliance Analyst, to the File entitled, “2005-2006 Antidumping Duty Administrative and New Shipper Reviews of Brake Rotors from the People’s Republic of China - Surrogate Value Change for Final Results,” dated May 9, 2007 (“*Surrogate Value Change Memo*”).

“Surrogate Value” section below. On May 10, 2007, the Department revised the deadline for submission of case and rebuttal briefs to May 21 and May 29, 2007, respectively. On May 15, 2007, in response to a request filed by the Coalition for the Preservation of American Brake Drum and Rotor Aftermarket Manufacturers (“the petitioner”), the Department extended the deadline for submission of rebuttal briefs until June 5, 2007. On May 21, 2007, the Department received case briefs from Laizhou Auto Brake Equipment Company (“LABEC”), Yantai Winhere Auto-Part Manufacturing Co., Ltd. (“Winhere”), Longkou Haimeng Machinery Co., Ltd. (“Haimeng”), Laizhou Luqi Machinery Co., Ltd. (“Luqi”), Laizhou Hongda Auto Replacement Co., Ltd. (“Hongda”), Qindgdao Meita Automotive Industry Co., Ltd. (“Meita”) (collectively, “the Trade Pacific respondents”), and the petitioner. On May 21, 2007, the Department placed the supporting documentation regarding the Department’s calculation of the surrogate wage rate used in respondents’ margin calculations on the record of these reviews.³ On June 5, 2007, we received rebuttal briefs from the petitioner and the Trade Pacific respondents.

On June 11, 2007, the Department published a notice extending the time limit for the completion of the final results of these reviews until July 31, 2007. *See Brake Rotors from the People’s Republic of China: Extension of Time Limit for the Final Results of the 2005–2006 Administrative and New Shipper Reviews*, 72 FR 32071 (June 11, 2007).

We conducted these reviews in accordance with sections 751 and 777(i)(1) of the Tariff Act of 1930, as amended (“the Act”), and sections 19 CFR 351.213 and 19 CFR 351.221 of the agency’s regulations.

Period of Review

The POR is April 1, 2005, through March 31, 2006.

Scope of the Order

The products covered by this order are brake rotors made of gray cast iron, whether finished, semifinished, or unfinished, ranging in diameter from 8 to 16 inches (20.32 to 40.64 centimeters) and in weight from 8 to 45 pounds (3.63

³ *See* Memorandum from Ann Fornaro, International Trade Compliance Analyst, to the File entitled, “2005-2006 Antidumping Duty Administrative Review of Brake Rotors from the People’s Republic of China - Expected Wages of Selected Non-Market Economy Countries,” dated May 21, 2007.