

In a letter submitted to the Department on March 2, 2005, Huamei's counsel withdrew its representation of Huamei. Huamei's response to the Department's questionnaire was due on March 3, 2005. The Department received no response from Huamei and no other party has filed an entry of appearance on behalf of Huamei.

On March 15, 2005, the Department issued a letter to Huamei's last known address, including a copy of the antidumping duty questionnaire and request that Huamei respond by April 4, 2005. The Department warned that, should Huamei fail to provide the information requested by the due date, the Department could resort to the use of facts available with an adverse inference for purposes of this new shipper review, pursuant to sections 776(a) and 776(b) of the Tariff Act of 1930, as amended (the Act). Also on March 15, 2005, the Department issued a similar letter to the Director of the Bureau of Fair Trade for Imports and Exports at the PRC Ministry of Commerce.

To date, the Department has not received any response from Huamei. Furthermore, we have not received notice that Huamei would be unable to respond to our questionnaire within the specified time limits or that it would be unable to provide the information to the Department in the form required.

Rescission of New Shipper Review

Because Huamei failed to respond to our questionnaire after requesting a new shipper review, we are rescinding the new shipper review of the antidumping duty order on fresh garlic from the PRC with respect to this company.

Cash Deposits

Bonding is no longer permitted to fulfill the security requirements for shipments of subject merchandise produced or exported by Huamei and entered or withdrawn from warehouse for consumption in the United States on or after the date of publication of this notice. Further, effective upon publication of this notice for all shipments of subject merchandise produced or exported by Huamei, and entered or withdrawn from warehouse for consumption, the cash-deposit rate will be the PRC-wide rate of 376.67 percent.

Assessment of Antidumping Duties

The Department will instruct CBP to assess antidumping duties on all appropriate entries. Since we are rescinding this antidumping duty new shipper review, the PRC-wide rate of 376.67 percent that was in effect at the

time of entry, applies to all exports of subject merchandise produced or exported by Huamei during the period of review. The Department will issue appropriate assessment instructions directly to CBP within 15 days of publication of this notice.

This notice is published in accordance with section 751 of the Act and 19 CFR 351.213(d)(4).

Dated: May 18, 2005.

Barbara E. Tillman,

Acting Deputy Assistant Secretary for Import Administration.

[FR Doc. E5-2653 Filed 5-24-05; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-863]

Honey from the People's Republic of China: Notice of Partial Rescission of Antidumping Duty Administrative Review

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

SUMMARY: On January 31, 2005, the Department of Commerce ("the Department") published in the **Federal Register** (70 FR 4818) a notice announcing the initiation of the administrative review of the antidumping duty order on honey from the People's Republic of China ("PRC"). The period of review ("POR") is December 1, 2003, to November 30, 2004. This review is now being rescinded for Anhui Native Produce Import and Export Corp., and Inner Mongolia Autonomous Region Native Produce and Animal By-Products Import and Export Corporation, because the only requesting party withdrew its request in a timely manner.

EFFECTIVE DATE: May 25, 2005.

FOR FURTHER INFORMATION CONTACT: Catherine Bertrand or Anya Naschak, AD/CVD Operations, Office 9, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Room 4003, Washington, DC 20230; telephone (202) 482-3207 or (202) 482-6375, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 10, 2001, the Department published in the **Federal Register** an antidumping duty order covering honey from the PRC. See *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order; Honey from*

the People's Republic of China, 66 FR 63670 (December 10, 2001). On December 1, 2004, the Department published a *Notice of Opportunity to Request an Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation*, 69 FR 69889. On December 30, 2004, the American Honey Producers Association and the Sioux Honey Association (collectively, Petitioners), requested, in accordance with section 351.213(b) of the Department's regulations, an administrative review of the antidumping duty order on honey from the PRC for nineteen companies¹ covering the period December 1, 2003, through November 30, 2004. On December 30, 2004, and January 3, 2005, nine Chinese companies requested an administrative review of their respective companies. The Department notes that Petitioners' request covered these nine companies as well.

On January 31, 2005, the Department initiated an administrative review of nineteen Chinese companies. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 70 FR 4818 (January 31, 2005). On February 22, 2005, Petitioners filed a letter withdrawing their request for review of seven companies. On March 29, 2005, the Department rescinded this review with respect to those seven companies, as only petitioners had requested a review of those companies. See *Notice of Partial Rescission of Antidumping Duty Administrative Review: Honey from the People's Republic of China*, 70 FR 15836 (March 29, 2005).

On April 28, 2005, Petitioners withdrew their request for review of Anhui Native Produce Import and Export Corp., and on April 29, 2005, Petitioners withdrew their request for review of Inner Mongolia Autonomous Region Native Produce and Animal By-Products Import and Export Corporation. Petitioners were the only party to request a review of these two companies.

Rescission of Review

The applicable regulation, 19 CFR 351.213(d)(1), states that if a party that requested an administrative review withdraws the request within 90 days of

¹ Among these 19 companies are "Inner Mongolia Autonomous Region Native Produce and Animal By-Products Import & Export Corp.," and "Inner Mongolia Autonomous Region Native Produce and Animal By-Products." These two names refer to the same company and the review is, therefore, being rescinded with respect to both iterations of the name.

the publication of the notice of initiation of the requested review, the Secretary will rescind the review. Petitioners withdrew their review request with respect to the two companies within the 90-day deadline, in accordance with 19 CFR 351.213(d)(1). Since Petitioners were the only party to request an administrative review of these two companies, we are partially rescinding this review of the antidumping duty order on honey from the PRC covering the period December 1, 2003, through November 30, 2004, with respect to Anhui Native Produce Import and Export Corp. and Inner Mongolia Autonomous Region Native Produce and Animal By-Products Import and Export Corporation.

Assessment

The Department will instruct U.S. Customs and Border Protection ("CBP") to assess antidumping duties on all appropriate entries. For those companies for which this review is rescinded, antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department will issue appropriate assessment instructions directly to CBP within 15 days of publication of this notice.

Notification of Interested Parties

This notice serves as a final 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 the antidumping duties occurred and the subsequent assessment of double antidumping duties.

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.

This notice is issued and published in accordance with sections 751 and 777(i) of the Act and 19 CFR 351.213(d)(4).

Dated: May 18, 2005.

Barbara E. Tillman,

Acting Deputy Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-475-818]

Notice of Final Results of New Shipper Review of the Antidumping Duty Order on Certain Pasta from Italy

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

SUMMARY: On March 1, 2005, the Department of Commerce ("the Department") published the preliminary results of the new shipper review of the antidumping duty order on certain pasta from Italy. The review covers Atar, S.r.L. ("Atar"). The period of review ("POR") is July 1, 2003, through June 30, 2004. The Department received no comments concerning our preliminary results; therefore, our final results remain unchanged from our preliminary results. The final results are listed in the section "*Final Results of Review*" below. For our final results, we have found that, during the POR, Atar did not sell subject merchandise at less than normal value ("NV").

EFFECTIVE DATE: May 25, 2005.

FOR FURTHER INFORMATION CONTACT: Dennis McClure or Maura Jeffords, AD/CVD Operations Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW, Washington, D.C. 20230; telephone: (202) 482-5793 and (202) 482-3146, respectively.

SUPPLEMENTARY INFORMATION:

Background

On March 1, 2005, the Department published the preliminary results of the new shipper review of the antidumping duty order on certain pasta from Italy. See *Notice of Preliminary Results of New Shipper Review of the Antidumping Duty Order on Certain Pasta from Italy*, 70 FR 9921 (March 1, 2005) ("*Preliminary Results*"). We invited interested parties to comment on our Preliminary Results. We received no case briefs.

Scope of Review

Imports covered by this order are shipments of certain non-egg dry pasta in packages of five pounds four ounces or less, whether or not enriched or fortified or containing milk or other optional ingredients such as chopped vegetables, vegetable purees, milk, gluten, diastasis, vitamins, coloring and flavorings, and up to two percent egg white. The pasta covered by this scope is typically sold in the retail market, in fiberboard or cardboard cartons, or polyethylene or polypropylene bags of varying dimensions.

Excluded from the scope of this order are refrigerated, frozen, or canned pastas, as well as all forms of egg pasta, with the exception of non-egg dry pasta containing up to two percent egg white. Also excluded are imports of organic pasta from Italy that are accompanied by the appropriate certificate issued by the Instituto Mediterraneo Di Certificazione, by Bioagricoop Scrl, by QC&I International Services, by Ecocert Italia, by the Consorzio per il Controllo dei Prodotti Biologici, or by the Associazione Italiana per l'Agricoltura Biologica.

The merchandise subject to this order is currently classifiable under item 1902.19.20 of the *Harmonized Tariff Schedule of the United States* ("HTSUS"). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise subject to the order is dispositive.

Scope Rulings

The Department has issued the following scope rulings to date:

(1) On August 25, 1997, the Department issued a scope ruling determining that multicolored pasta, imported in kitchen display bottles of decorative glass that are sealed with cork or paraffin and bound with raffia, is excluded from the scope of the antidumping and countervailing duty orders. See Memorandum from Edward Easton, Senior Analyst, Office of AD/CVD Enforcement V, to Richard Moreland, Deputy Assistant Secretary, "Scope Ruling Concerning Pasta from Italy," dated August 25, 1997, which is on file in the Central Records Unit ("CRU").

(2) On July 30, 1998, the Department issued a scope ruling, finding that multipacks consisting of six one-pound packages of pasta that are shrink-wrapped into a single package are within the scope of the antidumping and countervailing duty orders. See Letter from Susan H. Kuhbach, Acting Deputy Assistant Secretary for Import