

The Department clarified its "automatic assessment" regulation on May 6, 2003 (68 FR 23954). This clarification will apply to entries of subject merchandise during the period of review produced by the company included in these final results of review for which the reviewed company did not know its merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the "All Others" rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

### Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) The cash deposit rate for Ugitech will be 9.68 percent; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 3.90 percent. This rate is the "All Others" rate from the LTFV investigation. These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice also 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 antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice serves as the only 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 return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

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

Dated: May 23, 2006.

**David M. Spooner,**  
Assistant Secretary for Import Administration.

### Appendix—List of Issues

*Comment 1:* Levels of Trade in the Home Market

*Comment 2:* Whether to Allow Certain

Additions to the U.S. Sales Price

*Comment 3:* Whether to Collapse

Certain Grade Codes for Product

Matching

*Comment 4:* Whether to Recalculate

U.S. Inventory Carrying Expenses for

the Further Manufactured U.S. Sales

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-489-807]

### Certain Steel Concrete Reinforcing Bars from Turkey; Notice of Amended Final Results Pursuant to Court Decision

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

**SUMMARY:** On March 13, 2006, the United States Court of International Trade (CIT) sustained the final remand redetermination made by the Department of Commerce (the Department) pursuant to the CIT's remand of the final results of the 2002–2003 administrative review of certain steel concrete reinforcing bars (rebar) from Turkey. See *Colakoglu Metalurji A.S. v. United States*, 2006 Ct. Intl. Trade LEXIS 36; Slip Op. 2006–36 (Mar. 13, 2006) (Colakoglu Remand). In this remand, the Department recalculated the margin for Colakoglu Metalurji A.S. and Colakoglu Dis Ticaret (collectively "Colakoglu"), a Turkish exporter/producer of subject merchandise, to use Colakoglu's reported "order" date as the U.S. date of sale. Because all litigation in this matter has now concluded, the Department is issuing its amended final results in accordance with the CIT's decision.

**EFFECTIVE DATE:** May 31, 2006.

**FOR FURTHER INFORMATION CONTACT:** Irina Itkin or Alice Gibbons, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC, 20230; telephone (202) 482-0656 or (202) 482-0498, respectively.

### SUPPLEMENTARY INFORMATION:

#### Background

On November 8, 2004, the Department published its final results, covering the period of review from April 1, 2002, through March 31, 2003. See *Certain Steel Concrete Reinforcing Bars From Turkey; Final Results, Rescission of Antidumping Duty Administrative Review in Part, and Determination Not To Revoke in Part*, 69 FR 64731 (Nov. 8, 2004) (*Final Results*), as corrected by *Certain Steel Concrete Reinforcing Bars From Turkey; Corrected Final Results of Antidumping Duty Administrative Review*, 69 FR 68883 (Nov. 26, 2004). In May 2004, Colakoglu contested the Department's date-of-sale methodology for its U.S. sales. On September 27, 2005, the CIT remanded this issue to the Department for further review based on the Department's request to reconsider this issue. See *Colakoglu Metalurji A.S. v. United States*, 394 F.Supp.2d 1379 (CIT 2005).

On November 18, 2005, the Department issued the draft results of redetermination pursuant to remand (draft results) for comment by interested parties. In the draft results, the Department explained that upon reconsideration of the date-of-sale methodology used for Colakoglu, it found that the material terms of sale for Colakoglu's U.S. sales were established at the order date. Therefore, the Department stated that it would recalculate the margin using Colakoglu's reported order date as the date of sale.

On November 28, 2005, the Department received comments on the draft results from Gerdau AmeriSteel Corporation, Commercial Metals Company (SMI Steel Group), and Nucor Corporation (collectively "the petitioners"). On November 30, 2006, the Department received rebuttal comments from Colakoglu. On January 13, 2006, the Department issued its final results of redetermination pursuant to remand to the CIT. After analyzing the comments submitted by interested parties, the Department continued to find that the appropriate date of sale for Colakoglu's U.S. sales for the time period in question was the order date.

On March 13, 2006, the CIT found that the Department complied with the

CIT's remand order and sustained the Department's remand redetermination. *See Colakoglu Remand*. On March 24, 2006, consistent with the decision of the United States Court of Appeals for the Federal Circuit in *Timken Co. v. United States*, 893 F. 2d 337 (Fed. Cir. 1990), the Department notified the public that the CIT's decision was "not in harmony" with the Department's November 2004 *Final Results*. *See Certain Steel Concrete Reinforcing Bars from Turkey: Notice of Court Decision Not in Harmony with Final Results of Administrative Review*, 71 FR 14835 (Mar. 24, 2006). No party appealed the CIT's decision. Because there is now a final and conclusive decision in the court proceeding, we are issuing amended final results to reflect the results of the remand determination.

#### Amended Final Results of Review

We are amending the final results of the 2002–2003 review on the antidumping duty order on rebar from Turkey to reflect a revised weighted-average margin of 4.91 percent for Colakoglu for the period April 1, 2002, through March 31, 2003.

#### Assessment

The Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries.

Because Colakoglu did not report the entered value for the U.S. sales in question, we have calculated importer-specific assessment rates by aggregating the dumping margins calculated for all U.S. sales to each importer and dividing this amount by the total quantity of those sales. To determine whether the duty assessment rates were *de minimis*, in accordance with the requirement set forth in 19 CFR 351.106(c)(2), we calculated importer-specific *ad valorem* ratios based on the export prices. Pursuant to 19 CFR 351.106(c)(2), we will instruct CBP to liquidate without regard to antidumping duties any entries for which the assessment rate is *de minimis* (i.e., less than 0.50 percent). The Department will issue appraisal instructions directly to CBP.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended.

Dated: May 23, 2006.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–427–810]

#### Preliminary Results of Full Sunset Review: Certain Corrosion-Resistant Carbon Steel Flat Products from France

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

**SUMMARY:** On November 1, 2005, the Department of Commerce ("the Department") initiated a sunset review of the countervailing duty ("CVD") order on certain corrosion-resistant carbon steel flat products from France, pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). On the basis of a notice of intent to participate and an adequate substantive response filed on behalf of the domestic interested parties, an adequate response from respondent interested parties, and respondent interested parties' arguments regarding post-investigation privatization of Usinor, the Department determined to conduct a full sunset review of this CVD order pursuant to section 751(c) of the Act and 19 CFR 351.218(e)(2). As a result of our analysis, the Department preliminarily finds that revocation of the CVD order would likely lead to continuance or recurrence of a countervailable subsidy.

**EFFECTIVE DATE:** May 31, 2006.

**FOR FURTHER INFORMATION CONTACT:** Stephanie Moore or Brandon Farlander, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–3692 or (202) 482–4136, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On November 1, 2005, the Department initiated a sunset review of the CVD order on certain corrosion-resistant carbon steel flat products from France pursuant to section 751(c) of the Act. *See Initiation of Five-year ("Sunset") Reviews*, 70 FR 65884 (November 1, 2005). On November 9, 2005, the Department received a notice of intent to participate on behalf of Nucor Corporation ("Nucor"), and on November 16, 2005, on behalf of Mittal Steel USA ISG Inc. ("Mittal Steel USA") and Ispat-Inland ("Ispat"); United States Steel Corporation ("U.S. Steel"); and United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers

International Union, AFL–CIO–CLC ("USW") (collectively, "domestic interested parties"). The domestic interested parties claimed interested party status under sections 771(9)(C) and (D) of the Act, as domestic producers of a like product and a union engaged in the production of subject merchandise in the United States. The Department received substantive responses from the domestic interested parties as well as from Arcelor S.A. ("Arcelor"), successor-in-interest to Usinor Sacilor; Duferco Coating SA and Sorral SA ("Duferco Sorral"); the European Union ("EU"); and the Government of France ("GOF") (collectively, "respondent parties"), within the 30-day deadline specified in 19 CFR 351.218(d)(3)(I). As a result, pursuant to section 751(c)(5) of the Act and 19 CFR 351.218(e)(2)(i), the Department is conducting a full sunset review of this CVD order.

The Department determined that the sunset review of the CVD order on certain corrosion-resistant carbon steel flat products from France is extraordinarily complicated. In accordance with section 751(c)(5)(C)(v) of the Act, the Department may treat a review as extraordinarily complicated if it is a review of a transition order (i.e., an order in effect on January 1, 1995). (*See* section 751(c)(6)(C) of the Act). Therefore, on February 28, 2006, the Department extended the time limit for the completion of the preliminary results of this full sunset review until no later than May 22, 2006, 90 days from the original scheduled date, in accordance with section 751(c)(5)(B) of the Act. *See Certain Corrosion-Resistant Carbon Steel Flat Products from France: Extension of Time Limits for Preliminary Results and Final Results of Full Sunset Review*, 71 FR 10011 (February 28, 2006).

##### Scope of the Order

The merchandise covered by this order includes flat-rolled carbon steel products, of rectangular shape, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted, varnished or coated with plastics or other nonmetallic substances in addition to the metallic coating, in coils (whether or not in successively superimposed layers) and of a width of 0.5 inch or greater, or in straight lengths which, if of a thickness less than 4.75 millimeters, are of a width of 0.5 inch or greater and which measures at least 10 times the thickness or if of a thickness of 4.75 millimeters or more are of a width which exceeds 150