

Specifically, the Department will delete from the service list all parties that do not submit a substantive response to the notice of initiation.

Because deadlines in a sunset review are, in many instances, very short, we urge interested parties to apply for access to proprietary information under administrative protective order ("APO") immediately following publication in the **Federal Register** of the notice of initiation of the sunset review. The Department's regulations on submission of proprietary information and eligibility to receive access to business proprietary information under APO can be found at 19 CFR 351.304-306 (see *Antidumping and Countervailing Duty Proceedings: Administrative Protective Order Procedures; Procedures for Imposing Sanctions for Violation of a Protective Order*, 63 FR 24391 (May 4, 1998)).

Information Required From Interested Parties

Domestic interested parties (defined in 19 CFR 351.102 (1998)) wishing to participate in the sunset review must respond not later than 15 days after the date of publication in the **Federal Register** of the notice of initiation by filing a notice of intent to participate. The required contents of the notice of intent to participate are set forth in the *Sunset Regulations* at 19 CFR 351.218(d)(1)(ii). We note that the Department considers each of the orders listed above as separate and distinct orders and, therefore, requires order-specific submissions. In accordance with the *Sunset Regulations*, if we do not receive a notice of intent to participate from at least one domestic interested party by the 15-day deadline, the Department will automatically revoke the order without further review.

If we receive an order-specific notice of intent to participate from a domestic interested party, the *Sunset Regulations* provide that *all parties* wishing to participate in the sunset review must file substantive responses not later than 30 days after the date of publication in the **Federal Register** of the notice of initiation. The required contents of a substantive response, on an order-specific basis, are set forth in the *Sunset Regulations* at 19 CFR 351.218(d)(3). Note that certain information requirements differ for foreign and domestic parties. Also, note that the Department's information requirements are distinct from the International Trade Commission's information requirements. Please consult the *Sunset Regulations* for information regarding the Department's conduct of sunset

reviews.¹ Please consult the Department's regulations at 19 CFR part 351 (1998) for definitions of terms and for other general information concerning antidumping and countervailing duty proceedings at the Department.

This notice of initiation is being published in accordance with section 751(c) of the Act and 19 CFR 351.218(c).

Dated: May 26, 1999.

Bernard T. Carreau,

Acting Assistant Secretary for Import Administration.

[FR Doc. 99-13838 Filed 5-28-99; 8:45 am].

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-201-504]

Porcelain-on-Steel Cookware From Mexico: Amended Final Results of Antidumping Duty Administrative Review

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

EFFECTIVE DATE: June 1, 1999.

FOR FURTHER INFORMATION CONTACT:

Katherine Johnson or David J. Goldberger, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone, (202) 482-4929 or (202) 482-4136, respectively.

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations at 19 CFR part 351 (1998).

Scope of the Review

Imports covered by this review are shipments of porcelain-on-steel cookware, including tea kettles, which do not have self-contained electric heating elements. All of the foregoing are constructed of steel and are

¹ A number of parties commented that these interim-final regulations provided insufficient time for rebuttals to substantive responses to a notice of initiation (*Sunset Regulations*, 19 CFR 351.218(d)(4)). As provided in 19 CFR 351.302(b) (1998), the Department will consider individual requests for extension of that five-day deadline based upon a showing of good cause.

enameled or glazed with vitreous glasses. This merchandise is currently classifiable under *Harmonized Tariff Schedule of the United States* (HTSUS) subheading 7323.94.00. Kitchenware currently classifiable under HTSUS subheading 7323.94.00.30 is not subject to the order. Although the HTSUS subheadings are provided for convenience and Customs purposes, our written description of the scope of this proceeding is dispositive.

Amendment to Final Results

In accordance with section 751(a) of the Act, on May 18, 1999, the Department published the final results of the 1996-1997 eleventh administrative review on porcelain-on-steel cookware from Mexico, in which we determined that sales of porcelain-on-steel cookware from Mexico were made at less than normal value (64 FR 26934). On May 17, 1999, we received allegations, timely filed pursuant to 19 CFR 351.224(c)(2), from the petitioner Columbian Home Products, LLC that the Department made two ministerial errors in its final results. We did not receive ministerial error allegations from Cinsa, S.A. de C.V. (Cinsa) or Esmaltaciones de Norte America, S.A. de C.V. (ENASA). However, on May 20, 1999, Cinsa and ENASA alleged that the petitioner's ministerial error allegations exceeded the limited scope of the corrections authorized by the Department's regulations. Respondents also claim that the Department is barred from making the suggested corrections on the grounds that an appeal for review by a NAFTA panel has now been docketed with respect to this case. We disagree with respondents. The definition of a ministerial error provides not only for correction of errors in arithmetic but also for "any other similar type of unintentional error which the Secretary considers ministerial." 19 CFR 351.224(f). Furthermore, the Department does not lose jurisdiction for the purpose of correcting clerical errors with the filing of a Request for Panel Review.

After analyzing petitioner's submission, we have determined, in accordance with 19 CFR 351.224, that two ministerial errors were made in our final margin calculations for Cinsa and ENASA. Specifically, we failed to state our final determination of duty absorption, including the percentage of U.S. sales on which duty absorption occurred. Because the Department did not intend to avoid finalizing its statutorily-required determination with respect to duty absorption, failure to state our final determination in the **Federal Register** constitutes a

ministerial error within the meaning of the Department's regulations. We also inadvertently failed to deduct inventory carrying costs incurred in the United States from the total selling expenses used in the CEP profit calculation. For a detailed discussion of the ministerial error allegations and the Department's analysis, see the Memorandum to Louis Apple from the Team, dated May 21, 1999.

Duty Absorption

On February 18, 1998, petitioner requested that the Department determine whether antidumping duties had been absorbed by Cinsa and ENASA during the period of review (POR), pursuant to section 751(a)(4) of the Act. Section 751(a)(4) provides that the Department, if requested, will determine during an administrative review initiated two years or four years after publication of the order whether antidumping duties have been absorbed by a foreign producer or exporter subject to the order if the subject merchandise is sold in the United States through an importer who is affiliated with such foreign producer or exporter. Section 351.213(j)(2) of the Department's regulations provides that, for transition orders as defined in section 751(c)(6)(C) of the Act, *i.e.*, orders in effect as of January 1, 1995, the Department will make a duty absorption determination upon request in administrative reviews initiated in 1996 and 1998. See *Antidumping Duties; Countervailing Duties: Final Rule*, 62 FR 27296, 27394 (May 19, 1997). This approach ensures that interested parties will have the opportunity to request a duty absorption determination prior to sunset reviews for entries for which the second and fourth years following an order have already passed. Because the order on porcelain-on-steel cookware from Mexico has been in effect since 1986, this is a transition order within the meaning of section 751(c)(6)(C) of the Act. Thus, as there has been a request for an absorption determination in this review (initiated in 1998), we are making a duty-absorption determination.

The statute provides for a determination on duty absorption with respect to subject merchandise that is sold in the United States through an affiliated importer. In this case, both Cinsa and ENASA made all of their sales of subject merchandise to the United States through an importer that is affiliated within the meaning of section 751(a)(4) of the Act. With respect to Cinsa, we have determined that there is a dumping margin on 68.03 percent of its U.S. sales during the POR.

For ENASA, we have determined that there is a dumping margin on 98.52 percent of its U.S. sales during the POR. In addition, for Cinsa's and ENASA's sales of subject merchandise, we cannot conclude from the record that the unaffiliated purchasers in the United States will pay the ultimately assessed duty. Under these circumstances, therefore, we find that antidumping duties have been absorbed by Cinsa on 68.03 percent of its U.S. sales of subject merchandise and by ENASA on 98.52 percent of its U.S. sales of subject merchandise.

CEP Profit Calculation

We also failed to deduct inventory carrying costs incurred in the United States from the total selling expenses used in the calculation of CEP profit. The Department's policy is to exclude all imputed expenses (*i.e.*, credit expenses and inventory carrying costs) from the calculation of total actual profit for CEP sales of subject merchandise and sales of the foreign like product. See *Policy Bulletin 97.1: Calculation of Profit for Constructed Export Price Transactions*.

Therefore, in accordance with section 751(h) of the Act and 19 CFR 351.224(e), we are amending the final results of the 1996-1997 antidumping duty administrative review on porcelain-on-steel cookware from Mexico.

The revised weighted-average dumping margins are as follows:

Manufacturer/ exporter	Original final margin percentage	Revised final margin percentage
Cinsa	25.34	25.42
ENASA	65.23	65.28

This amended final results of administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)), section 777(i) of the Act (19 U.S.C. 1677f(i)), and 19 CFR 351.210(c).

Dated: May 25, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

Quarterly Update to Annual Listing of Foreign Government Subsidies on Articles of Cheese Subject to an In-Quota Rate of Duty

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

ACTION: Publication of quarterly update to annual listing of foreign government subsidies on articles of cheese subject to an in-quota rate of duty.

SUMMARY: The Department of Commerce, in consultation with the Secretary of Agriculture, has prepared its quarterly update to the annual list of foreign government subsidies on articles of cheese subject to an in-quota rate of duty during the period January 1, 1999 through March 31, 1999. We are publishing the current listing of those subsidies that we have determined exist. **EFFECTIVE DATE:** June 1, 1999.

FOR FURTHER INFORMATION CONTACT: Russell Morris or Tipton Troidl, Office of AD/CVD Enforcement VI, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW., Washington, DC 20230, telephone: (202) 482-2786.

SUPPLEMENTAL INFORMATION: Section 702(a) of the Trade Agreements Act of 1979 (as amended) (the Act) requires the Department of Commerce (the Department) to determine, in consultation with the Secretary of Agriculture, whether any foreign government is providing a subsidy with respect to any article of cheese subject to an in-quota rate of duty, as defined in section 702(g)(b)(4) of the Act, and to publish an annual list and quarterly updates of the type and amount of those subsidies. We hereby provide the Department's quarterly update of subsidies on cheeses that were imported during the period January 1, 1999 through March 31, 1999.

The Department has developed, in consultation with the Secretary of Agriculture, information on subsidies (as defined in section 702 (g)(b)(2) of the Act) being provided either directly or indirectly by foreign governments on articles of cheese subject to an in-quota rate of duty. The appendix to this notice lists the country, the subsidy program or programs, and the gross and net amounts of each subsidy for which information is currently available.

The Department will incorporate additional programs which are found to constitute subsidies, and additional