

DEPARTMENT OF COMMERCE**International Trade Administration****[A-533-810]****Stainless Steel Bar from India:
Preliminary Results of New Shipper
Antidumping Duty Administrative
Review**

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

ACTION: Notice of preliminary results of
new shipper antidumping duty
administrative review: stainless steel bar
from India.

SUMMARY: In response to a request from
Snowdrop Trading PVT. LTD., the
Department of Commerce is conducting
a new shipper administrative review of
the antidumping duty order on stainless
steel bar from India. This review covers
sales of the subject merchandise to the
United States during the period
February 1 through September 30, 2000.

We have preliminarily determined
that Snowdrop Trading PVT. LTD. has
not made sales of subject merchandise
below normal value. If these
preliminary results are adopted in our
final results, we will instruct the
Customs Service not to assess
antidumping duties.

Interested parties are invited to
comment on these preliminary results.

EFFECTIVE DATE: March 6, 2001.

FOR FURTHER INFORMATION CONTACT:
Blanche Ziv, Office 1, Import
Administration, International Trade
Administration, U.S. Department of
Commerce, 14th Street and Constitution
Avenue, NW., Washington DC 20230;
telephone (202) 482-4207.

Applicable Statute

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. In addition, all
references to the Department of
Commerce's ("the Department's")
regulations are to 19 CFR part 351 (April
2000).

Background

On August 3, 2000, the Department
received a request from Snowdrop
Trading PVT. LTD. ("Snowdrop") to
conduct a new shipper administrative
review of the antidumping duty order
on stainless steel bar from India. The

Department published in the **Federal
Register**, on September 11, 2000, a
notice of initiation of a new shipper
administrative review of Snowdrop
covering the period February 1 through
July 31, 2000 (65 FR 54840). *See*
351.214(g)(1)(A).

On September 28, 2000, the
Department issued an antidumping
questionnaire to Snowdrop. We
received a response on October 19,
2000. We issued a supplemental
questionnaire on January 22, 2001, to
which we received a response on
January 31, 2001.

The Department expanded the POR
through September 30, 2000, in order to
capture the sale and corresponding
entry made by Snowdrop to the United
States (*see* the memorandum from team
to Susan Kuhbach, dated February 15,
2001).

Scope of Review

Imports covered by this review are
shipments of stainless steel bar ("SSB").
SSB means articles of stainless steel in
straight lengths that have been either
hot-rolled, forged, turned, cold-drawn,
cold-rolled or otherwise cold-finished,
or ground, having a uniform solid cross
section along their whole length in the
shape of circles, segments of circles,
ovals, rectangles (including squares),
triangles, hexagons, octagons, or other
convex polygons. SSB includes cold-
finished SSBs that are turned or ground
in straight lengths, whether produced
from hot-rolled bar or from straightened
and cut rod or wire, and reinforcing bars
that have indentations, ribs, grooves, or
other deformations produced during the
rolling process.

Except as specified above, the term
does not include stainless steel semi-
finished products, cut length flat-rolled
products (*i.e.*, cut length rolled products
which if less than 4.75 mm in thickness
have a width measuring at least 10 times
the thickness, or if 4.75 mm or more in
thickness having a width which exceeds
150 mm and measures at least twice the
thickness), wire (*i.e.*, cold-formed
products in coils, of any uniform solid
cross section along their whole length,
which do not conform to the definition
of flat-rolled products), and angles,
shapes and sections.

The SSB subject to these orders is
currently classifiable under subheadings
7222.10.0005, 7222.10.0050,
7222.20.0005, 7222.20.0045,
7222.20.0075, and 7222.30.0000 of the
Harmonized Tariff Schedule of the
United States ("HTSUS"). Although the
HTSUS subheadings are provided for

convenience and customs purposes, our
written description of the scope of this
order is dispositive.

**Treatment of Sales of Tolled
Merchandise**

Pursuant to 19 CFR 351.401(h), the
Department will not consider a toller or
subcontractor to be a manufacturer or
producer when the toller or
subcontractor does not acquire
ownership of the finished products and
does not control the relevant sales of the
subject merchandise and the foreign like
product. In determining whether a
company that uses a subcontractor in a
tolling arrangement is a producer
pursuant to 19 CFR 351.401(h), we
examine all relevant facts surrounding a
tolling agreement. Snowdrop claims that
under the tolling arrangement with its
unaffiliated subcontractor, Snowdrop is
the producer of the subject merchandise
at issue. In support of this claim,
Snowdrop reports that it: (1) Purchases
all of the inputs, (2) pays the
subcontractor a processing fee, and (3)
maintains ownership at all times of the
inputs as well as the final product.
Based on this evidence, we
preliminarily determine that Snowdrop
is the producer of the tolled
merchandise and, hence, the
appropriate respondent.

United States Price

In calculating the price to the United
States, we used export price ("EP"), in
accordance with section 772(a) of the
Act, because the subject merchandise
was sold directly to the first unaffiliated
purchaser in the United States prior to
importation into the United States and
the use of constructed export price was
not otherwise indicated.

We calculated EP based on the CIF
price to the United States. In accordance
with section 772(c)(2) of the Act, we
made deductions, as appropriate, for
foreign inland freight, international
freight, marine insurance, and brokerage
and handling.

Normal Value

Snowdrop reported no home market
sales or third country sales during the
POR. Therefore, we based normal value
on constructed value ("CV"). In
accordance with section 773(e) of the
Act, we calculated CV for Snowdrop
based on the sum of the respondent's
cost of materials, labor, overhead,
general and administrative expenses
("GNA"), profit, and U.S. packing costs.
With respect to G&A, we used the
amounts reported by Snowdrop in its

October 19, 2000 response. We calculated profit using the 1999–2000 financial statements submitted by Snowdrop (*see* calculation memo to the file dated February 28, 2001).

Preliminary Results of the Review

As a result of our comparison of EP and CV, we preliminarily determine the

following weighted-average dumping margin:

Manufacturer/exporter	Period of review	Margin (percent)
Snowdrop Trading PVT. LTD.	2/1/00–9/30/00	0.00

The above deposit rate will be effective upon publication of the final results of this new shipper review for all shipments of SSB from India entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act.

Public Comment

Interested parties may request a hearing within 30 days of the date of publication of this notice. Any hearing, if requested, will be held two days after the scheduled date for submission of rebuttal briefs (*see* below). Interested parties may submit written arguments in case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, limited to issues raised in case briefs, may be filed no later than five days after the date of filing the case briefs. Parties who submit briefs in these proceedings should provide a summary of the arguments not to exceed five pages and a table of statutes, regulations, and cases cited. Copies of case briefs and rebuttal briefs must be served on interested parties in accordance with 19 CFR 351.303(f)(3).

The Department will issue the final results of this administrative review within 90 days from the issuance of these preliminary results.

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) 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 new shipper review and notice are in accordance with sections 751(a)(1) and 777(i)(1) of the Act. Effective January 20, 2001, Bernard T. Carreau is fulfilling the duties of the Assistant Secretary for Import Administration.

Dated: February 28, 2001.

Bernard T. Carreau,

Deputy Assistant Secretary, Import Administration.

[FR Doc. 01–5440 Filed 3–5–01; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

DEPARTMENT OF THE INTERIOR

Office of Insular Affairs

[Docket No. 990813222–0035–03]

RIN 0625–AA55

Allocation of Duty-Exemptions for Calendar Year 2001 Among Watch Producers Located in the Virgin Islands

AGENCY: Import Administration, International Trade Administration, Department of Commerce; Office of Insular Affairs, Department of the Interior.

ACTION: Notice.

SUMMARY: This action allocates calendar year 2001 duty-exemptions for watch producers located in the Virgin Islands pursuant to Pub. L. 97–446, as amended by Pub. L. 103–465 (“the Act”).

FOR FURTHER INFORMATION CONTACT: Faye Robinson, (202) 482–3526.

SUPPLEMENTARY INFORMATION: Pursuant to the Act, the Departments of the Interior and Commerce (the Departments) share responsibility for the allocation of duty exemptions among watch assembly firms in the United States insular possessions and the Northern Mariana Islands. In accordance with Section 303.3(a) of the regulations (15 CFR 303(a)), the total quantity of duty-free insular watches and watch movements for calendar year 2001 is 1,866,000 units for the Virgin Islands (65 F.R. 8048, February 17, 2000).

The criteria for the calculation of the calendar year 2001 duty-exemption allocations among insular producers are set forth in Section 303.14 of the regulations (15 CFR 303.14).

The Departments have verified and adjusted the data submitted on application form ITA–334P by Virgin Islands producers and inspected their current operations in accordance with Section 303.5 of the regulations (15 CFR 303.5).

In calendar year 2000 the Virgin Islands watch assembly firms shipped 624,215 watches and watch movements into the customs territory of the United States under the Act. The dollar amount of creditable corporate income taxes paid by Virgin Islands producers during calendar year 2000 plus the creditable wages paid by the industry during calendar year 2000 to residents of the territory was \$3,175,576.

There are no producers in Guam, American Samoa or the Northern Mariana Islands.

The calendar year 2001 Virgin Islands annual allocations, based on the data verified by the Departments, are as follows:

Name of firm	Annual allocation
Belair Quartz, Inc.	500,000
Hampden Watch Co., Inc.	200,000
Unitime Industries, Inc.	500,000
Tropex, Inc.	300,000

The balance of the units allocated to the Virgin Islands is available for new entrants into the program or producers who request a supplement to their allocation.

Timothy J. Hauser,

Acting Under Secretary for International Trade, Department of Commerce.

Nikolao Pula,

Acting Director, Office of Insular Affairs, Department of the Interior.

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