

distributor and end user) in the home market. We examined the differences in selling activities Tosoh Corporation reported in its responses to our requests for information. We found that the selling activities associated with sales to trading companies/distributors were not fewer and did not differ from activities associated with sales to end-users in terms of various selling activities. For example, Tosoh Corporation reported that under distribution channel 1, (sales to trading company/distributor) and channel 2 (sales to end users), it provided sales strategy and information on market potential and customers. In addition, Tosoh Corporation reported that it provided selling activities such as scheduling production and delivery, analyzing and producing orders, and pricing for both channels 1 and 2. According to the respondent's submission, there were no differences between the two channels in terms of technical service, administrative support, and freight/delivery to customer. Based on these sales activities, we found that the two home-market channels constitute one level of trade.

Because Tosoh Corporation made CEP sales in the United States, we identified the level of trade based on the price after the deduction of expenses and profit under section 772(d) of the Act and pursuant to 19 CFR 351.412(c)(ii). As a result of our examination of the record, we found that the respondent's information did not indicate that there were significant differences between the selling activities associated with the home-market level of trade and those associated with the CEP level of trade. Moreover, the respondent indicated in its June 30, 2000, submission that it was not requesting a level-of-trade adjustment. Therefore, we have determined that the U.S. sale was made at the same level of trade as the home-market level of trade and, therefore, no level-of-trade or CEP-offset adjustment was necessary.

#### **Preliminary Results of Review**

As a result of our review, we preliminarily determine a weighted-average dumping margin of 0.00 percent for the period April 1, 1999, through December 31, 1999, for Tosoh Corporation.

Any interested party may request a hearing within 30 days of publication of this notice. Hearing requests should specify the number of participants and provide a list of the issues to be discussed. Any hearing, if requested, will be held 40 days after the date of publication of this notice, or the first workday thereafter. Issues raised in

hearings will be limited to those raised in the respective case and rebuttal briefs. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication of this notice.

Parties who submit arguments are requested to submit with the arguments (1) a table of contents, (2) a statement of the issue, (3) a list of authorities used, and (4) an executive summary of issues. Executive summaries should be limited to five pages total, including footnotes.

All memoranda to which we refer in this notice can be found in the public reading room located in the Central Records unit, room B-099 of the main Department of Commerce building.

The Department will publish the final results of this administrative review, including the results of its analysis of issues raised in any such written briefs or hearing. The Department will issue final results of this review within 120 days of publication of these preliminary results.

Upon completion of the final results of this administrative review, if there is no change from our preliminary results, we will instruct the Customs Service to liquidate all appropriate entries without regard to antidumping duties.

Effective January 1, 2000, this order was revoked. (65 FR 26570, May 8, 2000). As a result, no cash deposits of estimated antidumping duties are required on imports of EMD from Japan after January 1, 2000.

This notice also serves as a preliminary 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 Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

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

Dated: January 2, 2001.

**Troy H. Cribb,**

*Assistant Secretary for Import Administration.*

[FR Doc. 01-775 Filed 1-9-01; 8:45 am]

**BILLING CODE 3510-DS-P**

## **DEPARTMENT OF COMMERCE**

### **International Trade Administration**

[A-484-801]

#### **Electrolytic Manganese Dioxide From Greece: Preliminary Results of Antidumping Duty Administrative Review**

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

**ACTION:** Notice of preliminary results of antidumping duty administrative review.

**SUMMARY:** Based on a request by a Greek producer, Tosoh Hellas A.I.C., the Department of Commerce is conducting an administrative review of the antidumping duty order on electrolytic manganese dioxide from Greece.

We have preliminarily determined that sales by Tosoh Hellas A.I.C. have not been made below normal value. If these preliminary results are adopted in our final results of administrative review, we will instruct the Customs Service to liquidate without regard to antidumping duties all entries of electrolytic manganese dioxide from Tosoh Hellas A.I.C. during the period of review.

We invite interested parties to comment on these preliminary results.

**EFFECTIVE DATE:** January 10, 2001.

**FOR FURTHER INFORMATION CONTACT:** Hermes Pinilla or Richard Rimlinger, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone: (202) 482-4733.

#### **SUPPLEMENTARY INFORMATION:**

#### **The 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 of Commerce's (the Department's) regulations are to 19 CFR part 351 (2000).

#### **Background**

On April 17, 1989, the Department published in the **Federal Register** (54 FR 15243) the antidumping duty order on electrolytic manganese dioxide (EMD) from Greece. On April 12, 2000, the Department published in the **Federal Register** a notice advising of the opportunity to request an administrative review of this order for the period April

1, 1999, through December 31, 1999 (65 FR 19736). Tosoh Hellas A.I.C. (Tosoh), a Greek producer, requested a review on April 27, 2000. In response to this request, the Department published a notice of initiation of administrative review on June 2, 2000, in accordance with 19 CFR 351.213(b) (65 FR 35320). The Department is conducting this administrative review in accordance with section 751 of the Act.

On April 20, 2000, the International Trade Commission (ITC), pursuant to section 751(c) of the Act, determined that revocation of the antidumping order on EMD from Japan would not be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. As a result of this determination the Department revoked the antidumping order on EMD from Japan. The Department published the revocation in the **Federal Register** on May 31, 2000, with an effective date of January 1, 2000 (65 FR 34661). Therefore, the period covered by this administrative review is April 1, 1999, through December 31, 1999, rather than April 1, 1999, through March 31, 2000.

### Scope of Review

Imports covered by this review are shipments of EMD from Greece. EMD is manganese dioxide (MnO<sub>2</sub>) that has been refined in an electrolysis process. The subject merchandise is an intermediate product used in the production of dry-cell batteries. EMD is sold in three physical forms, powder, chip, or plate, and two grades, alkaline and zinc-chloride. EMD in all three forms and both grades is included in the scope of the order. This merchandise is currently classifiable under item number 2820.10.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). The HTSUS number is provided for convenience and customs purposes. It is not determinative of the products subject to the order. The written product description remains dispositive.

### Constructed Export Price

In calculating the U.S. price, we used constructed export price (CEP) as defined in section 772(b) of the Act because Tosoh sells subject merchandise through an U.S. affiliated company in the United States. We calculated CEP based on the packed, delivered prices to unaffiliated purchasers in the United States. We made deductions for any movement expenses in accordance with section 772(c)(2)(A) of the Act.

In accordance with section 772(d)(1) of the Act and the Statement of Administrative Action (SAA), H. Doc

103–319 vol. 1, 822–825 (1994), we calculated the CEP by deducting selling expenses associated with economic activities occurring in the United States, including direct selling expenses and indirect selling expenses.

With respect to CEP profit, section 772(d)(3) of the Act requires the Department, in determining CEP, to identify and deduct from the starting price in the U.S. market an amount for profit allocable to selling and further-manufacturing activities in the United States. Section 772(f) of the Act provides the rule for determining the amount of CEP profit to deduct from the CEP starting price. In this review, since we do not have any cost information to calculate CEP profit, we determined, pursuant to subsection 772(f)(2)(D), that the best available sources of profit information are the 1999 financial statements which the respondent and its U.S. affiliate submitted in response to section A of our questionnaire. See Tosoh's Analysis Memorandum dated December 18, 2000 (Analysis Memo).

We made adjustments, where appropriate, for domestic inland freight, warehousing expenses, international freight, and brokerage and handling in accordance with section 772(c)(2)(A) of the Act. Pursuant to 19 CFR 351.401(i), we used the shipment date as the date of sale for the U.S. market, in accordance with our standard practice, because the invoice date post-dates the date of shipment. See *Bulk Aspirin from the PRC*, 65 FR 33805 (May 25, 2000), accompanying decision memorandum at comment 15, and cases cited therein.

Finally, in accordance with section 772(d)(1)(B) and (C) of the Act, we adjusted CEP to reflect a rebate which Tosoh is contractually obligated to make to its customer based on the relationship of its price, after all previously described adjustments, and normal value. For further details see the December 18, 2000, Analysis Memo.

### Normal Value

In order to determine whether there is a sufficient volume of sales in the home market to serve as a basis for calculating normal value, we compare the respondent's volume of home-market sales of the foreign like product to the volume of U.S. sales of the subject merchandise in accordance with section 773(a) of the Act. Because the aggregate volume of home-market sales of the foreign like product was greater than five percent of the aggregate volume of U.S. sales of the subject merchandise, we determined that the home market provides a viable basis for calculating normal value. Therefore, in accordance with section 773(a)(1)(B)(i) of the Act,

we based normal value on the price at which the foreign like product was first sold to unaffiliated customers for consumption in the exporting country in the usual commercial quantities and in the ordinary course of trade.

We calculated monthly, weighted-average normal values. Because identical merchandise was not sold during the relevant contemporaneous period, we compared U.S. sales to sales of the most similar foreign like product in accordance with section 771(16)(B) of the Act.

Prices in the exporting country were based on packed, free-on-truck prices to the unaffiliated purchasers. Where applicable, we made adjustments for differences in packing in accordance with section 773(a)(6)(A) of the Act. We also made adjustments for differences in costs attributable to differences in physical characteristics of the merchandise pursuant to section 773(a)(6)(C)(ii) of the Act and for differences in circumstances of sale in accordance with section 773(a)(6)(C)(iii) of the Act and 19 CFR 351.410. With respect to our comparisons to CEP, we made circumstances-of-sale adjustments by deducting home-market direct selling expenses from normal value.

### Level of Trade

To the extent practicable, we determine normal value for sales at the same level of trade as the U.S. sales in accordance with section 773(a)(1)(B) of the Act. The normal value level of trade is that of the starting-price sales in the home market. See 19 CFR 351.412(c)(iii). For CEP sales, the U.S. level of trade is the level of the constructed sale from the exporter to the importer.

To determine whether home-market sales were at a different level of trade than U.S. sales, we examined stages in the marketing process and selling functions along the chain of distribution between the producer and the unaffiliated customer. Tosoh reported that there was only one channel of distribution in the home market and, having determined that the same selling functions are provided to all home-market customers, we conclude that there is only one level of trade. Because all of Tosoh's U.S. sales were CEP sales, we identified the level of trade based on the price after the deduction of expenses and profit under section 772(d) of the Act, pursuant to 19 CFR 351.412(c)(ii). Based on our analysis, we considered CEP sales which involve the same selling functions to constitute a single level of trade. Based on the record, we found that there were significant

differences between the selling activities associated with the home-market level of trade and those associated with the CEP level of trade. Therefore, we determined that CEP sales were at a different level of trade from the home-market sales. Consequently, we could not match U.S. sales to sales at the same level of trade in the home market. Moreover, data necessary to determine a level-of-trade adjustment was not available. Therefore, because home-market sales were made at a more advanced stage of distribution than that of the CEP level, we made a CEP-offset adjustment when comparing CEP and home-market sales in accordance with section 773(a)(7)(B) of the Act. For a more detailed description of our analysis, see the Level-of-Trade section of our December 18, 2000, Analysis Memo.

#### Preliminary Results of Review

As a result of our review, we preliminarily determine a weighted-average dumping margin of 0.00 percent for Tosoh for the period April 1, 1999, through December 31, 1999.

Any interested party may request a hearing within 30 days of publication of this notice. Hearing requests should specify the number of participants and provide a list of the issues to be discussed. Any hearing, if requested, will be held 40 days after the date of publication of this notice, or the first workday thereafter. Issues raised in hearings will be limited to those raised in the respective case and rebuttal briefs. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication of this notice.

Parties who submit arguments are requested to submit with the arguments (1) a table of contents, (2) a statement of the issue, (3) a list of authorities used, and (4) an executive summary of issues. Executive summaries should be limited to five pages total, including footnotes.

Hearing requests should specify the number of participants and provide a list of the issues to be discussed. All memoranda to which we refer in this notice can be found in the public reading room, located in the Central Records Unit, room B-099 of the main Department of Commerce building.

The Department will publish the final results of this administrative review, including the results of its analysis of issues raised in any such written briefs or at a hearing. The Department will issue final results of this review within

120 days of publication of these preliminary results.

Upon completion of the final results of this administrative review, if there is no change from our preliminary results, we will instruct the Customs Service to liquidate all appropriate entries without regard to antidumping duties.

Effective January 1, 2000, this order was revoked. (65 FR 26567, May 8, 2000). As a result, no cash deposit of estimated antidumping duties are required on imports of EMD from Japan after January 1, 2000.

This notice also serves as a preliminary 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 Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

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

Dated: January 2, 2001.

**Troy H. Cribb,**

*Assistant Secretary for Import Administration.*

[FR Doc. 01-776 Filed 1-9-01; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-588-846]

#### Hot-Rolled Flat-Rolled Carbon-Quality Steel Products From Japan: Extension of Time Limit for Preliminary Results of Antidumping Administrative Review

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

**ACTION:** Notice of extension of time limit for preliminary results of administrative review.

**EFFECTIVE DATE:** January 10, 2001.

#### FOR FURTHER INFORMATION CONTACT:

Michael Strollo or Sean Carey, AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-5255 or (202) 482-3964, respectively.

## The Applicable Statute

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act. In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, codified at 19 CFR part 351 (2000).

## Background

On June 30, 2000, the Department of Commerce (the Department) received a request from Kawasaki Steel Corporation ("Kawasaki") for an administrative review of the antidumping duty order on hot-rolled flat-rolled carbon-quality steel products from Japan. On July 31, 2000, the Department published a notice of initiation of this administrative review, covering the period of February 19, 1999 through May 31, 2000 (65 FR 46687).

## Extension of Time Limits for Preliminary Results

Because of the complexities enumerated in the Memorandum from Barbara E. Tillman to Joseph A. Spetrini, *Extension of Time Limit for the Administrative Review of Hot-Rolled Flat-Rolled Carbon-Quality Steel Products from Japan*, dated January 3, 2001, it is not practical to complete this review within the time limits mandated by section 751(a)(3)(A) of the Act.

Therefore, in accordance with section 751(a)(3)(A) of the Act, the Department is extending the time limit for the preliminary results of review until June 29, 2001. The final results continue to be due 120 days after the publication of the preliminary results.

Dated: January 3, 2001.

**Joseph A. Spetrini,**

*Deputy Assistant Secretary, AD/CVD Enforcement Group III*

[FR Doc. 01-778 Filed 1-9-01; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-815]

#### Sulfanilic Acid From the People's Republic of China: Extension of Time Limit for Final Results of Antidumping Duty Administrative Review

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