

Decision Memorandum are identical in content.

### Changes Since the Preliminary Results

Based on our analysis of comments received, we have made changes in the margin calculations for Nan Ya. The changes to the margin calculations are listed below:

#### Nan Ya

- The Department revised its conversion of dollars per pound to dollars per kilogram for converting U.S. gross prices and their respective expenses. See Issues and Decision Memorandum, at Comment 6, below. See also Memorandum from Zev Primor and Thomas Martin to The File, "Calculation Memorandum for the Final Results of Review for Nan Ya Plastics Corporation, Ltd.," dated August 8, 2004 ("Nan Ya Calculation Memorandum"), at 2.
- The Department has corrected minor discrepancies in the U.S. sales databases submitted by the U.S. customers that the Department has deemed to be affiliated with Nan Ya. See Nan Ya Calculation Memorandum, at 3.

### Final Results of Review

We determine that the following weighted average percentage margins exist for the period December 21, 2001 through June 30, 2003.

Manufacturer/exporter	Margin (percent)
Nan Ya Plastics Corporation, Ltd.	2.02
Shinkong Synthetic Fibers Corporation .....	0.62

### Assessment

The Department will determine, and U.S. Customs and Border Protection ("CBP") will assess, antidumping duties on all appropriate entries. Pursuant to 19 CFR 351.212(b)(1), we calculated importer-, and where appropriate, customer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of the dumping margins calculated for the examined sales to the total entered value of those same sales. For those sales where the respondent did not report actual entered value, we calculated importer-, and where appropriate, customer-specific assessment rates by aggregating the dumping margins calculated for the U.S. sales examined and dividing that amount by the total quantity of the sales examined. In accordance with 19 CFR 351.106(c)(2), we will instruct CBP to liquidate without regard to antidumping duties all entries of subject merchandise

during the POR for which the importer- or customer-specific assessment rate is zero or *de minimis* (i.e., less than 0.50 percent). To determine whether the per-unit duty assessment rates are *de minimis* (i.e., less than 0.50 percent), in accordance with the requirement set forth in 19 CFR 351.106(c)(2), we calculated importer- or customer-specific *ad valorem* ratios based on export prices. The Department will issue appropriate assessment instructions directly to CBP within 15 days of publication of these final results of review.

### Cash Deposit Requirements

The following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of PET film from Taiwan entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(1) of the Act: (1) The cash deposit rates for Nan Ya and Shinkong will be the rates shown above; (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) If neither the exporter nor the manufacturer is a firm covered in these or any previous reviews conducted by the Department, the cash deposit rate will be the "all others" rate established in the LTFV investigation, which is 2.56 percent. These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

### Notification to Importers

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 the antidumping duties occurred and the subsequent assessment of double antidumping duties.

### Administrative Protective Orders

This notice also serves as the only 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. 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.

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

Dated: August 6, 2004.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

### Appendix I—Issues in the Issues and Decision Memorandum

Comment 1: The Department should determine that certain of Nan Ya's U.S. customers are unaffiliated with Nan Ya.

Comment 2: Nan Ya's pricing to U.S. customers does not support a finding that certain U.S. customers are affiliated.

Comment 3: The Department cannot find affiliation between members of a family when there is no blood relationship.

Comment 4: The Department should grant Nan Ya a constructed export price ("CEP") offset.

Comment 5: The Department should not double count profit on sales in the CEP profit calculation.

Comment 6: The Department should correct the margin calculation for ministerial errors.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-475-820, A-588-843, A-580-829, A-469-807, A-401-806, A-583-828]

### Continuation of Antidumping Duty Orders: Stainless Steel Wire Rod From Italy, Japan, Korea, Spain, Sweden, and Taiwan

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

**ACTION:** Notice of Continuation of Antidumping Duty Orders: Stainless Steel Wire Rod from Italy, Japan, Korea, Spain, Sweden, and Taiwan.

**SUMMARY:** As a result of the determinations by the Department of Commerce ("the Department") and the

International Trade Commission ("Commission") that revocation of these antidumping duty orders would be likely to lead to continuation or recurrence of dumping and material injury to an industry in the United States, the Department is publishing notice of the continuation of the antidumping duty orders on stainless steel wire rod ("SSWR") from Italy, Japan, Korea, Spain, Sweden, and Taiwan.

**EFFECTIVE DATE:** September 13, 2004.

**FOR FURTHER INFORMATION CONTACT:** Hilary E. Sadler, Esq., Office of Policy, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW., Washington, DC 20230; telephone: (202) 482-5050 or 482-4340.

**SUPPLEMENTARY INFORMATION:**

**Background**

On August 1, 2003, the Department initiated<sup>1</sup> and the Commission instituted sunset reviews of the antidumping duty orders on SSWR from Italy, Japan, Korea, Spain, Sweden, and Taiwan pursuant to section 751(c) of the Tariff Act of 1930, as amended ("Act"). As a result of its review, the Department found that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping and notified the Commission of the magnitude of the margins likely to prevail were the orders to be revoked.<sup>2</sup>

On July 28, 2004, the Commission determined, pursuant to section 751(c) of the Act, that revocation of the antidumping duty orders on SSWR from Italy, Japan, Korea, Spain, Sweden, and Taiwan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. *See SSWR from Italy, Japan, Korea, Spain, Sweden, and Taiwan*, 69

<sup>1</sup> See *Initiation of Five-Year ("Sunset") Reviews*, 68 FR 45219 (August 1, 2003).

<sup>2</sup> See *SSWR from Italy; Final Results of the Sunset Review of Antidumping Duty Order*, 68 FR 68862 (December 10, 2003); *SSWR from Italy; Final Results of the Sunset Review of Countervailing Duty Order*, 69 FR 40354 (July 2, 2004); *SSWR from Japan; Final Results of Expedited Sunset Review of Antidumping Duty Order*, 68 FR 68864 (December 10, 2003); *SSWR from South Korea; Final Results of Expedited Sunset Review of Antidumping Duty Order*, 68 FR 68863 (December 10, 2003); *SSWR from Spain; Final Results of Expedited Sunset Review of Antidumping Duty Order*, 68 FR 68866 (December 10, 2003); *SSWR from Sweden; Final Results of Expedited Sunset Review of Antidumping Duty Order*, 68 FR 68860 (December 10, 2003); *SSWR from Taiwan; Final Results of the Sunset Review of Antidumping Duty Order*, 68 FR 68865 (December 10, 2003) (collectively "Department's Final Results").

FR 45077 (July 28, 2004), USITC Publication 3702 (July 2004) (Investigation No. 731-TA-770 (Review)).

**Scope of the Orders**

For purposes of these reviews, the product covered is stainless steel wire rod ("SSWR" or "subject merchandise"). SSWR comprises products that are hot-rolled or hot-rolled annealed and/or pickled and/or descaled rounds, squares, octagons, hexagons, or other shapes, in coils, that may also be coated with a lubricant containing copper, lime, or oxalate. SSWR is made of alloy steels containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. These products are manufactured only by hot-rolling or hot-rolling, annealing, and/or pickling and/or descaling, and are normally sold in coiled form, and are of solid cross-section. The majority of SSWR sold in the United States is round in cross-sectional shape, annealed and pickled, and later cold-finished into stainless steel wire or small-diameter bar. The most common size for such products is 5.5 millimeters or 0.217 inches in diameter, which represents the smallest size that normally is produced on a rolling mill and is the size that most wire drawing machines are set up to draw. The range of SSWR sizes normally sold in the United States is between 0.20 inches and 1.312 inches in diameter. Two stainless steel grades, SF20T and K-M35FL, are excluded from the scope of the orders. The percentages of chemical makeup for the excluded grades are as follows:

SF20T:	
Carbon .....	0.05 max
Manganese .....	2.00 max
Phosphorous .....	0.05 max
Sulfur .....	0.15 max
Silicon .....	1.00 max
Chromium .....	19.00/21.00
Molybdenum .....	1.50/2.50
Lead .....	added (0.10/0.30)
Tellurium .....	added (0.03 min)
K-M35FL:	
Carbon .....	0.015 max
Manganese .....	0.40 max
Phosphorous .....	0.04 max
Sulfur .....	0.03 max
Silicon .....	0.70/1.00
Chromium .....	12.50/14.00
Nickel .....	0.30 max
Lead .....	added (0.10/0.30)
Aluminum .....	0.20/0.35

The products covered by these orders are currently classifiable under subheadings 7221.00.0005,

7221.00.0015, 7221.00.0030, 7221.00.0045, and 7221.00.0075 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of these orders is dispositive.

**Determination**

As a result of the determinations by the Department and the Commission that revocation of these antidumping duty orders would be likely to lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping duty orders on SSWR from Italy, Japan, Korea, Spain, Sweden, and Taiwan.

The Department will continue to instruct Customs and Border Protection to collect antidumping duty deposits at the rates in effect at the time of entry for all imports of subject merchandise. Pursuant to section 751(c)(2) of the Act, the Department intends to initiate the next five-year review of these antidumping orders not later than July 2009.

Dated: August 5, 2004.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**North American Free-Trade Agreement, Article 1904 NAFTA Panel Reviews; Notice of Completion of Panel Review**

**AGENCY:** NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

**ACTION:** Notice of Completion of Panel Review of the final remand determination made by the U.S. International Trade Administration, in the matter of Circular Welded Non-Alloy Steel Pipe from Mexico, Secretariat File No. USA/MEX-98-1904-05.

**SUMMARY:** Pursuant to the Order of the Binational Panel dated July 6, 2004, affirming the final remand determination described above was completed on July 6, 2004.

**FOR FURTHER INFORMATION CONTACT:** Caratina L. Alston, United States