

manufactured to American Society of Testing and Materials ("ASTM") specification B344 and containing, by weight, 36 percent nickel, 18 percent chromium, and 46 percent iron, and is most notable for its resistance to high temperature corrosion. It has a melting point of 1390 degrees Celsius and displays a creep rupture limit of 4 kilograms per square millimeter at 1000 degrees Celsius. This steel is most commonly used in the production of heating ribbons for circuit breakers and industrial furnaces, and in rheostats for railway locomotives. The product is currently available under proprietary trade names such as "Gilphy 36."<sup>3</sup>

Certain martensitic precipitation-hardenable stainless steel is also excluded from the scope of this order. This high-strength, ductile stainless steel product is designated under the Unified Numbering System ("UNS") as S45500-grade steel, and contains, by weight, 11 to 13 percent chromium, and 7 to 10 percent nickel. Carbon, manganese, silicon and molybdenum each comprise, by weight, 0.05 percent or less, with phosphorus and sulfur each comprising, by weight, 0.03 percent or less. This steel has copper, niobium, and titanium added to achieve aging, and will exhibit yield strengths as high as 1700 Mpa and ultimate tensile strengths as high as 1750 Mpa after aging, with elongation percentages of 3 percent or less in 50 mm. It is generally provided in thicknesses between 0.635 and 0.787 mm, and in widths of 25.4 mm. This product is most commonly used in the manufacture of television tubes and is currently available under proprietary trade names such as "Durphynox 17."<sup>4</sup>

Also excluded are three specialty stainless steels typically used in certain industrial blades and surgical and medical instruments. These include stainless steel strip in coils used in the production of textile cutting tools (e.g., carpet knives).<sup>5</sup> This steel is similar to AISI grade 420 but containing, by weight, 0.5 to 0.7 percent of molybdenum. The steel also contains, by weight, carbon of between 1.0 and 1.1 percent, sulfur of 0.020 percent or less, and includes between 0.20 and 0.30 percent copper and between 0.20 and 0.50 percent cobalt. This steel is sold under proprietary names such as "GIN4 Mo."<sup>6</sup> The second excluded stainless steel strip in coils is similar to

AISI 420-J2 and contains, by weight, carbon of between 0.62 and 0.70 percent, silicon of between 0.20 and 0.50 percent, manganese of between 0.45 and 0.80 percent, phosphorus of no more than 0.025 percent and sulfur of no more than 0.020 percent. This steel has a carbide density on average of 100 carbide particles per 100 square microns. An example of this product is "GIN5"<sup>7</sup> steel. The third specialty steel has a chemical composition similar to AISI 420 F, with carbon of between 0.37 and 0.43 percent, molybdenum of between 1.15 and 1.35 percent, but lower manganese of between 0.20 and 0.80 percent, phosphorus of no more than 0.025 percent, silicon of between 0.20 and 0.50 percent, and sulfur of no more than 0.020 percent. This product is supplied with a hardness of more than Hv 500 guaranteed after customer processing, and is supplied as, for example, "GIN6."<sup>8</sup>

#### Ministerial Errors

A ministerial error is defined in §351.224(f) of our regulations as "an error in addition, subtraction, or other arithmetic function, clerical error resulting from inaccurate copying, duplication, or the like, and any other similar type of unintentional error which the Secretary considers ministerial." (19 CFR 351.224(f)) Section 351.224(e) of our regulations provides that we "will analyze any comments received and, if appropriate \* \* \* correct any ministerial error by amending the final results \* \* \* ." (19 CFR 351.224(f)) After reviewing interested parties' allegations we have determined, in accordance with 19 CFR 351.224, that the *Final Results* includes a ministerial error discussed below.

#### Comment 1: Entered Value

Respondent alleges that the Department reported an incorrect total value on page one of its *Analysis for the Final Results of the Antidumping Duty Administrative Review of Stainless Steel Sheet and Strip in Coils from Italy—ThyssenKrupp Acciai Speciali Terni S.p.A* ("TKAST") (*"Final Analysis Memorandum"*) dated February 3, 2003. Respondent argues that the Department should have reported the sum of the values which appear on the page titled "Importer Specific Assessment Rates" in the Final Margin Program. See Final Margin Program at page 42.

Petitioners argue that the Department reported the correct value in the *Final*

*Analysis Memorandum*. Petitioners maintain that the amount reported by the Department in the *Final Analysis Memorandum* reflects the total value of all of TKAST's U.S. sales of the subject merchandise based on the net U.S. prices as calculated in the margin program. Petitioners contend that the sum of the reported values does not reflect net U.S. prices or the dumping margins that were calculated by the Department.

*Department's Position:* We agree with petitioners. The value reported in the Department's *Final Analysis Memorandum* is the total net value of U.S. sales and is the basis for the Department's calculation of the weighted-average dumping margin for all of TKAST's U.S. sales. It is the Department's practice to report the net value of all of respondent's U.S. sales in our analysis memorandum. See *Stainless Steel Sheet and Strip in Coils From Italy: Final Results of Antidumping Duty Administrative Review*, 67 FR 1715 (January 14, 2002) and *Analysis for the final results in the administrative review of the antidumping duty order on stainless steel sheet and strip in coils from Italy—Acciai Speciali Terni* ("AST") from Carrie Blozy to the File for the first administrative review covering the period January 1, 1999 through June 30, 2000. Therefore, we will not amend the total value amount reported in the *Final Analysis Memorandum*.

*Comment 2: Indirect Selling Expenses incurred by Ken-Mac Metals, Inc. ("Ken-Mac")*

TKAST alleges that the Department mistakenly applied the revised indirect selling expenses associated with sales through Ken-Mac to all U.S. sales. TKAST argues that the revised indirect selling expenses associated with sales through Ken-Mac should only be applied to U.S. sales through Ken-Mac. Petitioners did not provide rebuttal comments.

*Department's Position:* We agree with TKAST. Following the *Preliminary Results*, the Department recalculated Ken-Mac's indirect selling expenses to account for expenses related to selling agents determined by the Department to be employees of Ken-Mac. See *Analysis of Comments Received Concerning Commissions for the Final Results of the Antidumping Duty Administrative Review of Stainless Steel Sheet and Strip in Coils from Italy—ThyssenKrupp Acciai Speciali Terni S.p.A* ("TKAST") dated February 3, 2003. The Department inadvertently applied the revised indirect selling expenses to all of TKAST's U.S. sales, not just to those

<sup>3</sup> "Gilphy 36" is a trademark of Imphy, S.A.

<sup>4</sup> "Durphynox 17" is a trademark of Imphy, S.A.

<sup>5</sup> This list of uses is illustrative and provided for descriptive purposes only.

<sup>6</sup> "GIN4 Mo" is the proprietary grade of Hitachi Metals America, Ltd.

<sup>7</sup> "GIN5" is the proprietary grade of Hitachi Metals America, Ltd.

<sup>8</sup> "GIN6" is the proprietary grade of Hitachi Metals America, Ltd.