

SUPPLEMENTARY INFORMATION:**Background**

On April 2, 2002, the Department of Commerce (the Department) published in the **Federal Register** a notice of "Opportunity to Request an Administrative Review" of the antidumping duty order on certain steel concrete reinforcing bars (rebar) from Turkey (67 FR 15527).

In accordance with 19 CFR 351.213(b)(2), on April 30, 2002, the Department received a request from ICDAS Celik Enerji Tersane ve Ulasim Sanayi, A.S. (ICDAS) to conduct an administrative review of the antidumping duty order on rebar from Turkey. As part of this request, ICDAS also requested that the Department revoke the dumping order with regard to it, in accordance with 19 CFR 351.222(b). In accordance with 19 CFR 351.213(b)(1), on April 30, 2002, the Department also received a request for an administrative review from the petitioner, Gerdau AmeriSteel Corporation,¹ for the following five producers/exporters of rebar: Colakoglu Metalurji A.S. and Colakoglu Dis Ticaret (collectively "Colakoglu"); Diler Demir Celik Endustrisi ve Ticaret A.S., Yazici Demir Celik Sanayi ve Ticaret A.S., and Diler Dis Ticaret A.S. (collectively "Diler"); Ekinciler Demir Celik A.S. (Ekinciler); Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S. (Habas); and ICDAS.

In May 2002, the Department initiated an administrative review for Colakoglu, Diler, Ekinciler, Habas, and ICDAS and we issued questionnaires to them. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 67 FR 36148 (May 23, 2002).

On May 13, 2002, Diler and Ekinciler informed the Department that they had no shipments of subject merchandise to the United States during the period of review (POR). We reviewed Customs Service data and confirmed that there were no entries of subject merchandise from either company. Consequently, in accordance with 19 CFR 351.213(d)(3) and consistent with our practice, we are preliminarily rescinding our review for Diler and Ekinciler. For further discussion, see the "Partial Rescission of Review" section of this notice, below.

On July 25, 2002, Habas requested that the Department modify its reporting requirement with respect to home market sales, in light of the fact that

Habas only made U.S. sales in certain months of the POR. In August 2002, we granted this request and shortened Habas' reporting period to April 1 through September 30, 2001. For further discussion, see the memorandum to Louis Apple from Irina Itkin entitled "Request by Habas Sinai ve Tibbi Gazlar Istihsal Endustri A.S. for a Shortened Reporting Period in the 2001–2002 Antidumping Duty Administrative Review on Certain Steel Concrete Reinforcing Bars from Turkey," dated August 14, 2002.

In July and August 2002, we received responses to sections A through C of the questionnaire (i.e., the sections regarding sales to the home market and the United States) and Section D of the questionnaire (i.e., the section regarding cost of production (COP) and constructed value (CV)) from Colakoglu, Habas, and ICDAS.

In August, September, and October 2002, we issued supplemental questionnaires to these companies. We received responses to these questionnaires in September, October, November, and December 2002.

On September 29, 2002, the Department postponed the preliminary results of this review until no later than April 30, 2003. See *Certain Steel Concrete Reinforcing Bars From Turkey; Notice of Extension of Time Limit for Preliminary Results in Antidumping Duty Administrative Review*, 67 FR 61595 (Oct. 1, 2002).

We verified the sales information submitted by Colakoglu, Habas, and ICDAS in October and November 2002. In December 2002 and January 2003, we requested and received revised databases from Colakoglu and ICDAS (home market sales only) incorporating our findings at verification.

In February, March, and April 2003, we issued additional supplemental questionnaires regarding the submitted COP data to Colakoglu, Habas, and ICDAS. We received responses to these questionnaires in March and April 2003.

Scope of the Review

The product covered by this review is all stock deformed steel concrete reinforcing bars sold in straight lengths and coils. This includes all hot-rolled deformed rebar rolled from billet steel, rail steel, axle steel, or low-alloy steel. It excludes (i) plain round rebar, (ii) rebar that a processor has further worked or fabricated, and (iii) all coated rebar. Deformed rebar is currently classifiable in the *Harmonized Tariff Schedule of the United States* (HTSUS) under item numbers 7213.10.000 and 7214.20.000. The HTSUS subheadings are provided for convenience and

customs purposes. The written description of the scope of this proceeding is dispositive.

Period of Review

The POR is April 1, 2001, through March 31, 2002.

Partial Rescission of Review

As noted above, Diler and Ekinciler informed the Department that they had no shipments of subject merchandise to the United States during the POR. We have confirmed this with the Customs Service. Therefore, in accordance with 19 CFR 351.213(d)(3) and consistent with the Department's practice, we are preliminarily rescinding our review with respect to Diler and Ekinciler. See, e.g., *Certain Steel Concrete Reinforcing Bars from Turkey; Final Results and Partial Rescission of Antidumping Administrative Review*, 67 FR 66110, 66111 (Oct. 30, 2002) (*2000–2001 Rebar Review*).

Notice of Intent Not To Revoke in Part

On April 30, 2002, ICDAS submitted a letter to the Department requesting revocation of the antidumping duty order with respect to its sales of the subject merchandise, pursuant to 19 CFR 351.222(b).

The Department "may revoke, in whole or in part" an antidumping duty order upon completion of a review under section 751 of the Tariff Act of 1930, as amended (the Act). While Congress has not specified the procedures that the Department must follow in revoking an order, the Department has developed a procedure for revocation that is described in 19 CFR 351.222. 19 CFR 351.222(b)(2) notes that the Secretary may revoke an antidumping duty order in part if the Secretary concludes, inter alia, that one or more exporters or producers covered by the order have sold the subject merchandise in commercial quantities at not less than normal value (NV) for a period of at least three consecutive years. See *Notice of Final Results of the Antidumping Duty Administrative Review and Determination Not to Revoke the Antidumping Duty Order: Brass Sheet and Strip from the Netherlands*, 65 FR 742, 743 (Jan. 6, 2000).

ICDAS's request was accompanied by a certification that it had not sold the subject merchandise at not less than NV during the current POR and will not sell the merchandise at less than NV in the future. ICDAS further certified that it sold the subject merchandise to the United States in commercial quantities for a period of at least three consecutive years. The company also agreed to

¹ Effective October 23, 2002, the petitioner, AmeriSteel Corporation combined its operations with the company Co-Steel Inc. under the name Gerdau AmeriSteel Corporation.