

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-846]

Brake Rotors From the People's Republic of China: Final Results and Partial Rescission of the Fifth Antidumping Duty Administrative Review and Final Results of the Seventh New Shipper Review

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

ACTION: Notice of final results and partial rescission of the fifth antidumping duty administrative review and final results of the seventh new shipper review.

SUMMARY: On January 8, 2003, the Department of Commerce published the preliminary results and preliminary partial rescission of the fifth antidumping duty administrative review and preliminary results of the seventh new shipper review of the antidumping duty order on brake rotors from the People's Republic of China. *See Brake Rotors from the People's Republic of China: Preliminary Results and Preliminary Partial Rescission of the Fifth Antidumping Duty Administrative Review and Preliminary Results of the Seventh New Shipper Review*, 68 FR 1031 (January 8, 2003) ("Preliminary Results"). These reviews examined 18 exporters¹ ("the respondents"), five of which are exporters included in three

exporter/producer combinations and two of which are new shippers. The period of review is April 1, 2001, through March 31, 2002 ("POR"). We gave interested parties an opportunity to comment on our preliminary results.

Based on the additional publicly available information used in these final results and the comments received from the interested parties, we have made changes in the margin calculations for the respondents in these reviews. The final weighted-average dumping margins for the reviewed firms are listed below in the section entitled "Final Results of Reviews."

EFFECTIVE DATE: May 14, 2003.

FOR FURTHER INFORMATION CONTACT: Terre Keaton or Brian Smith, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone: (202) 482-1280, or (202) 482-1766, respectively.

SUPPLEMENTARY INFORMATION:**Background**

On January 8, 2003, the Department published in the **Federal Register** the *Preliminary Results* (see 68 FR 1031).

On January 28, 2003, we placed on the record information obtained from the U.S. Customs Service (now the U.S. Bureau of Customs and Border Protection ("BCBP")) then known as the, for the six outstanding entries noted in the December 31, 2002, memorandum titled, "Results of Request for Assistance from the U.S. Customs Service to Further Examine U.S. Entries Made by the Exporter/Producer Combinations-Preliminary Results" (see—"Partial Rescission of Administrative Review" section below for further discussion). Also on January 28, 2003, and in accordance with 19 CFR 351.301(c)(3)(ii), the respondents submitted additional publicly available information for consideration in the final results.

On February 5, 2003, the Department published in the **Federal Register** an amended preliminary results of the seventh new shipper review of the antidumping duty order on brake rotors from the People's Republic of China ("PRC") to reflect its intention to assign exporter/producer combination cash deposit rates to the new shipper companies in the final results. *See Brake Rotors from the People's Republic of China: Amended Preliminary Results of the Seventh New Shipper Review*, 68 FR 5867. On February 21, 2003, the petitioner² and the respondents

submitted case briefs, and on February 28, 2003, they submitted rebuttal briefs.

On February 4, and 25, 2003, we placed on the record additional publicly available information on electricity, pallet wood and brokerage and handling for consideration in the final results. On March 7, 2003, the petitioner submitted comments on the publicly available information we had placed on the record on February 25, 2003.

Scope of Order

The products covered by this order are brake rotors made of gray cast iron, whether finished, semifinished, or unfinished, ranging in diameter from 8 to 16 inches (20.32 to 40.64 centimeters) and in weight from 8 to 45 pounds (3.63 to 20.41 kilograms). The size parameters (weight and dimension) of the brake rotors limit their use to the following types of motor vehicles: automobiles, all-terrain vehicles, vans and recreational vehicles under "one ton and a half," and light trucks designated as "one ton and a half."

Finished brake rotors are those that are ready for sale and installation without any further operations. Semi-finished rotors are those on which the surface is not entirely smooth, and have undergone some drilling. Unfinished rotors are those which have undergone some grinding or turning.

These brake rotors are for motor vehicles, and do not contain in the casting a logo of an original equipment manufacturer ("OEM") which produces vehicles sold in the United States (e.g., General Motors, Ford, Chrysler, Honda, Toyota, Volvo). Brake rotors covered in this order are not certified by OEM producers of vehicles sold in the United States. The scope also includes composite brake rotors that are made of gray cast iron, which contain a steel plate, but otherwise meet the above criteria. Excluded from the scope of this order are brake rotors made of gray cast iron, whether finished, semifinished, or unfinished, with a diameter less than 8 inches or greater than 16 inches (less than 20.32 centimeters or greater than 40.64 centimeters) and a weight less than 8 pounds or greater than 45 pounds (less than 3.63 kilograms or greater than 20.41 kilograms).

Brake rotors are classifiable under subheading 8708.39.5010 of the *Harmonized Tariff Schedule of the United States* ("HTSUS"). Although the HTSUS subheading is provided for convenience and customs purposes, our written description of the scope of this order is dispositive.

¹ The names of the respondents in the fifth administrative review are as follows: (1) China National Industrial Machinery Import & Export Corporation ("CNIM"); (2) Laizhou Automobile Brake Equipment Company, Ltd. ("LABEC"); (3) Longkou Haimeng Machinery Co., Ltd. ("Haimeng"); (4) Laizhou Hongda Auto Replacement Parts Co., Ltd. ("Hongda"); (5) Hongfa Machinery (Dalian) Co., Ltd. ("Hongfa"); (6) Qingdao Gren (Group) Co. ("GREN"); (7) Qingdao Meita Automotive Industry Company, Ltd. ("Meita"); (8) Shandong Huanri (Group) General Company ("Huanri General"); (9) Yantai Winhere Auto-Part Manufacturing Co., Ltd. ("Winhere"); and (10) Zibo Luzhou Automobile Parts Co., Ltd. ("ZLAP"); (11) Beijing Concord Auto Technology Inc. ("Beijing Concord"); (12) China National Machinery and Equipment Import & Export (Xinjiang) Corporation ("Xinjiang"); (13) China National Automotive Industry Import & Export Corporation ("CAIEC"); (14) Laizhou CAPCO Machinery Co., Ltd. ("Laizhou CAPCO"); (15) Laizhou Luyuan Automobile Fittings Co. ("Laizhou Luyuan"); and (16) Shenyang Honbase Machinery Co., Ltd. ("Shenyang"). (The exporter/producer combinations excluded from the antidumping duty order are: Xinjiang/Zibo Botai Manufacturing Co. Ltd. ("Zibo"); CAIEC or Laizhou CAPCO/Laizhou CAPCO; and Laizhou Luyuan or Shenyang/Laizhou Luyuan or Shenyang). The names of the respondents in the seventh new shipper review are as follows: (17) Shanxi Fengkun Metallurgical Ltd. Co. ("Shanxi Fengkun"); and (18) Zibo Golden Harvest Machinery Limited Company ("Golden Harvest").

² The petitioner is the Coalition for the Preservation of American Brake Drum and Rotor Aftermarket Manufacturers.