

### Partial Rescission of Administrative Review

Pursuant to 19 CFR 351.213(d)(3), we have determined that, during the POR, the exporters which are part of the three exporter/producer combinations which received zero rates in the less-than-fair-value ("LTFV") investigation did not make shipments of subject merchandise to the United States during the POR. Specifically, we have determined that during the POR, (1) neither CAIEC nor Laizhou CAPCO exported brake rotors to the United States that were manufactured by producers other than Laizhou CAPCO; (2) neither Shenyang Honbase nor Laizhou Luyuan exported brake rotors to the United States that were manufactured by producers other than Shenyang Honbase or Laizhou Luyuan; and (3) Xinjiang did not export brake rotors to the United States that were manufactured by producers other than Zibo.

In order to make this determination, we first examined POR subject merchandise shipment data furnished by the Customs Service by performing a data query. Because the data from our initial query was voluminous, we randomly selected 31 entries from the data query results for further examination by the Customs Service (see Memorandum dated October 3, 2002, from Davina Hashmi, Senior Analyst, to the File, titled, "Request for Assistance: Shipments of Brake Rotors from the People's Republic of China Which Were Manufactured and/or Exported by Five PRC Companies during the Period April 1, 2001, Through March 31, 2002").

Specifically, we requested the Customs Service to examine further the documentation filed at the U.S. port for each of those selected entries made by the exporters at issue to determine the manufacturer of the merchandise. In response to our request for information, the Customs Service was only able to provide us with information on 25 entries made by these respondents. After a review of the data we received from the Customs Service in response to our data query, we found no evidence that any of the exporter/producer combinations subject to this administrative review made shipments of the subject merchandise during the POR (see Memoranda dated December 31, 2002, from Davina Hashmi, Senior Analyst, and January 28, 2003, from Terre Keaton, Analyst, to the File, both titled, "Results of Request for Assistance from the U.S. Customs Service to Further Examine U.S. Entries Made By Exporter/Producer Combinations"). Therefore, we are rescinding this review

with respect to CAIEC, Laizhou CAPCO, Shenyang Honbase, Laizhou Luyuan, and Xinjiang. See Issues and Decision Memorandum ("Decision Memo") from Jeffrey May, Deputy Assistant Secretary for Import Administration, to Joseph A. Spetrini, Acting Assistant Secretary for Import Administration at Comment 1 for further discussion.

### Facts Available

In the *Preliminary Results*, 68 FR at 1033, the Department determined that the use of facts available was warranted in accordance with section 776(b) of the Tariff Act of 1930, as amended ("the Act") to calculate the dumping margin for Beijing Concord. Because Beijing Concord failed to provide requested information and did not properly notify the Department of its difficulty in meeting our requirements in accordance with section 782(c) of the Act, we determined that Beijing Concord did not cooperate to the best of its ability. Since the preliminary results nothing has changed to reverse our preliminary decision regarding Beijing Concord. Therefore, for the final results of this review we continue to find that Beijing Concord is not eligible to receive a separate rate and thus it continues to be part of the PRC non-market economy ("NME") entity, subject to the PRC-wide rate.

### Analysis of Comments Received

All issues raised in the case briefs are addressed in the *Decision Memo*, which is hereby adopted by this notice. A list of the issues raised, all of which are in the *Decision Memo*, is attached to this notice as an Appendix. Parties can find a complete discussion of all issues raised in the briefs and the corresponding recommendations in this public memorandum which is on file in the Central Records Unit, room B-099 of the main Department building. In addition, a complete version of the *Decision Memo* can be accessed directly on the Web at <http://ia.ita.doc.gov>. The paper copy and electronic version of the *Decision Memo* are identical in content.

### Changes Since the Preliminary Results

Based on the use of additional publicly available information and the comments received from the interested parties, we have made changes in the margin calculation for each respondent. For a discussion of these changes, see the "Margin Calculations" section of the *Decision Memo*.

For the final results, we calculated average surrogate percentages for factory overhead, selling, general and administrative expenses, and profit using the 2000–2001 financial data of

Kalyani Brakes Limited ("Kalyani"), Mando Brake Systems India Limited ("Mando"), and Rico Auto Industries Limited ("Rico"). See *Decision Memo* at Comment 3.

To value direct, indirect, and packing labor, we used the updated value from the International Trade Administration Web site at <http://ia.ita.doc.gov/wages/index.html>.

To value electricity, we used the 2000–2001 "revised estimate" average rate for industrial consumption as published in the *Annual Report (2001–02) on the Working of State Electricity Boards & Electricity Departments* by the Government of India's Planning Commission (Power & Energy Division).

To value pallet wood, we used the April 2000–March 2001 average import values from *Monthly Statistics of the Foreign Trade of India* ("Monthly Statistics").

For those respondents which reported in their responses that they used non-alloy pig iron to produce the subject merchandise, we used the April 2001–December 2001 average import values for the appropriate non-alloy pig iron HTS subcategory from *Monthly Statistics* to value this input. See *Decision Memo* at Comment 2.

To value foreign brokerage and handling expenses, we relied on public information reported in the 1998–1999 antidumping duty administrative and new shipper reviews of stainless steel bar from India.

We corrected a calculation error which affected the surrogate value used for marine insurance.

We deducted an amount for foreign brokerage and handling expenses from the U.S. starting prices reported by Golden Harvest which we inadvertently did not do in the preliminary results.

We corrected a programming error which affected the direct labor per-unit amounts for certain brake rotor models reported by Golden Harvest.

We corrected a programming error which affected the marine insurance calculation for U.S. sales with C.I.F. terms of sale reported by LABEC. In addition, based on data contained in LABEC's response, we subtracted an amount for marine insurance for certain sales which LABEC had indicated it incurred this expense which we inadvertently did not do in the preliminary results.

We corrected a programming error by adding an amount for loading fees to Huanri General's coal freight cost instead of its carton freight cost.

We corrected a calculation error which affected the entered values derived for GREN.