

Corporation ("YUSCO"), a Taiwan producer and exporter of subject merchandise, and Ta Chen Stainless Pipe Co., Ltd. ("Ta Chen"), a Taiwan producer and exporter of subject merchandise. The period of review ("POR") is May 1, 2001 through April 30, 2002. We are preliminarily rescinding this review based on evidence on the record indicating that there were no entries into the United States of subject merchandise during the POR from the respondents.

**EFFECTIVE DATE:** June 4, 2003.

**FOR FURTHER INFORMATION CONTACT:**

Catherine Bertrand, Enforcement Group III, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230, telephone 202-482-3207.

**SUPPLEMENTARY INFORMATION:**

**Background**

On May 21, 1999, the Department of Commerce ("Department") published the antidumping duty order on stainless steel plate in coils from Taiwan. See *Antidumping Duty Orders; Certain Stainless Steel Plate in Coils From Belgium, Canada, Italy, the Republic of Korea, South Africa, and Taiwan*, 64 FR 27756 (May 21, 1999). On May 6, 2002, the Department published a notice of opportunity to request an administrative review of this order for the period May 1, 2001 through April 30, 2002. See *Notice of Opportunity to Request Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation*, 67 FR 30356 (May 6, 2002). On May 7, 2002, Petitioners<sup>1</sup> timely requested that the Department conduct an administrative review of sales by YUSCO, a Taiwan producer and exporter of subject merchandise, and Ta Chen, a Taiwan producer and exporter of subject merchandise. On June 25, 2002, in accordance with section 751(a) of the Tariff Act of 1930 as amended ("the Act"), the Department published in the *Federal Register* a notice of initiation of this antidumping duty administrative review of sales by YUSCO and Ta Chen for the period May 1, 2001 through April 30, 2002. See *Notice of Initiation*.

On July 10, 2002, the Department issued its antidumping duty questionnaire to YUSCO and Ta Chen. On July 15, 2002, Ta Chen stated that it did not have any U.S. sales, shipments or entries of subject merchandise during

the POR, and requested that it not be required to answer the Department's questionnaire. On July 18, 2002, YUSCO stated that it did not have any U.S. sales, shipments or entries of subject merchandise during the POR. On October 8, 2002, we sent an inquiry to the U.S. Customs Service (as of March 1, 2003, renamed the U.S. Bureau of Customs and Border Protection) ("BCBP") to confirm that YUSCO and Ta Chen had no shipments of subject merchandise into the United States during the POR. On October 29, 2002, BCBP responded to the inquiry. BCBP determined that there were no entries of subject merchandise by Ta Chen during the POR. However, BCBP informed the Department that potential shipment(s) of subject merchandise from YUSCO to the United States during the POR existed. On January 15, 2003, the Department requested that YUSCO explain the potential shipment(s). See letter from the Department to YUSCO, dated January 15, 2003. On January 16, 2003, Petitioners requested that the Department place the proprietary information regarding the potential shipment(s) on the record. See Petitioners letter to the Department, dated January 16, 2003. On January 22, 2003, YUSCO informed the Department that it would like the Department to place proprietary information on the record so that YUSCO may be able to identify the potential shipment(s). See YUSCO's letter to the Department, dated January 22, 2003. On January 27, 2003, the Department placed certain proprietary information on the record regarding the potential shipment(s) of subject merchandise from YUSCO. See Department's letter to YUSCO, dated January 27, 2003. Additionally, during the months of January and February 2003, the Department contacted BCBP to confirm that no shipments from Ta Chen entered the United States during the POR. During that time, BCBP provided the Department with information regarding the potential Ta Chen shipments. See Department's letter to BCBP on February 3, 2003, and Memorandum to the File on February 25, 2003, in which the Department determined that each potential shipment from Ta Chen that we analyzed was not subject merchandise.

On February 5, 2003, we extended the preliminary results by sixty days. See *Notice of Extension of Time Limit for the Preliminary Results of Antidumping Duty Administrative Review*, 68 FR 5869 (February 5, 2003). On March 21, 2003, we extended the preliminary results by sixty days. See *Notice of Extension of Time Limit for the Preliminary Results*

*of Antidumping Duty Administrative Review*, 68 FR 13897 (March 21, 2003).

On February 11, 2003, the Department sent BCBP a letter to inquire about a possible discrepancy in the documentation sent to the Department by BCBP relating to YUSCO and the existence/non-existence of entries of subject merchandise during the POR. On March 19, 2003, BCBP sent the Department a response to its February 11, 2003 letter, in which BCBP stated that it was re-classifying the material in question and that, upon review of its records, it no longer considered the material to be subject merchandise.

Petitioners have placed various submissions on the record alleging that Ta Chen and YUSCO are affiliated with other companies that may have shipped subject merchandise to the United States during the POR. Respondent YUSCO has denied Petitioner's allegations. See *e.g.*, Petitioners' March 30, 2003 and Respondent's April 16, 2003 submissions.

**Scope of the Review**

For purposes of this review, the product covered is certain stainless steel plate in coils. Stainless steel is an alloy steel containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. The subject plate products are flat-rolled products, 254 mm or over in width and 4.75 mm or more in thickness, in coils, and annealed or otherwise heat treated and pickled or otherwise descaled. The subject plate may also be further processed (*e.g.*, cold-rolled, polished, etc.) provided that it maintains the specified dimensions of plate following such processing. Excluded from the scope of this review are the following: (1) Plate not in coils, (2) plate that is not annealed or otherwise heat treated and pickled or otherwise descaled, (3) sheet and strip, and (4) flat bars. In addition, certain cold-rolled stainless steel plate in coils is also excluded from the scope of these orders. The excluded cold-rolled stainless steel plate in coils is defined as that merchandise which meets the physical characteristics described above that has undergone a cold-reduction process that reduced the thickness of the steel by 25 percent or more, and has been annealed and pickled after this cold reduction process. The merchandise subject to this review is currently classifiable in the HTS at subheadings: 7219.11.00.30, 7219.11.00.60, 7219.12.00.05, 7219.12.00.20, 7219.12.00.25, 7219.12.00.50, 7219.12.00.55, 7219.12.00.65, 7219.12.00.70, 7219.12.00.80, 7219.31.00.10,

<sup>1</sup> Allegheny Ludlum, AK Steel Corporation, Butler Armco Independent Union, United Steelworkers of America, AFL-CIO/CLC, and Zanesville Armco Independent Organization are collectively "Petitioners" for this review.