

rescission of the third antidumping duty administrative review.

SUMMARY: On March 6, 2003, the Department of Commerce published the preliminary results and partial rescission of the new shipper review and the third antidumping duty administrative review of the antidumping duty order on certain preserved mushrooms from the People's Republic of China. *See Certain Preserved Mushrooms from the People's Republic of China: Preliminary Results of New Shipper Review and Preliminary Results and Partial Rescission of Third Antidumping Duty Administrative Review*, 68 FR 10694 (March 6, 2003) (*Preliminary Results*). The new shipper review covers three exporters and the administrative review covers four exporters (see "Background" section below for further discussion). The period of review is February 1, 2001, through January 31, 2002.¹ 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 certain respondents in these reviews. The final weighted-average dumping margins for the reviewed firms in these reviews are listed below in the section entitled "Final Results of Reviews."

EFFECTIVE DATE: July 11, 2003.

FOR FURTHER INFORMATION CONTACT: Brian Smith or Davina Hashmi, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone: (202) 482-1766 or (202) 482-0984, respectively.

SUPPLEMENTARY INFORMATION:

Background

While the Department initiated an administrative review of 7 companies,² based on a request by the petitioners³

and certain exporters, this administrative review now covers only the following four exporters: (1) Gerber; (2) Green Fresh; (3) Shantou Hongda; and (4) Shenxian Dongxing (see "Partial Rescission of Administrative Review" section below of this notice for further discussion).

On March 6, 2002, the Department published in the **Federal Register** the preliminary results of the new shipper review and the third antidumping duty administrative review of the antidumping duty order on certain preserved mushrooms from the People's Republic of China ("PRC") (see *Preliminary Results*, 67 FR at 10128).

On March 7, 2003, after determining that the 2001-2002 financial report submitted for one Indian producer contained in Gerber's February 5, 2003, submission was incomplete, we requested that Gerber provide the complete financial report for that Indian producer in order to further consider the data for the final results. In response to our request, the petitioners provided this data on April 18, 2003, for the Department's consideration in the final results.

On March 10, 2003, the petitioners placed information on the record indicating that one of Guangxi Yulin's owners may have made shipments of subject merchandise during the period of investigation ("POI")⁴ and therefore may not be eligible for a new shipper review. On March 20, 2003, Guangxi Yulin submitted rebuttal comments. On April 15, 2003, we placed on the record the results of our data query on this matter (see April 15, 2003, Memorandum from Sophie Castro, Case Analyst to the File, entitled "Results of Data Queries Conducted in Response to Allegations and Information Submitted in March of 2003 Regarding Guangxi Yulin Oriental Food Co., Ltd.").

On March 31, 2003, in accordance with 19 CFR 351.301(c)(3), we received additional publicly available information from two respondents, Gerber and Green Fresh.

On April 25, 2003, we placed on the record additional publicly available information on truck freight rates for consideration in the final results.

The petitioners and three respondents, Gerber, Guangxi Yulin and Shenzhen Qunxingyuan Trading Co., Ltd. ("Shenzhen Qunxingyuan") submitted their case briefs on April 30, 2003. On May 7, 2003, the petitioners and two respondents, Gerber and Guangxi Yulin, submitted rebuttal briefs. The other respondents

participating in these reviews did not submit case or rebuttal briefs.

On May 7, 2003, we determined that the petitioner and Shenzhen Qunxingyuan had submitted new factual information in their case briefs in violation of the regulatory requirement provided in 19 CFR 351.301(c)(3)(ii), and requested these parties to remove this data and resubmit their case briefs. On May 19, 2003, we determined that the petitioner had also submitted new factual information in its rebuttal brief and requested the petitioner to remove this data as well and resubmit its rebuttal brief. Also, on May 19, 2003, the petitioner requested a meeting with the Department to discuss the relationship between Gerber and Green Fresh during the period of review ("POR") as discussed in its case brief. On May 22, 2003, Gerber and Green Fresh requested a similar meeting. On June 11, and June 27, 2003, we held *ex-parte* meetings with the petitioners' and respondents' counsels, respectively, to discuss the relationship between Gerber and Green Fresh during the POR and the new shipper claims made by Shenzhen Qunxingyuan and Guangxi Yulin (see *ex-parte* memoranda to the file dated June 12, and June 30, 2003).

On June 5, 2003, we placed on the record additional publicly available price information on copper wire scrap, water, and the components included in laterite, and additional public financial data from an Indian producer submitted in this review for consideration in the final results of this review. On June 19, 2003, Gerber and Green Fresh submitted comments on the publicly available information we had placed on the record on June 5, 2003.

No party requested a hearing, as specified under 19 CFR 351.310(c).

The Department has conducted these reviews in accordance with section 751 of the Act.

Scope of the Order

The products covered by this order are certain preserved mushrooms whether imported whole, sliced, diced, or as stems and pieces. The preserved mushrooms covered under this order are the species *Agaricus bisporus* and *Agaricus bitorquis*. "Preserved mushrooms" refer to mushrooms that have been prepared or preserved by cleaning, blanching, and sometimes slicing or cutting. These mushrooms are then packed and heated in containers including, but not limited to, cans or glass jars in a suitable liquid medium, including, but not limited to, water, brine, butter or butter sauce. Preserved mushrooms may be imported whole,

¹ The POR for both the new shipper and administrative review is the same.

² The petitioners' request for review included the following companies: (1) China Processed Food Import & Export Company ("China Processed"); (2) Shantou Hongda Industrial General Corporation ("Shantou Hongda"); (3) Shenxian Dongxing Foods Co., Ltd. ("Shenxian Dongxing"); (4) Gerber Food Yunnan Co., Ltd. ("Gerber"); (5) Green Fresh Foods (Zhangzhou) Co., Ltd. ("Green Fresh"); (6) Raoping Xingyu Foods Factory Co., Ltd. ("Raoping Xingyu"); (7) Compania Envasador Del Atlantico ("Compania Envasador").

³ The petitioners are the Coalition for Fair Preserved Mushroom Trade which includes the American Mushroom Institute and the following domestic companies: L.K. Bowman, Inc., Modern Mushroom Farms, Inc., Monterey Mushrooms, Inc., Mount Laurel Canning Corp., Mushrooms Canning Company, Southwood Farms, Sunny Dell Foods, Inc., and United Canning Corp.

⁴ The POI covers the period of July 1, 1997 through December 31, 1997.