

circumvention of the orders as a result of the repackaging operation discussed above.

Certification Option

Pagani certified that the U.S. repackaging operation, which began in the third quarter of 1997, was terminated for long cuts in 1999. With regard to short cuts, Pagani submitted a certification from the U.S. repacker stating that short cuts of pasta from Pagani were last invoiced on February 8, 2000. Thus, Pagani asserts that the repackaging operations have ceased.

As discussed in the *Notice of Preliminary Determinations*, Pagani requested that the Department implement a certification scheme, whereby each of Pagani's unaffiliated U.S. customers would certify that it would resell all pasta purchased from Pagani in the packaging in which the pasta was delivered to the U.S. customer, and would not repack any pasta from packages greater than five pounds into packages of five pounds or less. According to Pagani, this scheme would enable the Department to exclude from the scope of the antidumping and countervailing duty orders bulk pasta that was not destined for repackaging after importation, e.g., bulk pasta shipped directly to institutional or food service users.

For these final determinations, we determine to adopt the certification scheme proposed by Pagani. According to that scheme, Pagani and each of Pagani's unaffiliated customers who purchase bulk pasta would certify that the customer would not repackage any bulk pasta into packages of five pounds or less.

Suspension of Liquidation

We have made affirmative final determinations that Pagani's activities for the repacking of bulk pasta into packages of five pounds or less for sale in the United States constitute circumvention. The merchandise subject to suspension of liquidation is pasta in packages of greater than five pounds as defined in the *Scope of the Anti-Circumvention Inquiry* section of this notice, unaccompanied by the appropriate certification.

In accordance with section 773(d) of the Act, the Department normally would direct the U.S. Bureau of Customs and Border Protection (BCBP) to suspend liquidation and to require a cash deposit of estimated duties, at the applicable rate, on all unliquidated entries of bulk pasta from Italy produced by Pagani, not accompanied by appropriate certification, that were entered, or withdrawn from warehouse, for

consumption on or after April 27, 2000, the date of initiation of this anti-circumvention inquiry. However, due to cessation of Pagani's circumvention activity, the Department will not instruct BCBP to require such certification until such time as petitioner or other interested parties provide to the Department a reasonable basis to believe or suspect that the order is being again circumvented. If such information is provided, we will require certification only for the product(s) for which evidence is provided that such products are being used in the circumvention of the order. Normally we will require only the importer of record to certify to the end-use of the imported merchandise. If it later proves necessary for adequate implementation, we may also require Pagani to provide such certification on invoices accompanying shipments to the United States. See *Notice of Final Determinations of Sales at Less Than Fair Value: Certain Large Diameter Carbon and Alloy Seamless Standard, Line and Pressure Pipe from Japan; and Certain Small Diameter Carbon and Alloy Seamless Standard, Line and Pressure Pipe from Japan and the Republic of South Africa*, 65 FR 25907 (May 4, 2000).

These affirmative final circumvention determinations are in accordance with section 781(a) of the Act and 19 CFR 351.225.

Dated: September 12, 2003.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-853]

Notice of Amended Final Results of Antidumping Duty Administrative Review: Bulk Aspirin from the People's Republic of China

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

ACTION: Notice of Amended Final Results of Antidumping Duty Administrative Review.

EFFECTIVE DATE: September 19, 2003.

FOR FURTHER INFORMATION CONTACT: Julie Santoboni or Blanche Ziv, Office 1, AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of

Commerce, 14th Street and Constitution Avenue, NW, Washington DC 20230; telephone (202) 482-4194 or (202) 482-4207, respectively.

SUPPLEMENTARY INFORMATION:

Scope of Review

The product covered by this review is bulk acetylsalicylic acid, commonly referred to as bulk aspirin, whether or not in pharmaceutical or compound form, not put up in dosage form (tablet, capsule, powders or similar form for direct human consumption). Bulk aspirin may be imported in two forms, as pure ortho-acetylsalicylic acid or as mixed ortho-acetylsalicylic acid. Pure ortho-acetylsalicylic acid can be either in crystal form or granulated into a fine powder (pharmaceutical form). This product has the chemical formula $C_9H_8O_4$. It is defined by the official monograph of the United States Pharmacopoeia ("USP") 23. It is classified under the Harmonized Tariff Schedule of the United States ("HTSUS") subheading 2918.22.1000.

Mixed ortho-acetylsalicylic acid consists of ortho-acetylsalicylic acid combined with other inactive substances such as starch, lactose, cellulose, or coloring materials and/or other active substances. The presence of other active substances must be in concentrations less than that specified for particular nonprescription drug combinations of bulk aspirin and active substances as published in the *Handbook of Nonprescription Drugs*, eighth edition, American Pharmaceutical Association. This product is classified under HTSUS subheading 3003.90.0000. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.

Amended Final Results

On August 7, 2003, the Department of Commerce ("the Department") determined that bulk aspirin from the People's Republic of China ("PRC") is not being sold in the United States at less than fair value, as provided in section 751(a) of the Tariff Act of 1930, as amended ("the Act"). See *Bulk Aspirin from the People's Republic of China; Final Results of Antidumping Duty Administrative Review*, 68 FR 48337 (August 13, 2003) ("Final Results"). On August 18, 2003, Rhodia, Inc. ("petitioner"), timely filed ministerial error allegations pursuant to 19 CFR 351.224(c)(2).¹ The respondents

¹ On September 10, 2003, the Department received the ministerial error allegation with