

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this review are addressed in the "Issues and Decision Memorandum for the Final Results of the Administrative Review of the Antidumping Duty Order on Canned Pineapple Fruit from Thailand" from Holly Kuga, Acting Deputy Assistant Secretary for Group II, Import Administration, to James J. Jochum, Assistant Secretary for Import Administration, dated October 27, 2003 (Decision Memorandum), which is hereby adopted by this notice.

A list of the issues which parties have raised and to which we have responded, all of which are addressed in the Decision Memorandum, is attached to this notice as an Appendix. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum, which is on file in the Central Records Unit (CRU), room B-099 of the main Commerce building.

In addition, a complete version of the Decision Memorandum can be accessed directly on the Internet at <http://ia.ita.doc.gov/>. The paper copy and electronic version of the Decision Memorandum are identical in content.

Fair Value Comparisons

Except for the calculations for Dole, TIPCO, and Malee, we calculated export price (EP) and normal value (NV) based on the same methodology used in the preliminary results. Changes to the U.S.-dollar denominated credit expense for TIPCO and Canadian credit expense and quantity weight field used in the margin calculation for Dole are detailed in their respective analysis memoranda and/or the Decision Memorandum. For Malee, the Department discovered that one sale should be treated as constructed export price during the POR, rather than as EP. The changes made to account for this are detailed in Malee's Analysis Memorandum.

Cost of Production

Except for Dole, TIPCO, and Kuiburi, we calculated the cost of production (COP) for the merchandise based on the same methodology used in the preliminary results. Changes to the general and administrative (G&A) expense ratio for TIPCO, tinplate costs for Dole, and pineapple weight volume, G&A and interest expense, and net realizable value for Kuiburi are detailed in the these companies' respective analysis memoranda and the Decision Memorandum.

No Revocation in Part

On July 31, 2002, Dole requested that the Department revoke the antidumping duty order in part as regards Dole based on the absence of dumping pursuant to section 351.222(b)(2) of the Department's regulations. Dole submitted, along with its revocation request, a certification stating that: (1) the company did not sell subject merchandise at less than NV during the POR, and that in the future it would not sell such merchandise at less than NV (see section 351.222 (e)(1)(i)) of the Department's regulations; (2) the company has sold subject merchandise to the United States in commercial quantities during each of the past three years (see section 351.222(e)(1)(ii)) of the Department's regulations; and (3) the company agreed to its immediate reinstatement in the order, as long as any exporter or producer is subject to the order, if the Department concludes that the company, subsequent to the revocation, sold the subject merchandise at less than NV. See sections 351.222(b)(2)(i)(B) and 351.222(e)(1)(iii) of the Department's regulations.

Based on a recent redetermination pursuant to a court remand and affirmed in *Maui Pineapple Company, Ltd. v. United States*, Slip Op. 03-120 (Court of International Trade September 15, 2003), Court No. 01-03-01017, Dole's margin for the fifth POR (July 1, 1999 to June 30, 2000) of this proceeding is now above *de minimis*. See Final Results of Redetermination Pursuant to United States Court of International Trade Remand Order *Maui Pineapple Company, Ltd. v. United States*, Slip Op. 03-42 (April 17, 2003) Court No. 01-03-01017 filed with the court on June 16, 2003. We preliminarily determined that Dole had failed to demonstrate that it has not made sales at less than NV over the past three years. No comments were placed on the record to dispute this and our remand results have been affirmed. Therefore, for the final results, we will not revoke the order with respect to merchandise produced/exported by Dole.

Final Results of Review

As a result of our review, we determine that the following weighted-average percentage margins exist for the period July 1, 2001, through June 30, 2002:

Manufacturer/Exporter	Margin (percent)
Dole Food Company, Inc. (Dole)	0.49

Manufacturer/Exporter	Margin (percent)
The Thai Pineapple Public Company, Ltd. (TIPCO)	0.22
Kuiburi Fruit Canning Co. Ltd. (Kuiburi)	0.46
Thai Pineapple Canning Industry (TPC)	51.16
Siam Fruit Canning (1988) Co. Ltd. (SIFCO)	8.39
Vita Food Factory (1989) Co. Ltd. (Vita)	1.93
Malee Sampran Public Co., Ltd. (Malee)	7.61

The Department shall determine, and the U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. In accordance with section 351.212(b)(1) of the Department's regulations, we have calculated importer-specific assessment rates by dividing the dumping margin found on the subject merchandise examined by the entered value of such merchandise with the exception of TPC. Where the importer-specific assessment rate is above *de minimis* we will instruct CBP to assess antidumping duties on that importer's entries of subject merchandise. In the case of TPC, which, due the application of adverse facts available (AFA), we have not calculated importer-specific assessment rates. Therefore, we will instruct CBP to assess antidumping duties on all the subject merchandise at the AFA rate. The Department will issue appropriate assessment instructions directly to the CBP within 15 days of publication of these final results of review.

Furthermore, the following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results of administrative review, as provided by section 751(a) of the Tariff Act of 1930, as amended, (the Act): (1) for the companies named above, the cash deposit rate will be the rate listed above, except where the margins are zero or *de minimis* no cash deposit will be required; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in a previous segment of this proceeding, the cash deposit rate will continue to be the company-specific rate published in the most recent final results in which that manufacturer or exporter participated; (3) if the exporter is not a firm covered in this review or in any previous segment of this proceeding, but the manufacturer is, the cash deposit rate will be that established for the manufacturer of the merchandise in these final results of review or in the