

most recent segment of the proceeding in which that manufacturer participated; and (4) if neither the exporter nor the manufacturer is a firm covered in this review or in any previous segment of this proceeding, the cash deposit rate will be 24.64 percent, the all-others rate established in the less-than-fair-value investigation. These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a final reminder to importers of their responsibility under section 351.402(f) of the Department's regulations to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred, and in the subsequent assessment of double antidumping duties.

This notice also is the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return/destruction or conversion to judicial protective order of proprietary information disclosed under APO in accordance with section 351.305(a)(3) of the Department's regulations. Failure to comply is a violation of the APO.

This determination is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: November 10, 2003.

**James J. Jochum,**

*Assistant Secretary for Import Administration.*

## APPENDIX

### List of Comments in the Issues and Decision Memorandum

#### I. ISSUES SPECIFIC TO DOLE

*Comment 1:* Comparison Market  
*Comment 2:* Third-Party Verification  
*Comment 3:* Use of Facts Available  
*Comment 4:* Affiliation  
*Comment 5:* General and Administrative (G&A) Expense Ratio  
*Comment 6:* Tinplate  
*Comment 7:* Credit Expenses  
*Comment 8:* Quantity Weighting Factors  
*Comment 9:* Calculation of the Constructed Export Price (CEP) and Commission Offsets

#### II. ISSUES SPECIFIC TO KUIBURI

*Comment 10:* Volume of Pineapple Input for Product Specific Fruit Costs  
*Comment 11:* Costs Outside the POR  
*Comment 12:* G&A and Interest Expenses

*Comment 13:* Net Realizable Value (NRV)

#### III. ISSUES SPECIFIC TO MALEE

*Comment 14:* NRV

#### IV. ISSUES SPECIFIC TO TIPCO

*Comment 15:* Proposed Interest Income Offset

*Comment 16:* G&A Expenses

*Comment 17:* Direct Materials Cost

*Comment 18:* Credit Expenses

#### V. ISSUES SPECIFIC TO TPC

*Comment 19:* Appropriate Basis for Determining Normal Value

*Comment 20:* Application of Adverse Facts Available

*Comment 21:* Appropriateness of Margin Selected for Adverse Facts Available

*Comment 22:* Control of TPC by MC

#### VI. GENERAL ISSUE

*Comment 23:* Assessment Rates

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-882]

#### Antidumping Duty Order: Refined Brown Aluminum Oxide (Otherwise Known as Refined Brown Artificial Corundum or Brown Fused Alumina) From the People's Republic of China

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

**ACTION:** Notice of antidumping duty order.

**SUMMARY:** Pursuant to section 736(a) of the Tariff Act of 1930, as amended, the Department of Commerce is issuing an antidumping duty order on refined brown aluminum oxide (otherwise known as refined brown artificial corundum or brown fused alumina) from the People's Republic of China.

**EFFECTIVE DATE:** November 19, 2003.

**FOR FURTHER INFORMATION CONTACT:** David J. Goldberger, Jim Mathews or Tinna E. Beldin, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-4136, (202) 482-2778 or (202) 482-1655, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Scope of Order

The merchandise covered by this investigation is ground, pulverized or

refined brown artificial corundum, also known as refined brown aluminum oxide or brown fused alumina, in grit size of  $\frac{3}{8}$  inch or less. Excluded from the scope of the investigation is crude artificial corundum in which particles with a diameter greater than  $\frac{3}{8}$  inch constitute at least 50 percent of the total weight of the entire batch. The scope includes brown artificial corundum in which particles with a diameter greater than  $\frac{3}{8}$  inch constitute less than 50 percent of the total weight of the batch. The merchandise under investigation is currently classifiable under subheading 2818.10.20.00 of the *Harmonized Tariff Schedule of the United States* (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.

##### Antidumping Duty Order

On November 10, 2003, the International Trade Commission (the ITC) notified the Department of Commerce (the Department) of its final determination pursuant to section 735(b)(1)(A)(i) of the Tariff Act of 1930, as amended (the Act), that the industry in the United States producing refined brown aluminum oxide (RBAO) is materially injured by reason of less-than-fair-value imports of subject merchandise from the People's Republic of China (PRC). In addition, the ITC notified the Department of its final determination that critical circumstances do not exist with respect to imports of subject merchandise from the PRC that are subject to the Department's affirmative critical circumstances finding.

Therefore, in accordance with section 736(a)(1) of the Act, the Department will direct U.S. Customs and Border Protection (CBP) to assess, upon further advice by the Department, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price of the merchandise for all relevant entries of RBAO from the PRC. These antidumping duties will be assessed on all unliquidated entries of RBAO from the PRC entered, or withdrawn from the warehouse, for consumption on or after May 6, 2003, the date on which the Department published the *Notice of Preliminary Determination of Sales Less Than Fair Value, Affirmative Preliminary Determination of Critical Circumstances and Postponement of Final Determination: Refined Brown Aluminum Oxide (Otherwise known as Refined Brown Artificial Corundum or Brown Fused Alumina) from the*