

**SUMMARY:** In response to a request from Shanghai Xiuwei International Trading Co., Ltd. ("Shanghai Xiuwei") and Sichuan-Duijiangyan Dubao Bee Industrial Co., Ltd. ("Sichuan Dubao"), the Department of Commerce ("the Department") is conducting a new shipper review of the antidumping duty order on honey from the People's Republic of China. The period of review covers the period February 10, 2001 through November 30, 2002. The preliminary results are listed below in the section titled "Preliminary Results of Review." Interested parties are invited to comment on these preliminary results.

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

**FOR FURTHER INFORMATION CONTACT:** Brandon Farlander at (202) 482-0182 or Dena Aliadinov at (202) 482-3362; Antidumping and Countervailing Duty Enforcement Group III, Office Eight, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW, Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:**

**Background**

The Department published in the **Federal Register** an antidumping duty order on honey from the People's Republic of China ("PRC") on December 10, 2001. *See Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order; Honey from the People's Republic of China*, 66 FR 63670 (December 10, 2001). On December 31, 2002, the Department received properly filed requests from Shanghai Xiuwei and Sichuan Dubao for new shipper reviews under the antidumping duty order on honey from the PRC, in accordance with section 751(a)(2)(B) of the Act and § 351.214(c) of the Department's regulations. Shanghai Xiuwei identified itself as an exporter of processed honey produced by its supplier, Henan Oriental Bee Products Co., Ltd. ("Henan Oriental"). Sichuan Dubao identified itself as the producer of the processed honey that it exports.

Under the new shipper provisions, an exporter or an exporter that is also a producer of the subject merchandise, in requesting a new shipper review, must certify to the following: (i) It did not export the merchandise to the United States during the period of investigation (POI); and (ii) it is not affiliated with any exporter or producer who exported the subject merchandise during that period. In addition, if the exporter is not the producer, then the person that produced or supplied the subject

merchandise must also submit these same certifications. Moreover, in an antidumping proceeding involving imports from a non-market economy country, the new shipper must also certify that its (and its producers') export activities are not controlled by the central government. If these provisions are met, the Department will conduct a new shipper review to establish an individual weighted-average dumping margin for such new shipper, if the Department has not previously established such a margin for the exporter or producer. (*See generally* § 351.214(b)(2) of the Department's regulations.)

The regulations further require that the person making the request include in its request documentation establishing: (i) The date on which the merchandise was first entered, or withdrawn from warehouse, for consumption, or, if it cannot establish the date of first entry, the date on which it first shipped the merchandise for export to the United States; (ii) the volume of that and subsequent shipments; and (iii) the date of the first sale to an unaffiliated customer in the United States. *See* § 351.214(b)(2)(iv).

Shanghai Xiuwei's and Sichuan Dubao's requests were accompanied by information and certifications establishing that neither they nor their suppliers exported the subject merchandise to the United States during the POI, and that they were not affiliated with any company which exported subject merchandise to the United States during the POI. Shanghai Xiuwei and Sichuan Dubao provided information and certifications that demonstrated the date on which they first shipped and entered honey for consumption in the United States, the volume of that shipment, and the date of the first sale to the unaffiliated customer in the United States. Additionally, Shanghai Xiuwei and Sichuan Dubao certified that neither they nor their suppliers' export activities are controlled by the central government.

Because the Department determined that Shanghai Xiuwei's and Sichuan Dubao's requests met the requirements of § 351.214 of its regulations, on February 5, 2003, the Department published its initiation of this new shipper review for the period February 10, 2001 through November 30, 2002. *See Honey from the People's Republic of China: Initiation of New Shipper Antidumping Duty Reviews* (68 FR 5868, February 5, 2003). Accordingly, the Department is now conducting this new shipper review in accordance with

section 751(a)(2)(B) of the Act and § 351.214 of its regulations.

On February 20, 2003, we issued the Department's antidumping duty questionnaire to Shanghai Xiuwei and Sichuan Dubao. Shanghai Xiuwei and Sichuan Dubao submitted their Section A questionnaire responses on March 20, 2003 and March 28, 2003, respectively. On April 3, 2003, Shanghai Xiuwei submitted its Section C and D questionnaire responses. Also on April 3, 2003, petitioners submitted comments on Shanghai Xiuwei's Section A response. On April 4, 2003, Sichuan Dubao submitted its Section C and D questionnaire responses. On April 15, 2003 petitioners submitted comments on Sichuan Dubao's Section A, C, and D questionnaire responses. On April 18, 2003, petitioners submitted comments on Shanghai Xiuwei's Section C and D questionnaire responses.

On May 1, 2003, petitioners requested that the Department align the period of review for this new shipper review with the antidumping duty review. On May 2, 2003 (for Shanghai Xiuwei) and May 13, 2003 (for Sichuan Dubao), we issued the first supplemental questionnaire covering Shanghai Xiuwei's and Sichuan Dubao's Section A, C, and D questionnaire responses. We received Shanghai Xiuwei's first supplemental questionnaire response on May 15, 2003, and received Sichuan Dubao's first supplemental questionnaire response on June 3, 2003. On May 30, petitioners submitted comments on Shanghai Xiuwei's first supplemental questionnaire response. On June 13, petitioners submitted comments on Sichuan Dubao's first supplemental questionnaire response. We issued the second supplemental questionnaires to Shanghai Xiuwei and Sichuan Dubao, covering their first supplemental responses, on June 27, 2003 and June 26, 2003, respectively. We received Shanghai Xiuwei's second supplemental questionnaire response on July 12, 2003, and received Sichuan Dubao's second supplemental questionnaire response on July 10, 2003.

On June 10, 2003, the Department provided the parties with an opportunity to submit publicly available information regarding surrogate country selection and factors of production surrogate values for consideration in the preliminary results of this review. On June 24, 2003, petitioners submitted comments on the surrogate country selection. On July 7, 2003, petitioners submitted information on factors of production surrogate values for consideration. On July 11, 2003, petitioners submitted a declaration