

countervailing duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement may result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO are sanctionable violations.

We are issuing and publishing this determination and notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: February 3, 2003.

**Faryar Shirzad,**

*Assistant Secretary for Import Administration.*

## APPENDIX I

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

#### List of Issues:

#### Pagani

Comment 1. Revocation

#### IAPC

Comment 2. Unit of Measure Used in Calculation of Foreign Unit Price in Dollars

Comment 3. Use of Special Charges in the Calculation of U.S. Net Price

Comment 4. Application of Month Identifiers for U.S. and Home Market Sales

Comment 5. Calculation of Variables Used in CEP Profit

#### Garofalo

Comment 6. Affiliation between Garofalo and Amato

Comment 7. Exclusion of Home Market Sales Outside the Course of Ordinary Trade

Comment 8. Garofalo's Product Classification

Comment 9. Bank Charges for U.S. Sales

Comment 10. U.S. International Freight

Comment 11. Warranty Expenses Offset

Comment 12. Programming Errors

Comment 13. Home Market Commissions

Comment 14. Appropriate Handling of Entries from Certain Importers

Comment 15. Offset of Export Subsidies

#### Ferrara

Comment 16. The Department's

Application of Facts Available

Comment 17. Product Matching Criteria

Comment 18. CVD Adjustment

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-813]

#### Certain Preserved Mushrooms from India: Final Results of Changed-Circumstances Review

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

**ACTION:** Notice of Final Results of Changed-Circumstances Review.

**SUMMARY:** On December 24, 2002, the Department of Commerce published a notice of initiation and preliminary results of changed-circumstances review of the antidumping duty order on certain preserved mushrooms from India, in which it preliminarily determined that KICM (MADRAS) Limited is the successor-in-interest to Hindustan Lever Limited for purposes of determining antidumping duty liability. The Department is now affirming its preliminary results.

**EFFECTIVE DATE:** February 11, 2003.

#### FOR FURTHER INFORMATION CONTACT:

David J. Goldberger or Tinna E. Beldin, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482-4136 or 482-1655, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On February 19, 1999, the Department of Commerce ("Department") published in the Federal Register an amended final determination and antidumping duty order on certain preserved mushrooms from India (64 FR 8311), which included a cash deposit rate for Ponds India Limited ("Ponds"). In the course of the first administrative review, the Department noted that Ponds had become Hindustan Lever Limited ("HLL"). See *Certain Preserved Mushrooms From India: Final Results of Antidumping Duty Administrative Review*, 66 FR 42507, 42508 (August 13, 2001). On October 17, 2002, HLL submitted a request that the Department initiate a changed-circumstances review

to confirm that its wholly-owned subsidiary, KICM (MADRAS) Limited, is its successor-in-interest and should be entitled to the same cash deposit rate. The Department determined that HLL's request was incomplete and could not serve as a basis to initiate a changed-circumstances review. See Letter from Department to HLL Re: Certain Preserved Mushrooms from India: Request for Changed-Circumstances Review (October, 28, 2002). On November 6, 2002, HLL submitted supplemental information and documentation, and renewed its request that the Department conduct a changed-circumstances review to determine whether KICM should receive the same antidumping duty treatment as HLL with respect to the subject merchandise.

On December 24, 2002, we published a notice of initiation and preliminary results of changed-circumstances review (67 FR 78416) in which we preliminarily found that KICM is the successor-in-interest to HLL for purposes of determining antidumping duty liability. We received no comments.

#### Scope of the Order

The product 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, sliced, diced, or as stems and pieces. Included within the scope of the order are "brined" mushrooms, which are presalted and packed in a heavy salt solution to provisionally preserve them for further processing.

Excluded from the scope of this order are the following: (1) all other species of mushroom, including straw mushrooms; (2) all fresh and chilled mushrooms, including "refrigerated" or "quick blanched mushrooms"; (3) dried mushrooms; (4) frozen mushrooms; and (5) "marinated," "acidified" or "pickled" mushrooms, which are prepared or preserved by means of vinegar or acetic acid, but may contain oil or other additives.

The merchandise subject to this order are classifiable under subheadings 2003.10.0027, 2003.10.0031,