Duferco's CBP Form 7501 included as an attachment.

Pursuant to § 351.213(d)(3) of the Department's regulations, the Department will rescind an administrative review if it concludes that during the POR there were no entries, exports, or sales of the subject merchandise, as the case may be. In this case, the Department has determined to conduct an administrative review of entries during the POR. Because record evidence demonstrates that no such entries occurred, pursuant to section 351.213(d)(3), we intend to rescind the 2004–2005 administrative review.

**Public Comment**

An interested party may request a hearing within 20 days of publication of this notice. Any hearing, if requested, will be held 34 days after the date of publication of this notice, or the first working day thereafter. Interested parties may submit case briefs not later than 20 days after the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in such briefs, must be filed not later than 7 days from the case brief after the date of publication of this notice. Parties who submit arguments are requested to submit with the argument (1) a statement of the issue, (2) a brief summary of the argument, and (3) a table of authorities. Further, parties submitting written comments should provide the Department with an additional copy of the public version of any such comments on diskette. We will issue our final decision concerning the conduct of the review no later than 120 days from the date of publication of this notice.

Additionally, if the Department makes a final determination to rescind the 2004–2005 administrative review, the cash-deposit rate will remain at 29.41 percent for Duferco and all other producers/exporters of subject merchandise from France. *See Certain Hot-Rolled Carbon Steel Flat Products, Certain Cold-Rolled Carbon Steel Flat Products, Certain Corrosion-Resistant Carbon Steel Flat Products, and Certain Cut-to-Length Carbon Steel Plate From France; Notice of Final Court Decision and Amended Final Determinations*, 61 FR 51274 (October 1, 1996).

This notice is published in accordance with section 777(i) of the Act and section 351.213(d)(4) of the Department's regulations.

Dated: December 6, 2005.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. E5–7233 Filed 12–9–05; 8:45 am]

BILLING CODE 3510–DS–P

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## DEPARTMENT OF COMMERCE

### International Trade Administration

**[A–580–839]**

### Notice of Final Results of Antidumping Duty Administrative Review: Certain Polyester Staple Fiber from the Republic of Korea

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

**SUMMARY:** On June 6, 2005, the Department of Commerce published the preliminary results of the administrative review of the antidumping duty order on certain polyester staple fiber from the Republic of Korea. We gave interested parties an opportunity to comment on the preliminary results. Based on our analysis of the comments received and an examination of our calculations, we have made certain changes for the final results. The final weighted-average dumping margin for Huvis Corporation is listed below in the ''Final Results of the Review'' section of this notice.

**EFFECTIVE DATE:** December 12, 2005.

**FOR FURTHER INFORMATION CONTACT:** Yasmin Bordas or Andrew McAllister, Office 1, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC 20230; telephone: (202) 482–3813 or (202) 482–1174, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On June 6, 2005, the Department of Commerce (''the Department'') published *Certain Polyester Staple Fiber from Korea: Preliminary Results of Antidumping Duty Administrative Review and Partial Rescission of Review*, 70 FR 32756 (June 6, 2005) (''*Preliminary Results*'') in the **Federal Register**.

We invited parties to comment on the preliminary results of the review. On July 6, 2005, Wellman, Inc.; Arteva Specialties, Inc. d/b/a KoSa; and DAK Fibers, LLC (collectively, ''the petitioners''), and the respondent,[1] Huvis Corporation (''Huvis''), filed case briefs. On July 11, 2005, the petitioners and Huvis filed rebuttal briefs.

On September 29, 2005, we extended the time limit for the final results of this administrative review, pursuant to section 751(a)(3)(A) of the Tariff Act of 1930, as amended (''the Act''). *See Certain Polyester Staple Fiber from the Republic of Korea: Extension of Time Limit for the Final Results of the Antidumping Duty Administrative Review*, 70 FR 58186 (October 5, 2005). Accordingly, the final results of this administrative review are scheduled for completion by December 5, 2005.

**Scope of the Order**

For the purposes of this order, the product covered is certain polyester staple fiber (''PSF''). PSF is defined as synthetic staple fibers, not carded, combed or otherwise processed for spinning, of polyesters measuring 3.3 decitex (3 denier, inclusive) or more in diameter. This merchandise is cut to lengths varying from one inch (25 mm) to five inches (127 mm). The merchandise subject to this order may be coated, usually with a silicon or other finish, or not coated. PSF is generally used as stuffing in sleeping bags, mattresses, ski jackets, comforters, cushions, pillows, and furniture. Merchandise of less than 3.3 decitex (less than 3 denier) currently classifiable under the *Harmonized Tariff Schedule of the United States* (''HTSUS'') at subheading 5503.20.00.20 is specifically excluded from this order. Also specifically excluded from this order are polyester staple fibers of 10 to 18 denier that are cut to lengths of 6 to 8 inches (fibers used in the manufacture of carpeting). In addition, low-melt PSF is excluded from this order. Low-melt PSF is defined as a bi-component fiber with an outer sheath that melts at a significantly lower temperature than its inner core.

The merchandise subject to this order is currently classifiable in the HTSUS at subheadings 5503.20.00.45 and 5503.20.00.65. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under order is dispositive.

**Period of Review**

The period of review (''POR'') is May 1, 2003, through April 30, 2004.

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs by parties to this review

[1] On March 11, 2005, the Department was informed that Arteva Specialties, Inc. d/b/a KoSa had changed its name to Invista S.a.r.l. Presently, the petitioners are Wellman, Inc.; Invista S.a.r.l.; and DAK Fibers.

are addressed in the December 5, 2005, *Issues and Decision Memorandum for the Fourth Antidumping Duty Administrative Review of Certain Polyester Staple Fiber from the Republic of Korea (''Decision Memorandum'')*, which is hereby adopted by this notice. Attached to this notice as an appendix is a list of the issues which parties have raised and to which we have responded in the *Decision Memorandum*. 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 Department's Central Records Unit, Room B–099 of the main Department building (''CRU''). In addition, a complete version of the *Decision Memorandum* can be accessed directly on the Web at www.ia.ita.doc.gov. The paper copy and electronic version of the *Decision Memorandum* are identical in content.

**Revocation**

The Department ''may revoke, in whole or in part'' an antidumping duty order upon completion of a review under section 751(d) the Act. While Congress has not specified the procedures that the Department must follow in revoking an order, the Department has developed a procedure for revocation that is described in 19 CFR 351.222. This regulation requires, *inter alia*, that a company requesting revocation must submit the following: (1) a certification that the company has sold the subject merchandise at not less than normal value (''NV'') in the current review period and that the company will not sell at less than NV in the future; (2) a certification that the company sold the subject merchandise in each of the three years forming the basis of the request in commercial quantities; and, (3) an agreement to reinstatement of the order if the Department concludes that the company, subsequent to the revocation, sold subject merchandise at less than NV. *See* 19 CFR 351.222(e)(1).

Pursuant to 19 CFR 351.222(e)(1), Huvis requested revocation of the antidumping duty order as it pertains to Huvis. According to 19 CFR 351.222(b)(2), upon receipt of such a request, the Department may revoke an order, in part, if it concludes that (1) the company in question has sold subject merchandise at not less than NV for a period of at least three consecutive years; (2) the continued application of the antidumping duty order is not otherwise necessary to offset dumping; and (3) the company has agreed to its immediate reinstatement in the order if the Department concludes that the company, subsequent to the revocation, sold subject merchandise at less than NV.

We find that the request from Huvis does not meet all of the criteria under 19 CFR 351.222. *See Certain Polyester Staple Fiber from Korea: Preliminary Results of Antidumping Duty Administrative Review and Partial Rescission of Review*, 70 FR 32756, 32757 (June 6, 2005) (''*Preliminary Results*''). With regard to the criterion of 19 CFR 351.222(b)(2)(i), Huvis received a weighted average margin of 1.54 percent in the 2002–2003 administrative review and, thus, has not sold subject merchandise at not less than NV for a period of three consecutive years. *See Polyester Staple Fiber from Korea: Final Results of Antidumping Duty Administrative Review*, 69 FR 61341 (October 18, 2004) (''*2002–2003 PSF Final*''), covering the period May 1, 2002, through April 30, 2003. Therefore, we find that Huvis does not qualify for revocation of the order on PSF pursuant to 19 CFR 351.222(b)(2).

**Fair Value Comparisons**

To determine whether sales of PSF from Korea to the United States were made at less than normal value, we compared export price (''EP'') to the NV. We calculated EP, NV, constructed value (''CV''), and the cost of production (''COP''), based on the same methodologies used in the Preliminary Results, with the following exceptions:

- We have adjusted Huvis' general and administrative expense ratio. See Memorandum from Team, through Julie H. Santoboni, to the File, ''*Final Results Calculation Memorandum for Huvis Corporation*,'' dated December 5, 2005 (''*Huvis Calculation Memorandum*'').
- For Huvis' affiliated suppliers, we have adjusted the sales, general and administrative expense ratios. *See Huvis Calculation Memorandum. See also Decision Memorandum, at Comment 4*.

**Results of the COP Test**

Pursuant to section 773(b)(2)(C)(i) of the Act, where less than 20 percent of sales of a given product were at prices less than the COP, we did not disregard any below-cost sales of that product because we determined that the below-cost sales were not made in ''substantial quantities.'' Where 20 percent or more of a respondent's sales of a given product during the POR were at prices less than the COP, we determined such sales to have been made in ''substantial quantities.'' *See* section 773(b)(2)(C) of the Act. The sales were made within an extended period of time in accordance with section 773(b)(2)(B) of the Act, because we examined below-cost sales occurring during the entire POR. In such cases, because we compared prices to POR-average costs, we also determined that such sales were not made at prices which would permit recovery of all costs within a reasonable period of time, in accordance with section 773(b)(2)(D) of the Act.

We found that, for certain products, more than 20 percent of Huvis' comparison market sales were at prices less than the COP and, thus, the below-cost sales were made within an extended period of time in substantial quantities. In addition, these sales were made at prices that did not provide for the recovery of costs within a reasonable period of time. We therefore excluded these sales and used the remaining sales, if any, as the basis for determining NV, in accordance with section 773(b)(1) of the Act.

**Final Results of the Review**

We find that the following percentage margin exists for the period May 1, 2003, through April 30, 2004:

| Exporter/manufacturer | Weighted-average margin percentage |
|---|---|
| Huvis Corporation ..... | 5.87 |

**Assessment Rates**

The Department shall determine, and U.S. Customs and Border Protection (''CBP'') shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b)(1), we have calculated exporter/importer (or customer)-specific assessment rates for merchandise subject to this review. To determine whether the duty assessment rates were *de minimis*, in accordance with the requirement set forth in 19 CFR 351.106(c)(2), we calculated importer (or customer)-specific *ad valorem* rates by aggregating the dumping margins calculated for all U.S. sales to that importer (or customer) and dividing this amount by the total value of the sales to that importer (or customer). Where an importer (or customer)-specific *ad valorem* rate was greater than *de minimis*, we calculated a per-unit assessment rate by aggregating the dumping margins calculated for all U.S. sales to that importer (or customer) and dividing this amount by the total quantity sold to that importer (or customer).

The Department will issue appropriate assessment instructions directly to the CBP within 15 days of publication of these final results of review.

**Cash Deposit Rates**

The following antidumping duty deposits will be required on all shipments of PSF from Korea entered, or withdrawn from warehouse, for consumption, effective on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) the cash deposit rates for the reviewed company will be the rate listed above (except no cash deposit will be required if a company's weighted-average margin is *de minimis, i.e.*, less than 0.5 percent); (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, the previous review, or the original investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous reviews, the cash deposit rate will be 7.91 percent, the ''all others'' rate established in *Certain Polyester Staple Fiber from the Republic of Korea: Notice of Amended Final Determination and Amended Order Pursuant to Final Court Decision*, 68 FR 74552 (December 24, 2003). These cash deposit requirements shall remain in effect until publication of the final results of the next administrative review.

**Notification to Importers**

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) 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 the subsequent assessment of doubled antidumping duties.

**Notification Regarding Administrative Protective Orders**

This notice also serves as a reminder to parties subject to administrative protective orders (''APOs'') of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

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

Dated: December 5, 2005.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

**APPENDIX I**

**List of Comments in the Decision Memorandum**

*Comment 1:* Huvis's Specialty Products

*Comment 2:* Antidumping Duty Reimbursement

*Comment 3:* Credit Period Recalculation

*Comment 4:* SG&A Expense Ratio Calculations

*Comment 5:* Interest Earned on Deposits

[FR Doc. 05–23924 Filed 12–9–05; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

**[A–122–838]**

### Notice of Final Results of Antidumping Duty Administrative Review: Certain Softwood Lumber Products From Canada

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

**EFFECTIVE DATE:** December 12, 2005.

**FOR FURTHER INFORMATION CONTACT:** Constance Handley or Salim Bhabhrawala, at (202) 482–0631 or (202) 482–1784, respectively; AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue, NW., Washington, DC 20230.

**SUMMARY:** On June 7, 2005, the Department of Commerce (the Department) published the preliminary results of its second administrative review of the antidumping duty order on certain softwood lumber from Canada. The review covers the following producers of subject merchandise: Abitibi-Consolidated Inc. (Abitibi), Buchanan Lumber Sales, Inc. (Buchanan), Canfor Corporation (Canfor), Tembec Inc. (Tembec), Tolko Industries, Inc. (Tolko), Weldwood of Canada Limited (Weldwood), West Fraser Mills Ltd. (West Fraser), and Weyerhaeuser Company (Weyerhaeuser). In addition, based on the preliminary results for these respondents selected for individual review, we have also determined a weighted-average margin for those companies that requested, but were not selected for, individual review. The period of review (POR) is May 1, 2003, through April 30, 2004. We have noted the changes made since the preliminary results below in the ''Changes Since the Preliminary Results'' section. The final results are listed below in the ''Final Results of Review'' section.

**SUPPLEMENTARY INFORMATION:**

**Background**

On June 7, 2005, the Department published in the **Federal Register** the preliminary results of the second administrative review of the antidumping duty order on certain softwood lumber from Canada. *See Notice of Preliminary Results of Antidumping Duty Administrative Review and Partial Resission: Certain Softwood Lumber from Canada*, 70 FR 33063 (June 7, 2005) (*Preliminary Results*).

We invited parties to comment on the *Preliminary Results*. On July 25, 2005, we received case briefs from the above-mentioned respondents, the Coalition for Fair Lumber Imports Executive Committee (the petitioner), and other interested parties.[1] The parties submitted rebuttal briefs on August 8, 2005. A public hearing was requested and held on September 7, 2005.

**Scope of the Order**

The products covered by this order are softwood lumber, flooring and siding (softwood lumber products). Softwood lumber products include all products classified under headings 4407.1000, 4409.1010, 4409.1090, and 4409.1020, respectively, of the Harmonized Tariff Schedule of the United States (HTSUS), and any softwood lumber, flooring and siding described below. These softwood lumber products include:

[1] Case briefs were also received from the British Columbia Lumber Trade Council, the Ontario Forest Industries Association, the Quebec Lumber Manufacturers Association, the Independent Lumber Remanufacturers Association, Leggett & Platt Ltd., Lignum Forest Products, Ltd., Millar Western Forest Products, Ltd., Riverside Forest Products, Ltd., TFL Forest Ltd., Central Cedar Ltd., Commonwealth Plywood Company, Ltd., Fontaine Inc., Olav Haavaldsrud Inc., Produits Forestiers P. Proulux Inc., Carrier Forest Products Ltd., Carrier Lumber Ltd., Cheslatta Forest Products Ltd., Galloway Lumber Co. Ltd., Pope & Talbot Inc., Sigurdson Bros. Logging Company Ltd., Stuart Lake Lumber Co. Ltd., Stuart Lake Marketing Corporation, Teal-Jones Group, Terminal Forest Products Ltd., West Chilcotin Forest Products Ltd., Wynndel Box & Lumber Co. Ltd., and the Maritimes Lumber Bureau and the Maritime Companies.