should be considered a charge incident to bringing the subject merchandise to the United States, and should thus be deducted from the U.S. price. They further argue that even though the tax is invoiced and paid in Romanian lei, the Department should use the U.S. dollar amount of the tax because only that value is on the record.

Department's Position: We disagree. Because Windmill paid the tax at issue to the Romanian government, we consider it to be an intra-NME expense. We do not use such expenses in our margin calculations, but rather rely on surrogate values. Therefore, we have continued to rely exclusively on the calculated surrogate value for foreign inland freight.

Comment 3: Deduction for Miscellaneous Expense Account

Petitioners argue that the Department erred by failing to deduct from U.S. price a cost Windmill records in its books under the account for ''commissions.'' The verification report describes this accounting code as ''a miscellaneous fund used to facilitate, for example, shipments and loading.'' *See* the verification report at 28. They argue that this expense should be considered a charge incident to bringing the subject merchandise to the United States, and should thus be deducted form U.S. price. They further argue that even though the expense is paid in Romanian lei, the Department should use the U.S. dollar amount of the expense because only that value is on the record.

Department's Position: We agree in part. Contrary to petitioner's assertion, the record does not indicate in what currency this expense was paid, and is unclear as to whether it was paid at all. However, the record does indicate that Windmill recognizes this expense as a cost in its accounting records. Although it is not our practice to make an adjustment for expenses paid, as here, to NME suppliers (except through the use of surrogate values), we regard the expense at issue as a movement expense and, therefore, we agree with petitioners that we should make an adjustment for it. As non-adverse facts available, we have deducted from U.S. price, as petitioners suggested, the exact amount that Windmill records in its accounting records. We used this method because Windmill records the expense in market-economy currency and because the record explains how Windmill determines the amount to be recorded in its books. *See* the verification report, p. 28.

Final Results of the Review

As a result of this review, we have determined that a weighted-average dumping margin of 21.07 percent exists for Windmill for the period August 1, 1997 through July 31, 1998.

The Department shall determine, and the U.S. Customs shall assess, antidumping duties on all appropriate entries. The Department shall issue appraisement instructions directly to the Customs Service. In accordance with 19 CFR 351.212(b)(1), we have calculated an importer-specific assessment rate by dividing the dumping margin found on the subject merchandise examined by the entered value of such merchandise. We will direct the United States Customs Service to assess antidumping duties on appropriate entries by applying the assessment rate to the entered value of the merchandise entered during the POR.

Furthermore, the following deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) the case deposit rate for Windmill will be the rate established in the final results of this administrative review; (2) for all other Romanian exporters, the case deposit rate will be the Romania-wide rate made effective by the final determination in the less-than-fair-value investigation (see *Final Determination of Sales at Less Than Fair Value: Certain Cut-to-Length Carbon Steel Plate from Romania,* 58 FR 37209 (July 9, 1993)); (3) for non-Romanian exporters of subject merchandise from Romania, the cash deposit rate will be the rate applicable to the Romanian supplier of that exporter.

These deposit requirements will 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 19 CFR 351.402(f) 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 double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under 19 CFR 351.306. 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 the terms of an APO is a sanctionable violation.

We are issuing and publishing this administrative review and notice in accordance with sections 751(a)(1) and 771(i)(1) of the Act.

Dated: January 5, 2000.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 00–744 Filed 1–11–00; 8:45 am]

BILLING CODE 3510–DS–M

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–825]

Sebacic Acid From the People's Republic of China; Amended Final Results of Antidumping Duty Administrative Review

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

ACTION: Amended final results of antidumping duty administrative review of sebacic acid from the People's Republic of China.

SUMMARY: On October 19, 1999, the United States Court of International Trade (''CIT'') sustained the remand and upheld the Department of Commerce's (''the Department'') findings in *Remand Determination: Union Camp Corporation* v. *United States (''Second Remand''),* Consol. Court No. 97–03–00483, Slip Op. 99–40 (September 2, 1999), affecting the final assessment rate for the 1994/95 administrative review in the case of sebacic acid from the People's Republic of China. *See Union Camp Corporation* v. *United States,* Slip Op. 99–111, (CIT October 19, 1999) (Consol. Court No. 97–03–00483). Because no appeal was filed within the requested period, that decision is final and conclusive. Therefore, we are amending our final results of review, and we will instruct the U.S. Customs Service to liquidate entries subject to this review. A summary of the specific issues from the two remands in this case are listed below.

EFFECTIVE DATE: January 12, 2000.

FOR FURTHER INFORMATION CONTACT: Brandon Farlander or Rick Johnson,

Import Administration, International Trade Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482–0182 or (202) 482–3818, respectively.

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (''the Act'') by the Uruguay Round Agreements Act (''URAA''). In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations at 19 CFR Part 351 (1998).

SUPPLEMENTARY INFORMATION:

Background

On March 7, 1997, the Department published its final results of the first administrative review of the antidumping duty order on sebacic acid from the People's Republic of China (''PRC''). *See Sebacic Acid From the People's Republic of China; Final Results of Antidumping Duty Administrative Reviews,* 62 FR 10530 (March 7, 1997) (*''Final Results''*). In the *Final Results*, we used the Indian price for octanol-1 as a surrogate for octanol-2 because we determined that octanol-1 was comparable to octanol-2 based on its similar molecular formula. While we determined that the value of octanol cited in the *Chemical Weekly* (Indian) was a value for octanol-1, it was not clear from the publication whether the octanol value quoted was actually for octanol-1, octanol-2, or a combination of the two products. We also determined that the surrogate values obtained from *The Economic Times* (Bombay) were inclusive of taxes. We used an average, tax-exclusive, castor oil value of $17.93/kg. Finally, we did not allocate a glycerine by-product credit to sebacic acid and octanol-2.

Both Union Camp and Dastech challenged the Department's final results on several grounds, and on March 27, 1998, the CIT issued its first remand to the Department to reconsider the following four issues: (1) Value octanol-2 based on an appropriate cost of crude octanol-2 (which may be the U.S. cost but which may not be based solely on similar molecular structure without any additional evidence), and then recalculate the by-product/co-product determination with the correct value; (2) reconsider whether the surrogate values obtained from *The Economic Times* were inclusive or exclusive of taxes; (3) calculate the average castor oil prices using the Indian rupee figure 23.32/kg; and (4) allocate the glycerine by-product credit to sebacic acid and octanol-2. As discussed below, the Department complied with the Court's order.

On June 25, 1998, the Department submitted to the CIT the results of the first remand. *See Remand Determination: Union Camp Corporation* v. *United States (''First Remand'')*, Consol. Court No. 97–03–00483, Slip Op. 98–38 (June 25, 1998). A summarization of our response for each of the four issues is listed below.

For the first issue, we valued the subsidiary product, capryl alcohol, also known as octanol-2, based on the ''cost'' of crude octanol-2, as the CIT instructed. Based on our recalculation of the by-product/co-product analysis for this subsidiary product, we determined that octanol-2 was now a by-product, instead of a co-product, as determined in the *Final Results.* We complied with the CIT's order; however, we respectfully disagreed with the CIT's remand to value octanol-2 based on the ''cost'' of crude octanol-2. Instead, we stated that we believe that the refined octanol value from the *Chemical Weekly* (India) is an appropriate surrogate, based on the following reasons. First, the Department believed that a more accurate margin results if subsidiary products, such as octanol-2, are valued using publicly available information reflecting actual market prices rather than petitioner's internal cost. We noted that we used petitioner's U.S. internal cost for octanol-2 because we did not have any other surrogate value for crude octanol-2. Also, we noted that the production of sebacic acid results in the production of crude octanol-2 as a subsidiary product. However, the additional sebacic acid factors of production used to calculate normal value already incorporate the relatively few factors of production (labor and energy) necessary to refine crude octanol-2. Thus, the Department believed that its use of the surrogate value for refined octanol-2 resulted in a more accurate by-product/co-product analysis. Finally, we noted our belief to the CIT that the use of crude octanol-2 as a surrogate value results in less accurate dumping margins.

Second, we addressed additional information on the record, which demonstrated that octanol-1 and octanol-2 are comparable merchandise, based on overlapping uses. Thus, we noted that given the fact that the *Chemical Weekly* (India) does not specify a particular type of octanol, we believed that evidence on the record suggested that the refined octanol price listed in the *Chemical Weekly* (India) is a reasonable surrogate value for octanol-2.

Third, we noted that, as directed by the statue, to the extent possible, the Department values factors of production from a country comparable to the non-market economy in terms of overall economic development. We continued, stating that while the Department may use specific values from a country not at a comparable level of development (including the United States), we do so only rarely and only if we cannot find an appropriate value in a comparable economy. *See Final Determination of Sales at Less Than Fair Value: Beryllium Metal and High Beryllium Alloys from the Republic of Kazakstan,* 62 FR 2648 (January 17, 1997).

For the second issue, we did not deduct taxes for castor oil, castor seed, and castor seed cake price quotes from *The Economic Times* (India), consistent with the Department's practice to exclude taxes only when a price quote is specifically identified as being inclusive of taxes. *See Final Antidumping Duty Determination: Polyvinyl Alcohol from the People's Republic of China*, 61 FR 14057 (March 29, 1996).

For the third issue, we used the Indian rupee value of 23.32/kg for castor oil as the surrogate value.

For the fourth issue, we did not allocate the glycerine by-product credit to sebacic acid and octanol-2 because there was no co-product.

On April 29, 1999, the CIT issued its second remand in this segment of the proceeding to the Department to reconsider the following three issues: (1) Value the octanol-2 that results from the sebacic acid production process based on an appropriate surrogate value for this product, and then recalculate the by-product/co-product determination in light of this surrogate value. This surrogate value may be an appropriate foreign or U.S. price or cost for comparable merchandise. In seeking the best information available to use as a surrogate, the Department was instructed to specifically consider and address all alternative surrogate values that have been placed on the record by the parties; (2) open the administrative record and consider the letter from the editor of the *Chemical Weekly* (India). Unless the Department was unable to identify substantial record evidence on remand which demonstrated that, notwithstanding the letter from the editor of the *Chemical Weekly* (India), the ''octanol'' quote from the *Chemical Weekly* (India) was actually a quote for octanol-1, the Department may not continue to argue for the use of this figure on the grounds that octanol-1 and

octanol-2 are ''comparable merchandise''; and (3) consider, and express its views on, whether it should accept new evidence concerning the comparability of 2-ethylhexanol and octanol-2. Should the Department come to the conclusion that it should accept such evidence, the Department may do so on remand and, if appropriate, use this evidence as a basis for justifying its use of the *Chemical Weekly* (India) value for ''octanol.'' As discussed below, the Department complied with the Court's order.

On September 2, 1999, the Department submitted the results of the second remand to the CIT. *See Second Remand,* Consol. Court No. 97–03–00483, Slip Op. 99–40 (September 2, 1999). A summarization of our response for each of the three issues is listed below.

For the first issue, we determined that 2-ethylhexanol and octanol-2 are comparable chemicals, and that the octanol value quoted in the *Chemical Weekly* (India) is a value for 2-ethylhexanol. We considered the other surrogate values placed on the record, such as the U.S. cost for crude octanol-2 and the U.S. price for refined octanol-2, and determined, based on our criteria for selecting the appropriate surrogate value for octanol-2 as stated in the *First Remand,* that the refined octanol value from *Chemical Weekly* (India), which was for 2-ethylhexanol, was the best available surrogate value. Based on reexamination of the by-product/co-product determination in light of this surrogate value, we determined that octanol-2 was a co-product of sebacic acid production because the overall value of octanol-2 was significant relative to the value of sebacic acid and the other subsidiary products. Also, because octanol-2 was now a co-product, rather than a by-product, we were able to allocate the glycerine by-product credit to sebacic acid and octanol-2, as instructed by the CIT in the *First Remand.*

For the second issue, after an analysis of certain information placed on the record, we determined that the octanol value quoted in the *Chemical Weekly* (India) was for 2-ethylhexanol, and not for octanol-1.

For the third issue, we determined to open the administrative record to accept new evidence concerning the comparability of 2-ethylhexanol and octanol-2. Based on this new information, we determined that we had substantial evidence establishing that 2-ethylhexanol (also known as 2-ethylhexanol alcohol and octyl alcohol) and octanol-2 were comparable merchandise based on similar uses. Thus, we concluded that the *Chemical Weekly* (India) value for 2-ethylhexanol is the most appropriate surrogate value.

As noted above, on October 19, 1999, the CIT sustained and upheld our finding of the Department's *Second Remand* and no appeal was filed. As there is now a final and conclusive court decision in this action, we are amending our final results of review in this matter and we will instruct the U.S. Customs Service to liquidate entries subject to this review in accordance with the remand results. Because the Department has published subsequent administrative reviews that govern future cash deposits, the cash deposit rates will be governed not by the rate published in the *Second Remand,* but by the most recently completed administrative review, according to the Department's normal procedures. *See Sebacic Acid From the People's Republic of China; Final Results of Antidumping Duty Administrative Review,* 63 FR 43373–43379 (August 13, 1998).

Amended Final Results

Pursuant to 516A(e) of the Act, we are now amending the final results of administrative review of the antidumping duty order on sebacic acid from the People's Republic of China for the period July 1, 1994, through June 30, 1995. As a result of our recalculation of the margins from the *Second Remand*, the final weighted-average margins for Sinochem International Chemicals Company (''SICC''), Tianjin Chemicals Import and Export Corporation (''Tianjin''), and Guangdong Chemicals Import and Export Corporation (''Guangdong'') changed. The final weighted-average margins for the above period of review are as follows:

Manufacturer/exporter	Margin (percent)
SICC	75.36
Tianjin	5.74
Guangdong	36.5
Sinochem Jiangu Import and Export Corporation	243.40
Country-Wide Rate	243.40

The Department will determine, and the U.S. Customs Service shall assess, antidumping duties on all appropriate entries. We calculated importer-specific duty assessment rates for the merchandise based on the ratio of the total amount of antidumping duties calculated for the examined sales to the total entered value of sales examined. The Department will issue appraisement instructions to the U.S. Customs Service after publication of this amended final results of review.

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

Dated: January 5, 2000.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 00–745 Filed 1–11–00; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Commerce Advisory Committee on Africa: Membership

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of committee establishment and membership opportunity.

SUMMARY: A committee comprised of U.S. businesses active in Sub-Saharan Africa is to be established to advise the Secretary on issues of U.S. commercial policy in Africa. This action is taken to ensure regular consultation with the U.S. business community and to reflect its views in the Clinton Administration's Africa Initiative. The Advisory Committee will meet quarterly, or more often as determined by the Secretary.

DATES: In order to receive full consideration, requests must be received no later than January 27, 2000.

ADDRESSES: Please send your requests for consideration to Mrs. S. K. Miller, Director, Office of Africa by fax on 202/482–5198 or by mail at Room 2037, U.S. Department of Commerce, Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Mrs. S. K. Miller, Director, Office of Africa, Room 2037, U.S. Department of Commerce, Washington, DC 20230; telephone: 202/482–4227.

Notice of Committee Establishment

In accordance with the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. 2, and the General Services Administration (GSA) rule on Federal Advisory Committee Management, 41 CFR Part 101–6, and, after consultation with GSA, the Secretary of Commerce has determined that the establishment of the Advisory Committee on Africa is in the public interest in connection with the performance of duties imposed on the Department by law.

In furtherance of the President's Africa Initiative, the Committee will advise the Secretary, through the Under Secretary for International Trade, on