DEPARTMENT OF COMMERCE

International Trade Administration

[C–533–063]

Certain Iron-Metal Castings From India: Amended Final Results of Countervailing Duty Administrative Review Pursuant to Settlement

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

ACTION: Notice of amendment to final results of countervailing duty administrative review.

SUMMARY: On October 21, 1991, the Department of Commerce (''the Department'') published in the **Federal Register** its final results of administrative review of the countervailing duty order on certain iron-metal castings from India for the period 1988 (56 FR 52515). Pursuant to a settlement agreement, the Department has recalculated the countervailing duty rates. The final countervailing duty rates for this review period are listed below in the *Final Results of Review* section of this notice.

EFFECTIVE DATE: May 14, 1999.

FOR FURTHER INFORMATION CONTACT: Robert Copyak, Office of AD/CVD Enforcement VI, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W. Washington, D.C. 20230; telephone: (202) 482–2786.

SUPPLEMENTARY INFORMATION: On October 21, 1991, the Department published the final results of its administrative review of the countervailing duty order on certain iron-metal castings from India for the period January 1, 1988 through December 31, 1988. *See Final Results of Countervailing Duty Administrative Review: Certain Iron-Metal Castings from India,* 56 FR 52515. Subsequently, respondents challenged the final results before the Court of International Trade (CIT). The primary complaint of their challenge involved the calculation of the program rates for the subsidies provided under India's International Price Reimbursement Scheme (IPRS). The IPRS is a program through which the Government of India (GOI) provided rebates to castings exporters that purchased domestically-produced pig iron at prices set by the GOI. According to the GOI, the amounts of these rebates were calculated to equal the differences between the higher domestic prices actually paid and lower alternative prices available from sources outside of India.

As the IPRS was also the subject of litigation for the review period 1985 in *Creswell* v. *United States,* Consolidated Court No. 91–01–00012 (*Creswell*), litigation for the review period 1988 was stayed pending finalization of *Creswell.* After the CIT affirmed the Department's remand determination for the 1985 administrative review (*see Creswell,* Slip Op. 98–139 (CIT Sept. 29, 1998)), the Department published a notice of amended final results in accordance with that opinion. *See Certain Iron-metal Castings from India: Amended Final Results of Countervailing Duty Administrative Review In Accordance With Decision Upon Remand* (63 FR 67858, December 9, 1998.) In lieu of pursuing further litigation with respect to the administrative review of the review period 1988, the parties have entered into a settlement agreement. The parties agreed to countervailing duty rates that were calculated based on the methodology approved by the CIT in *Creswell.* On April 1, 1999, the CIT approved the settlement agreement and dismissed the lawsuit. *See Uma Iron & Steel Co.* v. *United States,* Slip. Op. 99–30, Consol. Ct. No., 91–11–00825 (CIT Apr. 1, 1999).

Final Results of Review

Pursuant to the settlement agreement, we recalculated the company-specific and all-other subsidy rates for the period January 1, 1988, through December 31, 1988. The amended final countervailing duty rates are:

Manufacturer/exporter	Revised rates (percent)
Uma Iron & Steel Co.	10.03
Govind Steel	14.08
All Others	4.10

The Department will instruct the U.S. Customs Service (Customs) to assess countervailing duties on all appropriate entries. The Department will issue liquidation instructions directly to Customs. The above rates will not affect the cash deposit requirements currently in effect, which will continue to be based on the rates found to exist in the most recently completed review.

This amendment to the final results of countervailing duty administrative review notice is in accordance with section 751(a)(1) of the Tariff Act, as amended, (19 U.S.C. 1675(a)(1), 19 CFR 351.213, and 19 CFR 351.221(b)(5)).

Date: May 5, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99–12279 Filed 5–13–99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–533–063]

Certain Iron-Metal Castings From India: Amended Final Results of Countervailing Duty Administrative Review Pursuant to Settlement

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

ACTION: Notice of amendment to final results of countervailing duty administrative review.

SUMMARY: On October 21, 1991, the Department of Commerce (''the Department'') published in the **Federal Register** its final results of administrative review of the countervailing duty order on certain iron-metal castings from India for the period 1989 (56 FR 52521). Pursuant to a settlement agreement, the Department has recalculated the countervailing duty rates. The final countervailing duty rates for this review period are listed below in the *Final Results of Review* section of this notice.

EFFECTIVE DATE: May 14, 1999.

FOR FURTHER INFORMATION CONTACT: Robert Copyak, Office of AD/CVD Enforcement VI, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW Washington, DC 20230; telephone: (202) 482–2786.

SUPPLEMENTARY INFORMATION: On October 21, 1991, the Department published the final results of its administrative review of the countervailing duty order on certain iron-metal castings from India for the period January 1, 1989 through December 31, 1989. *See Final Results of Countervailing Duty Administrative Review: Certain Iron-Metal Castings from India,* 56 FR 52521. Subsequently, respondents challenged the final results before the Court of International Trade (CIT). The primary complaint of their challenge involved the calculation of the program rates for the subsidies provided under India's International Price Reimbursement Scheme (IPRS). The IPRS is a program through which the Government of India (GOI) provided

rebates to castings exporters that purchased domestically-produced pig iron at prices set by the GOI. According to the GOI, the amounts of these rebates were calculated to equal the differences between the higher domestic prices actually paid and lower alternative prices available from sources outside of India.

As the IPRS was also the subject of litigation for the review period 1985 in *Creswell* v. *United States,* Consolidated Court No. 91–01–00012 (*Creswell*), litigation for the review period 1989 was stayed pending finalization of *Creswell.* After the CIT affirmed the Department's remand determination for the 1985 administrative review (*see Creswell,* slip op. 98–139 (CIT Sept. 29, 1998)), the Department published a notice of amended final results in accordance with that opinion. *See Certain Iron-metal Castings from India: Amended Final Results of Countervailing Duty Administrative Review In Accordance With Decision Upon Remand* (63 FR 67858, December 9, 1998.) In lieu of pursuing further litigation with respect to the administrative review of the review period 1989, the parties have entered into a settlement agreement. The parties agreed to countervailing duty rates that were calculated based on the methodology approved by the CIT in *Creswell.* On April 1, 1999, the CIT approved the settlement agreement and dismissed the lawsuit. *See Carnation Enterprises P. Ltd., Et. Al.,* v. *United States,* Slip Op. 99–31, Consol. Ct. No., 91–11–00826 (CIT Apr. 1, 1999).

Final Results of Review

Pursuant to the settlement agreement, we recalculated the company-specific and all-other subsidy rates for the period January 1, 1989, through December 31, 1989. The amended final countervailing duty rates are:

Manufacturer/exporter	Revised rates (percent)
Carnation Enterprises Pvt. Ltd.	16.10
Uma Iron & Steel Co.	16.22
Govind Steel	20.36
Tirupati	20.36
Ragunath Prasad Phoolchand	20.36
All Others	2.50

The Department will instruct the U.S. Customs Service (Customs) to assess countervailing duties on all appropriate entries. The Department will issue liquidation instructions directly to Customs. The above rates will not affect the cash deposit requirements currently in effect, which will continue to be based on the rates found to exist in the most recently completed review.

This amendment to the final results of countervailing duty administrative review notice is in accordance with section 751(a)(1) of the Tariff Act, as amended, (19 U.S.C. 1675(a)(1), 19 CFR 351.213, and 19 CFR 351.221(b)(5)).

Dated: May 5, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99–12280 Filed 5–13–99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

United States-Canada Free-Trade Agreement, Article 1904 Binational Panel Reviews; Notice of Decision of Panel

AGENCY: NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

ACTION: Notice of decision of Panel.

SUMMARY: On May 3, 1999 the binational panel issued its decision in the review of the final results of the ninth antidumping duty administrative review made by the International Trade Administration (ITA) respecting Porcelain-on-Steel Cookware from Mexico (Secretariat File No. USA–97–1904–07) affirmed the determination of the Department of Commerce in all respects, except that, it remanded to the Department the use of the global ratio in calculating Yamaka's indirect selling expenses. The Department will return the determination on remand no later than June 4, 1999. A copy of the complete panel decision is available from the NAFTA Secretariat.

FOR FURTHER INFORMATION CONTACT: Caratina L. Alston, Acting United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, D.C. 20230, (202) 482–5438.

SUPPLEMENTARY INFORMATION: Chapter 19 of the United States-Canada Free-Trade Agreement (''Agreement'') establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from the other country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1989, the Government of the United States and the Government of Canada established *Rules of Procedure for Article 1904 Binational Panel Reviews* (''Rules''). The Rules were published in the **Federal Register** on December 30, 1988 (53 FR 53212). The Rules were amended by Amendments to the Rules of Procedure for Article 1904 Binational Panel Reviews, published in the **Federal Register** on December 27, 1989 (54 FR 53165). A consolidated version of the amended Rules was published in the **Federal Register** on June 15, 1992 (57 FR 26698). The Rules were further amended and published in the **Federal Register** on February 8, 1994 (59 FR 5892). The panel review in this matter was conducted in accordance with the Rules, as amended.

Panel Decision

On May 4, 1999, the Binational Panel affirmed the Department of Commerce in all respects, except that, it remanded to the Department the use of the global ratio in calculating Yamaka's indirect selling expenses to determine whether its calculation was in fact a clerical error and, if so, to correct the error and explain the basis for the correction in detail, specifically addressing comments on the proper calculation.

The Department will return the determination on remand no later than June 4, 1999.

Dated: May 7, 1999.

Caratina L. Alston,

Acting United States Secretary, NAFTA Secretariat

[FR Doc. 99–12256 Filed 5–13–99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

North American Free Trade Agreement (NAFTA), Article 1904 Binational Panel Reviews: Notice of Termination of Panel Review

AGENCY: North American Free Trade Agreement, NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

ACTION: Notice of termination of panel review of the final countervailing duty determination made by the International Trade Administration, respecting steel wire rod from Canada. (Secretariat File No. USA–97–1904–08).