

These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

#### Reimbursement of Duties

This notice also serves as a final reminder to importers of their responsibility under section 351.402(f)(2) of the Department's regulations 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 the antidumping duties occurred and the subsequent assessment of double antidumping duties.

#### 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 section 351.305 of the Department's regulations, 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 that is subject to sanction.

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

Dated: February 3, 2006.

David M. Spooner,

Assistant Secretary for Import Administration.

#### Appendix I—Issues in the Issues and Decision Memorandum

##### List of Issues Discussed

##### A. Issues with Respect to Chia Far

*Comment 1:* Home Market Discounts  
*Comment 2:* Home Market Credit Expenses

*Comment 3:* Export Sales Classified as Home Market Sales  
*Comment 4:* U.S. Date of Sale  
*Comment 5:* Home Market Warranty Expenses

*Comment 6:* Home Market Inventory Carrying Costs  
*Comment 7:* U.S. Indirect Selling Expenses

*Comment 8:* Reimbursement of Dumping Duties

*Comment 9:* Affiliation with Lucky Medsup, Inc.

*Comment 10:* Identifying the Producer

##### B. Issues with Respect to YUSCO

*Comment 11:* Unreported Affiliates  
*Comment 12:* Unreliable Financial Statements

*Comment 13:* Misclassified Home Market Sales

*Comment 14:* Use of Total Adverse Facts Available

*Comment 15:* U.S. Direct Selling Expenses

*Comment 16:* Home Market Rebates

*Comment 17:* Under-Reported Production Costs

*Comment 18:* General and Administrative (G&A) Expenses

*Comment 19:* Yieh Mau's Packing Expenses

*Comment 20:* Commercial Quantities

##### C. Issues with Respect to Other Respondents

*Comment 21:* Investigating No-Shipment Claims

*Comment 22:* Reviewing the Emerdex Companies and Their Affiliates

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**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-588-845]

#### Stainless Steel Sheet and Strip in Coils from Japan: Preliminary Rescission of Antidumping Duty Administrative Review

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

**SUMMARY:** On August 29, 2005, the Department of Commerce (the Department) published in the **Federal Register** a notice announcing the initiation of an administrative review of the antidumping duty order on stainless steel sheet and strip in coils (SSSSC) from Japan. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 70 FR 51009 (*Initiation Notice*). The period of review (POR) is July 1, 2004 to June 30, 2005. We are preliminarily rescinding this review because there were no entries of SSSSC for consumption in the United States during the POR that are subject to review.

**EFFECTIVE DATE:** February 13, 2006.

#### FOR FURTHER INFORMATION CONTACT:

Rebecca Trainor or Kate Johnson, Office of AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, telephone: (202) 482-4007 or (202) 482-4929, respectively.

#### SCOPE OF THE ORDER:

For purposes of this order, the products covered are certain stainless steel sheet and strip in coils. Stainless steel is an alloy steel containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. The subject sheet and strip is a flat-rolled product in coils that is greater than 9.5 mm in width and less than 4.75 mm in thickness, and that is annealed or otherwise heat treated and pickled or otherwise descaled. The subject sheet and strip may also be further processed (e.g., cold-rolled, polished, aluminized, coated, etc.) provided that it maintains the specific dimensions of sheet and strip following such processing.

The merchandise subject to this order is currently classifiable in the Harmonized Tariff Schedule of the United States (HTS) at subheadings:

7219.13.00.31, 7219.13.00.51, 7219.13.00.71, 7219.13.00.81, 7219.14.00.30, 7219.14.00.65, 7219.14.00.90, 7219.32.00.05, 7219.32.00.20, 7219.32.00.25, 7219.32.00.35, 7219.32.00.36, 7219.32.00.38, 7219.32.00.42, 7219.32.00.44, 7219.33.00.05, 7219.33.00.20, 7219.33.00.25, 7219.33.00.35, 7219.33.00.36, 7219.33.00.38, 7219.33.00.42, 7219.33.00.44, 7219.34.00.05, 7219.34.00.20, 7219.34.00.25, 7219.34.00.30, 7219.34.00.35, 7219.35.00.05, 7219.35.00.15, 7219.35.00.30, 7219.35.00.35, 7219.90.00.10, 7219.90.00.20, 7219.90.00.25, 7219.90.00.60, 7219.90.00.80, 7220.12.10.00, 7220.12.50.00, 7220.20.10.10, 7220.20.10.15, 7220.20.10.60, 7220.20.10.80, 7220.20.60.05, 7220.20.60.10, 7220.20.60.15, 7220.20.60.60, 7220.20.60.80, 7220.20.70.05, 7220.20.70.10, 7220.20.70.15, 7220.20.70.60, 7220.20.70.80, 7220.20.80.00, 7220.20.90.30, 7220.20.90.60, 7220.90.00.10, 7220.90.00.15, 7220.90.00.60, and 7220.90.00.80.

Although the HTS subheadings are provided for convenience and customs purposes, the Department's written

description of the merchandise under review is dispositive.

Excluded from the scope of this order are the following: (1) Sheet and strip that is not annealed or otherwise heat treated and pickled or otherwise descaled, (2) sheet and strip that is cut to length, (3) plate (*i.e.*, flat-rolled stainless steel products of a thickness of 4.75 mm or more), (4) flat wire (*i.e.*, cold-rolled sections, with a prepared edge, rectangular in shape, of a width of not more than 9.5 mm), and (5) razor blade steel. Razor blade steel is a flat-rolled product of stainless steel, not further worked than cold-rolled (cold-reduced), in coils, of a width of not more than 23 mm and a thickness of 0.266 mm or less, containing, by weight, 12.5 to 14.5 percent chromium, and certified at the time of entry to be used in the manufacture of razor blades. See Chapter 72 of the HTS, "Additional U.S. Note" 1(d).

Flapper valve steel is also excluded from the scope of the order. This product is defined as stainless steel strip in coils containing, by weight, between 0.37 and 0.43 percent carbon, between 1.15 and 1.35 percent molybdenum, and between 0.20 and 0.80 percent manganese. This steel also contains, by weight, phosphorus of 0.025 percent or less, silicon of between 0.20 and 0.50 percent, and sulfur of 0.020 percent or less. The product is manufactured by means of vacuum arc remelting, with inclusion controls for sulphide of no more than 0.04 percent and for oxide of no more than 0.05 percent. Flapper valve steel has a tensile strength of between 210 and 300 ksi, yield strength of between 170 and 270 ksi, plus or minus 8 ksi, and a hardness (Hv) of between 460 and 590. Flapper valve steel is most commonly used to produce specialty flapper valves in compressors.

Also excluded is a product referred to as suspension foil, a specialty steel product used in the manufacture of suspension assemblies for computer disk drives. Suspension foil is described as 302/304 grade or 202 grade stainless steel of a thickness between 14 and 127 microns, with a thickness tolerance of plus-or-minus 2.01 microns, and surface glossiness of 200 to 700 percent Gs. Suspension foil must be supplied in coil widths of not more than 407 mm, and with a mass of 225 kg or less. Roll marks may only be visible on one side, with no scratches of measurable depth. The material must exhibit residual stresses of 2 mm maximum deflection, and flatness of 1.6 mm over 685 mm length.

Certain stainless steel foil for automotive catalytic converters is also excluded from the scope of this order.

This stainless steel strip in coils is a specialty foil with a thickness of between 20 and 110 microns used to produce a metallic substrate with a honeycomb structure for use in automotive catalytic converters. The steel contains, by weight, carbon of no more than 0.030 percent, silicon of no more than 1.0 percent, manganese of no more than 1.0 percent, chromium of between 19 and 22 percent, aluminum of no less than 5.0 percent, phosphorus of no more than 0.045 percent, sulfur of no more than 0.03 percent, lanthanum of less than 0.002 or greater than 0.05 percent, and total rare earth elements of more than 0.06 percent, with the balance iron.

Permanent magnet iron-chromium-cobalt alloy stainless steel strip is also excluded from the scope of this order. This ductile stainless steel strip contains, by weight, 26 to 30 percent chromium, and 7 to 10 percent cobalt, with the remainder of iron, in widths 228.6 mm or less, and a thickness between 0.127 and 1.270 mm. It exhibits magnetic remanence between 9,000 and 12,000 gauss, and a coercivity of between 50 and 300 oersteds. This product is most commonly used in electronic sensors and is currently available under proprietary trade names such as "Arnokrome III."<sup>1</sup>

Certain electrical resistance alloy steel is also excluded from the scope of this order. This product is defined as a non-magnetic stainless steel manufactured to American Society of Testing and Materials (ASTM) specification B344 and containing, by weight, 36 percent nickel, 18 percent chromium, and 46 percent iron, and is most notable for its resistance to high temperature corrosion. It has a melting point of 1390 degrees Celsius and displays a creep rupture limit of 4 kilograms per square millimeter at 1000 degrees Celsius. This steel is most commonly used in the production of heating ribbons for circuit breakers and industrial furnaces, and in rheostats for railway locomotives. The product is currently available under proprietary trade names such as "Gilphy 36."<sup>2</sup>

Certain martensitic precipitation-hardenable stainless steel is also excluded from the scope of this order. This high-strength, ductile stainless steel product is designated under the Unified Numbering System (UNS) as S45500-grade steel, and contains, by weight, 11 to 13 percent chromium, and 7 to 10 percent nickel. Carbon, manganese, silicon and molybdenum

each comprise, by weight, 0.05 percent or less, with phosphorus and sulfur each comprising, by weight, 0.03 percent or less. This steel has copper, niobium, and titanium added to achieve aging, and will exhibit yield strengths as high as 1700 Mpa and ultimate tensile strengths as high as 1750 Mpa after aging, with elongation percentages of 3 percent or less in 50 mm. It is generally provided in thicknesses between 0.635 and 0.787 mm, and in widths of 25.4 mm. This product is most commonly used in the manufacture of television tubes and is currently available under proprietary trade names such as "Durphynox 17."<sup>3</sup>

Finally, three specialty stainless steels typically used in certain industrial blades and surgical and medical instruments are also excluded from the scope of this order. These include stainless steel strip in coils used in the production of textile cutting tools (*e.g.*, carpet knives).<sup>4</sup> This steel is similar to AISI grade 420 but containing, by weight, 0.5 to 0.7 percent of molybdenum. The steel also contains, by weight, carbon of between 1.0 and 1.1 percent, sulfur of 0.020 percent or less, and includes between 0.20 and 0.30 percent copper and between 0.20 and 0.50 percent cobalt. This steel is sold under proprietary names such as "GIN4 Mo." The second excluded stainless steel strip in coils is similar to AISI 420-J2 and contains, by weight, carbon of between 0.62 and 0.70 percent, silicon of between 0.20 and 0.50 percent, manganese of between 0.45 and 0.80 percent, phosphorus of no more than 0.025 percent and sulfur of no more than 0.020 percent. This steel has a carbide density on average of 100 carbide particles per 100 square microns. An example of this product is "GIN5" steel. The third specialty steel has a chemical composition similar to AISI 420 F, with carbon of between 0.37 and 0.43 percent, molybdenum of between 1.15 and 1.35 percent, but lower manganese of between 0.20 and 0.80 percent, phosphorus of no more than 0.025 percent, silicon of between 0.20 and 0.50 percent, and sulfur of no more than 0.020 percent. This product is supplied with a hardness of more than Hv 500 guaranteed after customer processing, and is supplied as, for example, "GIN6."<sup>5</sup>

#### SUPPLEMENTARY INFORMATION:

<sup>3</sup> "Durphynox 17" is a trademark of Imphy, S.A.

<sup>4</sup> This list of uses is illustrative and provided for descriptive purposes only.

<sup>5</sup> "GIN4 Mo," "GIN5" and "GIN6" are the proprietary grades of Hitachi Metals America, Ltd.

<sup>1</sup> "Arnokrome III" is a trademark of the Arnold Engineering Company.

<sup>2</sup> "Gilphy 36" is a trademark of Imphy, S.A.

## Background

On July 1, 2005, the Department published in the **Federal Register** a notice of opportunity to request an administrative review of the antidumping duty order on SSSSC from Japan for the period July 1, 2004 to June 30, 2005. See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 70 FR 38099. In accordance with 19 CFR 351.213(b)(1), on July 29, 2005, the petitioners (*i.e.*, Allegheny Ludlum Corporation, United Auto Workers Local 3303, Zanesville Armco Independent Organization, Inc. and the United Steelworkers) requested a review of this order with respect to Kawasaki Steel Corporation (Kawasaki) and its alleged successor-in-interest, JFE Steel Corporation (JFE).<sup>6</sup> The Department initiated an administrative review and issued a questionnaire to Kawasaki and JFE on August 29, 2005. See *Initiation Notice*. On October 5, 2005, JFE notified the Department that it had not made sales or exported subject merchandise during the POR and requested that the Department rescind the review. However, information obtained from the U.S. Customs and Border Protection (CBP) import database indicated the possibility of an entry of merchandise subject to this review. On November 17, 2005, we issued a letter to JFE inquiring about this particular entry.<sup>7</sup> Also on this date, we released, subject to an administrative protective order (APO), the entry documentation obtained from CBP to counsel for JFE and counsel for the petitioners. JFE responded to our request for information on December 5, 2005. In this submission, JFE claimed that the record contained no evidence that JFE either knew or should have known of the U.S. destination of the SSSSC at issue at the time of the sale to the first unaffiliated customer.

<sup>6</sup> While the Department initiated this administrative review with respect to merchandise manufactured and/or exported by Kawasaki as well as its alleged successor-in-interest, JFE, due to Kawasaki/JFE's no-shipment claim, the Department did not have the opportunity to conduct a successor-in-interest analysis in order to confirm whether, for antidumping purposes, JFE is the successor-in-interest to Kawasaki with respect to the subject merchandise. However, both the petitioners and respondent have consistently referred to JFE as the successor-in-interest to Kawasaki in their submissions to the Department with respect to this and the previous review. See *Stainless Steel Sheet and Strip in Coils from Japan: Preliminary Results of Antidumping Duty Administrative Review*, 70 FR 18369 (April 11, 2005).

<sup>7</sup> The results of the data query showed no entries of subject merchandise by Kawasaki.

## Analysis

After analyzing the data contained in the CBP-provided customs entry documentation and JFE's comments, we find that there is no evidence on the record that the entry in question was shipped to the United States with JFE's knowledge at the time of sale. Although APO restrictions on the CBP entry documents prevented JFE's counsel from sharing the information with his client, the arguments and supporting documentation JFE placed on the record support the contention that JFE had no knowledge that the entry in question was destined for the United States. Specifically, a production document contained in the CBP entry documentation indicates the name of the customer to whom JFE sold the SSSSC in question, and JFE's name does not appear on any of the other entry documents. Furthermore, the record includes documentation submitted for prior segments of the proceeding that support counsel's contention that the distribution channel for the sale appears to be contrary to JFE's normal selling practices. For further discussion, see Memorandum to Irene Darzenta Tzafolias, Acting Director, Office 2, from Kate Johnson and Rebecca Trainor, Case Analysts, regarding *Stainless Steel Sheet and Strip in Coils from Japan: Rescission Analysis Memorandum*. We find that there is no evidence on the record that JFE had knowledge of the U.S. destination of the SSSSC shipment in question, and therefore, had no sales/shipments to the United States during this POR. See, *e.g.*, *Final Results of Antidumping Duty Administrative Review: Certain In-Shell Raw Pistachios from Iran*, 70 FR 7470 (February 14, 2005), and accompanying Issues and Decision Memorandum, at Comment 1.

## Preliminary Rescission of Review

Because neither Kawasaki nor JFE made shipments to the United States of subject merchandise during the POR, in accordance with 19 CFR 351.213(d)(3) and consistent with our practice, we are preliminarily rescinding this review of the antidumping duty order on SSSSC from Japan for the period of July 1, 2004, through June 30, 2005. If the rescission is confirmed in our final results, we will instruct CBP to liquidate the entry in question at the All-Others rate, 40.18 percent, as it was made by an intermediary company (*e.g.*, a reseller) not covered in this review, a prior review, or the less-than-fair-value investigation. See, *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003). The cash

deposit rate for Kawasaki and JFE will continue to be the rate established in the most recently completed segment of this proceeding.

Interested parties may submit comments for consideration in the Department's final results not later than 30 days after publication of this notice. Responses to those comments may be submitted not later than 10 days following submission of the comments. All written comments must be submitted in accordance with 19 CFR 351.303, and must be served on interested parties on the Department's service list in accordance with 19 CFR 351.303(f). The Department will issue the final results of this administrative review, which will include the results of its analysis of issues raised in any such comments, within 120 days of publication of the preliminary results, and will publish these results in the **Federal Register**. This notice is published in accordance with section 751 of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: February 7, 2006.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. E6-1986 Filed 2-10-06; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-560-819]

### Notice of Preliminary Affirmative Countervailing Duty Determination: Certain Lined Paper Products from Indonesia

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

**SUMMARY:** The Department of Commerce preliminarily determines that countervailable subsidies are being provided to producers and exporters of certain lined paper products from Indonesia. For information on the estimated subsidy rates, see the "Suspension of Liquidation" section of this notice.

**EFFECTIVE DATE:** February 13, 2006.

**FOR FURTHER INFORMATION CONTACT:** David Layton or David Neubacher, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0371 or (202) 482-5823, respectively.

**SUPPLEMENTARY INFORMATION:**