

and a chromium content of 0.24 to 0.30 percent (if chromium is specified).

For purposes of the grade 1080 tire cord quality wire rod and the grade 1080 tire bead quality wire rod, an inclusion will be considered to be deformable if its ratio of length (measured along the axis—that is, the direction of rolling—of the rod) over thickness (measured on the same inclusion in a direction perpendicular to the axis of the rod) is equal to or greater than three. The size of an inclusion for purposes of the 20 microns and 35 microns limitations is the measurement of the largest dimension observed on a longitudinal section measured in a direction perpendicular to the axis of the rod. This measurement methodology applies only to inclusions on certain grade 1080 tire cord quality wire rod and certain grade 1080 tire bead quality wire rod that are entered, or withdrawn from warehouse, for consumption on or after July 24, 2003. *Carbon and Certain Alloy Steel Wire Rod From Brazil, Canada, Indonesia, Mexico, Moldova, Trinidad and Tobago, and Ukraine: Final Results of Changed Circumstances Review*, 68 FR 64079 (November 12, 2003).

The designation of the products as “tire cord quality” or “tire bead quality” indicates the acceptability of the product for use in the production of tire cord, tire bead, or wire for use in other rubber reinforcement applications such as hose wire. These quality designations are presumed to indicate that these products are being used in tire cord, tire bead, and other rubber reinforcement applications, and such merchandise intended for the tire cord, tire bead, or other rubber reinforcement applications is not included in the scope. However, should petitioners or other interested parties provide a reasonable basis to believe or suspect that there exists a pattern of importation of such products for other than those applications, end-use certification for the importation of such products may be required. Under such circumstances, only the importers of record would normally be required to certify the end use of the imported merchandise.

All products meeting the physical description of subject merchandise that are not specifically excluded are included in this scope.

The products under the order are currently classifiable under subheadings 7213.91.3010, 7213.91.3090, 7213.91.4510, 7213.91.4590, 7213.91.6010, 7213.91.6090, 7213.99.0031, 7213.99.0038, 7213.99.0090, 7227.20.0010, 7227.20.0020, 7227.20.0090, 7227.20.0095, 7227.90.6051,

7227.90.6053, 7227.90.6058, and 7227.90.6059 of the HTSUS. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

#### Final Results of Changed Circumstances Review

Based on the information provided by AMPL, and the fact that the Department did not receive any comments during the comment period following the preliminary results of this review for the reasons discussed in the *Preliminary Results*, the Department hereby determines AMPL is the successor-in-interest to MSPL for antidumping duty cash deposit purposes.

#### Instructions to U.S. Customs and Border Protection

The Department will instruct U.S. Customs and Border Protection (CBP) to suspend liquidation of all shipments of the subject merchandise produced and exported by AMPL entered, or withdrawn from warehouse, for consumption, on or after the publication date of this notice at zero percent (*i.e.* MSPL’s cash deposit rate). This deposit rate shall remain in effect until publication of the final results of the ongoing administrative review, in which AMPL/MSPL is participating.

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 APO in accordance with 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 terms of an APO is a sanctionable violation.

This notice is in accordance with sections 751(b) and 777(i)(1) of the Act, and section 351.216(e) of the Department’s regulations.

Dated: May 19, 2008.

**Ronald K. Lorentzen,**

Deputy Assistant Secretary for Import Administration.

[FR Doc. E8–11618 Filed 5–22–08; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

(A–570–894)

#### Certain Tissue Paper Products from the People’s Republic of China: Correction to Affirmative Preliminary Determination of Circumvention of the Antidumping Duty Order

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

**EFFECTIVE DATE:** May 23, 2008.

**FOR FURTHER INFORMATION CONTACT:** Julia Hancock, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482–1394.

**SUPPLEMENTARY INFORMATION:**

#### CORRECTION:

On April 22, 2008, the Department of Commerce (“the Department”) published in the **Federal Register** the affirmative preliminary determination that certain tissue paper products (“tissue paper”) produced by Vietnam Quijiang Paper Co., Ltd. (“Quijiang”) are circumventing the antidumping duty order on tissue paper from the People’s Republic of China (“PRC”), as provided in section 781(b) of the Tariff Act of 1930, as amended (“the Act”). See *Certain Tissue Paper Products from the People’s Republic of China: Affirmative Preliminary Determination of Circumvention of the Antidumping Duty Order and Extension of Final Determination*, 73 FR 21580 (April 22, 2008) (“*Preliminary Determination*”). Subsequent to the issuance of the *Preliminary Determination*, we identified an inadvertent error in the Notice.

In the “Suspension of Liquidation” section of the *Preliminary Determination*, we stated that the Department will direct the U.S. Customs and Border Protection (“CBP”) to “suspend liquidation and require cash deposit of estimated duties, at the PRC-wide rate, on all unliquidated entries of tissue paper produced by Quijiang that were entered, or withdrawn from warehouse for consumption, on or after September 5, 2006, the date of initiation of the circumvention inquiry, through the date of publication of the preliminary determination.” See *Preliminary Determination*, 73 FR at 21587. Section 351.225(l)(2) of the applicable regulations provides that we shall order suspension of liquidation “on or after the date of initiation” of the

inquiry and does not provide an end date. Accordingly, the *Preliminary Determination* should be corrected to indicate that, pursuant to section 773(d) of the Act, we will: (1) direct CBP to suspend liquidation and to require a cash deposit of estimated duties, at the PRC-wide rate, on all unliquidated entries of tissue paper produced by Quijiang that were entered, or withdrawn from warehouse, for consumption on or after September 5, 2006, the date of initiation of the circumvention inquiry, with the exception described in the *Preliminary Determination*; and (2) remove any mention of an end date of such suspension from our cash deposit instructions.

This correction to the affirmative preliminary circumvention determination is published in accordance with section 781(b) of the Act and 19 CFR 351.225.

Dated: May 13, 2008.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

[FR Doc. E8-11623 Filed 5-22-08; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

(A-570-851)

#### **Certain Preserved Mushrooms from the People's Republic of China: Preliminary Results of the Antidumping Duty New Shipper Review**

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

**EFFECTIVE DATE:** May 23, 2008.

**SUMMARY:** The Department of Commerce (the "Department") is currently conducting a new shipper review of the antidumping duty order on certain preserved mushrooms from the People's Republic of China ("PRC") covering the period February 1, 2007, through July 31, 2007. We preliminarily determine that the sale made by Dujiangyan Xingda Foodstuff Co., Ltd. ("Xingda"), was not made below normal value ("NV"). If these preliminary results are adopted in our final results of this review, we will instruct U.S. Customs and Border Protection ("CBP") to assess antidumping duties on entries of subject merchandise during the period of review ("POR") for any importer-specific assessment rates that are above *de minimis*.

**FOR FURTHER INFORMATION CONTACT:** Zev Primor at (202) 482-4114; AD/CVD Operations, Office 4, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:** On February 19, 1999, the Department published in the *Federal Register* an amended final determination and antidumping duty order on certain preserved mushrooms from the PRC. See *Notice of Amendment of Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Preserved Mushrooms From the People's Republic of China*, 64 FR 8308 (February 19, 1999) ("Order"). On August 30, 2007, we received a timely new shipper review request in accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended ("the Act"), and 19 CFR 351.214(c), from exporter and producer, Xingda. On September 27, 2007, the Department published a notice in the *Federal Register* initiating a new shipper review for Xingda. See *Certain Preserved Mushrooms from the People's Republic of China: Initiation of New Shipper Antidumping Duty Review*, 72 FR 54899 (September 27, 2007).

On March 19, 2008, the Department published a notice in the *Federal Register* of the extension of the preliminary results by 60 days to May 19, 2008. See *Certain Preserved Mushrooms From the People's Republic of China: Extension of Preliminary Results for Eleventh Antidumping Duty New Shipper Review*, 73 FR 14771 (March 19, 2008).

We issued the standard antidumping duty questionnaire, along with the standard importer questionnaire for new shipper reviews, on September 27, 2007, and received responses in October and November 2007. We issued supplemental questionnaires covering sections A, C, and D of the original questionnaire on January 29, 2008, and received timely responses to those questionnaires. We also issued additional section D supplemental questionnaires on April 18, and April 21, 2008, respectively, and received timely responses from Xingda.

#### **Period of Review**

The POR covers February 1, 2007, through July 31, 2007.

#### **Scope of the Order**

The products covered by this order are certain preserved mushrooms, whether imported whole, sliced, diced, or as stems and pieces. The certain preserved mushrooms covered under

this order are the species *Agaricus bisporus* and *Agaricus bitorquus*.

"Certain Preserved Mushrooms" refers 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. Certain preserved mushrooms may be imported whole, sliced, diced, or as stems and pieces. Included within the scope of this order are "brined" mushrooms, which are presalted and packed in a heavy salt solution to provisionally preserve them for further processing.<sup>1</sup>

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 is classifiable under subheadings: 2003.10.0127, 2003.10.0131, 2003.10.0137, 2003.10.0143, 2003.10.0147, 2003.10.0153 and 0711.51.0000 of the Harmonized Tariff Schedule of the United States ("HTSUS"). Although the HTSUS subheadings are provided for convenience and Customs purposes, the written description of the scope of this order is dispositive.

#### **Bona Fide Analysis**

Consistent with the Department's practice, we investigated the *bona fide* nature of the sale made by Xingda for this new shipper review. In evaluating whether or not a single sale in a new shipper review is commercially reasonable, and therefore *bona fide*, the Department considers, *inter alia*, such factors as: (1) the timing of the sale; (2) the price and quantity; (3) the expenses arising from the transaction; (4) whether the goods were resold at a profit; and (5)

<sup>1</sup> On June 19, 2000, the Department affirmed that "marinated," "acidified," or "pickled" mushrooms containing less than 0.5 percent acetic acid are within the scope of the antidumping duty order. See Recommendation Memorandum-Final Ruling of Request by Tak Fat, *et al.* for Exclusion of Certain Marinated, Acidified Mushrooms from the Scope of the Antidumping Duty Order on Certain Preserved Mushrooms from the People's Republic of China," dated June 19, 2000. On February 9, 2005, this decision was upheld by the United States Court of Appeals for the Federal Circuit. See *Tak Fat v. United States*, 396 F.3d 1378 (Fed. Cir. 2005).