

## Final Results of Review

In the *Preliminary Results*, we determined that G J Steel is the successor-in-interest to the former Nakornthai Strip Mill Public Company Limited (Nakornthai) for purposes of this proceeding and application of the antidumping law. We did not receive comments on this issue and have no reason to change our findings from the *Preliminary Results*. For a complete discussion of our successorship analysis, see *Preliminary Results*, 74 FR at 39051.

The Department also determined that G Steel and G J Steel should be collapsed and treated as a single entity for purposes of this proceeding and application of the antidumping law. *Id.* at 39050. We received comments on this issue which are addressed in the Issues and Decision Memorandum. We have concluded for these Final Results that G Steel and G J Steel should continue to be collapsed and treated as a single entity for purposes of this proceeding and application of the antidumping law.

Finally, the Department preliminarily determined to apply an adverse facts available (AFA) rate of 20.30 percent to the collapsed G Steel and G J Steel entity. *Id.* at 39050. We also received comments on this issue, which are addressed in the Issues and Decision Memorandum. The Department has concluded that the margin for G Steel and G J Steel should be based upon AFA.

Accordingly, we determine that G J Steel is the successor-in-interest to Nakornthai, and that the AFA rate of 20.30 percent should be applied to the G Steel/G J Steel entity.

We determine therefore that the following weighted-average margin exists:

Manufacturer/Exporter	Weighted Average Margin (percent)
G Steel and G J Steel ..	20.30 percent

The Department will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries, pursuant to 19 CFR 351.212(b). Accordingly, we will instruct CBP to assess duties upon all entries of merchandise produced or exported by G Steel or G J Steel at a rate of 20.30 percent *ad valorem*. The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of these final results of review.

The Department clarified its "automatic assessment" regulation on May 6, 2003. This clarification applies to POR entries of subject merchandise

produced by companies examined in this review where the companies did not know their merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

## Cash Deposit Requirements

The following deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of certain hot-rolled carbon steel flat products from Thailand entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results, as provided by section 751(a) of the Act: (1) for companies covered by this review, the cash deposit rate will be the rate listed above; (2) for previously reviewed or investigated companies other than those covered by this review, the cash deposit rate will be the company-specific rate established for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value investigation, but the producer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the subject merchandise; and (4) if neither the exporter nor the producer is a firm covered in this review, a prior review, or the investigation, the cash deposit rate will be 3.86 percent,<sup>1</sup> the all-others rate established in the less-than-fair-value investigation. These deposit requirements shall remain in effect until further notice.

## Reimbursement of Duties

This notice also 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 and/or countervailing duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent

<sup>1</sup> In the *Preliminary Results*, the Department inadvertently indicated the cash deposit all others rate as 4.44 percent. The rate should be 3.86 percent as specified in the Antidumping Duty Order. See *Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products From Thailand*, 68 FR 59562 (November 29, 2001).

increase in antidumping duties by the amount of antidumping and/or countervailing duties reimbursed.

## Administrative Protective Order

This notice also is the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. 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 these results and notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: December 3, 2009.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

## Appendix: Issues Raised in Decision Memorandum

*Comment 1:* Collapsing of G Steel and G J Steel

*Comment 2:* Application of Adverse

Facts Available to G Steel and G J Steel

*Comment 3:* Selection of Adverse Facts

Available Rate for G Steel and G J Steel

[FR Doc. E9-29471 Filed 12-9-09; 8:45 am]

BILLING CODE 3510-DS-S

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-851]

### Certain Preserved Mushrooms From the People's Republic of China: Final Results of Antidumping Duty New Shipper Review

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

**SUMMARY:** On October 2, 2009, the Department of Commerce (the Department) published in the **Federal Register** the preliminary results of the new shipper review of the antidumping duty order on certain preserved mushrooms from the People's Republic of China (PRC) for Linyi City Kangfa Foodstuff Drinkable Co., Ltd. (Kangfa). See *Certain Preserved Mushrooms From the People's Republic of China: Preliminary Results of Antidumping Duty New Shipper Review*, 73 FR 50946 (October 2, 2009) (*Preliminary Results*). We gave interested parties an opportunity to comment on the

*Preliminary Results*, and received no comments. We also made no changes to the preliminary results for these final results. Therefore, the final results do not differ from the preliminary results.

**DATES:** *Effective Date:* December 10, 2009.

**FOR FURTHER INFORMATION CONTACT:** Fred Baker or Robert James, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-2924 or (202) 482-0649, respectively.

**SUPPLEMENTARY INFORMATION:** We published the preliminary results for this new shipper review on October 2, 2009. In the preliminary results the Department stated that interested parties were to submit case briefs within 30 days of publication of the preliminary results and rebuttal briefs within five days after the due date for filing case briefs. *See Preliminary Results* at 50951. No interested party submitted a case or rebuttal brief.

#### Period of Review

The period of review (POR) is February 1, 2008, through January 31, 2009.

#### 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 bitorquis*. "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>

<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

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 the order is dispositive.

#### Separate Rates

In proceedings involving non-market economy (NME) countries, the Department begins with a rebuttable presumption that all companies within the country are subject to government control and, thus, should be assigned a single antidumping duty deposit rate. It is the Department's policy to assign all exporters of merchandise subject to review in an NME country this single rate unless an exporter can demonstrate that it is sufficiently independent so as to be entitled to a separate rate.

In the preliminary results, we found that Kangfa demonstrated its eligibility for separate rate status. We received no comments from interested parties regarding Kangfa's separate rate status. In these final results of review, we continue to find the evidence placed on the record by Kangfa demonstrates an absence of government control, both in law and in fact, with respect to Kangfa's exports of the merchandise under review. Thus, we have determined that Kangfa is eligible to receive a separate rate.

#### Changes Since the Preliminary Results

We made no changes to the preliminary results.

#### Combination Rate

In new shipper reviews, the Department may, pursuant to 19 CFR 351.107(b), establish a combination cash deposit rate for each combination of the exporter and its supplying producer(s). *See Fresh Garlic From the People's Republic of China: Final Results of*

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).

*Antidumping Duty New Shipper Review*, 67 FR 72139 at 72140 (December 4, 2002); *Notice of Final Results of Antidumping Duty New Shipper Review: Certain In-Shell Raw Pistachios From Iran*, 68 FR 353 at 354 (January 3, 2003); and *Certain Forged Stainless Steel Flanges From India: Final Results of Antidumping Duty New Shipper Review*, 68 FR 351 (January 3, 2003). The Department has determined that a combination rate is appropriate in this case, as Kangfa is both the producer and exporter of the subject merchandise. Therefore, the Department will include in its cash deposit instructions to U.S. Customs and Border Protection (CBP) appropriate language to enforce these final results of new shipper review on the basis of a combination rate involving Kangfa as both the producer and exporter of the subject merchandise.

#### Final Results of Review

The Department has determined that the following margin exists for the period February 1, 2008, through January 31, 2009:

Exporter/Manufacturer	Weighted-Average margin (Percentage)
Linyi City Kangfa Foodstuff Drinkable Co., Ltd. ....	0.00

#### Assessment Rates

Pursuant to these final results, the Department determined, and CBP shall assess, antidumping duties on all appropriate entries. The Department intends to issue assessment instructions for Kangfa to CBP 15 days after the date of publication of these final results of new shipper review. Pursuant to 19 CFR 351.212(b)(1), we calculated importer-specific (or customer) *ad valorem* duty assessment rates based on the ratio of the total amount of the dumping margins calculated for the examined sales to the total entered value of those same sales. We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review if any importer-specific (or customer) assessment rate calculated in the final results of this review is above *de minimis*.

#### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of these final results of new shipper review for all shipments of subject merchandise by Kangfa entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C)

of the Tariff Act of 1930, as amended (the Act): (1) For subject merchandise produced and exported by Kangfa, the cash deposit rate will be zero; (2) for subject merchandise exported by Kangfa, but not manufactured by Kangfa, the cash deposit rate will continue to be the PRC-wide rate (*i.e.*, 198.63 percent); and (3) for subject merchandise manufactured by Kangfa, but exported by any party other than Kangfa, the cash deposit rate will be the rate applicable to the exporter. These cash deposit requirements will remain in effect until further notice.

#### Reimbursement of Duties

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 POR. 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.

#### Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective orders (APO) 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.

This new shipper review and notice are in accordance with sections 751(a)(2)(B) and 777(i)(1) of the Act and 19 CFR 351.214(h).

Dated: December 4, 2009.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. E9-29469 Filed 12-9-09; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-427-801]

#### Ball Bearings and Parts Thereof From France: Final Results of Changed-Circumstances Review

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

**SUMMARY:** The Department of Commerce (the Department) has determined, pursuant to section 751(b) of the Tariff Act of 1930, as amended (the Act), that SKF Aeroengine France S.A.S.U. (SKF Aeroengine) is the successor-in-interest to SNFA S.A.S.U. and, as a result, should be accorded the same treatment as SNFA S.A.S.U.

**DATES:** *Effective Date:* December 10, 2009.

**FOR FURTHER INFORMATION CONTACT:** Kristin Case or Richard Rimlinger, AD/CVD Operations, Office 5, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; (202) 482-3174 or (202) 482-4477, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Department of Commerce (the Department) published an antidumping duty order on ball bearings and parts thereof from France on May 15, 1989. See *Antidumping Duty Orders: Ball Bearings, Cylindrical Roller Bearings, Spherical Plain Bearings, and Parts Thereof From France*, 54 FR 20902 (May 15, 1989). On August 11, 2000, the Department revoked the order, effective May 1, 1999, with respect to sales of ball bearings by SNFA S.A. (subsequently SNFA S.A.S.U.) (SNFA France). See *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, Germany, Italy, Japan, Romania, Singapore, Sweden, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews and Revocation of Orders in Part*, 65 FR 49219, 49221 (August 11, 2000).

On March 2, 2007, pursuant to a request from SNFA France, SKF France S.A., and SKF Aerospace France S.A.S., we initiated a changed-circumstances review in order to determine whether SNFA France was a successor-in-interest to SKF France S.A. following SNFA France's acquisition by that company or, alternatively, that post-acquisition SNFA France was the successor-in-interest to the pre-

acquisition SNFA France. See *Ball Bearings and Parts Thereof from France: Initiation of an Antidumping Duty Changed-Circumstances Review*, 72 FR 9513 (March 2, 2007). During the course of the changed-circumstances review, the companies informed the Department that SNFA France would be changing its name to SKF Aeroengine.

On June 29, 2007, we initiated an administrative review of the antidumping duty order on ball bearings and parts thereof from France for the period May 1, 2006, through April 30, 2007, with respect to SKF France S.A. and SKF Aerospace France S.A.S. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews, Request for Revocation in Part and Deferral of Administrative Review*, 72 FR 35690 (June 29, 2007). On October 26, 2007, we rescinded the changed-circumstances review initiated on March 2, 2007, and explained that, because we had initiated an administrative review with respect to SKF France S.A. and SKF Aerospace France S.A.S., we would address any issues that had arisen during the course of the changed-circumstances review in the context of the administrative review. See *Ball Bearings and Parts Thereof from France and Italy: Rescission of Antidumping Duty Changed-Circumstances Reviews*, 72 FR 60798, 60799 (October 26, 2007). In the final results of the 2006/07 administrative review, we determined that post-acquisition SNFA France was the successor-in-interest to pre-acquisition SNFA France and that SNFA France had not changed its name to SKF Aeroengine until after the period of review. See *Ball Bearings and Parts Thereof From France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews and Rescission of Reviews in Part*, 73 FR 52823 (September 11, 2008), and accompanying Issues and Decision Memorandum at Comment 12 (AFBs *Final Results*).

On February 6, 2009, SKF Aeroengine requested that, because the Department appeared to have left open the effect of the name change from SNFA France to SKF Aeroengine on its determination in *AFBs Final Results*, the Department either confirm that its determination encompassed the name change or, in the alternative, the Department initiate a changed-circumstances review to determine whether SKF Aeroengine is the successor-in-interest to SNFA France. On March 30, 2009, we initiated a changed-circumstances review. See *Ball Bearings and Parts Thereof from France: Initiation of Antidumping Duty*