

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review**

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

**FOR FURTHER INFORMATION CONTACT:** Sheila E. Forbes, Office of AD/CVD Operations, Customs Unit, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, telephone: (202) 482-4697.

**Background**

Each year during the anniversary month of the publication of an antidumping or countervailing duty

order, finding, or suspension of investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended ("the Act"), may request, in accordance with 19 CFR 351.213 of the Department of Commerce's ("the Department") regulations, that the Department conduct an administrative review of that antidumping or countervailing duty order, finding, or suspended investigation.

**Respondent Selection**

In the event the Department limits the number of respondents for individual examination for administrative reviews initiated pursuant to requests made for the orders identified below, the Department intends to select respondents based on U.S. Customs and Border Protection ("CBP") data for U.S. imports during the period of review ("POR"). We intend to release the CBP

data under Administrative Protective Order ("APO") to all parties having an APO within five days of publication of the initiation notice and to make our decision regarding respondent selection within 20 days of publication of the initiation **Federal Register** notice. Therefore, we encourage all parties interested in commenting on respondent selection to submit their APO applications on the date of publication of the initiation notice, or as soon thereafter as possible. The Department invites comments regarding the CBP data and respondent selection within 10 calendar days of publication of the initiation **Federal Register** notice.

*Opportunity To Request A Review:* Not later than the last day of March 2010<sup>1</sup>, interested parties may request administrative review of the following orders, findings, or suspended investigations, with anniversary dates in March for the following periods:

	Period of review
<b>Antidumping Duty Proceeding Period of Review</b>	
Brazil: Certain Hot-Rolled Carbon Steel Flat Products, A-351-828 .....	3/1/09-2/28/10
Orange Juice, A-351-840 .....	3/1/09-2/28/10
Canada: Iron Construction Castings, A-122-503 .....	3/1/09-2/28/10
France: Brass Sheet & Strip A-427-602 .....	3/1/09-2/28/10
Germany: Brass Sheet & Strip, A-428-602 .....	3/1/09-2/28/10
India: Sulfanilic Acid, A-533-806 .....	3/1/09-2/28/10
Italy: Brass Sheet & Strip, A-475-601 .....	3/1/09-2/28/10
Japan: Stainless Steel Butt-Weld Pipe Fittings, A-588-702 .....	3/1/09-2/28/10
Russia: Silicon Metal, A-821-817 .....	3/1/09-2/28/10
Spain: Stainless Steel Bar, A-469-805 .....	3/1/09-2/28/10
Taiwan: Light-Walled Rectangular Welded Carbon Steel Pipe & Tube, A-583-803 .....	3/1/09-2/28/10
Thailand: Welded Carbon Steel Pipe & Tube, A-549-502 .....	3/1/09-2/28/10
The People's Republic of China: Circular Welded Austenitic Stainless Pressure Pipe, A-570-930 .....	9/5/08-2/28/10
Chloropicrin, A-570-002 .....	3/1/09-2/28/10
Glycine, A-570-836 .....	3/1/09-2/28/10
Sodium Hexametaphosphate, A-570-908 .....	3/1/09-2/28/10
Tissue Paper Products, A-570-894 .....	3/1/09-2/28/10
<b>Countervailing Duty Proceeding</b>	
India: Sulfanilic Acid, C-533-807 .....	1/1/09-12/31/09
Iran: In-Shell Pistachios Nuts, C-507-501 .....	1/1/09-12/31/09
The People's Republic of China: Circular Welded Austenitic Stainless Pressure Pipe, C-570-931 .....	7/10/08-12/31/09
Turkey: Welded Carbon Steel Pipe & Tube C-489-502 .....	1/1/09-12/31/09
<b>Suspension Agreements</b>	
None.	

In accordance with 19 CFR 351.213(b), an interested party as defined by section 771(9) of the Act may request in writing that the Secretary conduct an administrative review. For both antidumping and countervailing duty reviews, the interested party must specify the individual producers or exporters covered by an antidumping finding or an antidumping or countervailing duty order or suspension

agreement for which it is requesting a review. In addition, a domestic interested party or an interested party described in section 771(9)(B) of the Act must state why it desires the Secretary to review those particular producers or exporters.<sup>2</sup> If the interested party intends for the Secretary to review sales of merchandise by an exporter (or a producer if that producer also exports merchandise from other suppliers)

which were produced in more than one country of origin and each country of origin is subject to a separate order, then the interested party must state specifically, on an order-by-order basis, which exporter(s) the request is intended to cover.

Please note that, for any party the Department was unable to locate in prior segments, the Department will not accept a request for an administrative

<sup>1</sup> Or the next business day, if the deadline falls on a weekend, federal holiday or any other day when the Department is closed.

<sup>2</sup> If the review request involves a non-market economy and the parties subject to the review request do not qualify for separate rates, all other exporters of subject merchandise from the non-

market economy country who do not have a separate rate will be covered by the review as part of the single entity of which the named firms are a part.

review of that party absent new information as to the party's location. Moreover, if the interested party who files a request for review is unable to locate the producer or exporter for which it requested the review, the interested party must provide an explanation of the attempts it made to locate the producer or exporter at the same time it files its request for review, in order for the Secretary to determine if the interested party's attempts were reasonable, pursuant to 19 CFR 351.303(f)(3)(ii).

As explained in *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003), the Department has clarified its practice with respect to the collection of final antidumping duties on imports of merchandise where intermediate firms are involved. The public should be aware of this clarification in determining whether to request an administrative review of merchandise subject to antidumping findings and orders. See also the Import Administration Web site at <http://ia.ita.doc.gov>.

Six copies of the request should be submitted to the Assistant Secretary for Import Administration, International Trade Administration, Room 1870, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230. The Department also asks parties to serve a copy of their requests to the Office of Antidumping/Countervailing Operations, Attention: Sheila Forbes, in Room 3065 of the main Commerce Building. Further, in accordance with 19 CFR 351.303(f)(1)(i), a copy of each request must be served on every party on the Department's service list.

The Department will publish in the **Federal Register** a notice of "Initiation of Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation" for requests received by the last day of March 2010. If the Department does not receive, by the last day of March 2010, a request for review of entries covered by an order, finding, or suspended investigation listed in this notice and for the period identified above, the Department will instruct CBP to assess antidumping or countervailing duties on those entries at a rate equal to the cash deposit of (or bond for) estimated antidumping or countervailing duties required on those entries at the time of entry, or withdrawal from warehouse, for consumption and to continue to collect the cash deposit previously ordered.

For the first administrative review of any order, there will be no assessment

of antidumping or countervailing duties on entries of subject merchandise entered, or withdrawn from warehouse, for consumption during the relevant provisional-measures "gap" period, of the order, if such a gap period is applicable to the POR.

This notice is not required by statute but is published as a service to the international trading community.

Dated: February 22, 2010.

**John M. Andersen,**

*Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-957]

#### **Certain Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe From the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination, Preliminary Affirmative Critical Circumstances Determination**

**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 seamless carbon and alloy steel standard, line, and pressure pipe from the People's Republic of China. For information on the estimated subsidy rates, see the "Suspension of Liquidation" section of this notice. The Department of Commerce further preliminarily determines that critical circumstances exist with respect to imports of the subject merchandise.

**DATES:** *Effective Date:* March 1, 2010.

**FOR FURTHER INFORMATION CONTACT:** Shane Subler, Yasmin Nair, Joseph Shuler, or Matthew Jordan, 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) 482-0189, (202) 482-3813, (202) 482-4162, (202) 482-1293, and (202) 482-1540, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Case History**

The following events have occurred since the publication of the Department of Commerce's ("Department") notice of initiation in the **Federal Register**. See

*Certain Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from the People's Republic of China: Initiation of Countervailing Duty Investigation*, 74 FR 52945 (October 15, 2009) ("Initiation Notice"), and the accompanying Initiation Checklist.

On November 4, 2009, the Department selected two Chinese producers/exporters of certain seamless carbon and alloy steel standard, line, and pressure pipe ("seamless pipe") as mandatory respondents: (1) Hengyang Steel Tube Group Int'l Trading Inc., Hengyang Valin Steel Tube Co., Ltd., Hengyang Valin MPM Tube Co., Ltd., and their affiliate, Xigang Seamless Steel Tube Co., Ltd. (collectively, "Hengyang"); and (2) Tianjin Pipe (Group) Corporation ("TPCO"). See Memorandum to Edward Yang, Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, "Respondent Selection Memo" (November 4, 2009). This memorandum is on file in the Department's Central Records Unit ("CRU") in Room 1117 of the main Department building.

On November 6, 2009, the U.S. International Trade Commission ("ITC") published its affirmative preliminary determination that there is a reasonable indication that an industry in the United States is threatened with material injury by reason of allegedly subsidized imports of seamless pipe from the People's Republic of China ("PRC"). See *Certain Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe From China*, 74 FR 57521 (November 6, 2009).

On November 9, 2009, we issued a questionnaire to the Government of the People's Republic of China ("GOC"), Hengyang, and TPCO. On December 3, 2009, the Department published a postponement of the deadline for the preliminary determination in this investigation until February 16, 2010. See *Certain Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from the People's Republic of China: Postponement of Preliminary Determination in the Countervailing Duty Investigation*, 74 FR 63391 (December 3, 2009).

In December 2009 and January 2010, we received responses to our questionnaire from the GOC, Hengyang, and TPCO. See the GOC's Original Questionnaire Response (January 7, 2010) ("GQR"), Hengyang's Original Questionnaire Response (January 5, 2010) ("HQR"), and TPCO's Original Questionnaire Response (December 31, 2009) ("TQR"). We sent supplemental questionnaires to TPCO on January 27, 2010, and February 4, 2010. We received responses to these