

extended the deadline), the applicable deadline for submission of such factual information, an interested party may submit factual information to rebut, clarify, or correct the factual information no later than ten days after such factual information is served on the interested party. However, the Department generally will not accept in the rebuttal submission additional or alternative surrogate value information not previously on the record, if the deadline for submission of surrogate value information has passed.<sup>7</sup> Furthermore, the Department generally will not accept business proprietary information in either the surrogate value submissions or the rebuttals thereto, as the regulation regarding the submission of surrogate values allows only for the submission of publicly available information.<sup>8</sup>

#### Assessment Rates

Upon issuance of the final results, the Department will determine, and U.S. Customs and Border Protection (“CBP”) shall assess, antidumping duties on all appropriate entries covered by this review.<sup>9</sup> For assessment purposes, we calculated exporter/importer- (or customer-) specific assessment rates for merchandise subject to this review. Dixon reported that its U.S. affiliate was the importer of record for all U.S. sales. Thus, we calculated an *ad valorem* rate by dividing the total dumping margins for reviewed sales by the total entered values associated with those transactions. If Dixon’s antidumping duty rate exceeds 0.5 percent *ad valorem* for the final results of this review, we will instruct CBP to assess duties on all of Dixon’s entries. See 19 CFR 351.106(c)(2). The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of the final results of this review.

For companies for which this review is rescinded, antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions regarding entries of the rescinded companies directly to CBP 15 days after publication of this notice.

<sup>7</sup> See, e.g., *Glycine from the People’s Republic of China: Final Results of Antidumping Duty Administrative Review and Final Rescission*, in Part, 72 FR 58809 (October 17, 2007), and accompanying Issues and Decision Memorandum at Comment 2.

<sup>8</sup> See 19 CFR 351.301(c)(3).

<sup>9</sup> See 19 CFR 351.212(b)(1).

#### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For Dixon, which has a separate rate, the cash deposit rate will be that established in the final results of this review (except, if the rate is zero or *de minimis*, then no cash deposit will be required); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the PRC-wide entity; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) 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 Department’s presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213.

Dated: January 2, 2012.

**Paul Piquado**,  
Assistant Secretary for Import Administration.

#### Appendix I—List of Topics Discussed in the Preliminary Decision Memorandum

1. Scope of the Order
2. Non-Market Economy Country
3. Separate Rates
4. Surrogate Country and Surrogate Value Data
5. Economic Comparability
6. Significant Producers of Identical or Comparable Merchandise
7. Data Availability
8. Date of Sale

9. Fair Value Comparisons
10. U.S. Price
11. Normal Value
12. Factor Valuations
13. Currency Conversion

#### Appendix II

Separate rate companies for which we are rescinding this administrative review:

China First Pencil Co., Ltd. Orient International Holding Shanghai Foreign Trade Co., Ltd. Shandong Rongxin Import and Export Co., Ltd.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–533–824]

#### Polyethylene Terephthalate Film, Sheet and Strip From India: Partial Rescission of Antidumping Duty Administrative Review; 2011–2012

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

**DATES:** *Effective Date:* January 11, 2013.

**FOR FURTHER INFORMATION CONTACT:** Toni Page, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–1398.

#### Background

On July 2, 2012, the Department of Commerce (Department) published a notice of opportunity to request an administrative review of the antidumping duty (AD) order on polyethylene terephthalate film, sheet and strip from India covering the period July 1, 2011, through June 30, 2012.<sup>1</sup> The Department received a timely request from Petitioners<sup>2</sup> for an AD administrative review of five companies: Ester Industries Limited (Ester), Garware Polyester Ltd. (Garware), Polyplex Corporation Ltd. (Polyplex), SRF Limited (SRF), and Jindal Poly Films Limited of India (Jindal).<sup>3</sup> In addition, the Department

<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 77 FR 39216, 39217 (July 2, 2012).

<sup>2</sup> Petitioners are DuPont Teijin Films, Mitsubishi Polyester Film, Inc., SKC, Inc., and Toray Plastics (America), Inc.

<sup>3</sup> See Polyethylene Terephthalate (PET) Film, Sheet, and Strip from India: Request for Antidumping Duty Administrative Review: Petitioners’ Request for an Administrative Review (July 31, 2012).

received timely requests for an AD review from SRF and Jindal.<sup>4</sup> On August 30, 2012, the Department published a notice of initiation of administrative review with respect to Ester, Garware, Jindal, Polyplex, and SRF.<sup>5</sup> On September 26, 2012, one of the petitioners (DuPont Teijin Films) withdrew its request for an AD administrative review of all the companies for which reviews were initiated.<sup>6</sup> Finally, on November 30, 2012, the remaining petitioners (Mitsubishi Polyester Film, Inc., SKC, Inc., and Toray Plastics (America), Inc.) submitted a withdrawal request for Ester and Garware only.<sup>7</sup>

#### Rescission, in Part

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if a party that requested the review withdraws the request within 90 days of the date of publication of the notice of initiation of the requested review. Petitioners' September 26, 2012, and November 30, 2012, withdrawal requests were submitted within the 90-day period and thus are timely.<sup>8</sup> Because Petitioners' withdrawals of their requests for review are timely and because no other party requested a review of Ester and Garware, we are rescinding this review with respect to these companies, in accordance with 19 CFR 351.213(d)(1). The requests from Mitsubishi Polyester Film, Inc., SKC, Inc., and Toray Plastics (America), Inc. for an administrative review of Jindal, Polyplex, and SRF have not been withdrawn. As such, we

are not rescinding the review with respect to these three companies. For the review, the Department will proceed with individual examination of the two previously selected mandatory respondents, Jindal and SRF.

#### Assessment

The Department will instruct U.S. Customs and Border Protection (CBP) to assess ADs on all appropriate entries. Subject merchandise of Ester and Garware will be assessed ADs at rates equal to the cash deposit of estimated ADs required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue assessment instructions to CBP 15 days after the date of publication of this notice.

#### Notification to Importers

This notice serves as a final reminder to importers for whom this review is being rescinded, as of the publication date of this notice, of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of ADs 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 ADs occurred and the subsequent assessment of double ADs.

#### Notification Regarding Administrative Protective Orders

This notice also serves as a final 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, 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 notice is issued and published in accordance with section 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: January 7, 2013.

**Christian Marsh,**

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-905]

#### Certain Polyester Staple Fiber From the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2010-2011

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

**SUMMARY:** On July 6, 2012, the Department of Commerce ("Department") published in the *Federal Register* the *Preliminary Results* of the fourth administrative review of the antidumping duty order on certain polyester staple fiber ("PSF") from the People's Republic of China ("PRC").<sup>1</sup> We gave interested parties an opportunity to comment on the *Preliminary Results*. Based upon our analysis of the comments and information received, we made changes to the margin calculations for the final results. Further, we determine that Huvis Sichuan Co., Ltd. ("Huvis Sichuan") had no reviewable entries of subject merchandise during the period of review ("POR").

**DATES:** Effective January 11, 2013.

**FOR FURTHER INFORMATION CONTACT:** Steven Hampton or Susan Pulongbarit, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-0116 and (202) 482-4031 respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On July 6, 2012, the Department published the *Preliminary Results*. Between August 8, 2012, and August 20, 2012, interested parties submitted surrogate value information and rebuttal surrogate value comments. Interested parties were further provided an opportunity to comment on the *Preliminary Results*. On September 21, 2012, the Department received a case brief from Zhaoping Tifo New Fiber Co., Ltd. On September 28, 2012, the Department received a rebuttal brief from DAK Americas LLC.

##### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this review are addressed in the memorandum

<sup>1</sup> See *Certain Polyester Staple Fiber From the People's Republic of China: Preliminary Results of the Antidumping Duty Administrative Review*, 77 FR 39990 (July 6, 2012) ("*Preliminary Results*").

<sup>4</sup> See Polyethylene Terephthalate (PET) Film from India/Request for Antidumping Admin Review/Jindal Poly Films Limited (July 30, 2012) and Polyethylene Terephthalate (PET) Film from India/Request for Antidumping Admin Review/SRF Limited (July 30, 2012).

<sup>5</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 77 FR 52688 (August 30, 2012).

<sup>6</sup> See Polyethylene Terephthalate (PET) Film, Sheet, and Strip from India: Withdrawal of DuPont Teijin Films' Request for Antidumping Duty Administrative Review (September 26, 2012).

<sup>7</sup> See Polyethylene Terephthalate (PET) Film, Sheet, and Strip from India: Partial Withdrawal of Request for Antidumping Duty Administrative Review (November 30, 2012).

<sup>8</sup> The 90th day fell on November 28, 2012; however, as explained in the memorandum from the Assistant Secretary for Import Administration, the Department has exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from October 29, through October 30, 2012. Thus, all deadlines in this segment of the proceeding have been extended by two days. The revised deadline for filing a withdrawal request was November 30, 2012. See Memorandum to the Record from Paul Piquado, Assistant Secretary for Import Administration, regarding "Tolling of Administrative Deadlines As a Result of the Government Closure During Hurricane Sandy" (October 31, 2012).