

based on a request by GBC Metals, LLC, of Global Brass and Copper, Inc., doing business as Olin Brass; Heyco Metals, Inc.; Aurubis Buffalo, Inc.; PMX Industries, Inc.; and Revere Copper Products, Inc. (collectively, "Petitioners"). See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 77 FR 59168 (September 26, 2012).

The review covers 22 companies: Dowa Metals & Mining Co., Ltd.; Fujisawa Co., Ltd.; Furukawa Electric Co., Ltd.; Harada Metal Industry; Hitachi Alloy, Ltd.; Hitachi Cable, Ltd.; Kicho Shindosho Co., Ltd.; Kitz Metal Works Corp.; Kobe Steel, Ltd.; Mitsubishi Materials Corp.; Mitsubishi Electric Metals Co., Ltd.; Mitsubishi Shindoh Co., Ltd.; Mitsui Mining & Smelting Co., Ltd. (Mitsui Kinzoku); Mitsui Sumitomo Metal Mining Brass & Copper Co., Ltd.; NGK Insulators (NGK Metals); Nippon Mining & Metals Co., Ltd.; Ohki Brass & Copper Co., Ltd.; Sambo Copper Alloy Co., Ltd.; Sugino Metal Industry Co., Ltd.; Sumitomo Metal Mining Brass & Copper Co., Ltd.; Uji Copper & Alloy Co., Ltd.; and YKK Corporation.

On December 20, 2012, Petitioners withdrew their request for an administrative review on all 22 producers/exporters.

#### Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if the parties that requested a review withdraw the request within 90 days of the date of publication of the notice of initiation of the requested review. In this case, Petitioners withdrew their request within the 90-day deadline and no other parties requested an administrative review of the antidumping duty order. Therefore, we are rescinding the administrative review of brass sheet and strip from Japan covering the period August 1, 2011, through July 31, 2012.

#### Assessment

The Department will instruct U.S. Customs and Border Protection ("CBP") to assess antidumping duties on all suspended entries subject to the AD Order for the period August 1, 2011 to July 31, 2011. 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 to CBP 15 days after the date of publication of this notice.

#### Notification to Importers

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 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 duties occurred and the subsequent assessment of double antidumping duties.

#### Notification Regarding Administrative Protective Order

This notice 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 an APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or 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 issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: February 5, 2013.

**Christian Marsh,**

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

[FR Doc. 2013-03080 Filed 2-8-13; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-824]

#### Polyethylene Terephthalate Film, Sheet, and Strip From India: Final Results of Administrative Review of the Antidumping Duty Order; 2010-2011

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

**SUMMARY:** On August 6, 2012, the Department of Commerce (Department) published the preliminary results of administrative review of the antidumping duty order on polyethylene terephthalate film (PET Film) from India.<sup>1</sup> This review covers three respondents, Jindal Poly Films Ltd

<sup>1</sup> See *Polyethylene Terephthalate Film, Sheet, and Strip From India: Preliminary Results of Antidumping Duty Administrative Review*, 77 FR 46687 (August 6, 2012) (*Preliminary Results*).

(Jindal), Polyplex Corporation Ltd. (Polyplex), and SRF Limited (SRF), producers and exporters of PET Film from India. Based on the results of our analysis of the comments received, we have made changes to the preliminary results. For the final weight-averaged dumping margins, see the "Final Results of Review" section below.

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

**FOR FURTHER INFORMATION CONTACT:** Elfi Blum or Toni Page, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 428-0197 or (202) 482-1398, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

Since the *Preliminary Results*, the following events have taken place. The Department extended the final results of review from December 6, 2012 to February 4, 2013.<sup>2</sup> Jindal and Polyplex submitted timely case briefs on December 5, 2012. DuPont Teijin Films, Mitsubishi Polyester Film, Inc., SKC, Inc., and Toray Plastics (America), Inc. (collectively, Petitioners) filed a timely rebuttal brief on December 13, 2012.

The Department issued a post-preliminary analysis to address Petitioners' targeted dumping allegations for both Jindal and Polyplex on December 20, 2012.<sup>3</sup> Petitioners filed timely comments regarding the Department's post-preliminary analysis on January 3, 2013. In response, Jindal and Polyplex filed timely rebuttal comments on January 8, 2013.

##### Scope of the Order

The products covered by the antidumping duty order are all gauges of

<sup>2</sup> See Memorandum from Barbara Tillman, Antidumping and Countervailing Duty Operations Office 6 Director, to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, "Polyethylene Terephthalate Film from India: Extension of Deadline for Final Results of Antidumping Duty Administrative Review," dated November 9, 2012. See also 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," dated October 31, 2012.

<sup>3</sup> See Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Import Administration, "Polyethylene Terephthalate Film, Sheet and Strip (PET film) from India: Post-Preliminary Analysis and Calculation Memorandum, dated December 20, 2012 (Post-Prelim Analysis and Calculation Memorandum).

raw, pretreated, or primed PET film, whether extruded or coextruded. Excluded are metallized films and other finished films that have had at least one of their surfaces modified by the application of a performance-enhancing resinous or inorganic layer of more than 0.00001 inches thick. Imports of PET film are currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under item number 3920.62.00.90. HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope of the antidumping duty order is dispositive.

#### Period of Review

The period of review is July 1, 2010, through June 30, 2011.

#### Analysis of Comments Received

All issues raised in the case and rebuttal briefs filed by parties are addressed in the Decision Memorandum.<sup>4</sup> A list of these issues is attached to this notice in the Appendix. The Decision Memorandum is a public document and is on file electronically via Import Administration's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to all registered users at <http://iaaccess.trade.gov>, and is available to all parties in the Central Records Unit (CRU), room 7046 of the main Department of Commerce building. In addition, a complete version of the Decision Memorandum can be accessed directly on the Internet at <http://www.trade.gov/ia/>. The signed Decision Memorandum and electronic versions of the Decision Memorandum are identical in content.

#### Changes Since the Preliminary Results

Based on our analysis of the comments received and information received after the *Preliminary Results*, we have made adjustments to our margin calculations for Jindal and Polyplex in accordance with our post-preliminary analysis.<sup>5</sup> For these final

results, we made no other changes to Jindal's margin calculations. Polyplex's margin calculations were adjusted to account for the company's expenditures for its sample sales and its sales of secondary merchandise in the U.S. The adjustments for Polyplex did not change its weighted-average dumping margin calculated for the *Preliminary Results*.

#### Final Results of Review

As a result of our review, we determine that the following weighted-average dumping margins exist for the period July 1, 2010, through June 30, 2011.

Manufacturer/ exporter	Weighted- average dumping margin (percent)
Jindal Poly Films Limited .....	0.00
Polyplex Corporation Limited	0.00
SRF Limited <sup>6</sup> .....	0.00

#### Assessment Rates

The Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. We will instruct CBP to liquidate entries of merchandise produced and/or exported by Jindal, Polyplex, and SRF. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of the final results of review. For individually examined respondents whose weighted-average dumping margin is above *de minimis* (i.e., 0.50 percent) in the final results, we will calculate importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of the sales in accordance with 19 CFR 351.212(b)(1).<sup>7</sup> We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific assessment rate calculated in the final results of this review is above *de minimis*. Where either the respondent's

weighted-average dumping margin is zero or *de minimis*, or an importer-specific assessment rate is zero or *de minimis*, we will instruct CBP to liquidate without regard to antidumping duties any entries.<sup>8</sup>

The Department clarified its "automatic assessment" regulation on May 6, 2003. This clarification will apply to entries of subject merchandise during the period of review produced by each respondent for which they did not know that 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 for all shipments of PET Film from India entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review, as provided for by section 751(a)(2)(C) of the Tariff Act of 1930, as amended (Act): (1) The cash deposit rate for company under review will be the rate 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 reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published 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 manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and, (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous review, the cash deposit rate will be the all others rate for this proceeding, 5.71 percent. These deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification Regarding Administrative Protective Orders

This notice is the only reminder to parties subject to the administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under the APO in accordance

<sup>4</sup> See Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Import Administration, "Issues and Decision Memorandum for the Final Results of the 2010–2011 Antidumping Duty Administrative Review: Polyethylene Terephthalate Film, Sheet, and Strip from India," dated February 4, 2013 (Decision Memorandum).

<sup>5</sup> For our detailed analysis, see Post-Preliminary Analysis and Calculation Memorandum; see also Analysis Memorandum for the Post-Preliminary Results of the Antidumping Duty Administrative Review of Polyethylene Terephthalate Film, Sheet, and Strip from India: Jindal Poly Films Limited and Polyplex Corporation Ltd., dated December 20, 2012, at 2, respectively.

<sup>6</sup> SRF is a non-selected respondent in this review. For additional information regarding the calculation of SRF's rate, which remains unchanged from the *Preliminary Results*, see *Preliminary Results*, 77 FR at 46692.

<sup>7</sup> In these final results, the Department applied the assessment rate calculation method adopted in *Final Modification for Reviews*, i.e. on the basis of monthly average-to-average comparisons using only the transactions associated with that importer with offsets being provided for non-dumped comparisons. See *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101 (February 14, 2012) (*Final Modification for Reviews*).

<sup>8</sup> See 19 CFR 351.106(c)(1).

with 19 CFR 351.305(a)(3). Timely written notification of the return or 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.

#### Notification to Importers

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 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 doubled antidumping duties.

We are issuing and publishing these final results and this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: February 4, 2013.

#### Paul Piquado,

Assistant Secretary for Import Administration.

#### Appendix

Comment 1: Targeted Dumping  
 Comment 2: Polyplex's Transparent Film Other Grade (TFOG) Sales  
 Comment 3: Jindal's Date of Sale  
 Comment 4: Jindal's Export Quantities  
 [FR Doc. 2013-03082 Filed 2-8-13; 8:45 am]  
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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-489-805]

#### Certain Pasta From Turkey; 2010-2011; Final Results of Antidumping Duty Administrative Review

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

**SUMMARY:** The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on certain pasta (pasta) from Turkey. The period of review (POR) is July 1, 2010, through June 30, 2011, and covers TAT Makarnacilik Sanayi ve Ticaret A.S. (TAT), and Marsan Gida Sanayi ve Ticaret A.S. (Marsan) and its claimed affiliates Birlik Pazarlama Sanayi ve Ticaret A.S. (Birlik), Bellini Gida Sanayi A.S. (Bellini), and Marsa Yag Sanayi ve Ticaret A.S. (Marsa Yag). Based on our analysis of the comments received, we have not made any changes in the

margin calculation for Marsan. The final weighted-average dumping margins for the reviewed firms are listed below in the section entitled "Final Results of Review."

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

#### FOR FURTHER INFORMATION CONTACT:

Stephanie Moore (Marsan, Birlik, Bellini, and Marsan Yag), Victoria Cho (TAT) or Robert James, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-3692, (202) 482-5075, or (202) 482-0649, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 6, 2012, the Department published the *Preliminary Results*,<sup>1</sup> and invited interested parties to comment. On October 19, 2012, Marsan Gida Sanayi ve Ticaret A.S., (Marsan) filed a case brief, and the petitioners<sup>2</sup> filed a case brief with respect to TAT. On October 24, 2012, petitioners filed a rebuttal brief. On December 21, 2012, the Department issued a post-preliminary analysis decision memorandum of the targeting dumping allegation with respect to Marsan.<sup>3</sup> At that time, we invited parties to comment on the Department's analysis in addressing the petitioners' targeted dumping allegation in this review. The Department did not receive any comments on its post-preliminary decision memorandum.

##### Period of Review

The POR covered by this review is July 1, 2010, through June 30, 2011.

##### Scope of the Order

The merchandise covered by this order are certain non-egg dry pasta in packages of five pounds (2.27 kilograms) or less, whether or not enriched or fortified or containing milk or other optional ingredients such as chopped vegetables, vegetable purees, milk, gluten, diastases, vitamins, coloring and

<sup>1</sup> See *Certain Pasta From Turkey: Notice of Preliminary Results of the 2010-2011 Antidumping Duty Administrative Review*, 77 FR 46694 (August 6, 2012) (*Preliminary Results*).

<sup>2</sup> New World Pasta Company, Dakota Growers Pasta Company & American Italian Pasta Company (petitioners).

<sup>3</sup> See Memorandum to Lynn Fischer Fox, Acting Assistant Secretary for Import Administration, from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations titled "2010/2011 Review of the Antidumping Duty Order on Certain Pasta (pasta) from Turkey: Post-Preliminary Analysis Memorandum", dated December 21, 2012.

flavorings, and up to two percent egg white. The pasta covered by this scope is typically sold in the retail market, in fiberboard or cardboard cartons, or polyethylene or polypropylene bags of varying dimensions. Excluded from the scope of this review are refrigerated, frozen, or canned pastas, as well as all forms of egg pasta, with the exception of non-egg dry pasta containing up to two percent egg white.

The merchandise subject to review is currently classifiable under item 1902.19.20 of the *Harmonized Tariff Schedule of the United States (HTSUS)*. Although the *HTSUS* subheading is provided for convenience and customs purposes, the written description of the merchandise subject to the order is dispositive.

#### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this proceeding and to which we have responded are listed in Appendix I to this notice and addressed in the Issues and Decision Memorandum, dated concurrently with, and hereby adopted by, this notice.<sup>4</sup> The Issues and Decision Memorandum is a public document and is on file in the Central Records Unit (CRU), Room 7046 of the main Department of Commerce Building, as well as electronically via Import Administration's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and is available to all parties in the CRU. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at <http://www.trade.gov/ia/frn/index.html>. The signed Issues and Decision Memorandum and the electronic versions of the Issues and Decision Memorandum are identical in content.

#### Final Results of Review

As a result of this review, we determine that the following weighted-average dumping margins exist for the period July 1, 2010, through June 30, 2011:

<sup>4</sup> See Issues and Decision Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Import Administration, titled "Final Results of the Antidumping Duty Administrative Review: Certain Pasta from Turkey; 2010-2011," dated February 4, 2013.

<sup>5</sup> The Department has found Marsan not to be affiliated with Birlik or Bellini, prior to June 2, 2011. Birlik ceased operation of the pasta production facility in October 2010 and at the same time Bellini took over operation of the pasta production facility from Birlik. See the Issues and