

14. Normal Value.
15. Factor Valuations.
16. Currency Conversion.
17. Adjustment Under Section 777A(f) of the Act.
18. Conclusion.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-866]

Folding Gift Boxes From the People's Republic of China: Final Results of the Second Sunset Review and Continuation of the Antidumping Duty Order

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

SUMMARY: On October 26, 2012, the Department of Commerce (the "Department") published the preliminary results of the second sunset review of the antidumping duty order on folding gift boxes from the People's Republic of China ("PRC"). We gave interested parties an opportunity to comment on the preliminary results. The Folding Gift Boxes Fair Trade Coalition ("Domestic Parties")¹ filed comments in support of the Department's preliminary results and no other party submitted comments. Further, as a result of the determinations by the Department and the International Trade Commission ("ITC") that revocation of the antidumping duty order would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, the Department is publishing a notice of continuation of the antidumping duty order.

DATES: *Effective Date:* March 5, 2013.

FOR FURTHER INFORMATION CONTACT: Demetri Kalogeropoulos, AD/CVD Operations, Office 8, Import Administration, International Trade Administration, Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-2623.

SUPPLEMENTARY INFORMATION:

Background

On October 26, 2012, the Department published the preliminary results² of

¹ The Folding Gift Boxes Fair Trade Coalition is comprised of Harvard Folding Gift Box Company, Inc. and Graphic Packaging International, Inc., both U.S. producers of folding gift boxes.

² See *Folding Gift Boxes From the People's Republic of China: Preliminary Results of the*

the second sunset review on the antidumping duty order³ on folding gift boxes from the PRC. We invited interested parties to comment on the *Preliminary Results*. Domestic Parties filed comments in support of the Department's *Preliminary Results* and no other party submitted comments. Due to the complex issues discussed in the *Preliminary Results*, the Department has conducted a full sunset review pursuant to section 751(c)(5)(C) of the Tariff Act of 1930, as amended ("the Act").

On December 10, 2012, the ITC determined, pursuant to section 751(c) of the Act, that revocation of the *Order* would likely lead to a continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.⁴

Scope of the Order

The products covered by the order are certain folding gift boxes. Folding gift boxes are a type of folding or knock-down carton manufactured from paper or paperboard. Folding gift boxes are produced from a variety of recycled and virgin paper or paperboard materials, including, but not limited to, clay-coated paper or paperboard and kraft (bleached or unbleached) paper or paperboard. The scope of the order excludes gift boxes manufactured from paper or paperboard of a thickness of more than 0.8 millimeters, corrugated paperboard, or paper mache. The scope also excludes those gift boxes for which no side of the box, when assembled, is at least nine inches in length.

Folding gift boxes included in the scope are typically decorated with a holiday motif using various processes, including printing, embossing, debossing, and foil stamping, but may also be plain white or printed with a single color. The subject merchandise includes folding gift boxes, with or without handles, whether finished or unfinished, and whether in one-piece or multi-piece configuration. One-piece gift boxes are die-cut or otherwise formed so that the top, bottom, and sides form a single, contiguous unit. Two-piece gift boxes are those with a folded bottom and a folded top as separate pieces. Folding gift boxes are generally packaged in shrink-wrap, cellophane, or other packaging

Second Sunset Review of the Antidumping Duty Order, 77 FR 65361 (October 26, 2012) ("*Preliminary Results*").

³ See *Notice of Antidumping Duty Order: Certain Folding Gift Boxes From the People's Republic of China*, 67 FR 864 (January 8, 2002) ("*Order*").

⁴ See *Folding Gift Boxes from China: Investigation No. 731-TA-921 (Second Review)*, USITC Publication 4365 (November 2012).

materials, in single or multi-box packs for sale to the retail customer. The scope excludes folding gift boxes that have a retailer's name, logo, trademark or similar company information printed prominently on the box's top exterior (such folding gift boxes are often known as "not-for-resale" gift boxes or "give-away" gift boxes and may be provided by department and specialty stores at no charge to their retail customers). The scope of the order also excludes folding gift boxes where both the outside of the box is a single color and the box is not packaged in shrink-wrap, cellophane, other resin-based packaging films, or paperboard.

Imports of the subject merchandise are classified under Harmonized Tariff Schedules of the United States ("HTSUS") subheadings 4819.20.0040 and 4819.50.4060. These subheadings also cover products that are outside the scope of the order. Furthermore, although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of the order is dispositive.

Final Determination of Likelihood of Continuation or Recurrence of Dumping

In the *Preliminary Results*, the Department preliminarily determined that dumping would likely continue or recur if the *Order* were revoked, because the Department found dumping above *de minimis* levels in the investigation segment of this proceeding, and we determined that folding gift box imports from the PRC have been increasing in volume during the period of this sunset review. Thus, since issuance of the *Order*, dumping has continued at rates exceeding *de minimis* levels, which suggests that dumping is likely to continue if the *Order* is revoked.

As stated above, Domestic Parties submitted comments in support of our *Preliminary Results*, and we did not receive comment from any respondent interested party. Therefore, for the reasons explained in the *Preliminary Results*, we continue to determine dumping would likely continue or recur if the *Order* were revoked.

Final Determination of Magnitude of the Dumping Margin Likely To Prevail

In the *Preliminary Results*, the Department noted that section 752(c)(3) of the Act provides that the administering authority shall provide to the ITC the magnitude of the margin of dumping that is likely to prevail if the order were revoked. While normally, the Department will select a margin from the final determination in the investigation because that is the only

calculated rate that reflects the behavior of exporters without the discipline of an order or suspension agreement in place, under certain circumstances, the Department may select a more recently calculated rate to report to the ITC. Thus, we determined that the margins likely to prevail were the order revoked would be above *de minimis*. As stated above, Domestic Parties submitted comments in support of our *Preliminary Results*, and we did not receive comments from any respondent interested party. Therefore, for the reasons explained in the *Preliminary Results*, we continue to determine that the margins likely to prevail were the *Order* revoked would be above *de minimis*.

Final Results of Sunset Review

Pursuant to section 751(c) of the Act, the Department determines that revocation of the *Order* on folding gift boxes from the PRC would likely lead to continuation or recurrence of dumping at the rate listed below:

Exporter	Weighted-average margin
All exporters ⁵	Above <i>de minimis</i> .

Notification Regarding Administrative Protective Order

This notice also serves as 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 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 violation which is subject to sanction.

Continuation of the Order

As a result of the determinations by the Department and the ITC that revocation of the *Order* on folding gift boxes from the PRC would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping duty order on folding gift boxes from the PRC. U.S. Customs and Border Protection will continue to collect antidumping duty cash deposits at the rates in effect at the time of entry

⁵ Max Fortune Industrial Ltd. was excluded from the *Order*. See *Order*.

for all imports of subject merchandise. The effective date of the continuation of the *Order* will be the date of publication in the **Federal Register** of this notice of final results and continuation. Pursuant to section 751(c)(2) of the Act, the Department intends to initiate the next five-year review of the *Order* not later than 30 days prior to the fifth anniversary of the effective date of continuation.

We are issuing and publishing these results and notice in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: February 25, 2013.

Paul Piquado,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-201-822]

Stainless Steel Sheet and Strip in Coils From Mexico: Notice of Settlement of NAFTA Proceedings

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

SUMMARY: The Department of Commerce (the Department) is announcing the settlement of proceedings before five separate North American Free Trade Agreement (NAFTA) binational dispute settlement panels.

DATES: *Effective Date:* March 5, 2013.

FOR FURTHER INFORMATION CONTACT: Mykhaylo Gryzlov, Office of the Chief Counsel for Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-0833.

SUPPLEMENTARY INFORMATION:

Background

On July 27, 1999, the Department published the antidumping duty order on stainless steel sheet and strip in coils from Mexico (SSSS from Mexico). See *Stainless Steel Sheet and Strip in Coils from Mexico*, 64 FR 40560 (July 27, 1999) (notice of amended LTFV determination and antidumping duty order) (*Order*). Since the *Order* was issued, ThyssenKrupp Mexinox S.A. de C.V. and Mexinox USA, Inc. (together, Mexinox) have challenged various aspects of five administrative reviews¹

¹ *Stainless Steel Sheet and Strip in Coils from Mexico*, 71 FR 76978 (December 22, 2006) (admin.

of the *Order* before NAFTA panels.² On August 10, 2011, the Department revoked the *Order*, effective July 25, 2010, as a result of a sunset review. See *Stainless Steel Sheet and Strip in Coils from Germany, Italy and Mexico*, 76 FR 49450 (August 10, 2011) (revocation of the antidumping duty orders). As a result of this revocation, the Department instructed Customs and Border Protection (CBP) to terminate the suspension of liquidation and collection of cash deposits of the subject merchandise entered or withdrawn from warehouse on or after July 25, 2010.

On September 20, 2012, the Department and Mexinox entered into a Settlement Agreement that fully resolves all pending NAFTA disputes brought by Mexinox. Pursuant to this settlement of litigation, the Department and Mexinox agreed to a termination of the following cases (collectively, the five NAFTA disputes):

1. In the Matter of Stainless Steel Sheet and Strip in Coils from Mexico: Final Results of the 2004–2005 Antidumping Duty Administrative Review, Secretariat File No. USA–MEX–2007–1904–01;
2. In the Matter of Stainless Steel Sheet and Strip in Coils from Mexico: Final Results of the 2005–2006 Antidumping Duty Administrative Review, Secretariat File No. USA–MEX–2008–1904–01;
3. In the Matter of Stainless Steel Sheet and Strip in Coils from Mexico: Final Results of the 2006–2007 Antidumping Duty Administrative Review, Secretariat File No. USA–MEX–2009–1904–02;
4. In the Matter of Stainless Steel Sheet and Strip in Coils from Mexico: Final Results of the 2007–2008 Antidumping Duty Administrative Review, Secretariat File No. USA–MEX–2010–1904–01;
5. In the Matter of Stainless Steel Sheet and Strip in Coils from Mexico: Final Results of the 2008–2009

review); *Stainless Steel Sheet and Strip in Coils from Mexico*, 73 FR 7710 (February 11, 2008) (admin. review), as amended by 73 FR 14215 (March 17, 2008); *Stainless Steel Sheet and Strip in Coils from Mexico*, 74 FR 6365 (February 9, 2009); *Stainless Steel Sheet and Strip in Coils from Mexico*, 75 FR 6627 (February 10, 2010) (admin. review), as amended by 75 FR 17122 (April 05, 2010); *Stainless Steel Sheet and Strip in Coils from Mexico*, 76 FR 2332 (January 13, 2011) (admin. review), as amended by 76 FR 76 FR 9542 (February 18, 2011).

² Allegheny Ludlum Corporation, North American Stainless, and AK Steel Corporation (collectively, the domestic industry or petitioners) challenged certain aspects of the final results of *Stainless Steel Sheet and Strip in Coils from Mexico*, 71 FR 76978 (December 22, 2006) (admin. review). On April 14, 2010, the NAFTA panel affirmed the final results with respect to all aspects challenged by petitioners.