

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Advance Notification of Sunset Reviews**

**AGENCY:** Enforcement and Compliance, formerly Import Administration, International Trade Administration, Department of Commerce.

**Background**

Every five years, pursuant to section 751(c) of the Tariff Act of 1930, as amended (“the Act”), the Department of Commerce (“the Department”) and the International Trade Commission automatically initiate and conduct a review to determine whether revocation of a countervailing or antidumping duty order or termination of an investigation suspended under section 704 or 734 of

the Act would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy (as the case may be) and of material injury.

**Upcoming Sunset Reviews for January 2014**

The following Sunset Review is scheduled for initiation in January 2014 and will appear in that month’s Notice of Initiation of Five-Year Sunset Review (“Sunset Review”).

	Department contact
<b>Antidumping Duty Proceedings</b>	
Small Diameter Graphite Electrodes from China (A-570-929) (1st Review) .....	David Goldberger (202) 482-4136.

*Countervailing Duty Proceedings*

No Sunset Review of countervailing duty orders is scheduled for initiation in January 2014.

*Suspended Investigations*

No Sunset Review of suspended investigations is scheduled for initiation in January 2014.

The Department’s procedures for the conduct of Sunset Reviews are set forth in 19 CFR 351.218. The Notice of Initiation of Five-Year (“Sunset”) Reviews provides further information regarding what is required of all parties to participate in Sunset Reviews.

Pursuant to 19 CFR 351.103(c), the Department will maintain and make available a service list for these proceedings. To facilitate the timely preparation of the service list(s), it is requested that those seeking recognition as interested parties to a proceeding contact the Department in writing within 10 days of the publication of the Notice of Initiation.

Please note that if the Department receives a Notice of Intent to Participate from a member of the domestic industry within 15 days of the date of initiation, the review will continue. Thereafter, any interested party wishing to participate in the Sunset Review must provide substantive comments in response to the notice of initiation no later than 30 days after the date of initiation.

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

Dated: November 13, 2013.

**Christian Marsh,**

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

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

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

**AGENCY:** Enforcement and Compliance, formerly Import Administration, International Trade Administration, Department of Commerce.

**FOR FURTHER INFORMATION CONTACT:** Brenda E. Waters, Office of AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, telephone: (202) 482-4735.

**Background**

Each year during the anniversary month of the publication of an antidumping or countervailing duty order, finding, or suspended 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, that the Department of Commerce (“the Department”) conduct an administrative review of that antidumping or countervailing duty order, finding, or suspended investigation.

All deadlines for the submission of comments or actions by the Department discussed below refer to the number of calendar days from the applicable starting date.

**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. 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 21 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 five days of placement of the CBP data on the record of the review.

In the event the Department decides it is necessary to limit individual examination of respondents and conduct respondent selection under section 777A(c)(2) of the Act:

In general, the Department has found that determinations concerning whether particular companies should be “collapsed” (*i.e.*, treated as a single entity for purposes of calculating antidumping duty rates) require a substantial amount of detailed information and analysis, which often require follow-up questions and analysis. Accordingly, the Department will not conduct collapsing analyses at the respondent selection phase of this review and will not collapse companies at the respondent selection phase unless there has been a determination to collapse certain companies in a previous segment of this antidumping proceeding (*i.e.*, investigation, administrative review, new shipper review or changed circumstances

review). For any company subject to this review, if the Department determined, or continued to treat, that company as collapsed with others, the Department will assume that such companies continue to operate in the same manner and will collapse them for respondent selection purposes. Otherwise, the Department will not collapse companies for purposes of respondent selection. Parties are requested to (a) identify which companies subject to review previously were collapsed, and (b) provide a citation to the proceeding in which they were collapsed. Further, if companies are requested to complete the Quantity and Value Questionnaire for purposes of respondent selection, in general each company must report volume and value data separately for itself. Parties should not include data for any other party, even if they believe they should be treated as a single entity with that other party. If a company was

collapsed with another company or companies in the most recently completed segment of this proceeding where the Department considered collapsing that entity, complete quantity and value data for that collapsed entity must be submitted.

**Deadline for Withdrawal of Request for Administrative Review**

Pursuant to 19 CFR 351.213(d)(1), a party that has requested a review may withdraw that request within 90 days of the date of publication of the notice of initiation of the requested review. The regulation provides that the Department may extend this time if it is reasonable to do so. In order to provide parties additional certainty with respect to when the Department will exercise its discretion to extend this 90-day deadline, interested parties are advised that, with regard to reviews requested on the basis of anniversary months on

or after December 2013, the Department does not intend to extend the 90-day deadline unless the requestor demonstrates that an extraordinary circumstance has prevented it from submitting a timely withdrawal request. Determinations by the Department to extend the 90-day deadline will be made on a case-by-case basis.

The Department is providing this notice on its Web site, as well as in its “Opportunity to Request Administrative Review” notices, so that interested parties will be aware of the manner in which the Department intends to exercise its discretion in the future.

*Opportunity to Request a Review:* Not later than the last day of December 2013,<sup>1</sup> interested parties may request administrative review of the following orders, findings, or suspended investigations, with anniversary dates in December for the following periods:

	Period of Review
<b>Antidumping Duty Proceedings</b>	
Brazil: Carbon Steel Butt-Weld Pipe Fittings ..... A-351-602 .....	12/1/12-11/30/13
Chile: Certain Preserved Mushrooms ..... A-337-804 .....	12/1/12-11/30/13
India: Carbazole Violet Pigment 23 ..... A-533-838 .....	12/1/12-11/30/13
Certain Hot-Rolled Carbon Steel Flat Products ..... A-533-820 .....	12/1/12-11/30/13
Commodity Matchbooks ..... A-533-848 .....	12/1/12-11/30/13
Stainless Steel Wire Rod ..... A-533-808 .....	12/1/12-11/30/13
Indonesia: Certain Hot-Rolled Carbon Steel Flat Products ..... A-560-812 .....	12/1/12-11/30/13
Japan: P.C. Steel Wire Strand ..... A-588-068 .....	12/1/12-11/30/13
Welded Large Diameter Line Pipe ..... A-588-857 .....	12/1/12-11/30/13
Republic of Korea: Welded Astm A-312 Stainless Steel Pipe ..... A-580-810 .....	12/1/12-11/30/13
Socialist of Republic of Vietnam: Uncovered Innerspring Units ..... A-552-803 .....	12/1/12-11/30/13
South Africa: Uncovered Innerspring Units ..... A-791-821 .....	12/1/12-11/30/13
Taiwan: Carbon Steel Butt-Weld Pipe Fittings ..... A-583-605 .....	12/1/12-11/30/13
Steel Wire Garment Hangers ..... A-583-849 .....	8/2/12-11/30/13
Welded Astm A-312 Stainless Steel Pipe ..... A-583-815 .....	12/1/12-11/30/13
The People's Republic of China: Carbazole Violet Pigment 23 ..... A-570-892 .....	12/1/12-11/30/13
Cased Pencils ..... A-570-827 .....	12/1/12-11/30/13

<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.

	Period of Review
Crystalline Silicon Photovoltaic Cells, Whether Or Not Assembled into Modules .....	
A-570-979 .....	5/25/12-11/30/13
Hand Trucks and Parts Thereof .....	
A-570-891 .....	12/1/12-11/30/13
Honey .....	
A-570-863 .....	12/1/12-11/30/13
Malleable Cast Iron Pipe Fittings .....	
A-570-881 .....	12/1/12-11/30/13
Multilayered Wood Flooring .....	
A-570-970 .....	12/1/12-11/30/13
Porcelain-On-Steel Cooking Ware .....	
A-570-506 .....	12/1/12-11/30/13
Silicomanganese .....	
A-570-828 .....	12/1/12-11/30/13
<b>Countervailing Duty Proceedings</b>	
India:	
Carbozole Violet Pigment 23 .....	
C-533-839 .....	1/1/12-12/31/12
Certain Hot-Rolled Carbon Steel Flat Products .....	
C-533-821 .....	1/1/13-12/31/13
Commodity Matchbooks .....	
C-533-849 .....	1/1/12-12/31/12
Indonesia: Certain Hot-Rolled Carbon Steel Flat Products .....	
C-560-813 .....	1/1/13-12/31/13
Thailand: Certain Hot-Rolled Carbon Steel Flat Products .....	
C-549-818 .....	1/1/12-12/31/12
The People's Republic of China:	
Crystalline Silicon Photovoltaic Cells, Whether Or Not Assembled into Modules .....	
C-570-980 .....	3/26/12-12/31/12
Multilayered Wood Flooring .....	
C-570-971 .....	1/1/12-12/31/12
<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

<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.

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 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), and *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011) 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 Enforcement and Compliance Web site at <http://trade.gov/enforcement/>.

All requests must be filed electronically in Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System ("IA ACCESS") on the IA ACCESS Web site at <http://iaaccess.trade.gov>. *See Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011). Further, in accordance with 19 CFR 351.303(f)(1)(i), a copy of each request must be served on the petitioner and each exporter or producer specified in the request.

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 December 2013. If the Department does not receive, by the last day of December 2013, 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 period of review.

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

Dated: November 15, 2013.

**Christian Marsh,**

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-875]

#### **Non-Malleable Cast Iron Pipe Fittings From the People's Republic of China: Final Results of the Expedited Second Sunset Review of the Antidumping Duty Order**

**AGENCY:** Enforcement and Compliance, formerly Import Administration, International Trade Administration, Department of Commerce.

**SUMMARY:** On July 1, 2013, the Department of Commerce ("the Department") initiated the second sunset review of the antidumping duty order on non-malleable cast iron pipe fittings from the People's Republic of China ("PRC") pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). Based on the notice of intent to participate and adequate substantive response filed by the domestic interested party, and the lack of response from any respondent interested party, the Department conducted an expedited (120-day) sunset review of the antidumping duty order on non-malleable cast iron pipe fittings from the PRC, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2). As a result of this sunset review, the Department

finds that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of dumping. The magnitude of the dumping margins likely to prevail is indicated in the "Final Results of Sunset Review" section of this notice.

**DATES:** *Effective Date:* December 3, 2013.

**FOR FURTHER INFORMATION CONTACT:** James Martinelli or Jamie Blair-Walker, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-2923 or (202) 482-2615, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On April 7, 2003, the Department published the antidumping duty order on non-malleable cast iron pipe fittings from the PRC.<sup>1</sup> On July 1, 2013, the Department published the notice of initiation of the second sunset review of the antidumping duty order on non-malleable cast iron pipe fittings from the PRC, pursuant to section 751(c) of the Act.<sup>2</sup> Between July 9 and July 11, 2013, pursuant to 19 CFR 351.218(d)(1), the Department received timely and complete notices of intent to participate in the sunset review from Ward Manufacturing and Anvil International, LLC (collectively, "Petitioners"), domestic producers of non-malleable cast iron pipe fittings. On July 31, 2013, pursuant to 19 CFR 351.218(d)(3), Petitioners filed a timely and adequate substantive response. The Department did not receive substantive responses from any respondent interested party. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department conducted an expedited (120-day) sunset review of the antidumping duty order on non-malleable cast iron pipe fittings from the PRC.

As explained in the memorandum from the Assistant Secretary for Enforcement and Compliance, the Department has exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from October 1, through October 16, 2013.<sup>3</sup> Therefore, all deadlines in this segment

of the proceeding have been extended by 16 days. The revised deadline for the final results of this sunset review is now November 14, 2013.

##### **Scope of the Order**

The products covered by the order are finished and unfinished non-malleable cast iron pipe fittings with an inside diameter ranging from ¼ inch to 6 inches, whether threaded or unthreaded, regardless of industry or proprietary specifications.

Imports of subject merchandise are currently classifiable in the Harmonized Tariff Schedule of the United States ("HTSUS") under item numbers 7307.11.00.30, 7307.11.00.60, 7307.19.30.60, 7307.19.30.85, 7326.90.8588, and 7326.90.8588. HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope of the order is dispositive.<sup>4</sup>

##### **Analysis of Comments Received**

A complete discussion of all issues raised in this sunset review is provided in the accompanying I&D Memorandum, which is hereby adopted by this notice. The issues discussed in the I&D Memorandum include the likelihood of continuation or recurrence of dumping and the magnitude of the margins likely to prevail if the order is revoked. The I&D Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System ("IA ACCESS"). Access to IA ACCESS is available in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the I&D Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>. The signed I&D Memorandum and the electronic versions of the I&D Memorandum are identical in content.

##### **Final Results of Sunset Review**

The Department determines that revocation of the antidumping duty order on non-malleable cast iron pipe fittings from the PRC would be likely to lead to continuation or recurrence of dumping at weigh average margins up to 75.50 percent.

<sup>1</sup> See *Notice of Antidumping Duty Order: Non-malleable Cast Iron Pipe Fittings From the People's Republic of China*, 68 FR 16765 (April 7, 2003).

<sup>2</sup> See *Initiation of Five-Year ("Sunset") Review*, 78 FR 39256 (July 1, 2013).

<sup>3</sup> See Memorandum for the Record from Paul Piquado, Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Shutdown of the Federal Government" (October 18, 2013).

<sup>4</sup> See Memorandum to Ronald K. Lorentzen, Acting Assistant Secretary for Enforcement and Compliance from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, "Issues and Decision Memorandum for the Expedited Second Sunset Review of the Antidumping Duty Order on Non-malleable Cast Iron Pipe Fittings from the People's Republic of China," dated concurrently with this notice ("I&D Memorandum"), for full scope language.