

Washington, DC 20230; telephone: (202) 482-0768 or (202) 482-1690, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On November 1, 2013, the Department published the notice of initiation of the first sunset reviews of the AD orders on uncovered innerspring units from the PRC, South Africa, and Vietnam, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>1</sup> As a result of its reviews, the Department determined that revocation of the AD orders on uncovered innerspring units from the PRC, South Africa, and Vietnam would likely lead to continuation or recurrence of dumping and notified the ITC of the magnitude of the margins likely to prevail should the orders be revoked.<sup>2</sup> On April 11, 2014, pursuant to section 751(c) of the Act, the ITC determined that revocation of the AD orders on uncovered innerspring units from the PRC, South Africa, and Vietnam would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.<sup>3</sup>

##### Scope of the Orders

The merchandise covered by these orders is uncovered innerspring units composed of a series of individual metal springs joined together in sizes corresponding to the sizes of adult mattresses (e.g., twin, twin long, full, full long, queen, California king, and king) and units used in smaller constructions, such as crib and youth mattresses. All uncovered innerspring units are included in this scope regardless of width and length. Included within this definition are innersprings typically ranging from 30.5 inches to 76 inches in width and 68 inches to 84 inches in length. Innersprings for crib mattresses typically range from 25 inches to 27 inches in width and 50 inches to 52 inches in length.

Uncovered innerspring units are suitable for use as the innerspring component in the manufacture of innerspring mattresses, including mattresses that incorporate a foam encasement around the innerspring. Pocketed and non-pocketed innerspring

units are included in this definition. Non-pocketed innersprings are typically joined together with helical wire and border rods. Non-pocketed innersprings are included in this definition regardless of whether they have border rods attached to the perimeter of the innerspring. Pocketed innersprings are individual coils covered by a “pocket” or “sock” of a nonwoven synthetic material or woven material and then glued together in a linear fashion.

Uncovered innersprings are classified under subheading 9404.29.9010 and have also been classified under subheadings 9404.10.0000, 7326.20.0070, 7320.20.5010, or 7320.90.5010 of the Harmonized Tariff Schedule of the United States (HTSUS). On January 11, 2011, the Department included HTSUS classification numbers 9404.29.9005 and 9404.29.9011 to the customs case reference file, pursuant to a request by U.S. Customs and Border Protection (CBP). On January 7, 2013, the Department included the HTSUS classification 7326.20.0071 number to the customs case reference file, pursuant to a request by CBP. The HTSUS subheadings are provided for convenience and customs purposes only; the written description of the scope of this investigation is dispositive.

##### Continuation of the Orders

As a result of the determinations by the Department and the ITC that revocation of the AD orders would likely lead to 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 orders on uncovered innerspring units from the PRC, South Africa, and Vietnam. CBP will continue to collect AD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of the continuation of the orders will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, the Department intends to initiate the next five-year reviews of these orders not later than 30 days prior to the fifth anniversary of the effective date of continuation.

These sunset reviews and this notice are in accordance with section 751(c) of the Act and published pursuant to section 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: April 17, 2014.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-489-502]

#### **Circular Welded Carbon Steel Pipe and Tube Products From Turkey: Preliminary Results of Countervailing Duty Administrative Review; Calendar Year 2012 and Intent To Rescind Countervailing Duty Administrative Review, in Part**

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

**SUMMARY:** The Department of Commerce (the Department) is conducting an administrative review of the countervailing duty (CVD) order on circular welded carbon steel pipe and tube products from Turkey (steel pipe) for the period of review (POR) of January 1, 2012, through December 31, 2012. The review covers one producer/exporter of subject merchandise that the Department selected for individual examination: Borusan Mannesmann Boru Sanayi ve Ticaret A.S. (BMB), and Borusan Istikbal Ticaret T.A.S. (Istikbal), (collectively, the Borusan Companies). Additionally, this review covers two firms that were not individually examined: Erbosan Erciyas Boru Sanayi ve Ticaret A.S. (Erbosan AS) and Erbosan Erciyas Pipe Industry and Trade Co. Kayseri Free Zone Branch (Erbosan FZB), (collectively Erbosan), and Tosyali dis Ticaret A.S. (Tosyali) and Toscelik Profil ve Sac Endustrisi A.S. (Toscelik Profil), (collectively, Toscelik). We preliminarily determine that the Borusan Companies received countervailable subsidies during the POR but that the total net subsidy rate is less than 0.5 percent *ad valorem* and, therefore, *de minimis*. For purposes of these preliminary results, we assigned Erbosan and Toscelik, the non-selected respondents, net subsidy rates of *de minimis* and 0.83 percent *ad valorem*, respectively. Interested parties are invited to comment on these preliminary results.

**DATES:** *Effective Date:* April 23, 2014.

**FOR FURTHER INFORMATION CONTACT:** Jolanta Lawaska, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th

<sup>1</sup> See *Initiation of Five-Year (“Sunset”) Review*, 78 FR 65614 (November 1, 2013).

<sup>2</sup> See *Uncovered Innerspring Units From the People’s Republic of China, South Africa, and Socialist Republic of Vietnam: Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders*, 79 FR 13277 (March 10, 2014).

<sup>3</sup> See *Uncovered Innerspring Units From China, South Africa, and Vietnam*, 79 FR 20230 (April 11, 2014).

Street and Constitution Avenue NW., Washington, DC 20230; telephone: 202-482-8362.

**Scope of the Order**

The products covered by this order are certain welded carbon steel pipe and tube with an outside diameter of 0.375 inch or more, but not over 16 inches, of any wall thickness (pipe and tube) from Turkey. These products are currently provided for under the Harmonized Tariff Schedule of the United States (HTSUS) as item numbers 7306.30.10, 7306.30.50, and 7306.90.10. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

**Intent To Rescind the 2012 Administrative Review, in Part**

Umran Celik Born Sanayii A.S. (also known as Umran Steel Pipe Inc.) (Umran), Yucel Group and all affiliates including Yucel Boru ye Profil Endustrisi A.S, Yucelboru Ihracat Ithalat ye Pazarlama A.S, and Cayirova Born Sanayi ye Ticaret A.S.) (collectively, Yucel), and Guven Steel Pipe (also known as Guven Celik Born San. Ve Tic. Ltd.) (Guven) submitted letters to the Department on May 6, 2013, May 17, 2013, and June 4, 2013, respectively, timely certifying that they had no sales, shipments, or entries, directly or indirectly, of subject merchandise to the United States during the POR.<sup>1</sup>

Petitioners did not comment on Yucel’s, Umran’s, and Guven’s claims of no sales, shipments, or entries. On May 28 and 29 and June 18, 2013, we transmitted “No-Shipment Inquiries” to U.S. Customs and Border Protection (CBP) regarding these companies. We did not receive any information from CBP contrary to Yucel’s, Guven’s, and Umran’s claims of no sales, shipments, or entries of subject merchandise to the United States during the POR. Accordingly, based on record evidence, we preliminarily determine that Yucel, Umran, and Guven did not ship subject merchandise to the United States during the POR. Therefore, in accordance with 19 CFR 351.213(d)(3), and consistent with our practice,<sup>2</sup> we preliminarily determine to rescind the review for Yucel, Umran, and Guven.

**Methodology**

The Department conducted this review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found countervailable, we preliminarily determine that there is a subsidy, *i.e.*, a government-provided financial contribution that gives rise to a benefit to the recipient, and that the subsidy is specific.<sup>3</sup> For a full description of the methodology underlying our conclusions, *see* Decision Memorandum for Preliminary Results of

Countervailing Duty (CVD) Administrative Review: Circular Welded Carbon Steel Pipe and Tube Products from Turkey (Preliminary Decision Memorandum) from James Maeder, Director, Office II, Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, dated concurrently with these results and hereby adopted by this notice.

The Preliminary Decision 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). IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and in the Central Records Unit (CRU), room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the Internet at <http://enforcement.trade.gov/frn/>.

The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

**Preliminary Results of Review**

The Department determined that the following preliminary net subsidy rates exist for the period January 1, 2012, through, December 31, 2012:

Company	Net subsidy rate
Borusan Mannesmann Boru Sanayi ve Ticaret A.S. (BMB), and Borusan Istikbal Ticaret T.A.S. (Istikbal), (collectively, the Borusan Companies).	0.31 percent <i>ad valorem (de minimis)</i> .
Erbosan Erciyas Boru Sanayi ve Ticaret A.S. (Erbosan AS) and Erbosan Erciyas Pipe Industry and Trade Co. Kayseri Free Zone Branch (Erbosan FZB), (collectively Erbosan).	<i>de minimis</i> .
Tosyali dis Ticaret A.S. (Tosyali) and Toscelik Profil ve Sac Endustrisi A.S. (Toscelik Profil), (collectively, Toscelik).	0.83 percent <i>ad valorem</i> .

**Assessment and Cash Deposit Requirements**

The Department intends to issue assessment instructions to U.S. Customs and Border Protection (CBP) 15 days after the date of publication of the final results of this review. If the final results remain the same as these preliminary results, the Department will instruct CBP to liquidate without regard to CVDs all shipments of subject merchandise produced by the Borusan Companies and Erbosan, entered, or withdrawn

from warehouse, for consumption from January 1, 2012, through December 31, 2012. The Department will also instruct CBP to collect cash deposits of zero percent on shipments of the subject merchandise produced by the Borusan Companies and Erbosan, entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review.

If the final results remain the same as these preliminary results, the

Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review to liquidate shipments of subject merchandise by Toscelik entered, or withdrawn from warehouse, for consumption on or after January 1, 2012, through December 31, 2012, at the *ad valorem* assessment rate listed above. We will also instruct CBP to collect cash deposits for Toscelik at the CVD cash deposit rate indicated above on all shipments of the subject merchandise

<sup>1</sup> See Welded Carbon Steel Pipe & Tube Products from Turkey; Notification of no Shipments, dated May 6, 2013; Welded Carbon Steel Pipe & Tube Products from Turkey; Notification of no Shipments, dated May 17, 2013; Welded Carbon

Steel Pipe & Tube Products from Turkey; Notification of no Shipments, dated June 4, 2013.

<sup>2</sup> See, e.g., *Aluminum Extrusions From the People’s Republic of China: Notice of Partial Rescission of Countervailing Duty Administrative Review*, 79 FR 2635 (January 15, 2014).

<sup>3</sup> See sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and, section 771(5A) of the Act regarding specificity.

entered, or withdrawn from warehouse, for consumption on or after the date of publication of these final results of review.

We will instruct CBP to continue to collect cash deposits for non-reviewed companies at the most recent company-specific or country-wide rate applicable to the company. Accordingly, the cash deposit rates that will be applied to companies covered by this order, but not examined in this review, are those established in the most recently completed administrative proceeding for each company. These rates shall apply to all non-reviewed companies until a review of a company assigned these rates is requested.

### Disclosure and Public Comment

The Department will disclose to parties to this proceeding the calculations performed in reaching the preliminary results within five days of the date of publication of these preliminary results.<sup>4</sup> Interested parties may submit written comments (case briefs) within 30 days of publication of the preliminary results and rebuttal comments (rebuttal briefs) within five days after the time limit for filing case briefs.<sup>5</sup> Pursuant to 19 CFR 351.309(d)(2), rebuttal briefs must be limited to issues raised in the case briefs. Parties who submit arguments are requested to submit with the argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities. All briefs must be filed electronically using IA ACCESS.

Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically using IA ACCESS. An electronically filed document must be received successfully in its entirety by the Department's electronic records system, IA ACCESS, by 5 p.m. Eastern Standard Time within 30 days after the date of publication of this notice.<sup>6</sup> Requests should contain the party's name, address, and telephone number, the number of participants, and a list of the issues to be discussed. If a request for a hearing is made, we will inform parties of the scheduled date for the hearing which will be held at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, at a time and location to be determined.<sup>7</sup> Parties

should confirm by telephone the date, time, and location of the hearing.

Unless the deadline is extended pursuant to section 751(a)(2)(B)(iv) of the Act, the Department intends to issue the final results of this administrative review, including the results of our analysis of the issues raised by the parties in their comments, within 120 days after issuance of these preliminary results.

These preliminary results of review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(4).

Dated: April 17, 2014.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

### Appendix

#### Analysis of Programs

- I. *Programs Preliminarily Determined To Be Countervailable*
  - A. Deduction From Taxable Income for Export Revenue
  - B. Short Term Pre-Shipment Rediscount Program
  - C. Short Term Pre-Export Program
  - D. Investment Encouragement Program (IEP): Customs Duty Exemptions
- II. *Programs Preliminarily Determined To Not Confer Countervailable Benefits During the POR*
  - Inward Processing Certificate Exemption
- III. *Programs Preliminarily Determined To Not Be Used*
  - Stamp Duties and Fees Exemptions Under the Free Zones Law
  - Law 5084: Withholding of Income Tax on Wages and Salaries
  - Law 5084: Incentive for Employers' Share in Insurance Premiums
  - Law 5084: Allocation of Free Land and Purchase of Land for Less Than Adequate Remuneration (LTAR)
  - Law 5084: Energy Support
  - Corporate Income Tax Exemption Under the Free Zones Law
  - Deductions on Social Security Payments Program Under Law 5510
  - Deductions on Social Security Payments Program Under Law 5921
  - Customs Duties and Value-Added Tax (VAT) Exemptions Under the Free Zones Law
  - Provision of Buildings and Land Use Rights for LTAR Under the Free Zones Law
  - Post-Shipment Export Loans
  - Export Credit Bank of Turkey Buyer Credits
  - Subsidized Turkish Lira Credit Facilities
  - Subsidized Credit for Proportion of Fixed Expenditures
  - Subsidized Credit in Foreign Currency
  - Regional Subsidies
  - VAT Support Program (Incentive Premium on Domestically Obtained Goods)
  - IEP: VAT Exemptions
  - IEP: Reductions in Corporate Taxes
  - IEP: Interest Support

- IEP: Social Security Premium Support
- IEP: Land Allocation
- National Restructuring Program
- Regional Incentive Scheme: Reduced Corporate Tax Rates
- Regional Incentive Scheme: Social Security Premium Contribution for Employees
- Regional Incentive Scheme: Allocation of State Land
- Regional Incentive Scheme: Interest Support
- Organized Industrial Zone (OIZ): Exemption From Property Tax
- OIZ: Waste Water Charges
- OIZ: Exemptions From Customs Duties, VAT, and Payments for Public Housing Fund, for Investments for Which an Income Certificate Is Received
- OIZ: Credits for Research and Development Investments, Environmental Investments, Certain Technology Investments, Certain "Regional Development" Investments, and Investments Moved From Developed Regions to "Regions of Special Purpose"
- Foreign Trade Companies Short Term Export Credits
- Pre-Shipment Export Credits
- OIZ: Exemption from Building and Construction Charges
- OIZ: Exemption from Amalgamation and Allotment Transaction Charges

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[Application No. 97-12A003]

### Export Trade Certificate of Review

**ACTION:** Notice of Issuance (97-12A003) of an amended Export Trade Certificate of Review to the Association for the Administration of Rice Quotas, Inc.

**SUMMARY:** The U.S. Department of Commerce issued an amended Export Trade Certificate of Review to Association for the Administration of Rice Quotas, Inc. "AARQ".

**FOR FURTHER INFORMATION CONTACT:** Joseph Flynn, Director, Office of Trade and Economic Analysis, International Trade Administration, (202) 482-5131 (this is not a toll-free number) or email at [etca@trade.gov](mailto:etca@trade.gov).

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) ("the Act") authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 15 CFR part 325 (2013). The Office of Trade and Economic Analysis ("OTEAA") is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Secretary of Commerce to publish a summary of the

<sup>4</sup> See 19 CFR 351.224(b).

<sup>5</sup> See 19 CFR 351.309(c)(1)(ii) and 351.309(d)(1).

<sup>6</sup> See 19 CFR 351.310(c).

<sup>7</sup> See 19 CFR 351.310.