

circumstances review pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended, (the “Act”) and 19 CFR 351.216 to determine that it is the successor-in-interest to La Molisana Industrie for purposes of the antidumping order; and (2) the Department conduct an expedited review pursuant to 19 CFR 351.221(c)(3).⁷ We received no comments from any other interested party.

Scope of the Order

Imports covered by the order are shipments of certain non-egg dry pasta in packages of five pounds four ounces or less, whether or not enriched or fortified or containing milk or other optional ingredients such as chopped vegetables, vegetable purees, milk, gluten, diastasis, vitamins, coloring and flavorings, and up to two percent egg white.

Excluded from the scope of the order 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. Also excluded are imports of organic pasta from Italy that are certified by a European Union (“EU”) authorized body and accompanied by a National Organic Program import certificate for organic products.⁸ Pursuant to the Department’s May 12, 2011, changed circumstances review, effective January 1, 2009, gluten-free pasta is also excluded from the scope of the countervailing duty order.⁹

The merchandise subject to the order is currently classifiable under items 1901.90.90.95 and 1902.19.20 of the Harmonized Tariff Schedule of the United States (“HTSUS”). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to the order is dispositive.

Initiation of Changed Circumstances Review

Pursuant to section 751(b)(1) of the Act, the Department will conduct a changed circumstances review upon receipt of information concerning, or a

request from, an interested party for a review of an antidumping duty order which shows changed circumstances sufficient to warrant a review of the order. In the event that the Department determines that expedited action is warranted, 19 CFR 351.221(c)(3)(ii) permits the Department to combine the notices of initiation and preliminary results.

In accordance with 19 CFR 351.216(d), the Department determined that the information submitted by La Molisana constitutes sufficient evidence to conduct a changed circumstances review. In an antidumping duty changed circumstances review involving a successor-in-interest determination, the Department typically examines several factors including, but not limited to, changes in: (1) Management; (2) production facilities; (3) supplier relationships; and (4) customer base.¹⁰ While no single factor or combination of factors will necessarily be dispositive, the Department generally will consider the new company to be the successor to the predecessor if the resulting operations are essentially the same as those of the predecessor company.¹¹ Thus, if the record demonstrates that, with respect to the production and sale of the subject merchandise, the new company operates as the same business entity as the predecessor company, the Department may assign the new company the cash deposit rate of its predecessor.¹²

Based on the information provided in its submission, La Molisana provided sufficient evidence to warrant a review to determine if it is the successor-in-interest to La Molisana Industrie. Therefore, pursuant to section 751(b)(1) of the Act and 19 CFR 351.216(d), we are initiating a changed circumstances review. However, information provided in the submissions, while sufficient for purposes of initiating this review, requires further clarification and/or supplementation before the successor-in-interest determination is reached. Accordingly, the Department intends to issue a questionnaire requesting additional information for the review, as provided for by 19 CFR 351.221(b)(2). For that reason, the Department finds

that the expedited action is not warranted and, therefore, is not conducting this review on an expedited basis by publishing preliminary results in conjunction with this notice of initiation. The Department will publish in the **Federal Register** a notice of the preliminary results of the antidumping duty changed circumstances review, in accordance with 19 CFR 351.221(b)(4), and 19 CFR 351.221(c)(3)(i). That notice will set forth the factual and legal conclusions upon which our preliminary results are based and a description of any action proposed.

Pursuant to 19 CFR 351.221(b)(4)(ii), interested parties will have an opportunity to comment on the preliminary results of review. In accordance with 19 CFR 351.216(e), the Department will issue the final results of its antidumping duty changed circumstances review not later than 270 days after the date on which the review is initiated, or not later than 45 days if all parties to the proceeding agree to the outcome of the review.

This notice is published in accordance with sections 751(b)(1) and 777(i)(1) of the Act and 19 CFR 351.216(b) and 351.221(b)(1).

Dated: August 5, 2014.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2014–19058 Filed 8–11–14; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–964]

Seamless Refined Copper Pipe and Tube From the People’s Republic of China: Amended Final Results of Antidumping Duty Administrative Review; 2011–2012

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

SUMMARY: The Department of Commerce (“the Department”) is amending the final results of the 2011–2012 administrative review of the antidumping duty order on seamless refined copper pipe and tube (“copper pipe”) from the People’s Republic of China (“PRC”) to correct a ministerial error.¹ The period of review (“POR”) is

¹ See *Seamless Refined Copper Pipe and Tube From the People’s Republic of China: Final Results of Antidumping Duty Administrative Review; 2011–2012*, 79 FR 23324 (April 28, 2014) (“*Final Results*”), and accompanying Issues and Decision Memorandum (“I&D Memo”).

⁷ *Id.*, at 1, 13–14.

⁸ On October 10, 2012, the Department revised the “Scope of the Order” to recognize the EU-authorized Italian agents for purposes of the antidumping and countervailing duty orders on pasta from Italy. See Memorandum from Yasmin Nair to Susan Kuhbach, titled “Recognition of EU Organic Certifying Agents for Certifying Organic Pasta from Italy,” dated October 10, 2012, which is on file in the Department’s Central Records Unit.

⁹ See *Certain Pasta From Italy: Final Results of Countervailing Duty Changed Circumstances Review and Revocation, In Part*, 76 FR 27634 (May 12, 2011).

¹⁰ See, e.g., *Certain Activated Carbon From the People’s Republic of China: Notice of Initiation of Changed Circumstances Review*, 74 FR 19934, 19935 (April 30, 2009).

¹¹ See, e.g., *Notice of Initiation of Antidumping Duty Changed Circumstances Review: Certain Forged Stainless Steel Flanges from India*, 71 FR 327 (January 4, 2006).

¹² See, e.g., *Fresh and Chilled Atlantic Salmon From Norway: Final Results of Changed Circumstances Antidumping Duty Administrative Review*, 64 FR 9979, 9980 (March 1, 1999).

November 1, 2011 through October 31, 2012.

DATES: *Effective Date:* August 12, 2014.

FOR FURTHER INFORMATION CONTACT: Thomas Martin, 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) 482-3936.

SUPPLEMENTARY INFORMATION:

Background

On April 22, 2014, the Department disclosed to interested parties its calculations for the *Final Results*.² On April 28, 2014, we received ministerial error comments from Golden Dragon.³ On May 1, 2014, we received ministerial error rebuttal comments from Petitioners.⁴ No other interested party submitted comments.

Before the Department could take action on the alleged ministerial error, both Golden Dragon and Petitioners filed a summons and complaint with the U.S. Court of International Trade (“CIT”) challenging the *Final Results*, which vested the CIT with jurisdiction over the administrative proceeding.⁵ On July 18, 2014, the CIT granted the Department leave to publish amended final results upon considering the ministerial error allegation.⁶

Scope of the Order

For a full description of the products covered by the antidumping duty order, see Memorandum to Paul Piquado, Assistant Secretary for Enforcement and Compliance, through Gary Taverman, Senior Advisor for Antidumping and Countervailing Duty Operations, from Abdelali Elouaradia, Director, Office IV, “Antidumping Duty Administrative Review: Seamless Refined Copper Pipe and Tube from the People’s Republic of

China; 2011–2012: Ministerial Error Allegation Memorandum,” dated concurrently with and hereby adopted by this notice (“Ministerial Error Memo”).

Ministerial Errors

Section 751(h) of the Tariff Act of 1930, as amended (“the Act”), and 19 CFR 351.224(f) define a “ministerial error” as an error “in addition, subtraction, or other arithmetic function, clerical error resulting from inaccurate copying, duplication, or the like, and any similar type of unintentional error which the Secretary considers ministerial.” After analyzing the ministerial error comments and rebuttal comments, we have determined, in accordance with section 751(h) of the Act and 19 CFR 351.224(e), that we made the following ministerial error in our calculations for the *Final Results*: we inadvertently did not cap Golden Dragon’s reported freight distances for factors of production valued using import statistics pursuant to the rule in *Sigma*.⁷ For a detailed discussion of this error, as well as the Department’s analysis, see Ministerial Error Memo.

In accordance with section 751(h) of the Act and 19 CFR 351.224(e), we are amending the *Final Results* for Golden Dragon. The revised weighted-average dumping margin for Golden Dragon is detailed below.

Amended Final Results of Administrative Review

The amended weighted-average dumping margins are as follows:

Exporter	Weighted-average dumping margin (percent)
Golden Dragon Precise Copper Tube Group, Inc., Hong Kong GD Trading Co., Ltd., and Golden Dragon Holding (Hong Kong) International, Ltd.	4.48

Disclosure

We will disclose the calculations performed for these amended final results to interested parties within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b), the Department will determine, and U.S.

Customs and Border Protection (“CBP”) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the amended final results of this review. The Department intends to issue assessment instructions to CBP 15 days after the publication date of the amended final results of this review.

For assessment purposes, we calculated importer-specific assessment rates for merchandise subject to this review. We will continue to direct CBP to assess importer-specific assessment rates based on the resulting per-unit (*i.e.*, per-kg) rates for each entry of the subject merchandise during the POR. Specifically, we calculated importer-specific duty assessment rates on a per-unit rate basis by dividing the total amount of dumping for each importer by the total sales quantity of subject merchandise sold to that importer during the POR. We also estimated each importer’s *ad valorem* assessment rate by dividing the total amount of dumping for each importer by the total estimated entered value of those same sales. If an estimated importer-specific *ad valorem* assessment rate is *de minimis* (*i.e.*, less than 0.50 percent), the Department will instruct CBP to liquidate that importer entries of subject merchandise without regard to antidumping duties, in accordance with 19 CFR 351.106(c)(2).

Cash Deposit Requirements

The following cash deposit requirements are effective as of April 28, 2014, the date of publication of the *Final Results*, for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption, as provided for by section 751(a)(2)(C) of the Act: (1) For the exporters identified above, the cash deposit rate will be equal to their weighted-average dumping margin in these amended final results of review; (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that received a separate rate in a previously completed segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate published for the most recent period; (3) for all PRC exporters of subject merchandise that have not been found to be entitled a separate rate in the *Final Results*, the cash deposit rate will be that for the PRC-wide entity (*i.e.*, 60.85 percent); 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

² The interested parties include: Cerro Flow Products, LLC, Wieland Copper Products, LLC, Mueller Copper Tube Products Inc., and Mueller Copper Tube Company, Inc. (collectively, “Petitioners”), and Golden Dragon Precise Copper Tube Group, Inc., Hong Kong GD Trading Co., Ltd., and Golden Dragon Holding (Hong Kong) International, Ltd. (collectively, “Golden Dragon”).

³ See Letter from Golden Dragon to the Honorable Penny Pritzker, “Re: Seamless Steel Copper Pipe and Tube from the People’s Republic of China (11/1/11–10/31/12); Ministerial Error Allegation with respect to the Final Determination for Golden Dragon,” dated April 28, 2014.

⁴ See Letter from Petitioners to The Honorable Penny S. Pritzker, “Re: Seamless Refined Copper Pipe and Tube from the People’s Republic of China: Petitioners’ Rebuttal Comments to Golden Dragon’s Ministerial Error Allegation,” dated May 1, 2014.

⁵ See *Zenith Elecs. Corp. v. United States*, 884 F.2d 556, 561–62 (Fed. Cir. 1989).

⁶ See *Golden Dragon Precise Copper Tube Group, Inc. v. United States*, Slip Op. 14–85, Consol. Court No. 14–00116 (Ct. Int’l Trade July 18, 2014).

⁷ See *Sigma Corp. v. United States*, 117 F.3d 1401, 1407–08 (Fed. Cir. 1997) (“*Sigma*”).

requirements, when imposed, shall remain in effect until further notice.

Reimbursement of Duties

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 POR. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties has occurred and the subsequent assessment of doubled antidumping duties.

Administrative Protective Orders

This notice also serves as a 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 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.

Notification to Interested Parties

These amended final results are published in accordance with sections 751(h) and 777(i)(1) of the Act.

Dated: August 6, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2014-19056 Filed 8-11-14; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

Notice of Scope Rulings

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

DATES: *Effective Date:* August 12, 2014.

SUMMARY: The Department of Commerce ("Department") hereby publishes a list of scope rulings and anticircumvention determinations made between April 1, 2014, and June 30, 2014, inclusive. We intend to publish future lists after the close of the next calendar quarter.

FOR FURTHER INFORMATION CONTACT:

Brenda E. Waters, 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.

SUPPLEMENTARY INFORMATION:

Background

The Department's regulations provide that the Secretary will publish in the **Federal Register** a list of scope rulings on a quarterly basis.¹ Our most recent notification of scope rulings was published on May 29, 2014.² This current notice covers all scope rulings and anticircumvention determinations made by Enforcement and Compliance between April 1, 2014, and June 30, 2014, inclusive. Subsequent lists will follow after the close of each calendar quarter.

Scope Rulings Made Between April 1, 2014 and June 30, 2014

Brazil

A-351-841: Polyethylene Terephthalate Film Sheet and Strip From Brazil

Requestor: Evertis Packaging Solutions: Ecoblock C products in thicknesses of 14 or 16 millimeters produced by Evertis Packaging Solutions are not within the scope of the antidumping order because they are amorphous polyethylene terephthalate film which lack biaxial orientation; May 2, 2104

People's Republic of China

A-570-967 and C-570-968: Aluminum Extrusions From the People's Republic of China

Requestor: N.R. Windows Inc.; NR Windows' window wall kits, composed of non-weight bearing extruded aluminum window frames, sheet aluminum, fasteners, gaskets, glazing sealants, and glass panes, are outside the scope of the order because the window wall kits contain, at the time of importation, all of the necessary parts to fully assemble a final finished good, require no further finishing or fabrication, and are assembled "as is" into a finished product and, thus, meet the exclusion criteria for finished goods kits; June 19, 2014.

A-570-967 and C-570-968: Aluminum Extrusions From the People's Republic of China

Requestor: Glenmore Industries LLC; Glenmore's trade booth kits, composed of polyester knit fabric-covered aluminum wall panels, fabric covered aluminum headers, aluminum posts

(columns), and crossbeams, contain, upon importation, all of the components required and necessary to assemble complete commercial display spaces for use at trade shows, conventions, fairs and similar exhibitions and displays and, thus, constitute finished goods kits that meet the exclusion criteria of the scope; June 23, 2014.

A-570-970 and C-570-971: Multilayered Wood Flooring From the People's Republic of China

Requestor: Shenzhenshi Huanwei Woods Co., Ltd. (Huanwei); multilayered wood flooring exported by Huanwei is not within the scope of the antidumping and countervailing duty orders because Huanwei's product is composed of only two-layers—a top layer of veneer and a base layer, whereas the scope language requires the merchandise to be composed of at least two layers, or plies, of wood veneer in combination with a core; May 13, 2014.

A-570-918: Steel Wire Garment Hangers From the People's Republic of China

Requestor: Trendsformers, LLC; hanging jewelry organizers ("Hang It Jewelry Organizers") are outside the scope of the antidumping duty order because they are manufactured and used in manners distinct from subject merchandise. Specifically, these hangers, sold in jewelry departments, are intended for use in the home to hold earrings, bracelets and necklaces. These hangers are not sold to dry cleaners, laundries, uniform rental services, or similar industrial operations; June 19, 2014.

A-570-890: Wooden Bedroom From the People's Republic of China

Requestor: Ethan Allen Operations Inc.; Marlene, Nadine, Serpentine, and Vivica chests are all covered by the scope of the antidumping duty order because of similarities with subject chests described in the scope; May 27, 2014.

Interested parties are invited to comment on the completeness of this list of completed scope and anticircumvention inquiries. Any comments should be submitted to the Deputy Assistant Secretary for AD/CVD Operations, Enforcement and Compliance, International Trade Administration, 14th Street and Constitution Avenue NW., APO/Dockets Unit, Room 1870, Washington, DC 20230.

This notice is published in accordance with 19 CFR 351.225(o).

¹ See 19 CFR 351.225(o).

² See *Notice of Scope Rulings*, 79 FR 30821 (May 29, 2014).