

experienced by a U.S. PET Film producer. *See* Volume I of the Brazil Petition at page 32 and Volume II of the Brazil Petition at Exhibit 5. Petitioners stated the cost of the required raw material in Brazil were similar to that incurred by the U.S. PET Film producer and provided an affidavit in the Supplement to the Petition, dated October 10, 2007, at Exhibit 6 as support.

Petitioners determined labor costs using the labor cost experience of a U.S. PET Film producer to manufacture one pound of PET Film, adjusted by the ratio of labor costs in Brazil to those of the United States. Petitioners obtained the annual Brazilian and U.S. labor costs from the Department's "Expected Wage Calculation: 2003," found at <http://ia.ita.doc.gov/wages/03wages/110805-2003-Tables> for Brazil and the United States. *See* Supplement to the Petition, dated October 10, 2007, at pages 9–10 and Exhibit 7.

Petitioners determined energy costs using the cost experience of a U.S. PET Film producer to manufacture one pound of PET Film, adjusted by the ratio of energy costs in Brazil to that of the United States. Petitioners obtained the annual Brazilian and U.S. energy costs from the International Energy Agency publication, *Energy Prices and Taxes for 2004*. *See* Volume I of the Petition at page 33 and Volume II of the Petition at Exhibits 5 and 9.

Petitioners determined the fixed overhead costs (exclusive of energy and labor) using the cost experience of a U.S. PET Film producer to manufacture one pound of PET Film. Petitioners' stated this was reasonable because the one producer of PET Film in Brazil does not publish its financial statements. *See* Volume I of the Brazil Petition at pages 33 and 34 and Supplement to the Petition, dated October 10, 2007, at page 8.

To calculate SG&A expense, interest expense and profit, petitioners relied on the financial statements of Braskem Ltda. for the fiscal year ended December 31, 2005, the most recent financial statements available. *See* Volume II of the Petition at Exhibit 10.

We recalculated fixed overhead costs based on the financial statements of Braskem Ltda. for the fiscal year ended December 31, 2005, as this best reflects the cost experience in Brazil. *See* Volume II of the Petition at Exhibit 10. To calculate a price-to-CV margin, we added packing to this revised CV. *See Brazil Initiation Checklist*.

Distribution of Copies of the Petitions

In accordance with section 732(b)(3)(A) of the Act, a copy of the

public version of these petitions have been provided to the representatives of the Governments of Brazil, the PRC, Thailand, and the UAE. We will attempt to provide a copy of the public version of the petitions to the foreign producers/exporters named in the petitions.

International Trade Commission Notification

We have notified the ITC of our initiation, as required by section 732(d) of the Act.

Preliminary Determination by the International Trade Commission

The ITC will preliminarily determine, no later than November 12, 2007, whether there is a reasonable indication that imports of PET Film from Brazil, the PRC, Thailand, and the UAE materially injure, or threaten material injury to, a U.S. industry. A negative ITC determination covering all classes or kinds of merchandise covered by the petitions would result in the investigations being terminated. Otherwise, these investigations will proceed according to statutory and regulatory time limits.

This notice is issued and published pursuant to section 777(i) of the Act.

Dated: October 18, 2007.

David M. Spooner,
Assistant Secretary for Import Administration.

[FR Doc. E7-21120 Filed 10-25-07; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-428-830]

Notice of Initiation of New Shipper Antidumping Duty Review: Stainless Steel Bar from Germany

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

SUMMARY: The Department of Commerce ("the Department") has received a request for a new shipper review of the antidumping duty order on Stainless Steel Bar ("SSB") from Germany published on March 7, 2002 (67 FR 10382). In accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended ("the Act"), and 19 CFR 351.214(d), we are initiating an antidumping new shipper review of Flanschenwerk Bebitz GmbH ("Flanschenwerk").

EFFECTIVE DATE: October 26, 2007.

FOR FURTHER INFORMATION CONTACT: Brandon Farlander or Damian Felton,

AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0182 or (202) 482-0133, respectively.

SUPPLEMENTARY INFORMATION: The Department received a timely request from Flanschenwerk, in accordance with 19 CFR 351.214(c), for a new shipper review of the antidumping duty order on SSB from Germany, which has a September semiannual anniversary month.

Pursuant to section 751(a)(2)(B)(i)(I) of the Act and 19 CFR 351.214(b)(2)(i), Flanschenwerk, an exporter and producer of the subject merchandise, certified that it did not export subject merchandise to the United States during the period of investigation ("POI") (October 1, 1999, through September 30, 2000). Pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), Flanschenwerk also certified that since the initiation of the investigation it has not been affiliated with any exporter or producer who exported the subject merchandise to the United States during the POI, including those not individually examined during the investigation. Pursuant to 19 CFR 351.214(b)(2)(iv), Flanschenwerk also submitted documentation establishing the date on which its SSB was first shipped for export to the United States, the volume of that shipment, and the date of the first sale to an unaffiliated customer in the United States.

The Department conducted a query of the U.S. Customs and Border Protection ("CBP") database to confirm that Flanschenwerk's shipment of subject merchandise had entered the United States for consumption and has been suspended for antidumping duties. The Department also corroborated Flanschenwerk's assertion that it made no subsequent shipments to the United States by reviewing CBP data.

Scope of the Order

For the purposes of this order, the term "stainless steel bar" includes articles of stainless steel in straight lengths that have been either hot-rolled, forged, turned, cold-drawn, cold-rolled or otherwise cold-finished, or ground, having a uniform solid cross section along their whole length in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles, hexagons, octagons, or other convex polygons. SSB includes cold-finished stainless steel bars that are turned or ground in straight lengths, whether produced from hot-rolled bar or from

straightened and cut rod or wire, and reinforcing bars that have indentations, ribs, grooves, or other deformations produced during the rolling process.

Except as specified above, the term does not include stainless steel semi-finished products, cut length flat-rolled products (*i.e.*, cut length rolled products which if less than 4.75 mm in thickness have a width measuring at least 10 times the thickness, or if 4.75 mm or more in thickness having a width which exceeds 150 mm and measures at least twice the thickness), products that have been cut from stainless steel sheet, strip or plate, wire (*i.e.*, cold-formed products in coils, of any uniform solid cross section along their whole length, which do not conform to the definition of flat-rolled products), and angles, shapes and sections.

The SSB subject to this order is currently classifiable under subheadings 7222.11.00.05, 7222.11.00.50, 7222.19.00.05, 7222.19.00.50, 7222.20.00.05, 7222.20.00.45, 7222.20.00.75, and 7222.30.00.00 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 scope of the order is dispositive.

Initiation of Review

Based on the information on the record and in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214(d)(1), we have determined that Flanschenwerk has met the statutory and regulatory requirements for the initiation of a new shipper review. Thus, we are initiating a new shipper review of the antidumping duty order on SSB from Germany (produced and exported) by Flanschenwerk. Because we are initiating this new shipper review in the month immediately following the semiannual anniversary month, this review covers the period from March 1, 2007, through August 31, 2007, in accordance with 19 CFR 351.214(g)(1)(i)(B). We intend to issue the preliminary results of this review no later than 180 days after the date on which this review is initiated, and the final results within 90 days after the date on which we issue the preliminary results. See section 751(a)(2)(B)(iv) of the Act.

On August 17, 2006, the Pension Protection Act of 2006 ("H.R. 4") was signed into law. Section 1632 of H.R. 4 temporarily suspends the authority of the Department to instruct CBP to collect a bond or other security in lieu of a cash deposit in new shipper reviews. Therefore, the posting of a bond under section 751(a)(B)(iii) of the

Act in lieu of a cash deposit is not available in this case. Importers of SSB manufactured and exported by Flanschenwerk must continue to post cash deposits of estimated antidumping duties on each entry of subject merchandise (*i.e.*, SSB) at the current all-others rate of 15.16 percent, established in *Implementation of the Findings of the WTO Panel in US—Zeroing (EC): Notice of Determination Under Section 129 of the Uruguay Round Agreements Act and Revocations and Partial Revocations of Certain Antidumping Duty Orders*, 72 FR 25261, 25262 (May 4, 2007).

Interested parties may submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are in accordance with section 751(a)(2)(B) of the Act, 19 CFR 351.214(d) and 19 CFR 351.221(c)(1)(i).

Dated: October 22, 2007.

Stephen J. Claeys,

Deputy Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–808]

Stainless Steel Wire Rods From India: Preliminary Results of the Antidumping Duty New-Shipper Review

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

EFFECTIVE DATE: October 26, 2007.

SUMMARY: The Department of Commerce (the Department) is conducting a new-shipper review of the antidumping duty order on stainless steel wire rods (wire rods) from India manufactured and exported by Sunflag Iron & Steel Co., Ltd. (Sunflag). The period of review (POR) is December 1, 2005, through November 30, 2006. We preliminarily determine to apply adverse facts available to Sunflag's U.S. sales. We invite interested parties to comment on these preliminary results. Parties who submit argument in this proceeding are requested to submit with the argument (1) a statement of the issue and (2) a brief summary of the argument.

FOR FURTHER INFORMATION CONTACT: Catherine Cartsos or Minoo Hatten, AD/CVD Operations, Office 5, Import Administration, International Trade

Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482–1757 and (202) 482–1690, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 1, 1993, the Department published the antidumping duty order on stainless steel wire rods from India. See *Antidumping Duty Order: Certain Stainless Steel Wire Rods from India*, 58 FR 63335 (December 1, 1993). On December 29, 2006, the Department received a timely request from Sunflag for new-shipper and administrative reviews of the antidumping duty order, under section 751(a)(2)(B) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.214(c). On February 2, 2007, we published the initiation of the administrative review. On March 20, 2007, the Department published a notice of initiation of a new-shipper review of the antidumping duty order on stainless steel wire rods from India with respect to Sunflag. See *Stainless Steel Wire Rod From India: Notice of Initiation of Antidumping Duty New-Shipper Review*, 72 FR 13088 (March 20, 2007). On September 12, 2007, we published our intent to rescind the administrative review with respect to Sunflag because we are proceeding with the new-shipper review and because the administrative review covers entries during the same period of time as the new-shipper review. See *Stainless Steel Wire Rods from India: Preliminary Results of Antidumping Duty Administrative Review and Notice of Intent to Rescind Antidumping Duty Administrative Review in Part*, 72 FR 52079 (September 12, 2007). We conducted verification of Sunflag's information from July 30, 2007, through August 2, 2007. On August 8, 2007, we extended the time limit for the preliminary results of the new-shipper review to October 19, 2007. See *Stainless Steel Wire Rods From India: Extension of Time Limit for the Preliminary Results of the Antidumping Duty New-Shipper Review*, 72 FR 44496 (August 8, 2007).

Scope of the Order

The merchandise under review is stainless steel wire rods which are hot-rolled or hot-rolled annealed and/or pickled rounds, squares, octagons, hexagons or other shapes, in coils. Wire rods are made of alloy steels containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. These products are only manufactured by hot-rolling and are normally sold in coiled