

# Notice of Initiation of Five-year Sunset Reviews.

Antidumping Duty Proceedings	Department Contact
Prestressed Concrete Steel Wire Strand from Mexico (A-201-831) .....	Dana Mermelstein (202) 482-1391
Prestressed Concrete Steel Wire Strand from Thailand (A-549-820) .....	Dana Mermelstein (202) 482-1391
Prestressed Concrete Steel Wire Strand from Brazil (A-351-837) .....	Dana Mermelstein (202) 482-1391
Prestressed Concrete Steel Wire Strand from India (A-533-828) .....	Dana Mermelstein (202) 482-1391
Prestressed Concrete Steel Wire Strand from South Korea (A-580-852) .....	Dana Mermelstein (202) 482-1391
Prestressed Concrete Steel Wire Strand from Japan (A-588-068) .....	Dana Mermelstein (202) 482-1391
<b>Countervailing Duty Proceedings.</b>	
Prestressed Concrete Steel Wire Strand from India (C-533-829) .....	Brandon Farlander(202) 482-0182
<b>Suspended Investigations.</b>	
No Sunset Reviews of suspended investigations are scheduled for initiation in December 2008..	

The Department's procedures for the conduct of Sunset Reviews are set forth in 19 CFR 351.218. Guidance on methodological or analytical issues relevant to the Department's conduct of Sunset Reviews is set forth in the Department's Policy Bulletin 98.3--Policies Regarding the Conduct of Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin, 63 FR 18871 (April 16, 1998). 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: October 23, 2008.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. E8-26161 Filed 10-31-08; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

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

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

**FOR FURTHER INFORMATION CONTACT:** Sheila E. Forbes, Office of AD/CVD Operations, Customs Unit, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230, telephone: (202) 482-4697.

#### **SUPPLEMENTARY INFORMATION:**

#### **Background**

Each year during the anniversary month of the publication of an antidumping or countervailing duty order, finding, or suspension of investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended, may request, in accordance with section 351.213 (2002), that the Department conduct an administrative review of that

antidumping or countervailing duty order, finding, or suspended investigation.

#### **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 (POR). 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 20 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 10 calendar days of publication of the initiation **Federal Register** notice.

#### **Opportunity to Request a Review:**

Not later than the last day of November 2008,<sup>1</sup> interested parties may request administrative review of the following orders, findings, or suspended investigations, with anniversary dates in November for the following periods:

Antidumping Duty Proceedings	Period
ARGENTINA: Barbed Wire & Barbless Fencing Wire. A-357-405 .....	11/1/07 - 10/31/08
BRAZIL: Circular Welded Non-Alloy Steel Pipe. A-351-809 .....	11/1/07 - 10/31/08
HUNGARY: Sulfanilic Acid. A-437-804 .....	11/1/07 - 11/7/07

<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.

Antidumping Duty Proceedings	Period
MEXICO: Circular Welded Non-Alloy Steel Pipe. A-201-805 .....	11/1/07 - 10/31/08
PORTUGAL: Sulfanilic Acid. A-471-806 .....	11/1/07 - 11/7/07
REPUBLIC OF KOREA: Circular Welded Non-Alloy Steel Pipe. A-580-809 .....	11/1/07 - 10/31/08
TAIWAN: Certain Hot-Rolled Carbon Steel Flat Products. A-583-835 .....	11/1/07 - 10/31/08
TAIWAN: Circular Welded Non-Alloy Steel Pipe. A-583-814 .....	11/1/07 - 10/31/08
THAILAND: Certain Hot-Rolled Carbon Steel Flat Products. A-549-817 .....	11/1/07 - 10/31/08
THE PEOPLE'S REPUBLIC OF CHINA: Certain Cut-to-Length Carbon Steel Plate. A-570-849 .....	11/1/07 - 10/31/08
THE PEOPLE'S REPUBLIC OF CHINA: Certain Hot-Rolled Carbon Steel Flat Products. A-570-865 .....	11/1/07 - 10/31/08
THE PEOPLE'S REPUBLIC OF CHINA: Fresh Garlic. A-570-831 .....	11/1/07 - 10/31/08
THE PEOPLE'S REPUBLIC OF CHINA: Paper Clips. A-570-826 .....	11/1/07 - 10/31/08
THE PEOPLE'S REPUBLIC OF CHINA: Pure Magnesium in Granular Form. A-570-864 .....	11/1/07 - 10/31/08
THE PEOPLE'S REPUBLIC OF CHINA: Refined Brown Aluminum Oxide. A-570-882 .....	11/1/07 - 10/31/08
UKRAINE: Certain Hot-Rolled Carbon Steel Flat Products. A-823-811 .....	11/1/07 - 10/31/08
<b>Countervailing Duty Proceedings.</b>	
HUNGARY: Sulfanilic Acid. C-437-805 .....	1/1/07 - 11/7/07
<b>Suspension Agreements.</b>	
UKRAINE: Certain Cut-to-Length Carbon Steel Plate. A-823-808 .....	11/1/07 - 10/31/08

In accordance with section 351.213(b) of the regulations, 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, and the requesting party 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 specifically, on an order-by-order basis, which exporter(s) the request is intended to cover.

<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.

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), 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 Import Administration web site at <http://ia.ita.doc.gov>.

Six copies of the request should be submitted to the Assistant Secretary for

Import Administration, International Trade Administration, Room 1870, U.S. Department of Commerce, 14th Street & Constitution Avenue, N.W., Washington, D.C. 20230. The Department also asks parties to serve a copy of their requests to the Office of Antidumping/Countervailing Operations, Attention: Sheila Forbes, in room 3065 of the main Commerce Building. Further, in accordance with section 351.303(f)(1)(i) of the regulations, a copy of each request must be served on every party on the Department's service list.

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 November 2008. If the Department does not receive, by the last day of November 2008, 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 the U.S. Customs and Border Protection 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.

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

Dated: October 23, 2008.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. E8-26166 Filed 10-31-08; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-549-502]

#### **Circular Welded Carbon Steel Pipes and Tubes from Thailand: Initiation of New Shipper Antidumping Duty Review**

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

**EFFECTIVE DATE:** November 3, 2008.

**SUMMARY:** On September 30, 2008, the Department of Commerce (the Department) received a request to conduct a new shipper review of the antidumping duty order on circular welded carbon steel pipes and tubes from Thailand. 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 a new shipper review of Pacific Pipe Public Company, Limited (Pacific Pipe), the exporter and producer that requested the new shipper review, for the period of review March 1, 2008 through September 30, 2008.

**FOR FURTHER INFORMATION CONTACT:** Myrna Lobo or Jacqueline Arrowsmith, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-2371 or (202) 482-5255, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The Department received a timely request from Pacific Pipe, in accordance with 19 CFR 351.214(c), for a new shipper review of the antidumping duty order on circular welded carbon steel pipes and tubes (Pipes and Tubes) from Thailand. *See Antidumping Duty Order; Circular Welded Carbon Steel Pipes and Tubes from Thailand*, 51 FR 8341 (March 11, 1986). In addition, pursuant to 19 CFR 351.214(d)(1), Pacific Pipe's request was made within the deadline

for a six-month semiannual review. Pacific Pipe identified itself as the producer and exporter of subject merchandise.

As required by 19 CFR 351.214(b)(2)(i) and (iii)(A), Pacific Pipe certified it did not export pipes and tubes to the United States during the period of investigation (POI) (September 1984 through February 1985), and that since the date of initiation of the investigation, it has never been affiliated with any exporter or producer that exported pipes and tubes to the United States during the POI, including any exporter or producer who exported the subject merchandise that was not individually examined. It also submitted documentation establishing the dates on which Pacific Pipe first shipped and entered the subject merchandise to the United States, the volume of that first shipment, and the date of Pacific Pipe's first sale to an unaffiliated customer in the United States. Pacific Pipe stated it had not made any subsequent shipments of pipes and tubes to the United States.

On October 2, 2008, we received a letter from domestic producer Allied Tube and Conduit requesting the Department deny Pacific Pipe's request for a new shipper review because the entry of Pacific Pipe's shipment occurred after the normal six-month period of review (March 1, 2008 through August 31, 2008). Pacific Pipe responded in a letter dated October 16, 2008, stating it had met the requirements for requesting a review.

On October 20, 2008, the Department requested Pacific Pipe to correct its request to reflect the correct period of investigation in its exporter's certification. Pacific Pipe submitted a revised certification on October 21, 2008.

##### **Initiation of New Shipper Review**

In accordance with section 751(a)(2)(B) of the Act, and 19 CFR 351.214(d)(1), and based on information on the record, we are initiating a new shipper review for Pacific Pipe. *See Memorandum to the File through Barbara E. Tillman, Director, AD/CVD Operations Office 6, Import Administration from the Team, "New Shipper Review Initiation Checklist,"* dated October 22, 2008, on file in the Central Records Unit, room 1117, of the main Commerce building. 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 of this review within 90 days after the date on which the preliminary results are issued.

Pursuant to 19 CFR 351.214(g)(1)(i)(B), the period of review (POR) for a new shipper review initiated in the month immediately following the semiannual anniversary month, will normally be the six-month period immediately preceding the semiannual anniversary month. However, when the new shipper's first shipment has entered after the POR, the Department may expand the POR, unless an expansion would be likely to prevent the completion of the review within the time limits set by the Department's regulations. See 19 CFR 351.214(f)(2)(ii). The documentation provided by Pacific Pipe indicates that its first shipment entered approximately ten days after the end of the six-month POR, and that its first sale to an unaffiliated customer occurred during the six-month POR. In accordance with 19 CFR

351.214(f)(2)(ii), we are extending the POR by 30 days to September 30, 2008, to capture the entry of Pacific Pipe's first shipment. The Department finds that this delay does not prevent the completion of the review within the time limits set by the Department's regulations. Therefore, the POR for this new shipper review is March 1, 2008 through September 30, 2008.

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 Customs and Border Protection 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)(2)(B)(iii) of the Act and 19 CFR 351.214(e) in lieu of a cash deposit is not available in this case. Importers of subject merchandise manufactured and exported by Pacific Pipe must continue to pay a cash deposit of estimated antidumping duties on each entry of subject merchandise at the current all-others rate of 15.67 percent.

Interested parties seeking access to proprietary information in this new shipper review should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306. This initiation and notice are published in accordance with section 751(a) of the Act and 19 CFR 351.214(d).

Dated: October 28, 2008.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. E8-26169 Filed 10-31-08; 8:45 am]

**BILLING CODE 3510-DS-S**