

with the notice of initiation of the changed circumstances review in accordance with 19 CFR 351.221(c)(3)(ii). Because the evidence indicates that Hyundai has essentially the same corporate structure and operations as INI, we preliminarily determine that merchandise from Hyundai should be excluded from the antidumping duty order. Thus, if these preliminary results are adopted in our final results of this changed circumstances review, we will instruct U.S. Customs and Border Protection to liquidate, without regard to antidumping duties, all entries of SSSSC produced and exported by Hyundai, entered, or withdrawn from warehouse, for consumption on or after March 10, 2006, the date of INI's name change to Hyundai. This action is in accordance with the Department's practice of applying the results of changed circumstances determinations retroactively where the company in question was never subject to the order. See *Certain Hot-Rolled Lead and Bismuth Carbon Steel Products from the United Kingdom: Final Results of Changed-Circumstances Antidumping and Countervailing Duty Administrative Reviews*, 64 FR 66880, 66881 (Nov. 30, 1999). For further discussion of this issue, see the memorandum from Irene Darzenta Tzafolias to Stephen J. Claeys, entitled "Preliminary Successor-In-Interest Determination for Hyundai Steel Company in the Changed Circumstances Review of Stainless Steel Sheet and Strip in Coils from the Republic of Korea," dated concurrently with this notice.

Interested parties are invited to comment on these preliminary results. Any written comments may be submitted no later than 14 days after date of publication of this notice. Rebuttal briefs, limited to arguments raised in case briefs, are due five days after the case brief deadline. Case briefs and rebuttal briefs must be served on interested parties in accordance with 19 CFR 351.309. In accordance with 19 CFR 351.216(e), the Department will publish the final results of the changed circumstances review including the results of its analysis of any issues raised in any such comments within 270 days after the date on which the changed circumstances review was initiated.

This initiation of review, preliminary results of review, and notice are in accordance with sections 751(b) and 777(i)(1) of the Act.

Dated: May 8, 2006.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

(C-507-601)

#### **Certain In-shell Roasted Pistachios from the Islamic Republic of Iran: Final Results of Countervailing Duty Administrative Review**

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

**SUMMARY:** On November 7, 2005, the Department of Commerce (the Department) published in the **Federal Register** its preliminary results in the countervailing duty (CVD) administrative review of certain in-shell roasted pistachios from Iran. See *Certain In-shell Roasted Pistachios from the Islamic Republic of Iran: Preliminary Results of Countervailing Duty Administrative Review*, 70 FR 67453 (*Preliminary Results*). The Department has now completed this administrative review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

Based on information received since the *Preliminary Results* and our analysis of the comments received, the Department has not revised the net subsidy rate for Tehran Negah Nima Trading Company, Inc., trading as Nima Trading Company (Nima), the respondent company in this proceeding. However, we have made a change to the programs found in the *Preliminary Results* to be used by respondents during the period of review (POR), determining that the respondent company did indeed act to the best of its ability in responding to our questionnaire. For further discussion of our positions, see the "Issues and Decision Memorandum" from Stephen J. Claeys, Deputy Assistant Secretary for Import Administration, to David M. Spooner, Assistant Secretary for Import Administration, concerning the "Final Results of Countervailing Duty Administrative Review: Certain In-shell Roasted Pistachios from the Islamic Republic of Iran" (Decision Memorandum) dated May 8, 2006. The final net subsidy rate for the reviewed company is listed below in the section entitled "Final Results of Review."

**EFFECTIVE DATE:** May 12, 2006.

#### **FOR FURTHER INFORMATION CONTACT:**

Darla Brown, AD/CVD Operations, Office 3, Import Administration, U.S. Department of Commerce, Room 4012, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-2786.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On November 7, 2005, the Department published in the **Federal Register** its *Preliminary Results*. We invited interested parties to comment on these results. Since the preliminary results, the following events have occurred.

On February 13, 2006, we received case briefs from petitioners<sup>1</sup> and Nima. On March 10, 2006, the Department extended the time limit for the completion of its final results until May 8, 2006. See *Certain In-shell Roasted Pistachios from the Islamic Republic of Iran: Extension of Time Limit for Final Results of Countervailing Duty Administrative Review*, 71 FR 12343 (March 10, 2006).

In accordance with 19 CFR 351.213(b), this administrative review covers only those producers or exporters for which a review was specifically requested. Accordingly, this administrative review covers Nima and its grower, Razi Domghan Agricultural and Animal Husbandry Company (Razi) and ten programs for the POR January 1, 2003, through December 31, 2003.

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

The product covered by this order is all roasted in-shell pistachio nuts, whether roasted in Iran or elsewhere, from which the hull has been removed, leaving the inner hard shells and the edible meat, as currently classifiable in the HTSUS under item number 0802.50.20.00. The written description of the scope of this proceeding is dispositive.

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

For a discussion of the programs and the issues raised in the briefs by parties to this review, see the Decision Memorandum, which is hereby adopted by this notice. A listing of the issues which parties raised and to which we have responded, which are in the Decision Memorandum, is attached to this notice as Appendix I. Parties can find a complete discussion of the issues raised in this review and the corresponding recommendations in this public memorandum, which is on file in the Central Records Unit (CRU), room

<sup>1</sup> Petitioners include the California Pistachios Commission (CPC) and its members and a domestic interested party, Cal Pure Pistachios, Inc. (Cal Pure).

B-099 of the main Commerce building. In addition, a complete version of the Decision Memorandum can be accessed directly on the World Wide Web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the Decision Memorandum are identical in content.

### Final Results of Review

In accordance with section 777A(e)(1) of the Act and 19 CFR 351.221(b)(5), we calculated an *ad valorem* subsidy rate for Nima and Razi for calendar year 2003.

Producer/Exporter	Net Subsidy Rate
Tehran Negah Nima Trading Company, Inc., trading as Nima Trading Company (Nima) and Razi Domghan Agricultural and Animal Husbandry Company (Razi)	0.00 percent <i>ad valorem</i>

As Nima is the exporter but not the producer of subject merchandise, the Department's final results of review apply to subject merchandise exported by Nima and produced by Nima's supplier of pistachios, Razi. See 19 CFR 351.107(b) (providing that the Department may establish a combination rate for each combination of exporter and its supplying producer).

Therefore, we will issue the following cash deposit requirements, within 15 days of publication of the final results of the instant review, for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication: (1) for merchandise exported by Nima and produced by Razi, the cash deposit rate will be 0.00 percent *ad valorem*, i.e., the rate calculated in the final results of the instant administrative review; (2) for merchandise exported by Nima and produced by Maghsoudi Farms, the cash deposit rate will be 21.68 percent, the rate calculated for Nima and Maghsoudi Farms in the new shipper reviews (see *Certain In-Shell Pistachios (C-507-501) and Certain Roasted In-Shell Pistachios (C-507-601) from the Islamic Republic of Iran: Final Results of New Shipper Countervailing Duty Reviews*, 68 FR 4997 (January 31, 2003) (*Pistachios New Shipper Reviews*)); (3) for merchandise exported by Nima but not produced by Razi or Maghsoudi Farms, the cash deposit rate will be 317.89 percent, the "all others" rate established in the original CVD investigation (see 51 FR 8344 (March 11, 1986)); (4) if the exporter is not a firm covered in this review, a prior review, or the original CVD investigation, but the producer is,

the cash deposit rate will be the rate established for the most recent period for the producer of the merchandise; and (5) if neither the exporter nor producer is a firm covered in this review or the original investigation, the cash deposit rate for all other producers or exporters of the subject merchandise will continue to be 317.89 percent *ad valorem*, the "all others" rate from the final determination in the original investigation.

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This administrative review and notice are issued and published in accordance with sections 751(a)(1), 751(a)(3) and 777(i)(1) of the Act and 19 CFR 351.221(b)(5).

Dated: May 8, 2006.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

### Appendix I – Issues and Decision Memorandum

#### I. ANALYSIS OF PROGRAMS

##### A. Programs Determined to Be Not Used

1. *Provision of Fertilizer and Machinery*
2. *Provision of Credit*
3. *Tax Exemptions*
4. *Provision of Water and Irrigation Equipment*
5. *Technical Support*
6. *Duty Refunds on Imported Raw or Intermediate Materials Used in the Production of Export Goods*
7. *Program to Improve Quality of Exports of Dried Fruit*
8. *Iranian Export Guarantee Fund*
9. *GOI Grants and Loans to Pistachio Farmers*
10. *Crop Insurance for Pistachios*

#### II. TOTAL AD VALOREM RATE

#### III. ANALYSIS OF COMMENTS

Comment 1: Termination of the Review

Comment 2: Application of Adverse Facts Available to the Provision of Credit Program

Comment 3: Application of Adverse Facts Available to the Provision of

Fertilizer and Machinery Program  
Comment 4: Application of Adverse Facts Available to the Tax Exemptions Program  
Comment 5: Application of Adverse Facts Available to the Provision of Water and Irrigation Equipment Program

Comment 6: Application of Adverse Facts Available to the Technical Support Program

Comment 7: Application of Adverse Facts Available to the Duty Refunds on Imported Raw or Intermediate Materials Used in the Production of Export Goods Program

Comment 8: Application of Adverse Facts Available to the Program to Improve Quality of Exports of Dried Fruit

Comment 9: Application of Adverse Facts Available to the Iranian Export Guarantee Fund

Comment 10: Application of Adverse Facts Available to the GOI Grants and Loans to Pistachio Farmers Program

Comment 11: Application of Adverse Facts Available to the Crop Insurance for Pistachios Program

Comment 12: Adherence to the Department's Deadlines and Service Requirements

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Export Trade Certificate of Review

**ACTION:** Notice of revocation of export trade certificate of review—application No. 83-00030.

**SUMMARY:** The Secretary of Commerce issued an Export Trade Certificate of Review to Trans World Products Co., Inc. on February 8, 1984. Because this Certificate holder has failed to file an annual report as required by law, the Secretary is revoking the certificate. This notice summarizes the notification letter sent to Trans World Products Co., Inc.

#### FOR FURTHER INFORMATION CONTACT:

Jeffrey Anspacher, Director, Export Trading Company Affairs, International Trade Administration, 202/482-5131. This is not a toll-free number.

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 ("The Act") (Pub. L. 97-290, 15 U.S.C. 4011-21) Authorizes the Secretary of Commerce to issue Export