

pencils, pens, non-cased crayons (wax), pastels, charcoals, chalks, and pencils produced under U.S. patent number 6,217,242, from paper infused with scents by the means covered in the above-referenced patent, thereby having odors distinct from those that may emanate from pencils lacking the scent infusion. Also excluded from the scope of the order are pencils with all of the following physical characteristics: 1) length: 13.5 or more inches; 2) sheath diameter: not less than one-and-one quarter inches at any point (before sharpening); and 3) core length: not more than 15 percent of the length of the pencil.

In addition, pencils with all of the following physical characteristics are excluded from the scope of the order: novelty jumbo pencils that are octagonal in shape, approximately ten inches long, one inch in diameter before sharpening, and three-and-one eighth inches in circumference, composed of turned wood encasing one-and-one half inches of sharpened lead on one end and a rubber eraser on the other end. Although the HTSUS subheading is provided for convenience and customs purposes our written description of the scope of the order is dispositive.

If the final partial revocation occurs, we intend to instruct U.S. Customs and Border Protection (CBP) to liquidate, without regard to applicable antidumping duties, all unliquidated entries of pencils that meet the above-noted exclusion, and to refund any estimated antidumping duties collected on such merchandise entered, or withdrawn from warehouse, for consumption on or after December 1, 2001, the day after the most recent period for which the Department issued assessment instructions to CBP (12/1/2000–11/30/2001), in accordance with section 351.222 of the Department's regulations. We will also instruct CBP to pay interest on such refunds with respect to the subject merchandise entered, or withdrawn from warehouse, for consumption on or after December 1, 2001, in accordance with section 778 of the Act. *See Notice of Initiation and Preliminary Results of Changed Circumstances Antidumping Duty Administrative Review, and Intent to Revoke Order in Part: Certain Cut-To-Length Carbon-Quality Steel Plate Products from Japan*, 68 FR 1436 (January 10, 2003).

The current cash deposit rate will remain in effect for all entries of subject

merchandise until completion of an administrative review.

#### Public Comment

Interested parties are invited to comment on these preliminary results. Written comments may be submitted by interested parties not later than 14 days after the date of publication of this notice. 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. Pursuant to section 351.309(d) of the Department's regulations, rebuttals to written comments, limited to the issues raised in the case briefs, may be filed not later than five days after the deadline for submission of case briefs. Also, interested parties may request a hearing within 30 days of publication of this notice. Any hearing, if requested, may be held no later than two days after the deadline for the submission of rebuttal briefs, or the first workday thereafter. All written comments shall be submitted in accordance with section 351.303 of the Department's regulations and shall be served on all interested parties on the Department's service list. The Department will issue the final results of this review within the time limits established in section 351.216(e) of its regulations.

This notice is published in accordance with section 751(b)(1) of the Act and sections 351.216 and 351.222 of the Department's regulations.

Dated: December 7, 2005.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration (A–507–502)

#### Continuation of Antidumping Duty Order on Certain In-Shell Pistachios from Iran

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

**SUMMARY:** As a result of the determinations by the Department of Commerce (“the Department”) and the International Trade Commission (“ITC”) that revocation of the antidumping duty order on certain in-shell pistachios (“in-shell pistachios”) from Iran would likely lead to continuation or recurrence of dumping and material injury to an industry in the United States, the

Department is publishing notice of continuation of this antidumping duty order.

**EFFECTIVE DATE:** January 3, 2006.

**CONTACT INFORMATION:** Dana Mermelstein, AD/CVD Operations, Office 6, or John Drury, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, telephone: (202) 482–1391 or (202) 482–0195, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On March 1, 2005, the Department initiated and the ITC instituted a sunset review of the antidumping duty order on in-shell pistachios from Iran, pursuant to section 751(c) of the Tariff Act of 1930, as amended (“the Act”).<sup>1</sup>

As a result of its review, the Department found that revocation of the antidumping duty order would likely lead to continuation or recurrence of dumping, and notified the ITC of the magnitude of the margins likely to prevail were the order to be revoked.<sup>2</sup> On December 22, 2005, the ITC determined, pursuant to section 751(c) of the Act, that revocation of the antidumping duty order on in-shell pistachios from Iran 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 Order

The product covered by the antidumping duty order is raw, in-shell pistachio nuts from which the hulls have been removed, leaving the inner hard shells, and edible meats from Iran. This merchandise is currently provided for in subheading 0802.50.20.00 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, the Department's written description of the merchandise under order is dispositive.

##### Determination

As a result of the determinations by the Department and the ITC that

<sup>1</sup> See *Initiation of Five-Year (“Sunset”) Reviews*, 70 FR 9919 (March 1, 2005) and *Raw In-Shell Pistachios from Iran*, 70 FR 9976 (March 1, 2005).

<sup>2</sup> See *Certain In-Shell Pistachios from Iran; Final Results of the Expedited Sunset Review of the Antidumping Duty Order*, 70 FR 57855 (October 4, 2005).

<sup>3</sup> See *Raw In-Shell Pistachios from Iran*, 70 FR 76076 (December 22, 2005) and *USITC Publication 3824, Investigation No. 731-TA-287 (Review)* (December 2005).

revocation of this antidumping duty order 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 duty order on in-shell pistachios from Iran. U.S. Customs and Border Protection will continue to collect antidumping duty deposits at the rates in effect at the time of entry for all imports of subject merchandise.

The effective date of continuation of this order will be the date of publication in the **Federal Register** of this Notice of Continuation. Pursuant to section 751(c)(2) and 751(c)(6)(A) of the Act, the Department intends to initiate the next five-year review of this order not later than March 2010.

This notice is in accordance with sections 751(c) and 777(i)(1) of the Act.

Dated: December 23, 2005.

**Stephen J. Claeys,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. E5-8214 Filed 12-30-05; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

**A-588-835**

#### **Oil Country Tubular Goods from Japan: Final Results and Partial Rescission of Antidumping Duty Administrative Review**

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

**SUMMARY:** On September 7, 2005, the Department of Commerce (the Department) published in the **Federal Register** the preliminary results and preliminary partial rescission of the administrative review of the antidumping duty order on Oil Country Tubular Goods (OCTG) from Japan. This review covers four manufactures/exporters: JFE Steel Corporation (JFE), Nippon Steel Corporation (Nippon), NKK Tubes (NKK) and Sumitomo Metal Industries, Ltd. (SMI). The period of review (POR) covers sales of subject merchandise to the United States during the period of August 1, 2003, through July 31, 2004.

We provided interested parties with an opportunity to comment on the preliminary results of review. However, we received no comments from interested parties. Consequently, no changes have been made to the dumping margins set forth in the preliminary

results of this administrative review. For the margins applicable to each respondent, see the "Final Results of Review" section of this notice.

**EFFECTIVE DATE:** January 3, 2006.

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

Mark Hoadley or Kimberley Hunt, 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) 482-3148 or (202) 482-1272, respectively.

#### **SUPPLEMENTARY INFORMATION:**

On September 7, 2005, the Department published in the **Federal Register** the preliminary results and preliminary partial rescission of the administrative review of the antidumping duty order on OCTG from Japan. *See Oil Country Tubular Goods from Japan: Preliminary Results of Antidumping Duty Administrative Review and Partial Rescission of Review*, 70 FR 53161 (September 7, 2005) (*Preliminary Results*). No interested parties filed case briefs in response to the Department's invitation to comment on the *Preliminary Results*.

#### **SCOPE OF THE ORDER**

The merchandise covered by this order consists of oil country tubular goods, hollow steel products of circular cross-section, including oil well casing, tubing, and drill pipe, of iron (other than cast iron) or steel (both carbon and alloy), whether seamless or welded, whether or not conforming to American Petroleum Institute (API) or non-API specifications, whether finished or unfinished (including green tubes and limited service OCTG products). This scope does not cover casing, tubing, or drill pipe containing 10.5 percent or more of chromium. The products subject to this order are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7304.21.30.00, 7304.21.60.30, 7304.21.60.45, 7304.21.60.60, 7304.29.10.10, 7304.29.10.20, 7304.29.10.30, 7304.29.10.40, 7304.29.10.50, 7304.29.10.60, 7304.29.10.80, 7304.29.20.10, 7304.29.20.20, 7304.29.20.30, 7304.29.20.40, 7304.29.20.50, 7304.29.20.60, 7304.29.20.80, 7304.29.30.10, 7304.29.30.20, 7304.29.30.30, 7304.29.30.40, 7304.29.30.50, 7304.29.30.60, 7304.29.30.80, 7304.29.40.10, 7304.29.40.20, 7304.29.40.30, 7304.29.40.40, 7304.29.40.50, 7304.29.40.60, 7304.29.40.80, 7304.29.50.15, 7304.29.50.30, 7304.29.50.45,

7304.29.50.60, 7304.29.50.75, 7304.29.60.15, 7304.29.60.30, 7304.29.60.45, 7304.29.60.60, 7304.29.60.75, 7305.20.20.00, 7305.20.40.00, 7305.20.60.00, 7305.20.80.00, 7306.20.10.30, 7306.20.10.90, 7306.20.20.00, 7306.20.30.00, 7306.20.40.00, 7306.20.60.10, 7306.20.60.50, 7306.20.80.10, and 7306.20.80.50.

Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this order is dispositive.

#### **FINAL RESULTS OF REVIEW**

As stated in the *Preliminary Results*, the Department confirmed that neither NKK nor SMI made sales of subject merchandise during the POR. Additionally, neither JFE nor Nippon participated in this review. We did not receive comments on either our preliminary decision to rescind the review with respect to NKK and SMI, nor on our decision to apply an adverse facts available (AFA) rate to JFE and Nippon.<sup>1</sup> Accordingly, we do not have any reason to reconsider our preliminary decision. Therefore, consistent with the Department's preliminary results of this review, and in accordance with 19 CFR § 351.213(d)(3), we are rescinding the instant review with respect to both NKK and SMI and have made no changes to the weighted-average dumping margins applied to JFE and Nippon in the preliminary results of this administrative review.

We determine that the following dumping margins exist for the period August 1, 2003, through July 31, 2004:

Manufacturer/Exporter	Margin (percent)
JFE Steel Corporation .....	44.20
Nippon Steel Corporation .....	44.20

#### **DUTY ASSESSMENT**

The Department will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries, pursuant to 19 CFR § 351.212(b). We will direct CBP to assess the dumping rate listed above against all subject merchandise manufactured or exported by JFE or Nippon, and entered or withdrawn from warehouse for consumption during the POR. For all subject merchandise

<sup>1</sup> As AFA, we applied the highest rate from the investigation, 44.20 percent, which is also the only rate determined in the investigation. *See Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Oil Country Tubular Goods from Japan*, 60 FR 155 (August 11, 1995) (*Amended Final Determination*).