

The description of carbon quality is intended to identify carbon quality products within the scope. The welded carbon quality rectangular pipe and tube subject to this order is currently classified under the Harmonized Tariff Schedule of the United States ("HTSUS") subheadings 7306.61.50.00 and 7306.61.70.60. While HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this order is dispositive.

#### Initiation of Antidumping Duty Changed Circumstances Review

Pursuant to section 751(b)(1) of the Act, the Department will conduct a changed circumstances review upon receipt of a request from an interested party or receipt of information concerning an antidumping duty order which shows changed circumstances sufficient to warrant a review of the order. On September 3, 2008, Ternium Mexico submitted its request for a changed circumstances review. With this request, Ternium Mexico submitted certain information related to its claim that Hylsa changed its name to Ternium Mexico, including information describing the acquisition of Hylsa by Ternium Luxembourg and the changes in Hylsa's operating and corporate structure immediately following that acquisition. Based on the information Ternium Mexico submitted regarding a name change, the Department has determined that changed circumstances sufficient to warrant a review exist. See 19 CFR 351.216(d). In antidumping duty changed circumstances reviews involving a successor-in-interest determination, the Department typically examines several factors including, but not limited to: (1) management; (2) production facilities; (3) supplier relationships; and (4) customer base. See *Brass Sheet and Strip From Canada: Final Results of Antidumping Duty Administrative Review*, 57 FR 20460, 20462 (May 13, 1992) and *Certain Cut-to-Length Carbon Steel Plate from Romania: Initiation and Preliminary Results of Changed Circumstances Antidumping Duty Administrative Review*, 70 FR 22847 (May 3, 2005) ("*Plate from Romania*"). 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. See, e.g., *Industrial Phosphoric Acid from Israel: Final Results of Antidumping Duty Changed Circumstances Review*, 59 FR 6944, 6945 (February 14, 1994), and

*Plate from Romania*, 70 FR 22847. Thus, if the record evidence 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. 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). Although Ternium Mexico submitted documentation related to its name change and some limited information regarding the four factors that the Department considers in its successor-in-interest analysis, it failed to provide complete supporting documentation for the four elements listed above that is sufficient for making the successor-in-interest determination without requesting additional information. Accordingly, the Department has determined that it would be inappropriate to expedite this action by combining the preliminary results of review with this notice of initiation, as permitted under 19 CFR 351.221(c)(3)(ii). Therefore, the Department is not issuing the preliminary results of its antidumping duty changed circumstances review at this time.

The Department will issue questionnaires requesting additional information for the review, and 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)(2) and (4), and 19 CFR 351.221(c)(3)(i). The notice will set forth the factual and legal conclusions upon which our preliminary results are based and a description of any action proposed based on those results. 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.

During the course of this antidumping duty changed circumstances review, the cash deposit requirements for the subject merchandise exported and manufactured by Ternium Mexico will continue to be the rate established in the amended final results of the investigation for all other manufacturers and exporters not previously reviewed. See *Notice of Amended Final Determination of Sales at Less Than*

*Fair Value: Light-Walled Rectangular Pipe and Tube From Mexico*, 73 FR 45400 (August 5, 2008). The cash deposit will be altered, if warranted, pursuant only to the final results of this review.

This notice of initiation is in accordance with section 751(b)(1) of the Act, 19 CFR 351.216(b) and (d), and 19 CFR 351.221(b)(1).

Dated: October 20, 2008.

Stephen J. Claeyss,

Deputy Assistant Secretary for Import Administration.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-588-046]

#### Polychloroprene Rubber From Japan: Initiation and Preliminary Results of Changed Circumstances Review, and Intent to Revoke Antidumping Duty Finding, in Part

##### Correction

In notice document E8-22458 beginning on page 56548 in the issue of Monday, September 29, 2008, make the following corrections:

1. On page 56548, in the third column, under the heading **Background**, in the second paragraph, in the third line, "Polychloroprene Rubber from Japan: Final Changed Circumstances Review and Determination to Revoke Finding in Part" should read "*See Polychloroprene Rubber from Japan: Final Changed Circumstances Review and Determination to Revoke Finding in Part*".

2. On page 56549, in the first column, in the first full paragraph, in the 10th line, "and does include aqueous dispersions of" should read "and does *not* include aqueous dispersions of".

3. On the same page, in the same column, in the same paragraph, in the 20th line, "dispersions of these polymers and does" should read "dispersions of these polymers and does *not*".

4. On the same page, in the same column, in the same paragraph, in the 30th line "in solid form and does include aqueous" should read "in solid form and does *not* include aqueous".

5. On the same page, in the same column, under the heading **Initiation and Preliminary Results of Changed Circumstances Review, and Intent to Revoke Antidumping Finding, in Part**, in the first paragraph, in the fifth line, "i.e.; a" should read "*i.e.*, a".

6. On the same page, in the second column, in the first paragraph, in the fifth line, "19 CFR 351.216(d)" should read "See 19 CFR 351.216(d)".

7. On the same page, in the third column, in the first paragraph, in the seventh line, "pH of S" should read "pH of 8".

8. On the same page, in the same column, in the same paragraph, in the 10th line, "and does pp include aqueous" should read "and does *not* include aqueous".

9. On the same page, in the same column, in the same paragraph, in the 21st line, "and does include aqueous" should read "and does *not* include aqueous".

10. On the same page, in the same column, under the heading **Public Comment**, in the first paragraph, in the ninth and 10th lines, "19 CFR 351.309(d)" should read "See 19 CFR 351.309(d)".

11. On page 56550, in the first column, in the first full paragraph, in the first line, "Consistent with 19 CFR 351.216(e)" should read "Consistent with 19 CFR 351.216(e)".

12. On the same page, in the same column, in same paragraph, in the 16th and 17th lines, "See 19 CFR 351.222(g)(4)" should read "See 19 CFR 351.222(g)(4)".

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-894]

#### Certain Tissue Paper Products From the People's Republic of China: Notice of Initiation of Anti-circumvention Inquiry

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

**SUMMARY:** In response to a request from Seaman Paper Company of Massachusetts, Inc. (the petitioner), the Department of Commerce (the Department) is initiating an anti-circumvention inquiry to determine whether certain imports of tissue paper from Thailand are circumventing the antidumping duty order on certain tissue paper products (tissue paper) from the People's Republic of China (PRC). *See Notice of Amended Final Determination of Sales at Less than Fair Value and Antidumping Duty Order: Certain Tissue Paper Products from the People's Republic of China*, 70 FR 16223 (March 30, 2005) (*Tissue Paper Order*).

**DATES:** *Effective Date:* October 27, 2008.

**FOR FURTHER INFORMATION CONTACT:** Brian Smith or Gemal Brangman, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-1766 or (202) 482-3773, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On September 10, 2008, the petitioner submitted a letter requesting that the Department initiate and conduct an anti-circumvention inquiry, pursuant to section 781(b) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.225(h), to determine whether imports of tissue paper from Thailand which Sunlake Décor Co., Ltd. (Sunlake)<sup>1</sup> made from jumbo rolls and cut sheets of tissue paper produced in the PRC are circumventing the antidumping duty order on tissue paper from the PRC. Specifically, the petitioner alleges that PRC-produced jumbo rolls and cut sheets of tissue paper sent to Thailand for completion or assembly into merchandise of the same class or kind as that covered by the antidumping duty order on tissue paper from the PRC are circumventing that order.

On September 19, 2008, Department officials met with the petitioner's counsel to discuss the petitioner's September 10, 2008, anti-circumvention inquiry request. *See memorandum to the file entitled, "Meeting with Counsel for the Petitioner,"* dated September 24, 2008.

On September 25, 2008, Department officials spoke with the foreign market researcher who provided certain information contained in the anti-circumvention inquiry request. *See memorandum to the file entitled, "Telephone Conversation with Foreign Market Researcher,"* dated September 29, 2008.

To date, we have received no comments from Sunlake on this matter.

##### Scope of the Order

The tissue paper products subject to order are cut-to-length sheets of tissue paper having a basis weight not exceeding 29 grams per square meter. Tissue paper products subject to this order may or may not be bleached, dye-colored, surface-colored, glazed, surface decorated or printed, sequined, crinkled, embossed, and/or die cut. The tissue paper subject to this order is in the form of cut-to-length sheets of tissue

paper with a width equal to or greater than one-half (0.5) inch. Subject tissue paper may be flat or folded, and may be packaged by banding or wrapping with paper or film, by placing in plastic or film bags, and/or by placing in boxes for distribution and use by the ultimate consumer. Packages of tissue paper subject to this order may consist solely of tissue paper of one color and/or style, or may contain multiple colors and/or styles.

Tissue paper products subject to this order do not have specific classification numbers assigned to them under the Harmonized Tariff Schedule of the United States (HTSUS) and appear to be imported under one or more of the several different "basket" categories, including but not necessarily limited to the following subheadings: HTSUS 4802.30, HTSUS 4802.54, HTSUS 4802.61, HTSUS 4802.62, HTSUS 4802.69, HTSUS 4804.39, HTSUS 4806.40, HTSUS 4808.30, HTSUS 4808.90, HTSUS 4811.90, HTSUS 4823.90, HTSUS 9505.90.40.

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

Excluded from the scope of the order are the following tissue paper products: (1) Tissue paper products that are coated in wax, paraffin, or polymers, of a kind used in floral and food service applications; (2) tissue paper products that have been perforated, embossed, or die-cut to the shape of a toilet seat, i.e., disposable sanitary covers for toilet seats; and (3) toilet or facial tissue stock, towel or napkin stock, paper of a kind used for household or sanitary purposes, cellulose wadding, and webs of cellulose fibers (HTSUS 4803.00.20.00 and 4803.00.40.00).

#### Initiation of Anti-Circumvention Proceeding

##### Applicable Statute

Section 781(b) of the Act provides that the Department may find circumvention of an antidumping duty order when merchandise of the same class or kind subject to the order is completed or assembled in a foreign country other than the country to which the order applies. In conducting anti-circumvention inquiries under section 781(b) of the Act, the Department relies upon the following criteria: (A) Merchandise imported into the United States is of the same class or kind as any merchandise produced in a foreign country that is subject to an antidumping duty order; (B) before importation into the United States, such imported merchandise is completed or

<sup>1</sup> Sunlake is a company located in Thailand.