

The Department will issue the final results of this NSR, which will include the results of its analysis of issues raised in any such comments, within 90 days of publication of these preliminary results, pursuant to section 751(a)(2)(B)(iv) of the Act.

#### **Deadline for Submission of Publicly Available Surrogate Value Information**

In accordance with 19 CFR 351.301(c)(3)(ii), the deadline for submission of publicly available information to value factors of production under 19 CFR 351.408(c) is 20 days after the date of publication of the preliminary results. In accordance with 19 CFR 351.301(c)(4), if an interested party submits factual information less than ten days before, on, or after (if the Department has extended the deadline), the applicable deadline for submission of such factual information, an interested party may submit factual information to rebut, clarify, or correct the factual information no later than ten days after such factual information is served on the interested party. However, the Department generally will not accept in the rebuttal submission additional or alternative surrogate value information not previously on the record, if the deadline for submission of surrogate value information has passed.<sup>6</sup> Furthermore, the Department generally will not accept business proprietary information in either the surrogate value submissions or the rebuttals thereto, as the regulation regarding the submission of surrogate values allows only for the submission of publicly available information.<sup>7</sup>

#### **Assessment Rates**

Upon issuing the final results of this NSR, the Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries.<sup>8</sup> The Department intends to issue assessment instructions to CBP 15 days after the date of publication of the final results of this NSR.

In this review, we calculated a per-unit rate for each importer by dividing the total dumping margins for reviewed sales to that party by the total sales quantity associated with those transactions. For duty-assessment rates calculated on this basis, we will direct

CBP to assess the resulting per-unit rate against the entered quantity of the subject merchandise. If the respondent's weighted-average dumping margin is above *de minimis*, we will calculate importer-specific *ad valorem* duty assessment rate based on the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1). Then, we will instruct CBP to assess antidumping duties on all appropriate entries covered by this NSR. Where either the respondent's weighted-average dumping margin is zero or *de minimis*, or an importer-specific assessment rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. The final results of this NSR shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this administrative review and for future deposits of estimated duties, where applicable.

#### **Cash Deposit Requirements**

The following cash deposit requirements will be effective upon publication of the final results of this NSR for shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For merchandise produced by Jinxiang Zhongtian Business Co., Ltd. and exported by Goodman, the cash deposit rate will be that established in the final results of this review (except, if the rate is zero or *de minimis*, then zero cash deposit will be required); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing producer/exporter-specific combination rate; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the PRC-wide entity; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC producer/exporter combination that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

#### **Notification to Importers**

This notice also serves as a preliminary reminder to importers of

their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.214, and 351.221(b)(4).

Dated: November 4, 2013.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

#### **Appendix—List of Topics Discussed in the Preliminary Decision Memorandum**

1. Summary
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#### **DEPARTMENT OF COMMERCE**

#### **International Trade Administration**

[A-533-824, A-583-837]

#### **Polyethylene Terephthalate Film, Sheet and Strip From India and Taiwan: Preliminary Results of the Second Sunset Review of the Antidumping Duty Orders**

**AGENCY:** Enforcement and Compliance, formerly Import Administration, International Trade Administration, Department of Commerce.

**DATES:** *Effective Date:* November 8, 2013.

**SUMMARY:** On April 2, 2013, the Department of Commerce ("Department") initiated the second sunset review of the antidumping duty orders on Polyethylene Terephthalate Film, Sheet and Strip ("PET Film") from India and Taiwan. The Department determined that it was appropriate to conduct full reviews. The Department

<sup>6</sup> See, e.g., *Glycine from the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Final Rescission*, in Part, 72 FR 58809 (October 17, 2007), and accompanying Issues and Decision Memorandum at Comment 2.

<sup>7</sup> See 19 CFR 351.301(c)(3).

<sup>8</sup> See 19 CFR 351.212(b)(1).

preliminarily finds that revocation of these antidumping duty orders would be likely to lead to continuation or recurrence of dumping at the rates identified in the "Preliminary Results of Review" section of this notice.

**FOR FURTHER INFORMATION CONTACT:**

Jacqueline Arrowsmith or Myrna Lobo, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone (202) 482-5255 or (202) 482-2371, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

The antidumping duty orders on PET Film from India and Taiwan were published on July 1, 2002.<sup>1</sup> On April 2, 2013, the Department initiated the second sunset review of these orders pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act").<sup>2</sup> The Department received a notice of intent to participate from DuPont Teijin Films, Mitsubishi Polyester Film, Inc., and SKC, Inc. (collectively, "the domestic interested parties"), within the deadline specified in 19 CFR 351.218(d)(1)(i). DuPont Teijin Films, Mitsubishi Polyester Film, Inc., and SKC, Inc. are manufacturers of a domestic like product in the United States and, accordingly, are domestic interested parties pursuant to section 771(9)(C) of the Act.

On May 2, 2013, the Department received an adequate substantive response to the notice of initiation from the domestic interested parties within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i). The Department received no response from the respondent interested parties, i.e., PET Film producers and exporters from India and/or Taiwan. On the basis of the notice of intent to participate and adequate substantive response filed by the domestic interested parties and the inadequate response from any respondent interested party, the Department decided to conduct expedited sunset reviews of these orders pursuant to section 751(c)(3)(B) of the

Act and 19 CFR 351.218(e)(1)(ii)(C). However, on July 22, 2013, the Department revised its original adequacy determination and determined to conduct full sunset reviews of these orders.<sup>3</sup> The Department also extended the deadline for issuing the preliminary results of these full sunset reviews by 90 days, to October 18, 2013.<sup>4</sup> The reviews were converted to full sunset reviews to provide interested parties with an opportunity to comment concerning the implementation of the *Final Modification for Reviews*, and the deadline was extended for the preliminary results of these reviews because these reviews are extraordinarily complicated.<sup>5</sup> On October 18, 2013, the Department issued a tolling memorandum extending all deadlines by 16 days for the duration of the government shutdown.<sup>6</sup> The deadline for these reviews is now November 4, 2013.

**Scope of the Orders**

The products covered by these orders are all gauges of raw, pretreated or primed PET film, whether extruded or coextruded. Excluded are metallized films and other finished films that have had at least one of their surfaces modified by the application of a performance-enhancing resinous or inorganic layer of more than 0.00001 inches thick. Imports of PET film were classifiable in the Harmonized Tariff Schedule of the United States ("HTSUS") under item number 3920.62.00. Effective July 1, 2003, the HTSUS subheading 3920.62.00.00 was divided into 3920.62.00.10 (metallized PET film) and 3920.62.00.90 (non-metallized PET film). Although the HTSUS subheadings are provided for the convenience and customs purposes, the written description of the scope of these orders is dispositive. Since these orders were published, there was one

scope determination for PET film from India, dated August 25, 2003. In this determination, requested by International Packaging Films Inc., the Department determined that tracing and drafting film is outside of the scope of the order on PET film from India.<sup>7</sup>

**Analysis of Comments Received**

All issues raised for the preliminary results of these reviews are addressed in the Issues and Decision Memorandum ("Decision Memorandum") from Edward Yang, Director, Office VII, Office of AD/CVD Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, dated concurrently with this notice. The issues discussed in the Decision Memorandum are the likelihood of continuation or recurrence of dumping, and the magnitude of the margins of dumping likely to prevail if these orders were revoked. The analysis addresses the impact of the *Final Modification for Reviews* on these reviews. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum which is on file electronically via Import Administration's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and is available to all parties in the Central Records Unit in room 7046 of the main Commerce building. In addition, a complete version of the Decision Memorandum can be accessed directly on the Internet at <http://trade.gov/enforcement/>. The signed Decision Memorandum and electronic versions of the Decision Memorandum are identical in content.

**Preliminary Results of Review**

Pursuant to sections 752(c)(1) and (3) of the Act, we preliminarily determine that revocation of the antidumping duty orders on PET Film from India and Taiwan would be likely to lead to continuation or recurrence of dumping. Further, we determine that the magnitude of the margins of dumping likely to prevail are as follows:

Exporter or producer	Margin (percent)
Ester Industries Limited, Inc. ....	24.10
Polyplex Corporation Limited ...	3.02
All Others .....	16.96

<sup>7</sup> See *Notice of Scope Rulings*, 70 FR 24533 (May 10, 2005).

<sup>1</sup> See *Notice of Amended Final Antidumping Duty Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Polyethylene Terephthalate Film, Sheet, and Strip from India*, 67 FR 44175 (July 1, 2002); see also *Notice of Amended Final Antidumping Duty Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Polyethylene Terephthalate Film, Sheet, and Strip (PET Film) from Taiwan*, 67 FR 44174 (July 1, 2002).

<sup>2</sup> See *Initiation of Five-Year ("Sunset") Review*, 78 FR 19647 (April 2, 2013).

<sup>3</sup> See Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, from Mark Hoadley, Acting Director, Office 6, on "Sunset Reviews of the Antidumping Duty Orders on Polyethylene Terephthalate Film from India and Taiwan: Adequacy Redetermination," dated July 22, 2013.

<sup>4</sup> See *Polyethylene Terephthalate Film from India and Taiwan: Extension of Time Limits for Preliminary and Final Results of the Second Antidumping Duty Sunset Reviews* 78 FR 45512 (July 29, 2013) ("PET Film Extension Notice").

<sup>5</sup> See *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification for Reviews*, 77 FR 8101 (February 14, 2012) ("Final Modification for Reviews").

<sup>6</sup> See "Memorandum for The Record from Paul Piquado, Assistant Secretary of Enforcement and Compliance," dated October 18, 2013 ("Tolling Memorandum").

Exporter or producer	Margin (percent)
Nan Ya Plastics Corporation, Ltd. ....	8.99
Shinkong Synthetic Fibers Corporation/Shinkong Materials Technology Co., Ltd. ....	0.75
All Others .....	4.37

Interested parties may submit case briefs no later than 50 days after the date of publication of the preliminary results of these full sunset reviews, in accordance with 19 CFR 351.309(c)(1)(i). Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than five days after the time limit for filing case briefs in accordance with 19 CFR 351.309(d). Any interested party may request a hearing within 30 days of publication of this notice in accordance with 19 CFR 351.310(c). A hearing, if requested, will be held two days after the date the rebuttal briefs are due. The Department will issue a notice of final results of these full sunset reviews, which will include the results of its analysis of issues raised in any such comments, no later than March 13, 2014.<sup>8</sup>

The Department is issuing and publishing these preliminary results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act.

Dated: November 4, 2013.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-968]

#### Aluminum Extrusions From the People's Republic of China: Intent To Rescind 2012 Countervailing Duty Administrative Review, in Part

**AGENCY:** Enforcement and Compliance, formerly Import Administration, International Trade Administration, Department of Commerce.

**DATES:** *Effective Date:* November 8, 2013.

**FOR FURTHER INFORMATION CONTACT:** Kristen Johnson or Brooke Kennedy, AD/CVD Operations, Office III, Enforcement and Compliance,

International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4793 or (202) 482-3818, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On May 1, 2013, the Department of Commerce (the Department) published a notice of opportunity to request an administrative review of the countervailing duty (CVD) order on aluminum extrusions from the People's Republic of China (PRC) for the period January 1, 2012, through December 31, 2012.<sup>1</sup> On May 31, 2013, we received from Electrolux North America, Inc., Electrolux Home Products, Inc., and Electrolux Major Appliances (collectively, Electrolux), a domestic interested party, a request that the Department conduct an administrative review of Hong Kong Gree Electric Appliances Sales Limited (Hong Kong Gree).<sup>2</sup> On June 28, 2013, the Department published a notice of initiation of administrative review with respect to 153 companies.<sup>3</sup> On August 27, 2013, Hong Kong Gree notified the Department that it had no shipments of subject merchandise to the United States during the period of review (POR).<sup>4</sup>

##### Intent To Rescind the 2012 Administrative Review, in Part

Hong Kong Gree submitted a letter to the Department certifying that it had no shipments of subject merchandise to the United States during the POR. Electrolux did not comment on Hong Kong Gree's claim of no shipments.

Previously, on August 2, 2013, we released the results of a U.S. Customs and Border Protection (CBP) data query, which showed that Hong Kong Gree had no suspended entries of subject merchandise during the POR.<sup>5</sup> After

receipt of Hong Kong Gree's no shipment certification, we sent a "no shipments inquiry" message to CBP, which posted the message on September 20, 2013.<sup>6</sup> CPB did not respond to the Department within the customary ten days regarding the inquiry into whether there were any suspended entries from Hong Kong Gree during the POR.

Based on our analysis of all the information on the record, we preliminarily determine that Hong Kong Gree had no shipments or entries of subject merchandise to the United States during the POR. Therefore, in accordance with 19 CFR 351.213(d)(3), and consistent with our practice,<sup>7</sup> we preliminarily determine to rescind the review for Hong Kong Gree. We will continue this administrative review with respect to those companies for which a review was requested and not subsequently withdrawn.<sup>8</sup>

##### Public Comment

The Department is setting aside a period for interested parties to raise issues regarding the Department's intent to rescind the administrative review for Hong Kong Gree. Interested parties should submit such comments within 20 calendar days of the publication of this notice. All comments are to be filed electronically using Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS) available to registered users at <http://iaaccess.trade.gov> and in the Central Records Unit, Room 7046 of the main Department of Commerce building, and must also be served on interested parties.<sup>9</sup> An electronically filed document must be received successfully in its entirety by IA ACCESS by 5:00 p.m. Eastern Standard Time on the day it is due.<sup>10</sup> The period for public comment is intended to provide the Department with ample opportunity to consider all issues prior to the issuance any the notice of rescission of the

<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 78 FR 25420, 25424 (May 1, 2013).

<sup>2</sup> See Letter from Crowell & Moring on behalf of Electrolux regarding "Request for Administrative Review" (May 31, 2013). This public document and all other public documents and public versions of business proprietary documents for this administrative review are on file electronically via IA ACCESS.

<sup>3</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 78 FR 38924 (June 28, 2013) (*Initiation Notice*).

<sup>4</sup> See Letter from Hong Kong Gree regarding "No Shipment Certification" (August 27, 2013).

<sup>5</sup> See Department Memorandum regarding "Analysis of CBP Data and Identification of Companies to Receive Q&V Questionnaires" (August 2, 2013).

<sup>6</sup> See Message number 3263301 available at <http://addcvd.cbp.gov> and also IA ACCESS.

<sup>7</sup> See, e.g., *Polyethylene Terephthalate Film, Sheet and Strip From India: Rescission of Countervailing Duty Administrative Review*, 77 FR 19634 (April 2, 2012); see also *Welded Carbon Steel Standard Pipe and Tube From Turkey: Notice of Rescission of Countervailing Duty Administrative Review, In Part*, 74 FR 47921 (September 18, 2009).

<sup>8</sup> The Department received several submissions for the withdrawal of administrative review requests and will publish separately a "Notice of Partial Rescission of Countervailing Duty Administrative Review" with respect to those companies for which review requests have been withdrawn.

<sup>9</sup> See 19 CFR 351.303(f).

<sup>10</sup> See 19 CFR 351.310(c).

<sup>8</sup> See *PET Film Extension Notice*; see also *Tolling Memorandum*.