

Anying certified that, since the initiation of the investigation, it has never been affiliated with any exporter or producer that exported multilayered wood flooring to the United States during the POI, including those not individually examined during the investigation.<sup>7</sup> As required by 19 CFR 351.214(b)(2)(iii)(B), Anying also certified that its export activities were not controlled by the central government of the PRC.<sup>8</sup>

In addition to the certifications described above, pursuant to 19 CFR 351.214(b)(2)(iv), Anying submitted documentation establishing the following: (1) The date on which it first shipped multilayered wood flooring for export to the United States and the date on which the multilayered wood flooring was first entered, or withdrawn from warehouse, for consumption; (2) the volume of its first shipment; and (3) the date of its first sale to an unaffiliated customer in the United States.<sup>9</sup>

The Department conducted a CBP database query and confirmed that Anying's shipment of subject merchandise entered the United States for consumption and that liquidation of such entries has been properly suspended for antidumping duties. Pursuant to 19 CFR 351.221(c)(1)(i), the Department will publish the notice of initiation of a new shipper review no later than the last day of the month following the anniversary month or semiannual anniversary month of the order.

#### Initiation of New Shipper Review

Pursuant to section 751(a)(2)(B) of the Act, 19 CFR 351.214(b), and based on the information on the record, the Department finds that Anying meets the threshold requirements for initiation of a new shipper review of its shipment of multilayered wood flooring from the PRC.<sup>10</sup> However, if the information supplied by Anying is later found to be incorrect or insufficient during the course of this proceeding, the Department may rescind the review or apply adverse facts available pursuant to section 776 of the Act, depending upon the facts on record. The POR for the new shipper review of Anying is December 1, 2012, through November

30, 2013.<sup>11</sup> The Department intends to issue the preliminary results of this review no later than 180 days from the date of initiation, and the final results of this review no later than 90 days after the date the preliminary results are issued.<sup>12</sup>

It is the Department's usual practice, in cases involving non-market economies, to require that a company seeking to establish eligibility for an antidumping duty rate separate from the country-wide rate provide evidence of *de jure* and *de facto* absence of government control over the company's export activities. Accordingly, the Department will issue a questionnaire to Anying which will include a section requesting information with regard to its export activities for separate rates purposes. The review of Anying will proceed if the response provides sufficient indication that Anying is not subject to either *de jure* or *de facto* government control with respect to its exports of subject merchandise.

The Department will instruct CBP to allow, at the option of the importer, the posting, until the completion of the review, of a bond or security in lieu of a cash deposit for entries of subject merchandise from Anying in accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e). Because Anying certified that it produced and exported the subject merchandise, the Department will apply the bonding privilege only for subject merchandise that the respondent both produced and exported.

Interested parties requiring 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)(2)(B) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).

Dated: January 24, 2014.

**Christian Marsh,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-201-836]

#### Light-Walled Rectangular Pipe and Tube from Mexico: Final Results of Antidumping Duty Administrative Review; 2011-2012

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

**SUMMARY:** On September 6, 2013, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty (AD) order on light-walled rectangular pipe and tube (LWR pipe and tube) from Mexico.<sup>1</sup> The period of review (POR) is August 1, 2011, through July 31, 2012. This review covers two producers or exporters of subject merchandise: Regiomontana de Perfiles y Tubos S.A. de C.V. (Regiopytsa) and Maquilacero S.A. de C.V. (Maquilacero). For the final results, we continue to find that Regiopytsa sold subject merchandise at less than normal value during the POR and that Maquilacero did not. For the final weighted-average dumping margins, see the "Final Results of Review" section below.

**DATES:** *Effective Date:* January 31, 2014.

#### FOR FURTHER INFORMATION CONTACT:

Brian Davis or Ericka Ukrow, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-7924 or (202) 482-0405, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On September 6, 2013, the Department published in the **Federal Register** the *Preliminary Results*. We invited interested parties to comment on the *Preliminary Results*. On October 22 and 23, 2013, respectively, the Department received case briefs from Regiopytsa and Maquilacero. No party submitted rebuttal briefs or requested a hearing.

##### Scope of the Order

The merchandise subject to the order is certain welded carbon-quality light-

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *Id.* at 2.

<sup>10</sup> See, generally, Memorandum to the File through Abdelali Elouaradia, Director, AD/CVD Operations, Office IV "Initiation of Antidumping New Shipper Review of Multilayered Wood Flooring from the People's Republic of China: Linyi Anying Wood Co., Ltd., Initiation Checklist," dated concurrently with this notice ("Initiation Checklist").

<sup>11</sup> See 19 CFR 351.214(g)(1)(i)(A).

<sup>12</sup> See section 751(a)(2)(B)(iv) of the Act.

<sup>1</sup> See *Light-Walled Rectangular Pipe and Tube from Mexico: Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review; 2011-2012*, 78 FR 54864 (September 6, 2013) (*Preliminary Results*), and the accompanying Decision Memorandum (Preliminary Decision Memorandum).

walled steel pipe and tube, of rectangular (including square) cross section, having a wall thickness of less than 4 mm.<sup>2</sup> The welded carbon-quality rectangular pipe and tube subject to the 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 the order is dispositive.<sup>3</sup>

### Tolling of Deadlines

As explained in the memorandum from the Assistant Secretary for Enforcement and Compliance, the Department exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from October 1, through October 16, 2013.<sup>4</sup> Therefore, all deadlines in this segment of the proceeding were extended by 16 days. If the new deadline falls on a non-business day, in accordance with the Department's practice, the deadline will become the next business day. Accordingly, the revised deadline for the final results of this review is now January 22, 2014.

### Analysis of Comments Received

All issues raised in the case briefs by parties to this administrative review are addressed in the Issues and Decision Memorandum.

The Issues and Decision Memorandum is a public document and is on file in the Central Records Unit (CRU), room 7046 of the main Department of Commerce building, as well as electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at <http://iaaccess.trade.gov>, and it

is available to all parties in the CRU. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at <http://enforcement.trade.gov/frn/>. The signed Issues and Decision Memorandum and the electronic versions of the Issues and Decision Memorandum are identical in content.

### Final Results of Review

We have made no changes to our calculations announced in the *Preliminary Results*. Therefore, as a result of our review, we continue to determine that the following weighted-average dumping margin exists for the period August 1, 2011, through July 31, 2012:

| Producer or exporter                               | Weighted-average dumping margin (percent) |
|----------------------------------------------------|-------------------------------------------|
| Regiomontana de Perfiles y Tubos S.A. de C.V. .... | 1.45                                      |
| Maquilacero S.A. de C.V. ....                      | 0.00                                      |

### Assessment Rates

The Department shall determine and U.S. Customs and Border Protection (CBP) shall assess antidumping duties on all appropriate entries.<sup>5</sup> Since the weighted-average dumping margin is not zero or *de minimis* (i.e., less than 0.50 percent) for Regiopytsa, we calculated importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of dumping calculated for an importer's examined sales to the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1). Where either a respondent's weighted-average dumping margin is zero or *de minimis*, or an importer-specific assessment rate is zero or *de minimis*, we instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

The Department clarified its "automatic assessment" regulation on May 6, 2003.<sup>6</sup> This clarification will apply to entries of subject merchandise during the POR produced by Maquilacero and Regiopytsa for which they did not know that their merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed

entries at the all-others rate of 3.76 percent, as established in the less-than-fair-value investigation of this proceeding,<sup>7</sup> if there is no rate for the intermediate company(ies) involved in the transaction.

In accordance with 19 CFR 356.8(a), the Department intends to issue assessment instructions to CBP on or after 41 days following the publication of the final results of this review.

### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered or withdrawn from warehouse for consumption on or after the publication date of these final results, consistent with section 751(a)(2)(C) of the Act: (1) For subject merchandise manufactured and exported by Maquilacero and Regiopytsa, the cash deposit rate will be equal to the weighted-average dumping margins established in the final results of this review; (2) for previously reviewed or investigated companies, the cash deposit rate will continue to be the company-specific rate published from the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, the prior review, or the investigation but the manufacturer is, then the cash-deposit rate will be the rate established from the completed segment for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this review, a previous review or the less-than-fair-value investigation conducted by the Department, then the cash deposit rate will be the all-others rate of 3.76 percent. These deposit requirements, when imposed, shall remain in effect until further notice.

### Reimbursement of Duties

This notice also serves as a final 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 Secretary's presumption that reimbursement of antidumping duties

<sup>2</sup> See Memorandum to Paul Piquado, Assistant Secretary for Enforcement and Compliance, through Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, "Issues and Decision Memorandum for the Final Results of the Administrative Review of the Antidumping Duty Order on Light-Walled Rectangular Pipe and Tube from Mexico; 2011–2012," dated concurrently with these results and hereby adopted by this notice, for a complete description of the scope of the order (Issues and Decision Memorandum).

<sup>3</sup> See *Light-Walled Rectangular Pipe and Tube from Mexico, the People's Republic of China, and the Republic of Korea: Antidumping Duty Orders; Light-Walled Rectangular Pipe and Tube from the Republic of Korea: Notice of Amended Final Determination of Sales at Less Than Fair Value*, 73 FR 45403, 45405 (August 5, 2008) (*Orders*).

<sup>4</sup> See Memorandum for the Record from Paul Piquado, Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Shutdown of the Federal Government," dated October 18, 2013.

<sup>5</sup> In these final results, the Department applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification*, 77 FR 8101 (February 14, 2012).

<sup>6</sup> See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) (*Assessment Policy Notice*).

<sup>7</sup> See *Light-Walled Rectangular Pipe and Tube from Mexico, the People's Republic of China, and the Republic of Korea: Antidumping Duty Orders; Light-Walled Rectangular Pipe and Tube from the Republic of Korea: Notice of Amended Final Determination of Sales at Less Than Fair Value*, 73 FR 45403, 45405 (August 5, 2008).

occurred and the subsequent assessment of double antidumping duties.

### Return or Destruction of Proprietary Information

This notice serves as a reminder to parties subject to the administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under the APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return or 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.

These final results of review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(h).

Dated: January 22, 2014.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

### Appendix I—List of Topics Discussed in the Issues and Decision Memorandum

1. Authority to Consider an Alternative Comparison Methodology Absent an Allegation of Targeted Dumping
2. Differential Pricing Analysis
3. Arm's-Length Analysis of Certain of Maquilacero's Sales

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-911]

### Circular Welded Carbon Quality Steel Pipe From the People's Republic of China: Rescission of Countervailing Duty Administrative Review; 2012

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

**SUMMARY:** The Department of Commerce (Department) is rescinding the administrative review of the countervailing duty (CVD) order on circular welded carbon quality steel pipe (circular welded pipe) from the People's Republic of China (PRC) for the period January 1, 2012, through December 31, 2012.

**DATES:** *Effective Date:* January 31, 2014.

**FOR FURTHER INFORMATION CONTACT:** Mary Kolberg; AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW.,

Washington, DC 20230; telephone: (202) 482-1785.

### Background

On August 28, 2013, the Department initiated an administrative review of the CVD order on circular welded pipe from the PRC with respect to 19 companies for the period January 1, 2012, through December 31, 2012, based on a request from Wheatland Tube Company (Wheatland).<sup>1</sup> On December 9, 2013, Wheatland withdrew its request for an administrative review. No other party requested a review.

### Rescission of Administrative Review

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review, in whole or in part, if the party that requested a review withdraws the request within 90 days of the publication of the notice of initiation of the requested review. In this case, Wheatland withdrew its request within the 90-day deadline as extended,<sup>2</sup> and no other parties requested an administrative review of the CVD order. Therefore, in accordance with 19 CFR 351.213(d)(1), we are rescinding the administrative review of circular welded pipe from the PRC covering the period January 1, 2012, through December 31, 2012.

### Assessment

The Department will instruct U.S. Customs and Border Protection (CBP) to assess CVDs on all appropriate entries of circular welded pipe from the PRC during the period of review at rates equal to the cash deposit of estimated CVDs required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions to CBP 15 days after the date of publication of this notice of rescission of administrative review.

### Notifications

This notice serves as a final reminder to importers of their responsibility

<sup>1</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 78 FR 53128 (August 28, 2013).

<sup>2</sup> The 90-day deadline for withdrawal would have been November 26, 2013. However, as explained in the memorandum from the Assistant Secretary for Enforcement and Compliance, the Department exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from October 1, through October 16, 2013. See Memorandum for the Record from Paul Piquado, Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Shutdown of the Federal Government" (October 18, 2013). Therefore, the revised deadline for withdrawal was December 12, 2013.

under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of CVDs prior to liquidation of the relevant entries during this review period.

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

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: January 27, 2014.

**Christian Marsh,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-533-844]

### Certain Lined Paper Products from India: Notice of Partial Rescission of Countervailing Duty Administrative Review: 2012

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

**DATES:** *Effective Date:* January 31, 2014.

**FOR FURTHER INFORMATION CONTACT:** John Conniff, Office III, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-1009.

### SUPPLEMENTARY INFORMATION:

#### Background

On September 3, 2013, the Department of Commerce (the Department) published a notice of opportunity to request an administrative review of the countervailing duty order on certain lined paper products from India.<sup>1</sup> On September 30, 2013, Navneet

<sup>1</sup> See *Initiation of Antidumping or Countervailing Duty Order, Finding or Suspended Investigation*;

Continued