DEPARTMENT OF COMMERCE

International Trade Administration

[A–427–820]

Stainless Steel Bar from France: Final Results of Antidumping Duty Administrative Review

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

SUMMARY: On January 23, 2006, the Department of Commerce published the preliminary results of the 2004 - 2005 administrative review of the antidumping duty order on stainless steel bar from France. The review covers one manufacturer/exporter, Ugitech S.A. (Ugitech). The period of review is March 1, 2004, through February 28, 2005.

Based on our analysis of the comments received, we have made changes in the margin calculations. Therefore, the final results differ from the preliminary results. The final weighted–average dumping margin for the reviewed firm is listed below in the section entitled ''Final Results of Review.''

EFFECTIVE DATE: May 31, 2006.

FOR FURTHER INFORMATION CONTACT: David J. Goldberger or Terre Keaton, 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) 482–4136 or (202) 482–1280, respectively.

SUPPLEMENTARY INFORMATION:

Background

The review covers one manufacturer/exporter: Ugitech. The period of review is March 1, 2004, through February 28, 2005.

On January 23, 2006, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on stainless steel bar from France (71 FR 3463) (*Preliminary Results*). We invited interested parties to comment on the preliminary results of review.

Ugitech and the petitioners[1] filed case briefs on March 1, 2006, and rebuttal briefs on March 8, 2006. Neither party requested a hearing. We have conducted this administrative review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order

For purposes of this order, the term ''stainless steel bar'' includes articles of stainless steel in straight lengths that have been either hot–rolled, forged, turned, cold–drawn, cold–rolled or otherwise cold–finished, or ground, having a uniform solid cross section along their whole length in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles, hexagons, octagons, or other convex polygons. SSB includes cold–finished stainless steel bars that are turned or ground in straight lengths, whether produced from hot–rolled bar or from straightened and cut rod or wire, and reinforcing bars that have indentations, ribs, grooves, or other deformations produced during the rolling process.

Except as specified above, the term does not include stainless steel semi–finished products, cut length flat–rolled products (*i.e.*, cut length rolled products which if less than 4.75 mm in thickness have a width measuring at least 10 times the thickness, or if 4.75 mm or more in thickness having a width which exceeds 150 mm and measures at least twice the thickness), products that have been cut from stainless steel sheet, strip or plate, wire (*i.e.*, cold–formed products in coils, of any uniform solid cross section along their whole length, which do not conform to the definition of flat–rolled products), and angles, shapes and sections.

The SSB subject to this order is currently classifiable under subheadings 7222.11.00.05, 7222.11.00.50, 7222.19.00.05, 7222.19.00.50, 7222.20.00.05, 7222.20.00.45, 7222.20.00.75, and 7222.30.00.00 of the *Harmonized Tariff Schedule of the United States* (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this antidumping duty administrative review are addressed in the ''Issues and Decision Memorandum'' (*Decision Memo*) from Stephen J. Claeys, Deputy Assistant Secretary for Import Administration, to David M. Spooner, Assistant Secretary for Import Administration, dated May 23, 2006, which is hereby adopted by this notice. A list of the issues which parties have raised and to which we have responded, all of which are in the *Decision Memo*, is attached to this notice as an Appendix. 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 in the Central Records Unit, room B–099 of the main Department building. In addition, a complete version of the *Decision Memo* can be accessed directly on the Web at *http://ia.ita.doc.gov/frn*. The paper copy and electronic version of the *Decision Memo* are identical in content.

Changes from the Preliminary Results

Based on the information submitted and our analysis of the comments received, we have made certain changes to the margin calculations for Ugitech.

Specifically, in the comparison market program, we corrected a programming error associated with the arm's–length test, which caused all of the sales to one home market customer, who was affiliated with Ugitech for only a portion of the POR, to be excluded from the comparison sales data base, rather than only those sales made while it was affiliated with Ugitech. In the margin program, we revised our calculation of the importer–specific assessment rate, which was improperly calculated due to a unit conversion error. (*See* page 2 of the *Decision Memo*).

Final Results of Review

We determine that the following weighted–average margin percentage exists:

Manufacturer/exporter	Margin (percent)
Ugitech S.A	9.68

Assessment

The Department shall determine, and U.S. Customs and Border Protection (''CBP'') shall assess, antidumping duties on all appropriate entries, in accordance with 19 CFR 351.212(b). The Department will issue appropriate appraisement instructions for the company subject to this review directly to CBP within 15 days of publication of these final results of review. In accordance with 19 CFR 351.106(c), we will instruct CBP to assess antidumping duties on all appropriate entries covered by this review if any importer–specific assessment rate calculated in the final results of this review is above *de minimis* (*i.e.*, is not less than 0.50 percent *ad valorem*). We calculated importer–specific assessment rates for the subject merchandise by aggregating the dumping margins calculated for all the U.S. sales examined and dividing this amount by the total entered value of the sales examined.

[1] The petitioners include the following companies: Carpenter Technology Corporation; Crucible Specialty Metals Division, Crucible Materials Corporation; and Electroalloy Corporation, a Division of G.O. Carlson, Inc.

The Department clarified its ''automatic assessment'' regulation on May 6, 2003 (68 FR 23954). This clarification will apply to entries of subject merchandise during the period of review produced by the company included in these final results of review for which the reviewed company did not know its merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the ''All Others'' rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) The cash deposit rate for Ugitech will be 9.68 percent; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company–specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original less–than-fair–value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 3.90 percent. This rate is the ''All Others'' rate from the LTFV investigation. These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

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 occurred and the subsequent assessment of doubled antidumping duties.

This notice serves as the only 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.

We are issuing and publishing this determination and notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: May 23, 2006.

David M. Spooner,

Assistant Secretary for Import Administration.

Appendix–List of Issues

Comment 1: Levels of Trade in the Home Market

Comment 2: Whether to Allow Certain Additions to the U.S. Sales Price

Comment 3: Whether to Collapse Certain Grade Codes for Product Matching

Comment 4: Whether to Recalculate U.S. Inventory Carrying Expenses for the Further Manufactured U.S. Sales

[FR Doc. E6–8387 Filed 5–30–06; 8:45 am]

BILLING CODE 3510–DS–S

DEPARTMENT OF COMMERCE

International Trade Administration

[A–489–807]

Certain Steel Concrete Reinforcing Bars from Turkey; Notice of Amended Final Results Pursuant to Court Decision

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

SUMMARY: On March 13, 2006, the United States Court of International Trade (CIT) sustained the final remand redetermination made by the Department of Commerce (the Department) pursuant to the CIT's remand of the final results of the 2002–2003 administrative review of certain steel concrete reinforcing bars (rebar) from Turkey. *See Colakoglu Metalurji A.S. v. United States*, 2006 Ct. Intl. Trade LEXIS 36; Slip Op. 2006–36 (Mar. 13, 2006) (Colakoglu Remand). In this remand, the Department recalculated the margin for Colakoglu Metalurji A.S. and Colakoglu Dis Ticaret (collectively ''Colakoglu''), a Turkish exporter/producer of subject merchandise, to use Colakolgu's reported ''order'' date as the U.S. date of sale. Because all litigation in this matter has now concluded, the Department is issuing its amended final results in accordance with the CIT's decision.

EFFECTIVE DATE: May 31, 2006.

FOR FURTHER INFORMATION CONTACT: Irina Itkin or Alice Gibbons, 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) 482–0656 or (202) 482–0498, respectively.

SUPPLEMENTARY INFORMATION:

Background

On November 8, 2004, the Department published its final results, covering the period of review from April 1, 2002, through March 31, 2003. *See Certain Steel Concrete Reinforcing Bars From Turkey; Final Results, Rescission of Antidumping Duty Administrative Review in Part, and Determination Not To Revoke in Part*, 69 FR 64731 (Nov. 8, 2004) (*Final Results*), as corrected by *Certain Steel Concrete Reinforcing Bars From Turkey; Corrected Final Results of Antidumping Duty Administrative Review*, 69 FR 68883 (Nov. 26, 2004). In May 2004, Colakoglu contested the Department's date–of-sale methodology for its U.S. sales. On September 27, 2005, the CIT remanded this issue to the Department for further review based on the Department's request to reconsider this issue. *See Colakoglu Metalurji A.S. v. United States*, 394 F.Supp.2d 1379 (CIT 2005).

On November 18, 2005, the Department issued the draft results of redetermination pursuant to remand (draft results) for comment by interested parties. In the draft results, the Department explained that upon reconsideration of the date–of-sale methodology used for Colakoglu, it found that the material terms of sale for Colakoglu's U.S. sales were established at the order date. Therefore, the Department stated that it would recalculate the margin using Colakoglu's reported order date as the date of sale.

On November 28, 2005, the Department received comments on the draft results from Gerdau AmeriSteel Corporation, Commercial Metals Company (SMI Steel Group), and Nucor Corporation (collectively ''the petitioners''). On November 30, 2006, the Department received rebuttal comments from Colakoglu. On January 13, 2006, the Department issued its final results of redetermination pursuant to remand to the CIT. After analyzing the comments submitted by interested parties, the Department continued to find that the appropriate date of sale for Colakolgu's U.S. sales for the time period in question was the order date.

On March 13, 2006, the CIT found that the Department complied with the