DEPARTMENT OF COMMERCE
International Trade Administration

[A–570–888]

Floor—Standing Metal—Top Ironing Tables and Certain Parts Thereof from the People’s Republic of China: Extension of Time Limit for Final Results of Administrative Review

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

DATES: Effective Date: December 27, 2010.

FOR FURTHER INFORMATION CONTACT: Michael Heaney or Robert James, 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) 482–4475 or (202) 482–0649, respectively.

SUPPLEMENTARY INFORMATION: On September 14, 2010, the Department of Commerce (the Department) published the preliminary results of its 2008–2009 administrative review of the antidumping duty order of floor-standing, metal-top ironing tables and certain parts thereof from the People’s Republic of China. See Floor-Standing, Metal-Top Ironing Tables and Certain Parts Thereof From the People’s Republic of China: Preliminary Results of Antidumping Duty Administrative Review 75 FR 55754 (September 14, 2010). The current deadline for the final results of this review is January 12, 2011.

Extension of Time Limit for Final Results

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act) requires the Department to issue the final results of this administrative review within 120 days after the date on which the preliminary results were published in the Federal Register. However, if it is not practicable to complete the review within this time period, the Department may extend the time period to issue the final results. See section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

The Department finds that it is not practicable to complete this review within the original time frame. In order to fully evaluate the issues raised by all interested parties concerning the correct method for calculating labor rates and other case issues, we are extending the time frame for completion of this review. Consequently, in accordance with section 751(2)(3)(A) of the Act and 19 CFR 351.213(h)(2), the Department is extending the time period for issuing the final results of review by 60 days. Therefore, the final results will be due no later than March 13, 2011. As March 13, 2011 falls on a Sunday, our final results will be issued no later than Monday March 14, 2011.

This notice is published in accordance with section 771(i) of the Act.

Christian Marsh,
Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

DEPARTMENT OF COMMERCE
International Trade Administration

[A–475–818]

Certain Pasta From Italy: Notice of Final Results of the Thirteenth Antidumping Duty Administrative Review

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

SUMMARY: On August 6, 2009, the Department of Commerce (the Department) published the preliminary results of the thirteenth administrative review of antidumping duty orders on certain pasta from Italy. See Certain Pasta From Italy: Preliminary Results of Antidumping Duty Administrative Review 74 FR 55759 (September 14, 2010). The current deadline for the final results of this review is January 12, 2011.

Extension of Time Limit for Final Results

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act) requires the Department to issue the final results of this administrative review within 120 days after the date on which the preliminary results were published in the Federal Register. However, if it is not practicable to complete the review within this time period, the Department may extend the time period to issue the final results. See section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

The Department finds that it is not practicable to complete this review within the original time frame. In order to fully evaluate the issues raised by all interested parties concerning the proper source of financial ratios, the correct method for calculating labor rates and other case issues, we are extending the time frame for completion of this review. Consequently, in accordance with section 751(2)(3)(A) of the Act and 19 CFR 351.213(h)(1), the Department is extending the time period for issuing the final results of review by 60 days. Therefore, the final results will be due no later than March 13, 2011. As March 13, 2011 falls on a Sunday, our final results will be issued no later than Monday March 14, 2011.

This notice is published in accordance with section 771(i) of the Act.

Christian Marsh,
Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.
review for the antidumping duty order on certain pasta from Italy. The review covers two manufacturers/exporters: Pastificio Lucio Garofalo (Garofalo) and Pastificio Attilio Mastromauro-Pasta Granoro S.r.l. (Granoro). The period of review (POR) is July 1, 2008, through June 30, 2009. Granoro and Garofalo were selected as mandatory respondents. 1

As a result of our analysis of the comments received, the final results differ from the preliminary results for Granoro and Garofalo. The final weighted-average dumping margins for these companies are listed below in the “Final Results of Review” section of this notice.

DATES: Effective Date: December 27, 2010.

FOR FURTHER INFORMATION CONTACT: Victoria Cho (Garofalo) and Jolanta Lawska (Granoro), AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482–5075 and (202) 482–4161, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 16, 2010, the Department published the preliminary results of the thirteenth administrative review of the antidumping duty order on certain pasta from Italy. See Certain Pasta From Italy: Notice of Preliminary Results of Antidumping Duty Administrative Review, 75 FR 49907 (August 16, 2010) (Preliminary Results).


Scope of the Order

Imports covered by this order are shipments of certain non-egg dry pasta in packages of five pounds four ounces or less, whether or not enriched or fortified or containing milk or other optional ingredients such as chopped vegetables, vegetable purees, milk, gluten, diastasis, vitamins, coloring and flavorings, and up to two percent egg white. The pasta covered by this scope is typically sold in the retail market, in fibberboard or cardboard cartons, or polyethylene or polypropylene bags of varying dimensions.

Excluded from the scope of this order are refrigerated, frozen, or canned pastas, as well as all forms of egg pasta, with the exception of non-egg dry pasta containing up to two percent egg white. Also excluded are imports of organic pasta from Italy that are accompanied by the appropriate certificate issued by the Instituto Mediterraneo Di Certificazione, by QC&I International Services, by Eccorit Italia, by Consorzio per il Controllo dei Prodotti Biologici, by Associazione Italiana per l’Agricoltura Biologica, by Codex S.r.l., by Bioagricert S.r.l., or by Instituto per la Certificazione Etica e Ambientale. Effective July 1, 2008, gluten free pasta is also excluded from this order. See Certain Pasta from Italy: Notice of Final Results of Antidumping Duty Changed Circumstances Review and Revocation, in Part, 74 FR 41120 (August 14, 2009).

The merchandise subject to this order is currently classifiable under items 1902.19.20 and 1901.90.9095 of the Harmonized Tariff Schedule of the United States (HTUS). Although the HTUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to the order is dispositive.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the Issues and Decision Memorandum, dated concurrent with this notice and which is hereby adopted by this notice. A list of the issues which parties have raised, and to which we have responded in the Issues and Decision Memorandum, is attached to this notice as an Appendix. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Web at http://ia.ita.doc.gov/frn/, and is on file in the Central Records Unit, main Commerce Building, Room 7046. The paper copy and electronic version of the Issues and Decision Memorandum are identical in content.

Changes Since the Preliminary Results

Garofalo

Regarding Garofalo, based on our analysis of the comments received, we made the following changes in calculating the dumping margin: (1) We relied on the revised and corrected charts and graphs submitted by Garofalo in conducting our quarterly cost linkage analysis and determined that application of the Department’s quarterly costing methodology was not warranted, and, as a result, changed the finding made in the Preliminary Results; (2) we increased Garofalo’s cost of manufacturing (COM) to account for the unreconciled difference between the COM from its normal books and records and the reported COM; and, (3) we used the reported allocation methodology to distribute other losses between fixed overhead and general and administrative expenses (G&A) which Garofalo excluded from the reported costs. See Issues and Decision Memorandum at Comment 1.

For further details on how these changes were applied in the calculation, see Memorandum from Angie Sepúlveda, Senior Accountant, to Neal M. Halper, Director, Office of Accounting, “Cost of Production and Constructed Value Calculation Adjustments for the Final Results—Pastificio Lucio Garofalo S.p.A.”, dated December 14, 2010 (Garofalo Cost Calculation Memo).

Granoro

Regarding Granoro, for the final results we increased the denominator of the G&A and financial expense ratios by the amount of the expenses for testing of pasta recorded in the 2008 audited financial statements. See Issues and Decision Memorandum at Comment 4. For further details on how these changes were applied in the calculation, see Memorandum from Ernest Z. Gziryans, Senior Accountant, to Neal M. Halper, Director, Office of Accounting, “Cost of Production and Constructed Value Calculation Adjustments for the Final Results—Pastificio Attilio Mastromauro—Pasta Granoro S.R.L.”, dated December 14, 2010 (Granoro Cost Calculation Memo).

Final Results of Review

We determine that the following weighted-average margins exist for the period July 8, 2008, through June 30, 2009:

<table>
<thead>
<tr>
<th>Manufacturer/exporter</th>
<th>Margin (percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Garofalo</td>
<td>3.61</td>
</tr>
<tr>
<td>Granoro</td>
<td>0.80</td>
</tr>
</tbody>
</table>

Duty Assessment

The Department shall determine and U.S. Customs and Border Protection (CBP) shall assess antidumping duties on all appropriate entries. Pursuant to 19 CFR 351.212(b)(1), the Department
calculated an assessment rate for each importer of the subject merchandise for each respondent. Upon issuance of the final results of this administrative review, if any importer-specific assessment rates calculated in the final results are above de minimis (i.e., at or above 0.5 percent), the Department will issue appraisement instructions directly to CBP to assess antidumping duties on appropriate entries.

To determine whether the duty assessment rates covering the period were de minimis, in accordance with the requirement set forth in 19 CFR 351.106(c)(2), for each respondent we calculated importer (or customer)-specific ad valorem rates by aggregating the dumping margins calculated for all U.S. sales to that importer or customer and dividing this amount by the total entered value of the sales to that importer (or customer). Where an importer (or customer)-specific ad valorem rate is greater than de minimis, and the respondent has reported reliable entered values, we apply the assessment rate to the entered value of the importer’s/customer’s entries during the review period. Where an importer (or customer)-specific ad valorem rate is greater than de minimis and we do not have reliable entered values, we calculate a per-unit assessment rate by aggregating the dumping duties due for all U.S. sales to each importer (or customer) and dividing this amount by the total quantity sold to that importer (or customer).

The Department clarified its “automatic assessment” regulation on May 6, 2003. See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties, 68 FR 23954 (May 6, 2003). This clarification will apply to entries of subject merchandise during the POR produced by the respondent for which it 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 antidumping duty deposit rates will be effective upon publication of the final results of this administrative review for all shipments of pasta from Italy entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results, as provided for by section 751(a)(1) of the Tariff Act of 1930, as amended (the Act): (1) If the exporter is not a firm covered in this review, but was covered in a previous review or the original less-than-fair-value (LTFV) investigation, the cash deposit rate will continue to be the company-specific rate established for the most recent period; (2) if the exporter is not a firm covered in this review, a prior review, or the 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 subject merchandise; and (3) if neither the exporter nor the manufacturer is a firm covered by this review, a prior review, or the LTFV investigation, the cash deposit rate will be 15.45 percent, the all-others rate established in the Section 129 determination. See Implementation of the Findings of the WTO Panel in US—Zereig (EO); Notice of Determinations Under Section 129 of the Uruguay Round Agreements Act and Revocations and Partial Revocations of Certain Antidumping Duty Orders, 72 FR 25261 (May 4, 2007). These cash deposit requirements shall remain in effect until further notice.

Notification to Importers

This notice 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 and/or countervailing 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 and/or countervailing duties occurred and the subsequent increase in antidumping duties by the amount of antidumping and/or countervailing duties reimbursed.

Notification Regarding APOs

This notice also serves as a reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(5). Timely written notification of the return/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 sanctionable violation.

This administrative review and notice are in accordance with sections 751(a)(1) and 777(i)(1) of the Act.


Ronald K. Lorentzen,
Deputy Assistant Secretary for Import Administration.

Appendix I

List of Comments in the Issues and Decision Memorandum

Comment 1: Use of Quarterly Cost Methodology for Garofalo

Comment 2: Whether the Department Should Include Transportation Recovery in the U.S. Sales Calculation

Comment 3: Whether the Department Should Modify its Liquidation Instructions to U.S. Customs and Border Protection

Comment 4: General and Administrative and Financial Expense Ratios

[FR Doc. 2010–32473 Filed 12–23–10; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–475–824]

Stainless Steel Sheet and Strip in Coils From Italy: Preliminary Results of the Full Second Five-Year (“Sunset”) Review of the Antidumping Duty Order

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

SUMMARY: On June 2, 2010, the Department of Commerce (“the Department”) initiated its second sunset review of the antidumping duty order on stainless steel sheet and strip in coils from Italy, pursuant to section 751(c) of the Tariff Act of 1930, as amended (“the Act”). The Department is conducting a full sunset review of the order pursuant to 751(c) of the Act and 19 CFR 351.218(e)(2)(i). As a result of this sunset review, the Department preliminarily finds that revocation of the antidumping duty order on stainless steel sheet and strip in coils from Italy would be likely to lead to continuation or recurrence of dumping.

FOR FURTHER INFORMATION CONTACT: David Cordell or Angelica Mendoza, 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) 482–0408, or (202) 482–3019, respectively.

SUPPLEMENTARY INFORMATION:

Background

On June 2, 2010, the Department published the notice of initiation of the sunset review of the antidumping duty order on stainless steel sheet and strip (“SSSS”) in coils from Italy, pursuant to...