Statutory Time Limits

In antidumping duty administrative reviews, section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the "Act"), requires the Department to make a preliminary determination within 245 days after the last day of the anniversary month of an order for which a review is requested and a final determination within 120 days after the date on which the preliminary results are published. However, if it is not practicable to complete the review within these time periods, section 751(a)(3)(A) of the Act allows the Department to extend the time limit for the preliminary determination to a maximum of 365 days after the last day of the anniversary month.

Extension of Time Limit for Preliminary Results of Review

We determine that it is not practicable to complete the preliminary results of this administrative review within the original time limit because the Department requires additional time to analyze questionnaire responses and to evaluate surrogate value submissions.

Therefore, the Department is extending the time limit for completion of the preliminary results of the administrative review by 30 days. The preliminary results will now be due no later than March 15, 2012. The final results continue to be due 120 days after the publication of the preliminary results.

We are issuing and publishing this notice in accordance with sections 751(a)(3)(A) and 777(i) of the Act.


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

[FR Doc. 2012–2794 Filed 2–6–12; 8:45 am]
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DEPARTMENT OF COMMERCE
International Trade Administration

Second Administrative Review of Sodium Hexametaphosphate From the People’s Republic of China: Extension of Preliminary Results

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

SUMMARY: The Department of Commerce (the "Department") is extending the time limit for the preliminary results of the administrative review of sodium hexametaphosphate ("sodium hex") from the People’s Republic of China ("PRC"). The review covers the period March 1, 2010, through February 28, 2011.

DATES: Effective Date: February 7, 2012.


Background

On April 27, 2011, the Department published in the Federal Register a notice of initiation of the administrative review of the antidumping duty order on sodium hex from the PRC.\(^1\) On November 29, 2011 the Department extended the deadline for the preliminary results of this review to January 30, 2012.\(^2\)

\(^1\) In the Initiation Notice, we listed names by which certain companies are also known, or were formerly known, as reflected in the February 25, 2011, request for an administrative review submitted by the petitioners, SGL Carbon LLC and Superior Graphite, Co.

Therefore, we are extending the time period for issuing the preliminary results of this review by an additional 25 days until February 28, 2012. This notice is published in accordance with section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2).

Dated: January 31, 2012,

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

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DEPARTMENT OF COMMERCE
International Trade Administration

A–122–853

Citric Acid and Certain Citrate Salts From Canada: Preliminary Results of Antidumping Duty Administrative Review

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

SUMMARY: In response to a timely request by one manufacturer/exporter, Jungbunzlauer Canada Inc. (JBL Canada), the Department of Commerce (the Department) is conducting the second administrative review of the antidumping duty order on citric acid and certain citrate salts (citric acid) from Canada with respect to JBL Canada. The review covers the period May 1, 2010, through April 30, 2011. We preliminarily determine that JBL Canada made sales below normal value (NV).

If the preliminary results are adopted in the final results of the administrative review, we will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries. Interested parties are invited to comment on the preliminary results.

FOR FURTHER INFORMATION CONTACT: Rebecca Trainor or Kate Johnson, 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) 482–4007 or (202) 482–4929, respectively.

SUPPLEMENTARY INFORMATION:

Background


On June 29, 2011, we issued the antidumping duty questionnaire to JBL Canada. In August 2011, we received responses to sections A (i.e., the section covering general information about the company), B (i.e., the section covering comparison-market sales), and C (i.e., the section covering U.S. sales). On September 22, 2011, we issued to JBL Canada a supplemental questionnaire with respect to sections A, B, and C of the original questionnaire and we received a response on October 6, 2011.

Scope of the Order

The scope of this order includes all grades and granulation sizes of citric acid, sodium citrate, and potassium citrate in their unblended forms, whether dry or in solution, and regardless of packaging type. The scope also includes blends of citric acid, sodium citrate, and potassium citrate; as well as blends with other ingredients, such as sugar, where the unblended form(s) of citric acid, sodium citrate, and potassium citrate constitute 40 percent or more, by weight, of the blend.

The scope of this order also includes all forms of crude calcium citrate, including dicalcium citrate monohydrate, and tricalcium citrate tetrahydrate, which are intermediate products in the production of citric acid, sodium citrate, and potassium citrate.

The scope of this order does not include calcium citrate that satisfies the standards set forth in the United States Pharmacopoeia and has been mixed with a functional excipient, such as dextrose or starch, where the excipient constitutes at least 2 percent, by weight, of the product. The scope of this order includes the hydrous and anhydrous forms of citric acid, the dihydrate and anhydrous forms of sodium citrate, otherwise known as citric acid sodium salt, and the monohydrate and monopotassium forms of potassium citrate. Sodium citrate also includes both trisodium citrate and monosodium citrate, which are also known as citric acid trisodium salt and citric acid monosodium salt, respectively. Citric acid and potassium citrate are classifiable under 2918.14.00 and 2918.15.00 of the Harmonized Tariff Schedule of the United States (HTSUS), respectively. Potassium citrate and crude calcium citrate are classifiable under 2918.15.5000 and 3824.90.9290 of the HTSUS, respectively. Blends that include citric acid, sodium citrate, and potassium citrate are classifiable under 3824.90.9290 of the HTSUS. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

Period of Review

The period of review (POR) is May 1, 2010, through April 30, 2011.

Duty Absorption

On July 28, 2011, the petitioners requested that the Department determine whether antidumping duties had been absorbed during the POR. Section 751(a)(4) of the Tariff Act of 1930, as amended (the Act), provides for the Department, if requested, to determine during an administrative review initiated two or four years after the publication of the order, whether antidumping duties have been absorbed by a foreign producer or exporter, if the subject merchandise is sold in the United States through an affiliated importer. This review was initiated two years after the publication of the order. See Initiation Notice: Citric Acid and Certain Citrate Salts from Canada and the People’s Republic of China: Antidumping Duty Orders, 74 FR 25703 (May 29, 2009) (Citric Acid Duty Orders).

In determining whether the antidumping duties have been absorbed by JBL Canada, we presume the duties will be absorbed for constructed export price (CEP) sales that have been made at less than NV. This presumption can be rebutted with evidence (e.g., an agreement between the affiliated importer and unaffiliated purchaser) that the unaffiliated purchaser will pay the full duty ultimately assessed on the subject merchandise. See, e.g., Certain Stainless Steel Butt-Weld Pipe Fittings from Taiwan: Preliminary Results of Antidumping Duty Administrative Review and Notice of Intent to Rescind in Part, 70 FR 39735, 39737 (July 11, 2005), unchanged in Notice of Final Results and Final Rescission in Part of Antidumping Duty Administrative Review: Certain Stainless Steel Butt-Weld Pipe Fittings From Taiwan, 70 FR 73727 (December 13, 2005). On August 9, 2011, we requested proof that JBL Canada’s unaffiliated purchasers would ultimately pay the antidumping duties to be assessed on entries during the POR. On September 20, 2011, JBL

1 No responses to sections D or E of the questionnaire (i.e., cost of production information and further manufacturing information, respectively).

2 Archer Daniels Midland Company, Incorporated, and Tate & Lyle Americas LLC.