DEPARTMENT OF COMMERCE
International Trade Administration
[45x465]AGENCY: Import Administration, International Trade Administration, Department of Commerce.
SUMMARY: The Department of Commerce (“Department”) is conducting the administrative review of the antidumping duty order on magnesium metal from the People’s Republic of China (“PRC”). The period of review (“POR”) is April 1, 2011, through March 31, 2012. This review covers one PRC company, Tianjin Magnesium International, Co., Ltd. (“TMI”). The Department preliminarily finds that TMI did not have reviewable transactions during the POR.
DATES: Effective Date: January 9, 2013.
FOR FURTHER INFORMATION CONTACT: Laurel LaCivita or Eugene Degnan, AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–4243 or (202) 482–0414, respectively.
Scope of the Order
The product covered by this antidumping duty order is magnesium metal from the PRC, which includes primary and secondary alloy magnesium metal, regardless of chemistry, raw material source, form, shape, or size. The merchandise subject to this order is classifiable under items 8104.19.00, and 8104.30.00 of the Harmonized Tariff Schedule of the United States (“HTSUS”). Although the HTSUS number is provided for convenience and customs purposes, the written product description, available in Notice of Antidumping Duty Order: Magnesium Metal From the People’s Republic of China, 70 FR 19928 (April 15, 2005), remains dispositive.
Background
On April 2, 2012, the Department published a notice of opportunity to request an administrative review of the antidumping duty order on magnesium metal from the PRC for the period April 1, 2011 through March 31, 2012.1 On April 30, 2012, U.S. Magnesium LLC (“U.S. Magnesium”), a domestic producer and Petitioner in the underlying investigation of this case, made a timely request that the Department conduct an administrative review of TMI.2 On May 29, 2012, in accordance with section 751(a) of the Tariff Act of 1930, as amended (“the Act”), the Department published in the Federal Register a notice of initiation of this antidumping duty administrative review.3 On June 1, 2012, TMI submitted a letter to the Department certifying that it did not export magnesium metal for consumption in the United States during the POR.4 On July 17, 2012, the Department placed on the record information obtained in response to the Department’s query to U.S. Customs and Border Protection (“CBP”) concerning the results of the CBP query.5 This information indicates that there were no entries of subject merchandise during the POR that had been exported by TMI.6 In addition, on July 20, 2012, we notified CBP that we were in receipt of a no-shipment certification from TMI and requested CBP to report any contrary information within 10 days.7 CBP did not report any contrary information.
As explained in the memorandum from the Assistant Secretary for Import Administration, the Department has exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from October 29, through October 30, 2012. Thus, all deadlines in this segment of the proceeding have been extended by two days. The revised deadline for the preliminary results of review is Wednesday, January 2, 2013, and the revised deadline for the final results of review is Thursday, May 2, 2013.8
Preliminary Determination of No Shipments
As noted in the “Background” section above, TMI submitted a timely-filed certification indicating that it had no shipments of subject merchandise to the United States during the POR. In addition, CBP did not provide any evidence that contradicts TMI’s claim of no shipments.9 Further, on July 17, 2012, the Department released to interested parties the results of a CBP query that it intended to use for corroboration of TMI’s no shipment claims. The Department received no comments from interested parties concerning the results of the CBP query.
Based on TMI’s certification and our analysis of CBP information, we preliminarily determine that TMI did not have any reviewable transactions during the POR. In addition, the Department finds that consistent with its recently announced refinement to its assessment practice in NME cases, it is appropriate not to rescind the review in part in this circumstance but, rather, to complete the review with respect to TMI and issue appropriate instructions to CBP based on the final results of the review. See Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties, 76 FR 65694 (October 24, 2011) and the “Assessment Rates” section, below.
Public Comment
Interested parties are invited to comment on the preliminary results and may submit case briefs and/or written comments within 30 days of the date of publication of this notice, pursuant to 19 CFR 351.309(c)(1)(i)(ii). Rebuttal briefs, limited to issues raised in the case briefs, will be due five days after the due date for case briefs, pursuant to 19 CFR 351.309(d). Parties who submit case or rebuttal briefs in this proceeding are requested to submit with each argument a statement of the issue, a summary of the argument not to exceed five pages, and a table of statutes, regulations, and cases cited, in accordance with 19 CFR 351.309(c)(2).
Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, filed electronically using Import Administration’s Antidumping and Countervailing Duty Centralized Electronic Service System (“IA ACCESS”). IA ACCESS is available to registered users at http://

See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review, 77 FR 19621 (April 2, 2012).

1See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review, 77 FR 19621 (April 2, 2012).
7See Memorandum to the File, “Magnesium Metal From the People’s Republic of China: Tolling of Deadlines,” dated November 1, 2012.
8See CBP Query.
9See CBP Query.
SUMMARY:

DATES:

Effective Date: January 9, 2013.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–891]

Hand Trucks and Certain Parts Thereof From the People’s Republic of China: Preliminary Results of the 2010–2011 Antidumping Duty Administrative Review

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

DATES: Effective Date: January 9, 2013.

SUMMARY: The Department of Commerce (the Department) is currently conducting an administrative review of the antidumping duty order on hand trucks and certain parts thereof (hand trucks) from the People’s Republic of China (PRC) covering the period of review (POR) of December 1, 2010, through November 30, 2011. We preliminarily determine that sales made by New-Tec Integration (Xiamen) Co., Ltd. (New-Tec) were below normal value (NV). In addition, we are not rescinding this review with respect to WelCom Products, Inc. (WelCom), Yangjiang Shunhe Industrial Co., Ltd. and Yangjiang Shunhe Industrial & Trade Co., Ltd. (collectively, Shunhe), and Yuhuan Tongsheng Industry Company (Tongsheng) at this time (see “Intent Not to Rescind in Part,” infra). We invite interested parties to comment on these preliminary results.

FOR FURTHER INFORMATION CONTACT:

Scott Hoelfke, 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) 482–4947 or (202) 482–0649, respectively.

SUPPLEMENTARY INFORMATION:

Scope of the Order

The merchandise subject to the order consists of hand trucks manufactured from any material, whether assembled or unassembled, complete or incomplete, suitable for any use, and certain parts thereof, namely the vertical frame, the projecting edges or toe plate, and any combination thereof. They are typically imported under heading 8716.80.50.10 of the Harmonized Tariff Schedule of the United States (HTSUS), although they may also be imported under heading 8716.80.50.90. and 8716.90.50.60. Although the HTSUS subheadings are provided for convenience and customs purposes only, the written product description, available in Notice of Antidumping Duty Order: Hand Trucks and Certain Parts Thereof From the People’s Republic of China, 69 FR 70122 (December 2, 2004), remains dispositive.

Intent Not To Rescind Review in Part

For those companies named in the Initiation Notice1 for which all review requests have been withdrawn, but which have not previously received separate rate status, the Department’s practice is to refrain from rescinding the review with respect to these companies at this time. Both Tongsheng and WelCom timely withdrew their requests for review. While the requests for review were timely withdrawn, the companies remain part of the PRC-wide entity. Additionally, we preliminarily find that Shunhe has no reviewable entries at this time. Although the PRC-