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DEPARTMENT OF COMMERCE

International Trade Administration

[A-588-602]

Certain Carbon Steel Butt-Weld Pipe Fittings From Japan; Negative Preliminary Determination of Circumvention of Antidumping Duty Order

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

ACTION: Notice of Negative Preliminary Determination of Circumvention of Antidumping Duty Order.

SUMMARY: On March 22, 1994, the Department of Commerce (the Department) received a request for a circumvention inquiry on the antidumping duty order on certain carbon steel butt-weld pipe fittings (butt-weld pipe fittings) from Japan, with respect to imports of Awaji Sangyo (Thailand) Co., Ltd. (AST). Pursuant to that request, the Department initiated a circumvention inquiry on October 31, 1994 (59 FR 54433).

We preliminarily determine that AST is not circumventing the antidumping duty order on butt-weld pipe fittings from Japan. Interested parties are invited to comment on this preliminary determination.

EFFECTIVE DATE: September 20, 1995.

FOR FURTHER INFORMATION CONTACT: Donald Little or Maureen Flannery, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington D.C. 20230; telephone (202) 482-4733.

APPLICABLE STATUTE AND REGULATIONS: Unless otherwise stated, all citations to the statute and the Department's regulations are in reference to the provisions as they existed on December 31, 1994.

SUPPLEMENTARY INFORMATION:

Background

On March 22, 1994, the Department received a petition from the U.S. Fittings Group (the petitioner) requesting that the Department conduct a circumvention inquiry on the antidumping duty order on certain carbon steel butt-weld pipe fittings from Japan (52 FR 4167 (February 10, 1987)). The petitioner is an *ad hoc* trade association of domestic producers of butt-weld pipe fittings whose members currently consist of Hackney, Inc., Ladish Co., Inc., Mill Iron Works, Inc., Steel Forgings, Inc., and Tube Forgings of America, Inc.

The petitioner alleged that unfinished pipe fittings from Japan are being finished in Thailand by AST, and thereafter imported into the United States free of any antidumping duties. The Department initiated a circumvention inquiry on October 31, 1994 (59 FR 54433).

Scope of the Circumvention Inquiry

The products covered by this inquiry are certain carbon steel butt-weld type pipe fittings, other than couplings, under 14 inches in inside diameter, whether finished or unfinished, that have been formed in the shape of elbows, tees, reducers, caps, etc., and, if forged, have been advanced after forging. These advancements may include any one or more of the following: coining, heat treatment, shot blasting, grinding, die stamping or painting. These fittings are currently provided for under item 7307.93.30

Induction pipe bends classifiable under item 7307.93.30 which have at one or both ends tangents that equal or exceed 12 inches in length are excluded from the scope of this inquiry.

The inquiry covers one manufacturer/exporter of butt-weld pipe fittings, AST. The period of inquiry is October 1, 1993 through September 30, 1994.

Case History

The Department sent an anti-circumvention questionnaire to AST on January 3, 1995. On January 9, 1995, AST replied that it had not sold or exported any butt-weld pipe fittings to the United States manufactured from Japanese unfinished butt-weld pipe fittings during the period for which the Department requested such information, or subsequent to that period. AST

requested that the Department therefore terminate the inquiry.

In submissions of January 17, 1995, and February 3, 1995, petitioner argued that the Department should change the period of inquiry to January 1991 through August 1993, so as to include the time frame from which the evidence in the anti-circumvention petition was drawn. Petitioner also claimed that, since the Department did not initiate the inquiry until approximately seven months after the petition was filed, AST had ample opportunity to change its business practices in response to the petition, and the period after the date of the petition is therefore inherently unrepresentative.

On January 20, 1995, AST submitted additional comments and additional support for its request to terminate the inquiry. AST stated that it had not altered its behavior as a result of the anti-circumvention petition. AST stated that it had not exported any butt-weld pipe fittings to the United States manufactured from Japanese unfinished butt-weld pipe fittings since the period the Department reviewed in the circumvention inquiry regarding the antidumping duty order on carbon steel butt-weld pipe fittings from the People's Republic of China (PRC) (which ended August 31, 1993).

Negative Preliminary Determination of Circumvention Inquiry

Because record evidence concerning AST's production capabilities during the period of inquiry supports AST's assertion that it did not sell or export any butt-weld pipe fittings to the United States manufactured from Japanese unfinished butt-weld pipe fittings during the period of this circumvention inquiry and because evidence indicates that this fact was not in any way influenced by the filing of a request to conduct this inquiry, the Department preliminarily determines that extension of the period of inquiry is unwarranted and that no circumvention of the antidumping duty order is occurring within the meaning of section 781(b) of the Tariff Act.

Any interested party may request a hearing within ten days of publication of this notice. Any hearing, if requested, will be held approximately 44 days after the publication of this notice. Interested parties may submit written comments (case brief) within 30 days of the date of publication of this notice. Rebuttal

comments (rebuttal briefs), which must be limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication. The Department will publish its final determination of this circumvention inquiry, including the results of its analysis of issues raised in any such written comments.

This preliminary negative determination of circumvention is in accordance with section 781(b) of the Tariff Act (19 U.S.C. 1677j(b)) and 19 C.F.R. 353.29(f).

September 13, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

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[A-570-808]

Chrome-Plated Lug Nuts From the People's Republic of China; Final Results of Antidumping Administrative Review

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

ACTION: Notice of Final Results of the Antidumping Duty Administrative Review of Chrome-Plated Lug Nuts from the People's Republic of China.

SUMMARY: On April 20, 1995, the Department of Commerce (the Department) published in the Federal Register the preliminary results of its 1991-1992 and 1992-1993 administrative reviews of the antidumping duty order on chrome-plated lug nuts (lug nuts) from the People's Republic of China (PRC) (60 FR 19720). These reviews cover shipments of this merchandise to the United States during the periods April 18, 1991, through August 31, 1992, and September 1, 1992, through August 31, 1993. We gave interested parties an opportunity to comment on our preliminary results. Based upon our analysis of the comments received we have changed the results from those presented in the preliminary results of review.

EFFECTIVE DATE: October 20, 1995.

FOR FURTHER INFORMATION CONTACT: Donald Little, Elisabeth Urfer, or Maureen Flannery, Office of Antidumping Compliance, Import Administration, International Trade

Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington D.C. 20230; telephone (202) 482-4733.

Applicable Statute and Regulations

Unless otherwise stated, all citations to the statute and to the Department's regulations are references to the provisions as they existed on December 31, 1994.

SUPPLEMENTARY INFORMATION:

Background

The Department published in the Federal Register an antidumping duty order on lug nuts from the PRC on April 24, 1992 (57 FR 15052). On September 11, 1992, and September 7, 1993, the Department published in the Federal Register (57 FR 41725 and 58 FR 47116), respectively, notices of opportunity to request administrative reviews of the antidumping duty order on lug nuts from the PRC covering the periods April 18, 1991, through August 31, 1992, (91-92 review) and September 1, 1992, through August 31, 1993 (92-93 review).

For the 91-92 review, in accordance with 19 CFR 353.22(a)(1994), the petitioner, Consolidated International Automotive, Inc. (Consolidated), requested that we conduct an administrative review of China National Automotive Industry I/E Corp.; China National Machinery & Equipment Import and Export Corporation, Jiangsu Co., Ltd. (Jiangsu); Rudong Grease Gun Factory (Rudong); China National Automotive Industry Shanghai Automobile Import & Export Corp. (Shanghai Automobile); Chu Fong Metallic Industrial Corporation (Chu Fong); and San Chien Electric Industrial Works, Ltd. (San Chien). We published a notice of initiation of this antidumping duty administrative review on October 22, 1992 (57 FR 48201).

For the 92-93 review, in accordance with 19 CFR 353.22(a), Consolidated requested that we conduct an administrative review of China National Automotive Industry I/E Corp.; Jiangsu; China National Automobile Import and Export Corp., Yangzhou Branch (Yangzhou); Rudong; Ningbo Knives & Scissors Factory (Ningbo); Shanghai Automobile; and Tianjin Automotive Import and Export Co. (Tianjin). In accordance with 19 CFR 353.22(a), Krossdale Accessories, Inc. requested a review of its supplier, China National Machinery & Equipment Import & Export Corp., Nantong Branch (Nantong). We published a notice of initiation of this antidumping duty

administrative review on October 18, 1993 (58 FR 53710).

On April 20, 1995, the Department published in the Federal Register the preliminary results of its 1991-1992 and 1992-1993 administrative reviews of the antidumping duty order on lug nuts from the PRC (60 FR 19720). There was no request for a hearing. The Department has now conducted these reviews in accordance with section 751 of the Tariff Act of 1930, as amended (the Tariff Act).

Scope of Review

On April 19, 1994, the Department issued its "Final Scope Clarifications on Chrome-Plated Lug Nuts from Taiwan and the PRC." The scope, as clarified, is described in the subsequent paragraph. All lug nuts covered by these reviews conform to the April 19, 1994, scope clarification.

Imports covered by these reviews are one-piece and two-piece chrome-plated lug nuts, finished or unfinished. The subject merchandise includes chrome-plated lug nuts, finished or unfinished, which are more than 11/16 inches (17.45 millimeters) in height and which have a hexagonal (hx) size of at least 3/4 inches (19.05 millimeters) but not over one inch (25.4 millimeters), plus or minus 1/16 of an inch (1.59 millimeters). The term "unfinished" refers to unplated and/or unassembled chrome-plated lug nuts. The subject merchandise is used for securing wheels to cars, vans, trucks, utility vehicles, and trailers. Zinc-plated lug nuts, finished or unfinished, and stainless-steel capped lug nuts are not included in the scope of this review. Chrome-plated lock nuts are also not subject to this review.

Chrome-plated lug nuts are currently classified under subheading 7318.16.00.00 of the Harmonized Tariff Schedule (HTS). Although the HTS subheading is provided for convenience and customs purposes, the written description of the scope of this proceeding is dispositive.

These reviews cover the periods April 18, 1991, through August 31, 1992, and September 1, 1992, through August 31, 1993. The 91-92 review covers six producers/exporters of Chinese lug nuts. The 92-93 review covers eight producers/exporters of Chinese lug nuts.

Analysis of Comments Received

We gave interested parties an opportunity to comment on the preliminary results. We received a case brief from petitioner, and a rebuttal brief from respondents, Rudong and Nantong.

Comment 1: Petitioner concurs with the Department's decision to use best