

the full amount of the civil penalty and interest, a penalty charge and an administrative charge, as more fully described in the attached Notice.

*Third*, that the timely payment of the civil penalty set forth above is hereby made a condition to the granting, restoration, or continuing validity of any export license, License Exception, permission, or privilege granted, or to be granted, to Butler. Accordingly, if Butler should fail to pay the civil penalty in a timely manner, the undersigned may enter an Order denying all of Butler's export privileges under the Regulations for a period of one year from the date of entry of this Order.

*Fourth*, that for a period of 10 years from the date of entry of this Order, Thomas Campbell Butler, 4611 10th Street, Lubbock, Texas 79416, and, when acting on his behalf, his representatives, agents, or employees ("Denied Person") may not, directly or indirectly, participate in any way in any transaction involving any commodity, software, or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, License Exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations; or

C. Benefiting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations.

*Fifth*, that no person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, or whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

*Sixth*, that, after notice and opportunity for comment as provided in Section 766.23 of the Regulations, any person, firm, corporation, or business organization related to Butler by affiliation, worship, control, or position of responsibility in the conduct of trade or related services may also be made subject to the provisions of the Order.

*Seventh*, that this Order does not prohibit any export, reexport, or other transaction subject to the Regulations where the only items involved that are subject to the Regulations are the foreign-produced direct product of U.S.-origin technology.

*Eighth*, that the proposed charging letter, the Settlement Agreement, and this Order shall be made available to the public.

*Ninth*, that this Order shall be served on the Denied Person and on BIS, and shall be published in **Federal Register**.

This Order, which constitutes the final agency action in this matter, is effective immediately.

Entered this 1st day of September 2006.

**Darryl W. Jackson,**

*Assistant Secretary of Commerce for Export Enforcement.*

[FR Doc. 06-7622 Filed 9-13-06; 8:45 am]

**BILLING CODE 3510-DT-M**

## DEPARTMENT OF COMMERCE

### International Trade Administration (A-549-502)

#### Circular Welded Carbon Steel Pipes and Tubes from Thailand: Notice of Final Results of Antidumping Duty Administrative Review

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

**SUMMARY:** On April 7, 2006, the Department of Commerce (the Department) published the preliminary results of administrative review of the antidumping duty order on circular welded carbon steel pipes and tubes from Thailand in the **Federal Register**. See *Circular Welded Steel Pipes and Tubes from Thailand: Preliminary Results of Antidumping Duty Administrative Review*, 71 FR 17810 (April 7, 2006) (Preliminary Results). The review covers one producer of the subject merchandise. The period of review is March 1, 2004 through February 28, 2005. Based on our analysis of the comments received, we have made changes to the preliminary results, which are discussed in the "Changes Since the Preliminary Results" section below. For the final dumping margins, see the "Final Results of Review" section below.

**EFFECTIVE DATE:** September 14, 2006.

**FOR FURTHER INFORMATION CONTACT:** Jacqueline Arrowsmith or Dana Mermelstein, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-5255 or (202) 482-1391, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On April 7, 2006, the Department published the *Preliminary Results*. In the *Preliminary Results*, we stated our intention to request further information from Saha Thai to allow Saha Thai the opportunity to demonstrate that there are two distinct levels of trade in the home market. On April 21, 2006, we issued a supplemental questionnaire for this purpose to Saha Thai and its affiliated resellers. Saha Thai submitted its response on May 8, 2006.

We invited parties to comment on the *Preliminary Results*. On May 18, 2006, we provided specific deadlines. On June 1, 2006, we received a case brief from the sole respondent, Saha Thai Steel Pipe Company, Ltd. (Saha Thai) and

from Allied Tube and Conduit Corporation and Wheatland Tube Company (collectively, petitioners); respondent and petitioners each submitted a rebuttal brief on June 6, 2006. On August 3, 2006, the Department published in the **Federal Register** a notice extending the final results from August 5, 2006 to September 7, 2006. See *Extension of Time Limit for Final Results of Antidumping Duty Administrative Review: Circular Welded Carbon Steel Pipes and Tubes from Thailand*, 71 FR 44016 (August 3, 2006).

### Scope of the Order

The products covered by this antidumping order are certain welded carbon steel pipes and tubes from Thailand. The subject merchandise has an outside diameter of 0.375 inches or more, but not exceeding 16 inches. These products, which are commonly referred to in the industry as “standard pipe” or “structural tubing,” are hereinafter designated as “pipes and tubes.” The merchandise is classifiable under the Harmonized Tariff Schedule of the United States (HTSUS) item numbers 7306.30.1000, 7306.30.5025, 7306.30.5032, 7306.30.5040, 7306.30.5055, 7306.30.5085, and 7306.30.5090. Although the HTSUS subheadings are provided for convenience and purposes of U.S. Customs and Border Protection (CBP), our written description of the scope of the order is dispositive.

### Analysis of Comments Received

The issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the *Issues and Decision Memorandum to David M. Spooner, Assistant Secretary for Import Administration, from Stephen J. Claeys, Deputy Assistant Secretary for Import Administration (Decision Memorandum)*, dated concurrently with this notice and which is hereby adopted by this notice. A list of the issues addressed in the *Decision Memorandum* is appended to this notice. The *Decision Memorandum* is on file in the central records unit (CRU), and can be accessed directly on the Web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the *Decision Memorandum* are identical in content.

### Changes Since the Preliminary Results

Based on our analysis of comments received, we have made adjustments to our margin calculations. The adjustments are discussed in detail in the *Decision Memorandum*.

### Final Results of Review

As a result of our review, we determine that the following weighted-average margin exists for the period of March 1, 2004 through February 28, 2005:

Manufacturer/Exporter	Margin (percent)
Saha Thai Steel Pipe Company, Ltd. ....	2.26

### Assessment

The Department shall determine, and CBP shall assess, antidumping duties on all appropriate entries. Pursuant to 19 CFR 351.212(b)(1), the Department calculates 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 rates calculated in the final results are above *de minimis* (i.e., at or above 0.5 percent), the Department will issue appraisal 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 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 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 will issue appropriate assessment instructions directly to CBP within 15 days of the final results of this review.

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 their merchandise was

destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the “all others” rate from the investigation if there is no rate for the intermediate company involved in the transaction. See *Circular Welded Carbon Steel Pipes and Tubes from Thailand; Final Determination of Sales at Less Than Fair Value*, 51 FR 3384 (January 27, 1986). For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

### Cash Deposits

The following deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results, as provided by section 751(a)(2)(c) of the Act: (1) For companies covered by this review, the cash deposit rate will be the rate listed above; (2) for merchandise exported by producers or exporters not covered in this review but covered in a previous segment of this proceeding, the cash deposit rate will continue to be the company-specific rate published in the most recent final results in which that producer or exporter participated; (3) if the exporter is not a firm covered in this review or in any previous segment of this proceeding, but the producer is, the cash deposit rate will be that established for the producer of the merchandise in these final results of review or in the most recent final results in which that producer participated; and, (4) if neither the exporter nor the producer is a firm covered in this review or in any previous segment of this proceeding, the cash deposit rate will be 15.67 percent, the “all others” rate established in the less-than-fair-value investigation.

### Notification to Importers

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) 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 in the subsequent assessment of double antidumping duties.

**Notification Regarding Administrative Protective Orders**

This notice is the only reminder to parties subject to the administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under the APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or 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 these final results and this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: September 7, 2006.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

**Appendix I Issues in Decision Memorandum**

*Comment 1:* Saha Thai's Revocation Request

*Comment 2:* Antidumping Duty Exemptions

*Comment 3:* Duty Drawback

*Comment 4:* Product Matching for Fence Tube

*Comment 5:* Level of Trade in the Home Market

*Comment 6:* Zeroing of Saha Thai's Sales

[FR Doc. E6-15271 Filed 9-13-06; 8:45 am]

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**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-549-822]

**Certain Frozen Warmwater Shrimp from Thailand; Corrected Partial Rescission of Antidumping Duty Administrative Review**

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

**EFFECTIVE DATE:** September 14, 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 and (202) 482-0498, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

On July 20, 2006, the Department of Commerce (the Department) published in the **Federal Register** its notice of partial rescission of the antidumping duty administrative review of certain frozen warmwater shrimp from Thailand for the period August 4, 2004, through January 31, 2006. *See Certain Frozen Warmwater Shrimp from Thailand; Partial Rescission of Antidumping Duty Administrative Review*, 71 FR 41200 (July 20, 2006) (*Partial Rescission*). In the *Partial Rescission*, the Department noted that it was rescinding the administrative review with respect to Thai Union Frozen Products Co., Ltd., based on a timely request for withdrawal. *See Partial Rescission*, 71 FR at 41201. However, the correct name for this company is Thai Union Frozen Products Public Co., Ltd.

**Corrected Partial Rescission of Antidumping Duty Administrative Review**

As noted above, the name for Thai Union Frozen Products Public Co., Ltd. was incorrectly stated in the *Partial Rescission*. We now correct the partial rescission of the 2004-2006 antidumping duty administrative review of certain frozen warmwater shrimp from Thailand as noted above. As a result of this correction, we are rescinding the 2004-2006 administrative review for Thai Union Frozen Products Public Co., Ltd.

This corrected partial rescission is issued and published in accordance with section 751 of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: September 11, 2006.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. E6-15269 Filed 9-13-06; 8:45 am]

BILLING CODE 3510-DS-S

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-533-840]

**Certain Frozen Warmwater Shrimp from India; Corrected Partial Rescission of Antidumping Duty Administrative Review**

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

**EFFECTIVE DATE:** September 14, 2006.

**FOR FURTHER INFORMATION CONTACT:**

Elizabeth Eastwood or Jill Pollack, 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) 482-3874 and (202) 482-4593, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

On July 21, 2006, the Department of Commerce (the Department) published in the **Federal Register** its notice of partial rescission of the antidumping duty administrative review of certain frozen warmwater shrimp from India for the period August 4, 2004, through January 31, 2006. *See Certain Frozen Warmwater Shrimp from India; Partial Rescission of Antidumping Duty Administrative Review*, 71 FR 41419 (July 21, 2006) (*Partial Rescission*). In the *Partial Rescission*, the Department noted that it was rescinding the administrative review with respect to Sagar Samrat Foods, based on a timely request for withdrawal. *See Partial Rescission*, 71 FR at 41420. However, the correct name for this company is Sagar Samrat Seafoods.

**Corrected Partial Rescission of Antidumping Duty Administrative Review**

As noted above, the name for Sagar Samrat Seafoods was incorrectly stated in the *Partial Rescission*. We now correct the partial rescission of the 2004-2006 antidumping duty administrative review of certain frozen warmwater shrimp from India as noted above. As a result of this correction, we are rescinding the 2004-2006 administrative review for Sagar Samrat Seafoods.

This corrected partial rescission is issued and published in accordance with section 751 of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: September 11, 2006.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

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