

quantity by weight respectively indicated: 1.80 percent of manganese, or 2.25 percent of silicon, or 1.00 percent of copper, or 0.50 percent of aluminum, or 1.25 percent of chromium, or 0.30 percent of cobalt, or 0.40 percent of lead, or 1.25 percent of nickel, or 0.30 percent of tungsten, or 0.10 percent of molybdenum, or 0.10 percent of niobium, or 0.15 percent vanadium, or 0.15 percent of zirconium. The description of carbon-quality is intended to identify carbon-quality products within the scope. The welded carbon-quality rectangular pipe and tube subject to this investigation is currently classified under the Harmonized Tariff Schedule of the United States (“HTSUS”) subheadings 7306.61.50.00 and 7306.61.70.60. While HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this investigation is dispositive.

**Analysis of Alleged Significant Ministerial Error**

A ministerial error is defined in 19 CFR 351.224(f) as “an error in addition, subtraction, or other arithmetic

function, clerical error resulting from inaccurate copying, duplication, or the like, and any other similar type of unintentional error which the Secretary considers ministerial.” With respect to preliminary determinations, 19 CFR 351.224(e) provides that the Department “will analyze any comments received and, if appropriate, correct any significant ministerial error by amending the preliminary determination \* \* \*” A significant ministerial error is defined as an error, the correction of which, singly or in combination with other errors, would result in (1) a change of at least five absolute percentage points in, but not less than 25 percent of, the countervailable subsidy rate calculated in the original (erroneous) preliminary determination; or (2) a difference between a countervailable subsidy rate of zero (or *de minimis*) and a countervailable subsidy rate of greater than *de minimis* or vice versa. See 19 CFR 351.224(g). We have determined that the *Preliminary Determination* contained a “significant” ministerial error with respect to ZZPC. See

Memorandum to Susan Kuhbach, Director, Office 1, AD/CVD Operations, entitled, “Ministerial Error Allegation” (December 19, 2007) for the analysis performed. This memorandum is on file in the Department’s Central Records Unit in Room B–099 of the main Department building.

**Amended Preliminary Determination**

Because the error alleged by ZZPC regarding the countervailable subsidy rate calculation for ZZPC was significant, we have amended the preliminary countervailing duty rate calculation for ZZPC, pursuant to 19 CFR 351.224(e). In addition, the correction to ZZPC’s rate also affects the rates established for Qingdao Xiangxing Steel Pipe Co. (“Qingdao”) and the all-others rate. The preliminary net countervailable subsidy rate for Kunshan Lets Win Steel Machinery Co., Ltd. (“Lets Win”) remains unchanged from the *Preliminary Determination* at 0.27 percent. As a result of corrections of ministerial errors, the amended preliminary net countervailable subsidy rates are as follows:

Exporter/manufacturer	Original subsidy rate	Amended subsidy rate
Kunshan Lets Win Steel Machinery Co., Ltd .....	0.27	0.27.
Qingdao Xiangxing Steel Pipe Co .....	77.85	45.6 percent.
Zhangjiagang Zhongyuan Pipe-making Co., Ltd., Jiangsu Qiyuan Group Co, Ltd .....	2.99	0.90 percent.
All Others .....	2.99	15.59 percent.

**Suspension of Liquidation**

The collection of bonds or cash deposits and suspension of liquidation will be revised, in accordance with section 703(d) and (f) of the Act. Specifically, we will instruct U.S. Customs and Border Protection (“CBP”) to continue to suspend liquidation of all entries of LWRP from the PRC on or after the date of publication of this notice in the **Federal Register**. However, neither the suspension of liquidation nor the requirement for a cash deposit or bond will apply to merchandise produced and exported by Lets Win or ZZPC because the Department has preliminarily determined that Lets Win and ZZPC received *de minimis* subsidies.

**International Trade Commission Notification**

In accordance with section 703(f) of the Act, we have notified the U.S. International Trade Commission (“ITC”) of our amended affirmative preliminary determination. If our final countervailing duty determination is affirmative, the ITC will determine

whether the imports covered by that determination are materially injuring, or threatening material injury to, the U.S. industry.

This determination is issued and published pursuant to sections 703(f) and 777(i)(1) of the Act.

Dated: December 19, 2007.

**David M. Spooner,**  
*Assistant Secretary for Import Administration.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Export Trade Certificate of Review**

**AGENCY:** International Trade Administration, Commerce.

**ACTION:** Notice of Issuance of an Export Trade Certificate of Review, Application No. 07–00003.

**SUMMARY:** On December 19, 2007, the U.S. Department of Commerce issued an Export Trade Certificate of Review to

Global Express Trading, LLC (“GET”). This notice summarizes the conduct for which certification has been granted.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey C. Anspacher, Director, Export Trading Company Affairs, International Trade Administration, by telephone at (202) 482–5131 (this is not a toll-free number), or by E-mail at [oetca@ita.doc.gov](mailto:oetca@ita.doc.gov).

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. Sections 4001–21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 15 CFR Part 325 (2006).

Export Trading Company Affairs (“ETCA”) is issuing this notice pursuant to 15 CFR 325.6(b), which requires the U.S. Department of Commerce to publish a summary of the certification in the **Federal Register**. Under Section 305(a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary’s determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the

United States to set aside the determination on the ground that the determination is erroneous.

### Description of Certified Conduct

#### Export Trade

##### 1. Products

All products.

##### 2. Services

All services.

##### 3. Technology Rights

Technology rights, including, but not limited to, patents, trademarks, copyrights, and trade secrets, that relate to Products and Services.

##### 4. Export Trade Facilitation Services (as They Relate to the Export of Products, Services, and Technology Rights)

Export Trade Facilitation Services, including, but not limited to, professional services in the areas of government relations and assistance with state and federal programs; foreign trade and business protocol; consulting; market research and analysis; collection of information on trade opportunities; marketing; negotiations; joint ventures; shipping; export management; export licensing; advertising; documentation and services related to compliance with customs requirements; insurance and financing; trade show exhibitions; organizational development; management and labor strategies; transfer of technology; transportation services; and facilitating the formation of shippers' associations.

#### Export Markets

The Export Markets include all parts of the world except the United States (the fifty states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands).

#### Export Trade Activities and Methods of Operation

1. With respect to the sales of Products and Services, licensing of Technology Rights and provisions of Export Trade Facilitation Services, GET, subject to the terms and conditions listed below, may:

a. Provide and/or arrange for the provisions of Export Trade Facilitation Services;

b. Engage in promotional and marketing activities and collect information on trade opportunities in the Export Markets and distribute such information to clients;

c. Enter into exclusive and/or non-exclusive licensing and/or sales agreements with Suppliers for the export of Products, Services, and/or Technology Rights to Export Markets;

d. Enter into exclusive and/or non-exclusive agreements with distributors and/or sales representatives in Export Markets;

e. Allocate export sales or divide Export Markets among Suppliers for the sale and/or licensing of Products, Services, and/or Technology Rights;

f. Allocate export orders among Suppliers;

g. Establish the price of Products, Services, and/or Technology Rights for sales and/or licensing in Export Markets;

h. Negotiate, enter into, and/or manage licensing agreements for the export of Technology Rights; and

i. Enter into contracts for shipping.

2. GET may exchange information on a one-to-one basis with individual Suppliers regarding that Supplier's inventories and near-term production schedules for the purpose of determining the availability of products for export and coordinating export with distributors.

#### Terms and Conditions of Certificate

1. In engaging in Export Trade Activities and Methods of Operations, GET will not intentionally disclose, directly or indirectly, to any Supplier any information about any other Supplier's costs, production, capacity, inventories, domestic prices, domestic sales, or U.S. business plans, strategies, or methods that is not already generally available to the trade or public.

2. GET will comply with requests made by the Secretary of Commerce on behalf of the Secretary of Commerce or the Attorney General for information or documents relevant to conduct under the Certificate. The Secretary of Commerce will request such information or documents when either the Attorney General or the Secretary of Commerce believes that the information or documents are required to determine that the Export Trade, Export Trade Activities and Methods of Operation of a person protected by this Certificate of Review continue to comply with the standard of Section 303(a) of the Act.

#### Definition

"Supplier" means a person who produces, provides, or sells Products, Services, and/or Technology Rights.

#### Protection Provided by Certificate

This Certificate protects GET and its directors, officers, and employees acting on its behalf, from private treble damage

actions and government criminal and civil suits under U.S. federal and state antitrust laws for the export conduct specified in the Certificate and carried out during its effective period in compliance with its terms and conditions.

#### Effective Period of Certificate

This Certificate continues in effect from the effective date indicated below until it is relinquished, modified, or revoked as provided in the Act and the Regulations.

#### Other Conduct

Nothing in this Certificate prohibits GET from engaging in conduct not specified in this Certificate, but such conduct is subject to the normal application of the antitrust laws.

#### Disclaimer

The issuance of this Certificate of Review to GET by the Secretary of Commerce with the concurrence of the Attorney General under the provisions of the Act does not constitute, explicitly or implicitly, an endorsement or opinion of the Secretary or the Attorney General concerning either (a) the viability or quality of the business plans of GET or (b) the legality of such business plans of GET under the laws of the United States (other than as provided in the Act) or under the laws of any foreign country.

The application of this Certificate to conduct in export trade where the U.S. Government is the buyer or where the U.S. Government bears more than half the cost of the transaction is subject to the limitations set forth in Section V.(D.) of the "Guidelines for the Issuance of Export Trade Certificates of Review (Second Edition)," 50 FR 1786 (January 11, 1985).

A copy of the certificate will be kept in the International Trade Administration's Freedom of Information Records Inspection Facility, Room 4100, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

Dated: December 19, 2007.

**Jeffrey Ansbacher,**

*Director, Export Trading Company Affairs.*

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