

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

A-570-846

**Brake Rotors From the People's Republic of China: Initiation of Antidumping Duty New Shipper Review**

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

**EFFECTIVE DATE:** May 30, 2008.

**SUMMARY:** The Department of Commerce ("Department") received a timely request to conduct a new shipper review of the antidumping duty order on brake rotors from the People's Republic of China ("PRC"). In accordance with Section 751(a)(2)(B) of the Tariff Act of 1930, as amended ("Act"), and 19 CFR 351.214(d)(1), we are initiating a new shipper review for Longkou Zhongkai Automobile Parts Co., Ltd. ("Longkou Zhongkai").

**FOR FURTHER INFORMATION CONTACT:**

Andrea Staebler Berton or Blanche Ziv, 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) 482-4037 and (202) 482-4207, respectively.

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

On March 31, 2008, prior to the beginning of the anniversary month of the antidumping duty order on brake rotors from the PRC, the Department received a request from Longkou Zhongkai for a new shipper review of the order, pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214(c). See *Notice of Antidumping Duty Order: Brake Rotors from the People's Republic of China*, 62 FR 18740 (April 17, 1997).

As required by 19 CFR 351.214(b)(2)(i) and 351.214(b)(2)(iii)(A), Longkou Zhongkai certified that it did not export the subject merchandise to the United States during the period of investigation ("POI") and that, since the initiation of the investigation, the company has never been affiliated with any exporter or producer who exported subject merchandise to the United States during the POI. Pursuant to 19 CFR 351.214(b)(2)(iii)(B), Longkou Zhongkai further certified that its export activities are not controlled by the central government of the PRC.

In accordance with 19 CFR 351.214(b)(2)(iv), Longkou Zhongkai

submitted documentation establishing the following: (1) the date on which it first shipped brake rotors for export to the United States; (2) the volume of its first shipment and any subsequent shipments; and (3) the date of its first sale to an unaffiliated customer in the United States.

**Initiation of New Shipper Review**

In accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214(d)(1), we find that the request submitted by Longkou Zhongkai meets the threshold requirements for initiation of a new shipper review of shipments of brake rotors from the PRC produced and exported by this company. See Memorandum to the File through Wendy J. Frankel, Director, AD/CVD Operations, Office 8, and Blanche Ziv, Program Manager, AD/CVD Operations, Office 8, from the Team, entitled "Initiation Checklist of AD New Shipper Review: Brake Rotors from the People's Republic of China," dated concurrently with this note. Therefore, we are initiating a new shipper review for shipments of brake rotors produced and exported by Longkou Zhongkai. The Department will conduct this new shipper review in accordance with the deadlines set forth in section 751(a)(2)(B)(iv) of the Act.

Pursuant to 19 CFR 351.214(g)(1)(i)(A), the period of review ("POR") for a new shipper review initiated in the month immediately following the anniversary month normally will cover the 12-month period immediately preceding the anniversary month. Therefore, the POR for this new shipper review will be April 1, 2007, through March 31, 2008.

In cases involving non-market economies, the Department requires that a company seeking to establish eligibility for an antidumping duty rate separate from the PRC-wide entity rate provide evidence of *de jure* and *de facto* absence of government control over the company's export activities. Accordingly, we will issue a questionnaire to Longkou Zhongkai, including a separate-rate section. The review will proceed if the responses provide sufficient indication that Longkou Zhongkai is not subject to either *de jure* or *de facto* government control with respect to its exports of brake rotors. However, if Longkou Zhongkai does not demonstrate its eligibility for a separate rate, the company will be deemed not separate from other companies that exported during the POI, and the new shipper review for Longkou Zhongkai will be rescinded.

On August 17, 2006, the Pension Protection Act of 2006 (H.R. 4) was signed into law by Congress. Section 1632 of H.R. 4 temporarily suspends the authority of the Department to instruct U.S. Customs and Border Protection to collect a bond or other security in lieu of a cash deposit in new shipper reviews. Therefore, the posting of a bond or other security under section 751(a)(2)(B)(iii) of the Act in lieu of a cash deposit is not available in this case. Importers of brake rotors exported and produced by Longkou Zhongkai must continue to post a cash deposit of estimated antidumping duties on each entry of subject merchandise (*i.e.*, brake rotors) at the PRC-wide entity rate of 43.32 percent.

Interested parties that need access to proprietary information in this new shipper review should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are issued in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214(d) and 351.221(c)(1)(i).

Dated: May 22, 2008.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

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**BILLING CODE 3510-DS-S**

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

(A-489-815)

**Notice of Antidumping Duty Order: Light-Walled Rectangular Pipe and Tube From Turkey**

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

**SUMMARY:** Based on affirmative final determinations by the Department of Commerce (the Department) and the U.S. International Trade Commission (The ITC), the Department is issuing this antidumping duty order on light-walled rectangular pipe and tube from Turkey. On May 23, 2008, the ITC notified the Department of its affirmative determination of injury to a U.S. industry. See letter from the ITC to the Secretary of Commerce (Investigation No. 731-TA-1121 (Final)), dated May 23, 2008. See also Light-Walled Rectangular Pipe and Tube from Turkey, USITC Publication 4001, May, 2008 (Investigation No. 731-TA-1121 (Final)).

**EFFECTIVE DATE:** May 30, 2008.

**FOR FURTHER INFORMATION CONTACT:** Tyler Weinhold 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) 482-1121, or (202) 482-0649, respectively.

**SUPPLEMENTARY INFORMATION:** The final determination in this investigation was published on April 11, 2008. See *Notice of Final Determination of Sales at Less Than Fair Value: Light-Walled Rectangular Pipe and Tube from Turkey*, 73 FR 19814 (April 11, 2008).

**Scope of the Order**

The merchandise subject to this order is certain welded carbon quality light-walled steel pipe and tube, of rectangular (including square) cross section, having a wall thickness of less than 4 mm. The term carbon-quality steel includes both carbon steel and alloy steel which contains only small amounts of alloying elements. Specifically, the term carbon-quality includes products in which none of the elements listed below exceeds the 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 order 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 the order is dispositive.

**Antidumping Duty Order**

On May 23, 2008, in accordance with section 735(d) of the Tariff Act of 1930, as amended (the Act), the ITC notified the Department of its final determination pursuant to section 735(b)(1)(A)(i) of the Act that an industry in the United States is materially injured by reason of less-than-fair-value imports of light-walled rectangular pipe and tube from Turkey.

Therefore, in accordance with section 736(a)(1) of the Act, the Department will

direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by the Department, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price (or the constructed export price) of the merchandise for all relevant entries of light-walled rectangular pipe and tube from Turkey. These antidumping duties will be assessed on all entries of light-walled rectangular pipe and tube from Turkey entered, or withdrawn from warehouse, for consumption on or after January 30, 2008, the date on which the Department published its notice of preliminary determinations in the **Federal Register**. See *Notice of Preliminary Determination of Sales at Less Than Fair Value: Light-Walled Rectangular Pipe and Tube From Turkey*, 73 FR 5508 (January 30, 2008).

CBP officers must require, at the same time as importers would normally deposit estimated duties on this merchandise, a cash deposit equal to the estimated weighted-average antidumping duty margins as noted below. The all-others rate applies to all manufacturers and exporters of subject merchandise not specifically listed.

The weighted-average dumping margins are as follows:

Producer/Exporter	Weighted-Average Margin (Percentage)
Güven Boru Profil Sanayii ve Ticaret Limited Sirketi .....	41.71
MMZ Onur Boru Profil Üretim San. ve Tic. A.S. ....	41.71
Anadolu Boru .....	41.71
Ayata Metal Industry ....	41.71
Goktas Tube/Goktas Metal .....	41.71
Kalibre Boru Sanayi ve Ticaret A.S. ....	41.71
Kerim Celik Mamulleri Imalat ve Ticaret .....	41.71
Ozgur Boru .....	41.71
Ozimak Makina ve Elektrik Sanayi .....	41.71
Seamless Steel Tube and Pipe Co. (Celbor) .....	41.71
Umransan Steel Pipe Inc. ...	41.71
Yusan Industries, Ltd. ...	41.71
Borusan Mannesmann Boru .....	27.04
Erbosan Erciyas Boru Sanayii ve Ticaret A.S. ....	27.04
Noksel Steel Pipe Co. ...	27.04
Ozborusan Boru San. ve Tic. A.S. ....	27.04
Ozdemir Boru Sanayi ve Ticaret Ltd. Sti. ....	27.04
Toscelik Profil ve Sac End. A.S. ....	27.04
Yucel Boru ve Profil Endustrisi A.S. ....	27.04

Producer/Exporter	Weighted-Average Margin (Percentage)
All Others .....	27.04

Pursuant to section 736(a) of the Act, this notice constitutes the antidumping duty order with respect to light-walled rectangular pipe and tube from Turkey. Interested parties may contact the Department's Central Records Unit, Room 1117 of the main Commerce Building, for copies of an updated list of antidumping duty orders currently in effect.

This order is issued and published in accordance with section 736(a) of the Act and 19 CFR 351.211(b).

Dated: May 27, 2008.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

RIN 0648-X112

**Endangered and Threatened Species; Recovery Plans; Recovery Plan for the Northwest Atlantic Population of the Loggerhead Sea Turtle**

**AGENCIES:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce; Fish and Wildlife Service (USFWS), Interior.

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** We, NMFS and USFWS, announce the availability for public review of the draft Recovery Plan (Plan) for the Northwest Atlantic Population of the Loggerhead Sea Turtle (*Caretta caretta*). We are soliciting review and comment on the Plan from the public and all interested parties, including state and local governments, and national governments beyond the U.S. whose actions may contribute to the conservation and recovery of the loggerhead turtle in the Northwest Atlantic. We will consider all substantive comments received during the review period before submitting the Plan for final approval.