

enriched or fortified or containing milk or other optional ingredients such as chopped vegetables, vegetable purees, milk, gluten, diastases, vitamins, coloring and flavorings, and up to two percent egg white. The pasta covered by this scope is typically sold in the retail market, in fiberboard or cardboard cartons, or polyethylene or polypropylene bags of varying dimensions.

Excluded from the scope of this review are refrigerated, frozen, or canned pastas, as well as all forms of egg pasta, with the exception of non-egg dry pasta containing up to two percent egg white.

The merchandise subject to review is currently classifiable under item 1902.19.20 of the *Harmonized Tariff Schedule of the United States* (“HTSUS”). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise subject to the order is dispositive.

Preliminary Results of Changed Circumstances Review

Pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (“the Act”), and 19 CFR 351.216, the Department will conduct a changed circumstances review upon receipt of information concerning, or a request from an interested party for review of, an antidumping duty order which shows changed circumstances sufficient to warrant a review of the order. In this case, the Department finds that the information submitted by the respondent provided sufficient evidence of changed circumstances to warrant a review to determine whether Marsan is the successor-in-interest to Gidasa. Thus, in accordance with section 751(b) of the Act, the Department initiated a changed circumstances review to determine whether Marsan is the successor-in-interest to Gidasa for purposes of determining antidumping duty liability with respect to imports of certain pasta from Turkey.

In making a successor-in-interest determination, the Department examines several factors including, but not limited to, changes in: (1) management; (2) production facilities; (3) supplier relationships; and (4) customer base. See, e.g., *Notice of Final Results of Changed Circumstances Antidumping Duty Administrative Review: Polychloroprene Rubber From Japan*, 67 FR 58 (January 2, 2002); *Brass Sheet and Strip from Canada: Final Results of Antidumping Duty Administrative Review*, 57 FR 20460 (May 13, 1992). While no single factor or combination of factors will

necessarily provide a dispositive indication of a successor-in-interest relationship, the Department will generally consider the new company to be the successor to the previous company if the new company’s resulting operation is not materially dissimilar to that of its predecessor. See, e.g., *Fresh and Chilled Atlantic Salmon from Norway; Final Results of Changed Circumstances Antidumping Duty Administrative Review*, 64 FR 9979 (March 1, 1999); *Industrial Phosphoric Acid from Israel; Final Results of Changed Circumstances Review*, 59 FR 6944 (February 14, 1994). Thus, if the evidence demonstrates that, with respect to the production and sale of the subject merchandise, the new company operates as the same business entity as the former company, the Department will accord the new company the same antidumping treatment as its predecessor.

In accordance with 19 CFR 351.221(c)(3)(i), we preliminarily determine that Marsan is the successor-in-interest to Gidasa. In its December 3, 2008, and March 16, 2009, submissions Marsan provided evidence supporting its claim to be the successor-in-interest to Gidasa. Documentation attached to Marsan’s December 3, 2008, submission shows that the acquisition of Gidasa by MGS Marmara Gida Sanayi ve Ticaret A.S. (“MGS”) and the following name change to Marsan resulted in little or no change in management, production facilities, supplier relationships, or customer base. This documentation consists of: (1) organizational charts of both Marsan and Gidasa; (2) the documentation of the name change from Gidasa to Marsan; (3) a list of products before and after the acquisition of Gidasa by MGS; (4) a list of suppliers before and after the name change from Gidasa to Marsan; (5) a list of home market and U.S. customers before and after the name change from Gidasa to Marsan; (6) MGS’s articles and notice of incorporation; (7) MGS’s 2007 management report to shareholders; and (8) MGS’s 2008 draft income statement and balance sheet. The documentation described above demonstrates that there was little to no change in management structure, supplier relationships, production facilities, or customer base and, thus, the operations of Marsan are essentially the same as the operations of Gidasa.

Therefore, we preliminarily find that Marsan is the successor-in-interest to Gidasa and, thus, should receive the same antidumping duty treatment with respect to certain pasta from Turkey as the former Gidasa.

Public Comment

Any interested party may request a hearing within 30 days of publication of this notice. Any hearing, if requested, will be held no later than 44 days after the date of publication of this notice, or the first workday thereafter.³ Case briefs from interested parties may be submitted not later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to the issues raised in those comments, may be filed not later than 37 days after the date of publication of this notice.⁴ All written comments shall be submitted in accordance with 19 CFR 351.303. Persons interested in attending the hearing, if one is requested, should contact the Department for the date and time of the hearing. The Department will publish the final results of this changed circumstances review in accordance with 19 CFR 351.216(e), including the results of its analysis of issues raised in any written comments.

The current requirement for a cash deposit of estimated antidumping duties on all subject merchandise will continue unless and until it is modified pursuant to the final results of this changed circumstances review.

We are issuing and publishing these results and notice in accordance with sections 751(b)(1) and 777(i)(1) and (2) of the Act and 19 CFR 351.216.

Dated: April 8, 2009.

Ronald K. Lorentzen,
Acting Assistant Secretary for Import Administration.

[FR Doc. E9-8498 Filed 4-13-09; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-932]

Certain Steel Threaded Rod from the People’s Republic of China: Notice of Antidumping Duty Order

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

SUMMARY: Based on affirmative final determinations by the Department of Commerce (“Department”) and the International Trade Commission (“ITC”), the Department is issuing an antidumping duty order on certain steel threaded rod (“STR”) from the People’s Republic of China (“PRC”). On April 6, 2009, the ITC notified the Department of its affirmative determination of material

³ See 19 CFR 351.310.

⁴ See 19 CFR 351.309.

injury to a U.S. industry. *See Steel Threaded Rod from China* (Investigation No. 731-TA-1145 (Final), USITC Publication 4070, April 2009).

EFFECTIVE DATE: April 14, 2009.

FOR FURTHER INFORMATION CONTACT: Bobby Wong or Toni Dach, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0409, or (202) 482-1655, respectively.

SUPPLEMENTARY INFORMATION:

Background

In accordance with sections 735(d) and 777(i)(1) of the Tariff Act of 1930, as amended (“Act”), on February 27, 2009, the Department published its final determination of sales at less than fair value in the antidumping investigation of STR from the PRC. *See Certain Steel Threaded Rod from the People’s Republic of China: Final Determination of Sales at Less Than Fair Value*, 74 FR 8907 (February 27, 2009).

Scope of the Order

The merchandise covered by this order is steel threaded rod. Steel threaded rod is certain threaded rod, bar, or studs, of carbon quality steel, having a solid, circular cross section, of any diameter, in any straight length, that have been forged, turned, cold-drawn, cold-rolled, machine straightened, or otherwise cold-finished, and into which threaded grooves have been applied. In addition, the steel threaded rod, bar, or studs subject to this order are non-headed and threaded along greater than 25 percent of their total length. A variety of finishes or coatings, such as plain oil finish as a temporary rust protectant, zinc coating (*i.e.*, galvanized, whether by electroplating or hot-dipping), paint, and other similar finishes and coatings, may be applied to the merchandise.

Included in the scope of this order are steel threaded rod, bar, or studs, in which: (1) iron predominates, by weight, over each of the other contained elements; (2) the carbon content is 2 percent or less, by weight; and (3) none of the elements listed below exceeds the quantity, by weight, respectively indicated:

- 1.80 percent of manganese, or
- 1.50 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
- 0.012 percent of boron, or
- 0.10 percent of molybdenum, or
- 0.10 percent of niobium, or
- 0.41 percent of titanium, or
- 0.15 percent of vanadium, or
- 0.15 percent of zirconium.

Steel threaded rod is currently classifiable under subheading 7318.15.5050, 7318.15.5090, and 7318.15.2095 of the United States Harmonized Tariff Schedule (“HTSUS”). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise is dispositive.

Excluded from the scope of the order are: (a) threaded rod, bar, or studs which are threaded only on one or both ends and the threading covers 25 percent or less of the total length; and (b) threaded rod, bar, or studs made to American Society for Testing and Materials (“ASTM”) A193 Grade B7, ASTM A193 Grade B7M, ASTM A193 Grade B16, or ASTM A320 Grade L7.

Scope-HTSUS Modification

On April 1, 2009, U.S. Customs and Border Protection (“CBP”) requested that the Department add HTSUS category 7318.15.2095 as an HTSUS category under which steel threaded rod may be classifiable. Therefore, the Department has modified the scope to reflect the new HTSUS category.¹

Antidumping Duty Order

On April 6, 2009, in accordance with section 735(d) of 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 subject merchandise from the PRC. 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 constructed export price) of the merchandise for all relevant entries of STR from the PRC. These antidumping duties will be assessed on all unliquidated entries of STR from the PRC entered, or withdrawn from the warehouse, for consumption on or after October 8,

2008, the date on which the Department published its preliminary determination. *See Certain Steel Threaded Rod from the People’s Republic of China: Preliminary Determination of Sales at Less Than Fair Value*, 73 FR 58931 (October 8, 2008).

Section 733(d) of the Act states that instructions issued pursuant to an affirmative preliminary determination may not remain in effect for more than four months except where exporters representing a significant proportion of exports of the subject merchandise request the Department to extend that four-month period to no more than six months. At the request of exporters that account for a significant proportion of STR exports, we extended the four-month period to no more than six months. *See Certain Steel Threaded Rod from the People’s Republic of China: Amended Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 73 FR 63693 (October 27, 2008). In this investigation, the six-month period beginning on the date of the publication of the preliminary determination ended on April 8, 2009. Furthermore, section 737 of the Act states that definitive duties are to begin on the date of publication of the ITC’s final injury determination. Therefore, in accordance with section 733(d) of the Act and our practice, we will instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of STR from the PRC entered, or withdrawn from warehouse, for consumption on or after April 8, 2009, and before the date of publication of the ITC’s final injury determination in the **Federal Register**. Suspension of liquidation will resume on or after the date of publication of the ITC’s final injury determination in the **Federal Register**.

Effective on the date of publication of the ITC’s final affirmative injury determination in the **Federal Register**, CBP, pursuant to section 735(c)(3) of the Act, will 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 listed below. The “PRC-wide” rate applies to all exporters of subject merchandise not specifically listed. The weighted-average dumping margins are as follows:

¹ See April 3, 2009, Memorandum to the File, From Toni Dach, International Trade Analyst,

Regarding: Certain Steel Threaded Rod from the

People’s Republic of China: CBP Request to Include Additional HTSUS.

CERTAIN STEEL THREADED ROD FROM THE PRC

Exporter	Producer	Weighted-Average Margin
RMB Fasteners Ltd., and IFI & Morgan Ltd. ("RMB/IFI Group")	Jiaxing Brother Fastener Co., Ltd. (aka Jiaxing Brother Standard Parts Co., Ltd.)	55.16%
Ningbo Yinzhou Foreign Trade Co. Ltd.	Zhejiang Guorui Industry Co., Ltd.; or Ningbo Daxie Chuofeng Industrial Development Co. Ltd.	206.00%
Shanghai Recky International Trading Co., Ltd.	Shanghai Xiangrong International Trading Co., Ltd.; Shanghai Xianglong International Trading Co., Ltd.; Pighu City Zhapu Screw Cap Factory; or Jiaxing Xinyue Standard Part Co., Ltd.	55.16%
Suntec Industries Co., Ltd.	Jiaxing Xinyue Standard Part Co., Ltd.; or Haiyan County No. 1 Fasteners Factory	55.16%
Hangzhou Grand Imp. & Exp. Co., Ltd.	Zhapu Creative Standard Parts Material Co., Ltd.	55.16%
Shanghai Prime Machinery Co. Ltd.	Haiyan Yida Fasteners Co., Ltd.; or Jiaxing Xinyue Standard Part Co., Ltd.	55.16%
Jiaxing Xinyue Standard Part Co., Ltd.	Jiaxing Xinyue Standard Part Co., Ltd.	55.16%
Certified Products International Inc.	Jiashan Zhongsheng Metal Products Co., Ltd.; or Jiaxing Xinyue Standard Part Co., Ltd.	55.16%
Zhejiang New Oriental Fastener Co., Ltd.	Zhejiang New Oriental Fastener Co., Ltd.	55.16%
Jiashan Zhongsheng Metal Products Co., Ltd.	Jiashan Zhongsheng Metal Products Co., Ltd.	55.16%
Haiyan Dayu Fasteners Co., Ltd.	Haiyan Dayu Fasteners Co., Ltd.	55.16%
PRC-wide Entity	206.00%

This notice constitutes the antidumping duty order with respect to STR from the PRC pursuant to section 736(a) of the Act. 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 published in accordance with section 736(a) of the Act and 19 CFR 351.211.

Dated: April 8, 2009.

Ronald K. Lorentzen,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-552-802]

Certain Frozen Warmwater Shrimp From the Socialist Republic of Vietnam: Initiation of Changed Circumstances Review

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

SUMMARY: The Department of Commerce ("Department") has received information sufficient to warrant initiation of a changed circumstances review of the antidumping duty order on certain frozen warmwater shrimp from the Socialist Republic of Vietnam ("Vietnam").

DATES: *Effective Date:* April 14, 2009.

FOR FURTHER INFORMATION CONTACT: Scot Fullerton or Jerry Huang, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230; telephone: 202-482-1386 or 202-482-4047, respectively.

SUPPLEMENTARY INFORMATION:

Background

The antidumping duty order for certain frozen warmwater shrimp from Vietnam was published on February 1, 2005. See Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp From the Socialist Republic of Vietnam, 70 FR 5152 (February 1, 2005) ("Order"). As part of the Order, Can Tho Agricultural and Animal Products Import Export Company ("CATACO"), received an antidumping duty cash deposit rate of 4.57 percent. Id. In the first administrative review, the Department initiated a review on CATACO. See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Deferral of Administrative Reviews, 71 FR 17077 (April 5, 2006). However, the review of CATACO was subsequently rescinded. See Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam: Partial Rescission of the First Administrative Review, 71 FR 42628, 42629 (July 27, 2006). As part of the final results of the second administrative review, in which CATACO was reviewed, the company received an antidumping duty cash

deposit rate of 4.57 percent. See Certain Frozen Warmwater Shrimp From the Socialist Republic of Vietnam: Final Results and Final Partial Rescission of Antidumping Duty Administrative Review, 73 FR 52273, 52275-52276 (September 9, 2008).

On March 13, 2009, CATACO filed a submission requesting that the Department conduct a changed circumstances review of the antidumping duty order on certain frozen warmwater shrimp from Vietnam and requesting that the Department find that Can Tho Import Export Fishery Limited Company ("CAFISH") is the successor-in-interest to CATACO's shrimp processing operations. See CATACO's submission to the Department regarding Certain Frozen Warmwater Shrimp from Vietnam: Request for Changed Circumstances Review, (Case No. A-552-802) (March 13, 2009).

In its submission, CATACO provided information regarding the events leading to the spin-off of its shrimp processing operations as CAFISH. Additionally, CATACO provided documentation relating to its change in corporate structure from a state owned enterprise to a separate joint stock company, Cantho Import-Export Seafood Joint Stock Company ("CASEAMEX"), which was later again spun off into CAFISH. In addition, CATACO provided documentation comparing CAFISH's current management, facility and equipment, supplier relationships, and customer base to that of the original CATACO. As part of its submission, CATACO requested that the Department conduct an expedited review.