

for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries of merchandise produced by LMEL/LLPL at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) (*Assessment of Antidumping Duties*).

Consistent with *Assessment of Antidumping Duties*, for companies which claimed they had no shipments of subject merchandise to the United States, *i.e.*, LSIL and Universal Tube and Plastic Ind., if any entries of subject merchandise produced by these entities entered into the United States during the period of review, we will instruct CBP to liquidate the unreviewed entries of merchandise at the all-others rate.

With respect to entries by companies that were not selected for individual examination, *i.e.*, Jindal Pipes Limited, Maharashtra Seamless Limited, and Ratnamani Metals Tubes Ltd., we will instruct CBP to liquidate entries of merchandise produced and/or exported by these firms at 6.33 percent, the rate established for LMEL/LLPL. See *Preliminary Results*, 75 FR at 33579.

For companies which reported that their supplier (LMEL) had knowledge that its merchandise was destined for the United States, *i.e.*, Makalu Trading Pvt. Ltd., Uttam Galva Steels Ltd., and Ushdev International Ltd., and otherwise had no shipments or sales of their own, we will instruct CBP to liquidate these entries at the assessment amounts applicable to LMEL/LLPL as discussed above.

The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review.

#### Cash-Deposit Requirements

The following deposit requirements will be effective upon publication of these final results of administrative review for all shipments of certain welded carbon steel standard pipes and tubes from India entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(2)(C) of the Act: (1) The cash-deposit rates for companies under review will be the rates listed above; (2) for previously reviewed or investigated companies not listed above, the cash-deposit rate will continue to be the company-specific rate published for the most recent period for that company; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value investigation

but the manufacturer is, the cash-deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; (4) if neither the exporter nor the manufacturer has its own rate, the cash-deposit rate will be the all-others rate for this proceeding, 7.08 percent. See *Antidumping Duty Order; Certain Welded Carbon Steel Standard Pipes and Tubes from India*, 51 FR 17384 (May 12, 1986). These deposit requirements shall remain in effect until further notice.

#### Notifications

This notice 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 Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely notification of the 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 results in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.221(b)(5).

Dated: November 5, 2010.

**Edward C. Yang,**

*Acting Deputy Assistant Secretary for Import Administration.*

#### Appendix

1. Date of Sale
2. Universe of Sales
3. Adjustment to Sales Price
4. Warranty Expense
5. Trading-Company Discount
6. Bank Charges
7. Credit-Expense Period

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-855]

#### Non-Frozen Apple Juice Concentrate From the People's Republic of China: Final Results of Sunset Review and Revocation of Order

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

**SUMMARY:** On October 1, 2010, the Department of Commerce ("Department") initiated the sunset review of the antidumping duty order on non-frozen apple juice concentrate from the People's Republic of China ("PRC"). Because the domestic interested parties did not participate in this sunset review, the Department is revoking this antidumping duty order.

**FOR FURTHER INFORMATION CONTACT:** Emeka Chukwudebe, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-0219.

#### SUPPLEMENTARY INFORMATION:

##### Background

On June 5, 2000, the Department issued an antidumping duty order on certain non-frozen apple juice concentrate from the PRC. See *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Non-Frozen Apple Juice Concentrate From the People's Republic of China*, 65 FR 35606 (June 5, 2000). On November 2, 2005, the Department published its most recent continuation of the order. See *Notice of Continuation of Antidumping Duty Order on Certain Non-Frozen Apple Juice Concentrate from the People's Republic of China*, 70 FR 66349 (November 2, 2005) ("*Notice of Continuation*"). On October 1, 2010, the Department initiated a sunset review of this order. See *Initiation of Five-Year ("Sunset") Review*, 75 FR 60731 (October 1, 2010).

We did not receive a notice of intent to participate from domestic interested parties in this sunset review by the deadline date. As a result, in accordance with 19 CFR 351.218(d)(1)(iii)(A), the Department determined that no domestic interested party intends to participate in the sunset review, and on October 21, 2010, we notified the International Trade Commission, in writing, that we intended to issue a final determination revoking this

antidumping duty order. *See* 19 CFR 351.218(d)(1)(iii)(B)(2).

### Scope of the Order

The product covered by this order is certain non-frozen apple juice concentrate. Apple juice concentrate is defined as all non-frozen concentrated apple juice with a brix scale of 40 or greater, whether or not containing added sugar or other sweetening matter, and whether or not fortified with vitamins or minerals. Excluded from the scope of this order are: Frozen concentrated apple juice; non-frozen concentrated apple juice that has been fermented; and non-frozen concentrated apple juice to which spirits have been added.

The merchandise subject to this order is classified in the Harmonized Tariff Schedule of the United States ("HTSUS") at subheadings 2106.90.52.00, and 2009.70.00.20 before January 1, 2002, and 2009.79.00.20 after January 1, 2002. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

### Determination To Revoke

Pursuant to section 751(c)(3)(A) of the Tariff Act of 1930, as amended ("the Act") and 19 CFR 351.218(d)(1)(iii)(B)(3), if no domestic interested party files a notice of intent to participate, the Department shall, within 90 days after the initiation of the review, issue a final determination revoking the order. Because the domestic interested parties did not file a notice of intent to participate in this sunset review, the Department finds that no domestic interested party is participating in this sunset review. Therefore, consistent with 19 CFR 351.222(i)(1)(i) and section 751(c)(3)(A) of the Act, we are revoking this antidumping duty order. Furthermore, although 19 CFR 351.222(i)(1)(i) identifies the fifth anniversary of the publication of the order as the effective date, in *Parkdale v. United States*, the Court of International Trade ("CIT") clarified that the Department's determination of the effective date of revocation is a discretionary, not a ministerial act. *See Parkdale International Ltd. v. U.S.*, 581 F.Supp.2d 1334 ("Parkdale v. United States") (CIT 2008). Therefore, the effective date of revocation of this antidumping duty order is November 2, 2010, the fifth anniversary of the date of publication in the **Federal Register** of the most recent notice of continuation of this antidumping duty order. *See Notice of Continuation.*

### Effective Date of Revocation

Pursuant to section 751(c)(3)(A) of the Act and 19 CFR 351.222(i)(2)(i), the Department intends to issue instructions to U.S. Customs and Border Protection, 15 days after publication of this notice, to terminate the suspension of liquidation of the merchandise subject to this order entered, or withdrawn from warehouse, on or after November 2, 2010. Entries of subject merchandise prior to the effective date of revocation will continue to be subject to suspension of liquidation and antidumping duty deposit requirements. The Department will complete any pending administrative reviews of this order and will conduct administrative reviews of subject merchandise entered prior to the effective date of revocation in response to appropriately filed requests of review.

This five-year ("sunset") review and notice are published in accordance with sections 751(c) and 777(i)(1) of the Act.

Dated: November 8, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-924]

#### **Polyethylene Terephthalate Film, Sheet, and Strip From the People's Republic of China: Extension of Time Limit for the Final Results of the Antidumping Duty Administrative Review**

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

**DATES:** *Effective Date:* November 15, 2010.

**FOR FURTHER INFORMATION CONTACT:** Thomas Martin, AD/CVD Operations, Office 4, Import Administration, International Trade Administration, Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-3936.

### Background

On December 23, 2009, Department of Commerce ("Department") published the notice of the initiation of the antidumping duty administrative review on polyethylene terephthalate film, sheet, and strip from the People's Republic of China ("PRC"), covering the period November 6, 2008, through

October 31, 2009. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 74 FR 68229 (December 23, 2009).

On August 16, 2010, the Department published the preliminary results of this review. *See Polyethylene Terephthalate Film, Sheet, and Strip From the People's Republic of China: Preliminary Results and Preliminary Rescission, in Part, of Antidumping Duty Administrative Review*, 75 FR 49893 (August 16, 2010). The final results are currently due on December 14, 2010.

### Extension of Time Limits for Final Results

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended ("Act"), requires the Department to issue the final results in an administrative review of an antidumping duty order 120 days after the date on which the preliminary results are published. The Department may, however, extend the deadline for completion of the final results of an administrative review to 180 days if it determines it is not practicable to complete the review within the foregoing time period. The Department may extend the time for the final results without extending the time for the preliminary results, if such final results are made not later than 300 days after the date on which the preliminary results are published. *See* section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2).

The Department requires additional time to complete this review because the Department recently issued a revision of the valuation of the labor rate for the final results of the administrative review using a simple average industry-specific wage rate. The Department must analyze and consider significant issues raised in the parties' comments and post-preliminary submissions. Thus, it is not practicable to complete this review by the current due date. Therefore, we are extending the time for the completion of the final results of this review by an additional 60 days to February 12, 2011.<sup>1</sup>

This notice is published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

<sup>1</sup> As the 60-day extension falls on Saturday, February 12, 2011, the deadline for the final results of review will be the next business day, which is February 14, 2011.