

have also provided evidence to demonstrate that finishing processes in the United Kingdom may add little value to the merchandise imported into the United Kingdom, as exported to the United States. Though UKCG provides rebuttal evidence to demonstrate that the processes performed in the United Kingdom are, indeed, sophisticated and contend that Petitioners' arguments are based on the incorrect conclusion that the SDGE component inputs sourced from the PRC are in-scope (citing to the U.K. Customs and CBP rulings noted above), we do not find that their arguments are sufficient to deter the Department from initiating an anti-circumvention inquiry to attain more information regarding the concerns raised by Petitioners. As a result, our subsequent analysis will focus on UKCG's machining and finishing operations in the United Kingdom (in addition to information regarding pattern of trade, as discussed below) and we will closely examine the nature of the materials sourced from the PRC and whether those materials are subject to the scope of the *SDGE Order*.

With respect to the value of the merchandise produced in the PRC pursuant to section 781(b)(1)(D) of the Act, Petitioners rely on their "minor or insignificant processing" arguments summarized above, as well as certain proprietary cost information provided in the initial *Petition*, to indicate that the value of the unfinished SDGE components may be significant relative to the total value of a the finished SDGE exported to the United States. We find that the information, as discussed above, adequately meets the requirements for initiation pursuant to section 781(b)(1)(D) of the Act.

Regarding whether action is needed to prevent evasion of the *SDGE Order*, pursuant to section 781(b)(1)(E) of the Act, Petitioners do not address this issue directly, instead addressing this criterion in their arguments regarding "pattern of trade" pursuant to section 781(b)(3) of the Act. Specifically, they rebut UKCG's reliance on the BOI ruling and the CBP ruling as support for either the appropriateness of the HTS 3801 sub-classification for the unfinished components or confirmation of U.K. origin of the finished merchandise in question. Petitioners conclude that neither ruling is relevant for the purposes of the issues present in the instant proceeding. Conversely, UKCG emphasizes the weight of these determinations and implores the Department to consider them in its analysis on the issue of proper classification of the unfinished SDGE components for the purposes of this

initiation determination. We will seek more information regarding the proper country of origin classification for the finished SDGE imported into the United States; however, we note that Petitioners are correct to point out that neither the BOI nor the CBP ruling are legally binding for the purposes of antidumping proceedings in the United States.<sup>61</sup> While we will give each document due consideration for the purposes of our ultimate anti-circumvention determination, we do not find the content of either document sufficient to compel the Department to decline to initiate such a proceeding.

Finally, we find that Petitioners have provided sufficient evidence, in both their Initiation Request and SQR, to fulfill the additional initiation criteria specified in section 781(b)(3) of the Act. Though Petitioners do not show that UKCG is affiliated with any PRC producer of subject merchandise, they demonstrate that the company has a business relationship with PRC producers of subject merchandise. Furthermore, information provided by Petitioners regarding imports and exports under HTS 3801 and 8545, suggests that (a) U.K. importers are sourcing PRC-produced unfinished SDGE components in increasing quantities, and (b) exports of finished SDGE from the United Kingdom have increased since the beginning of the initial SDGE investigation. Although UKCG provides evidence to demonstrate that Petitioners' information may be distorted or misstated due to certain factors, the Department intends to seek further information on this pattern of trade issue during the course of this inquiry, and will request greater detail as to the nature of UKCG's relationship with PRC producers of subject merchandise and timing of sales and sourcing. As such, though we recognize UKCG's concerns regarding the conclusions reached by Petitioners in their analysis of the pattern of trade data placed on the record, we do not agree with UKCG that the Department should conclude that such concerns are sufficient to refrain from further inquiry.

Therefore, for the reasons stated above, we have determined that Petitioners have provided sufficient basis for the Department to initiate a formal anti-circumvention inquiry concerning the *SDGE Order*, pursuant to section 781(b) of the Act. In accordance with 19 CFR 351.225(l)(2), if the Department issues a preliminary affirmative determination, we will then instruct CBP to suspend liquidation and

require a cash deposit of estimated duties on the merchandise.

This anti-circumvention inquiry covers UKCG only. If, within sufficient time, the Department receives a formal request from an interested party regarding potential circumvention of the *SDGE Order* by other companies in the United Kingdom, we will consider conducting additional inquiries concurrently.

The Department will, following consultation with interested parties, establish a schedule for questionnaires and comments on the issues. The Department intends to issue its final determination within 300 days of the date of publication of this initiation pursuant to section 781(f) of the Act. This notice is published in accordance with 19 CFR 351.225(f).

Dated: February 17, 2011.

**Ronald K. Lorentzen,**  
Deputy Assistant Secretary for Import Administration.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### North American Free-Trade Agreement (NAFTA), Article 1904 Binational Panel Reviews

**AGENCY:** NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

**ACTION:** Notice of decision of panel.

**SUMMARY:** On March 10, 2011, the binational panel issued its decision in the review of the determination on remand made by the International Trade Commission, respecting Light-Walled Rectangular Pipe and Tube from Mexico: Final Determination of Material Injury to a U.S. Industry (NAFTA Secretariat File Number USA-MEX-2008-1904-04). The binational panel affirmed the International Trade Commission's determination on remand. Copies of the panel's order are available from the U.S. Section of the NAFTA Secretariat.

**FOR FURTHER INFORMATION CONTACT:** Valerie Dees, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

**SUPPLEMENTARY INFORMATION:** Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty

<sup>61</sup> See, e.g., *Tapered Roller Bearings* at Comment 1.

cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established *Rules of Procedure for Article 1904 Binational Panel Reviews* (“Rules”). These Rules were published in the **Federal Register** on February 23, 1994 (59 FR 8686). The panel review in this matter has been conducted in accordance with these Rules.

**Panel Decision:** The panel affirmed the International Trade Commission’s determination on remand respecting Light-Walled Rectangular Pipe and Tube from Mexico: Final Determination of Material Injury to a U.S. Industry.

Dated: March 14, 2011.

**Valarie Dees,**

*U.S. Secretary, NAFTA Secretariat.*

[FR Doc. 2011-6311 Filed 3-17-11; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-918]

#### Steel Wire Garment Hangers From the People’s Republic of China: Partial Rescission of Antidumping Duty Administrative Review

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

**DATES:** *Effective Date:* March 18, 2011.

**FOR FURTHER INFORMATION CONTACT:** Robert Palmer, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington DC 20230; (202) 482-6905.

#### Background

On November 29, 2010, the Department of Commerce (“Department”) published in the **Federal Register** a notice of initiation of an administrative review of the antidumping duty order on steel wire garment hangers from the People’s Republic of China (“PRC”) covering the period October 1, 2009, through September 30, 2010. *See Initiation of*

*Antidumping and Countervailing Duty Administrative Reviews* 75 FR 73036 (November 29, 2010) (“*Initiation Notice*”). On December 23, 2010, the M&B Metal Products Inc. (“Petitioner”) withdrew its request for an administrative review of 87<sup>1</sup> companies out of the 102 companies upon which we initiated the administrative review.

<sup>1</sup> These 87 companies are: Angang Clothes Rack Manufacture Company Limited; Bazhou Sanqiang Furniture Co., Ltd.; Bestallied International Corp.; Bestluck Enterprise Limited; Blue Mountain Imp Exp Co Ltd.; Bon Voyage Logistics Inc.; Butler Courtesy (Guilin) Inc.; C Import And Export (HongKong) Co., Ltd.; Century Distribution System (Shenzhen) Ltd.; Changzhou Fortune Handicraft Co., Ltd.; Changzhou MC Imp. & Exp. Co. Ltd. a/ k/a Changzhou MC I E Co., Ltd.; China Fujian Minhou Shenghua Handicrafts Co., Ltd.; China Ningbo Wahfay Industrial (Group) Co., Ltd.; CTN Limited Company; CTO International Co. Ltd.; Eagle Brand Holdings Limited Ecocom Crafts Co., Ltd. a/k/a/Hangzhou Ecocom Crafts Co., Ltd.; Eisho Co., Ltd. a/k/a Eisho Hanger Co., Ltd.; Fujian Pucheng Breeze Home Products, Inc.; Good Wonder Ltd.; Guangdong Machinery Imp. & Exp. Co.; Guangdong Provincial Taoyue Manufacturing Co., Ltd.; Guangxi Yikai Industry and Trade Co., Ltd.; Guangzhou Haojin Motorcycle Company; Guangzhou Zhuocheng Plastic Co., Ltd.; Guilin Betterall Household Articles Co., Ltd.; Guilin Harvest Co., Ltd.; Guilin Jinlai Imp. & Exp. Co., Ltd.; Guilin Yusense Home Collection Co., Ltd.; Haimen Jinhang Business Trading Co.; Haiyan Lianxiang Hardware Products Co.; Hangzhou Dunli Import & Export Co.; Hanji Metals and Plastics Crafts Co.; Hd Supply Shenzhen; Hezhou City Yaolong Trade Co Ltd.; Jiahe International Trading Co.; Jiangmen Masters Hardware Products; Jiangsu Y and S Inc.; Jiangyin Hongji Metal Products Co., Ltd.; K.O.D Solutions Limited Dongguan Office; Kingtex Imp & Exp Co., Ltd.; Laidlaw Company LLC; Mainfreight Int’l Logistics (Shanghai) Co. Ltd.; Maxplus Industries Co., Ltd.; Nanjing Feisike Import & Export Trading Co. Ltd.; Ningbo Beilun Huafa Metal Products; Ningbo Everun International Limited; Ningbo First Rank International Co.; Ningbo Home-dollar Imp. & Exp. Corp.; Ningbo Hongdi Measuring Tape Co., Ltd.; Ningbo Municipal Xinyu Imp. & Exp. Co.; Ningbo Wellway Imp. & Exp. Co., Ltd.; Overseas Int’l Group Corp.; Plastic Intercon Co., Ltd.; Quyk Yanglei International Co., Ltd. a/k/a/ Quyk Group; Shandong Autjinrong Found-assembly Co., Ltd.; Shanghai Cheertie Display Fixture; Shanghai Electric Imp. & Exp. Co., Ltd.; Shanghai Hua Yue Packaging Products; Shanghai International Trade Transportation Co., Ltd.; Shanghai International Trade Yee Da Imp. & Ex. Co. Ltd.; Shanghai New Union Textra Import & Export Co., Ltd.; Shanghai Overseas Enterprises Co.Ltd.; Shanghai Textile Raw Materials; Shanghai Wintex Import & Export Co., Ltd.; Shaoxing Amazon Prime Trade Co., Ltd.; Shaoxing Dingli Metal Clotheshorse Co., Ltd.; Shaoxing Kinglaw Metal Products Co., Ltd.; Shenzhen He Zhenglong Imp. & Exp. Co. Ltd., a/k/a Shenzhen He Zhong Long Imxp; Shenzhen SED Industry Co., Ltd. a/k/a/Shenzhen Sed Electronics Co.; Sunny Metal Inc.; Taishan Jinji Hangers Co., Ltd.; Taizhou Huasheng Wooden Co., Ltd.; Tianjin Tailai Imp & Exp Co., Ltd.; Transtek Automotive Products Co. Ltd.; Tri-star Trading Co.; Uasha Group International Shanghai Ltd.; Universal Houseware (Dongguan); Wenzhou N. & A. foreign Trade Corp.; Wenzhou Pan Pacific Foreign Trade Co., Ltd.; Wesken International (Kunshan) Co., Ltd.; World Trading Service Limited; X&Y Papa-fix Industry Limited; Zhangjiagang Maohua Coating & Adorn Zhejiang Arts and Crafts Import; Zhejiang Huamao International Co., Ltd.; and Zhejiang Wenzhou Packaging Imp. & Exp.

Petitioner was the only party to request a review of these 87 companies.

#### Partial Rescission

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if a party who requested the review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review. Petitioner’s request was submitted within the 90 day period and, thus, is timely. Because Petitioner’s withdrawal of its request for review is timely and because no other party requested a review of the aforementioned companies, in accordance with 19 CFR 351.213(d)(1), we are partially rescinding this review with respect to the 87 companies listed above.

#### Assessment Rates

The Department will instruct U.S. Customs and Border Protection (“CBP”) to assess antidumping duties on all appropriate entries. For those companies for which this review has been rescinded and which have a separate rate, antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(2). The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of this notice for those companies with a separate rate.

For the above companies that are part of the PRC-wide entity, the Department cannot order liquidation at this time because although they are no longer under review as a separate entity, they may still be under review as part of the PRC-wide entity. Therefore, the Department cannot order liquidation instructions at this time because their respective entries may be under review in the ongoing administrative review. The Department intends to issue assessment instructions for the PRC-wide entity, 15 days after publication of the final results of the ongoing administrative review.

#### Notification to Importers

This notice serves as a final reminder to importers for whom this review is being rescinded, as of the publication date of this notice, of their responsibility under 19 CFR 351.402(f)(2) 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