Polyethylene Terephthalate Film, Sheet, and Strip From the United Arab Emirates: Final Results of Antidumping Duty Administrative Review

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

SUMMARY: On December 17, 2010, the Department of Commerce (the Department) published the preliminary results of administrative review of the antidumping duty order on polyethylene terephthalate film (PET Film) from the United Arab Emirates. This review covers two producers/exporters of subject merchandise: JBF RAK LLC (JBF) and FLEX Middle East FZE (FLEX). Based on the results of our analysis of the comments received, we have made changes to the preliminary results, which are discussed below. For the final dumping margins, see the “Final Results of Review” section below.

DATES: Effective Date: April 25, 2011.

FOR FURTHER INFORMATION CONTACT: Andrew Huston or Jun Jack Zhao, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 428–4261 or (202) 482–1396, respectively.

SUPPLEMENTARY INFORMATION:

Background

Since the preliminary results, the following events have taken place. See Polyethylene Terephthalate Film, Sheet, and Strip From the United Arab Emirates: Preliminary Results of Antidumping Duty Administrative Review, 75 FR 78968 (December 17, 2010) (Preliminary Results). A sales verification of JBF was conducted from December 12, 2010, through December 16, 2010. See Memorandum to the File, “Verification of the Sales Response of JBF RAK LLC in the Antidumping Review of Polyethylene Terephthalate Film Sheet and Strip (PET Film) from the United Arab Emirates” (February 17, 2011). JBF submitted a timely case brief on February 28, 2011. DuPont Teijin Films, Mitsubishi Polyester Film, Inc., SKC, Inc., and Toray Plastics (America), Inc. filed a timely rebuttal brief on March 8, 2011. We did not receive a case brief from FLEX.

Period of Review

The period of review is November 6, 2008, through October 31, 2009.

Scope of the Order

The products covered by the order are all gauges of raw, pre-treated, or primed polyethylene terephthalate film, whether extruded or co-extruded. Excluded are metallized films and other finished films that have had at least one of their surfaces modified by the application of a performance-enhancing resinous or inorganic layer more than 0.00001 inches thick. Also excluded is roller transport cleaning film which has at least one of its surfaces modified by application of 0.5 micrometers of SBR latex. Tracing and drafting film is also excluded. PET Film is classifiable under subheading 3920.62.00.90 of the Harmonized Tariff Schedule of the United States (HTSUS). While HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of the order is dispositive.

Analysis of Comments Received

The issues raised in the case and rebuttal briefs by parties in this administrative review are addressed in the memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Ronald K. Lorentzen, Deputy Assistant Secretary for Import Administration, “Antidumping Duty Administrative Review of Polyethylene Terephthalate Film, Sheet, and Strip from the United Arab Emirates: Issues and Decision Memorandum for the Final Results” (Decision Memorandum), dated concurrently with, and herby adopted by this notice. A list of the issues addressed in the Decision Memorandum is appended to this notice. The Decision Memorandum is on file in the Department’s CRU, and can be accessed directly on the Internet at http://ia.ita.doc.gov/frn. The paper copy and electronic version of the Decision Memorandum are identical in content.

Changes Since the Preliminary Results

Based on our analysis of the comments received, we have made adjustments to our margin calculations for JBF. Specifically, we revised coding in our comparison market SAS program to correct an error that resulted in different variable cost of manufacturing figures being used for identical U.S. and home market products.

Final Results of Review

As a result of our review, we determine that the following weighted-average margins exist for the period of November 6, 2008, through October 31, 2009:


<table>
<thead>
<tr>
<th>Manufacturer/exporter</th>
<th>Weighted-average margin (percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>FLEX Middle East FZE</td>
<td>3.16</td>
</tr>
<tr>
<td>JBF RAK LLC</td>
<td>4.88</td>
</tr>
</tbody>
</table>

Assessment Rates

The Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. We will instruct CBP to liquidate entries of merchandise produced and/or exported by Flex and JBF. For assessment purposes, where the respondents reported the entered value for their sales, we calculated importer-specific (or customer-specific) ad valorem assessment rates based on the ratio of the total amount of the dumping duties calculated for the examined sales to the total entered value of those same sales. See 19 CFR 351.22(b). However, where the respondents did not report the entered value for their sales, we will calculate importer-specific (or customer-specific) per-unit assessment rates. The Department intends to issue appropriate assessment instructions directly to CBP 15 days after the date of publication of these final results of review.

The Department clarified its “automatic assessment” regulation on May 6, 2003. See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties, 68 FR 23954 (May 6, 2003). This clarification will apply to entries of subject merchandise during the POR produced by Flex or JBF for which the reviewed companies did not know their merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate non-reviewed entries at the all-others rate of 4.80 percent from the investigation if there is no rate for the intermediate company(ies) involved in the transaction. See Polyethylene
DEPARTMENT OF COMMERCE
International Trade Administration
[C–351–829]
Certain Hot-Rolled Flat-Rolled Carbon-Quality Steel Products From Brazil: Final Results of Countervailing Duty Administrative Review

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

SUMMARY: On October 7, 2010, the Department of Commerce (Department) issued the preliminary results of administrative review of the countervailing duty order on certain hot-rolled flat-rolled carbon-quality steel products (HRS) from Brazil for the period January 1, 2008, through December 31, 2008. Based on the results of our verification and the analysis of the comments received, the Department has made certain revisions to the subsidy rates for the respondent, Usinas Siderurgicas de Minas Gerais (USIMINAS) and its subsidiary, Companhia Siderurgica Paulista (COSIPA). The final subsidy rate for the reviewed company is listed below in the section entitled “Final Results of Review.”

DATES: Effective Date: April 25, 2011.

FOR FURTHER INFORMATION CONTACT: Myrna Lobo, Justin Neuman or Milton Koch, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482–2371, (202) 482–0486 and (202) 482–2584, respectively.

SUPPLEMENTARY INFORMATION:

Background

Since the issuance of Certain Hot-Rolled Flat-Rolled Carbon-Quality Steel Products From Brazil: Preliminary Results of Countervailing Duty Administrative Review, 75 FR 64700 (October 20, 2010) (Preliminary Results), the following events have occurred. The Department issued its third supplemental questionnaire to the Government of Brazil (GOB) and to USIMINAS/COSIPA on November 9, 2010. On the same day, the Department informed parties of the postponement of the briefing schedule. The GOB and USIMINAS/COSIPA filed their responses on November 23, 2010, and December 3, 2010, respectively. On December 13, 2010, the United States Steel Corporation (USS or petitioner) submitted factual information in rebuttal to information contained in USIMINAS/COSIPA’s December 3, 2010 questionnaire response. On January 6, 2011, the Department issued a fourth supplemental questionnaire to USIMINAS/COSIPA and the company submitted its response on January 19, 2011. On January 20, 2011, the Department placed on the record information from the investigation of cold-rolled steel and the prior administrative review of the instant order on HRS. See Memorandum to The File from Justin M. Neuman, Analyst, Certain Hot-Rolled Carbon Steel Flat Products from Brazil: Additional Programs Memorandum and Calculation Memorandum, Certain Hot-Rolled Carbon Steel Flat Products from Brazil, dated January 20, 2011.

On December 14, 2010, the Department extended the deadline for the final results from February 17, 2011 to April 18, 2011. See Certain Hot-Rolled Flat-Rolled Carbon-Quality Steel Products From Brazil: Extension of Time Limit for Final Results of Countervailing Duty Administrative Review, 75 FR 77828 (December 14, 2010).

On January 21, 2011, USS submitted comments in light of the Department’s planned verification. In accordance with section 782(i) of the Tariff Act of 1930, as amended (“the Act”) the Department conducted verification in Brazil of the questionnaire responses of USIMINAS/COSIPA from January 24 to January 27, 2011, and of one program of the GOB on January 28, 2011. See Memorandum to