DEPARTMENT OF COMMERCE

International Trade Administration

[Application No. 88–13A16]

Export Trade Certificate of Review

ACTION: Notice of application (88–13A16) to amend the Export Trade Certificate of Review issued to Wood Machinery Manufacturers of America, Application no. 88–00016.

SUMMARY: The Office of Competition and Economic Analysis (“OCEA”) of the International Trade Administration, Department of Commerce, has received an application to amend an Export Trade Certificate of Review (“Certificate”). This notice summarizes the proposed amendment and requests comments relevant to whether the amended Certificate should be issued.

FOR FURTHER INFORMATION CONTACT: Joseph Flynn, Director, Office of Competition and Economic Analysis, International Trade Administration, (202) 482–5131 (this is not a toll-free number) or e-mail at etc@trade.gov.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001–21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from State and Federal government antitrust actions and from private treble damage antitrust actions for the conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Export Trading Company Act of 1982 and 15 CFR 325.6(a) require the Secretary to publish a notice in the Federal Register identifying the applicant and summarizing its proposed export conduct.

Request for Public Comments

Interested parties may submit written comments relevant to the determination whether an amended Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked as privileged or confidential business information will be deemed to be nonconfidential.

An original and five (5) copies, plus two (2) copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Export Trading Company Affairs, International Trade Administration, U.S. Department of Commerce, Room 7021–X, Washington, DC 20230.

Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the Certificate. Comments should refer to this application as “Export Trade Certificate of Review, application number 88–13A16.”

The Wood Machinery Manufacturers of America’s (“WMMA”) original Certificate was issued on February 3, 1989 (54 FR 6312, February 9, 1989), and last amended on August 16, 2010 (75 FR 51439–51440, August 20, 2010). A summary of the current application for an amendment follows.

Summary of the Application

Applicant: Wood Machinery Manufacturers of America (“WMMA”), 100 North 20th Street, 4th Floor, Philadelphia, PA 19103–1443.

Contact: Harold Zassenhaus, Chief Staff Executive, Telephone: (301) 652–0693.

Application No.: 88–13A16.

Date Deemed Submitted: April 19, 2011.

Proposed Amendment: WMMA seeks to amend its Certificate to:

1. Add the following company as a new “Member” of the Certificate within the meaning of section 325.2(l) of the Regulations (15 CFR 325.2(l)): TigerStop LLC, Vancouver, WA; and

2. Delete the following company as a Member of WMMA’s Certificate: Saw Trax Mfg., Kennesaw, GA.

Dated: April 22, 2011.

Joseph E. Flynn,

Director, Office of Competition and Economic Analysis.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–909]

Certain Steel Nails From the Peoples’ Republic of China: Notice of Extension of Time Limits and Partial Rescission of the Second Antidumping Duty Administrative Review

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

DATES: Effective Date: April 28, 2011.

FOR FURTHER INFORMATION CONTACT: Alexis Polovina, Timothy Lord, or Ricardo Martinez Rivera, Office 9, AD/ CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482–3927, (202) 482–7425, and (202) 482–4532, respectively.

Background

On August 2, 2010, the Department published a notice of opportunity to request an administrative review on the antidumping order on certain steel nails from the People’s Republic of China (“PRC”) for the period of review (“POR”) August 1, 2009, through July 31, 2010. See Antidumping and Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review, 75 FR 45094 (August 2, 2010). Based upon requests for review from various parties, on September 29, 2010, the Department initiated the first antidumping duty administrative review on certain steel nails from the PRC, covering 222 companies. See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part, 75 FR 60076 (September 29, 2010) (“Initiation Notice”).

Statutory Time Limits

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (“Act”), requires the Department to make a preliminary determination within 245 days after the last day of the anniversary month of an order for which a review is requested and a final determination within 120 days after the date on which the preliminary results are published. However, if it is not practicable to complete the review within these time periods, section 751(a)(3)(A) of the Act allows the Department to extend the time limit for the preliminary determination to a maximum of 365 days after the last day of the anniversary month.

DEPARTMENT OF COMMERCE
Extension of Time Limit for Preliminary Results of Review

We determine that it is not practicable to complete the preliminary results of this review within the original time limit because the Department requires additional time to analyze the supplemental questionnaire responses. Further, the Department has provided parties additional time to submit surrogate value data and thus will require additional time to analyze these data. Therefore, the Department is extending the time limit for completion of the preliminary results by 90 days. The preliminary results will now be due no later than August 1, 2011. The final results continue to be due 120 days after the publication of the preliminary results.

Partial Rescission of Review

19 CFR 351.213(d)(1), states that if a party that requested an administrative review withdraws the request within 90 days of the publication of the notice of initiation of the requested review, the Secretary will rescind the review.


In accordance with 19 CFR 351.213(d)(1), the Department accordingly rescinds its review for those companies listed above and for which the request for review was withdrawn.

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 from a prior segment of the proceeding, 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 351.222(c)(2). Accordingly, the Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of this notice for the following companies: 1) Beijing Hongsheng Metal Products Co., Ltd.; 2) Cana (Tianjin) Hardware Ind., Co., Ltd.; 3) Guangdong Foreign Trade Import & Export Corporation; 4) Hebei Cangzhou Huadu Jin Chuan Manufactory Factory; 5) Hebei Super Star Pneumatic Nails Co., Ltd.; 6) Jisco Corporation; 7) Mingguang Abundant Hardware Products Co., Ltd.; 8) Qingdao Jisco Co., Ltd.; 9) SDC International Australia Pty., Ltd.; 10) Shandong Oriental Cherry Hardware Group Co., Ltd.; 11) Shandong Oriental Cherry Hardware Import and Export Co., Ltd.; 12) Shanxi Hairui Trade Co., Ltd.; 13) Shanxi Pioneer Hardware Industrial Co., Ltd.; 14) S-Mart (Tianjin) Technology Development Co., Ltd.; 15) Suntec Industries Co., Ltd.; 16) Tianjin Xiantong Material & Trade Co., Ltd; 17) Union Enterprise (Kushan) Co., Ltd.; 18) Wuhu Shijie Hardware Co., Ltd.; 19) Wuhu Xin Lan De Industrial Co., Ltd.; 20) Xiamen Metals & Minerals Import and Export Co., Ltd.; and 21) Zhaqing Harvest Nails Co., Ltd.

DEPARTMENT OF COMMERCE
International Trade Administration

Laminated Woven Sacks From the People’s Republic of China: Initiation of Anti-Circumvention Inquiry

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

SUMMARY: In response to a request from the Laminated Woven Sacks Committee and its individual members, Coating Excellence International, LLC and Polytex Fibers Corporation (collectively “Petitioners”), the Department of Commerce (“Department”) is initiating an anti-circumvention inquiry to determine whether certain imports are circumventing the antidumping and countervailing duty orders on laminated woven sacks from the People’s Republic of China (“PRC”).

DATES: Effective Date: April 28, 2011.

FOR FURTHER INFORMATION CONTACT: Catherine Bertrand, telephone: (202) 482–3207, or Jamie Blair-Walker, telephone: (202) 482–2615; AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

On January 26, 2011, pursuant to sections 781(c) and 781(d) of the Tariff Act of 1930, as amended (“Act”), and 19 CFR 351.225(j) and (j), Petitioners submitted requests for the Department to initiate and conduct a minor alterations and a later-developed merchandise anti-circumvention inquiry to determine whether laminated woven sacks printed with two colors in register and with the use of a screening process are circumventing the antidumping and countervailing duty orders on laminated woven sacks from the PRC. See Notice of Antidumping Duty Order: Laminated Woven Sacks From the People’s Republic of China, 73 FR 45941 (August 7, 2008) and Laminated Woven Sacks From the People’s Republic of China: Countervailing Duty Order, 73 FR 45955 (August 7, 2008) (collectively, “Orders”). On March 25, 2011, Petitioners withdrew their request for the Department to initiate a minor alterations anti-circumvention inquiry pursuant to 781(c) of the Act and 19 CFR 351.225(i). The later-developed merchandise anti-circumvention request filed pursuant to 781(d) of the Act and 19 CFR 351.225(j) remains active.

In their request, Petitioners allege that PRC manufacturers of subject merchandise have been circumventing the Orders by using two ink colors printed in register and a screening process 1 which allows for one of the original inks to print on the sacks in a different shade than the original ink color. Specifically, Petitioners allege that the sacks produced using a screening process are a later-developed product of the subject merchandise because there was no knowledge of such a product being commercially available in the U.S. market at the time of the investigations. No other parties submitted comments regarding Petitioners’ allegations in the circumvention of the Orders.

On February 24, 2011, the Department extended the deadline to initiate the anti-circumvention inquiry by 45 days, pursuant to 19 CFR 351.302(b).2 On April 8, 2011, Commercial Packaging, a U.S. supplier of packaging and packaging materials, provided comments.

Scope of the Orders

The merchandise covered by the orders is laminated woven sacks. Laminated woven sacks are bags or sacks consisting of one or more plies of fabric consisting of woven polypropylene strip and/or woven polyethylene strip, regardless of the

1 In essence, Petitioners allege that the screening process, which they contend is a later-developed process, in effect permits manufacturers to replace a print stand in register with the screen, thereby circumventing the Orders.

2 See Letter to Petitioners dated February 24, 2011.