The effective date of revocation is May 26, 2010, the fifth anniversary of the date of publication in the Federal Register of the most recent notice of continuation of the AD orders and the CVD order. See 19 CFR 351.222(i)(2)(ii). Pursuant to 19 CFR 351.222(i)(2)(ii), the Department intends to instruct U.S. Customs and Border Protection to terminate the suspension of liquidation of the merchandise subject to these AD orders and the CVD order entered, or withdrawn from warehouse, for consumption, on or after May 26, 2010. Entries of subject merchandise prior to the effective date of revocation will continue to be subject to suspension of liquidation and AD and CVD deposit requirements. The Department will complete any pending administrative reviews of the orders and will conduct administrative reviews of subject merchandise entered prior to the effective date of revocation in response to appropriately filed requests for review.

This notice serves as a reminder to all importers and/or parties subject to the administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under the APO in accordance with 19 CFR 351.305. Timely written notification of return or destruction of APO materials or conversion to judicial sanctions.

This revocation pursuant to five-year (sunset) reviews and this notice are issued and published in accordance with sections 751(c), 751(d)(2), and 777(f)(1) of the Act.

Dated: June 15, 2011.

Christian Marsh,
Acting Deputy Assistant Secretary for Import Administration.

Hand Trucks and Certain Parts Thereof From the People’s Republic of China: Final Results and Final Rescission in Part, of Antidumping Duty Administrative Review

Peter R. Navarro, Acting Assistant Secretary for Trade, Office of the United States Trade Representative.

DEPARTMENT OF COMMERCE

International Trade Administration

[FR Doc. 2011–15460 Filed 6–20–11; 8:45 am]

BILLING CODE 3510–DS–P
Telephone: (202) 482–2924, (202) 482–4947 or (202) 482–0649, respectively.

SUPPLEMENTARY INFORMATION:

Background


In the preliminary results, the Department invited interested parties to submit case briefs within 30 days of publication of the preliminary results and rebuttal briefs within five days after the due date for filing case briefs. See Preliminary Results, 76 FR at 2654. On January 21, 2011, the Department extended the due date for case briefs and rebuttal briefs by one week. We received a case brief from petitioners on February 22, 2011, and rebuttal briefs from New-Tec and Cosco Home and Office Products, a U.S. importer, on March 1, 2011.

On February 14, 2011, petitioners also submitted comments on the Department’s preliminary intent to rescind the review with respect to Yangjiang Shunhe Industrial Co. (Yangjiang Shunhe). Also on February 14, 2011, petitioners requested the Department hold a public hearing to discuss the preliminary results. Petitioners withdrew their request for a hearing on March 9, 2011. Therefore, we did not hold a hearing.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this review are addressed in the memorandum entitled, “Hand Trucks and Certain Parts Thereof From the People’s Republic of China: Issues and Decision Memorandum for the Final Results of 2008–2009 Administrative Review,” which is dated concurrently with and adopted by this notice (Decision Memorandum). A list of the issues which parties raised, and to which we respond in the Decision Memorandum is attached to this notice as an Appendix. The Decision Memorandum is a public document, and is on file in the Central Records Unit (CRU), Main Commerce Building, Room 7046, and is accessible on the Department’s Web site at http://www.trade.gov/ia. The paper copy and electronic version of the memorandum are identical in content.

Period of Review

The period of review (POR) is December 31, 2008, through November 30, 2009.

Scope of the Order

The merchandise subject to this antidumping duty order consists of hand trucks manufactured from any material, whether assembled or unassembled, complete or incomplete, suitable for any use, and certain parts thereof, namely the vertical frame, the handling area and the projecting edges or toe plate, and any combination thereof. A complete or fully assembled hand truck is a hand-propelled barrow consisting of a vertically disposed frame having a handle or more than one handle at or near the upper section of the vertical frame; at least two wheels at or near the lower section of the vertical frame; and a horizontal projecting edge or edges, or toe plate, perpendicular or angled to the vertical frame, at or near the lower section of the vertical frame. The projecting edge or edges, or toe plate, slides under a load for purposes of lifting and/or moving the load.

That the vertical frame can be converted from a vertical setting to a horizontal setting, then operated in that horizontal setting as a platform, is not a basis for exclusion of the hand truck from the scope of this petition. That the vertical frame, handling area, wheels, projecting edges or other parts of the hand truck can be collapsed or folded is not a basis for exclusion of the hand truck from the scope of the petition. That other wheels may be connected to the vertical frame, handling area, projecting edges, or other parts of the hand truck, in addition to the two or more wheels located at or near the lower section of the vertical frame, is not a basis for exclusion of the hand truck from the scope of the petition. That the hand truck may exhibit physical characteristics in addition to the vertical frame, the handling area, the projecting edges or toe plate, and the two wheels at or near the lower section of the vertical frame, is not a basis for exclusion of the hand truck from the scope of the petition.

Examples of names commonly used to reference hand trucks are hand truck, convertible hand truck, appliance hand truck, cylinder hand truck, bag truck, dolly, or hand trolley. They are typically imported under heading 8716.80.50.10 of the Harmonized Tariff Schedule of the United States (HTSUS), although they may also be imported under heading 8716.80.50.90. Specific parts of a hand truck, namely the vertical frame, the handling area and the projecting edges or toe plate, or any combination thereof, are typically imported under heading 8716.90.50.60 of the HTSUS. Although the HTSUS subheadings are provided for convenience and customs purposes, the Department’s written description of the scope is dispositive.

Excluded from the scope are small two-wheel or four-wheel utility carts specifically designed for carrying loads like personal bags or luggage in which the frame is made from telescoping tubular materials measuring less than 3/8 inch in diameter; hand trucks that use motorized operations either to move the hand truck from one location to the next or to assist in the lifting of items placed on the hand truck; vertical carriers designed specifically to transport golf bags; and wheels and tires used in the manufacture of hand trucks.

Changes Since the Preliminary Results

Based on a review of the record and comments received from parties regarding our Preliminary Results, we have made revisions to certain SVs and the margin calculation for New-Tec in these final results. We made the following changes:

- We used the 2009–10 financial statement of Rexello Castors Private, Ltd., for calculating financial ratios;
- We revised our calculation of brokerage and handling to take into account the weight of the hand truck.

Separate Rates Determination

In our Preliminary Results, we determined that New-Tec met the criteria for a separate rate status. We have not received any information since issuance of the preliminary results that provides a basis for reconsidering this preliminary determination. Therefore, the Department continues to find that New-Tec meets the criteria for a separate rate.

Final Partial Rescission

In the Preliminary Results, the Department preliminarily rescinded this review with respect to Yangjiang Shunhe and Century Distribution Systems, Inc. (Century Distribution) because the Department preliminarily determined that they had no shipments of subject merchandise to the United States during the POR. On February 14,
2011, petitioners submitted comments alleging that there was substantial evidence on the record that Yangjiang Shunhe did have shipments of subject merchandise to the United States during the POR. We have addressed petitioners’ comments in the Decision Memorandum at Comment 9. Based on our review of the record we affirm our previous determination that there is no record evidence that Yangjiang Shunhe had shipments of subject merchandise to the United States during the POR. Thus, in accordance with 19 CFR 351.213(d)(3), and consistent with our practice, we are rescinding this review with respect to Yangjiang Shunhe and Century Distribution.

Use of Adverse Facts Available (AFA)

In accordance with section 776(b) of the Act, we determine that the use of AFA as the basis for the weighted-average dumping margin is appropriate for the PRC-wide entity. As explained in the Preliminary Results, Sunshine International Corporation (Sunshine International), Zhejiang Yinmao Import and Export Co. (Zhejiang Yinmao), and Qingdao Huazhan Hardware and Machinery Co., Ltd. (Qingdao Huazhan), did not submit any information on the record regarding their separate-rate status, and did not respond to requests for information from the Department. As such, they have not rebutted the presumption of PRC-government control, and do not qualify for a separate rate. Therefore, the Department continues to find that they should be treated as part of the PRC-wide entity.

Because we have determined that Sunshine International, Zhejiang Yinmao, and Qingdao Huazhan are part of the PRC-wide entity, the PRC-wide entity is under review. Pursuant to section 776(a)(2)(A) and (C) of the Act, we find that Sunshine International, Zhejiang Yinmao, and Qingdao Huazhan failed to respond to the Department’s questionnaires, withheld information requested by the Department, and impeded the conduct of this review. Accordingly, the Department continues to find that it is appropriate to base the dumping margin of the PRC-wide entity on the facts otherwise available on the record.

Further, because the failure of Sunshine International, Zhejiang Yinmao, and Qingdao Huazhan to provide requested information constitutes circumstances under which it is reasonable to conclude that less than full cooperation has been shown, pursuant to section 776(b) of the Act, the Department has determined selecting from among the facts otherwise available, an adverse inference is warranted with respect to the PRC-wide entity. See Preliminary Results, 76 FR at 2653.

As AFA, we have assigned 383.60 percent to the PRC-wide entity. This rate was assigned in the less-than-fair-value investigation of this proceeding, and is the highest rate determined for any party in any segment of this proceeding. Furthermore, as required by section 776(c) of the Act, we corroborated this margin with respect to the PRC-wide entity, to the extent practicable. For a detailed explanation of how we corroborated this margin, see Preliminary Results, 76 FR at 2654.

Final Results of the Review

The Department has determined that the following margin exists for the period December 1, 2008, through November 30, 2009:

| Exporter                        | Weighted-
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>New-Tec Integration (Xiamen) Co., Ltd</td>
<td>0.00</td>
</tr>
<tr>
<td>PRC-wide Entity</td>
<td>383.60</td>
</tr>
</tbody>
</table>

Assessment Rates

Consistent with these final results, and pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.212(b)(1), the Department will direct CBP to assess antidumping duties on all appropriate entries. The Department will issue appropriate assessment instructions to CBP 15 days after the date of publication of the final results of this review. Pursuant to 19 CFR 351.212(b)(1), we calculated importer-specific ad valorem duty assessment rates based on the ratio of the total amount of the dumping margins calculated for the examined sales to the total entered value of those same sales. We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review if any importer-specific assessment rate calculated in the final results of this review is above de minimis.

Cash Deposit Requirements

The following cash deposit requirements, when imposed, will be effective upon publication of the final results of this review for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) The cash-deposit rate for each of the reviewed companies that received a separate rate in this review will be the rate listed in the final results of this review (except that if the rate for a particular company is de minimis, i.e., less than 0.5 percent, no cash deposit will be required for that company); (2) for previously investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period of review; (3) if the exporter is a firm not covered in this review, a prior review, or the original 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 subject merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will be the PRC-wide rate of 383.60 percent. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers 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 POR. Failure to comply with this requirement could result in the Secretary’s presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing this administrative review and notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: June 13, 2011.
Ronald K. Lorentzen,
Deputy Assistant Secretary for Import Administration.

Appendix

Comment 2. Use of Godrej & Boyce Manufacturing Co., Ltd. (Godrej & Boyce) Financial Statements.
DEPARTMENT OF COMMERCE
International Trade Administration

A–201–805

Certain Circular Welded Non-Alloy Steel Pipe From Mexico: Final Results of Antidumping Duty Administrative Review

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

SUMMARY: On December 15, 2010, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on certain circular welded non-alloy steel pipe from Mexico. See Certain Circular Welded Non-Alloy Steel Pipe From Mexico: Preliminary Results of Antidumping Duty Administrative Review, 75 FR 78216 (December 15, 2010) (Preliminary Results). This administrative review covers mandatory respondents Mueller Comercial de Mexico, S. de R.L. de C.V. (Mueller) and Ternium Mexico, S.A. de C.V. (Ternium), Tuberia Nacional, S.A. de C.V. (TUNA) was subject to a concurrent changed circumstances review of this order; in its changed circumstances review, the Department determined that Lamina y Placa Comercial, S.A. de C.V. (Lamina) is the successor-in-interest to TUNA. See Notice of Final Results of Antidumping Duty Changed Circumstances Review: Certain Circular Welded Non-Alloy Steel Pipe from Mexico, 75 FR 82374 (December 30, 2010). Because the determination was made after the Preliminary Results and the parties refer to this entity as TUNA in their case and rebuttal briefs, we continue to refer to this entity as TUNA for these final results so as to avoid confusion. The period of review (POR) is November 1, 2008, through October 31, 2009. We determine that sales of subject merchandise have been made at less than normal value (NV). One of the companies, Ternium, refused to cooperate with the Department in this administrative review. We have calculated a dumping margin for Mueller. We determine that TUNA had no reviewable sales, shipments, or entries during the POR. The Department’s review of import data supported TUNA’s claim of no shipments during the POR (see “TUNA’s No-Shipment Claim” section of this notice for further explanation).

As a result of our analysis of the comments received, these final results differ from the Preliminary Results. For our final results, we find that Ternium and Mueller made sales of subject merchandise at less than NV. We have listed the final dumping margin below in the section entitled “Final Results of Review.”

DATES: Effective Date: June 21, 2011.

FOR FURTHER INFORMATION CONTACT: Mark Flessner or Robert James, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482–6312 and (202) 482–0649, respectively.

SUPPLEMENTARY INFORMATION:

Background
On December 15, 2010, the Department published in the Federal Register the preliminary results of the administrative review of the antidumping duty order on certain circular welded non-alloy steel pipe from Mexico for the period November 1, 2008, to October 31, 2009. See Preliminary Results.

As noted in the Preliminary Results, we conducted verification of the Mueller sales responses on October 25–29, 2010, and of the TUNA no-shipment claim on November 1–3, 2010. Because there was insufficient time to complete the verification memorandum for the Preliminary Results, these verification memoranda were released after the Preliminary Results. Mueller submitted new sales data (in response to the Department’s request made at the end of verification) on December 1, 2010; we used these data in our post-preliminary margin calculation for Mueller and continue to use them for these final results.

On December 7, 2010, the Department issued second supplemental section D questionnaires to Mueller, TUNA, and Ternium. On December 21, 2010, Ternium submitted its response to our second supplemental section D questionnaire (but we are not using a Ternium database for this final results calculation, nor did we use one for the post-preliminary margin calculation). On January 4, 2011, Mueller submitted its response to our second supplemental section D questionnaire (which contained its latest cost database). On January 4, 2011, TUNA submitted its response to our second supplemental section D questionnaire (but did not need to revise its database). Therefore, these final results are based on the same databases used for the post-preliminary calculation. (Note: Ternium is the successor-in-interest to HYLSA; it is referenced alternately by “Ternium,” by “HYLSA,” and by “Termex” in the body of the program. See Final Results of Antidumping Duty Changed Circumstances Review: Certain Circular Welded Non-Alloy Steel Pipe and Tube from Mexico, 74 FR 41681 (August 18, 2009)). On February 10, 2011, the Department released a post-preliminary calculation. See Memorandum from Mark Flessner to the File entitled “Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Post-Preliminary Results Analysis Memorandum for Mueller Comercial, S. de R.L. de C.V.”, dated February 10, 2011 (Post-Preliminary Results Analysis Memorandum). As part of that post-preliminary calculation, three memoranda from Heidi K. Schriefer to Neal M. Halper were placed on the record. These memoranda were entitled: (1) “Cost of Production and Constructed Value Calculation Adjustments for the Post-Preliminary Results—Mueller Comercial de Mexico, S. de R.L. de C.V.”; (2) “Cost of Production and Constructed Value Adjustments for the Post-Preliminary Results—Ternium Mexico, S.A. de C.V.”; and (3) “Cost of Production and Constructed Value Adjustments for the Post-Preliminary Results—HYLSA, S.A. de C.V.” These memoranda were incorporated by reference into the Post-Preliminary Results Analysis Memorandum, providing all changes made to the programming.

In response to the Department’s invitation to comment on the preliminary results of this review, parties filed multiple case and rebuttal briefs. Respondent Mueller filed its case brief on February 23, 2011 (Mueller case brief). Petitioner United States Steel Corporation (U.S. Steel) filed its case brief regarding TUNA on February 25, 2011 (U.S. Steel’s TUNA case brief). In