

**Analysis of Comments Received**

A complete discussion of all issues raised in this sunset review is addressed in the accompanying Issues and Decision Memorandum, which is hereby adopted by this notice. See the Department's memorandum entitled, "Issues and Decision Memorandum for the Final Results of the Expedited First Sunset Review of the Antidumping Duty Order on Certain Artist Canvas from the People's Republic of China," dated August 31, 2011 ("I&D Memo"). The issues discussed in the accompanying I&D Memo include the likelihood of continuation or recurrence of dumping and the magnitude of the dumping margin likely to prevail if the Order is revoked. Parties can obtain a public copy of the I&D Memo on file in the Central Records Unit, room 7046, of the main Commerce building. In addition, a complete public copy of the I&D Memo can be accessed directly on the Web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the I&D Memo are identical in content.

**Final Results of Sunset Review**

Pursuant to section 751(c) of the Act, the Department determines that revocation of the Order on artist canvas would likely lead to continuation or recurrence of dumping. The Department also determines that the dumping margins likely to prevail if the Order was revoked are as follows:

Exporters/producers	Weighted-average margin (percent)
Ningbo Conda/Jinhua Universal .....	264.09
Ningbo Conda/Wuxi Silver Eagle Cultural Goods Co. Ltd. ....	264.09
Conda Painting/Wuxi Pegasus Cultural Goods Co. Ltd. ....	264.09
Jinhua Universal/Jinhua Universal .....	264.09
Phoenix Materials/Phoenix Materials .....	77.90
Phoenix Materials/Phoenix Stationary .....	77.90
Phoenix Materials/Shuyang Phoenix .....	77.90
Phoenix Stationary/Phoenix Materials .....	77.90
Phoenix Stationary/Phoenix Stationary .....	77.90
Phoenix Stationary/Shuyang Phoenix .....	77.90
Jiangsu By-products/Wuxi Yinying Stationery and Sports Products Co. Ltd. Corp. ....	77.90

Exporters/producers	Weighted-average margin (percent)
Jiangsu By-products/Su Yang Yinying Stationery and Sports Products Co. Ltd. Corp. ....	77.90
PRC-Wide Entity .....	264.09

**Notification Regarding Administrative Protective Order**

This notice also serves as the only reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or 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 these results and notice in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: August 30, 2011.  
**Ronald K. Lorentzen,**  
*Deputy Assistant Secretary for Import Administration.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-201-836]

**Light-Walled Rectangular Pipe and Tube From Mexico: Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review**

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

**SUMMARY:** In response to requests for an administrative review, the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on light-walled rectangular pipe and tube (LWR pipe and tube) from Mexico. The review covers imports of subject merchandise of two respondent companies during the period August 1, 2009, through July 31, 2010. For these preliminary results, we have found that both respondents made sales of subject merchandise at less than normal value during the period of review. In addition, we have rescinded

the review with respect to two additional companies.

**DATES:** *Effective Date:* September 7, 2011.

**FOR FURTHER INFORMATION CONTACT:** Dena Crossland (Maquilacero), Brian Davis (Regiopytsa), or Edythe Artman, 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) 482-3362, (202) 482-7924, or (202) 482-3931, respectively.

**SUPPLEMENTARY INFORMATION:**

**Period of Review**

The period of review (POR) is August 1, 2009, through July 31, 2010.

**Scope of the Order**

The merchandise that is the subject of this order is certain welded carbon-quality light-walled steel pipe and tube, of rectangular (including square) cross section, having a wall thickness of less than 4 mm.

The term carbon-quality steel includes both carbon steel and alloy steel which contains only small amounts of alloying elements. Specifically, the term carbon-quality includes products in which none of the elements listed below exceeds the quantity by weight respectively indicated: 1.80 percent of manganese, or 2.25 percent of silicon, or 1.00 percent of copper, or 0.50 percent of aluminum, or 1.25 percent of chromium, or 0.30 percent of cobalt, or 0.40 percent of lead, or 1.25 percent of nickel, or 0.30 percent of tungsten, or 0.10 percent of molybdenum, or 0.10 percent of niobium, or 0.15 percent vanadium, or 0.15 percent of zirconium. The description of carbon-quality is intended to identify carbon-quality products within the scope. The welded carbon-quality rectangular pipe and tube subject to this order is currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7306.61.50.00 and 7306.61.70.60. While HTSUS subheadings are provided for convenience and Customs purposes, our written description of the scope of this order is dispositive.

**Background**

On August 5, 2008, the Department published the antidumping duty order on LWR pipe and tube from Mexico in the **Federal Register**. See *Light-Walled Rectangular Pipe and Tube from Mexico, the People's Republic of China, and the Republic of Korea: Antidumping Duty Orders; Light-Walled Rectangular*

*Pipe and Tube from the Republic of Korea: Notice of Amended Final Determination of Sales at Less Than Fair Value*, 73 FR 45403 (August 5, 2008) (*Order*). On August 2, 2010, the Department published its notice of opportunity to request an administrative review of this order. See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 75 FR 45094 (August 2, 2010), covering, *inter alia*, LWR pipe and tube from Mexico for the POR.

In response, on August 31, 2010, four companies—Productos Laminados de Monterrey S.A. de C.V. (Prolamsa), Nacional de Acero S.A. de C.V. (Nacional), Maquilacero S.A. de C.V. (Maquilacero), and Regiomontana de Perfiles y Tubos S.A. de C.V. (Regiopytsa)—requested that the Department conduct an administrative review of their own entries of subject merchandise for the POR. On September 29, 2010, the Department published a notice of initiation of the requested administrative reviews. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 75 FR 60076 (September 29, 2010). As discussed in the section immediately below, Prolamsa and Nacional later withdrew their requests for review.

Both Maquilacero and Regiopytsa submitted responses to the Department's antidumping questionnaire and responses to subsequent requests for additional information. The petitioner filed no comments on these responses.

#### **Partial Rescission of Administrative Review**

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if a party that requested a review withdraws the request within 90 days of the date of publication of the notice of initiation of the requested review. Prolamsa and Nacional withdrew their requests for review on October 20, 2010, and November 4, 2010, respectively; thus, they both withdrew their requests within the 90-day time limit. No other party requested reviews of Prolamsa or Nacional. Therefore, we are accepting their requests for withdrawal and have rescinded the administrative reviews of Prolamsa and Nacional.

#### **Extension of Preliminary Results**

On April 1, 2011, the Department published an extension of the time limits for the preliminary results of this review by 120 days. See *Light-Walled Rectangular Pipe and Tube from Mexico; Extension of Time Limit for*

*Preliminary Results of Antidumping Duty Administrative Review*, 76 FR 18155 (April 1, 2011). The extension notice established the deadline of August 31, 2011, for these preliminary results.

#### **Affiliated Respondents**

Under section 771(33)(E) of the Tariff Act of 1930, as amended (the Act), if one party owns, directly or indirectly, five percent or more of another party, such parties are considered to be affiliated for purposes of the antidumping law. Furthermore, pursuant to 19 CFR 351.403, the Department may require a respondent to report the downstream sales of its affiliated customer to the first unaffiliated customer if: (1) The respondent's sales to all affiliated customers account for five percent or more of the respondent's total sales of foreign-like product in the comparison market, and (2) those sales to the affiliated customer are determined to have not been made at arm's-length.

In the less-than-fair-value (LTFV) investigation and the immediately preceding administrative review of this order, the Department determined that, pursuant to section 771(33)(E), Maquilacero had an affiliated customer whose downstream sales should be reported to the Department. See *Notice of Final Determination of Sales at Less Than Fair Value: Light-Walled Rectangular Pipe and Tube From Mexico*, 73 FR 35649 (June 24, 2008), and accompanying Issues and Decision Memorandum at Comment 5; *Light-Walled Rectangular Pipe and Tube From Mexico: Preliminary Results of Antidumping Duty Administrative Review*, 75 FR 55559, 55561, (September 13, 2010). In this administrative review, Maquilacero reported sales to this same affiliated reseller and we found that these sales accounted for more than five percent of its home-market sales. However, because we found that these sales were made at arm's-length during the instant period of review, we did not request that Maquilacero submit its affiliate's downstream sales.

Regiopytsa also reported sales to affiliated customers in the home market during the POR, but, because these sales constituted less than five percent of its total home-market sales during that period, we did not request that Regiopytsa submit downstream sales for its one affiliated reseller.

#### **Fair Value Comparisons**

To determine if sales of subject merchandise were made in the United States at less than fair value, we compared the export price (EP) of U.S.

sales to normal value, as described in the "Export Price" and "Normal Value" sections of this notice. In accordance with section 777A(d)(2) of the Act, we compared the EP of U.S. sales within the POR to the monthly weighted-average normal value of foreign like product where there were sales made in the ordinary course of trade, as discussed in the "Price-to-Price Comparisons" section below.

#### **Product Comparisons**

In accordance with section 771(16) of the Act, we considered all products produced by Maquilacero and Regiopytsa, covered by the description in the "Scope of the Order" section above, and sold in the home market during the POR, to be foreign like product for purposes of determining appropriate product comparisons to subject merchandise sold in the United States. We relied on the following six product characteristics to identify identical subject merchandise and foreign-like product: (1) Steel input type; (2) whether the product was metallic-coated or not; (3) whether the product was painted or not; (4) product perimeter; (5) wall thickness; and (6) shape. Where there were no sales of identical merchandise in the home market to compare to subject merchandise sold in the United States, we compared these U.S. sales to home-market sales of the most-similar, foreign like product on the basis of the reported product characteristics and instructions provided in the antidumping questionnaire.

#### **Level of Trade**

In accordance with section 773(a)(1)(B) of the Act and to the extent practicable, we determine normal value based on sales made in the home market at the same level of trade as EP or the constructed export price. The normal-value level of trade is based on the starting prices of sales in the home market or, when normal value is based on constructed value, those of the sales from which we derived selling, general, and administrative expenses and profit. See also 19 CFR 351.412(c)(1)(iii). For EP, the level of trade is based on the starting price, which is usually the price from the exporter to the importer. See 19 CFR 351.412(c)(1)(i). In this review, both Maquilacero and Regiopytsa reported only EP sales to the United States.

To determine if the home-market sales are made at a different level of trade than EP sales, we examined stages in the marketing process and the selling functions performed along the chain of distribution between the producer and

the unaffiliated customer. See 19 CFR 351.412(c)(2). If home-market sales are at a different level of trade, as manifested in a pattern of consistent price differences between the sales on which normal value is based and home-market sales made at the level of trade of the export transaction, and the difference affects price comparability, then we make a level-of-trade adjustment to normal value under section 773(a)(7)(A) of the Act and 19 CFR 351.412. See, e.g., *Notice of Final Determination of Sales at Less Than Fair Value: Certain Cut-to-Length Carbon Steel Plate from South Africa*, 62 FR 61731 (November 19, 1997).

#### *Maquilacero*

In its responses to section A of the antidumping questionnaire and supplemental responses, Maquilacero reported one level of trade with one channel of distribution for its EP sales. Based on our analysis of the selling functions performed by Maquilacero on its sales to the United States, we determined that the sales were made at one level of trade.

For the home market, Maquilacero identified two channels of distribution in its section A response as follows: (1) Direct sales made by Maquilacero, and (2) indirect sales made by its affiliated reseller to the first unaffiliated customer. Maquilacero reported that the sales in both channels were made at one level of trade. Based on our analysis of all of Maquilacero's home-market selling functions, we found that the sales made in both channels of distribution were made at one level of trade, or the normal-value level of trade.

We then compared the selling functions performed for the sales at the normal-value level of trade to those performed for the EP level of trade. Based on this analysis, we preliminarily determined that the EP and the starting price of Maquilacero's home-market sales represented different stages in the marketing process and were thus at different levels of trade. However, because Maquilacero only sold at one level of trade in the home market, there is no basis on which to determine if there was a pattern of consistent price differences between two levels of trade in that market. Furthermore, there is no other record evidence on which to base a level-of-trade adjustment. Therefore, even though the normal-value level of trade differed from the EP level of trade, we are unable to make a level-of-trade adjustment to normal value. For further discussion, see the "Level of Trade" section in the Memorandum to the File for "Analysis of Data Submitted by Maquilacero S.A. de C.V. for the

Preliminary Results of the Antidumping Duty Administrative Review on Light-Walled Rectangular Pipe and Tube from Mexico," dated August 31, 2011 (Maquilacero Preliminary Analysis Memo).

#### *Regiopytsa*

In its initial and supplemental responses to section A, Regiopytsa reported one channel of distribution for its home-market sales made to two classes of customers (*i.e.*, distributors and end-users). For all sales made through the affiliated reseller in the home market, Regiopytsa reported that the merchandise was resold to unaffiliated customers. Regiopytsa reported a single level of trade in the home market in its section A response. Based on our analysis of all of Regiopytsa's home-market selling functions, we preliminarily found that the selling functions for the reported channel of distribution constituted one level of trade in the home market, or the normal-value level of trade.

In the U.S. market, Regiopytsa reported one level of trade for which there was one channel of distribution to two classes of customers (*i.e.*, distributors and steel service centers). Based on our analysis of Regiopytsa's selling functions for its EP sales to the United States, we determined that there was one level of trade for its U.S. sales.

Next, we compared the selling functions associated with the sales at the normal-value level of trade to those associated with the EP level of trade and, based on our analysis of record evidence, we preliminarily found that the degree to which Regiopytsa provided the selling functions for its customers in the home market was greater than the degree to which it provided selling functions in the U.S. market. Although both markets had many similar selling functions, Regiopytsa provided certain selling functions in the home market that it did not provide in the U.S. market (*e.g.*, advertising, providing cash discounts, commissions to selling agents, and post-sale warehousing). But, as with Maquilacero, we were unable to calculate a level-of-trade adjustment because there was only one level of trade in Regiopytsa's home market. Therefore, for these preliminary results, we matched the EP sales to home-market sales without making a level-of-trade adjustment to normal value. See section 773(a)(7)(A) of the Act. For a more detailed explanation of our level-of-trade analysis, see the "Level of Trade" section in the Memorandum to the File for "Analysis of Data Submitted by Regiomontana de Perfiles y Tubos

S.A. de C.V. for the Preliminary Results of the Antidumping Duty Administrative Review on Light-Walled Rectangular Pipe and Tube from Mexico," dated August 31, 2011 (Regiopytsa Preliminary Analysis Memo).

#### **Date of Sale**

The Department will normally use invoice date, as recorded in the exporter's or producer's records kept in the ordinary course of business, as the date of sale, but may use a date other than the invoice date if it better reflects the date on which the material terms of sale are established. See 19 CFR 351.401(i).

For Maquilacero and Regiopytsa, we found that the invoice date best reflected the date on which material terms of sales were established with one exception. With respect to its home-market sales, Regiopytsa explained that certain sales involved "special invoicing." Based on our analysis of these sales, we determined that the material terms of sale were in fact subject to change up until the time that the merchandise was released for shipment, which occurred after the invoice date. Thus, for these preliminary results, the Department found shipment date to be the most appropriate date of sale for the special-invoicing sales. See the "Date of Sale" section of Regiopytsa Preliminary Analysis Memo for the full analysis of this issue.

#### **Export Price**

Section 772(a) of the Act defines EP as "the price at which the subject merchandise is first sold (or agreed to be sold) before the date of importation by the producer or exporter of subject merchandise outside of the United States to an unaffiliated purchaser in the United States or to an unaffiliated purchaser for exportation to the United States, as adjusted under subsection (c)."

For purposes of these preliminary results, we calculated EP for Maquilacero and Regiopytsa, in accordance with section 772(a) of the Act, because the merchandise was sold, prior to importation by the producer, outside of the United States to the first unaffiliated purchaser in the United States. For each company, we calculated EP based on the packed price that was charged to the first unaffiliated U.S. customer. We made deductions for movement expenses, where appropriate, in accordance with section 772(c)(2)(A) of the Act, including deductions for foreign inland freight (plant/warehouse to the border), U.S. inland freight

(warehouse to the unaffiliated customer), country of manufacture inland insurance, and brokerage and handling. We also made adjustments, where appropriate, for imputed credit, certain direct selling expenses (including commissions), and billing adjustments.

## Normal Value

### A. Selection of Home Market

To determine whether there was a sufficient volume of sales of LWR pipe and tube in the home market during the period of review to serve as a viable basis for calculating normal value, we compared Maquilacero and Regiopytsa's volume of home-market sales of the foreign like product to the volume of each company's respective U.S. sales of the subject merchandise, in accordance with section 773(a) of the Act. Because both Maquilacero and Regiopytsa's aggregate volume of home-market sales of the foreign like product was greater than five percent of their aggregate volume of U.S. sales for subject merchandise, we determined that the home market was viable for comparison purposes for both companies, pursuant to section 773(a)(1)(B) of the Act.

### B. Affiliated Party Transactions and Arm's-Length Test

Sales to affiliated customers in the home market that were not made at arm's-length prices were excluded from our analysis because we consider them to be outside the ordinary course of trade. See section 773(f)(2) of the Act; see also 19 CFR 351.102(b). Consistent with 19 CFR 351.403(c) and (d) and agency practice, "the Department may calculate normal value based on sales to affiliates if satisfied that the transactions were made at arm's-length." See *China Steel Corp. v. United States*, 264 F. Supp. 2d 1339, 1365 (CIT 2003). To test whether the sales to affiliates were made at arm's-length prices, we compared, on a model-specific basis, the starting prices of sales to affiliated and unaffiliated customers, net of all direct selling expenses, billing adjustments, discounts, rebates, movement charges, and packing. Where prices to the affiliated party were, on average, within a range of 98 to 102 percent of the price of identical or comparable merchandise to the unaffiliated parties, we determined that the sales made to the affiliated party were at arm's-length. See *Antidumping Proceedings: Affiliated Party Sales in the Ordinary Course of Trade*, 67 FR 69186, 69194 (November 15, 2002). Based on this analysis, Maquilacero's sales through its affiliated reseller were made at arm's length but

those made by Regiopytsa to its affiliated customers (including its affiliated reseller) were not. Therefore, in our margin calculations, we included Maquilacero's sales to its affiliate but excluded Regiopytsa's sales to its affiliated customers.

### C. Cost of Production Analysis

In the LTFV investigation of this proceeding, the Department disregarded sales made by Maquilacero that were found to be below its cost of production (COP). See *Notice of Preliminary Determination of Sales at Less Than Fair Value: Light-Walled Rectangular Pipe and Tube From Mexico*, 73 FR 5515, 5521 (January 30, 2008), unchanged in the final results, *Notice of Final Determination of Sales at Less Than Fair Value: Light-Walled Rectangular Pipe and Tube from Mexico*, 73 FR 35649 (June 24, 2008). Therefore, as below-cost sales made by Maquilacero were disregarded in the most recently completed segment of the proceeding, there were reasonable grounds to believe or suspect that this respondent had made sales of the foreign like product in the home market at prices below the COP, pursuant to section 773(b)(2)(A)(ii) of the Act. Consequently, on October 26, 2010, we requested that Maquilacero respond to section D of the Department's antidumping questionnaire.

Based on the review of the COP information provided by Maquilacero in its response, the company did not appear to experience significant changes in its cost of manufacturing (COM) during the POR. Therefore, we followed our normal methodology of calculating a POR, weighted average cost for each product. We relied on the COP information provided by Maquilacero except we made an upward adjustment to Maquilacero's labor costs to reflect the purchase of labor services from an affiliate during the POR. Because the record did not provide market prices for these services, we were unable to compare the transfer price of the services to a market price under section 773(f)(2) of the Act. Thus, we based our adjustment to labor costs on an analysis of the transfer price to the COP of the affiliate. Furthermore, because we are making the adjustment to the labor portion of COM, we excluded the affiliate's operating loss from Maquilacero's reported general and administrative expenses. For further details regarding this adjustment for Maquilacero, see the Memorandum to Neal M. Halper, Director, Office of Accounting from Ji Young Oh, Senior Accountant, regarding the "Cost of Production and Constructed Value

Calculation Adjustments for the Preliminary Results—Maquilacero S.A. de C.V.," dated August 31, 2011.

On a product-specific basis, we compared the adjusted weighted average COP figures to the home-market sales of the foreign like product in order to determine if these sales were made at prices below the COP. The prices were exclusive of any applicable movement charges, packing expenses, warranty expenses, or indirect selling expenses. In determining whether to disregard home-market sales made at prices below their COP, we examined if such sales were made within an extended period of time, in substantial quantities, and at prices which permitted the recovery of all costs within a reasonable period of time.

We found that, for certain products, more than 20 percent of the home-market sales were made at prices below the COP and that these below-cost sales were made within an extended period of time and in substantial quantities. In addition, the sales were made at prices that did not permit the recovery of costs within a reasonable period of time. Thus, in accordance with section 773(b)(1) of the Act, we disregarded these below-cost sales, and used only the remaining sales of the same product as the basis for determining normal value.

### D. Price-to-Price Comparisons

We calculated normal value based on prices to unaffiliated customers and those to affiliated customers that passed the arm's-length test.<sup>1</sup> In the case of Maquilacero, normal value was also based on home-market sales that passed the cost test. In our calculation of normal value, we accounted for billing adjustments, discounts, and rebates, where appropriate. We also made deductions, where applicable, for inland freight, insurance, handling, and warehousing, pursuant to section 773(a)(6)(B) of the Act. We also made adjustments for differences in circumstances of sale (COS), in accordance with section 773(a)(6)(C)(iii) of the Act. In particular, we made COS adjustments for home-market direct selling expenses, such as imputed credit expenses and warranty expenses, and certain U.S. direct selling expenses, including commissions and warranty

<sup>1</sup> We excluded home market sales of secondary merchandise, for which neither Maquilacero nor Regiopytsa could provide complete product characteristic information and which both companies reported to be heavily discounted lot sales (*i.e.*, sales of assorted merchandise), from our margin calculation analysis. For a more detailed discussion of these sales, see Maquilacero Preliminary Analysis Memo at 5-6 and Regiopytsa Preliminary Analysis Memo at 2.

expenses. For Maquilacero, we calculated home-market and U.S. warranty expenses based on a three-year company history of such expenses. For Regiopytsa, the company was unable to provide a three-year history of warranty expenses, so we based the calculation of the expenses on those incurred by Regiopytsa during the POR. Finally, we deducted home-market packing costs and added U.S. packing costs in accordance with sections 773(a)(6)(A) and (B) of the Act.

For more detailed information on the calculation of normal value, see Maquilacero Preliminary Analysis Memo at 10 and Regiopytsa Preliminary Analysis Memo at 7.

### Currency Conversion

The Department's preferred source for daily exchange rates is the Federal Reserve Bank. See *Preliminary Results of Antidumping Duty Administrative Review: Stainless Steel Sheet and Strip in Coils From France*, 68 FR 47049, 47055 (August 7, 2003), unchanged in *Notice of Final Results of Antidumping Duty Administrative Review: Stainless Steel Sheet and Strip in Coils From France*, 68 FR 69379 (December 12, 2003). However, the Federal Reserve Bank does not track or publish exchange rates for the Mexican peso. Therefore, pursuant to section 773A(a) of the Act, we made currency conversions from Mexican pesos to U.S. dollars based on the daily exchange rates from Factiva, a Dow Jones and Reuters Retrieval Service. Because Factiva only publishes exchange rates for Monday through Friday, we used the rate of exchange on the most recent Friday for conversion of dates involving a Saturday or Sunday. See Import Administration Web site at: <http://ia.ita.doc.gov/exchange/index.html>.

### Preliminary Results of Review

As a result of our review, we preliminarily determine the following weighted-average dumping margins exist for the period August 1, 2009, through July 31, 2010:

Manufacturer/Exporter	Weighted-average margin (percent)
Maquilacero S.A. de C.V. ....	0.80
Regiomontana de Perfiles y Tubos S.A. de C.V. ....	4.57

### Disclosure and Public Comments

The Department will disclose the calculations we used in our analysis to parties to this review within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

An interested party may request a hearing within 30 days of publication of these preliminary results. See 19 CFR 351.310(c). Any hearing, if requested, will be held 37 days after the date of publication, or the first business day thereafter, unless the Department alters the date pursuant to 19 CFR 351.310(d). Interested parties may submit case briefs no later than 30 days after the date of publication of these preliminary results of review. See 19 CFR 351.309(c). Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than five days after the time limit for submitting the case briefs. See 19 CFR 351.309(d). Parties who submit argument in these proceedings are requested to submit with the argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities. Further, parties submitting case briefs and/or rebuttal briefs are requested to provide the Department with an additional copy of the public version of any such argument on diskette.

Parties are reminded that any case or rebuttal briefs must be filed electronically using Import Administration's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS), in compliance with the procedures set forth in *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011).

The Department intends to issue the final results of this administrative review, including the results of our analysis of the issues in any such argument or at a hearing, within 120 days of the date of publication of this notice.

### Duty Assessment

Upon completion of this administrative review, the Department shall determine, and CBP shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b)(1), we will calculate importer- or customer-specific *ad valorem* assessment rates for the merchandise based on the ratio of the total amount of antidumping duties calculated for the examined sales made during the period of review to the total customs value of the sales used to calculate those duties. Where the duty assessment rates are above *de minimis*, we will instruct CBP to assess duties on all entries of subject merchandise by that importer in accordance with the requirements set forth in 19 CFR 351.106(c)(2).

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 that were produced by the companies included in these preliminary results of review and for which the reviewed companies did not know that the merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate un-reviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

In accordance with 19 CFR 356.8(a), the Department intends to issue assessment instructions to CBP on or after 41 days following the publication of the final results of this review.

### Cash Deposit Requirements

The following cash-deposit requirements will be effective, upon completion of the final results of this administrative review, for all shipments of LWR pipe and tube from Mexico entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of review, as provided by section 751(a)(1) of the Act: (1) The cash-deposit rates for the companies covered by this review (*i.e.*, Maquilacero and Regiopytsa) will be the rates established in the final results of this review, except if the rate is less than 0.50 percent (*de minimis* within the meaning of 19 CFR 351.106(c)(1)), in which case the cash deposit will be zero; (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; (3) if the exporter is not a firm covered in this review, the prior review, or the LTFV 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; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous review conducted by the Department, the cash-deposit rate will be the all-others rate of 3.76 percent, the all-others rate established in the LTFV investigation. See *Order* at 73 FR 45405. These deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importers

This notice serves as a preliminary 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 review period. 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.

These preliminary results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: August 31, 2011.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-888]

#### Floor-Standing, Metal-Top Ironing Tables and Certain Parts Thereof From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review

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

**SUMMARY:** In response to requests from interested parties, the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on floor-standing, metal-top ironing tables and certain parts thereof (ironing tables) from the People's Republic of China (PRC). The period of review (POR) is August 1, 2009 through July 31, 2010. We have preliminarily determined that respondent Foshan Shunde Yongjian Housewares & Hardware Co., Ltd. (Foshan Shunde) has made sales to the United States of the subject merchandise at prices below normal value (NV). We invite interested parties to comment on these preliminary results. Parties filing comments are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument(s).

**DATES:** *Effective Date:* September 7, 2011.

**FOR FURTHER INFORMATION CONTACT:**

Michael J. Heaney 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) 482-4475 or (202) 482-0649, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 6, 2004, the Department published in the **Federal Register** the antidumping duty order regarding ironing tables from the PRC. *See Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Floor-Standing, Metal-Top Ironing Tables and Certain Parts Thereof From the People's Republic of China*, 69 FR 47868 (August 6, 2004) (*Amended Final and Order*).

On August 2, 2010, the Department published a notice of opportunity to request an administrative review of the antidumping duty order on, *inter alia*, ironing tables from the PRC. *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 75 FR 45094 (August 2, 2010). On August 31, 2010, Home Products International (the Petitioner in this proceeding) and Foshan Shunde requested, in accordance with 19 CFR 351.213(b)(1), an administrative review of this order for Foshan Shunde.

On September 29, 2010, the Department initiated an administrative review of Foshan Shunde. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 75 FR 60076 (September 29, 2010).

On May 4, 2011, in accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(h)(2), the Department extended the deadline for the preliminary results of review until August 31, 2011. *See Floor-Standing, Metal-Top Ironing Tables and Certain Parts Thereof from the People's Republic of China: Extension of the Time Limit for the Preliminary Results of the Administrative Review*, 76 FR 25301 (May 4, 2011).

The Department issued its original antidumping questionnaire to Foshan Shunde on October 4, 2010. Foshan Shunde timely filed its response to Section A of the questionnaire on November 12, 2010; Foshan Shunde's Sections C and D responses followed on November 19, 2010 and November 30, 2010 respectively. Petitioner filed comments on Foshan Shunde's sections A, C and D responses on January 12, 2011, May 17, 2011, July 28, 2011 and July 8, 2011.

The Department issued supplementary questionnaires to Foshan Shunde on March 30, 2011, June 2, 2011, and July 13, 2011. Foshan Shunde timely responded to each of these supplemental requests for information

on May 2, 2011, June 23, 2011, and July 29, 2011.

##### Surrogate Country and Surrogate Value Data

On July 8, 2011 the Department issued a memorandum on surrogate country selection and surrogate value (SV) data. *See Memorandum from Carole Showers, Director Office of Policy to Richard Weible, Director Office 7, Re: Request for a List of Surrogate Countries for an Administrative Review of the Antidumping Duty Order on Floor-Standing, Metal-Top, Ironing Tables and Parts Thereof from the People's Republic of China ("PRC")*: Surrogate Country List, dated June 8, 2011 (Surrogate Country List). On June 10, 2011 the Department distributed the Surrogate Country List Memorandum to interested parties via e-mail. On July 8, 2011, the Petitioner submitted information to value factors of production (FOP) from Indonesia. *See Petitioner July 8, 2011 letter*. On July 22, 2011, Foshan Shunde submitted suggested FOPs from India. *See Foshan Shunde July 22, 2011, letter*. For the reasons explained *infra*, the Department has determined that Indonesia is an appropriate surrogate country for purposes of this review. Accordingly, all the surrogate values used to value FOPs were obtained from sources in Indonesia.

##### Scope of the Order

For purposes of this order, the product covered consists of floor-standing, metal-top ironing tables, assembled or unassembled, complete or incomplete, and certain parts thereof. The subject tables are designed and used principally for the hand ironing or pressing of garments or other articles of fabric. The subject tables have full-height leg assemblies that support the ironing surface at an appropriate (often adjustable) height above the floor. The subject tables are produced in a variety of leg finishes, such as painted, plated, or matte, and they are available with various features, including iron rests, linen racks, and others. The subject ironing tables may be sold with or without a pad and/or cover. All types and configurations of floor-standing, metal-top ironing tables are covered by this review.

Furthermore, this order specifically covers imports of ironing tables, assembled or unassembled, complete or incomplete, and certain parts thereof. For purposes of this order, the term "unassembled" ironing table means a product requiring the attachment of the leg assembly to the top or the