Multicolor; (5) Shienq Huong; and (6) Supreme Laces Inc. We note that we are not rescinding a review for Intercontinental Skyline and Pacific Imports.

Assessment

The Department will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries. For the companies for which this review is rescinded antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from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)(1)(i). The Department intends to issue appropriate assessment instructions to CBP 15 days after publication of this notice.

Notification to Importers

This notice serves as a 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 doubled antidumping duties.

Notification Regarding Administrative Protective Orders

This notice also serves as a 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, 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.

This notice is issued and published in accordance with section 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).


Gary Taverman,
Senior Advisor for Antidumping and Countervailing Duty Operations.

DEPARTMENT OF COMMERCE
International Trade Administration
[A–570–929]

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

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on small diameter graphite electrodes (graphite electrodes) from the People’s Republic of China (PRC), covering the period February 1, 2011, through January 31, 2012. The Department has preliminarily determined that during the period of review (POR) certain companies covered by this review have not made sales of subject merchandise at less than normal value, and that other companies are now part of the PRC-wide entity.

DATES: Effective Date: March 8, 2013.

FOR FURTHER INFORMATION CONTACT: Dmitry Vladimirov or Minoo Hatten, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW, Washington DC 20230; telephone: (202) 482–0665 or (202) 482–1690, respectively.

Scope of the Order

The merchandise covered by the order includes all small diameter graphite electrodes with a nominal or actual diameter of 400 millimeters (16 inches) or less and graphite pin joining systems for small diameter graphite electrodes. Small diameter graphite electrodes and graphite pin joining systems for small diameter graphite electrodes that are subject to the order are currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) subheadings 8545.11.0010 and 3801.10. The HTSUS numbers are provided for convenience and customs purposes. A full description of the scope of the order is contained in the memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Import Administration, “Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review: Small Diameter Graphite Electrodes from the People’s Republic of China” dated concurrently with this notice (Preliminary Decision Memorandum), which is hereby adopted by this notice. The written description is dispositive. The Preliminary Decision Memorandum is a public document and is on file electronically via Import Administration’s Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at http://iaaccess.trade.gov and in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the Internet at http://www.trade.gov/ia/. The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

Partial Rescission of the Administrative Review

Based on the withdrawal of the requests for review and because the companies previously established their entitlement to a separate rate, we are rescinding this administrative review with respect to 19 companies named in the Initiation Notice ¹ and listed in the attachment to this notice as Appendix II.

Methodology

The Department has conducted this review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). Export prices have been calculated in accordance with section 772 of the Act. Because the PRC is a non-market economy (NME) within the meaning of section 771(18) of the Act, normal value has been calculated in accordance with section 773(c) of the Act. Specifically, the respondents’ factors of production have been valued using prices in Ukraine, a country which is economically comparable to the PRC and a significant producer of comparable merchandise. For a full description of the methodology underlying our conclusions, see Preliminary Decision Memorandum.

Preliminary Results of Review

The Department has determined that the following preliminary dumping margins exist for the period February 1, 2011, through January 31, 2012:

Disclosure and Public Comment

The Department will disclose calculations performed for these preliminary results of review to the parties within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). Interested parties may submit written comments no later than 30 days after the date of publication of these preliminary results of review. Rebuttals to written comments may be filed no later than five days after the written comments are filed. Any interested party may request a hearing within 30 days of publication of this notice. Hearing requests should contain the following information: (1) the party’s name, address, and telephone; (2) the number of participants; and (3) a list of issues to be discussed. Oral presentations will be limited to issues raised in the briefs. If a request for a hearing is made, parties will be notified of the time and date for the hearing to be held at the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

The Department intends to issue the final results of this administrative review, which will include the results of its analysis of issues raised in any such comments, within 120 days of publication of these preliminary results, pursuant to section 751(a)(3)(A) of the Act.

Deadline for Submission of Publicly Available Surrogate Value Information

In accordance with 19 CFR 351.301(c)(3)(ii), the deadline for submission of publicly available information to value factors production under 19 CFR 351.408(c) is 20 days after the date of publication of these preliminary results. In accordance with

<table>
<thead>
<tr>
<th>Company</th>
<th>Margin (percent)</th>
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<tbody>
<tr>
<td>Fushun Jinly Petrochemical Carbon Co., Ltd</td>
<td>0.00</td>
</tr>
<tr>
<td>Beijing Fangda Carbon Tech Co., Ltd</td>
<td>0.00</td>
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<tr>
<td>Chengdu Rongguang Carbon Co., Ltd</td>
<td>0.00</td>
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<tr>
<td>Fangda Carbon New Material Co., Ltd</td>
<td>0.00</td>
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<tr>
<td>Fushun Carbon Co., Ltd</td>
<td>0.00</td>
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<tr>
<td>Hefei Carbon Co., Ltd</td>
<td>0.00</td>
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<tr>
<td>Xinghe County Muzi Carbon Co., Ltd</td>
<td>0.00</td>
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<tr>
<td>PRC-wide entity†</td>
<td>159.64</td>
</tr>
</tbody>
</table>

† The PRC-wide entity includes the companies listed in Appendix III.

Assessment Rates

Upon issuing the final results of review, the Department will determine and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. If a respondent’s weighted-average dumping margin is above de minimis (i.e., 0.50 percent) in the final results of this review, we will calculate an importer-specific assessment rate on the basis of the ratio of the total amount of dumping calculated for the importer’s examined sales and, where possible, the total entered value of those sales in accordance with 19 CFR 351.212(b)(1). Specifically, the Department will apply the assessment rate calculation method adopted in Final Modification for Reviews, i.e., on the basis of monthly average-to-average comparisons using only the transactions associated with that importer with offsets being provided for non-dumped comparisons. Where an importer- or customer-specific ad valorem rate is zero or de minimis, we will instruct CBP to liquidate appropriate entries without regard to antidumping duties.

On October 24, 2011, the Department announced a refinement to its assessment practice in NME cases. Pursuant to this refinement in practice, for entries that were not reported in the U.S. sales databases submitted by companies individually examined during this review, the Department will instruct CBP to liquidate such entries at the PRC-wide rate. In addition, if the Department determines that an exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter’s rate (i.e., at that exporter’s rate) will be liquidated at the PRC-wide rate.

The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of the final results of review.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for shipments of the subject merchandise from the PRC 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 Fushun Jinly Petrochemical Carbon Co., Ltd., Xinghe County Muzi Carbon Co., Ltd., and the five companies comprising the Fangda Group will be the rate established in the final results of this administrative review (except, if the rate is zero or de minimis, then no cash deposit will be required); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; and (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the

\[ \text{See, e.g., } \text{China: Preliminary Determination of Critical Circumstances, in Part, } 73 FR 49408, 49411–12 (August 21, 2008) \]
10. Nantong Yangtze Carbon Corp. Ltd.


5. Jiaozuo Zhongzhou Carbon Products Co., Ltd.

4. Heilongjiang Xinyuan Carbon Products Co., Ltd.

3. GES (China) Co., Ltd.

2. Dalian Thrive Metallurgy Imp. & Exp. Co., Ltd.


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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.

This administrative review and notice are in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.213.

Dated: March 4, 2013.

Paul Piquado,
Assistant Secretary for Import Administration.

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Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

1. Scope of the Order
2. Non-Market Economy Country Status
3. Separate Rates
4. Rate for Non-Selected Companies
5. PRC-Wide Entity
6. Surrogate Country
7. Fair-Value Comparisons
8. Export Price
9. Normal Value
10. Factor Valuations
11. Use of Facts Available
12. Allegations of Targeted Dumping
13. Currency Conversion

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Appendix II

Firms for which we are rescinding this administrative review because we received timely withdrawal requests and these companies have a separate rate from a prior segment.

2. Dalian Thrive Metallurgy Imp. & Exp. Co., Ltd.
3. GES (China) Co., Ltd.
4. Heilongjiang Xinyuan Carbon Products Co., Ltd.
5. Jiaozuo Zhongzhou Carbon Products Co., Ltd.
8. Nantong River-East Carbon Co., Ltd.
10. Nantong Yangtze Carbon Corp. Ltd.
11. Qingdao Haosheng Metals Imp. & Exp. Co., Ltd.
12. Shanghai GC Co., Ltd.
15. Shijiazhuang Huanan Carbon Factory
17. Tianzhen Jintian Graphite Electrodes Co., Ltd.
18. Xinghe Xinyuan Carbon Products Co., Ltd.
19. Xuzhou Jianglong Carbon Manufacture Co., Ltd.
20. Yangzhou Jinyu Carbon Products Co., Ltd.
21. Yangzhou Jinyu Carbon Products Co., Ltd.
22. Dalian Shuangji Co., Ltd.
23. Datong Carbon
24. Datong Carbon Plant
25. Datong Carbon
26. Datong Carbon Plant
27. Dewell Group
29. Fangda Lanzhou Carbon Joint Stock Company Co., Ltd.
30. Foset Co., Ltd.
31. Foset Co., Ltd.
32. Fushun Orient Carbon Co., Ltd.
33. Guangdong Highsun Yongye (Group) Co., Ltd.
34. China Shaxnxi Richbound Imp. & Exp. Industrial Corp. Ltd.
35. China Xingyong Carbon Co., Ltd.
36. CIMM Group Co., Ltd.
37. Dalian Carbon & Graphite Corporation
38. Dalian Hongru Carbon Co., Ltd.
39. Dalian Honest International Trade Co., Ltd.
40. Dalian Hortan International Trading Co., Ltd.
41. Dalian LST Metallurgy Co., Ltd.
42. Dalian Shuangji Co., Ltd.
43. Datong Carbon
44. Datong Carbon Plant
45. Datong Xinheng Carbon Co., Ltd.
46. De Well Container Shipping Corp.
47. Dewell Group
48. Dignity Success Investment Trading Co., Ltd.
49. Double Dragon Metals and Mineral Tools Co., Ltd.
50. Fangda Lanzhou Carbon Joint Stock Company Co., Ltd.
51. Foset Co., Ltd.
52. Fushun Orient Carbon Co., Ltd.
53. Guangdong Highsun Yongye (Group) Co., Ltd.
54. Haimen Shuguang Carbon Industry Co., Ltd.
55. Handan Hanbo Material Co., Ltd.
56. Hebei Long Great Wall Electrode Co., Ltd.
57. Hebei Long Great Wall Electrode Co., Ltd.
58. Henan Sanli Carbon Products Co., Ltd.
59. Hopes (Beijing) International Co., Ltd.
60. Hunan Mec Machinery and Electronics Imp. & Exp. Corp.
61. Hunan Vinguang Carbon Factory Co., Ltd.
62. Inner Mongolia Qingshan Special Graphite and Carbon Co., Ltd.
63. Inner Mongolia Xinghe County Hengyuwan Electrical Carbon Factory
64. Jiang Long Carbon
65. Jiangsu Yafei Carbon Co., Ltd.
66. Ruchen International Trade Co., Ltd.
67. Jilin Province
68. Jixiu Juyuan Carbon Co., Ltd.
69. Jixiu Ju-Yuan & Coaly Co., Ltd.
70. Jilin Carbon Graphite Material Co., Ltd.
71. Jilin Carbon Import and Export Company
72. Jilin Songjiang Carbon Co., Ltd.
73. Jinneng Group Co., Ltd.
74. Jinu Thermo-Electric Material Co., Ltd.
75. Kailong Carbon Company Ltd.
76. KASY Logistics (Tianjin) Co., Ltd.
77. KORV New Carbon Technology and Development Co., Ltd.
78. Kingstone Industrial Group Ltd.
79. L & T Group Co., Ltd.
80. Laishui Long Great Wall Electrode Co., Ltd.
81. Lanzhou Carbon Co., Ltd.
82. Lanzhou Carbon Import & Export Corp.
83. Lanzhou Hailong Technology
84. Lanzhou Ruixin Industrial Material Co., Ltd.
85. LH Carbon Factory of Chengde
86. Lianxiong Carbon Qinghai Co., Ltd.
87. Lianxiong Carbon Science Institute
88. Lianxiong Carbon (Shandong) Co., Ltd.
89. Lianyunang Jinli Carbon Co., Ltd.
90. Liaoai Carbon Co., Ltd.
91. Linyi County Lubei Carbon Co., Ltd.
92. Maoming Yongye (Group) Co., Ltd.
93. MBA Beijing International Trade Co., Ltd.
94. Nantong Yangtze Carbon Corp. Ltd.
95. Nantong Yangtze Carbon Corp. Ltd.
96. Nantong Yangtze Carbon Corp. Ltd.
97. Nantong Yangtze Carbon Corp. Ltd.
98. Qingdao Grand Graphite Products Co., Ltd.
99. Qingdao Grand Graphite Products Co., Ltd.
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114. Qingdao Grand Graphite Products Co., Ltd.
115. Qingdao Grand Graphite Products Co., Ltd.
The Department accepted the Mexican tomato growers/exporters’ withdrawal from the 2008 Agreement, effective March 1, 2013. See Termination of Suspension Agreement, Termination of Five-year Sunset Review and Resumption of Investigation, publication pending.

On March 4, 2013, the Department signed a new suspension agreement (2013 Suspension Agreement) with certain growers/exporters of fresh tomatoes from Mexico. The 2013 Suspension Agreement is attached to this notice of Suspension of Antidumping Investigation.

Scope of the Investigation

The merchandise subject to this investigation is all fresh or chilled tomatoes (fresh tomatoes) which have Mexico as their origin, except for those tomatoes which are for processing. For purposes of this investigation, processing is defined to include preserving by any commercial process, such as canning, dehydrating, drying, or the addition of chemical substances, or converting the tomato product into juices, sauces, or purees. Fresh tomatoes that are imported for cutting up, not further processing (e.g., tomatoes used in the preparation of fresh salsa or salad bars), are covered by this Agreement.

Commercially grown tomatoes, both for the fresh market and for processing, are classified as Lycopersicon esculentum. Important commercial varieties of fresh tomatoes include common round, cherry, grape, plum, greenhouse, and pear tomatoes, all of which are covered by this investigation.

Tomatoes imported from Mexico covered by this investigation are classified under the following subheading of the Harmonized Tariff Schedules of the United States (HTSUS), according to the season of importation: 0702. Although the HTSUS numbers are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

Suspension of Investigation

The Department consulted with the Mexican tomato growers/exporters and the petitioners and has considered the comments submitted by interested parties with respect to the proposal to suspend the antidumping investigation. In accordance with section 734(c) of the Tariff Act of 1930 (the Act), we have determined that extraordinary circumstances are present in this case, as defined by section 734(c)(2)(A) of the Act.

See the more complete discussion titled “Existence of Extraordinary Circumstances” from Lynn Fischer Fox,