

with 19 CFR 351.306. 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 sanctionable violation.

We are issuing and publishing these final results and revocation, in part, and notice in accordance with sections 751(b) and 777(i) of the Tariff Act of 1930, as amended, and 19 CFR 351.216 and 19 CFR 351.221(c)(3).

Dated: September 19, 2014.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2014-23287 Filed 9-29-14; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-929]

Small Diameter Graphite Electrodes From the People's Republic of China: Initiation of Antidumping Duty New Shipper Review

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

DATES: *Effective Date:* September 30, 2014.

SUMMARY: The Department of Commerce (the Department) has determined that a request for a new shipper review of the antidumping duty order on small diameter graphite electrodes from the People's Republic of China (PRC), meets the statutory and regulatory requirements for initiation.

FOR FURTHER INFORMATION CONTACT: Hermes Pinilla, AD/CVD Operations Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; Telephone: (202) 482-3477.

SUPPLEMENTARY INFORMATION:

Background

The antidumping duty order on small diameter graphite electrodes from the PRC published in the **Federal Register** on February 26, 2009.¹ Pursuant to section 751(a)(2)(B)(i) of the Tariff Act of 1930, as amended (the Act), we received a timely request for a new shipper review of the order from Xuzhou Jianglong Carbon Products Co.,

¹ See *Antidumping Duty Order: Small Diameter Graphite Electrodes from the People's Republic of China*, 74 FR 8775 (February 26, 2009) (*SDGE Order*).

Ltd. (Jianglong).² Jianglong certified that it is both the producer and exporter of the subject merchandise upon which the request was based.³

Pursuant to section 751(a)(2)(B)(i)(I) of the Act and 19 CFR 351.214(b)(2)(i), Jianglong certified that it did not export subject merchandise to the United States during the period of investigation (POI).⁴ In addition, pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), Jianglong certified that, since the initiation of the investigation, it has never been affiliated with any exporter or producer who exported subject merchandise to the United States during the POI, including those respondents not individually examined during the POI.⁵ As required by 19 CFR 351.214(b)(2)(iii)(B), Jianglong also certified that its export activities were not controlled by the government of the PRC.⁶

In addition to the certifications described above, pursuant to 19 CFR 351.214(b)(2), Jianglong submitted documentation establishing the following: (1) The date on which it first shipped subject merchandise for export to the United States; (2) the volume of its first shipment; and (3) the date of its first sale to an unaffiliated customer in the United States.⁷

Period of Review

In accordance with 19 CFR 351.214(g)(1)(B) of the Act, the period of review (POR) for new shipper reviews initiated in the month immediately following the semi-annual anniversary month will be the six-month period immediately preceding the semiannual anniversary month. Therefore, under this order, the POR is February 1, 2014, through July 31, 2014. However, the Department has used its discretion to extend the POR for Jianglong's new shipper review by one month, making the POR February 1, 2014, through August 31, 2014.⁸

² See Jianglong's new shipper request dated August 29, 2014.

³ See Jianglong's new shipper request at Exhibit 1.

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ Jianglong's new shipper request at Exhibit 1 and Jianglong's new shipper request at Exhibit 2.

⁸ When the sale of the subject merchandise occurs within the POR specified by the Department's regulations but the entry occurs after the POR, the specified POR may be extended unless it would be likely to prevent the completion of the review within the time limits set by the Department's regulations. See 19 CFR 351.214(f)(2)(ii).

Additionally, the preamble to the Department's regulations states that both the entry and the sale should occur during the POR, but that under "appropriate" circumstances the Department has the flexibility to extend the POR. See *Antidumping*

Initiation of New Shipper Review

Pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214(d)(1), the Department finds that the request from Jianglong meets the threshold requirements for initiation of a new shipper review for shipments of small diameter graphite electrodes from the PRC produced and exported by Jianglong.⁹

The Department intends to issue the preliminary results of this new shipper review no later than 180 days from the date of initiation and final results of the review no later than 90 days after the date the preliminary results are issued.¹⁰ It is the Department's usual practice, in cases involving non-market economy countries, to require that a company seeking to establish eligibility for an antidumping duty rate separate from the country-wide rate provide evidence of *de jure* and *de facto* absence of government control over the company's export activities. Accordingly, we will issue a questionnaire to Jianglong which will include a section requesting information concerning its eligibility for a separate rate. The new shipper review of Jianglong will be rescinded if the Department determines that Jianglong has not demonstrated that it is eligible for a separate rate.

We will instruct U.S. Customs and Border Protection to allow, at the option of the importer, the posting, until the completion of the review, of a bond or security in lieu of a cash deposit for each entry of the subject merchandise from Jianglong in accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e). Because Jianglong certified that it produced and exported subject merchandise, the sale of which is the basis for the request for a new shipper review, we will apply the bonding privilege to Jianglong only for subject merchandise which was produced and exported by Jianglong.

To assist in its analysis of the *bona fides* of Jianglong's sales, upon initiation of this new shipper review, the Department will require Jianglong to

Duties; Countervailing Duties; Final Rule, 62 FR 27296, 27319-27320 (May 19, 1997). In this instance, Jianglong's sale of subject merchandise was made during the POR specified by the Department's regulations but the shipment entered after the end of that POR. The Department finds that extending the POR to capture this entry would not prevent the completion of the review within the time limits set by the Department's regulations.

⁹ See the memorandum to the file entitled "Small Diameter Graphite Electrodes from the People's Republic of China: Initiation Checklist for Antidumping Duty New Shipper Review of Xuzhou Jianglong Carbon Products Co., Ltd." dated concurrently with this notice.

¹⁰ See section 751(a)(2)(B)(iv) of the Act.

submit on an ongoing basis complete transaction information concerning any sales of subject merchandise to the United States that were made subsequent to the POR.

Interested parties requiring access to proprietary information in the new shipper review should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are published in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).

Dated: September 24, 2014.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2014-23289 Filed 9-29-14; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-983]

Drawn Stainless Steel Sinks From the People's Republic of China: Preliminary Intent To Rescind Antidumping Duty New Shipper Review; 2012-2013

AGENCY: Enforcement of Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce ("Department") is conducting a new shipper review ("NSR") of the antidumping duty order on drawn stainless steel sinks ("drawn sinks") from the People's Republic of China ("PRC"). The period of review ("POR") is October 4, 2012 through October 14, 2013. The review covers one exporter of subject merchandise, Hubei Foshan Success Imp. & Exp. Co. Ltd. ("Foshan Success"). The Department preliminarily determines that Foshan Success' sale to the United States was not *bona fide* and is preliminarily rescinding this NSR. Interested parties are invited to comment on these preliminary results.

DATES: *Effective Date:* September 30, 2014.

FOR FURTHER INFORMATION CONTACT: Joy Zhang or Erin Begnal, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-1168 or (202) 482-1442, respectively.

SUPPLEMENTARY INFORMATION:

Background

On November 27, 2013, the Department initiated an NSR of the antidumping duty order on drawn sinks from the PRC, exported by Foshan Success and produced by Jiangmen Xinhe Stainless Steel Products Co., Ltd.¹ The POR is October 4, 2012, through October 14, 2013. On May 6, 2014, the Department extended the time period for issuing the preliminary results by 120 days until September 23, 2014.²

Scope of the Order

The products covered by the scope of the order are drawn stainless steel sinks with single or multiple drawn bowls, with or without drain boards, whether finished or unfinished, regardless of type of finish, gauge, or grade of stainless steel. The products covered by this order are currently classified in the Harmonized Tariff Schedule of the United States ("HTSUS") under statistical reporting numbers 7324.10.0000 and 7324.10.00.10. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope is dispositive.³

Methodology

The Department conducted this review in accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended ("the Act") and 19 CFR 351.214. For a full description of the methodology underlying our conclusions, see the Appendix accompanying this notice and the Preliminary Decision Memorandum. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance'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

¹ See *Drawn Stainless Steel Sinks from the People's Republic of China: Initiation of New Shipper Review*, 78 FR 72864 (December 4, 2013).

² See Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, re: Extension of Deadline for Preliminary Results of New Shipper Review of Drawn Stainless Steel Sinks from the People's Republic of China, dated May 6, 2014.

³ See "Issues and Decision Memorandum for Preliminary Results of Antidumping Duty New Shipper Review: Drawn Stainless Steel Sinks from the People's Republic of China" from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations to Paul Piquado, Assistant Secretary for Enforcement and Compliance, dated September 23, 2014 ("Preliminary Decision Memorandum") and hereby adopted by this notice, for a complete description of the Scope of the Order.

Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the Internet at <http://enforcement.trade.gov/frn/index.html>. The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

Preliminary Rescission of New Shipper Review

As discussed in the Preliminary Decision Memorandum, the Department preliminarily finds that the sale by Foshan Success is not a *bona fide* sale and that the sale does not provide a reasonable or reliable basis for calculating a dumping margin.⁴ The Department reached this conclusion based on the totality of circumstances, namely: (1) The price and quantity of Foshan Success' single sale; (2) the importer's failure to provide evidence that the subject merchandise was resold at a profit; and (3) expenses arising from making the transaction.⁵ Because this non-*bona fide* sale was the only sale of subject merchandise during the POR, the Department is preliminarily rescinding the NSR.

Disclosure and Public Comments

The Department intends to disclose the analysis performed to parties to the proceeding within five days after the date of publication of this notice.⁶

Interested parties are invited to comment on the preliminary results of this review. Interested parties may submit case briefs no later than 30 days after the date of publication of the preliminary results of review.⁷ Rebuttal briefs, limited to issues raised in such briefs, may be filed no later than five days after the time limit for filing the case briefs.⁸

Any interested party may request a hearing within 30 days of publication of the preliminary results in the **Federal**

⁴ See Memorandum to Melissa Skinner, Director, Office III, Antidumping and Countervailing Duty Operations, through Erin Begnal, Program Manager, Office III, Antidumping and Countervailing Duty Operations, from Joy Zhang, International Trade Analyst, titled "Antidumping Duty New Shipper Review of Drawn Stainless Steel Sinks from the People's Republic of China: *Bona Fide* Sales Analysis for Hubei Foshan Success Imp. & Exp. Co., Ltd.," (*Bona fides* Memorandum) dated concurrently and hereby adopted by this notice.

⁵ See *id.*

⁶ See 19 CFR 351.224(b).

⁷ See 19 CFR 351.309(c)(1)(ii); Parties submitting written comments must submit them pursuant to the Department's e-filing regulations. See 19 CFR 351.303 (for general filing requirements); see also <https://iaaccess.trade.gov/help/IA%20ACCESS%20User%20Guide.pdf>.

⁸ See 19 CFR 351.309(d)(1)-(2).