

**FOR FURTHER INFORMATION CONTACT:** Blaine Wiltse, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-6345.

**SUPPLEMENTARY INFORMATION:** On January 12, 2016, the Department of Commerce (the Department) published in the *Federal Register* the final results of the 2013–2014 administrative review of the antidumping duty order on tapered roller bearings and parts thereof, finished and unfinished, from the People's Republic of China.<sup>1</sup> The period of review is June 1, 2013, through May 31, 2014. In the *Final Results*, the Department incorrectly assigned a weighted-average dumping margin of 0.91 percent to the company “Changshan Peer Bearing Co., Ltd./ Shanghai General Bearing Co., Ltd.”<sup>2</sup> However, the weighted-average dumping margin should have been assigned, instead, to Changshan Peer Bearing Co., Ltd. alone.<sup>3</sup> As a result, we now correct the final results of the 2013–2014 administrative review as noted above.

This correction to the final results of administrative review is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended.

Dated: January 19, 2016.

**Paul Piquado,**

*Assistant Secretary, for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–964; A–201–838]

#### Seamless Refined Copper Pipe and Tube From the People's Republic of China and Mexico: Preliminary Results of the Sunset Reviews of the Antidumping Duty Orders

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

**SUMMARY:** The Department of Commerce (“the Department”) preliminarily finds that revocation of the antidumping duty orders on seamless refined copper pipe

and tube (“copper pipe and tube”) from the People's Republic of China (“PRC”) and Mexico would likely lead to continuation or recurrence of dumping, at the levels indicated in the “Preliminary Results of Sunset Reviews” section of this notice.

**DATES:** *Effective Date:* January 26, 2016.

**FOR FURTHER INFORMATION CONTACT:** Robert Galantucci, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–2923.

#### SUPPLEMENTARY INFORMATION:

##### Background

On November 22, 2010, the Department published the antidumping duty orders on copper pipe and tube from the PRC and Mexico, as amended.<sup>1</sup> On October 1, 2015, the Department published the notice of initiation of the sunset reviews of the *Orders* pursuant to section 751(c) of the Tariff Act of 1930, as amended (the “Act”).<sup>2</sup> The Ad Hoc Coalition for Domestically Produced Seamless Refined Copper Pipe and Tube and its individual members, Cerro Flow Products, LLC, Wieland Copper Products, LLC, Howell Metal Company, Mueller Copper Tube Products, Inc., and Mueller Copper Tube Company, Inc. (collectively, “domestic interested parties”), submitted adequate and timely notices of intent to participate in these sunset reviews within the 15-day deadline specified in 19 CFR 351.218(d)(1)(i). On November 2, 2015, domestic interested parties and respondent interested party Golden Dragon<sup>3</sup> submitted adequate substantive responses to the notice of initiation within the 30-day deadline specified in 19 CFR 351.218(d)(3). As a result,

<sup>1</sup> See *Seamless Refined Copper Pipe and Tube From Mexico and the People's Republic of China: Antidumping Duty Orders and Amended Final Determination of Sales at Less Than Fair Value From Mexico*, 75 FR 71070 (November 22, 2010) (“*Orders*”).

<sup>2</sup> See *Seamless Refined Copper Pipe and Tube From China and Mexico: Institution of Five-Year Reviews*, 80 FR 59186 (October 1, 2015) (“*Initiation FR Notice*”).

<sup>3</sup> In case number A–570–964 (the PRC), the substantive response was filed on behalf of Golden Dragon Precise Copper Tube Group, Inc., Hong Kong GD Trading Co., Ltd., GD Copper Cooperatief UA, Golden Dragon Holding (Hong Kong) International, Ltd. and GD Copper (U.S.A.), Inc. In case number A–201–838 (Mexico), the substantive response was filed on behalf of GD Affiliates S. de R.L. de C.V., GD Copper S. de R.L. de C.V., Golden Dragon Precise Copper Tube Group, Inc., Hong Kong GD Trading Co., Ltd., GD Copper Cooperatief UA, Golden Dragon Holding (Hong Kong) International, Ltd. and GD Copper (U.S.A.), Inc. The Department refers to all of these companies collectively as “Golden Dragon”.

pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(ii), the Department is conducting full sunset reviews of the *Orders*.

##### Scope of the Orders

For the purpose of these *Orders*, the products covered are all seamless circular refined copper pipes and tubes. The products subject to the *Orders* are currently classifiable under subheadings 7411.10.1030 and 7411.10.1090 of the Harmonized Tariff Schedule of the United States (“HTSUS”). Products subject to the *Orders* may also enter under HTSUS subheadings 7407.10.1500, 7419.99.5050, 8415.90.8065 and 8415.90.8085. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the *Orders* is dispositive.

For a full description of the scope of the *Orders*, see the “Preliminary Decision Memorandum for the Full Sunset Reviews of the Antidumping Duty Orders on Seamless Refined Copper Pipe and Tube from the People's Republic of China and Mexico,” dated concurrently with this notice (“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 (ACCESS). ACCESS is available to registered users at <http://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed at <http://enforcement.trade.gov/frn/>. Both the signed and electronic versions of the Preliminary Decision Memorandum are identical in content.

##### Analysis of Comments Received

All issues raised in these sunset reviews are addressed in the Preliminary Decision Memorandum. The issues discussed in the Preliminary Decision Memorandum include the likelihood of continuation or recurrence of dumping and the magnitude of the margins likely to prevail if the *Orders* were to be revoked.

##### Preliminary Results of Sunset Reviews

Pursuant to section 752(c)(3) of the Act, the Department determines that revocation of the *Orders* would likely lead to continuation or recurrence of dumping at weighted-average dumping margins up to 60.85 percent for the PRC and up to 27.16 percent for Mexico.

We are issuing and publishing these results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act and 19 CFR 351.218.

<sup>1</sup> See *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from the People's Republic of China: Final Results of the Antidumping Duty Administrative Review; 2013–2014*, 81 FR 1396 (January 12, 2016) (*Final Results*).

<sup>2</sup> *Id.*, at 1397.

<sup>3</sup> *Id.*, at Comment 1 in the accompanying Issues and Decision Memorandum.

Dated: January 19, 2016.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

**Appendix—List of Topics Discussed in the Issues and Decision Memorandum**

- I. Summary
- II. Background
- III. History of the Orders
- IV. Scope of the Orders
- V. Discussion of the Issues
  - 1. Likelihood of Continuation or Recurrence of Dumping
  - 2. Magnitude of the Margins Likely to Prevail
- VI. Preliminary Results of Sunset Reviews
- VII. Recommendation

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-570-601]

**Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China: Notice of Court Decision Not in Harmony With Final Results of Antidumping Duty Administrative Review and Notice of Amended Final Results of Antidumping Duty Administrative Review; 2007–2008**

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

**SUMMARY:** On December 21, 2015, the United States Court of International Trade (“CIT” or “Court”) issued its final judgment<sup>1</sup> sustaining the Department of Commerce’s (the “Department”) final results of redetermination<sup>2</sup> issued pursuant to the CIT’s remand order in *Peer Bearing Company—Changshan v. United States*, 914 F. Supp. 2d 1343 (CIT 2013) (“*CPZ 07–08 I*”), with respect to the Department’s final results<sup>3</sup> of the 2007–2008 administrative review of the antidumping duty order on certain tapered roller bearings and parts thereof, finished and unfinished (“TRBs”), from

the People’s Republic of China (“PRC”). Consistent with the decision of the United States Court of Appeals for the Federal Circuit (“CAFC”) in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (“*Timken*”), as clarified by *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (“*Diamond Sawblades*”), the Department is notifying the public that the final judgment in this case is not in harmony with the Department’s *Final Results* and is amending the *Final Results* with respect to the dumping margin determined for the sole mandatory respondent in the underlying review, Peer Bearing Company—Changshan (“CPZ”).

**DATES:** *Effective Date:* December 31, 2015.

**FOR FURTHER INFORMATION CONTACT:** Alex Rosen, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–7814.

**SUPPLEMENTARY INFORMATION:** On November 21, 2011, the CIT issued its initial opinion on the underlying proceeding and remanded the *Final Results*, ordering that the Department: (1) Redetermine the surrogate value used to value bearing-quality steel bar inputs; (2) redetermine the surrogate value used to value bearing-quality steel wire rod inputs; and (3) reconsider, and modify as appropriate, its determination of the country of origin of merchandise finished and assembled into finished TRBs by a CPZ affiliate in Thailand from finished and unfinished TRB component parts manufactured in the PRC by CPZ.<sup>4</sup> Specifically, with respect to the latter issue of country of origin, the Court held that the Department’s findings that the “third-country processor’s costs as compared to each product’s COM {(Cost of Manufacture)} are not significant,” is “not supported by substantial evidence on the record, which contains evidence that the processing costs in Thailand accounted for 42 percent of the total cost of manufacturing.”<sup>5</sup> The Court held that the Department “may not disregard record evidence that detracts significantly from, and appears to refute, one of the findings on which the

Department relied.”<sup>6</sup> The Court instructed the Department “to ensure that its redetermination. . . is based on findings supported by substantial evidence on the record of this case.”<sup>7</sup>

On April 10, 2012, pursuant to the Court’s orders in *CPZ 07–08 I*, the Department: (1) Reconsidered the Indian data used to value bearing-quality steel bar inputs in the *Final Results* and instead valued CPZ’s steel bar inputs using Thai import data, and (2) revised the surrogate value used to value CPZ’s steel wire rod inputs using data corresponding to steel rod that is “of circular cross-section.”<sup>8</sup> With respect to the country of origin issue, the Department reconsidered its determination, applying its established criteria for determining whether merchandise is substantially transformed in another country. The Department expanded upon and further supported the existing findings as to the substantial transformation test employed in the *Final Results*.<sup>9</sup> The Department reconsidered one finding with respect to the significance of the quantitative value added by Thai processing (*i.e.*, one of six aspects of the underlying analysis in the First Remand Redetermination), finding that this prong of the analysis could support a determination that the Thai processing substantially transformed the merchandise in question.<sup>10</sup> However, because further analysis of the remaining substantial transformation criteria continued to support the initial finding from the *Final Results*, the Department ultimately determined that the totality of the circumstances indicated that the processing that took place in Thailand during the period of review (“POR”) did not constitute substantial transformation so as to confer a new country of origin of the merchandise in question for antidumping purposes.<sup>11</sup>

On June 6, 2013, the CIT issued *CPZ 07–08 II*, in which it sustained the Department’s redetermination of the surrogate values for CPZ’s steel bar and steel wire rod inputs,<sup>12</sup> but again remanded the Department’s country of origin determination. Specifically, citing

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> See Final Results of Redetermination Pursuant to Court Remand, *Peer Bearing Company—Changshan v. United States*, Court No. 10–00013, Slip Op. 11–143 (CIT 2011), dated April 10, 2012 (“First Remand Redetermination”), at 4–6 and 28.

<sup>9</sup> See First Remand Redetermination, at 8–17.

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> See *CPZ 07–08 II*, 914 F. Supp. 2d at 1347.

<sup>1</sup> See *Peer Bearing Company (Changshan) v. United States*, Court No. 10–00013, Slip Op. 15–142 (CIT December 21, 2015) (“*CPZ 07–08 III*”), and accompanying judgment order.

<sup>2</sup> See Final Results of Redetermination Pursuant to Court Remand, *Peer Bearing Company—Changshan v. United States*, Court No. 10–00013, Slip Op. 13–72 (CIT 2013), dated April 30, 2014 (“Second Remand Redetermination”).

<sup>3</sup> See *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from the People’s Republic of China: Final Results of the 2007–2008 Administrative Review of the Antidumping Duty Order*, 75 FR 844 (January 6, 2010) (“*Final Results*”) and accompanying Issues and Decision Memorandum (“IDM”).

<sup>4</sup> See *Peer Bearing Company—Changshan v. United States*, 804 F. Supp. 2d 1337 (CIT 2011) (“*CPZ 07–08 I*”). While the third country in which the further processing took place was treated as business proprietary information in the underlying administrative review, along with the percentage cost of manufacture (discussed below), CPZ made this information public during the litigation.

<sup>5</sup> See *CPZ 07–08 I*, 804 F. Supp. 2d at 1342.