

this review without regard to antidumping duties.<sup>2</sup>

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) (*Assessment Policy Notice*). This clarification will apply to entries of subject merchandise during the period of review produced by Ambica for which Ambica did not know the merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate un-reviewed entries at 12.45 percent, the “all others” rate established in the LTFV investigation if there is no rate for the intermediate company(ies) involved in the transaction. *See Notice of Final Determination of Sales at Less Than Fair Value: Stainless Steel Bar from India*, 59 FR 66915 (December 28, 1994); *see also Assessment Policy Notice*.

#### Cash Deposit Requirements

The following deposit rates will be effective upon publication of the final results of this administrative review for all shipments of stainless steel bar from India entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For the company covered by this review, the cash deposit rate 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 final results in which that manufacturer or exporter participated; (3) if the exporter is not a firm covered in this review, a prior review, or the original LTFV investigation, but the producer is, the cash deposit rate will be the rate established for the most recent final results for the manufacturer of the merchandise; and (4) if neither the exporter nor the producer is a firm covered in this or any previous review conducted by the Department, the cash deposit rate will be 12.45 percent, the “all others” rate established in the LTFV investigation.<sup>3</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Notifications

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 review period. Failure to comply with this requirement could result in the Department’s presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

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

Dated: June 3, 2013.

**Paul Piquado,**  
*Assistant Secretary for Import Administration.*

#### Appendix—Issues in Decision Memorandum

- Comment 1: Whether Ambica Has Withheld Information Related to Affiliated Companies
- Comment 2: Whether Ambica Has Been Uncooperative or Withheld Information
- Comment 3: Whether the Department should re-classify certain Ambica transactions as constructed export price sales
- Comment 4: Whether the Department should adjust the interest rate on Ambica’s loans provided from non-affiliates
- Comment 5: Whether the Department erred in the calculation of net U.S. and home market prices
- Comment 6: Whether the Department should correct its calculation of the per-unit G&A and Interest Expenses

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

[A–122–853]

#### Citric Acid and Certain Citrate Salts From Canada: Preliminary Results of Antidumping Duty Administrative Review; 2011–2012

**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 citric acid and certain citrate salts (citric acid) from Canada. The period of review (POR) is May 1, 2011, through April 30, 2012. The review covers one producer and exporter of the subject merchandise, Jungbunzlauer Canada Inc. (JBL Canada). We have preliminarily determined that sales of subject merchandise have been made at prices below normal value (NV) by JBL Canada.

**DATES:** As of June 7, 2013.

**FOR FURTHER INFORMATION CONTACT:** Rebecca Trainor or Katherine Johnson, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone (202) 482–4007 or (202) 482–4929, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Scope of the Order

The merchandise covered by this order is citric acid and certain citrate salts. The product is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) at item numbers 2918.14.0000 and 2918.15.1000, 2918.15.5000 and 3824.90.9290. Although the HTSUS numbers are provided for convenience and customs purposes, the full written scope description, as published in the antidumping duty order<sup>1</sup> and described in the memorandum entitled “Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review: Citric Acid and Certain Citrate Salts from Canada” (Preliminary Decision Memorandum), remains dispositive.

##### Methodology

The Department has conducted this review in accordance with section 751(a)(2) of the Tariff Act of 1930, as amended (the Act). Constructed export price (CEP) is calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act. To determine the appropriate comparison method, the Department applied a “differential pricing” analysis and has preliminarily determined to use a combination of the average-to-average method and the average-to-transaction method in making comparisons of CEP and NV for

<sup>2</sup> *See Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101 (February 14, 2012) (*Final Modification*).

<sup>3</sup> *See Notice of Final Determination of Sales at Less Than Fair Value: Stainless Steel Bar from India*, 59 FR 66915 (December 28, 1994).

<sup>1</sup> *Citric Acid and Certain Citrate Salts from Canada and the People’s Republic of China: Antidumping Duty Orders*, 74 FR 25703 (May 29, 2009) (*Citric Acid Duty Orders*).

JBL Canada. For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum, which is hereby adopted by this notice. 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 (CRU), 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.

### Preliminary Results of the Review

As a result of this review, we preliminarily determine that a dumping margin of 1.20 percent exists for JBL Canada for the period May 1, 2011, through April 30, 2012.

### Disclosure and Public Comment

The Department will disclose to parties the calculations performed in connection with these preliminary results within five days of the date of publication of this notice.<sup>2</sup> Interested parties may submit case briefs not later than 30 days after the date of publication of this notice.<sup>3</sup> Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.<sup>4</sup> Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.<sup>5</sup> Case and rebuttal briefs should be filed using IA ACCESS.<sup>6</sup>

Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, filed electronically via IA ACCESS.<sup>7</sup> An electronically filed document must be received successfully in its entirety by the Department's electronic records system, IA ACCESS, by 5 p.m. Eastern Standard Time within 30 days after the

date of publication of this notice.<sup>8</sup> Requests should contain: (1) The party's name, address and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. The Department will issue the final results of this administrative review, including the results of its analysis of issues raised in any written briefs, not later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act.

### Assessment Rates

Upon completion of the administrative review, the Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries, in accordance with 19 CFR 351.212(b)(1). We intend to issue instructions to CBP 41 days after the date of publication of the final results of this review.

Although JBL Canada reported entered value for its U.S. sales, based on verification findings, we have determined it is appropriate to calculate importer-specific per-unit duty assessment rates.<sup>9</sup> We will calculate importer-specific per-unit duty assessment rates by aggregating the total amount of antidumping duties calculated for the examined sales and dividing this amount by the total quantity of those sales. To determine whether the duty assessment rates are *de minimis*, in accordance with the requirement set forth in 19 CFR 351.106(c)(1), we will calculate importer-specific *ad valorem* ratios based on the estimated entered value.

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*. Where either the respondent's weighted-average dumping margin is zero or *de minimis*, or an importer-specific assessment rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.<sup>10</sup>

The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of

estimated duties, where applicable.<sup>11</sup> Therefore, if we continue to calculate an antidumping duty margin for JBL Canada in the final results which is above *de minimis*, we will instruct CBP to assess antidumping duties on all appropriate entries covered by this review as discussed above. Conversely, if we calculate a *de minimis* margin for JBL Canada in the final results of this review, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

The Department clarified its "automatic assessment" regulation on May 6, 2003. This clarification will apply to entries of subject merchandise during the POR produced by JBL Canada for which it did not know its merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

### Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for JBL Canada will be the rate established in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for previously reviewed or investigated companies not participating in this review, 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, a prior review, or the original 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) the cash deposit rate for all other manufacturers or exporters will continue to be 23.21 percent, the all-others rate established in the original investigation. See *Citric Acid Duty Orders*. These requirements, when imposed, shall remain in effect until further notice.

<sup>2</sup> See 19 CFR 351.224(b).

<sup>3</sup> See 19 CFR 351.309(c).

<sup>4</sup> See 19 CFR 351.309(d).

<sup>5</sup> See 19 CFR 351.309(c)(2) and (d)(2).

<sup>6</sup> See 19 CFR 351.303.

<sup>7</sup> See 19 CFR 351.310(c).

<sup>8</sup> See *id.*; 19 CFR 351.303.

<sup>9</sup> See Memorandum entitled, "Preliminary Results Margin Calculation for Jungbunzlauer Canada Inc.," dated concurrently with this notice.

<sup>10</sup> See 19 CFR 351.106(d)(2).

<sup>11</sup> See section 751(a)(2)(C) of the Act.

## Notification to Importers

This notice also 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.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(4).

Dated: May 31, 2013.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Import Administration.*

## Appendix

### List of Topics Discussed in the Preliminary Decision Memorandum

1. Scope of the Order
2. Fair-Value Comparisons
  - A. Determination of Comparison Method
  - B. Results of the Differential Pricing Analysis
3. Product Comparisons
4. Constructed Export Price
5. Normal Value
  - A. Home Market Viability and Selection of Comparison Market
  - B. Level of Trade
  - C. Calculation of Normal Value Based on Comparison-Market Prices
6. Duty Absorption
7. Currency Conversion
8. Verification

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-489-501]

### Welded Carbon Steel Standard Pipe and Tube Products From Turkey: Preliminary Results of Antidumping Duty Administrative Review; 2011-2012

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

**SUMMARY:** In response to a request by interested parties,<sup>1</sup> the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on welded carbon steel standard pipe and tube

products (welded pipe and tube) from Turkey.<sup>2</sup> The period of review is May 1, 2011, to April 30, 2012. This review covers four respondents: Borusan, Erbosan, Toscelik, and Yucel.<sup>3</sup> The Department preliminarily finds that Toscelik and Yucel had no shipments. We preliminarily determine that Borusan<sup>4</sup> made sales below normal value and Erbosan did not. The preliminary results are listed below in the section titled "Preliminary Results of Review."

**DATES:** As of June 7, 2013.

**FOR FURTHER INFORMATION CONTACT:** Fred Baker, Victoria Cho, or Robert James at (202) 482-2924, (202) 482-5075, or (202) 482-0649, respectively; AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

### SUPPLEMENTARY INFORMATION:

#### Scope of the Order<sup>5</sup>

The merchandise subject to the order is welded pipe and tube. The welded pipe and tube subject to the order is currently classifiable under subheading 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, and 7306.30.50.90 of the Harmonized Tariff Schedule of the United States (HTSUS). The HTSUS subheading is 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 Ronald K. Lorentzen, Acting Assistant

Secretary for Import Administration, "Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review: Welded Carbon Steel Standard Pipe and Tube Products from Turkey; 2011-2012 Administrative Review" (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). Access to IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and is available to all parties 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.

### Methodology

The Department has conducted this review in accordance with section 751(a)(2) of the Tariff Act of 1930, as amended (the Act). Export price is calculated in accordance with section 772 of the Act. Normal value (NV) is calculated in accordance with section 773 of the Act.

To determine the appropriate comparison method, the Department applied a "differential pricing" analysis and has preliminarily determined to use the average-to-transaction method in making comparisons of export price and normal value for Borusan and the average-to-average method in making comparisons of export price and normal value for Erbosan.

For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum.

### Preliminary Determination of No Shipments

Toscelik and Yucel, in letters dated August 20, 2012, reported that they made no shipments, entries or sales of subject merchandise during the POR. On September 24, 2012, the Department issued a "No Shipment Inquiry" to U.S. Customs and Border Protection (CBP) to confirm that there were no entries of welded pipe and tube from Turkey exported by Toscelik or Yucel during the POR. In addition, we obtained other documentation from CBP to evaluate the

<sup>2</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 77 FR 40565 (July 10, 2012).

<sup>3</sup> The Department initiated a review on the Borusan Group and all affiliates, which includes Borusan Mannesmann Boru Sanayi ve Ticaret A.S., Borusan Istikbal Ticaret T.A.S., Borusan Holding A.S., and Borusan Lojistik Dagitim Depolama Tasimacilik ve Tic. A.S. (collectively, Borusan); ERBOSAN Erciyas Boru Sanayi ve Ticaret A.S. (Erbosan); Toscelik Profil ve Sac Endustisi A.S., Toscelik Metal Ticaret A.S., Tosyalı Dis Ticaret A.S. (collectively, Toscelik); the Yucel Group and all affiliates, Cayirova Boru Sanayi ve Ticaret A.S., Yucel Boru ve Profil Endustisi A.S., and Yucelboru Ihracat Ithalat ve Pazarlama A.S. (collectively, Yucel.).

<sup>4</sup> We note that of the Borusan entities, only Borusan Mannesmann Boru Sanayi ve Ticaret A.S. (BMB) had reviewable sales during this period of review.

<sup>5</sup> Beginning in 1996, we note we inadvertently used an incorrect case name and incorrect scope language in many of our notices in this case. The Department is using the original and correct case name and scope in this segment, as reflected in the original 1986 order. See *Antidumping Duty Order: Welded Carbon Steel Standard Pipe and Tube Products from Turkey*, 51 FR 17784 (May 15, 1986).

<sup>1</sup> Wheatland Tube Company, United States Steel Corporation, and Erbosan Erciyas Boru Sanayi ve Ticaret A.S.