

knowingly and willfully attempting to export from the United States to Pakistan stinger missiles and night vision goggles, items designated as defense articles without obtaining the required approval from the U.S. Department of State. Mohsen was sentenced to 30 months imprisonment followed by three years of supervised release. He was released from prison on September 13, 2003 and will be released from U.S. Probation Office supervision on September 12, 2006.

Section 11(h) of the Export Administration Act of 1979, as amended (currently codified at 50 U.S.C. app. §§ 2401–2420 (2000)) (“Act”)¹ and Section 766.25 of the Export Administration Regulations² (“Regulations”) provide, in pertinent part, that “[t]he Director of Exporter Services, in consultation with the Director of the Office of Export Enforcement, may deny export privileges of any person who has been convicted of a violation of * * * AECA,” for a period not to exceed 10 years from the date of conviction. 15 CFR 766.25(a) and (d). In addition, Section 750.8 of the Regulations states that BIS’s Office of Exporter Services may revoke any BIS licenses previously issued in which the person had an interest in at the time of his conviction.

I have received notice of Mohsen’s indictment for violating the AECA, and have provided notice and an opportunity for Mohsen to make a written submission to the Bureau of Industry and Security as provided in Section 766.25 of Regulations. Mohsen made a telephone call to the Office of Chief Counsel for Industry and Security and was instructed to make a written submission as provided by the Regulations. Having received no submission from Mohsen, I, following consultations with the Export Enforcement, including the Director, Office of Export Enforcement, have decided to deny Mohsen’s export privileges under the Regulations for a period of 10 years from the date of Mohsen’s conviction.

Accordingly, it is hereby *Ordered*:

I. Until February 25, 2012, Diao Mohsen, 927 Pavonia Avenue, Apartment 2, Jersey City, NJ 07306, and when acting for or on behalf of Mohsen,

his representatives, assigns, agents, or employees, (collectively referred to hereinafter as the “Denied Person”) may not, directly, or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”) exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, License Exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations.

II. No person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item

subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

III. After notice and opportunity for comment as provided in section 766.23 of the Regulations, any other person, firm, corporation, or business organization related to Diao Mohsen by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be made subject to the provisions of this Order.

IV. This Order does not prohibit any export, reexport, or other transaction subject to the Regulations where the only items involved that are subject to the Regulations are the foreign-produced direct product of U.S.-origin technology.

V. This Order is effective immediately and shall remain in effect until February 15, 2012.

VI. In accordance with part 756 of the Regulations, Mohsen may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of part 756 of the Regulations.

VII. A copy of this Order shall be delivered to Mohsen. This Order shall be published in the **Federal Register**.

Dated: July 11, 2006.

Eileen M. Albanese,

Director, Office of Exporter Services.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–831]

Fresh Garlic from the People’s Republic of China: Final Results of 2004–2005 Semi-Annual New Shipper Reviews

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

SUMMARY: On May 4, 2006, the Department of Commerce (“the Department”) published the preliminary results of new shipper reviews of the antidumping duty order on fresh garlic from the People’s Republic of China (“PRC”). See *Fresh Garlic from the People’s Republic of China: Preliminary Results of 2004–2005 Semi-Annual New Shipper Reviews*, 71 FR 26322 (May 4, 2006) (“*Preliminary Results*”). The

¹ Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 CFR 2001 Comp. 783 (2002)), as extended by the Notice of August 2, 2005 (70 FR 45273, August 5, 2005), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701–1706 (2000)) (“IEEPA”).

² The Regulations are currently codified at 15 CFR parts 730–774 (2006).

merchandise covered by this order is fresh garlic as described in the "Scope of the Order" section of this notice. The period of review ("POR") is November 1, 2004, through April 30, 2005. We invited parties to comment on our *Preliminary Results*. We received no comments, and no new evidence was placed on the record to cause us to question that determination. Therefore, the final results are unchanged from those presented in the *Preliminary Results*. The final dumping margins for these reviews are listed in the "Final Results of the Reviews" section below.

EFFECTIVE DATE: July 18, 2006.

FOR FURTHER INFORMATION CONTACT:

Ryan Douglas or Katharine Huang, AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1277 and (202) 482-1271, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 4, 2006, the Department published the preliminary results of the 2004-2005 semi-annual new shipper reviews of fresh garlic from the PRC. See *Preliminary Results*. These new shipper reviews cover four respondents,¹ and

the period November 1, 2004, through April 30, 2005. In the *Preliminary Results*, we invited parties to comment. We received no comments.

Scope of the Order

The products subject to the antidumping duty order are all grades of garlic, whole or separated into constituent cloves, whether or not peeled, fresh, chilled, frozen, provisionally preserved, or packed in water or other neutral substance, but not prepared or preserved by the addition of other ingredients or heat processing. The differences between grades are based on color, size, sheathing, and level of decay.

The scope of this order does not include the following: (a) garlic that has been mechanically harvested and that is primarily, but not exclusively, destined for non-fresh use; or (b) garlic that has been specially prepared and cultivated prior to planting and then harvested and otherwise prepared for use as seed.

The subject merchandise is used principally as a food product and for seasoning. The subject garlic is currently classifiable under subheadings 0703.20.0010, 0703.20.0020, 0703.20.0090, 0710.80.7060, 0710.80.9750, 0711.90.6000, and 2005.90.9700 of the *Harmonized Tariff Schedule of the United States*

("HTSUS"). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive. In order to be excluded from the antidumping duty order, garlic entered under the HTSUS subheadings listed above that is (1) mechanically harvested and primarily, but not exclusively, destined for non-fresh use or (2) specially prepared and cultivated prior to planting and then harvested and otherwise prepared for use as seed must be accompanied by declarations to U.S. Customs and Border Protection ("CBP") to that effect.

Separate Rates

In our *Preliminary Results*, we preliminarily found that Chengshun, Fanhui, Dongbao, and Anqiu Friend had met the criteria for the application of a separate antidumping duty rate. See *Preliminary Results*, 71 FR at 26325. We have not received any information since the issuance of the *Preliminary Results* that provides a basis for reconsideration of these determinations.

Final Results of the Reviews

The Department has determined that the following final dumping margins exist for the period November 1, 2004, through April 30, 2005:

Exporter	Producer	Margin (percent)
Shandong Chengshun Farm Produce Trading Company, Ltd.	Jinxiang Chengsen Agricultural Trade Company, Ltd.	0.00
Shenzhen Fanhui Import and Export Co., Ltd.	Shenzhen Fanhui Import and Export Co., Ltd.	0.00
Qufu Dongbao Import and Export Trade Co., Ltd.	Qufu Dongbao Import and Export Trade Co., Ltd.	0.00
Anqiu Friend Food Co., Ltd.	Anqiu Friend Food Co., Ltd.	0.00

Duty Assessment and Cash-Deposit Requirements

The Department will determine, and CBP shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.106(c)(2), we will instruct CBP to liquidate, without regard to antidumping duties, all entries of subject merchandise during the POR for which the importer- (or customer-) specific assessment rate is zero.

Bonding will no longer be permitted to fulfill security requirements for shipments of fresh garlic from the PRC produced by CATC and exported by Chengshun, produced and exported by Fanhui, produced and exported by Dongbao, and produced and exported by Anqiu Friend that are entered, or

withdrawn from warehouse, for consumption on or after the publication date of the final results of these new shipper reviews. The following cash deposit requirements will be effective upon publication of the final results of these new shipper reviews for all shipments of subject merchandise from Chengshun, Fanhui, Dongbao, and Anqiu Friend 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 subject merchandise produced by CATC and exported by Chengshun; produced and exported by Fanhui; produced and exported by Dongbao; or produced and exported by Anqiu Friend, the cash deposit rate will be

zero; (2) for subject merchandise exported by Chengshun but not produced by CATC, the cash deposit rate will continue to be the PRC-wide rate (*i.e.*, 376.67 percent); (3) for subject merchandise exported by Fanhui, Dongbao, or Anqiu Friend, but produced by any party other than itself, the cash deposit rate will be the PRC-wide rate (*i.e.*, 376.67 percent); (4) for subject merchandise produced by Fanhui, Dongbao, or Anqiu Friend, but exported by any party other than itself, the cash deposit rate will be the PRC-wide rate (*i.e.*, 376.67 percent); and (5) for subject merchandise produced by CATC but exported by any party other than Chengshun, the cash deposit rate

¹ The four respondents are Shandong Chengshun Farm Produce Trading Company, Ltd. ("Chengshun"), Shenzhen Fanhui Import and Export Co., Ltd. ("Fanhui"), Qufu Dongbao Import and Export Trade Co., Ltd. ("Dongbao"), and Anqiu

Friend Food Co., Ltd. ("Anqiu Friend"). These new shipper reviews cover shipments of fresh garlic from the PRC that were produced by Jinxiang Chengsen Agricultural Trade Company, Ltd. ("CATC") and exported by Chengshun, produced

and exported by Fanhui, produced and exported by Dongbao, and produced and exported by Anqiu Friend.

will be the PRC-wide rate (*i.e.*, 376.67 percent).

Notification of Interested Parties

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 the review period. Pursuant to 19 CFR 351.402(f)(3), failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the disposition of proprietary information disclosed under APO as explained in the administrative protective order itself. 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 the terms of an APO is a sanctionable violation.

We are issuing and publishing this notice in accordance with sections 751(a)(2)(B) and 777(i)(1) of the Act, 19 CFR 351.214(i)(1), and 19 CFR 351.221(b)(5).

Dated: July 11, 2006.

David M. Spooner,
Assistant Secretary for Import
Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-820]

Certain Hot-Rolled Carbon Steel Flat Products From India: Final Results of Antidumping Duty Administrative Review

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

SUMMARY: On January 12, 2006, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on certain hot-rolled carbon steel flat products (HRS) from India. *See Certain Hot-Rolled Carbon Steel Flat Products From India: Preliminary Results of Antidumping Duty Administrative Review*, 71 FR 1818 (January 12, 2006) (*Preliminary Results*). This review

covers one producer/exporter of HRS, Essar Steel Ltd. (Essar). The period of review (POR) is December 1, 2003, through November 30, 2004. Based on our analysis of the comments received, we made changes to the preliminary dumping margin calculation. Despite these changes, the calculated dumping margin for these final results does not differ from the dumping margin determined in the *Preliminary Results*. The final weighted-average dumping margin for the reviewed firm is listed below in the section entitled "Final Results of Review."

EFFECTIVE DATE: July 18, 2006.

FOR FURTHER INFORMATION CONTACT: Jeffrey Pedersen or Howard Smith, AD/CVD Operations, Office 4, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230, telephone: (202) 482-2769 or (202) 482-5193, respectively.

SUPPLEMENTARY INFORMATION:

Background

On January 12, 2006, the Department published the *Preliminary Results* in the **Federal Register** and invited interested parties to comment on those results. In response to the Department's invitation to comment on the *Preliminary Results* of this review, Essar and Nucor Corporation (Nucor), one of two petitioners, filed case briefs on February 22, 2006. Essar, Nucor and United States Steel Corporation (USSC), the other petitioner, filed rebuttal briefs on February 27, 2006. At the Department's request, Nucor excluded certain factual information from its brief and rebuttal brief and resubmitted its briefs on March 17, 2006. On March 3, 2006, Essar withdrew its February 10, 2006, request for a hearing.

Scope of the Order

The products covered by the antidumping duty order are certain hot-rolled carbon steel flat products of a rectangular shape, of a width of 0.5 inch or greater, neither clad, plated, nor coated with metal and whether or not painted, varnished, or coated with plastics or other non-metallic substances, in coils (whether or not in successively superimposed layers), regardless of thickness, and in straight lengths, of a thickness of less than 4.75 mm and of a width measuring at least 10 times the thickness. Universal mill plate (*i.e.*, flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 mm, but not exceeding 1250 mm, and of a thickness of not less than 4.0 mm, not in coils and

without patterns in relief) of a thickness not less than 4.0 mm is not included within the scope of the order.

Specifically included within the scope of the order are vacuum degassed, fully stabilized (commonly referred to as interstitial-free (IF)) steels, high strength low alloy (HSLA) steels, and the substrate for motor lamination steels. IF steels are recognized as low carbon steels with micro-alloying levels of elements such as titanium or niobium (also commonly referred to as columbium), or both, added to stabilize carbon and nitrogen elements. HSLA steels are recognized as steels with micro-alloying levels of elements such as chromium, copper, niobium, vanadium, and molybdenum. The substrate for motor lamination steels contains micro-alloying levels of elements such as silicon and aluminum.

Steel products to be included in the scope of the order, regardless of definitions in the Harmonized Tariff Schedule of the United States (HTSUS), are products in which: i) iron predominates, by weight, over each of the other contained elements; ii) the carbon content is 2 percent or less, by weight; and iii) 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 of vanadium, or
- 0.15 percent of zirconium.

All products that meet the physical and chemical description provided above are within the scope of the order unless otherwise excluded. The following products, by way of example, are outside or specifically excluded from the scope of the order:

- Alloy HRS products in which at least one of the chemical elements exceeds those listed above (including, *e.g.*, American Society for Testing and Materials (ASTM) specifications A543, A387, A514, A517, A506).
- Society of Automotive Engineers (SAE)/American Iron & Steel Institute (AISI) grades of series 2300 and higher.
- Ball bearing steels, as defined in the HTSUS.
- Tool steels, as defined in the HTSUS.