

DEPARTMENT OF COMMERCE**International Trade Administration**

[A-427-602]

Brass Sheet and Strip From France: Preliminary Results of Antidumping Duty Administrative Review; 2014–2015

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

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on brass sheet and strip from France,¹ pursuant to section 751(a)(1) of the Tariff Act of 1930, as amended (the Act). This review covers two companies, Griset SA (Griset) and KME France SAS (KME France). The period of review (POR) is March 1, 2014, through February 28, 2015. We preliminarily find that subject merchandise has been sold at less than normal value by both Griset and KME France. Interested parties are invited to comment on these preliminary results.

DATES: *Effective Date:* December 1, 2015.

FOR FURTHER INFORMATION CONTACT: Mark Flessner or Robert James, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–6312 or (202) 482–0649, respectively.

SUPPLEMENTARY INFORMATION:**Scope of the Order**

The product covered by the orders is brass sheet and strip, other than leaded and tinned brass sheet and strip, from France. The merchandise is currently classified under Harmonized Tariff Schedule of the United States (HTSUS) item numbers 7409.21.00 and 7409.29.00.

A full description of the scope of the order is contained in the Preliminary Decision Memorandum.² The written description is dispositive.

Methodology

Because both Griset and KME France failed to respond to the Department's

questionnaire, we preliminarily determined to rely on facts available with an adverse inference with respect to Griset and KME France, in accordance with sections 776(a) and (b) of the Act and 19 CFR 351.308. Thus, we preliminarily assigned a rate of 42.24 percent as the weighted-average dumping margin for both Griset and KME France.³ For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum. The Preliminary Decision Memorandum is a public document and is made available to the public *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> and is available to all parties in the Central Records Unit, room B8024 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://enforcement.trade.gov/frn/index.html>. A list of topics included in the Preliminary Decision Memorandum is included in Appendix I attached to this notice. The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

Preliminary Results of Review

As a result of this review, we preliminarily determine that the following weighted-average dumping margins on brass sheet and strip from France exist for the period March 1, 2014, through February 28, 2015, at the following rates:

Producer or exporter	Estimated weighted-average dumping margin (Percent)
Griset SA	42.24
KME France SAS	42.24

Disclosure and Public Comment

Pursuant to 19 CFR 351.309(c), interested parties may submit case briefs

not later than 30 days after the date of publication of this notice. 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.⁴ 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.⁵ Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance within 30 days after the date of publication of this notice.⁶ 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.

When submitting a document to the Department *via* the Department's electronic records system, ACCESS, the document must be received successfully in its entirety by 5 p.m. Eastern Time on the date on which it is due.

The Department intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, not later than 120 days after the date of publication of this notice, unless extended, 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 covered by this review. For the final results, if we continue to rely on adverse facts available to establish the weighted-average dumping margins for Griset and KME France, we will instruct U.S. Customs and Border Protection (CBP) to apply an *ad valorem* assessment rate of 42.24 percent to all entries of subject merchandise during the POR which were produced and/or exported by Griset or KME France.

The Department clarified its "automatic assessment" regulation on May 6, 2003.⁷ This clarification will apply to entries of subject merchandise during the POR produced by the respondent for which it did not know its

¹ See *Antidumping Duty Order; Brass Sheet and Strip From France*, 52 FR 6995 (March 6, 1987) (the Order).

² See memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, entitled "Decision Memorandum for Preliminary Results of the 2014–2015 Antidumping Duty Administrative Review: Brass Sheet and Strip from France" (Preliminary Decision Memorandum), dated concurrently with this notice.

³ Because this was an AFA rate derived from the petition in the investigation, the rate was not subject to the Department's so-called "zeroing" methodology. See *Brass Sheet and Strip From France, Italy, and Japan: Final Results of the Expedited Third Sunset Reviews of the Antidumping Duty Orders*, 76 FR 39849 (July 7, 2011) and accompanying Issues and Decision memorandum at 1–3 ("History of the Orders" section); see also the Order; see also *Brass Sheet and Strip from France: Final Determination of Sales at Less than Fair Value*, 52 FR 812 (January 9, 1987).

⁴ See 19 CFR 351.309(d).

⁵ See 19 CFR 351.303 (for general filing requirements).

⁶ See 19 CFR 351.310(c).

⁷ See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate un-reviewed entries at the all-others rate if there is no rate for the intermediate company involved in the transaction.⁸

We intend to issue liquidation instructions to CBP 15 days after publication of the final results of review.

Cash Deposit Requirements

The following deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of brass sheet and strip from France entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2) of the Act: (1) The cash deposit rate for Griset and KME France will be equal to the weighted-average dumping margin established in the final results of this administrative review except if the rate is *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding in which the manufacturer or exporter participated; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value investigation but the manufacturer is, the cash deposit rate will be the rate established for the most recently completed segment of the proceeding for the manufacturer of the merchandise; (4) the cash deposit rate for all other manufacturers or exporters will continue to be 42.24 percent *ad valorem*, the all-others rate established in the less-than-fair-value investigation.⁹ These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notifications 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 doubled antidumping duties.

Notification to Interested Parties

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

Dated: November 17, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

- A. Summary
- B. Background
- C. Scope of the Order
- D. Discussion of the Methodology
 - 1. *Application of Facts Available and Use of Adverse Inference*
 - a. Use of Facts Available
 - b. Application of Facts Available With an Adverse Inference
 - c. Selection and Corroboration of Information Used as Facts Available
- E. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–580–876, A–489–822]

Welded Line Pipe From the Republic of Korea and the Republic of Turkey: Antidumping Duty Orders

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

SUMMARY: Based on affirmative final determinations by the Department of Commerce (the Department) and the International Trade Commission (the ITC), the Department is issuing antidumping duty orders on welded line pipe from the Republic of Korea (Korea) and the Republic of Turkey (Turkey).

DATES: *Effective Date:* December 1, 2015.

FOR FURTHER INFORMATION CONTACT: Ross Belliveau (Korea) or David Crespo (Turkey), AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–4952 and (202) 482–3693, respectively.

SUPPLEMENTARY INFORMATION:

Background

In accordance with sections 735(d) and 777(i)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.210(c), on October 13, 2015, the Department published its affirmative

final determinations in the less-than-fair-value (LTFV) investigations of welded line pipe from Korea and Turkey.¹ Pursuant to section 735(e) of the Act and 19 CFR 351.224(f), the Department published its amended final determination in the LTFV investigation of welded line pipe from Korea on November 10, 2015.² On November 20, 2015, the ITC notified the Department of its affirmative determinations that an industry in the United States is materially injured within the meaning of section 735(b)(1)(A)(i) of the Act, by reason of the LTFV imports of welded line pipe from Korea and Turkey.³

Scope of the Orders

The merchandise covered by these orders is circular welded carbon and alloy steel (other than stainless steel) pipe of a kind used for oil or gas pipelines (welded line pipe), not more than 24 inches in nominal outside diameter, regardless of wall thickness, length, surface finish, end finish, or stenciling. Welded line pipe is normally produced to the American Petroleum Institute (API) specification 5L, but can be produced to comparable foreign specifications, to proprietary grades, or can be non-graded material. All pipe meeting the physical description set forth above, including multiple-stenciled pipe with an API or comparable foreign specification line pipe stencil is covered by the scope of these orders.

The welded line pipe that is subject to these orders is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 7305.11.1030, 7305.11.5000, 7305.12.1030, 7305.12.5000, 7305.19.1030, 7305.19.5000, 7306.19.1010, 7306.19.1050, 7306.19.5110, and 7306.19.5150. The subject merchandise may also enter in HTSUS 7305.11.1060 and 7305.12.1060. While the HTSUS subheadings are provided for

¹ See *Welded Line Pipe From the Republic of Turkey: Final Determination of Sales at Less Than Fair Value*, 80 FR 61362 (October 13, 2015) (*Turkey Final Determination*), and *Welded Line Pipe From the Republic of Korea: Final Determination of Sales at Less Than Fair Value*, 80 FR 61366 (October 13, 2015).

² See *Welded Line Pipe From the Republic of Korea: Amended Final Determination of Sales at Less Than Fair Value*, 80 FR 69637 (November 10, 2015).

³ See Letter to Christian Marsh, Deputy Assistant Secretary of Commerce for Enforcement and Compliance, from Meredith Broadbent, Chairman of the U.S. International Trade Commission, regarding certain welded line pipe from Korea and Turkey (November 20, 2015). See also *Certain Welded Line Pipe from Korea and Turkey*, USITC Investigation Nos. 701–TA–525 and 731–TA–1260–1261 (Final), USITC Publication 4580 (November 2015).

⁸ *Id.*

⁹ See the *Order* at 52 FR 6996.