

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-475-601]

**Brass Sheet and Strip From Italy; Preliminary Results of Antidumping Duty Administrative Review; 2013-2014**

**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 (BSS) from Italy.<sup>1</sup> This review covers one company. The period of review (POR) is March 1, 2013, through February 28, 2014.

**DATES:** *Effective Date:* April 8, 2015.

**FOR FURTHER INFORMATION CONTACT:** Joseph Shuler, 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) 482-1293.

**SUPPLEMENTARY INFORMATION:**

**Scope of the Order**

The merchandise subject to the antidumping duty order is brass sheet and strip, other than leaded brass and tin brass sheet and strip, from Italy, which is currently classified under subheading 7409.21.00.50, 7409.21.00.75, 7409.21.00.90, 7409.29.00.50, 7409.29.00.75, and 7409.29.00.90 of the Harmonized Tariff Schedule of the United States (HTSUS). The HTSUS numbers are provided for convenience and customs purposes. A full description of the scope of the order is contained in the Preliminary Decision Memorandum.<sup>2</sup> The written description is dispositive.

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).<sup>3</sup>

<sup>1</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 79 FR 24398 (April 30, 2014).

<sup>2</sup> See memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, "Decision Memorandum for Preliminary Results of the 2013-2014 Antidumping Duty Administrative Review: Brass Sheet and Strip from Italy" (Preliminary Decision Memorandum), dated concurrently with this notice.

<sup>3</sup> On November 24, 2014, Enforcement and Compliance changed the name of Enforcement and

ACCESS is available to registered users at <http://access.trade.gov> and 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://enforcement.trade.gov/frn/index.html>. A list of the topics discussed in the Preliminary Decision Memorandum is attached as an Appendix to this notice.

**Methodology**

In accordance with sections 776(a) and (b) of the Tariff Act of 1930, as amended (the Act), we relied on facts available with an adverse inference with respect to KME Italy SpA (KME Italy), the only company for which a review was requested. Thus, we preliminarily assign a rate of 22.00 percent as the dumping margin for KME Italy. In making these findings, we relied on facts available because KME Italy failed to respond to the Department's antidumping duty questionnaire, and thus withheld requested information, failed to provide requested information by the established deadlines, and significantly impeded this proceeding. See sections 776(a)(2)(A)-(C) of the Act. Furthermore, because we preliminarily determine that KME Italy failed to cooperate by not acting to the best of its ability to comply with the Department's requests for information, we drew an adverse inference in selecting from among the facts otherwise available. See section 776(b) of the Act.

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

**Preliminary Results of Review**

As a result of our review, we preliminarily determine that the following dumping margin on BSS from Italy exists for the period March 1, 2013, through February 28, 2014:

Exporter/manufacturer	Dumping margin (percent)
KME Italy SpA .....	22.00

**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

Compliance's AD and CVD Centralized Electronic Service System (IA ACCESS) to AD and CVD Centralized Electronic Service System (ACCESS). The Web site location was changed from <http://iaaccess.trade.gov> to <http://access.trade.gov>. The Final Rule changing the references to the Regulations can be found at 79 FR 69046 (November 20, 2014).

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.<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 ACCESS.<sup>6</sup>

Pursuant to 19 CFR 351.310(c), 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 Enforcement and Compliance, filed electronically via ACCESS. An electronically filed document must be received successfully in its entirety in ACCESS by 5 p.m. Eastern Time within 30 days after the date of publication of this notice. 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 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, pursuant to section 751(a)(3)(A) of the Act.

**Assessment Rates**

Upon issuance of the final results, the Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. If the preliminary results are unchanged for the final results we will instruct CBP to apply an *ad valorem* assessment rate of 22.00 percent to all entries of subject merchandise during the POR which were produced and/or exported by KME Italy.

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 BSS from Italy entered, or withdrawn from warehouse, for consumption on or after

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

<sup>5</sup> See 19 CFR 351.303 (for general filing requirements).

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

the date of publication, as provided by section 751(a)(2) of the Act: (1) The cash deposit rate for the reviewed company will be the rate established in the final results of this review; (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; (3) if the exporter is not a firm covered in this review, a prior review, or the 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 this proceeding for the manufacturer of the merchandise; (4) if neither the exporter nor the manufacturer has its own rate, the cash deposit rate will be 5.44 percent. These 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: March 30, 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. Use of Facts Otherwise Available
    - 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

[C-489-502]

#### Circular Welded Carbon Steel Pipes and Tubes From Turkey: Preliminary Results of Countervailing Duty Administrative Review and Preliminary Intent To Rescind in Part; Calendar Year 2013

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

**SUMMARY:** The Department of Commerce (the Department) is conducting an administrative review of the countervailing duty (CVD) order on circular welded carbon steel pipes and tubes from Turkey for the period of review (POR) of January 1, 2013, through December 31, 2013. The review covers one producer/exporter of subject merchandise that the Department selected for individual examination: the Borusan Group, Borusan Holding, A.S. (Borusan Holding), Borusan Mannesmann Boru Sanayi ve Ticaret A.S. (Borusan), Borusan Istikbal Ticaret T.A.S. (Istikbal), and Borusan Lojistik Dagitim Papolama Tasimacilik ve Tic A.S. (Borusan Lojistik) (collectively, the Borusan Companies). Additionally, this review covers three firms that were not individually examined: Toscelik Profil ve Sac Endustrisi A.S. (Toscelik Profil), Toscelik Metal Ticaret AS., and Tosyali Dis Ticaret AS. (Tosyali) (collectively, the Toscelik Companies),<sup>1</sup> Umrans Celik Born Sanayii A.S. (also known as Umrans Steel Pipe Inc.) (Umrans), and Guven Steel Pipe (also known as Guven Celik Born San. Ve Tic. Ltd.) (Guven).

We preliminarily determine that the Borusan Companies received countervailable subsidies during the POR. For purposes of these preliminary results, we assigned the Toscelik Companies, Umrans and Guven, the non-selected respondents, the same net subsidy rate calculated for the Borusan Companies. Additionally, we preliminarily determine to rescind the administrative reviews on Erbosan Erciyas Boru Sanayi ve Ticaret A.S. (Erbosan AS) and Erbosan Erciyas Pipe Industry and Trade Co. Kayseri Free Zone Branch (Erbosan FZB), (collectively Erbosan) and the Yucel Group and all affiliates including Yucel Boru ye Profil Endustrisi A.S, Yucelboru Ihracat Ithalat ye Pazarlama A.S, and

<sup>1</sup> See *Turkey Pipe 2012 Preliminary Results and accompanied Preliminary Issues and Decision Memorandum at 5 unchanged in Turkey Pipe 2012 Final Results and accompanying Issues and Decision Memorandum at 2*, in which we found the Toscelik Companies to be cross-owned entities.

Cayirova Born Sanayi ye Ticaret A.S.) (collectively, the Yucel Companies).<sup>2</sup>

**DATES:** *Effective Date:* April 8, 2015.

**FOR FURTHER INFORMATION CONTACT:** John Conniff or Jolanta Lawska, 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: 202-482-1009 and 202-482-8362, respectively.

#### Intent To Rescind the 2013 Administrative Review, in Part

Erbosan and the Yucel Companies submitted letters to the Department on May 5, 2014, June 27, 2014, respectively, timely certifying that they had no sales, shipments, or entries, directly or indirectly, of subject merchandise to the United States during the POR.<sup>3</sup> Petitioners did not comment on Erbosan's and Yucel's claims of no sales, shipments, or entries. On May 19 and July 14, 2014, we transmitted "No-Shipment Inquiries" to U.S. Customs and Border Protection (CBP) regarding these companies. We did not receive any information from CBP contrary to Erbosan's and Yucel's claims of no sales, shipments, or entries of subject merchandise to the United States during the POR. Accordingly, based on the record evidence, we preliminarily determine that Erbosan and Yucel, did not ship subject merchandise to the United States during the POR. Therefore, in accordance with 19 CFR 351.213(d)(3), and consistent with our practice,<sup>4</sup> we preliminarily determine to rescind the review for Erbosan and Yucel.

#### Scope of the Order

The products covered by this order are certain welded carbon steel pipe and tube with an outside diameter of 0.375 inch or more, but not over 16 inches, of any wall thickness (pipe and tube) from Turkey. These products are currently provided for under the Harmonized Tariff Schedule of the United States (HTSUS) as item numbers 7306.30.10,

<sup>2</sup> See *Circular Welded Carbon Steel Pipes and Tubes From Turkey: Final Results of Countervailing Duty Administrative Review; Calendar Year 2011*, 78 FR 64916 (October 30, 2013), in which we found the Erbosan Companies to be cross-owned; see also *Certain Welded Carbon Steel Pipes and Tubes and Welded Carbon Steel Line Pipe from Turkey: Final Results of Countervailing Duty Administrative Reviews*, 64 FR 44496 (August 16, 1999), in which we found the Yucel Companies to be cross-owned.

<sup>3</sup> See the Erbosan Companies' May 5, 2014, submission; see also the Yucel Companies June 27, 2014, submission.

<sup>4</sup> See, e.g., *Aluminum Extrusions from the People's Republic of China: Notice of Partial Rescission of Countervailing Duty Administrative Review*, 79 FR 2635 (January 15, 2014).