

subheadings are provided for convenience and for customs purposes, the written description of the merchandise is dispositive.

Preliminary Determination of No Shipments

As noted in the “Background” section above, Shanghai Jinneng has submitted a timely-filed certification indicating that it had no shipments of subject merchandise to the United States during the POR. In addition, in response to our no-shipments inquiry, CBP did not provide any evidence contradicting Shanghai Jinneng’s claim of no shipments. Further, on November 9, 2012, the Department released to interested parties the results of the CBP query that it used for corroboration of Shanghai Jinneng’s no-shipments claim.⁹ The Department received no comments from any interested parties concerning the results of the CBP query.

Based on the certification of Shanghai Jinneng and our analysis of CBP information, we preliminarily determine that Shanghai Jinneng did not have any reviewable transactions during the POR. In addition, consistent with the Department’s recently announced refinement to its assessment practice in non-market economy (“NME”) cases, the Department finds that it is appropriate not to rescind the review in these circumstances but rather, to complete the review with respect to Shanghai Jinneng and issue appropriate instructions to CBP based on the final results of the review.¹⁰

Comments

Interested parties are invited to comment on the preliminary results and may submit case briefs and/or written comments within 30 days of the date of publication of this notice, pursuant to 19 CFR 351.309(c)(1)(ii). Rebuttal briefs, limited to issues raised in the case briefs, will be due five days after the due date for case briefs, pursuant to 19 CFR 351.309(d). Written argument should be filed electronically using Import Administration’s Antidumping and Countervailing Duty Centralized Electronic Service System (“IA ACCESS”).¹¹ Parties who submit case or rebuttal briefs in this proceeding are requested to submit with each argument a statement of the issue, a summary of the argument not to exceed five pages, and a table of statutes, regulations, and

cases cited, in accordance with 19 CFR 351.309(c)(2).

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 Import Administration, U.S. Department of Commerce. The request must be filed electronically using IA ACCESS. An electronically filed document must be received successfully in its entirety by the Department’s electronic records system, IA ACCESS, by 5:00 p.m. Eastern Standard Time, within 30 days after the date of publication of this notice.¹² 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 will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review. The Department intends to issue assessment instructions to CBP within 15 days after the publication date of the final results of this review. Pursuant to the recently announced refinement to its assessment practice in NME cases, if the Department continues to determine that an exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter’s case number (*i.e.*, at that exporter’s rate) will be liquidated at the PRC-wide rate. For a full discussion of this practice, *see Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011).

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) For Shanghai Jinneng, which claimed no shipments,

the cash deposit rate will remain unchanged from the rate assigned to the company in the most recently completed review of the company; (2) for previously investigated or reviewed PRC and non-PRC exporters who are not under review in this segment of the proceeding but who have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate the cash deposit rate will be the PRC-wide rate of 139.49 percent;¹³ and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter(s) that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

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 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.

These preliminary results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(4).

Dated: February 20, 2013.

Paul Piquado,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-890]

Wooden Bedroom Furniture From the People’s Republic of China: Initiation of Antidumping Duty New Shipper Review

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

¹³ For an explanation of the calculation of the PRC-wide rate, *see Final Determination of Sales at Less Than Fair Value: Silicon Metal from the People’s Republic of China*, 56 FR 18570, 18571-2 (April 23, 1991).

⁹ See CBP Query.

¹⁰ See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (Oct. 24, 2011) and the “Assessment Rates” section, below.

¹¹ See, generally, 19 CFR 351.303.

¹² See 19 CFR 351.310(c).

DATES: *Effective Date:* February 27, 2013.

SUMMARY: The Department of Commerce ("Department") has determined that a request for a new shipper review of the antidumping duty order on wooden bedroom furniture from the People's Republic of China ("PRC") meets the statutory and regulatory requirements for initiation. The period of review ("POR") for the new shipper review is January 1, 2012 through December 31, 2012.

FOR FURTHER INFORMATION CONTACT: Lori Apodaca, 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) 482-4551.

SUPPLEMENTARY INFORMATION:

Background

The antidumping duty order on wooden bedroom furniture from the PRC was published on January 4, 2005. *See Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Wooden Bedroom Furniture From the People's Republic of China*, 70 FR 329 (January 4, 2005). On January 23, 2013, pursuant to section 751(a)(2)(B)(i) of the Tariff Act of 1930, as amended (the "Act"), and 19 CFR 351.214(c), the Department received a timely request for a new shipper review from Dongguan Chengcheng Furniture Co., Ltd. ("Dongguan Chengcheng"). On February 6, 2013, the Department placed entry data received from U.S. Customs and Border Protection ("CBP") on the record of this proceeding and provided interested parties with an opportunity to comment on the data. No parties, other than Dongguan Chengcheng, commented on the CBP data. On February 6, 2013, the Department issued a supplemental questionnaire to Dongguan Chengcheng. On February 12, 2013, Dongguan Chengcheng submitted its supplemental questionnaire response. In its supplemental questionnaire response, Dongguan Chengcheng provided comments regarding the entry data received from CBP. We have also requested entry documents from CBP in order to confirm certain information reported by Dongguan Chengcheng. The continuation of the new shipper review will be contingent upon confirmation of this information. *See*, Memorandum to the File through Abdelali Elouaradia, Director, AD/CVD Operations, Office 4: Initiation of Antidumping New Shipper Review of Wooden Bedroom Furniture from the People's Republic of China:

Dongguan Chengcheng Furniture Co. Ltd.: ("Initiation Checklist"), dated concurrently with this notice at item 18.

Dongguan Chengcheng stated that it is both the exporter and producer of the subject merchandise upon which its request for a new shipper review is based. Pursuant to section 751(a)(2)(B)(i)(I) of the Act and 19 CFR 351.214(b)(2)(i), Dongguan Chengcheng certified that it did not export wooden bedroom furniture to the United States during the period of investigation ("POI"). In addition, pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), Dongguan Chengcheng certified that, since the initiation of the investigation, it has never been affiliated with any PRC exporter or producer who exported wooden bedroom furniture to the United States during the POI, including those not individually examined during the investigation. As required by 19 CFR 351.214(b)(2)(iii)(B), Dongguan Chengcheng also certified that its export activities were not controlled by the central government of the PRC. *See generally*, Initiation Checklist.

In addition to the certifications described above, pursuant to 19 CFR 351.214(b)(2)(iv), Dongguan Chengcheng submitted documentation establishing the following: (1) the date on which it first shipped wooden bedroom furniture for export to the United States and the date on which the wooden bedroom furniture was first entered, or withdrawn from warehouse, for consumption; (2) the volume of its first shipment; and (3) the date of its first sale to an unaffiliated customer in the United States. *See generally*, Initiation Checklist.

The Department conducted a CBP database query and confirmed by examining the results of the CBP data query that Dongguan Chengcheng's subject merchandise entered the United States during the POR specified by the Department's regulations. *See* 19 CFR 351.214(g)(1)(i)(A). Pursuant to 19 CFR 351.221(c)(1)(i), the Department will publish the notice of initiation of a new shipper review no later than the last day of the month following the anniversary or semiannual anniversary month of the order.

Initiation of New Shipper Review

Pursuant to section 751(a)(2)(B) of the Act, 19 CFR 351.214(b), and based on the information on the record, the Department finds that Dongguan Chengcheng meets the threshold requirements for initiation of a new shipper review of its shipment(s) of wooden bedroom furniture from the PRC. *See generally*, Initiation Checklist.

The POR for the new shipper review of Dongguan Chengcheng is January 1, 2012, through December 31, 2012. *See* 19 CFR 351.214(g)(1)(i)(A). The Department intends to issue the preliminary results of this review no later than 180 days from the date of initiation, and the final results of this review no later than 270 days from the date of initiation. *See* section 751(a)(2)(B)(iv) of the Act.

It is the Department's usual practice, in cases involving non-market economies, to require that a company seeking to establish eligibility for an antidumping duty rate separate from the country-wide rate provide evidence of *de jure* and *de facto* absence of government control over the company's export activities. Accordingly, we will issue a questionnaire to Dongguan Chengcheng which will include a separate rate section. The review of the exporter will proceed if the response provides sufficient indication that the exporter is not subject to either *de jure* or *de facto* government control with respect to its exports of wooden bedroom furniture.

We will instruct CBP to allow, at the option of the importer, the posting, until the completion of the review, of a bond or security in lieu of a cash deposit for certain entries of the subject merchandise from Dongguan Chengcheng in accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e). Because Dongguan Chengcheng stated that it both produces and exports the subject merchandise, the sales of which form the basis for its new shipper review request, we will instruct CBP to permit the use of a bond only for entries of subject merchandise which the respondent both produced and exported.

Interested parties requiring access to proprietary information in this new shipper review should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are published in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).

Dated: February 21, 2013.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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