

not know their merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the country-specific all-others rate established in the less-than-fair-value ("LTFV") investigation if there is no rate for the intermediate company(ies) involved in the transaction.

#### Cash Deposit Requirements

The following antidumping duty deposit rates will be effective upon publication of this notice of final results of the administrative review for all shipments of welded pipe and tube from Turkey entered, or withdrawn from warehouse, for consumption on or after the date of the publication of these final results, as provided by section 751(a)(1) of the Act: (1) For the companies subject to this review, the cash deposit rate will be the rates listed above; (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 manufacturer 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 manufacturer is a firm covered in this or any previous review conducted by the Department, the cash deposit rate will be 14.74 percent, the all-others rate established in the LTFV investigation.<sup>7</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

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 Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

#### Notification to Interested Parties

This notice serves as the only reminder to parties subject to administrative protective orders ("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.

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

Dated: October 12, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

#### Appendix—Issues in Decision Memorandum

1. Treatment of "Negative Dumping Margins" (Zeroing)
2. Method of Indexing Quarterly Costs
3. Borusan's Duty Drawback

[FR Doc. 2010-26271 Filed 10-18-10; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-839]

#### Certain Polyester Staple Fiber From the Republic of Korea: Final Results of the 2008–2009 Antidumping Duty Administrative Review

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

**SUMMARY:** On June 15, 2010, the Department of Commerce published the preliminary results of the ninth administrative review of the antidumping duty order on certain polyester staple fiber from the Republic of Korea and invited interested parties to comment. The review covers shipments of subject merchandise to the United States by Huvis Corporation. Based on our analysis of the comments received from interested parties, we have made no changes for the final results. The final weighted-average dumping margins are listed below in the "Final Results of the Review" section of this notice.

**DATES:** *Effective Date:* October 19, 2010.

**FOR FURTHER INFORMATION CONTACT:** Seth Isenberg or Patricia Tran, Office 1, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230;

*telephone:* (202) 482-0588 and (202) 482-1503, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On June 15, 2010, the Department of Commerce ("the Department") published *Certain Polyester Staple Fiber from the Republic of Korea: Preliminary Results of the 2008–2009 Antidumping Duty Administrative Review*, 75 FR 33783 (June 15, 2010) ("*Preliminary Results*") in the **Federal Register**. On July 15, 2010, we received a case brief from Huvis Corporation ("Huvis") concerning the *Preliminary Results*. On July 20, 2010, the Department released a post-preliminary calculation memo with our analysis of cost and price data submitted by Huvis on April 16, 2010, April 27, 2010 and May 28, 2010. See 2008–2009 Administrative Review of the Antidumping Duty Order on Certain Polyester Staple Fiber from the Republic of Korea: Post-Preliminary Analysis Calculation Memorandum for Huvis Corporation (dated July 6, 2010) ("*Post-Prelim Memo*").

Based on that analysis, the Department determined that application of the Department's quarterly costing methodology was not warranted and, as a result, recommended no change to the findings in the *Preliminary Results*. Therefore, we invited interested parties to comment on the *Preliminary Results* and the Post-Prelim Memo.

On July 26, 2010, we received case briefs from DAK Americas, LLC and Invista, S.a.r.L., (collectively, "Petitioners") and Huvis concerning the Post-Prelim Memo. On August 2, 2010, the Department received a rebuttal brief from Huvis. A public hearing was not requested.

##### Scope of the Order

For the purposes of the order, the product covered is certain polyester staple fiber ("PSF"). PSF is defined as synthetic staple fibers, not carded, combed or otherwise processed for spinning, of polyesters measuring 3.3 decitex (3 denier, inclusive) or more in diameter. This merchandise is cut to lengths varying from one inch (25 mm) to five inches (127 mm). The merchandise subject to the order may be coated, usually with a silicon or other finish, or not coated. PSF is generally used as stuffing in sleeping bags, mattresses, ski jackets, comforters, cushions, pillows, and furniture. Merchandise of less than 3.3 decitex (less than 3 denier) currently classifiable under the Harmonized Tariff Schedule of the United States ("HTSUS") at subheading 5503.20.00.25 is specifically excluded from the order. Also

<sup>7</sup> See *Antidumping Duty Order; Welded Carbon Steel Standard Pipe and Tube Products From Turkey*, 51 FR 17784 (May 15, 1986).

specifically excluded from the order are polyester staple fibers of 10 to 18 denier that are cut to lengths of 6 to 8 inches (fibers used in the manufacture of carpeting). In addition, low-melt PSF is excluded from the order. Low-melt PSF is defined as a bi-component fiber with an outer sheath that melts at a significantly lower temperature than its inner core.

The merchandise subject to the order is currently classifiable in the HTSUS at subheadings 5503.20.00.45 and 5503.20.00.65. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under the order is dispositive.

#### Period of Review

The period of review ("POR") is May 1, 2008, through April 30, 2009.

#### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this review are addressed in the Department's October 7, 2010, Issues and Decision Memorandum for the 2008/09 Antidumping Duty Administrative Review of Certain Polyester Staple Fiber from the Republic of Korea ("Decision Memorandum"), which is hereby adopted by this notice. Attached to this notice as an appendix is a list of the issues which parties have raised and to which we have responded in the Decision Memorandum. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum. This report is on file in the Department's Central Records Unit in room 7046 of the main Department building. In addition, a complete version of the Decision Memorandum can be accessed directly on the Web at <http://ia.ita.doc.gov/frn/index.html>. The paper copy and electronic version of the Decision Memorandum are identical in content.

#### Fair Value Comparisons

To determine whether sales of PSF from the Republic of Korea to the United States were made at less than normal value ("NV"), we compared export price ("EP") to the NV. We calculated EP, NV, constructed value, and the cost of production, based on the same methodologies used in the *Preliminary Results*.

#### Final Results of the Review

We find that the following margin percentage exists for the period May 1, 2008, through April 30, 2009:

Manufacturer	Weighted-average margin percentage
Huvis Corporation ...	0.94

#### Assessment Rates

Huvis submitted evidence demonstrating that it was the importer of record for certain of its POR sales. We examined the customs entry documentation submitted by Huvis and tied it to the U.S. sales listing. Therefore, for purposes of calculating the importer-specific assessment rates, we have treated Huvis as the importer of record for certain POR shipments. Pursuant to 19 CFR 351.212(b)(1), for all sales where Huvis is the importer of record, Huvis submitted the reported entered value of the U.S. sales and we have calculated importer-specific assessment rates based on the ratio of the total amount of antidumping duties calculated for the examined sales to the total entered value of those sales.

Regarding sales where Huvis was not the importer of record, we note that Huvis did not report the entered value for the U.S. sales in question. Accordingly, we have calculated importer-specific per-unit duty assessment rates for the merchandise in question by aggregating the dumping margins calculated for all U.S. sales to each importer and dividing this amount by the total quantity of those sales. To determine whether the duty assessment rates were *de minimis*, we calculated importer-specific *ad valorem* rates based on the estimated entered value.

Pursuant to 19 CFR 351.106(c)(2), we will instruct U.S. Customs and Border Protection ("CBP") to liquidate without regard to antidumping duties any entries for which the assessment rate is *de minimis* (*i.e.*, less than 0.50 percent). The Department intends to issue assessment instructions directly to CBP 15 days after publication of the final results of review.

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). This clarification will apply to entries of subject merchandise during the POR produced by Huvis for which Huvis 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. *Id.*

#### Cash Deposit Rates

The following antidumping duty deposits will be required on all shipments of certain PSF from the Republic of Korea entered, or withdrawn from warehouse, for consumption, effective on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) The cash deposit rates for the reviewed companies will be the rate listed above (except no cash deposit will be required if a company's weighted-average margin is *de minimis*, *i.e.*, less than 0.5 percent), (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in the original less-than-fair-value investigation or a previous review, the cash deposit rate will continue to be the most recent rate published in the final determination or final results for which the manufacturer or exporter received an individual rate; (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) if neither the exporter nor the manufacturer is a firm covered in this review, a prior review, or the investigation, the cash deposit rate will be 7.91 percent, the all-others rate established in *Certain Polyester Staple Fiber from the Republic of Korea: Notice of Amended Final Determination and Amended Order Pursuant to Final Court Decision*, 68 FR 74552 (December 24, 2003). These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

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 Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

#### Notification Regarding Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance

with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. 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 terms of an APO is a sanctionable violation.

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

Dated: October 7, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

## APPENDIX I

### List of Comments in the Decision Memorandum

Comment 1: Offsetting Negative Margins  
Comment 2: Quarterly Cost Methodology

[FR Doc. 2010-26267 Filed 10-18-10; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-351-828]

#### Certain Hot-Rolled Flat-Rolled Carbon Quality Steel Products From Brazil; Final Results of Antidumping Duty Administrative Review

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

**SUMMARY:** On April 14, 2010, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on certain hot-rolled, flat-rolled carbon quality steel products (hot-rolled steel) from Brazil. *See Certain Hot-Rolled Flat-Rolled Carbon Quality Steel Products From Brazil: Preliminary Results of Antidumping Duty Administrative Review and Extension of Time Limit for the Final Results*, 75 FR 19369 (April 14, 2010) (*Preliminary Results*). This review covers sales of subject merchandise made by Usinas Siderurgicas de Minas Gerais (USIMINAS) and Companhia Siderurgica Paulista (COSIPA) (collectively, USIMINAS) for the period March 1, 2008, to February 28, 2009. Based on our analysis of the comments received, we have made changes to the margin calculation; therefore, the final results differ from the preliminary results. The final weighted-average dumping margin for the reviewed firms

is listed below in the section entitled "Final Results of Review."

**DATES:** *Effective Date:* October 19, 2010.

**FOR FURTHER INFORMATION CONTACT:** Patrick Edwards or Dena Crossland, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; *telephone:* (202) 482-8029 or (202) 482-3362, respectively.

### SUPPLEMENTARY INFORMATION:

#### Background

On April 14, 2010, the Department published in the **Federal Register** the preliminary results of the administrative review of the antidumping duty order on hot-rolled steel from Brazil for the period March 1, 2008, to February 28, 2009. *See Preliminary Results*. As noted in the preliminary results, the Department conducted cost and sales verifications of USIMINAS' questionnaire responses from March 1, 2010, through March 5, 2010, and March 8, 2010, through March 12, 2010, respectively. *See Preliminary Results* at 19372. Due to the necessary rescheduling of the verifications, the Department issued its verification reports subsequent to the *Preliminary Results*. *See Memorandum to the File*, from Laurens Van Houten, Senior Accountant, titled "Verification of the Cost Response of Usinas Siderurgicas de Minas Gerais ('Usiminas') and Companhia Siderurgica Paulista ('Cosipa') in the Antidumping Review of Hot-Rolled Steel from Brazil," dated April 16, 2010 (USIMINAS Cost Verification Report); *see also*, Memorandum to the File, from Patrick Edwards and Dena Crossland, Analysts, titled "Verification of the Sales Responses of Usinas Siderurgicas de Minas Gerais (USIMINAS) and Companhia Siderurgica Paulista (COSIPA) in the Antidumping Review of Certain Hot-Rolled Flat-Rolled Carbon Quality Steel Products from Brazil," dated June 22, 2010 (USIMINAS Sales Verification Report). Following the release of both verification reports, the Department issued a letter to USIMINAS requesting specific changes to its sales database based upon USIMINAS' disclosure of minor errors at the onset of the sales verification and findings made by the Department during the verification. *See Letter from Angelica L. Mendoza, Program Manager, to USIMINAS*, titled "Requested Changes to Sales Databases Resulting from Sales Verification," dated June 23, 2010. USIMINAS submitted its response and revised databases on July 8, 2010,

which served as the start of the period in which parties could submit comments and rebuttal comments on the *Preliminary Results*.

In response to the Department's invitation for comments on the preliminary results of this review, USIMINAS timely submitted its case brief on July 1, 2010. *See Letter from USIMINAS and COSIPA to the Department of Commerce*, titled "Submission of Case Brief: Hot-Rolled Steel from Brazil," dated July 1, 2010 (USIMINAS Case Brief). United States Steel Corporation (U.S. Steel), a petitioning party in this proceeding (petitioner), submitted its case brief on July 21, 2010. *See Letter from United States Steel Corporation*, titled "Case Brief: Certain Hot-Rolled Carbon Steel Flat Products from Brazil," dated July 21, 2010 (U.S. Steel Case Brief). On July 28, 2010, U.S. Steel and Nucor Corporation (Nucor), a domestic interested party in this proceeding, submitted their rebuttal briefs. *See Letter from United States Steel Corporation*, titled "Rebuttal Brief: Certain Hot-Rolled Carbon Steel Flat Products from Brazil," dated July 28, 2010 (U.S. Steel Rebuttal Brief); *see also*, Letter from Nucor Corporation, titled "Certain Hot-Rolled Carbon Steel Flat Products from Brazil: Rebuttal Brief," dated July 28, 2010 (Nucor Rebuttal Brief). No public hearing was requested or held.

#### Period of Review

The period of review (POR) is March 1, 2008, to February 28, 2009.

#### Scope of the Order

For purposes of this order, the products covered are certain hot-rolled flat-rolled carbon-quality steel 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 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 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 this order.

Specifically included in this scope are vacuum degassed, fully stabilized (commonly referred to as interstitial-free (IF)) steels, high strength low alloy