

they made no POR shipments of subject merchandise for which they had knowledge of U.S. destination. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate established in the LTFV investigation if there is no rate for the intermediate company(ies) involved in the transaction.

#### Cash Deposit Requirements

Further, the following deposit requirements will be effective for all shipments of certain orange juice from Brazil entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided for by section 751(a)(2)(C) of the Act: 1) the cash deposit rates for the reviewed companies will be the rates shown above, except if the rate is less than 0.50 percent, *de minimis* within the meaning of 19 CFR 351.106(c)(1), the cash deposit will be zero; 2) for previously investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; 3) if the exporter is not a firm covered in this review, or the LTFV 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) the cash deposit rate for all other manufacturers or exporters will continue to be 16.51 percent, the all-others rate established in the LTFV investigation. *See Antidumping Duty Order: Certain Orange Juice from Brazil*, 72 FR 12183 (Mar. 9, 2006). These deposit requirements 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 order (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 and section 351.221(b)(5) of the Department's regulations.

Dated: August 5, 2008.

**David M. Spooner.**

*Assistant Secretary for Import Administration.*

#### Appendix Issues in Decision Memorandum

##### General Issues

1. Offsetting of Negative Margins
2. Granting an Offset for U.S. Duty Drawback
3. Ministerial Errors in the Preliminary Results
4. Universe of Reviewed U.S. Sales Transactions

##### Company-Specific Issues

5. Constructed Export Price (CEP) Offset for Cutrale
6. Treating Sales to One of Cutrale's Home Market Customers as Affiliated Party Transactions
7. Calculation of CEP Profit for Cutrale
8. The Calculation of the Denominator used in the General and Administrative (G&A) and Financial Expense Ratios for Cutrale
9. Valuation of Fruit Purchased from Affiliates for Cutrale
10. Inclusion of Export Financing Expenses in the Calculation of the Financial Expense Ratio for Cutrale
11. Unit of Measure for Comparison Purposes for NFC for Fischer
12. Product Matching Methodology for Fischer
13. Granting a Quantity Adjustment for Fischer's NFC Sales
14. Fischer's Home Market NFC Sales Used for Comparison Purposes
15. The Application of Inventory Carrying Costs by Control Number for Fischer
16. The Calculation of Harbor Maintenance Fees for One U.S. Sales Observation for Fischer
17. Request to Treat Two of Fischer's U.S. Sales as Export Price Transactions
18. Fischer's Raw Material Cost Allocation Methodology
19. Calculation of Fischer's G&A Expense Ratio

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## DEPARTMENT OF COMMERCE

### International Trade Administration

A-570-933

#### Postponement of Preliminary Determination of Antidumping Duty Investigation: Frontseating Service Valves from the People's Republic of China

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

**EFFECTIVE DATE:** August 11, 2008.

**FOR FURTHER INFORMATION CONTACT:** Eugene Degnan or Robert Bolling, 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) 482-0414 or (202) 482-3434, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Postponement of Preliminary Determination

On April 8, 2008, the Department of Commerce ("the Department") initiated an antidumping duty investigation on frontseating service valves from the People's Republic of China. *See Notice of Initiation of Antidumping Duty Investigation: Frontseating Service Valves from the People's Republic of China*, 73 FR 20250 (April 15, 2008).<sup>1</sup> The notice of initiation stated that the Department would issue its preliminary determination no later than 140 days after the date of issuance of the initiation, in accordance with section 733(b)(1)(A) of the Tariff Act of 1930, as amended ("the Act"). The preliminary determination is currently due no later than August 26, 2008.

On July 30, 2008, the petitioner, Parker-Hannifin Corporation, made a timely request, pursuant to 19 CFR 351.205(b)(2) and (e), for a 50-day postponement of the preliminary determination. Because there are no compelling reasons to deny the request, in accordance with section 733(c)(1)(A) of the Act, the Department is postponing the deadline for the preliminary determination under by 50 days to no later than October 15, 2008. The deadline for the final determination will continue to be 75 days after the date of the preliminary determination, unless extended.

This notice is issued and published pursuant to section 733(c)(2) of the Act and 19 CFR 351.205(f)(1).

<sup>1</sup> The Department issued the initiation notice on April 8, 2008, and the initiation was published in the *Federal Register* on April 15, 2008.

Dated: August 5, 2008.

David M. Spooner,

Assistant Secretary for Import Administration.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

A-570-806

### Final Results and Final Partial Rescission of Antidumping Duty Administrative Review: Silicon Metal From the People's Republic of China

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

**EFFECTIVE DATE:** August 11, 2008.

**FOR FURTHER INFORMATION CONTACT:** Susan Pulongbarit or Scot Fullerton, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-4031 and (202) 482-1386, respectively.

#### SUPPLEMENTARY INFORMATION:

#### Background

On June 1, 2007, the Department published a notice of opportunity to request an administrative review of the antidumping duty order on silicon metal from the People's Republic of China ("PRC") for the period of review ("POR") June 1, 2006, through May 31, 2007. See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 72 FR 30542 (June 1, 2007). On July 2, 2007, Globe Metallurgical Inc. ("Petitioner"), requested that the Department conduct an administrative review of 18 companies (collectively, "Respondents"). On August 6, 2007, the Department published a notice of initiation of an antidumping duty administrative review on silicon metal from the PRC, in which it initiated a review of these Respondents. See *Notice of Initiation of the Administrative Review of the Antidumping Duty Order on Silicon Metal from the People's Republic of China*, 72 FR 43597 (August 6, 2007) ("Initiation Notice").

On March 7, 2008, we preliminarily rescinded this review for certain companies based on evidence on the record indicating that there were no entries into the United States, and applied adverse facts available ("AFA") to other companies which did not

respond to our quantity and value ("Q&V") questionnaire. See *Silicon Metal From The People's Republic of China: Preliminary Results and Preliminary Partial Rescission of Antidumping Duty Administrative Review*, 73 FR 12378 (March 7, 2008) ("Preliminary Results"). We invited interested parties to submit comments on our *Preliminary Results*. We received a case brief from Petitioner on April 8, 2008 ("Petitioner Case Brief"). No other comments were submitted by any interested party. On June 12, 2008, we held public and closed hearings, and the transcripts for these hearings were placed on the record on June 19, 2008.

#### Scope of the Order

The product covered by the order is silicon metal containing at least 96.00 but less than 99.99 percent of silicon by weight, and silicon metal with a higher aluminum content containing between 89 and 96 percent silicon by weight. The subject merchandise is currently classifiable under item numbers 2804.69.10 and 2804.69.50 of the *Harmonized Tariff Schedule of the United States* ("HTSUS") as a chemical product, but is commonly referred to as a metal. Semiconductor-grade silicon (silicon metal containing by weight not less than 99.99 percent of silicon and provided for in subheading 2804.61.00 of the HTSUS) is not subject to this order. This order is not limited to silicon metal used only as an alloy agent or in the chemical industry. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

#### Period of Review

The POR is June 1, 2006, through May 31, 2007.

#### Analysis of Comments Received

All issues raised in Petitioner's April 8, 2008 case brief are addressed in the *Silicon Metal from the People's Republic of China: Issues and Decision Memorandum for the Final Results in the 2006-2007 Administrative Review* from Stephen J. Claeys, Deputy Assistant Secretary, to David M. Spooner, Assistant Secretary, dated August 4, 2008, ("I&D Memo"), which is hereby adopted by this notice. A list of the issues raised, all of which are addressed in the I&D Memo, is attached to this notice as Appendix I. Parties can find a complete discussion of all issues raised in the briefs and the corresponding recommendations in this public memorandum, which is on file in the Central Records Unit ("CRU"), room 1117 of the Department of Commerce. In

addition, a complete version of the I&D Memo can be accessed directly on the internet at <http://trade.gov/ia>. The paper copy and electronic version of the I&D Memo are identical in content.

#### Final Rescission of Review

In the *Preliminary Results*, the Department issued a notice of intent to rescind this administrative review with respect to certain companies, as Jiangxi Gangyuan Silicon Industry ("Gangyuan"); MPM Silicones, LLC ("MPM"); GE Silicones Canada ("GE Silicones"); Global Minerals Corp. ("GMC"); Transtrading House Ltd. ("Transtrading"); Lorbec Metals Ltd. ("Lorbec"); Carbonsi Metallurgical Inc. ("Carbonsi"); Crown All Corporation ("Crown All"); Ferro-Alliages & Mineraux Inc. ("Ferro-Alliages"); Chemical & Alloy Inc. ("C&A"); IMMECC Resources Inc. ("IMMECC"); and Bomet (Canada) Inc. ("Bomet"), each certified that they did not export silicon metal from China to the United States during the POR. See *Preliminary Results*, 73 FR 12378. Subsequent to the *Preliminary Results*, Petitioners again claimed that record evidence indicated that Ferro-Alliages may have transshipped silicon metal to the United States through Canada that originated in China.<sup>1</sup> See Petitioner Case Brief at 1-12. Petitioner requested that, given these allegations, the Department should investigate whether Ferro-Alliages accurately reported the country of origin of the silicon metal that it shipped to the United States during the POR. For these final results, however, we have determined not to further investigate alleged Ferro-Alliages exports of PRC-origin silicon metal, as CBP data indicate that no entries exist for PRC-origin silicon metal exported to the United States by Ferro-Alliages. In addition, as this is an administrative review, not a circumvention or scope inquiry, we find that this is not the proper proceeding to pursue Petitioner's claims.

Because there is no information on the record which indicates that Gangyuan; MPM; GE Silicones; GMC; Transtrading; Lorbec; Carbonsi; Crown All; Ferro-Alliages; C&A; IMMECC; and Bomet made sales to the United States of subject merchandise during the POR, in accordance with 19 CFR 351.213(d)(3) and consistent with our practice, we are rescinding this review

<sup>1</sup> Petitioner first raised the issue of alleged transshipment by Ferro-Alliages in its November 13, 2007, submission to the Department. See Petitioner's November 13, 2007, submission, at page 1. The Department addressed these allegations in its *Preliminary Results*. See *Preliminary Results*, 73 FR at 12379.