

LIST OF PETITIONS RECEIVED BY EDA FOR CERTIFICATION OF ELIGIBILITY TO APPLY FOR TRADE ADJUSTMENT ASSISTANCE FOR THE PERIOD—Continued
[November 21, 2006 Through December 20, 2006]

| Firm | Address | Date petition accepted | Product |
|---------------------|--|------------------------|--|
| St. Clair Plastics. | 30855 Teton Place, Chesterfield Township, MI 40847. | 12/13/2006 | Plastic injection molded parts for the auto industry |
| Fotel, Inc | 1125 E. St. Charles Rd., Suite 100, Lombard, IL 60148. | 12/18/2006 | Photographic masks, high precision plates containing microscopic images of electronic circuits |

Any party having a substantial interest in these proceedings may request a public hearing on the matter. A written request for a hearing must be submitted to the Office of Performance Evaluation, Room 7009, Economic Development Administration, U.S. Department of Commerce, Washington, DC 20230, no later than ten (10) calendar days following publication of this notice. Please follow the procedures set forth in Section 315.9 of EDA's final rule (71 FR 56704) for procedures for requesting a public hearing. The Catalog of Federal Domestic Assistance official program number and title of the program under which these petitions are submitted is 11.313, Trade Adjustment Assistance.

Dated: December 20, 2006.

William P. Kittredge, Program Officer for TAA.

[FR Doc. E6-22114 Filed 12-26-06; 8:45 am]

BILLING CODE 3510-24-P

DEPARTMENT OF COMMERCE

International Trade Administration

Initiation of Antidumping and Countervailing Duty Administrative Reviews

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

SUMMARY: The Department of Commerce (the Department) has received requests to conduct administrative reviews of various antidumping and countervailing duty orders and findings with November anniversary dates. In accordance with the Department's regulations, we are initiating those administrative reviews.

EFFECTIVE DATE: December 27, 2006.

FOR FURTHER INFORMATION CONTACT: Sheila E. Forbes, Office of AD/CVD Operations, Import Administration, International Trade Administration,

U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230, telephone: (202) 482-4697.

SUPPLEMENTARY INFORMATION:

Background

The Department has received timely requests, in accordance with 19 CFR 351.213(b)(2004), for administrative reviews of various antidumping and countervailing duty orders and findings with November anniversary dates.

Initiation of Reviews

In accordance with section 19 CFR 351.221(c)(1)(i), we are initiating administrative reviews of the following antidumping and countervailing duty orders and findings. We intend to issue the final results of these reviews not later than November 30, 2007.

| Antidumping Duty Proceedings | Period to be Reviewed |
|---|-----------------------|
| MEXICO: Circular Welded Non-Alloy Steel Pipe and Tube. A-201-805 | 11/1/05 - 10/31/06 |
| Mueller Comercial de Mexico, S. de R.L. de C.V.. | |
| NETHERLANDS: Certain Hot-Rolled Carbon Steel Flat Products. A-421-807 | 11/1/05 - 10/31/06 |
| Corus Staal B.V.. | |
| ROMANIA: Certain Hot-Rolled Carbon Steel Flat Products. A-485-806 | 11/1/05 - 10/31/06 |
| Mittal Steel Galati S.A. (formerly known as S.C. Sidex S.A., including Sidex O.O. Trading S.A.). | |
| THAILAND: Certain Hot-Rolled Carbon Steel Flat Products. A-549-817 | 11/1/05 - 10/31/06 |
| Nakornthai Strip Mill Public Company Ltd. G Steel Public Company Limited. | |
| THE PEOPLE'S REPUBLIC OF CHINA: Certain Hot-Rolled Carbon Steel Flat Products ¹ . A-570-865 | 11/1/05 - 10/31/06 |
| Anshan Iron & Steel Group Corp.. Angang Group International Trade Corp.. Angang New Iron and Steel Co.. Angang New Steel Co., Ltd.. Angang Group Hong Kong Co., Ltd. Shanghai Baosteel International Economic & Trading Co., Ltd.. Baoshan Iron and Steel Co., Ltd.. Baosteel Group Corporation. | |
| THE PEOPLE'S REPUBLIC OF CHINA: Fresh Garlic ² . A-570-831 | 11/1/05 - 10/31/06 |
| Anqiu Friend Food Co., Ltd.. APS Qindao. Fujian Meitan Import & Export Xiamen Corporation. Golden Bridge International, Inc.. Henan Weite Industrial Co., Ltd.. | |

| Antidumping Duty Proceedings | Period to be Reviewed |
|---|-----------------------|
| <p>Heze Ever-Best International Trade Co., Ltd. (f/k/a Shandong Heze International Trade and Developing Company). Hongchang Fruits & Vegetable Products. Huaiyang Hongda Dehydrated Vegetable Company. Jinxiang Dongyun Freezing Storage Co., Ltd. (a/k/a Jinxiang Eastward Shipping Import and Export Limited Company). Jining Haijiang Trading Co., Ltd.. Jining Solar Summit Trade Co., Ltd.. Jinxiang Shanyang Freezing Storage Co., Ltd.. Jinan Farmlady Trading Co., Ltd.. Jinan Yipin Corporation, Ltd.. Jining Trans-High Trading Co., Ltd.. Jinxian County Huaguang Food Import & Export Co., Ltd.. Laiwu Hongyang Trading Company Ltd.. Linshu Dading Private Agricultural Products Co., Ltd.. Omni Decor China Ltd.. Pizhou Guangda Import and Export Co., Ltd.. Qingdao Bedow Foodstuffs Co., Ltd.. Qingdao Camel Trading Co., Ltd.. Qingdao H&T Food Co., Ltd.. Qingdao Potenza Import & Export Co., Ltd.. Qingdao Xintianfeng Foods Co., Ltd. (QXF). Qingdao Tiantaixing Foods Co., Ltd. (QTF). Qingdao Titan Shipping LLC. Qingdao Saturn International Trade Co., Ltd.. Qingdao Shiboliang Food Co., Ltd.. Qufu Dongbao Import & Export Trade Co., Ltd.. Rizhao Xingda Foodstuffs Co., Ltd.. Shandong Chengshun Farm Produce Trading Co., Ltd.. Shandong Dongsheng Eastsun Foods Co., Ltd.. Shandong Garlic Company. Shandong Longtai Fruits and Vegetables Co., Ltd.. Shandong Wonderland Organic Food Co., Ltd.. Shanghai Ba-Shi Yuexin Logistics Development. Shanghai Ever Rich Trade Company. Shanghai LJ International Trading Co., Ltd.. Shanghai McCormick Foods Co., Ltd.. Shenzhen Fanhui Import & Export Co., Ltd.. Shenzhen Xinboda Industrial Co., Ltd.. Sunny Import & Export Limited. T&S International, LLC. Taian Fook Huat Tong Kee Pte. Ltd.. Taiyan Ziyang Food Co., Ltd.. Weifang Hongqiao International Logistic Co., Ltd.. Weifang Shennong Foodstuff Co., Ltd.. Xiang Cheng Sunny Foodstuff Factory. XuZhou Simple Garlic Industry Co., Ltd.. Zhangqui Qingyuan Vegetable Co., Ltd.. Zhengzhou Harmoni Spice Co., Ltd..</p> | |
| <p>Countervailing Duty Proceedings.</p> <p>None..</p> | |
| <p>Suspension Agreements.</p> <p>None..</p> | |

¹ If one of the above-named companies does not qualify for a separate rate, all other exporters of certain hot-rolled carbon steel flat products from the People's Republic of China who have not qualified for a separate rate are deemed to be covered by this review as part of the single PRC entity of which the named exporters are a part

² If one of the above-named companies does not qualify for a separate rate, all other exporters of Fresh Garlic from the People's Republic of China who have not qualified for a separate rate are deemed to be covered by this review as part of the single PRC entity of which the named exporters are a part.

During any administrative review covering all or part of a period falling between the first and second or third and fourth anniversary of the publication of an antidumping duty order under section 351.211 or a determination under section 351.218(f)(4) to continue an order or suspended investigation (after sunset review), the Secretary, if requested by a domestic interested party within 30

days of the date of publication of the notice of initiation of the review, will determine, consistent with *FAG Italia v. United States*, 291 F.3d 806 (Fed. Cir. 2002), as appropriate, whether antidumping duties have been absorbed by an exporter or producer subject to the review if the subject merchandise is sold in the United States through an importer that is affiliated with such exporter or producer. The request must

include the name(s) of the exporter or producer for which the inquiry is requested.

Interested parties must submit applications for disclosure under administrative protective orders in accordance with 19 CFR 351.305.

These initiations and this notice are in accordance with section 751(a) of the Tariff Act of 1930, as amended (19 USC 1675(a)), and 19 CFR 351.221(c)(1)(i).

Dated: December 19, 2006.

Stephen J. Claeys,

Deputy Assistant Secretary for Import Administration.

[FR Doc. E6-22177 Filed 12-26-06; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin During an Antidumping Investigation; Final Modification

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

ACTION: Final Modification; Calculation of the Weighted-Average Dumping Margin During an Antidumping Investigation.

SUMMARY: The Department of Commerce is modifying its methodology in antidumping investigations with respect to the calculation of the weighted-average dumping margin. This final modification is necessary to implement the recommendations of the World Trade Organization Dispute Settlement Body. Under this final modification, the Department will no longer make average-to-average comparisons in investigations without providing offsets for non-dumped comparisons. The schedule for implementing this change is set forth in the "Timetable" section, below.

DATES: The effective date of this final modification is January 16, 2007.

FOR FURTHER INFORMATION CONTACT: Mark Barnett (202) 482-2866, William Kovatch (202) 482-5052, or Michael Rill at (202) 482-3058.

SUPPLEMENTARY INFORMATION:

Background

This change in methodology concerns the calculation of the weighted-average dumping margin in investigations using the average-to-average comparison methodology.

Article 2.4.2 of the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Antidumping Agreement) provides:

Subject to the provisions governing fair comparison in paragraph 4, the existence of margins of dumping during the investigation phase shall normally be established on the basis of a comparison of a weighted average normal value with a weighted average of prices of all comparable export transactions or

by a comparison of normal value and export prices on a transaction to transaction basis.

Section 777A(d)(1)(A) of the Tariff Act of 1930, as amended (the Act), implements this provision of the Antidumping Agreement, providing that normally in an antidumping investigation, the Department may determine whether the subject merchandise is being sold at less than fair value through one of two options. The Department may compare a weighted-average of normal value to a weighted-average of the export or constructed export prices of comparable merchandise, known as the average-to-average comparison methodology. The Department also may compare normal values of individual transactions to the export prices or constructed export prices of individual transactions for comparable merchandise, known as the transaction-to-transaction comparison methodology.¹ The Statement of Administrative Action accompanying the Uruguay Round Agreements Act (URAA), H.R. Doc. No. 103-316, Vol. 1 at 842-43 (1994), reprinted in U.S.C.C.A.N. 3773 (SAA), and the Department's regulations state that the Department normally will use the average-to-average comparison methodology in an investigation. 19 CFR 351.414(c)(1).

When the Department applies the average-to-average methodology during an investigation, the Department usually divides the export transactions into groups by model and level of trade ("averaging groups"). 19 CFR 351.414(d)(2). The Department then compares an average of the export prices or constructed export price of the transactions within one averaging group to the weighted-average of normal values of such sales. 19 CFR 351.414(d)(1).

Prior to this modification, when aggregating the results of the averaging groups in order to determine the weighted-average dumping margin, the Department did not permit the results of averaging groups for which the weighted-average export price or constructed export price exceeds the normal value to offset the results of

¹ Section 777A(d)(1)(B) of the Act also provides for an exceptional methodology to be used in antidumping investigations. The Department may compare a weighted-average normal value to the export prices or constructed export prices of individual transactions if there is a pattern of export prices or constructed export prices that differs significantly among purchasers, regions or periods of time, and the Department explains why such differences cannot be taken into account using one of the methods described in section 777A(d)(1)(A). This is known as the targeted dumping or average-to-transaction methodology.

averaging groups for which the weighted-average export price or constructed export price is less than the weighted-average normal value.

In October 2005, a World Trade Organization (WTO) dispute settlement panel issued a report in *United States - Laws, Regulations and Methodology for Calculating Dumping Margins ("Zeroing")* (WT/DS294) ("*US Zeroing (EC)*"). The panel found, among other things, that the Department's denial of offsets when using the average-to-average comparison methodology in certain antidumping investigations challenged by the European Communities ("EC") was inconsistent with Article 2.4.2 of the Antidumping Agreement.² The United States did not appeal this aspect of the panel's report.

On March 6, 2006, the Department published a notice in the **Federal Register** (71 FR 11189) proposing that it would no longer make average-to-average comparisons in investigations without providing offsets for non-dumped comparisons. In that notice, the Department solicited comments and rebuttal comments on its proposal and appropriate methodologies to be applied in future antidumping investigations in light of the panel's report in *US - Zeroing (EC)*. On April 25, 2006, the Department extended the period of time for the submission of rebuttal comments (71 FR 23898). The Department received numerous comments and rebuttal comments submitted pursuant to these notices, as discussed below.

Final Modification Concerning the Calculation of the Weighted-Average Dumping Margin During an Antidumping Investigation

After considering all of the comments submitted, the Department is adopting this final modification concerning the calculation of the weighted-average dumping margin. The Department will no longer make average-to-average comparisons in investigations without providing offsets for non-dumped comparisons.

Analysis of Public Comments

Numerous comments and rebuttal comments were submitted in response to the Proposed Modification. We have carefully considered each of the comments submitted. We have grouped and summarized the comments below according to common themes and responded accordingly.

² Panel Report, *United States - Laws, Regulations and Methodology for Calculating Dumping Margins ("Zeroing")*, WT/DS294/R, para. 7.32, circulated October 31, 2005.