

On October 27, 2010, Petitioner filed a letter withdrawing its request for review of the 18 exporters for which the Department initiated this review.

#### Period of Review

The period of review ("POR") is July 1, 2009, through June 30, 2010.

#### Scope of the Order

The merchandise subject to the order is certain welded carbon quality steel pipes and tubes, of circular cross-section, and with an outside diameter of 0.372 inches (9.45 mm) or more, but not more than 16 inches (406.4 mm), whether or not stenciled, regardless of wall thickness, surface finish (e.g., black, galvanized, or painted), end finish (e.g., plain end, beveled end, grooved, threaded, or threaded and coupled), or industry specification (e.g., ASTM, proprietary, or other), generally known as standard pipe and structural pipe (they may also be referred to as circular, structural, or mechanical tubing).

Specifically, the term "carbon quality" includes products in which (a) iron predominates, by weight, over each of the other contained elements; (b) the carbon content is 2 percent or less, by weight; and (c) none of the elements listed below exceeds the quantity, by weight, as indicated:

- (i) 1.80 percent of manganese;
- (ii) 2.25 percent of silicon;
- (iii) 1.00 percent of copper;
- (iv) 0.50 percent of aluminum;
- (v) 1.25 percent of chromium;
- (vi) 0.30 percent of cobalt;
- (vii) 0.40 percent of lead;
- (viii) 1.25 percent of nickel;
- (ix) 0.30 percent of tungsten;
- (x) 0.15 percent of molybdenum;
- (xi) 0.10 percent of niobium;
- (xii) 0.41 percent of titanium;
- (xiii) 0.15 percent of vanadium; or
- (xiv) 0.15 percent of zirconium.

Standard pipe is made primarily to American Society for Testing and Materials ("ASTM") specifications, but can be made to other specifications. Standard pipe is made primarily to ASTM specifications A-53, A-135, and A-795. Structural pipe is made primarily to ASTM specifications A-252 and A-500. Standard and structural pipe may also be produced to proprietary specifications rather than to industry specifications. This is often the case, for example, with fence tubing. Pipe multiple-stenciled to a standard and/or structural specification and to any other specification, such as the American Petroleum Institute ("API") API-5L specification, is also covered by the scope of the order when it meets the physical description set forth above and

also has one or more of the following characteristics: is 32 feet in length or less; is less than 2.0 inches (50 mm) in outside diameter; has a galvanized and/or painted surface finish; or has a threaded and/or coupled end finish. (The term "painted" does not include coatings to inhibit rust in transit, such as varnish, but includes coatings such as polyester.)

The scope of the order does not include: (a) Pipe suitable for use in boilers, superheaters, heat exchangers, condensers, refining furnaces and feedwater heaters, whether or not cold drawn; (b) mechanical tubing, whether or not cold-drawn; (c) finished electrical conduit; (d) finished scaffolding; (e) tube and pipe hollows for redrawing; (f) oil country tubular goods produced to API specifications; and (g) line pipe produced to only API specifications.

The pipe products that are the subject of the order are currently classifiable in the Harmonized Tariff Schedule of the United States ("HTSUS") statistical reporting numbers 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, 7306.30.50.90, 7306.50.10.00, 7306.50.50.50, 7306.50.50.70, 7306.19.10.10, 7306.19.10.50, 7306.19.51.10, and 7306.19.51.50. However, the product description, and not HTSUS classification, is dispositive of whether merchandise imported into the United States falls within the scope of the order.

#### Rescission of Antidumping Duty Administrative Review

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review under this section, in whole or in part, if a party that requested a review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review. Because Petitioner withdrew its review request for all 18 exporters within the 90-day deadline, and no other party requested an administrative review of the antidumping order on CWP from the PRC, in accordance with 19 CFR 351.213(d)(1) the Department is rescinding this administrative review in full.

#### Assessment Instructions

The Department will instruct CBP to assess antidumping duties on all appropriate entries. For exporters for which this review is rescinded, antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in

accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of this notice.

#### Notification to Importers

This notice serves as a 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 serves as a 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 the return or 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 this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: December 22, 2010.

**Christian Marsh,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-855]

#### Certain Non-Frozen Apple Juice Concentrate From the Peoples' Republic of China: Rescission of Antidumping Duty Administrative Review

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

**DATES:** *Effective Date:* December 29, 2010.

**SUMMARY:** The Department of Commerce ("Department") is rescinding the administrative review of non-frozen apple juice concentrate from the

People's Republic of China ("PRC") for the period of review ("POR") June 1, 2009, through May 31, 2010. This rescission is based on the timely withdrawal of request for review by the two interested parties that requested the review, Sanmenxia Luck Fruit Co., Ltd. ("SLFI") and Qin'an Great Wall Fruit Juice and Beverage Co., Ltd. ("Qin'an").

**FOR FURTHER INFORMATION CONTACT:** Tim Lord, Office 9, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-7425.

### Background

On June 1, 2010, the Department published in the **Federal Register** a notice of opportunity to request an administrative review on the antidumping order on non-frozen apple juice concentrate from the PRC<sup>1</sup> for the POR June 1, 2009, through May 31, 2010. *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 75 FR 30383, 30384 (June 1, 2010). Based upon requests for review from various parties, on July 28, 2010, the Department initiated an antidumping duty administrative review on non-frozen apple juice concentrate from the PRC, covering two companies. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocations in Part*, 75 FR 44224, 44226 (July 28, 2010). Due to the probable revocation of the *Order*, SLFI and Qin'an withdrew their requests for review on November 8 and November 9, 2010, respectively.<sup>2</sup> The *Order* was revoked on November 15, 2010. *See Non-Frozen Apple Juice Concentrate From the People's Republic of China: Final Results of Sunset Review and Revocation of Order*, 75 FR 69628 (November 15, 2010). Due to timely withdrawals of all requests for review, we are rescinding this administrative review with respect to all companies.

<sup>1</sup> See *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Non-Frozen Apple Juice Concentrate From the People's Republic of China*, 65 FR 35606 (June 5, 2000) ("*Order*").

<sup>2</sup> See *Certain Non-Frozen Apple Juice Concentrate from the PRC—Withdrawal of SLFI Antidumping Duty Administrative Review Request*, dated November 8, 2010; *see also* Qin'an Great Wall Fruit Juice & Beverage Co., Ltd. Withdrawal of Administrative Review Request: 2009–2010 Administrative Review of the Antidumping Duty Order on Non-Frozen Apple Juice Concentrate from the People's Republic of China, dated November 9, 2010.

### Rescission of Review

The applicable regulation, 19 CFR 351.213(d)(1), states that if a party that requested an administrative review withdraws the request within 90 days of the publication of the notice of initiation of the requested review, the Secretary will rescind the review. The regulation further states that the Secretary may extend the deadline if it is reasonable to do so. On October 21, 2010, the Department extended the deadline for withdrawal of administrative review requests by 20 days for both respondents due to the pending revocation of the *Order*.<sup>3</sup> The two respondents in the administrative review, SLFI and Qin'an, withdrew their requests for a review before the deadline. Therefore, the Department is rescinding this review of the *Order* on non-frozen apple juice concentrate from the PRC covering the period June 1, 2009, through May 31, 2010.

### Assessment

The Department intends to issue assessment instructions to U.S. Customs and Border Protection ("CBP") 15 days after publication of this rescission notice. The Department will instruct CBP to assess antidumping duties at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i).

### Notification to Parties

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, 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 violation which is subject to sanction.

This notice is issued and published in accordance with section 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

<sup>3</sup> See *Administrative Review of Certain Non-Frozen Apple Juice Concentrate From the People's Republic of China ("PRC")*: Extension of Deadline to Withdraw Review Request, dated October 21, 2010.

Dated: December 22, 2010.

**Christian Marsh,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XA113

### Marine Mammals; File No. 14245; Permit To Conduct Research on Marine Mammals; Receipt of Application

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that National Marine Fisheries Service, National Marine Mammal Laboratory (NMML), Alaska Fisheries Science Center (Dr. John Bengtson, Responsible Party), 7600 Sand Point Way, NE., Seattle, Washington 98115-6349, has applied in due form for a permit to conduct research on narwhals, *Monodon monoceros*.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before January 28, 2011.

**ADDRESSES:** These documents are available upon written request or by appointment in the following offices:

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 713-2289; fax (301) 713-0376; and Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668; phone (907) 586-7221; fax (907) 586-7249.

Written comments on this application should be submitted to the Chief, Permits, Conservation and Education Division at the address listed above. Comments may also be submitted by facsimile to (301) 713-0376, or by e-mail to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Please include the File No. in the subject line of the e-mail comment.

Those individuals requesting a public hearing should submit a written request to the Chief, Permits, Conservation and Education Division at the address listed above. The request should set forth the specific reasons why a hearing on this application would be appropriate.

**FOR FURTHER INFORMATION CONTACT:** Amy Hapeman or Carrie Hubbard, (301) 713-2289.