

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 1287]

Grant of Authority; Establishment of a Foreign-Trade Zone: Bowie County, TX

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board adopts the following Order:

Whereas, the Foreign-Trade Zones Act provides for “* * * the establishment * * * of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes,” and authorizes the Foreign-Trade Zones Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs ports of entry;

Whereas, the Red River Redevelopment Authority (the Grantee), has made application to the Board (FTZ Docket 10-2003, filed 2/25/03), requesting the establishment of a foreign-trade zone at sites in Bowie County, Texas, adjacent to the Shreveport-Bossier County Customs port of entry;

Whereas, notice inviting public comment has been given in the **Federal Register** (68 FR 11037, 3/7/03); and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied, and that approval of the application is in the public interest;

Now, therefore, the Board hereby grants to the Grantee the privilege of establishing a foreign-trade zone, designated on the records of the Board as Foreign-Trade Zone No. 258, at the sites described in the application, and subject to the Act and the Board's regulations, including Section 400.28.

Signed at Washington, DC, this 9th day of October 2003.

Foreign-Trade Zones Board.

Donald L. Evans,

Secretary of Commerce, Chairman and Executive Officer.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-881]

Final Determination of Sales at Less Than Fair Value and Critical Circumstances: Certain Malleable Iron Pipe Fittings From the People's Republic of China

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

ACTION: Notice of final determination of sales at less than fair value and critical circumstances.

EFFECTIVE DATE: October 28, 2003.

FOR FURTHER INFORMATION CONTACT: Helen Kramer, Anya Naschak, or Ann Barnett-Dahl, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-0405, 482-6375, or 482-3833, respectively.

Final Determination

We determine that certain malleable iron pipe fittings from the People's Republic of China (PRC) are being, or are likely to be, sold in the United States at less than fair value, as provided in section 735 of the Tariff Act of 1930, as amended (the Act). The estimated margin of dumping is shown in the “Continuation of Suspension of Liquidation” section of this notice.

Case History

On April 22, 2003, we published in the **Federal Register** a preliminary determination that critical circumstances exist for imports of malleable pipe fittings for one of the mandatory respondents, Jinan Meide Casting Co. (JMC), and one of the non-selected respondents, SCE Co., Ltd. (SCE), based on an increase in imports exceeding the required 15 percent, but that no massive imports exist for the other mandatory respondents, Langfang Pannext Pipe Fitting Co., Ltd. (Pannext), and Beijing Sai Lin Ke Hardware Co., Ltd. (SLK), and the other non-selected respondents, Myland Industrial Co., Ltd. (Myland) and Chengde Malleable Iron General Factory (Chengde). In addition, we found that imports of subject merchandise were massive in the three-month comparison period for the PRC-wide entity for which data are available.

We published the preliminary determination in this investigation on June 6, 2003. See Notice of Preliminary Determination of Sales at Less Than Fair Value: Certain Malleable Iron Pipe

Fittings from the People's Republic of China, 68 FR 33911 (June 6, 2003) (Preliminary Determination). Since the publication of the Preliminary Determination, the following events have occurred.

On June 3, 2003, in order to remedy deficiencies in respondents' reporting of scrap inputs, the Department asked respondents to weigh and keep accurate records of each ingredient that goes into the cupola and to submit biweekly reports to the Department until two weeks before verification. JMC and Pannext each submitted three production reports covering a six-week period, and SLK submitted four reports covering an eight-week period.

On June 4, 2003, SLK requested that the Department correct an alleged ministerial error in SLK's margin calculation. On June 13, 2003, the Department determined that the error in the margin calculation resulted from SLK's failure to indicate that it had reported the weight of the fittings in its revised sales database in pounds, although all other data were in kilograms. In addition, the Department determined that this error was not ministerial in nature. As a result, at that time we did not make the suggested correction. However, SLK subsequently revised its reported weights, which are used in the calculation of U.S. price, to kilograms, and we have used the corrected weights for the final determination.

On July 3, 2003, the petitioners (Ward Manufacturing, Inc. and Anvil International, Inc.) submitted a request for a public hearing in accordance with 19 CFR 351.310(c). On July 7, 2003, respondents JMC and Pannext requested a hearing. On September 2, 2003, the Department informed all interested parties that a hearing would be held (see Memorandum from Ann Barnett-Dahl to the File dated September 2, 2003). On September 5, 2003, the petitioners requested that the Department conduct a portion of the hearing in closed session. The hearing was held on September 17, 2003. The petitioners and three respondents submitted case briefs and rebuttal briefs on September 8 and 15, 2003, respectively.

On July 16, 2003, JMC, Pannext and SLK placed on the record public information for the purpose of providing the Department with additional information that can be used in valuing the factors of production.

The Department conducted verifications on the following dates: June 25, 2003, Houston, Texas—Pannext Fittings Corp.; July 8-10, 2003, Chicago, Illinois—LDR Industries, Inc.; July 28-August 1, 2003, Jinan, PRC—JMC;