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Dated: December 15, 2015.

Paul Piquado,  
Assistant Secretary for Enforcement and Compliance.  
[FR Doc. 2015-32020 Filed 12-18-15; 8:45 am]  
BILLING CODE 3510-DS-P

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Meeting of the United States Manufacturing Council**

**AGENCY:** International Trade Administration, U.S. Department of Commerce.

**ACTION:** Notice of an open meeting.

**SUMMARY:** The United States Manufacturing Council (Council) will hold an open meeting via teleconference on Wednesday, January 20, 2016. The Council was established in April 2004 to advise the Secretary of Commerce on matters relating to the U.S. manufacturing industry. The purpose of the meeting is for Council members to review and deliberate on a recommendation by the Innovation, Research and Development Subcommittee focused on the National Network for Manufacturing Innovation Institutes for Manufacturing Innovation. The final agenda will be posted on the Department of Commerce Web site for the Council at <http://www.trade.gov/manufacturingcouncil/>, at least one week in advance of the meeting.

**DATES:** Wednesday, January 20, 2016, 12:00 p.m.–1:00 p.m. The deadline for members of the public to register, including requests to make comments during the meeting and for auxiliary aids, or to submit written comments for dissemination prior to the meeting, is 5 p.m. EST on January 11, 2016.

**ADDRESSES:** The meeting will be held by conference call. The call-in number and passcode will be provided by email to registrants. Requests to register (including to speak or for auxiliary aids) and any written comments should be submitted to: U.S. Manufacturing Council, U.S. Department of Commerce, Room 4043, 1401 Constitution Avenue NW., Washington, DC 20230; email: [archana.sahgal@trade.gov](mailto:archana.sahgal@trade.gov). Members of the public are encouraged to submit registration requests and written comments via email to ensure timely receipt.

**FOR FURTHER INFORMATION CONTACT:** Archana Sahgal, U.S. Manufacturing Council, Room 4043, 1401 Constitution Avenue NW., Washington, DC 20230, telephone: 202-482-4501, email: [archana.sahgal@trade.gov](mailto:archana.sahgal@trade.gov).

**SUPPLEMENTARY INFORMATION:**

**Background:** The Council advises the Secretary of Commerce on matters relating to the U.S. manufacturing industry.

**Public Participation:** The meeting will be open to the public and will be accessible to people with disabilities. All guests are required to register in advance by the deadline identified under the DATES caption. Requests for auxiliary aids must be submitted by the registration deadline. Last minute requests will be accepted, but may be impossible to fill. There will be fifteen (15) minutes allotted for oral comments from members of the public joining the call. To accommodate as many speakers as possible, the time for public comments may be limited to three (3) minutes per person. Individuals wishing to reserve speaking time during the meeting must submit a request at the time of registration, as well as the name and address of the proposed speaker. If the number of registrants requesting to make statements is greater than can be reasonably accommodated during the meeting, the International Trade Administration may conduct a lottery to determine the speakers. Speakers are requested to submit a written copy of their prepared remarks by 5:00 p.m. on January 11, 2016, for inclusion in the meeting records and for circulation to the members of the U.S. Manufacturing Council.

In addition, any member of the public may submit pertinent written comments concerning the Council's affairs at any time before or after the meeting. Comments may be submitted to Archana Sahgal at the contact information indicated above. To be considered during the meeting, comments must be received no later than 5:00 p.m. EST on January 11, 2016, to ensure transmission to the Board prior to the meeting. Comments received after that date and time will be distributed to the members but may not be considered on the call. Copies of Council meeting minutes will be available within 90 days of the meeting.

Dated: December 11, 2015.

Tricia Van Orden,  
Office of Advisory Committees and Industry Outreach, International Trade Administration.

[FR Doc. 2015-31945 Filed 12-18-15; 8:45 am]  
BILLING CODE 3510-DR-P

**DEPARTMENT OF COMMERCE**

**International Trade Administration**  
[A-570-849, A-821-808, A-823-808]

**Continuation of Antidumping Duty Order on Certain Cut-to-Length Carbon Steel Plate From the People's Republic of China and Continuation of Suspended Antidumping Duty Investigations on Certain Cut-to-Length Carbon Steel Plate From the Russian Federation and Ukraine**

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** As a result of the respective determinations by the Department of Commerce ("the Department") and the International Trade Commission ("ITC") that revocation of the antidumping duty order on certain cut-to-length carbon steel plate ("CTL plate") from the People's Republic of China ("PRC"), and the termination of the suspension agreements and the underlying antidumping duty investigations on CTL plate from the Russian Federation ("Russia") and Ukraine (collectively, "the Agreements"), would likely lead to continuation or recurrence of dumping and material injury to an industry in the United States, the Department is publishing this notice of continuation of the antidumping duty order on CTL plate from the PRC and continuation of the Agreements on CTL plate from Russia and Ukraine.

**DATES:** Effective Date: December 21, 2015.

**FOR FURTHER INFORMATION CONTACT:** Howard Smith (PRC), David Cordell (Russia) or Julie Santoboni (Ukraine), Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone (202) 482-5193, (202) 482-0408 or (202) 482-3063, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

The Department initiated, and the ITC instituted, sunset reviews of the antidumping duty order on CTL plate from the PRC and the Agreements on CTL plate from Russia and Ukraine, pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). See *Initiation of Five-year ("Sunset") Reviews*, 79 FR 59216 (October 1, 2014) and *Cut-To-Length Carbon Steel Plate From China, Russia, and Ukraine: Notice of Commission Determinations to Conduct Full Five-Year Reviews*, 80 FR 2443 (January 16, 2015).

As a result of its reviews, pursuant to sections 751(c) and 752 of the Act, the Department determined that revocation of the antidumping duty order on CTL plate from the PRC and termination of the Agreements on CTL plate from Russia and Ukraine would likely lead to a continuation or recurrence of dumping and notified the ITC of the magnitude of the margins likely to prevail, should the order and the Agreements be revoked or terminated, respectively. See *Certain Cut-to-Length Carbon Steel Plate From the People's Republic of China: Final Results of the Expedited Third Sunset Review of the Antidumping Duty Order*, 80 FR 6051 (February 4, 2015), *Certain Cut-to-Length Carbon Steel Plate from the Russian Federation and Ukraine; Final Results of the Expedited Third Sunset Reviews of the Suspension Agreements*, 80 FR 6052 (February 4, 2015).

On December 9, 2015, pursuant to section 751(c) of the Act, the ITC determined that revocation of the antidumping duty order on CTL plate from the PRC and termination of the Agreements on CTL plate from Russia and Ukraine would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. See *Cut-to-Length Carbon Steel Plate From China, Russia, and Ukraine*, 80 FR 76575 (December 9, 2015).

Therefore, pursuant to section 351.218(f)(4) of the Department's regulations, the Department is publishing this notice of the continuation of the antidumping duty order on CTL plate from the PRC and continuation of the Agreements on CTL plate from Russia and Ukraine.

**Scope**

The products covered under the antidumping duty order and the Agreements are hot-rolled iron and non-alloy steel universal mill plates (*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 rectangular shape, neither clad, plated nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances; and certain iron and non-alloy steel flat-rolled products not in coils, of rectangular shape, hot-rolled, neither clad, plated, nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances, 4.75 mm or more in thickness and of a width which exceeds 150 mm and measures at least

twice the thickness. Included as subject merchandise in this order and these Agreements are flat-rolled products of nonrectangular cross-section where such cross-section is achieved subsequent to the rolling process (*i.e.*, products which have been "worked after rolling")—for example, products which have been bevelled or rounded at the edges. This merchandise is currently classified in the Harmonized Tariff Schedule of the United States ("HTSUS") under item numbers 7208.40.3030, 7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7208.53.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7212.50.0000. Excluded from the subject merchandise within the scope of this order and these Agreements is grade X-70 plate. Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of the order and the Agreements is dispositive.

**Continuation**

As a result of the respective determinations by the Department and the ITC that revocation of the antidumping duty order on CTL plate from the PRC and termination of the Agreements on CTL plate from Russia and Ukraine would likely lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby gives notice of the continuation of the antidumping duty order on CTL plate from the PRC and the continuation of the Agreements on CTL plate from Russia and Ukraine. The effective dates of continuation will be the date of publication in the *Federal Register* of this Continuation Notice. Pursuant to sections 751(c)(2) and 751(c)(6) of the Act, the Department intends to initiate the next five-year sunset reviews of the antidumping duty order on CTL plate from the PRC and the Agreements on CTL plate from Russia and Ukraine not later than November 2019.

These five-year (sunset) reviews and notice are in accordance with section 751(c) of the Act and published pursuant to section 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: December 15, 2015.  
**Paul Piquado**,  
*Assistant Secretary for Enforcement and Compliance*.  
 [FR Doc. 2015-32022 Filed 12-18-15; 8:45 am]  
 BILLING CODE 3510-DS-P

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Application(s) for Duty-Free Entry of Scientific Instruments**

Pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, as amended by Pub. L. 106-36; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States.

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be postmarked on or before (Insert date 20 days after publication in the *Federal Register*). Address written comments to Statutory Import Programs Staff, Room 3720, U.S. Department of Commerce, Washington, DC 20230. Applications may be examined between 8:30 a.m. and 5:00 p.m. at the U.S. Department of Commerce in Room 3720.

Docket Number: 15-048. Applicant: Battelle/Pacific Northwest National Laboratory, 790 6th Street, Richland, WA 99352. Instrument: Electron Microscope. Manufacturer: FEL, Co., Czech Republic. Intended Use: The instrument will be used to study radioactive ceramic and metallic materials including irradiated fuel-type materials. Justification for Duty-Free Entry: There are no instruments of the same general category manufactured in the United States. Application accepted by Commissioner of Customs: October 30, 2015.

Docket Number: 15-050. Applicant: Rutgers University, 89 French Street, New Brunswick, NJ 08901. Instrument: Junior Micromanipulator unit with remote control system, shifting table and chamber unit parts. Manufacturer: Luigs & Neumann, Germany. Intended Use: The instrument will be used to simultaneously measure the microscopic electric signals generated from neurons, specifically the patch-clamp whole cell recordings from neurons, to identify specific alterations in synaptic transmission that leads to neuropsychiatric or neurological disorders. The instrument is a highly flexible, highly precise system, offering the highest mechanical resolution and smoothest movement because of its patented spindle nut system, which guarantees a unique and extraordinary stability for long term recordings. The step motor is decoupled preventing a thermal bridge from the motor to the machine and also prevents vibration

**Notice of initiation of an anti-dumping proceeding concerning imports of certain heavy plate of non-alloy or other alloy steel originating in the People's Republic of China**

(2016/C 58/09)

The European Commission (‘the Commission’) has received a complaint <sup>(1)</sup> pursuant to Article 5 of Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community <sup>(2)</sup> (‘the basic Regulation’), alleging that imports of certain heavy plate of non-alloy or other alloy steel originating in the People's Republic of China, are being dumped and are thereby causing material injury to the Union industry.

**1. Complaint**

The complaint was lodged on 4 January 2016 by The European Steel Association (EUROFER) (‘the complainant’) on behalf of producers representing more than 25 % of the total Union production of certain heavy plate of non-alloy or other alloy steel.

**2. Product under investigation**

The product subject to this investigation is flat products of non-alloy or alloy steel (excluding stainless steel, silicon-electrical steel, tool steel and high-speed steel), hot-rolled, not clad, plated or coated, not in coils, of a thickness exceeding 10 mm and of a width of 600 mm or more or of a thickness of 4,75 mm or more but not exceeding 10 mm and of a width of 2 050 mm or more (‘heavy plate’ or ‘the product under investigation’).

**3. Allegation of dumping**

The product allegedly being dumped is the product under investigation, originating in the People's Republic of China (‘the country concerned’), currently falling within CN codes 7208 51 20, 7208 51 91, 7208 51 98, 7208 52 91, ex 7208 90 20, ex 7208 90 80, 7225 40 40, ex 7225 40 60 and ex 7225 99 00. These CN codes are given for information only.

Since, in view of the provisions of Article 2(7) of the basic Regulation, the People's Republic of China is considered to be a non-market economy country, the complainant has established a normal value for the imports from the People's Republic of China on the basis of the price in a market economy third country, namely the United States of America, but also on the basis of a constructed normal value (manufacturing costs, selling, general and administrative costs — SG&A — and profit) in the same market economy third country. The allegation of dumping is based on a comparison of the normal values thus established with the export price (at ex-works level) of the product under investigation when sold for export to the Union.

On this basis the dumping margins calculated are significant for the country concerned.

**4. Allegation of injury and causation**

The complainant provides evidence that imports of the product under investigation from the country concerned have increased overall in absolute terms and in terms of market share at a significant rate.

The *prima facie* evidence provided by the complainant shows that the quantity and the prices of the imported product under investigation have had, among other consequences, a negative impact on the level of the sales prices, quantities sold, market share and profits of the Union industry, resulting in substantial adverse effects on the overall performance of the Union industry.

**5. Procedure**

Having determined, after informing the Member States, that the complaint has been lodged by or on behalf of the Union industry and that there is sufficient evidence to justify the initiation of a proceeding, the Commission hereby initiates an investigation pursuant to Article 5 of the basic Regulation.

The investigation will determine whether the product under investigation originating in the country concerned is being dumped and whether the dumped imports have caused injury to the Union industry. If the conclusions are affirmative, the investigation will examine whether the imposition of measures would not be against the Union interest.

**5.1. Investigation period and period considered**

The investigation of dumping and injury will cover the period from 1 January 2015 to 31 December 2015 (‘the investigation period’). The examination of trends relevant for the assessment of injury will cover the period from 1 January 2012 to the end of the investigation period (‘the period considered’).

<sup>(1)</sup> <http://trade.ec.europa.eu/di/completed.cfm>

<sup>(2)</sup> OJ L 343, 22.12.2009, p. 51.

5.2. *Procedure for the determination of dumping*

Exporting producers <sup>(1)</sup> of the product under investigation from the country concerned are invited to participate in the Commission investigation.

5.2.1. *Investigating exporting producers*

5.2.1.1. *Procedure for selecting exporting producers to be investigated in the country concerned*

(a) *Sampling*

In view of the potentially large number of exporting producers in the People's Republic of China involved in this proceeding and in order to complete the investigation within the statutory time limits, the Commission may limit the exporting producers to be investigated to a reasonable number by selecting a sample (this process is also referred to as 'sampling'). The sampling will be carried out in accordance with Article 17 of the basic Regulation.

In order to enable the Commission to decide whether sampling is necessary, and if so, to select a sample, all exporting producers, or representatives acting on their behalf, are hereby requested to make themselves known to the Commission. These parties have to do so within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified, by providing the Commission with information on their companies requested in Annex I to this Notice.

In order to obtain information it deems necessary for the selection of the sample of exporting producers, the Commission will also contact the authorities of the country concerned and may contact any known associations of exporting producers.

All interested parties wishing to submit any other relevant information regarding the selection of the sample, excluding the information requested above, must do so within 21 days of the publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified.

If a sample is necessary, the exporting producers may be selected based on the largest representative volume of exports to the Union which can reasonably be investigated within the time available. All known exporting producers, the authorities of the country concerned and associations of exporting producers will be notified by the Commission, via the authorities of the country concerned if appropriate, of the companies selected to be in the sample.

In order to obtain information it deems necessary for its investigation with regard to exporting producers, the Commission will send questionnaires to the exporting producers selected to be in the sample, to any known association of exporting producers, and to the authorities of the country concerned.

All exporting producers selected to be in the sample will have to submit a completed questionnaire within 37 days from the date of notification of the sample selection, unless otherwise specified.

Without prejudice to the possible application of Article 18 of the basic Regulation, companies that have agreed to their possible inclusion in the sample but are not selected to be in the sample will be considered to be cooperating ('non-sampled cooperating exporting producers'). Without prejudice to section (b) below, the anti-dumping duty that may be applied to imports from non-sampled cooperating exporting producers will not exceed the weighted average margin of dumping established for the exporting producers in the sample <sup>(2)</sup>.

(b) *Individual dumping margin for companies not included in the sample*

Non-sampled cooperating exporting producers may request, pursuant to Article 17(3) of the basic Regulation, that the Commission establishes their individual dumping margins ('individual dumping margin'). The exporting producers wishing to claim an individual dumping margin must request a questionnaire and return it duly completed within 37 days of the date of notification of the sample selection, unless otherwise specified. The Commission will examine whether they can be granted an individual duty in accordance with Article 9(5) of the basic Regulation. Those exporting producers in the country concerned who consider that market economy conditions prevail for them in respect of the manufacture and sale of the product under investigation may submit a properly substantiated market economy treatment claim ('MET claim') and return it duly completed within the deadlines specified in section 5.2.2.2 below.

<sup>(1)</sup> An exporting producer is any company in the country concerned which produces and exports the product under investigation to the Union market, either directly or via a third party, including any of its related companies involved in the production, domestic sales or exports of the product under investigation.

<sup>(2)</sup> Pursuant to Article 9(6) of the basic Regulation, any zero and *de minimis* margins, and margins established in accordance with the circumstances described in Article 18 of the basic Regulation will be disregarded.

However, exporting producers claiming an individual dumping margin should be aware that the Commission may nonetheless decide not to determine their individual dumping margin if, for instance, the number of exporting producers is so large that such determination would be unduly burdensome and would prevent the timely completion of the investigation.

5.2.2. *Additional procedure with regard to exporting producers in the non-market economy country concerned*

5.2.2.1. *Selection of a market economy third country*

Subject to the provisions of section 5.2.2.2 below, in accordance with Article 2(7)(a) of the basic Regulation, in the case of imports from the country concerned normal value will be determined on the basis of the price or constructed value in a market economy third country. For this purpose the Commission will select an appropriate market economy third country. Based on the information contained in the complaint it is envisaged to use the United States of America as analogue country. Interested parties are hereby invited to comment on the appropriateness of the choice of the analogue country within 10 days of the date of publication of this Notice in the *Official Journal of the European Union*.

According to the information available to the Commission, other market economy producers of heavy plate are, inter alia, Australia, Brazil, Canada, India, Japan, South Korea, the former Yugoslav Republic of Macedonia, Malaysia, Mexico, Russia and Ukraine. With the aim of finally selecting the market economy third country, the Commission will examine whether there is production and sales of the product under investigation in those market economy third countries for which there are indications that the production of the product under investigation is taking place.

5.2.2.2. *Treatment of exporting producers in the non-market economy country concerned*

In accordance with Article 2(7)(b) of the basic Regulation, individual exporting producers in the country concerned, which consider that market economy conditions prevail for them in respect of the manufacture and sale of the product under investigation, may submit a properly substantiated market economy treatment claim to this effect ('MET claim'). MET will be granted if the assessment of the MET claim shows that the criteria laid down in Article 2(7)(c) of the basic Regulation<sup>(1)</sup> are fulfilled. The dumping margin of the exporting producers granted MET will be calculated, to the extent possible and without prejudice to the use of facts available pursuant to Article 18 of the basic Regulation, by using their own normal value and export prices in accordance with Article 2(7)(b) of the basic Regulation.

The Commission will send MET claim forms to all the exporting producers in the country concerned selected to be in the sample and to non-sampled cooperating exporting producers that wish to apply for an individual dumping margin, to any known association of exporting producers, and to the authorities of the country concerned. The Commission will assess only MET claim forms submitted by the exporting producers in the country concerned selected to be in the sample and by the non-sampled cooperating exporting producers whose request for an individual dumping margin has been accepted.

All exporting producers claiming MET must submit a completed MET claim form within 21 days of the date of the notification of the sample selection or of the decision not to select a sample, unless otherwise specified.

5.2.3. *Investigating unrelated importers<sup>(2)</sup> <sup>(1)</sup>*

Unrelated importers of the product under investigation from the People's Republic of China to the Union are invited to participate in this investigation.

<sup>(1)</sup> The exporting producers have to demonstrate in particular that: (i) business decisions and costs are made in response to market conditions and without significant State interference; (ii) firms have one clear set of basic accounting records which are independently audited in line with international accounting standards and are applied for all purposes; (iii) there are no significant distortions carried over from the former non-market economy system; (iv) bankruptcy and property laws guarantee legal certainty and stability and (v) exchange rate conversions are carried out at market rates.

<sup>(2)</sup> Only importers not related to exporting producers can be sampled. Importers that are related to exporting producers have to fill in Annex 1 to the questionnaire for these exporting producers. In accordance with Article 143 of Commission Regulation (EEC) No 2454/93 concerning the implementation of the Community Customs Code, persons shall be deemed to be related only if: (a) they are officers or directors of one another's businesses; (b) they are legally recognized partners in business; (c) they are employer and employee; (d) any person directly or indirectly owns, controls or holds 5 % or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they directly or indirectly control a third person; or (h) they are members of the same family. Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child, (iii) brother and sister (whether by whole or half blood), (iv) grandparent and grandchild, (v) uncle or aunt and nephew or niece, (vi) parent-in-law and son-in-law or daughter-in-law, (vii) brother-in-law and sister-in-law (OJ L 253, 11.10.1993, p. 1). In this context 'person' means any natural or legal person.

<sup>(1)</sup> The data provided by unrelated importers may also be used in relation to aspects of this investigation other than the determination of dumping.

In view of the potentially large number of unrelated importers involved in this proceeding and in order to complete the investigation within the statutory time limits, the Commission may limit to a reasonable number the unrelated importers that will be investigated by selecting a sample (this process is also referred to as 'sampling'). The sampling will be carried out in accordance with Article 17 of the basic Regulation.

In order to enable the Commission to decide whether sampling is necessary and, if so, to select a sample, all unrelated importers, or representatives acting on their behalf, are hereby requested to make themselves known to the Commission. These parties must do so within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified, by providing the Commission with the information on their companies requested in Annex II to this Notice.

In order to obtain information it deems necessary for the selection of the sample of unrelated importers, the Commission may also contact any known associations of importers.

All interested parties wishing to submit any other relevant information regarding the selection of the sample, excluding the information requested above, must do so within 21 days of the publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified.

If a sample is necessary, the importers may be selected based on the largest representative volume of sales of the product under investigation in the Union which can reasonably be investigated within the time available. All known unrelated importers and associations of importers will be notified by the Commission of the companies selected to be in the sample.

In order to obtain information it deems necessary for its investigation, the Commission will send questionnaires to the sampled unrelated importers and to any known association of importers. These parties must submit a completed questionnaire within 37 days from the date of the notification of the sample selection, unless otherwise specified.

#### **5.3. Procedure for the determination of injury and investigating Union producers**

A determination of injury is based on positive evidence and involves an objective examination of the volume of the dumped imports, their effect on prices on the Union market and the consequent impact of those imports on the Union industry. In order to establish whether the Union industry is injured, Union producers of the product under investigation are invited to participate in the Commission investigation.

In view of the large number of Union producers involved in this proceeding and in order to complete the investigation within the statutory time limits, the Commission has decided to limit to a reasonable number the Union producers that will be investigated by selecting a sample (this process is also referred to as 'sampling'). The sampling is carried out in accordance with Article 17 of the basic Regulation.

The Commission has provisionally selected a sample of Union producers. Details can be found in the file for inspection by interested parties. Interested parties are hereby invited to consult the file (for this they should contact the Commission using the contact details provided in section 5.7. below). Other Union producers, or representatives acting on their behalf, that consider that there are reasons why they should be included in the sample must contact the Commission within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*.

All interested parties wishing to submit any other relevant information regarding the selection of the sample must do so within 21 days of the publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified.

All known Union producers and/or associations of Union producers will be notified by the Commission of the companies finally selected to be in the sample.

In order to obtain information it deems necessary for its investigation, the Commission will send questionnaires to the sampled Union producers and to any known association of Union producers. These parties must submit a completed questionnaire within 37 days from the date of the notification of the sample selection, unless otherwise specified.

#### **5.4. Procedure for the assessment of Union interest**

Should the existence of dumping and injury caused thereby be established, a decision will be reached, pursuant to Article 21 of the basic Regulation, as to whether the adoption of anti-dumping measures would not be against the Union interest. Union producers, importers and their representative associations, users and their representative associations, and representative consumer organisations are invited to make themselves known within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified. In order to participate in the investigation, the representative consumer organisations have to demonstrate, within the same deadline, that there is an objective link between their activities and the product under investigation.

Parties that make themselves known within the above deadline may provide the Commission with information on the Union interest within 37 days of the date of publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified. This information may be provided either in a free format or by completing a questionnaire prepared by the Commission. In any case, information submitted pursuant to Article 21 will only be taken into account if supported by factual evidence at the time of submission.

**5.5. Other written submissions**

Subject to the provisions of this Notice, all interested parties are hereby invited to make their views known, submit information and provide supporting evidence. Unless otherwise specified, this information and supporting evidence must reach the Commission within 37 days of the date of publication of this Notice in the *Official Journal of the European Union*.

**5.6. Possibility to be heard by the Commission investigation services**

All interested parties may request to be heard by the Commission investigation services. Any request to be heard should be made in writing and should specify the reasons for the request. For hearings on issues pertaining to the initial stage of the investigation the request must be submitted within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*. Thereafter, a request to be heard must be submitted within the specific deadlines set by the Commission in its communication with the parties.

**5.7. Instructions for making written submissions and sending completed questionnaires and correspondence**

Information submitted to the Commission for the purpose of trade defence investigations shall be free from copyrights. Interested parties, before submitting to the Commission information and/or data which is subject to third party copyrights, must request specific permission to the copyright holder explicitly allowing a) the Commission to use the information and data for the purpose of this trade defence proceeding and b) to provide the information and/or data to interested parties to this investigation in a form that allows them to exercise their rights of defence.

All written submissions, including the information requested in this Notice, completed questionnaires and correspondence provided by interested parties for which confidential treatment is requested shall be labelled 'Limited' (!).

Interested parties providing 'Limited' information are required to furnish non-confidential summaries of it pursuant to Article 19(2) of the basic Regulation, which will be labelled 'For inspection by interested parties'. These summaries should be sufficiently detailed to permit a reasonable understanding of the substance of the information submitted in confidence. If an interested party providing confidential information does not furnish a non-confidential summary of it in the requested format and quality, such information may be disregarded.

Interested parties are invited to make all submissions and requests by email including scanned powers of attorney and certification sheets, with the exception of large replies which shall be submitted on a CD-ROM or DVD by hand or by registered mail. By using email, interested parties express their agreement with the rules applicable to electronic submissions contained in the document 'CORRESPONDENCE WITH THE EUROPEAN COMMISSION IN TRADE DEFENCE CASES' published on the website of the Directorate-General for Trade: [http://trade.ec.europa.eu/doclib/docs/2011/june/tradoc\\_148003.pdf](http://trade.ec.europa.eu/doclib/docs/2011/june/tradoc_148003.pdf)

The interested parties must indicate their name, address, telephone and a valid email address and they should ensure that the provided email address is a functioning official business email which is checked on a daily basis. Once contact details are provided, the Commission will communicate with interested parties by email only, unless they explicitly request to receive all documents from the Commission by another means of communication or unless the nature of the document to be sent requires the use of a registered mail. For further rules and information concerning correspondence with the Commission including principles that apply to submissions by email, interested parties should consult the communication instructions with interested parties referred to above.

(!) A 'Limited' document is a document which is considered confidential pursuant to Article 19 of Council Regulation (EC) No 1225/2009 (OJ L 343, 22.12.2009, p. 51) and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Agreement). It is also a document protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43).

Commission address for correspondence:

European Commission  
Directorate-General for Trade  
Directorate H  
Office: CHAR 04/039  
1040 Bruxelles/Brussel  
BELGIQUE/BELGIË

Email for dumping related issues: TRADE-AD-HEAVYPLATE-DUMPING@ec.europa.eu

Email for injury related issues: TRADE-AD-HEAVYPLATE-INJURY@ec.europa.eu

#### 6. Non-cooperation

In cases where any interested party refuses access to or does not provide the necessary information within the time limits, or significantly impedes the investigation, provisional or final findings, affirmative or negative, may be made on the basis of facts available, in accordance with Article 18 of the basic Regulation.

Where it is found that any interested party has supplied false or misleading information, the information may be disregarded and use may be made of facts available.

If an interested party does not cooperate or cooperates only partially and findings are therefore based on facts available in accordance with Article 18 of the basic Regulation, the result may be less favourable to that party than if it had cooperated.

Failure to give a computerised response shall not be deemed to constitute non-cooperation, provided that the interested party shows that presenting the response as requested would result in an unreasonable extra burden or unreasonable additional cost. The interested party should immediately contact the Commission.

#### 7. Hearing Officer

Interested parties may request the intervention of the Hearing Officer in trade proceedings. The Hearing Officer acts as an interface between the interested parties and the Commission investigation services. The Hearing Officer reviews requests for access to the file, disputes regarding the confidentiality of documents, requests for extension of time limits and requests by third parties to be heard. The Hearing Officer may organise a hearing with an individual interested party and mediate to ensure that the interested parties' rights of defence are being fully exercised.

A request for a hearing with the Hearing Officer should be made in writing and should specify the reasons for the request. For hearings on issues pertaining to the initial stage of the investigation the request must be submitted within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*. Thereafter, a request to be heard must be submitted within specific deadlines set by the Commission in its communication with the parties.

The Hearing Officer will also provide opportunities for a hearing involving parties to take place which would allow different views to be presented and rebuttal arguments offered on issues pertaining, among other things, to dumping, injury, causal link and Union interest. Such a hearing would, as a rule, take place at the latest at the end of the fourth week following the disclosure of provisional findings.

For further information and contact details interested parties may consult the Hearing Officer's web pages on DG Trade's website: <http://ec.europa.eu/trade/trade-policy-and-you/contacts/hearing-officer/>

#### 8. Schedule of the investigation

The investigation will be concluded, pursuant to Article 6(9) of the basic Regulation, within 15 months of the date of the publication of this Notice in the *Official Journal of the European Union*. In accordance with Article 7(1) of the basic Regulation, provisional measures may be imposed no later than nine months from the publication of this Notice in the *Official Journal of the European Union*.

#### 9. Processing of personal data

Any personal data collected in this investigation will be treated in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data<sup>(1)</sup>.

<sup>(1)</sup> OJ L 8, 12.1.2001, p. 1.

ANNEX I

<input type="checkbox"/>	'Limited' version <sup>(1)</sup>
<input type="checkbox"/>	Version 'For inspection by interested parties'
(tick the appropriate box)	

**ANTI-DUMPING PROCEEDING CONCERNING IMPORTS OF CERTAIN HEAVY PLATE OF NON-ALLOY OR OTHER ALLOY STEEL ORIGINATING IN THE PEOPLE'S REPUBLIC OF CHINA**

**INFORMATION FOR THE SELECTION OF THE SAMPLE OF EXPORTING PRODUCERS IN THE PEOPLE'S REPUBLIC OF CHINA**

This form is designed to assist exporting producers in the People's Republic of China in responding to the request for sampling information made in point 5.2.1.1(a) of the Notice of Initiation.

Both the 'Limited' version and the version 'For inspection by interested parties' should be returned to the Commission as set out in the Notice of Initiation.

**1. IDENTITY AND CONTACT DETAILS**

Supply the following details about your company:

Company name	
Address	
Contact person	
E-mail address	
Telephone	
Website	

**2. TURNOVER AND SALES QUANTITY**

Fill in the table below showing your turnover in your accounting currency of the company for the investigation period, i.e. 1 January 2015 to 31 December 2015, (export sales to the Union for each of the 28 Member States <sup>(\*)</sup> separately and in total and domestic sales) of certain heavy plate of non-alloy or other alloy steel as defined in the Notice of Initiation and the corresponding weight. State the unit of weight and the currency used.

	Specify the unit of measurement		Value in accounting currency
			Specify the currency used
Export sales to the Union, for each of the 28 Member States separately and in total, of the product under investigation, manufactured by your company	Total:		
	Name each Member State <sup>(1)</sup> :		
Domestic sales of the product under investigation, manufactured by your company			

<sup>(1)</sup> Add additional rows where necessary.

<sup>(1)</sup> This document is for internal use only. It is protected under Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43). It is a confidential document under Article 19 of Council Regulation (EC) No 1225/2009 (OJ L 343, 22.12.2009, p. 51) and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Agreement).

<sup>(\*)</sup> The 28 Member States of the European Union are: Belgium, Bulgaria, the Czech Republic, Denmark, Germany, Estonia, Croatia, Ireland, Greece, Spain, France, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland, Sweden, and the United Kingdom.

**3. ACTIVITIES OF YOUR COMPANY AND RELATED COMPANIES (\*)**

Give details of the precise activities of the company and all related companies (please list them and state the relationship to your company) involved in the production and/or selling (export and/or domestic) of the product under investigation. Such activities could include but are not limited to purchasing the product under investigation or producing it under sub-contracting arrangements, or processing or trading the product under investigation.

Company name and location	Activities	Relationship

**4. OTHER INFORMATION**

Please provide any other relevant information which the company considers useful to assist the Commission in the selection of the sample.

**5. INDIVIDUAL DUMPING MARGIN**

The company declares that, in the event that it is not selected to be in the sample, it would like to receive a questionnaire and other claim forms in order to fill these in and thus claim an individual dumping margin in accordance with Section 5.2.1.1(b) of the Notice of Initiation.

Yes

No

**6. CERTIFICATION**

By providing the above information, the company agrees to its possible inclusion in the sample. If the company is selected to be part of the sample, this will involve completing a questionnaire and accepting a visit at its premises in order to verify its response. If the company indicates that it does not agree to its possible inclusion in the sample, it will be deemed not to have cooperated in the investigation. The Commission's findings for non-cooperating exporting producers are based on facts available and the result may be less favourable to that company than if it had cooperated.

Signature of authorised official:

Name and title of authorised official:

Date:

\_\_\_\_\_

(\*) In accordance with Article 143 of Commission Regulation (EEC) No 2454/93 concerning the implementation of the Community Customs Code, persons shall be deemed to be related only if: (a) they are officers or directors of one another's businesses; (b) they are legally recognized partners in business; (c) they are employer and employee; (d) any person directly or indirectly owns, controls or holds 5% or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they directly or indirectly control a third person; or (h) they are members of the same family. Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child, (iii) brother and sister (whether by whole or half blood), (iv) grandparent and grandchild, (v) uncle or aunt and nephew or niece, (vi) parent-in-law and son-in-law or daughter-in-law, (vii) brother-in-law and sister-in-law (CJ L 253, 11.10.1993, p. 1). In this context 'person' means any natural or legal person.

ANNEX II

<input type="checkbox"/>	'Limited' version (*)
<input type="checkbox"/>	Version 'For inspection by interested parties'
(tick the appropriate box)	

**ANTI-DUMPING PROCEEDING CONCERNING IMPORTS OF CERTAIN HEAVY PLATE OF NON-ALLOY OR OTHER ALLOY STEEL ORIGINATING IN THE PEOPLE'S REPUBLIC OF CHINA**

**INFORMATION FOR THE SELECTION OF THE SAMPLE OF UNRELATED IMPORTERS**

This form is designed to assist unrelated importers in responding to the request for sampling information made in point 5.2.3 of the Notice of Initiation.

Both the 'Limited' version and the version 'For inspection by interested parties' should be returned to the Commission as set out in the Notice of Initiation.

**1. IDENTITY AND CONTACT DETAILS**

Supply the following details about your company:

Company name	
Address	
Contact person	
E-mail address	
Telephone	
Website:	

**2. TURNOVER AND SALES QUANTITY**

Fill in the table below showing the total turnover in euros (EUR) of your company, and the turnover and weight of imports into the Union (\*) and resales on the Union market after importation from the People's Republic of China, during the investigation period, i.e. 1 January to 31 December 2015, of certain heavy plate of non-alloy or other alloy steel as defined in the notice of initiation and the corresponding weight or volume. State the unit of weight used.

	Specify the unit of measurement	Value in euros (EUR)
Total turnover of your company in euros (EUR)		
Imports of the product under investigation into the Union		
Resales on the Union market after importation from the People's Republic of China of the product under investigation		

(\*) This document is for internal use only. It is protected under Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43). It is a confidential document under Article 19 of Council Regulation (EC) No 1225/2009 (OJ L 343, 22.12.2009, p. 51) and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Agreement).

(\*) The 28 Member States of the European Union are: Belgium, Bulgaria, the Czech Republic, Denmark, Germany, Estonia, Croatia, Ireland, Greece, Spain, France, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland, Sweden, and the United Kingdom.

**3. ACTIVITIES OF YOUR COMPANY AND RELATED COMPANIES (\*)**

Give details of the precise activities of the company and all related companies (please list them and state the relationship to your company) involved in the production and/or selling (export and/or domestic) of the product under investigation. Such activities could include but are not limited to purchasing the product under investigation or producing it under sub-contracting arrangements, or processing or trading the product under investigation.

Company name and location	Activities	Relationship

**4. OTHER INFORMATION**

Please provide any other relevant information which the company considers useful to assist the Commission in the selection of the sample.

**5. CERTIFICATION**

By providing the above information, the company agrees to its possible inclusion in the sample. If the company is selected to be part of the sample, this will involve completing a questionnaire and accepting a visit at its premises in order to verify its response. If the company indicates that it does not agree to its possible inclusion in the sample, it will be deemed not to have cooperated in the investigation. The Commission's findings for non-cooperating importers are based on the facts available and the result may be less favourable to that company than if it had cooperated.

Signature of authorised official:

Name and title of authorised official:

Date:

\_\_\_\_\_

(\*) In accordance with Article 143 of Commission Regulation (EEC) No 2454/93 concerning the implementation of the Community Customs Code, persons shall be deemed to be related only if: (a) they are officers or directors of one another's businesses; (b) they are legally recognized partners in business; (c) they are employer and employee; (d) any person directly or indirectly owns, controls or holds 5% or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they directly or indirectly control a third person; or (h) they are members of the same family. Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child, (iii) brother and sister (whether by whole or half blood), (iv) grandparent and grandchild, (v) uncle or aunt and nephew or niece, (vi) parent-in-law and son-in-law or daughter-in-law, (vii) brother-in-law and sister-in-law. (OJ L 253, 11.10.1993, p. 1). In this context 'person' means any natural or legal person.

**December 5, 2011**

**News Release 11-153**

**Inv. Nos. 701-TA-388-391 and 731-TA-817-821 (Second Review)**

**Contact: Peg O'Laughlin, 202-205-1819**

## **USITC MAKES DETERMINATIONS IN FIVE-YEAR (SUNSET) REVIEWS CONCERNING CUT-TO-LENGTH CARBON-QUALITY STEEL PLATE FROM INDIA, INDONESIA, ITALY, JAPAN, AND KOREA**

The U.S. International Trade Commission (USITC or Commission) today determined that revoking the existing antidumping and countervailing duty orders on cut-to-length carbon-quality steel plate from India, Indonesia, and Korea would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. The Commission also determined that revoking the existing antidumping and countervailing duty orders on cut-to-length carbon-quality steel plate from Italy would not be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. The Commission further determined that revoking the antidumping duty order on cut-to-length carbon-quality steel plate from Japan would not be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.

As a result of the Commission's affirmative determinations, the existing orders on imports of these products from India, Indonesia, and Korea will remain in place. As a result of the Commission's negative determinations, the existing orders on imports of these products from Italy and Japan will be revoked.

With respect to India, Indonesia, and Korea, all six Commissioners voted in the affirmative. With respect to Italy, Chairman Deanna Tanner Okun and Commissioners Daniel R. Pearson, Shara L. Aranoff, and Dean A. Pinkert voted in the negative; Vice Chairman Irving A. Williamson and Commissioner Charlotte R. Lane voted in the affirmative. With respect to Japan, Chairman Deanna Tanner Okun, Vice Chairman Irving A. Williamson, and Commissioners Daniel R. Pearson and Shara L. Aranoff voted in the negative; Commissioners Charlotte R. Lane and Dean A. Pinkert voted in the affirmative.

Today's action comes under the five-year (sunset) review process required by the Uruguay Round Agreements Act. See the attached page for background on this five-year (sunset) reviews.

The Commission's public report *Cut-to-Length Carbon-Quality Steel Plate from India, Indonesia, Italy, Japan, and Korea* (Inv. Nos. 701-TA-388-391 and 731-TA-817-821 (Second Review), USITC Publication 4296, December 2011) will contain the views of the Commission and information developed during the reviews.

Copies may be requested after January 6, 2012, by emailing [pubrequest@usitc.gov](mailto:pubrequest@usitc.gov), calling 202-205-2000, or writing to the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Requests may be made by fax at 202-205-2104.

### **BACKGROUND**

**The Uruguay Round Agreements Act requires the Department of Commerce to revoke an antidumping or countervailing duty order, or terminate a suspension agreement, after five years unless the Department of Commerce and the USITC determine that revoking the order or terminating the suspension agreement would be likely to lead to continuation or recurrence of dumping or subsidies (Commerce) and of material injury (USITC) within a reasonably foreseeable time.**

**The Commission's institution notice in five-year reviews requests that interested parties file responses with the Commission concerning the likely effects of revoking the order under review as well as other information. Generally within 95 days from institution, the Commission will determine whether the responses it has received reflect an adequate or inadequate level of interest in a full review. If responses to the USITC's notice of institution are adequate, or if other circumstances warrant a full review, the Commission conducts a full review, which includes a public hearing and issuance of questionnaires.**

**The Commission generally does not hold a hearing or conduct further investigative activities in expedited reviews. Commissioners base their injury determination in expedited reviews on the facts available, including the Commission's prior injury and review determinations, responses received to its notice of institution, data collected by staff in connection with the review, and information provided by the Department of Commerce.**

**The five-year (sunset) reviews concerning *Cut-to-Length Carbon-Quality Steel Plate from India, Indonesia, Italy, Japan, and Korea***

***were instituted on November 10, 2010.***

***On February 4, 2011, the Commission voted to conduct full reviews. With respect to Italy, Japan, and Korea, all six Commissioners concluded that both the domestic group response and the respondent group responses for these reviews were adequate and voted for full reviews. With respect to India and Indonesia, all six Commissioners concluded that the domestic group response for these reviews was adequate and the respondent group responses were inadequate, but that circumstances warranted full reviews.***

***A record of the Commission's vote to conduct full reviews is available from the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Requests may be made by telephone by calling 202-205-1802.***