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DEPARTMENT OF COMMERCE (DOC)

International Trade Administration (ITA)

Import Administration

[A-570-814]

**Certain Carbon Steel Butt-Weld Pipe Fittings From the People's Republic of China;
Affirmative Final Determination of Circumvention of Antidumping Duty Order**

59 FR 15155

DATE: Thursday, March 31, 1994

ACTION: Notice of Affirmative Final Determination of Circumvention of Antidumping Duty Order.

To view the next page, type .np* TRANSMIT.

To view a specific page, transmit p* and the page number, e.g. p*1

[*15155]

SUMMARY: On January 3, 1994, the Department of Commerce published a preliminary affirmative determination of circumvention of the antidumping duty order on certain carbon steel butt-weld pipe fittings (pipe fittings) from the People's Republic of China.

We provided interested parties an opportunity to comment on the preliminary affirmative determination. After our analysis of the case and rebuttal briefs, we have determined that imports into the United States of pipe fittings that were finished in Thailand from unfinished pipe fittings produced in the People's Republic of China constitute circumvention of the antidumping duty order on certain carbon steel butt-weld pipe fittings from the People's Republic of China, within the meaning of section 781(b) of the Tariff Act of 1930, as amended. As a result, we determine that pipe fittings that were finished in Thailand from unfinished pipe fittings produced in the People's Republic of China fall within the scope of the antidumping duty order on certain carbon steel butt-weld pipe fittings from the People's Republic of China.

EFFECTIVE DATE: March 31, 1994.

FOR FURTHER INFORMATION CONTACT: Donald Little or Maureen Flannery, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce,

SUPPLEMENTARY INFORMATION:

Background

On January 3, 1994, the Department of Commerce (the Department) published in the **Federal Register** (59 FR 62) a preliminary affirmative determination of circumvention of the antidumping duty order on certain carbon steel butt-weld pipe fittings (pipe fittings) from the People's Republic of China (PRC). Pursuant to this determination, the Department instructed the U.S. Customs Service (Customs) to suspend liquidation of, and require cash deposits on, entries of the imported product as defined in the "Scope of the Anti-Circumvention Inquiry" section of this notice. In accordance with section 781(e) of the Tariff Act of 1930, as amended (the Tariff Act), the Department also notified the International Trade Commission (ITC) of its preliminary affirmative determination. In response, the ITC notified the Department that consultations between the Department and the ITC on this issue are not necessary. See letter from ITC Chairman Don E. Newquist to Deputy Assistant Secretary Joseph A. Spetrini, dated March 21, 1994.

The Department has now completed this inquiry in accordance with section 781(b) of the Tariff Act (19 U.S.C. 1677(j)(b)), and 19 CFR 353.29(f) (1993).

Scope of the Antidumping Duty Order

Imports covered by the antidumping duty order are shipments of carbon steel butt-weld pipe fittings, having an inside diameter of less than 14 inches, imported in either finished or unfinished form. These formed or forged pipe fittings are used to join sections in piping systems where conditions require permanent, welded connections, as distinguished from fittings based on other fastening methods (*e.g.*, threaded, grooved, or bolted fittings). Carbon steel butt-weld pipe fittings are currently classified under subheading 7307.93.30 of the Harmonized Tariff Schedule (HTS). Although the HTS subheading is provided for convenience and Customs purposes, our written description of the scope of this order remains dispositive.

Scope of the Anti-Circumvention Inquiry

The products subject to this circumvention inquiry are pipe fittings, as described above in the "Scope of the Antidumping Duty Order" section, which are exported in unfinished form from the PRC to Thailand, where some finishing is performed.

Nature of the Anti-Circumvention Inquiry

As set forth in our preliminary determination, we examined whether (1) pipe fittings finished in Thailand and sold in the United States were of the same class or kind as those covered by the antidumping duty order on pipe fittings from the PRC, (2) pipe fittings finished in Thailand and exported to the United States were completed from unfinished pipe fittings manufactured in the PRC, and (3) the difference between the value of the unfinished pipe fittings from the PRC and the finished pipe fittings sold in the United States was small, as required by section 781(b)(1) of the Tariff Act.

In reaching a conclusion as to whether the difference in value was small, we based our analysis of the difference in the value on (1) a quantitative analysis of the value of the finishing process in Thailand, and (2) a qualitative analysis of the nature of the processing performed in Thailand, and the level of investment in Thailand. Further, in determining whether to include merchandise assembled or completed in Thailand within the order, we analyzed changes in the pattern of trade, the relationship between the Chinese manufacturer and the Thai finisher, and changes in

volume of imports of unfinished pipe fittings into Thailand, pursuant to section 781(b)(2) of the Tariff Act. (See *Certain Carbon Steel Butt-Weld Pipe Fittings from the People's Republic of China; Affirmative Preliminary Determination of Circumvention of Antidumping Duty Order*, 59 FR 62 (January 3, 1994).)

Final Calculation of Difference in Value

As in our preliminary determination, we calculated the difference in value percentage by dividing the value added in Thailand by the value of the completed merchandise. In our final analysis, we used the net selling price of pipe fittings to the United States to represent the value of the completed merchandise. We deducted freight and insurance to derive the net selling price of the completed merchandise.

We revised the cost of manufacturing used to determine the value added in Thailand in order to correct for certain clerical errors found by the Department or noted by Awaji Sangyo (Thailand) (AST) at verification. We also adjusted the cost of manufacturing for labor bonus expenses submitted at the beginning of verification. In addition, we excluded from our calculation of the difference in value certain pipe fittings which were found not to be of Chinese origin. (See March 21, 1994 analysis memo from the case analyst to the file.)

We found that the value added in Thailand is 18 percent of the value of the completed merchandise. (Since the precise figure is business proprietary, the stated percentage is within a range of plus or minus 10 percent.) See March 21, 1994 analysis memorandum from the case analyst to the file. In order to determine whether 18 percent is "small" within the meaning of the Tariff Act, we examined the nature of the [*15156] processing performed in Thailand and the level of investment in Thailand. (See *Certain Carbon Steel Butt-Weld Pipe Fittings from the People's Republic of China; Affirmative Preliminary Determination of Circumvention of Antidumping Duty Order*, 59 FR 62.) As stated in the preliminary determination, we have determined that the finishing operations performed to finish unfinished tees provide limited value to the finished tee relative to the production process used to manufacture the unfinished tee. Moreover, the level of investment required to produce unfinished tees is significant when compared to that required to finish the unfinished tee. Accordingly, we determine that the calculated difference in value percentage is "small" within the meaning of section 781(b) of the Tariff Act.

Analysis of Comments Received

We invited interested parties to comment on the preliminary affirmative determination of circumvention on pipe fittings from the PRC. We received a case brief from the respondent, AST, and a rebuttal brief from the petitioner, the U.S. Fittings Group (an ad hoc trade association of domestic producers of pipe fittings currently consisting of: Hackney, Inc.; Ladish Company, Inc.; L.A. Boiler Works, Inc.; Mill Iron Works, Inc.; Steel Forgings, Inc.; and Tube Forgings of America, Inc.). We held a public hearing on March 8, 1994. All comments and rebuttal arguments properly raised by the parties to the proceeding are discussed below.

Comment 1: AST asserts that at the time it considered converting tees, it relied upon U.S. customs law, under which converting unfinished fittings into completed form has been held to constitute "substantial transformation" of the unfinished product and to confer a new country of origin. AST states that the decision to convert tees preceded the Chinese antidumping petition and that after the antidumping order on Chinese pipe fittings AST continued to rely on the Customs ruling.

AST cites the Customs case *Midwood Industries, Inc. v. United States*, 313 F. Supp. 951 (Cust. Ct. 1970). In *Midwood Industries*, the Customs Court held that the manufacturing processes applied to unfinished fittings to convert them to finished goods constituted a "transformation of such imported articles into different articles having a new name, character and use." 313 F. Supp. at 957. Although AST recognizes that the Department's definition of scope is not bound by

U.S. Customs law, AST believes the Department should avoid creating tension and confusion between Commerce and Customs laws.

Department's Position: As AST states, our definitions of scope and country of origin are not bound by U.S. customs law. Under section 781(b) of the Tariff Act, the Department must examine specific criteria to determine whether merchandise circumvents an antidumping order, and is bound by those criteria in making its determination. In addition, the Court of International Trade (CIT) has held that the Department is not bound by Customs classification determinations. See *Diversified Products v. United States*, 572 F. Supp. 883, 887 (CIT 1983); and *Royal Business Machines v. United States*, 507 F. Supp. 1007, 1014 (CIT 1980). As to AST's argument that the decision to convert tees preceded the antidumping petition on pipe fittings from China, there is no requirement in the statute or regulations that completion or assembly in a third country begin only after the antidumping order is issued in order to include pipe fittings finished in Thailand.

Comment 2: AST states that its U.S. exports for the entire class or kind of merchandise, including elbows and reducers, increased significantly after the Thai and Chinese orders, citing Exhibit 6 of its November 23, 1993 response. AST contends that the Department's analysis of the pattern of trade failed to consider that AST's exports to the United States after the Thai order increased naturally because AST was excluded from the Thai order and its exports were therefore free from cash deposits, while Chinese companies and other Thai companies stopped exporting to the United States because their imports were subject to cash deposits. AST argues that the Department focused exclusively on the mathematical calculation in considering the pattern of trade, without considering the rational commercial reasons for the increase in exports.

AST also argues that the Department's calculation of the increase in AST's exports is skewed because it was based on kilograms rather than on pieces. AST states that the large differences in weight among the various sizes of fittings does not yield a meaningful comparison of export volumes. AST's product mix shifted to larger pieces after the order, with a greater weight per fitting ratio. AST states that the increase in exports, as measured in pieces, is "a far cry from increase levels in prior cases where the Department has found circumvention to exist," citing *Color Picture Tubes from Canada, Japan, Korea, and Singapore; Negative Preliminary Determination*, 55 FR 52066 (December 19, 1990) and *Granular Polytetrafluoroethylene Resin from Italy; Affirmative Preliminary Determination*, 57 FR 43218 (September 18, 1992).

Department's Position: We recognize that an antidumping duty order will sometimes precipitate a shift in trading patterns, with low-rate or excluded companies gaining some of the market lost by companies with higher dumping cash deposit rates. Such a shift does not in and of itself mean that circumvention has occurred. Rather, we investigate the causes and nature of the shift in our determination of whether circumvention has occurred. For example, increased capacity utilization could be a normal commercial response of an excluded company to an antidumping duty order. However, if the excluded company's increased exports are the result of transmitting subject merchandise from another company covered by an order, we might conclude that this pattern of trade supports a finding of circumvention. In this case, we found that there was a significant increase in tees finished from unfinished Chinese tees and exported to the United States. Therefore, the nature of the shift in the pattern of trade suggests that it is the result of circumvention.

Furthermore, AST's statement that its exports to the United States of the entire class or kind of merchandise increased after the order cannot be substantiated by Exhibit 6 of the November 23, 1993 response. This exhibit gives only annual totals for exports of all pipe fittings to the United States. We cannot make a reasonable comparison of the period after the order, July 1992 through September 1993, with the comparable period before the order, May 1991 through June 1992, on the basis of annual figures. For example, we have no way of knowing what portion of the 1992 exports occurred before the July 6, 1992 antidumping order, and what portion occurred after the antidumping order. Also, we would not know what portion of the 1991 annual exports occurred during May through December 1991.

We disagree with AST's assertion that kilograms do not provide a reasonable measurement of its volume of exports of pipe fittings to the United States and of the extent to which AST's exports have increased since the issuance of the order. In this case, the Department has determined that kilograms constitute a reasonable measure of volume. U.S. Customs and the Thai government use kilograms as their measure of volume in keeping their trade statistics, suggesting that kilograms is a reasonable measure. [*15157] In addition, AST allocates many of its expenses on a kilogram basis rather than pieces.

The record shows that AST's product mix shifted from smaller to larger pipe fittings after the issuance of the order. The Department has concluded that kilograms more accurately reflect the shift in AST's exports from smaller to larger pipe fittings. Measuring in kilograms takes into account the large raw material differences, as well as value differences, among various sizes of pipe fittings. Measuring in pieces masks increases in size, weight, and value of pipe fittings exports. Moreover, regardless which unit of measure, *i.e.*, pieces or kilograms, is used, the volume of exports to the United States has increased significantly. AST's comparison of the difference in exports in this inquiry and *Color Picture Tubes from Canada, Japan, Korea, and Singapore; Negative Preliminary Determination*, 55 FR 52066 and *Granular Polytetrafluoroethylene Resin from Italy*, 57 43218 (PTFE) is mistaken. In accordance with the statute, the Department's analyses in circumvention inquiries are conducted on a case by case basis, and it may not be appropriate to compare the facts of one case to those of another. For instance, the fact that the exports in PTFE resin increased nearly four-fold does not indicate that a similar increase must be found in a different case in order to justify an affirmative circumvention determination.

Comment 3: AST states that the Department considers the likelihood of circumvention to be greater if the manufacturer of the unfinished merchandise is related to the third country assembler. AST also states that the Department has considered the related-party factor a critical element in its evaluation in past circumvention inquiries, citing *Color Picture Tubes from Canada, Japan, Korea and Singapore; Negative Final Circumvention Determination*, 56 FR 9667 (March 7, 1991). AST urges the Department to take this factor into account in its analysis.

Department's Position: While the Department has noted that it is "more likely" for related parties to engage in circumvention activity, a relationship between the Chinese manufacturer and Thai converter/exporter is not a necessary condition for finding circumvention. Relationship among parties is not a mandatory criterion, but a qualitative "factor to consider" under 19 CFR 353.29(f)(2). Not all of the qualitative factors have to indicate circumvention in order for the Department to make an affirmative circumvention determination. To do so would run counter to the statute, which does not require that all three factors be present to find circumvention. Indeed, if all three had to be met, they would be mandatory criteria, such as those in section 781(b)(1), not "factors to consider," and there would be no need to list them separately in 781(b)(2). It is possible for circumvention to occur between unrelated companies.

In addition, the factor of relationship was not a "key" or "critical" factor in the circumvention inquiries on color picture tubes (CPTs). On the contrary, in the CPT circumvention inquiries the Department specifically investigated unrelated companies, and made its negative determinations on other grounds. (See *Color Picture Tubes from Canada, Japan, Korea and Singapore, Negative Final Circumvention Determination*, 56 FR 9667.) Furthermore, the Department found circumvention between unrelated parties in *Brass Sheet and Strip from Canada, Final Affirmative Determination of Circumvention of the Antidumping Duty Order*, 58 FR 33610.

Comment 4: AST argues that the Department erroneously concluded that the increase in exports from Shenzhen Fittings Manufacturing Factory (Shenzhen Factory) in the PRC to Thailand corresponds to the increase in exports of tees from AST to the United States. AST states that the majority of the number of pieces of unfinished tees imported from China were shipped to another Thai importer. AST also states that the number of pieces of unfinished Chinese tees it imported declined after the order, and therefore any increase in the total number of pieces

imported into Thailand are unrelated to the increase in AST's finished tees exports to the United States. Moreover, AST argues that the Department should use data from the 18 months prior to the antidumping order in its analysis, since the record contains export data from January 1991 to August 1993.

Department's Position: The record shows that imports of unfinished pipe fittings from Shenzhen Factory to AST declined only if one uses pieces, rather than kilograms, and compares the 18-month period before the issuance of the order to the 14-month period after the order, as AST has done. This comparison conceals the nature of the volume of imports and is not a reasonable comparison of time periods. The antidumping order was issued on July 6, 1992. Because we initiated a circumvention inquiry and issued circumvention questionnaires in September 1993, we gathered post-order data on imports for the period July 1992 through September 1993, a 14-month period. Therefore, we compared that data with import data for the 14 months prior to the antidumping order, that is, for the period May 1, 1991 through June 30, 1992. It would be unreasonable to compare an 18-month period to a 14-month period, as AST advocates. In addition, AST has relied on pieces rather than kilograms in its argument. We believe that kilograms are a better measure of the volume of trade than are pieces. See our response to *Comment 2*, above. Regardless of the unit of measure, there is a clear increase of imports of pipe fittings to Thailand, as well as an increase to AST, after the issuance of the antidumping duty order, when equal time periods are compared. See March 21, 1994 analysis memo from the case analyst to the file.

Comment 5: AST asserts that, in its calculation of the difference in value, the Department's use of CIF selling prices for the value of the completed merchandise was in error. (The Department determined the difference in value by dividing Thai finishing costs by the value of the completed merchandise sold in the United States.) The CIF price included freight and insurance costs, while the Thai finishing cost data did not include these costs. Therefore, AST contends, the use of CIF selling prices dilutes the percentage of Thai completion. AST argues that this skews the comparison of unfinished and finished merchandise values, increasing the probability that the value added by Thai finishing will be deemed "small." AST urges the Department to use ex-factory prices as the value of the completed merchandise.

AST further states that the Department has consistently used ex-factory selling prices as the value of the completed merchandise in prior circumvention inquiries and has no reason to divert from that practice now.

Department's Position: We agree with AST. For the final determination, we have adjusted the gross CIF selling price by deducting the freight and insurance expenses to arrive at the net selling price (ex-factory) of the completed merchandise. We find that the recalculated difference in value is still small. (See March 21, 1994 analysis memo from the case analyst to the file.)

Comment 6: AST argues that the Department should allocate to AST's cost of manufacturing for pipe fittings a portion of the selling, general and administrative (SG&A) expenses incurred by the Butt-Weld Division of Awaji Sangyo K.K. (ASK), which is AST's parent company in Japan. ASK's Butt-Weld Division sells AST's pipe fittings in the Japanese domestic market. AST notes that the Department included [*15158] a portion of the SG&A expenses of ASK's Tokyo office, which handles AST's export sales, in determining the value of the finishing processes in Thailand.

Department's Position: We disagree with AST that a portion of ASK's Butt-Weld Division's SG&A should be included in determining the value of the finishing processes in Thailand for merchandise exported to the United States. The record shows that all of the SG&A expenses in Japan that related to export sales of AST's pipe fittings were incurred at the Tokyo office. See November 23, 1993 AST response at 10. Therefore, we allocated a portion of the total Tokyo office SG&A expenses to AST's pipe fittings subject to this inquiry. However, the Butt-Weld Division's SG&A expenses were incurred only for selling AST's Thai-manufactured pipe fittings in the Japanese domestic market. See November 23, 1993 AST response at 10. Expenses incurred

for ASK's Japanese domestic sales should not be allocated to the sales of AST's pipe fittings in the United States.

Comment 7: AST argues that the stated purpose of the anti-circumvention law is to prevent evasion of an antidumping duty order duty or finding, not to penalize foreign producers for their past action. AST states that it has ceased importing Chinese tees since March 1993 and will soon begin commercial production of tees in an integrated process from steel pipe, making it unnecessary to import unfinished tees from any source. Further, AST states that it will not be importing unfinished tees from China, since its Chinese supplier has ceased operation. AST argues that the foregoing facts preclude any reasons for AST's evasion of the Chinese order in the future and nullifies the necessity for the importer certification program.

Department's Position: We agree with AST that the purpose of the anti-circumvention law is to prevent evasion of antidumping duty orders and findings, and it is for this reason that we have instituted the import certification program. When we have determined that circumvention has occurred, we must take action to prevent continuing circumvention. In this case, the statutory and regulatory provisions for a finding of circumvention have been met. In addition, we have designed our certification requirement in such a way that entries of pipe fittings imported into the United States from Thailand will not be suspended if the importer can certify that they were not produced from unfinished Chinese pipe fittings. Thus, entries of pipe fittings produced by AST in an integrated process from steel pipe will not be subject to suspension, as long as the importer provides the appropriate certification.

We also note that AST's statement that it will have no reason to evade the Chinese order in the future does not assure us that there will not be continued circumvention of the order. Our verification at AST revealed that AST had unfinished Chinese tees remaining in its inventory at the end of 1993. See February 25, 1994 AST verification report. Absent a finding of circumvention, AST could finish these pipe fittings and export them to the United States free of antidumping duties. AST could also resume finishing of Chinese unfinished tees to supplement its tee production. In order to prevent circumvention, we must (1) order the suspension of entries of pipe fittings from AST, absent certification that such pipe fittings have not been produced from unfinished Chinese pipe fittings, and (2) require such certification for imports from all Thai exporters, so that the appropriate antidumping duties can ultimately be collected.

Comment 8: Petitioner states in its rebuttal brief that AST implicitly claimed that the Department has no basis to institute an anti-circumvention inquiry with respect to the antidumping duty order on pipe fittings from Japan. According to petitioner's account of AST's argument, AST bases this assertion on its statement that unfinished pipe fittings are not covered by the Japanese order.

Petitioner claims that there is enough evidence on the public record in the PRC anti-circumvention inquiry for the Department to institute an anti-circumvention inquiry on the Japanese order.

Department's Position: The question of possible circumvention of the Japanese order on pipe fittings is not germane to the issue of whether the PRC order on pipe fittings has been circumvented. Furthermore, if petitioner believes that there is evidence that the order on pipe fittings from Japan is being circumvented, sufficient to warrant an anti-circumvention inquiry, then petitioner should request that the Department conduct such an inquiry, in accordance with CFR 353.29(b). We note that petitioner filed such a request with the Department on March 22, 1994.

Affirmative Final Determination of Circumvention

After consideration of the factors discussed above, we have determined that circumvention of the antidumping duty order on pipe fittings from the PRC has occurred within the meaning of section 781(b) of the Tariff Act. We base this determination on the statutory criteria. First, the

items completed in Thailand and sold to the United States are of the same class or kind of merchandise as that covered by the order, and are completed from merchandise produced in the PRC and covered by the order. Second, the difference in value between the unfinished pipe fittings sold to Thailand and the value of the finished pipe fittings exported to the United States is small. We note that our determination of "small" in this case is not necessarily synonymous with the determination of "small" that the Department has used in the past or that the Department will use in future anti-circumvention inquiries, because Congress has directed us to make such determinations on a case-by-case basis. Further, we find that the pattern of trade and level of imports into Thailand indicate a finding of circumvention of the antidumping duty order. Based on the record for this inquiry, we also find that action is appropriate to prevent evasion of the antidumping duty order. To this end, a finding of circumvention for a product within a class or kind indicates that the criteria for finding circumvention are met by and, therefore, apply to all manufacturers/exporters of the class or kind of merchandise (*i.e.*, pipe fittings) subject to the certification requirements described below.

This does not preclude a Thai manufacturer from making an affirmative showing that its merchandise, or a portion thereof, does not meet the criteria for finding circumvention. Such a showing must be made on an analysis that follows, as closely as possible, the analysis made in the affirmative circumvention determination.

Requirement of Certification

Considered within the scope of the antidumping duty order on pipe fittings from the PRC are all imports from all producers into the United States of pipe fittings from Thailand, as defined in the "Scope of the Anti-Circumvention Inquiry" section of this notice, unless accompanied by a certificate stating that such pipe fittings have not been produced from unfinished Chinese pipe fittings.

Suspension of Liquidation

In accordance with 19 CFR 353.29(j)(2), we are directing the U.S. Customs Service to continue to suspend liquidation of all entries of pipe fittings from Thailand. The merchandise subject to suspension of liquidation is pipe [*15159] fittings, as defined in the "Scope of the Anti-Circumvention Inquiry" section of this notice, that are entered or withdrawn from warehouse, for consumption on or after January 3, 1994, the date of publication of the preliminary affirmative circumvention determination in the **Federal Register**. (We note that entries of pipe fittings from Thailand, with the exception of AST's pipe fittings, are currently being suspended pursuant to the antidumping duty order on pipe fittings from Thailand (57 FR 29702, July 6, 1992).) For all such imports which are accompanied by a certificate stating that such pipe fittings have not been produced from unfinished Chinese pipe fittings, the U.S. Customs Service shall require a cash deposit or posting of a bond in the amount of the company-specific rate for the Thai manufacturer/exporter, or, if there is no company-specific rate for the Thai manufacturer or exporter, the "All Others" rate for pipe fittings from Thailand. For all such imports which are accompanied by a certificate stating that the merchandise was manufactured using Chinese unfinished pipe fittings and the name of the manufacturer of the Chinese unfinished pipe fittings, the U.S. Customs Service shall require a cash deposit or posting of a bond in the amount of the company-specific rate of the manufacturer of the Chinese unfinished pipe fittings. For all such imports which are accompanied by a certificate stating that such pipe fittings have been produced from unfinished Chinese pipe fittings, but do not provide the specific Chinese manufacturer, the U.S. Customs Service shall require a cash deposit or posting of a bond in the amount of the highest rate for pipe fittings from the PRC. For all other imports of pipe fittings from Thailand which are accompanied by an inadequate certificate, or no certificate, the U.S. Customs Service shall require a cash deposit or posting of a bond in an amount based on the higher of (1) the highest rate for any manufacturer/exporter of pipe fittings from the PRC, or (2) the rate for the Thai manufacturer/exporter, or, if there is no company-specific rate for the Thai manufacturer or exporter, the "All Others" rate for pipe fittings from Thailand.

This suspension of liquidation shall remain in effect until further notice.

Interested parties may request disclosure within five days of the date of publication of this notice.

This final affirmative determination of circumvention is in accordance with section 781(b) of the Tariff Act (19 U.S.C. 1677j(b)) and 19 CFR 353.29(f).


Dated: March 25, 1994.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

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