

## Background

On July 29, 2009, the Department published a notice of initiation of the administrative review of the antidumping duty order on certain polyester staple fiber from the PRC. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Deferral of Administrative Review*, 74 FR 37690 (July 29, 2009). On February 9, 2010, the Department published a notice extending the deadline of the preliminary results by 101 days. See *Certain Polyester Staple Fiber from the People's Republic of China: Extension of Preliminary Results of Antidumping Duty Administrative Review*, 75 FR 6352 (February 9, 2010). On February 16, 2010, the Department issued a memorandum that tolled the deadlines for all Import Administration cases by seven calendar days due to the recent Federal Government closure. See Memorandum for the Record from Ronald Lorentzen, DAS for Import Administration, Tolling of Administrative Deadlines as a Result of the Government Closure During the Recent Snowstorm, dated February 12, 2010. The preliminary results of this review are currently due no later than June 18, 2010.

## Statutory Time Limits

In antidumping duty administrative reviews, section 751(a)(3)(A) of the Tariff Act of 1930, as amended ("the Act"), requires the Department to make a preliminary determination within 245 days after the last day of the anniversary month of an order for which a review is requested and a final determination within 120 days after the date on which the preliminary results are published. However, if it is not practicable to complete the review within these time periods, section 751(a)(3)(A) of the Act allows the Department to extend the time limit for the preliminary determination to a maximum of 365 days after the last day of the anniversary month.

## Extension of Time Limit for Preliminary Results of Review

We determine that it is not practicable to complete the preliminary results of this administrative review within the extended time limit because the Department requires additional time to analyze supplemental questionnaire responses and evaluate surrogate value submissions for purposes of the preliminary results.

Therefore, the Department is fully extending the time limit for completion of the preliminary results of this administrative review by 19 days. The

preliminary results will now be due no later than July 7, 2010. The final results continue to be due 120 days after the publication of the preliminary results.

We are issuing and publishing this notice in accordance with sections 751(a)(3)(A) and 777(i) of the Act.

Dated: May 24, 2010.

**John M. Andersen,**

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-552-801]

### Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Extension of Time Limit for Final Results of the Fifth New Shipper Review

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

**EFFECTIVE DATE:** June 1, 2010.

**FOR FURTHER INFORMATION CONTACT:** Javier Barrientos, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, DC 20230; telephone: (202) 482-2243.

#### SUPPLEMENTARY INFORMATION:

#### Background

On January 19, 2010, the Department of Commerce ("Department") issued the preliminary results of the fifth new shipper review for the period August 1, 2008, through January 31, 2009. See *Certain Frozen Fish Fillets From the Socialist Republic of Vietnam: Preliminary Results of New Shipper Review*, 75 FR 4350 (January 29, 2010) ("Preliminary Results"). On February 12, 2010, the Department tolled administrative deadlines, including in the instant review, by one calendar week. See *Tolling of Administrative Deadlines As a Result of the Government Closure during the Recent Snowstorm*, dated February 12, 2010 ("Tolling Memo"). On February 16, 2010, the Department extended the deadlines for submission of surrogate value data, surrogate value rebuttal comments, case and rebuttal briefs. See Memorandum to the File, from Javier Barrientos, Senior Case Analyst, Certain Frozen Fish Fillets from the Socialist Republic of Vietnam, dated February 16,

2010. On March 4, 2010, the Department extended the deadlines for submission of case and rebuttal briefs. See Memorandum to the File, from Javier Barrientos, Senior Case Analyst, Certain Frozen Fish Fillets from the Socialist Republic of Vietnam, dated March 4, 2010. On April 26, 2010, the Department extended the deadline for the final results in the instant review by 30 days. See *Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Extension of Time Limit for Final Results of the Fifth New Shipper Review*, 75 FR 26199 (April 26, 2010). The final results are currently due on May 26, 2010 (inclusive of the seven day extension per the Tolling Memo).

## Extension of Time Limits for Final Results

Section 751(a)(2)(B)(iv) of the Tariff Act of 1930, as amended ("Act"), and 19 CFR 351.214(i)(1) require the Department to issue the final results in a new shipper review of an antidumping duty order 90 days after the date on which the preliminary results are issued. The Department may, however, extend the deadline for completion of the final results of a new shipper review to 150 days if it determines that the case is extraordinarily complicated. See section 751(a)(2)(B)(iv) of the Act and 19 CFR 351.214(i)(2).

The Department determines that this new shipper review involves extraordinarily complicated methodological issues and is extending the deadline because it needs more time to analyze additional data placed on the record following the *Preliminary Results*. This additional data presents a number of complex factual and legal questions with regard to issues of surrogate country selection and the surrogate value of whole fish. Thus, the Department requires additional time to analyze these data and address these circumstances in these reviews.

Accordingly, because the Department requires additional time to complete the final results, we are extending the time for the completion of the final results of this review by 30 days, from the present due date of May 26, 2010, to June 25, 2010.

This notice is published in accordance with section 751(a)(2)(B)(iv) of the Act and 19 CFR 351.214(i)(2).

Dated: May 19, 2010.

**John M. Andersen,**

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

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