

injury determination in the **Federal Register**.

### Antidumping Duty Order

On March 9, 2011, in accordance with section 735(d) of the Act, the ITC notified the Department of its final determination that an industry in the United States is materially injured within the meaning of section 735(b)(1)(A)(i) of the Act by reason of less-than-fair-value imports of PVA from Taiwan.

In accordance with section 736(a)(1) of the Act, the Department will direct CBP to assess, upon further instruction by the Department, antidumping duties equal to the amount by which the normal value of the merchandise exceeds U.S. price of the merchandise for all relevant entries of PVA from Taiwan. These antidumping duties will be assessed on all unliquidated entries of PVA from Taiwan entered, or withdrawn from warehouse, for consumption on or after September 13, 2010, the date on which the Department published its notice of preliminary determination in the **Federal Register**, excluding those entries entered, or withdrawn from warehouse, for consumption between March 13, 2011 (the day following the end of the provisional-measures period), and the day preceding the publication date of the ITC's final injury determination in the **Federal Register**. See *Preliminary Results*, 75 FR at 55552.

Effective on the date of publication of the ITC's notice of final determination in the **Federal Register**, CBP will require, pursuant to section 736(a)(3) of the Act and at the same time as importers would normally deposit estimated duties on subject merchandise, a cash deposit equal to the estimated weighted-average antidumping margins listed below. Upon further instruction by the Department and in accordance with section 736(a)(1) of the Act, the Department will instruct CBP to assess antidumping duties equal to the amount by which the normal value of the merchandise exceeds U.S. price of the merchandise for all relevant entries of PVA from Taiwan. These antidumping duties will be assessed on all unliquidated entries of PVA entered from Taiwan, or withdrawn from warehouse, for consumption on or after the date of publication of the ITC's notice of final determination in the **Federal Register**.

Producer or exporter	Weighted-average margin
Chang Chun Petrochemical Co., Ltd .....	3.08
All Others .....	3.08

This notice constitutes the antidumping duty order with respect to PVA from Taiwan pursuant to section 736(a) of the Act. Interested parties may contact the Central Records Unit of the main Department of Commerce building, Room 7046, for copies of an updated list of antidumping duty orders currently in effect.

This order is published in accordance with section 736(a) of the Act and 19 CFR 351.211(b).

Dated: March 9, 2011.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-831]

#### **Fresh Garlic from the People's Republic of China: Court Decision Not in Harmony With Final Results and Amended Final Results of Review**

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

**SUMMARY:** On March 1, 2011, the United States Court of International Trade ("CIT") sustained in an unpublished judgment the Department of Commerce's ("the Department") final results of redetermination as applied to respondent Shenzhen Greening Trading Co., Ltd. ("Greening") pursuant to the CIT's order granting the Department's voluntary remand request in *Shandong Chenhe International Trading Co., Ltd. and Shenzhen Greening Trading Co., Ltd. v. United States*, Court No. 09-00246 (Ct. Int'l Trade April 22, 2010). See Final Results of Redetermination Pursuant to Voluntary Remand, Court No. 09-00246, dated July 30, 2010, available at <http://ia.ita.doc.gov/remands> ("Remand Results"); *Shandong Chenhe International Trading Co., Ltd. and Shenzhen Greening Trading Co., Ltd. v. United States*, Court No. 09-00246 (Ct. Int'l Trade March 1, 2011) ("Judgment"). Consistent with the decision of the United States Court of Appeals for the Federal Circuit ("CAFC") in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990)

("Timken"), as clarified by *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) ("*Diamond Sawblades*"), the Department is notifying the public that the final judgment in this case is not in harmony with the Department's final results and is amending the final results of the administrative review of the antidumping duty order on fresh garlic from the People's Republic of China ("PRC") covering the period of review ("POR") of November 1, 2006, through October 31, 2007 with respect to Greening. See *Fresh Garlic From the People's Republic of China: Final Results and Partial Rescission of the 13th Antidumping Duty Administrative Review and New Shipper Reviews*, 74 FR 29174 (June 19, 2009) ("*Final Results*"), and accompanying Issues and Decision Memorandum at Comment 11. **DATES: Effective Date:** March 11, 2011.

**FOR FURTHER INFORMATION CONTACT:** Scott Lindsay or David Lindgren, AD/CVD Operations, Office 6, Import Administration—International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC, 20230; telephone (202) 482-0780 or (202) 482-3870.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On June 19, 2009, the Department issued its *Final Results*, where it determined that neither Shandong Chenhe International Trading Co., Ltd. ("Chenhe") nor Greening submitted a separate rate application or certification, and neither company informed the Department that they had no shipments of subject merchandise during the POR within the deadlines provided in the separate rate applications and certifications. See *Final Results* and accompanying Issues and Decision Memorandum at Comment 11. Accordingly, for the six months of the POR not covered by the concurrently conducted new shipper review ("NSR"), we determined that Chenhe and Greening had not established that they were each entitled to a separate rate, and without timely filed no-shipment certifications, Chenhe and Greening should be deemed to be part of the PRC-wide entity. *Id.* See also *Fresh Garlic from the People's Republic of China: Initiation of Antidumping Duty New Shipper Reviews*, 72 FR 38057 (July 12, 2007).

Chenhe and Greening timely challenged the Department's determination not to rescind the administrative review with respect to both companies to the CIT. On April 22,

2009, the CIT granted the United States' motion for voluntary remand to reconsider whether the separate rate application or other relevant judicial or administrative precedent support a finding that Chenhe and Greening were on notice that they were required to submit, within a set deadline, a certification that they had no shipments during the POR in order for the Department to consider rescinding the administrative review as to both companies.

On July 30, 2010, the Department issued its final results of redetermination. *See* Remand Results. In the redetermination, the Department reconsidered the specific circumstances surrounding Chenhe's and Greening's no-shipment certifications and rescinded the administrative review for both Chenhe and Greening, pending affirmance by the CIT. *Id.* On February 16, 2011, Chenhe moved to dismiss, with prejudice, its complaint and the CIT granted the motion on February 18, 2011. Subsequently, on March 1, 2011, the CIT sustained the Department's remand redetermination with respect to Greening. *See* Judgment.

#### Timken Notice

In its decision in *Timken*, 893 F.2d at 341, as clarified by *Diamond Sawblades*, the CAFC has held that, pursuant to section 516A(e) of the Tariff Act of 1930, as amended ("Act"), the Department must publish a notice of a court decision that is not "in harmony" with a Department determination and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's March 1, 2011 Judgment sustaining the Department's Remand Results with respect to Greening constitutes a final decision of that court that is not in harmony with the Department's *Final Results*. This notice is published in fulfillment of the publication requirements of *Timken*. The cash deposit rate will remain the company-specific rate established for the subsequent and most recent period during which Greening was reviewed. *See Fresh Garlic from the People's Republic of China: Final Results and Partial Rescission of the 14th Antidumping Duty Administrative Review*, 75 FR 34976 (June 21, 2010). However, because Greening had no shipments during the POR not covered by the NSR, there are no entries to suspend during the administrative review POR and, therefore, the Department does not find it necessary to instruct United States Customs and Border Protection to continue to suspend the liquidation of entries pending a "conclusive" court decision.

#### Amended Final Results

Because there is now a final court decision with respect to Greening, the Department amends its *Final Results*, and is rescinding its review of Greening for the administrative review POR. *See* Judgment; Remand Results.

This notice is issued and published in accordance with sections 516A(e)(1), 751(a)(1), and 777(i)(1) of the Act.

Dated: March 9, 2011.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

#### Cloud Computing Forum & Workshop III

**AGENCY:** National Institute of Standards and Technology (NIST), Commerce.

**ACTION:** Notice of public workshop.

**SUMMARY:** NIST announces the Cloud Computing Forum & Workshop III to be held on April 7 and 8, 2011. The event will include keynotes from the U.S. Chief Information Officer, NIST Under Secretary of Commerce for Standards and Technology, and other key federal officials. This workshop will provide information on the NIST strategic and tactical Cloud Computing program, including progress on the NIST efforts to advance open standards in interoperability, portability and security in cloud computing. The goals of this workshop are to present updates on: The NIST U.S. Government (USG) Cloud Computing Technology Roadmap; a series of high-value target U.S. Government Agency Cloud Computing Business Use Cases; a first version of a neutral cloud computing reference architecture and taxonomy; the NIST Standards Roadmap and the Standards Acceleration to Jumpstart the Adoption of Cloud Computing (SAJACC) process; and progress by the NIST Cloud Computing Security working group. The event will also include panels focusing on Cloud Computing across the Federal landscape as well as broad private sector topics.

**DATES:** The Cloud Computing Forum & Workshop III will be held April 7 and 8, 2011.

**ADDRESSES:** The event will be held at the National Institute of Standards and Technology, 100 Bureau Drive, Gaithersburg, MD 20899 in the Red

Auditorium of the Administration Building, Building 101. All visitors to the NIST site are required to pre-register to be admitted and have appropriate government-issued photo ID to gain entry to NIST. Anyone wishing to attend this meeting must register at <http://www.nist.gov/itl/cloud/cloudworkshopiii.cfm> by close of business Monday, March 28, 2011, in order to attend.

**FOR FURTHER INFORMATION CONTACT:** For further information contact Robert Bohn by e-mail at [robert.bohn@nist.gov](mailto:robert.bohn@nist.gov) or by phone at (301) 975-4500.

**SUPPLEMENTARY INFORMATION:** On May 20, 2010, NIST hosted the first Cloud Computing Forum & Workshop. The purpose of that initial workshop was to respond to the request of the Federal Chief Information Officer to NIST to lead Federal efforts on standards for data portability, cloud interoperability, and security. The workshop's goals were to initiate engagement with industry to accelerate the development of cloud standards for interoperability, portability, and security; introduce NIST Cloud Computing efforts; and discuss the Federal Government's experience with cloud computing.

The purpose of the second Cloud Computing Forum & Workshop II, on November 4 and 5, 2010, was to report on the status of the efforts and to socialize the NIST strategy to collaboratively develop a Cloud Computing Roadmap among multiple Federal and industrial stakeholders, and to advance a dialogue between these groups. Panel discussions considered the roles of standard organizations and ad-hoc standards in the cloud; need and use of a reference architecture to support cloud adoption; key cloud computing issues and proposed solutions; security in the cloud; and international aspects of cloud computing. Breakout sessions on the following day, November 5, actively engaged stakeholders, discussed these issues, and developed a series of next steps for the effort in cloud computing standards. NIST led and stakeholder driven working groups in Standards, Security, Reference Architecture and Taxonomy, Target USG Agency Business Use Cases and SAJACC were formed.

The purpose of the Cloud Computing Forum & Workshop III is to elaborate on the progress of the NIST USG Cloud Computing Technology Roadmap through the activities of the NIST led, stakeholder driven working groups that were formed during the November 2010 event. The progress of these groups will be presented over a two-day span. Panel