

did not include rice syrup as a non-honey sweetener in the 2000–2001 investigation because only refined sugar and high fructose corn syrup were known to be mixed with honey, making them “honey adulterants,” and that the existence of these sweeteners is not evidence of a *bona fide* U.S. market for blends with rice syrup.<sup>31</sup>

Petitioners also state that PIERS ship manifest summaries show that there were no imports of honey-rice syrup blends from the PRC until August 2004.<sup>32</sup> Additionally, according to the affidavit of a honey industry expert, who is also CEO of petitioner Sioux Honey Association, there were no commercially available honey-rice syrup blends being marketed in the United States at the time of the investigation.<sup>33</sup> Petitioners also note that several studies on honey adulteration published from 1991 through 2002 do not mention rice syrup as an adulterant, and argue that this is evidence that honey-rice syrup blends were not available at the time of the investigation.<sup>34</sup> Finally, Petitioners state that the NHB’s 2002 Honey Attitude and Usage Study, which was published ten months after the *Order* went into effect, does not refer to any blend of honey with any non-honey sweeteners, indicating that such blends were not commercially available at that time.<sup>35</sup>

#### Comments by Anhui Hundred

Anhui Hundred contends that honey-rice syrup blends are not newly developed products intended to circumvent the *Order*. Anhui Hundred argues that both artificial honey and food preparations existed before the initiation of the investigation, yet to its knowledge, neither Petitioners nor the Department attempted to include food preparations within the scope, and it is clear from the scope’s language that a deliberate decision was made to include only food preparations of over 50 percent honey in the scope.<sup>36</sup> Additionally, Anhui Hundred argues that honey-rice syrup is not a substitute for pure honey, and to the best of its knowledge, honey-rice syrup is sold exclusively to commercial bakeries and

process food manufacturers in large quantities.<sup>37</sup>

#### Initiation of Later-Developed Merchandise Antidumping Duty Anticircumvention Inquiry

Based on the information provided by Petitioners described above, the Department finds that there is sufficient basis to initiate an antidumping duty anticircumvention inquiry pursuant to section 781(d) of the Act to determine whether honey-rice syrup blends are later-developed products that can be considered subject to the *Order*. While the Department notes that Anhui Hundred has raised legitimate questions with respect to whether rice-syrup is a later-developed product within the meaning of section 781(d) of the Act, these questions do not demonstrate that the Department should not initiate this anticircumvention inquiry. Instead, because the Petitioners have provided the Department with adequate evidence as outlined above, the Department is initiating a later-developed merchandise anticircumvention inquiry and the Department will provide interested parties, including Anhui Hundred, an opportunity to provide evidence and argument within the context of that inquiry.

The Department will not order the suspension of liquidation of entries of any additional merchandise at this time. However, in accordance with 19 CFR 351.225(l)(2), if the Department issues an affirmative preliminary determination, we will instruct CBP to suspend liquidation and require a cash deposit of estimated duties, at the applicable rate, for each unliquidated entry of the merchandise at issue, entered or withdrawn from warehouse for consumption on or after the date of initiation of this inquiry.

We intend to notify the ITC in the event of an affirmative preliminary determination of circumvention, in accordance with 781(e)(1) of the Act and 19 CFR 351.225(f)(7)(i)(C), if applicable. The Department will, following consultation with interested parties, establish a schedule for questionnaires and comments on the issues. The Department intends to issue its final determination within 300 days of the date of publication of this initiation notice.

This notice is published in accordance with section 781(d) of the Act and 19 CFR 351.225(i) and (j).

Dated: December 7, 2011.

**Christian Marsh,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 2011–31937 Filed 12–12–11; 8:45 am]

BILLING CODE 3510–DS–P

#### POSTAL REGULATORY COMMISSION

[Docket No. N2012–1; Order No. 1027]

#### Nationwide Change in Postal Delivery Service Standards

**AGENCY:** Postal Regulatory Commission.  
**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recently-filed Postal Service request for an advisory opinion on an initiative involving examination of the continuation of service at postal retail locations. This document invites public comments on the request and addresses several related procedural steps.

**DATES:** 1. *Notices of intervention are due:* December 30, 2011, 4:30 p.m. Eastern Time.

2. *Prehearing conference:* January 4, 2012, at 10 a.m. (Commission hearing room, 901 New York Ave., NW 20268–0001, Suite 200).

**ADDRESSES:** Submit notices of intervention electronically by accessing the “Filing Online” link in the banner at the top of the Commission’s Web site (<http://www.prc.gov>) or by directly accessing the Commission’s Filing Online system at <http://www.prc.gov/prc-pages/filing-online/login.aspx>. Persons interested in intervening who cannot submit their views electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section as the source for case-related information for advice on alternatives to electronic filing.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel, at (202) 789–6820 (case-related information) or [DocketAdmins@prc.gov](mailto:DocketAdmins@prc.gov) (electronic filing assistance).

**SUPPLEMENTARY INFORMATION:** On December 5, 2011, the United States Postal Service (Postal Service) filed a request with the Postal Regulatory Commission (Commission) for the Commission to issue an advisory opinion under 39 U.S.C. 3661(c) regarding whether certain changes in the nature of postal services conform to the applicable polices of title 39.<sup>1</sup>

The Postal Service proposes to revise service standards for First-Class Mail,

<sup>1</sup> Request of the United States Postal Service for an Advisory Opinion on Changes in the Nature of Postal Services, December 5, 2011 (Request).

No. TA–406–13, USITC Pub. 2715 (Jan. 1994), and the 1994–95 AD investigation, *Honey from the People’s Republic of China*, Inv. No. 731–TA–722 (Preliminary), USITC Pub. 2832 (Nov. 1994). See Petitioners’ Questionnaire Response at 3–5.

<sup>31</sup> *Id.*, at 6.

<sup>32</sup> *Id.*, at 11.

<sup>33</sup> *Id.*, at 13, and Exhibit 4 at paragraph 2.

<sup>34</sup> *Id.*, at 14–16.

<sup>35</sup> *Id.*, at 16–18.

<sup>36</sup> See Anhui Hundred Response at 3.

<sup>37</sup> *Id.*, at 5.

Periodicals, Package Services, and Standard Mail. The most significant revisions would eliminate the expectation of overnight service for significant portions of First-Class Mail and Periodicals. Within First-Class Mail, 3-digit origin-destination pair service standards would be modified to move overnight delivery to 2-day delivery, and to move a portion of 2-day delivery to 3-day delivery. *Id.* at 1. Although changes to service standards for competitive products such as Express Mail and Priority Mail are not being proposed, the realignment of 3-digit origin-destination pairs could also affect those products. *Id.* at 7.

The Postal Service asserts the service standard changes would allow for a significant consolidation of the Postal Service's processing and transportation networks. It contends the consolidated networks would better match current and projected mail volumes and result in substantial cost savings. *Id.* at 1–2. The Postal Service projects this effort will result in costs savings of \$2.1 billion annually. *Id.* at 4.

Concurrent with this request for an advisory opinion, the Postal Service is separately pursuing modification of the market dominant product service standards appearing at 39 CFR parts 121 and 122. *Id.* at 6. The Postal Service asserts that no changes to service standards will be implemented until completion of the independent rulemaking anticipated for completion in March 2012. *Id.* at 14. Thus, the Postal Service realistically anticipates there will be no changes to service standards associated with the request for an advisory opinion until the first half of April 2012, at the earliest. *Id.*

*The Postal Service's direct case.* The Request is accompanied by 13 pieces of testimony, 33 public library references, and 6 non-public library references. The Postal Service explains that the circumstances under which it seeks this advisory opinion are explained in the Direct Testimony of David E. Williams on behalf of the United States Postal Service (USPS–T–1).

The modeling performed to study potential network changes as well as delivery, mail processing, maintenance and transportation operational changes that are being planned are explained in the Direct Testimony of Stephen Masse on behalf of the United States Postal Service (USPS–T–2), Direct Testimony of Emily R. Rosenberg on Behalf of the United States Postal Service (USPS–T–3), Direct Testimony of Frank Neri on behalf of the United States Postal Service (USPS–T–4), Direct Testimony of Dominic L. Bratta on behalf of United States Postal Service (USPS–T–5), and

Direct Testimony of Cheryl D. Martin on behalf of the United States Postal Service (USPS–T–6).

The Direct Testimony of Pritha N. Mehra on behalf of the United States Postal Service (USPS–T–7) and Direct Testimony of Kevin Rachel on behalf of the United States Postal Service (USPS–T–8) discuss potential commercial mailer impacts and labor issues relating to potential cost savings.

Detailed estimates of the operational cost savings that could be achieved if the changes were in effect are provided in Direct Testimony of Marc A. Smith on behalf of the United States Postal Service (USPS–T–9) and Direct Testimony of Michael D. Bradley on behalf of the United States Postal Service (USPS–T–10).

Based upon quantitative and qualitative market research provided in Direct Testimony of Rebecca Elmore-Yalch on behalf of the United States Postal Service (USPS–T–11), the Postal Service estimates the potential revenue loss that could result from implementing these service changes in Direct Testimony of Greg Whiteman on behalf of the United States Postal Service (USPS–T–12).

The Postal Service asserts the service changes described in this request potentially affect every sender and recipient of mail served directly by the United States Postal Service. Accordingly, the Direct Testimony of Susan M. Lachance on behalf of the United States Postal Service (USPS–T–13) summarizes the tools and techniques that the Postal Service has employed and will continue to employ for communicating effectively vital information to customers in a timely fashion.

The Request and all supporting public materials are on file in the Commission's docket room for inspection during regular business hours, and are available on the Commission's Web site at <http://www.prc.gov>.

*Intervention.* Section 3661(c) of title 39 requires that the Commission afford an opportunity for a formal, on-the-record hearing of the Postal Service's Request under the terms specified in sections 556 and 557 of title 5 of the United States Code before issuing its advisory opinion. All interested persons are hereby notified that notices of intervention in this proceeding shall be due on or before December 30, 2011. See 39 CFR 3001.20 and 3001.20a. It is the Commission's intent to hold hearings for the receipt of evidence in this proceeding.

Participants are reminded that discovery directed towards the Postal

Service's direct case may begin upon intervention. Participants are encouraged to begin discovery as soon as possible because the Commission anticipates a limited discovery period in this proceeding.

*Further procedures.* At this time, the Commission cannot anticipate the duration, or even the exact form, proceedings on this matter will take. The Postal Service proposes that the Commission convene a prehearing conference at the earliest reasonable opportunity to consider all possible ways to expedite and streamline this proceeding. *Id.* at 13 n.15. The Commission will accommodate this request by scheduling a prehearing conference for January 4, 2012, at 10 a.m. in the Commission's hearing room.

Participants who wish to offer their views on procedural issues, including a procedural schedule, may do so during the prehearing conference. At a minimum, participants should be prepared to discuss and justify the length of time necessary for discovery on the Postal Service's direct case, and an estimation of time necessary for preparation of any rebuttal testimony after the Postal Service's direct case is entered into the record at hearing. Participants also are encouraged to comment on these issues within their notices of intervention if possible.

Shortly following the prehearing conference, a procedural schedule will be issued, as well as any special procedures that may be applicable to this proceeding. The procedural schedule will be established consistent with participants' due process rights for thorough consideration of all material issues relevant to this docket.

*Public Representative.* Section 3661(c) of title 39 requires the participation of an "officer of the Commission who shall be required to represent the interests of the general public." Christopher Laver is designated to serve as Public Representative to represent the interests of the general public in this proceeding. The Public Representative shall direct the activities of Commission personnel assigned to assist him and, at an appropriate time, shall provide the names of these employees for the record. Neither the Public Representative nor the assigned personnel shall participate in or advise as to any Commission decision in this proceeding other than in their designated capacity.

*It is ordered:*

1. The Commission establishes Docket No. N2012–1 to consider the Postal Service Request referred to in the body of this order.

2. The Commission will sit *en banc* in this proceeding.

3. Notices of intervention are due no later than December 30, 2011.

4. A prehearing conference is scheduled for January 4, 2012, at 10 a.m., in the Commission's hearing room.

5. Pursuant to 39 U.S.C. 505 and 3661(c), the Commission appoints Christopher Laver to represent the interests of the general public in this proceeding.

6. The Secretary shall arrange for publication of this notice in the **Federal Register**.

By the Commission.

**Shoshana M. Grove,**

Secretary.

[FR Doc. 2011-31910 Filed 12-12-11; 8:45 am]

BILLING CODE 7710-FW-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-552-801]

#### Certain Frozen Fish Fillets From the Socialist Republic of Vietnam: Preliminary Results of the New Shipper Review

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

**SUMMARY:** The Department of Commerce ("Department") is conducting a new shipper review ("NSR") of the antidumping duty order on certain frozen fish fillets from the Socialist Republic of Vietnam ("Vietnam"). The Department preliminarily determines that Thuan An Production Trading & Services Co., Ltd. ("TAFISHCO") did not sell subject merchandise at less than normal value ("NV"). Upon completion of the final results of this NSR, the Department will instruct U.S. Customs and Border Protection ("CBP") to assess antidumping duties on entries of subject merchandise during the period of review ("POR"), August 1, 2010, through January 31, 2011, for which the importer-specific assessment rates are above *de minimis*.

**DATES:** *Effective Date:* December 13, 2011.

**FOR FURTHER INFORMATION CONTACT:** Emeka Chukwudebe, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-0219.

#### SUPPLEMENTARY INFORMATION:

#### Case History

On August 12, 2003, the Department published in the **Federal Register** the antidumping duty order on certain frozen fish fillets from Vietnam.<sup>1</sup> On February 28, 2011, pursuant to section 751(a)(2)(B)(i) of the Tariff Act of 1930, as amended ("Act"), the Department received a properly filed NSR request from TAFISHCO. On March 31, 2011, the Department published in the **Federal Register** a notice of initiation for the NSR of certain frozen fish fillets from Vietnam covering the period August 1, 2010, through January 31, 2011.<sup>2</sup> Between April 5, 2011, and October 5, 2011, TAFISHCO filed responses to the Department's original and supplemental antidumping duty questionnaires. On June 23, 2011, the Department extended the deadline for parties to submit surrogate country selection comments and surrogate value ("SV") data.<sup>3</sup> On August 5, 2011, the Department extended the deadline for parties to file rebuttal surrogate country and SV comments.<sup>4</sup> Between July 22, 2011, and August 12, 2011, the Department received surrogate country and SV comments from interested parties. On September 27, 2011, the Department published a notice extending the time period for issuing the preliminary results of this NSR to November 4, 2011.<sup>5</sup> On November 11, 2011, the Department published a second notice extending the time period for issuing the preliminary results of this NSR to December 5, 2011.

#### Period of Review

The POR is August 1, 2010, through January 31, 2011.

<sup>1</sup> See *Notice of Antidumping Duty Order: Certain Frozen Fish Fillets from the Socialist Republic of Vietnam*, 68 FR 47909 (August 12, 2003).

<sup>2</sup> See *Certain Frozen Fish Fillets From the Socialist Republic of Vietnam: Initiation of Antidumping Duty New Shipper Review*, 76 FR 17837 (March 31, 2011).

<sup>3</sup> See Memorandum for All Interested Parties, through Matthew Renkey, Acting Program Manager Import Administration, from Emeka Chukwudebe, Case Analyst, Import Administration, Re: Antidumping Duty New Shipper Review of Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Extension of Time Request to Submit Surrogate Values and Surrogate Country Selection Comments, dated June 23, 2011.

<sup>4</sup> See Memorandum for All Interested Parties, from Emeka Chukwudebe, Case Analyst, Import Administration, Re: Antidumping Duty New Shipper Review of Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Extension of Time to Submit Rebuttal Surrogate Country and Surrogate Value Comments, dated August 5, 2011.

<sup>5</sup> See *Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Extension of Time Limit for Preliminary Results of the New Shipper Review*, 76 FR 59658 (September 27, 2011).

#### Scope of the Order

The product covered by the order is frozen fish fillets, including regular, shank, and strip fillets and portions thereof, whether or not breaded or marinated, of the species *Pangasius Bocourti*, *Pangasius Hypophthalmus* (also known as *Pangasius*), and *Pangasius Micronemus*. Frozen fish fillets are lengthwise cuts of whole fish. The fillet products covered by the scope include boneless fillets with the belly flap intact ("regular" fillets), boneless fillets with the belly flap removed ("shank" fillets), boneless shank fillets cut into strips ("fillet strips/finger"), which include fillets cut into strips, chunks, blocks, skewers, or any other shape. Specifically excluded from the scope are frozen whole fish (whether or not dressed), frozen steaks, and frozen belly-flap nuggets. Frozen whole dressed fish are deheaded, skinned, and eviscerated. Steaks are bone-in, cross-section cuts of dressed fish. Nuggets are the belly-flaps. The subject merchandise will be hereinafter referred to as frozen "basa" and "tra" fillets, which are the Vietnamese common names for these species of fish. These products are classifiable under tariff article codes 1604.19.4000, 1604.19.5000, 0305.59.4000, 0304.29.6033 (Frozen Fish Fillets of the species *Pangasius* including basa and tra) of the Harmonized Tariff Schedule of the United States ("HTSUS").<sup>6</sup> The order covers all frozen fish fillets meeting the above specification, regardless of tariff classification. Although the HTSUS subheading is provided for convenience and customs purposes, our written description of the scope of the order is dispositive.

#### Non-Market Economy Country Status

In every case conducted by the Department involving Vietnam, Vietnam has been treated as a non-market economy ("NME") country. In accordance with section 771(18)(C)(i) of the Act, any determination that a foreign country is an NME country shall remain in effect until revoked by the administering authority. See *Certain Frozen Fish Fillets From the Socialist Republic of Vietnam: Final Results of the Antidumping Duty Administrative Review and New Shipper Reviews*, 74 FR 11349 (March 17, 2009). None of the

<sup>6</sup> Until July 1, 2004, these products were classifiable under tariff article codes 0304.20.60.30 (Frozen Catfish Fillets), 0304.20.60.96 (Frozen Fish Fillets, NESOI), 0304.20.60.43 (Frozen Freshwater Fish Fillets) and 0304.20.60.57 (Frozen Sole Fillets) of the HTSUS. Until February 1, 2007, these products were classifiable under tariff article code 0304.20.60.33 (Frozen Fish Fillets of the species *Pangasius* including basa and tra) of the HTSUS.