

**Technology Rights:** All intellectual property rights associated with Products or Services, including, but not limited to: patents, trademarks, services marks, trade names, copyrights, neighboring (related) rights, trade secrets, know-how, and confidential databases and computer programs.

**Export Trade Facilitation Services (as They Relate to the Export of Products):** Export Trade Facilitation Services, including but not limited to: Consulting and trade strategy, converting harvest rice to marketable finished rice products via the drying, storage, milling, and packaging processes; arranging and coordinating delivery of rice and rice products to port of export; arranging for inland and/or ocean transportation; allocating rice and rice products to vessel; arranging for storage space at port; arranging for warehousing, stevedoring, wharfage, handling, inspection, fumigation, and freight forwarding; insurance and financing; documentation and services related to compliance with customs' requirements; sales and marketing; export brokerage; foreign marketing and analysis; foreign market development; overseas advertising and promotion; rice and rice products research and design based upon foreign buyer and consumer preferences; inspection and quality control; shipping and export management; export licensing; provisions of overseas sales and distribution facilities and overseas sales staff; legal; accounting and tax assistance; development and application of management information systems; trade show exhibitions; professional services in the area of government relations and assistance with federal and state export assistance programs (e.g., Export Enhancement and Market Promotion programs); collaborating with other rice suppliers and rice marketers; invoicing (billing) foreign buyers; collecting (letters of credit and other financial instruments) payment for rice and rice products; and arranging for payment of applicable commissions and fees.

#### **Export Markets**

The Export Markets include all parts of the world except the United States (the fifty states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands).

#### **Export Trade Activities and Methods of Operations**

To engage in Export Trade in the Export Markets, SunWest Foods, Inc. and its affiliated company, SunWest Milling Company, Inc. (collectively "SunWest") may:

1. Exchange information with Suppliers or other entities individually regarding availability of and prices for Products for export, and inventories and near-term production and delivery schedules for purposes of determining the availability of Products for purchase and export, and coordinating export of Products with its distributors, customers, and other Suppliers in the Export Markets;
2. Confer with Suppliers about the possibility of offers to purchase and offers to sell by SunWest for specific export sales opportunities;
3. Process other Supplier's harvest rice to marketable finished Products for Export Markets via drying, storage, milling, and packaging processes;
4. Solicit other Suppliers to offer/sell Products to SunWest for subsequent sales into Export Markets;
5. Solicit other Suppliers to purchase Products from SunWest, but only to the extent such Products are then directly sold into Export Markets;
6. Solicit orders from potential foreign distributors and purchasers for sale of Products in Export Markets;
7. Prepare and submit offers of Products to potential foreign distributors, purchasers, and other entities for sale in Export Markets;
8. Establish the price and quantity of Products for sale in Export Markets and set other terms for any export sale;
9. Negotiate and enter into agreements for sale of Products in Export Markets;
10. Enter into agreements to purchase/sell Products from/to one or more Suppliers to fulfill specific sale obligations, which may include agreements whereby Suppliers agree to deal exclusively with SunWest, for sale of the Products in a particular Export Market or Markets and/or whereby SunWest agrees to purchase exclusively any particular Supplier's (or Suppliers') Products for resale in the Export Market;
11. Assign sales of Products to, and/or divide or share export orders among, Suppliers or other persons based on orders, export markets, territories, customers, or any other basis SunWest deems fit;
12. Broker and take title to the Products;
13. Enter into agreements with one or more Export Trade Intermediaries or export trade purchasers for the purchase of Products, which may be agreements

whereby SunWest agrees to deal exclusively with an entity or customer in a particular Export Market, and/or by which that customer or intermediary agrees to deal exclusively with SunWest and/or agrees not to purchase from SunWest's competitors in any Export Market, unless so authorized;

14. Apply for and utilize government export assistance and incentive programs;

15. Refuse to (a) purchase Products, (b) sell Products, (c) provide services, or (d) provide information regarding export sales of Products to any Supplier(s) or other entities for any reason SunWest deems fit;

16. Refuse to (a) sell Products, (b) quote prices of Products, (c) provide services, (d) provide information regarding Products, or (e) market or sell Products to any customers or distributors in the Export Markets, or in any countries or geographic areas in the Export Markets; and

17. Meet with Suppliers or other entities periodically to discuss general matters specific to the activities approved in this Certificate (not related to price and supply arrangements between Applicant and the individual Suppliers) such as relevant facts concerning the Export Markets (e.g., demand conditions, transportation costs and prices in the export markets), or the possibility of joint marketing, bidding or selling arrangements in the Export Markets.

Dated: April 25, 2012.

**Joseph E. Flynn,**

*Director, Office of Competition and Economic Analysis.*

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**BILLING CODE P**

## **DEPARTMENT OF COMMERCE**

### **International Trade Administration**

[A-570-863]

#### **Honey From the People's Republic of China: Partial Rescission of Antidumping Duty Administrative Review**

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

**DATES:** *Effective Date:* May 1, 2012.

**FOR FURTHER INFORMATION CONTACT:** Kabir Archuletta, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; (202) 482-2593.

## Background

On January 24, 2012, the Department of Commerce ("Department") published in the **Federal Register** a notice of initiation of an administrative review of the antidumping duty order on Honey from the People's Republic of China ("PRC") covering the period December 1, 2010, through November 30, 2011. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 77 FR 4759 (January 24, 2012).

On April 16, 2012, the American Honey Producers Association and Sioux Honey Association (collectively "Petitioners") withdrew their request for an administrative review for the following companies: Anhui Honghui Foodstuff (Group) Co., Ltd., Shanghai Bloom International Trading Co., Ltd., Shanghai Taiside Trading Co., Ltd., Tianjin Eulia Honey Co., Ltd., and Wuhan Bee Healthy Co., Ltd. Petitioners were the only party to request a review of these companies.

## Partial Rescission

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if a party who requested the review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review. Petitioners' request was submitted within the 90 day period and, thus, is timely. Because Petitioners' withdrawal of requests for review is timely and because no other party requested a review of the aforementioned companies, in accordance with 19 CFR 351.213(d)(1), we are partially rescinding this review with respect to Anhui Honghui Foodstuff (Group) Co., Ltd., Shanghai Bloom International Trading Co., Ltd., Shanghai Taiside Trading Co., Ltd., Tianjin Eulia Honey Co., Ltd., and Wuhan Bee Healthy Co., Ltd.<sup>1</sup>

## Assessment Rates

The Department will instruct U.S. Customs and Border Protection ("CBP") to assess antidumping duties on all appropriate entries. Anhui Honghui Foodstuff (Group) Co., Ltd., Shanghai Bloom International Trading Co., Ltd., Shanghai Taiside Trading Co., Ltd., Tianjin Eulia Honey Co., Ltd., and Wuhan Bee Healthy Co., Ltd., all have separate rates from a prior segment of this proceeding; therefore, antidumping duties shall be assessed at rates equal to the cash deposit of estimated

antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(2). The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of this notice.

## Notification to Importers

This notice serves as a final reminder to importers for whom this review is being rescinded, as of the publication date of this notice, of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of double antidumping duties.

## Notification Regarding Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

This notice is issued and published in accordance with section 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: April 25, 2012.

**Christian Marsh,**

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Initiation of Five-Year ("Sunset") Review

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

**SUMMARY:** In accordance with section 751(c) of the Tariff Act of 1930, as amended ("the Act"), the Department of Commerce ("the Department") is automatically initiating a five-year review ("Sunset Review") of the antidumping duty order listed below. The International Trade Commission ("the Commission") is publishing concurrently with this notice its notice of *Institution of Five-Year Review* which covers the same orders.

**DATES:** *Effective Date:* March 1, 2012.

**FOR FURTHER INFORMATION CONTACT:** The Department official identified in the *Initiation of Review* section below at AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230. For information from the Commission contact Mary Messer, Office of Investigations, U.S. International Trade Commission at (202) 205-3193.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Department's procedures for the conduct of Sunset Reviews are set forth in its *Procedures for Conducting Five-Year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders*, 63 FR 13516 (March 20, 1998) and 70 FR 62061 (October 28, 2005). Guidance on methodological or analytical issues relevant to the Department's conduct of Sunset Reviews is set forth in the Department's Policy Bulletin 98.3—*Policies Regarding the Conduct of Five-Year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders: Policy Bulletin*, 63 FR 18871 (April 16, 1998), and in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101 (February 14, 2012).

#### Initiation of Review

In accordance with 19 CFR 351.218(c), we are initiating the Sunset

proceeding, we intend to address the disposition of these withdrawal requests in the preliminary results of this review.

<sup>1</sup> We note that there are additional companies for which review requests were withdrawn within the 90 day period. See Letter to the Department from Petitioners, "Honey from the People's Republic of

China: Petitioners' Partial Withdrawal of Request for Tenth Administrative Review" (April 16, 2012). However, because these companies do not have a separate rate from a prior segment of this