

Act (19 U.S.C. 1675(a)) and 19 CFR 351.221(c)(1)(i).

Dated: June 21, 2012.

**Christian Marsh,**

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

[FR Doc. 2012-16154 Filed 7-9-12; 8:45 am]

BILLING CODE 3510-DS-M

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-549-822]

#### **Certain Frozen Warmwater Shrimp From Thailand: Final Results of Antidumping Duty Administrative Review and Final No Shipment Determination**

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

**SUMMARY:** On March 5, 2012, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on certain frozen warmwater shrimp (shrimp) from Thailand. The period of review (POR) is February 1, 2010, through January 31, 2011.

Based on our analysis of the comments received we have made certain changes in the margin calculations. Therefore, the final results differ from the preliminary results. The final weighted-average dumping margins for the reviewed firms are listed below in the section entitled "Final Results of Review."

**DATES:** *Effective Date:* July 10, 2012.

**FOR FURTHER INFORMATION CONTACT:** Blaine Wiltse or Holly Phelps, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone (202) 482-6345 or (202) 482-0656, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

This review covers 156 producers/exporters. The respondents which the Department selected for individual examination are Pakfood Public Company Limited and its affiliated subsidiaries (collectively, "Pakfood")<sup>1</sup> and Thai Royal Frozen Food Co., Ltd. (TRF). The respondents which were not

<sup>1</sup> These subsidiaries are: Asia Pacific (Thailand) Company Ltd., Chaophraya Cold Storage Co., Ltd., Okeanos Co., Ltd., Okeanos Food Co., Ltd., and Takzin Samut Co., Ltd.

selected for individual examination are listed in the "Final Results of Review" section of this notice.

On March 5, 2012, the Department published in the **Federal Register** the preliminary results of administrative review of the antidumping duty order on shrimp from Thailand.<sup>2</sup>

In April 2012, the Department verified the sales and cost data reported by TRF, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act). In May 2012, we received case and rebuttal briefs from the Ad Hoc Shrimp Trade Action Committee (the petitioner), the American Shrimp Processors Association (the processors), Marine Gold Products Ltd. (MRG) (a Thai exporter/manufacturer which filed a voluntary response),<sup>3</sup> Pakfood, and TRF (collectively, "the respondents").

The Department has conducted this administrative review in accordance with section 751 of the Act.

##### **Scope of the Order**

The scope of this order includes certain frozen warmwater shrimp and prawns, whether wild-caught (ocean harvested) or farm-raised (produced by aquaculture), head-on or head-off, shell-on or peeled, tail-on or tail-off,<sup>4</sup> deveined or not deveined, cooked or raw, or otherwise processed in frozen form.

The frozen warmwater shrimp and prawn products included in the scope of this order, regardless of definitions in the Harmonized Tariff Schedule of the United States (HTSUS), are products which are processed from warmwater shrimp and prawns through freezing and which are sold in any count size.

The products described above may be processed from any species of warmwater shrimp and prawns. Warmwater shrimp and prawns are generally classified in, but are not limited to, the *Penaeidae* family. Some examples of the farmed and wild-caught warmwater species include, but are not limited to, whiteleg shrimp (*Penaeus vannamei*), banana prawn (*Penaeus merguensis*), fleshy prawn (*Penaeus chinensis*), giant river prawn

<sup>2</sup> See *Certain Frozen Warmwater Shrimp from Thailand: Preliminary Results of Antidumping Duty Administrative Review and Preliminary No Shipment Determination*, 77 FR 13082 (Mar. 5, 2012) (*Preliminary Results*).

<sup>3</sup> Because we found that it would be unduly burdensome and would inhibit the timely completion of the review to analyze voluntary responses in this review, we have treated MRG as a non-examined exporter. For further discussion, see *Preliminary Results*, 77 FR at 13084-5, and the July 3, 2012, "Issues and Decision Memorandum," which accompanies this notice, at Comment 2.

<sup>4</sup> "Tails" in this context means the tail fan, which includes the telson and the uropods.

(*Macrobrachium rosenbergii*), giant tiger prawn (*Penaeus monodon*), redspotted shrimp (*Penaeus brasiliensis*), southern brown shrimp (*Penaeus subtilis*), southern pink shrimp (*Penaeus notialis*), southern rough shrimp (*Trachypenaeus curvirostris*), southern white shrimp (*Penaeus schmitti*), blue shrimp (*Penaeus stylirostris*), western white shrimp (*Penaeus occidentalis*), and Thai white prawn (*Penaeus indicus*).

Frozen shrimp and prawns that are packed with marinade, spices or sauce are included in the scope of this order. In addition, food preparations, which are not "prepared meals," that contain more than 20 percent by weight of shrimp or prawn are also included in the scope of this order.

Excluded from the scope are: (1) Breaded shrimp and prawns (HTSUS subheading 1605.20.10.20); (2) shrimp and prawns generally classified in the *Pandalidae* family and commonly referred to as coldwater shrimp, in any state of processing; (3) fresh shrimp and prawns whether shell-on or peeled (HTSUS subheadings 0306.23.00.20 and 0306.23.00.40); (4) shrimp and prawns in prepared meals (HTSUS subheading 1605.20.05.10); (5) dried shrimp and prawns; (6) canned warmwater shrimp and prawns (HTSUS subheading 1605.20.10.40); and (7) certain battered shrimp. Battered shrimp is a shrimp-based product: (1) that is produced from fresh (or thawed-from-frozen) and peeled shrimp; (2) to which a "dusting" layer of rice or wheat flour of at least 95 percent purity has been applied; (3) with the entire surface of the shrimp flesh thoroughly and evenly coated with the flour; (4) with the non-shrimp content of the end product constituting between four and ten percent of the product's total weight after being dusted, but prior to being frozen; and (5) that is subjected to IQF freezing immediately after application of the dusting layer. When dusted in accordance with the definition of dusting above, the battered shrimp product is also coated with a wet viscous layer containing egg and/or milk, and par-fried.

The products covered by this order are currently classified under the following HTSUS subheadings: 0306.17.00.03, 0306.17.00.06, 0306.17.00.09, 0306.17.00.12, 0306.17.00.15, 0306.17.00.18, 0306.17.00.21, 0306.17.00.24, 0306.17.00.27, 0306.17.00.40, 1605.21.10.30, and 1605.29.10.10. These HTSUS subheadings are provided for convenience and for customs purposes only and are not dispositive, but rather

the written description of the scope of this order is dispositive.

**Period of Review**

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

**Determination of No Shipments**

As noted in the *Preliminary Results*, we received no-shipment claims from 14 companies named in the *Initiation Notice*,<sup>5</sup> five of which (*i.e.*, Calsonic Kansei (Thailand) Co., Ltd., Daedong (Thailand) Co., Ltd., Gulf Coast Crab International Co., Ltd., Preserved Food Specialty Co., Ltd., and Tep Kinsho Foods, Ltd.) contained procedural deficiencies. *See Preliminary Results*, 77 FR at 13085. Because these companies did not remedy the deficiencies prior to these final results, we have continued to assign them final dumping margins based on the average of the rates calculated for the mandatory respondents.

Regarding the remaining nine companies, we confirmed the claims of these companies with U.S. Customs and Border Protection (CBP). Therefore, because we find that the record indicates that the nine companies listed below did not export subject merchandise to the United States during the POR, we determine that they had no reviewable transactions during the POR. These companies are:

- (1) Anglo-Siam Seafoods Co., Ltd.
- (2) F.A.I.T. Corporation Limited
- (3) Grobest Frozen Foods Co., Ltd.
- (4) Lucky Union Foods Co., Ltd.
- (5) Nam prik Maesri Ltd., Part.
- (6) S&P Syndicate Public Co., Ltd.
- (7) Siamchai International Food Co., Ltd.
- (8) Thai Union Manufacturing Co., Ltd.
- (9) V. Thai Food Product Co., Ltd.

*See Preliminary Results*, 77 FR at 13085.

As we stated in the *Preliminary Results*, our former practice concerning respondents submitting timely no-shipment certifications was to rescind the administrative review with respect to those companies if we were able to confirm the no-shipment certifications through a no-shipment inquiry with CBP. *See Antidumping Duties; Countervailing Duties; Final rule*, 62 FR 27296, 27393 (May 19, 1997); *see also Stainless Steel Sheet and Strip in Coils from Taiwan: Final Results of Antidumping Duty Administrative*

*Review*, 75 FR 76700, 76701 (Dec. 9, 2010). As a result, in such circumstances, we normally instructed CBP to liquidate any entries from the no-shipment company at the deposit rate in effect on the date of entry.

In our May 6, 2003, clarification of the “automatic assessment” regulation, we explained that, where respondents in an administrative review demonstrate that they had no knowledge of sales through resellers to the United States, we would instruct CBP to liquidate such entries at the all-others rate applicable to the proceeding. *See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) (*Assessment Policy Notice*).

As noted in the *Preliminary Results*, because “as entered” liquidation instructions do not alleviate the concerns which the May 2003 clarification was intended to address, we find it appropriate in this case to instruct CBP to liquidate any existing entries of merchandise produced by the above listed companies and exported by other parties at the all-others rate. In addition, we continue to find that it is more consistent with the May 2003 clarification not to rescind the review in part in these circumstances but, rather, to complete the review with respect to the nine companies listed above and issue appropriate instructions to CBP based on the final results of this administrative review. *See the “Assessment Rates” section of this notice below.*

**Cost of Production**

As discussed in the *Preliminary Results*, we conducted an investigation to determine whether Pakfood and TRF made home market sales of the foreign like product during the POR at prices below their costs of production (COP) within the meaning of section 773(b) of the Act. *See Preliminary Results*, 77 FR at 13088. For these final results, we performed the cost test following the same methodology as in the *Preliminary Results*. *Id.* at 13088.

We found 20 percent or more of each respondent’s sales of a given product during the reporting period were at prices less than the weighted-average COP for this period. Thus, we determined that these below-cost sales were made in “substantial quantities”

within an extended period of time and at prices which did not permit the recovery of all costs within a reasonable period of time in the normal course of trade. *See sections 773(b)(1)–(2) of the Act.*

Therefore, for purposes of these final results, we continue to find that Pakfood and TRF made below-cost sales not in the ordinary course of trade. Consequently, we disregarded these sales for each respondent and used the remaining sales as the basis for determining normal value pursuant to section 773(b)(1) of the Act. Additionally, for those U.S. sales of subject merchandise for which there were no home market sales in the ordinary course of trade, we continued to compare export prices to constructed value in accordance with section 773(a)(4) of the Act.

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs by parties in this administrative review are listed in the Appendix to this notice and addressed in the Issues and Decision Memorandum, which is adopted by this notice. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum, which is on file electronically via IA ACCESS in the Central Records Unit, room 7046, of the main Department of Commerce building.

In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Web at <http://ia.ita.doc.gov/frn/>. The paper copy and electronic version of the Issues and Decision Memorandum are identical in content.

**Changes Since the Preliminary Results**

Based on our analysis of the comments received, we have made certain changes in the margin calculations. These changes are discussed in the relevant sections of the Issues and Decision Memorandum.

**Final Results of Review**

We determine that the following weighted-average margin percentages exist for the period February 1, 2010, through January 31, 2011:

Manufacturer/exporter	Percent margin
Pakfood Public Company Limited/Asia Pacific (Thailand) Co., Ltd./Chaophraya Cold Storage Co., Ltd./Okeanos Co. Ltd./Okeanos Food Co. Ltd./Takzin Samut Co., Ltd	0.97

<sup>5</sup> *See Certain Frozen Warmwater Shrimp From Brazil, India, and Thailand: Notice of Initiation of*

*Antidumping Duty Administrative Reviews*, 76 FR 18157 (Apr. 1, 2011) (*Initiation Notice*).

Manufacturer/exporter	Percent margin
Thai Royal Frozen Food Co., Ltd .....	1.78
Review-Specific Average Rate Applicable to the Following Companies: <sup>6</sup>	
A Foods 1991 Co., Ltd./May Ao Co., Ltd./May Ao Foods Co., Ltd .....	1.38
A. Wattanachai Frozen Products Co., Ltd. <sup>7</sup> .....	1.38
A.S. Intermarine Foods Co., Ltd .....	1.38
ACU Transport Co., Ltd .....	1.38
Anglo-Siam Seafoods Co., Ltd .....	(*)
Apex Maritime (Thailand) Co., Ltd .....	1.38
Apitoon Enterprise Industry Co., Ltd .....	1.38
Applied DB .....	1.38
Asian Seafood Coldstorage (Sriracha) .....	1.38
Asian Seafoods Coldstorage Public Co., Ltd./Asian Seafoods Coldstorage (Suratthani) Co./STC Foodpak Ltd .....	1.38
Assoc. Commercial Systems .....	1.38
B.S.A. Food Products Co., Ltd .....	1.38
Bangkok Dehydrated Marine Product Co., Ltd .....	1.38
C Y Frozen Food Co., Ltd .....	1.38
C.P. Merchandising Co., Ltd .....	1.38
Calsonic Kansei (Thailand) Co., Ltd .....	1.38
Century Industries Co., Ltd .....	1.38
Chaivaree Marine Products Co., Ltd .....	1.38
Chaiwarut Company Limited .....	1.38
Charoen Pokphand Foods Public Co., Ltd .....	1.38
Chonburi LC .....	1.38
Chue Eie Mong Eak .....	1.38
Core Seafood Processing Co., Ltd .....	1.38
CP Retailing and Marketing Co., Ltd .....	1.38
Crystal Frozen Foods Co., Ltd. and/or Crystal Seafood .....	1.38
Daedong (Thailand) Co. Ltd .....	1.38
Daiei Taigen (Thailand) Co., Ltd .....	1.38
Daiho (Thailand) Co., Ltd .....	1.38
Dynamic Intertransport Co., Ltd .....	1.38
Earth Food Manufacturing Co., Ltd .....	1.38
F.A.I.T. Corporation Limited .....	(*)
Far East Cold Storage Co., Ltd .....	1.38
Findus (Thailand) Ltd .....	1.38
Fortune Frozen Foods (Thailand) Co., Ltd .....	1.38
Frozen Marine Products Co., Ltd .....	1.38
Gallant Ocean (Thailand) Co., Ltd .....	1.38
Gallant Seafoods Corporation .....	1.38
Global Maharaja Co., Ltd .....	1.38
Golden Sea Frozen Foods Co., Ltd. <sup>8</sup> .....	1.38
Good Fortune Cold Storage Co., Ltd .....	1.38
Good Luck Product Co., Ltd .....	1.38
Grobest Frozen Foods Co., Ltd .....	(*)
GSE Lining Technology Co., Ltd .....	1.38
Gulf Coast Crab Intl .....	1.38
H.A.M. International Co., Ltd .....	1.38
Haitai Seafood Co., Ltd .....	1.38
Handy International (Thailand) Co., Ltd .....	1.38
Heng Seafood Limited Partnership .....	1.38
Heritrade .....	1.38
HIC (Thailand) Co., Ltd .....	1.38
High Way International Co., Ltd .....	1.38
I.T. Foods Industries Co., Ltd .....	1.38
Inter-Oceanic Resources Co., Ltd .....	1.38
Inter-Pacific Marine Products Co., Ltd .....	1.38
K & U Enterprise Co., Ltd .....	1.38
K Fresh .....	1.38
K.D. Trading Co., Ltd .....	1.38
K.L. Cold Storage Co., Ltd .....	1.38
KF Foods .....	1.38
Kiang Huat Sea Gull Trading Frozen Food Public Co., Ltd .....	1.38
Kibun Trdg .....	1.38
Kingfisher Holdings Ltd .....	1.38
Kitchens of the Oceans (Thailand) Ltd. <sup>9</sup> .....	1.38
Klang Co., Ltd .....	1.38
Kongphop Frozen Foods Co., Ltd .....	1.38
Kosamut Frozen Foods Co., Ltd .....	1.38
Lee Heng Seafood Co., Ltd .....	1.38
Leo Transports .....	1.38
Li-Thai Frozen Foods Co., Ltd .....	1.38
Lucky Union Foods Co., Ltd .....	(*)
Maersk Line .....	1.38
Magnate & Syndicate Co., Ltd .....	1.38

Manufacturer/exporter	Percent margin
Mahachai Food Processing Co., Ltd	1.38
Marine Gold Products Co., Ltd	1.38
Merit Asia Foodstuff Co., Ltd	1.38
Merkur Co., Ltd	1.38
Ming Chao Ind Thailand	1.38
N&N Foods Co., Ltd	1.38
Nam prik Maesri Ltd. Part	(*)
Narong Seafood Co., Ltd	1.38
Nongmon SMJ Products	1.38
NR Instant Produce Co., Ltd	1.38
Ongkorn Cold Storage Co., Ltd./Thai-Ger Marine Co., Ltd	1.38
Pacific Queen Co., Ltd	1.38
Penta Impex Co., Ltd	1.38
Pinwood Nineteen Ninety Nine	1.38
Piti Seafoods Co., Ltd	1.38
Premier Frozen Products Co., Ltd	1.38
Preserved Food Specialty Co., Ltd	1.38
Queen Marine Food Co., Ltd	1.38
Rayong Coldstorage (1987) Co., Ltd	1.38
S&D Marine Products Co., Ltd	1.38
S&P Aquarium	1.38
S&P Syndicate Public Company Ltd	(*)
S. Chaivaree Cold Storage Co., Ltd	1.38
S. Khonkaen Food Industry Public Co., Ltd. and/or S. Khonkaen Food Ind Public	1.38
Samui Foods Company Limited	1.38
SCT Co., Ltd	1.38
Sea Bonanza Food Co., Ltd	1.38
SEA NT'L CO., LTD	1.38
Seafoods Enterprise Co., Ltd	1.38
Seafresh Fisheries/Seafresh Industry Public Co., Ltd	1.38
Search & Serve	1.38
Shianlin Bangkok Co., Ltd	1.38
Shing Fu Seaproducts Development Co	1.38
Siam Food Supply Co., Ltd	1.38
Siam Intersea Co., Ltd	1.38
Siam Marine Products Co. Ltd	1.38
Siam Ocean Frozen Foods Co. Ltd	1.38
Siamchai International Food Co., Ltd	(*)
Smile Heart Foods Co. Ltd	1.38
SMP Products, Co., Ltd. <sup>10</sup>	1.38
Southport Seafood Co., Ltd	1.38
Star Frozen Foods Co., Ltd	1.38
Starfoods Industries Co., Ltd	1.38
Suntechthai Intertrading Co., Ltd	1.38
Surapon Nichirei Foods Co., Ltd	1.38
Surapon Foods Public Co., Ltd. <sup>11</sup> /Surat Seafoods Co., Ltd	1.38
Suratthani Marine Products Co., Ltd	1.38
Suree Interfoods Co., Ltd	1.38
T.S.F. Seafood Co., Ltd	1.38
Tanaya International Co., Ltd	1.38
Tanaya Intl	1.38
Tep Kinsho Foods Co., Ltd	1.38
Teppitak Seafood Co., Ltd	1.38
Tey Seng Cold Storage Co., Ltd	1.38
Thai Agri Foods Public Co., Ltd	1.38
Thai Mahachai Seafood Products Co., Ltd	1.38
Thai Ocean Venture Co., Ltd	1.38
Thai Patana Frozen	1.38
Thai Prawn Culture Center Co., Ltd	1.38
Thai Spring Fish Co., Ltd	1.38
Thai Union Frozen Products Public Company Ltd./Thai Union Seafood Co., Ltd	1.38
Thai Union Manufacturing Company Limited	(*)
Thai World Import & Export Co., Ltd. <sup>12</sup>	1.38
Thai Yoo Ltd., Part	1.38
The Siam Union Frozen Foods Co., Ltd. <sup>13</sup>	1.38
The Union Frozen Products Co., Ltd./Bright Sea Co., Ltd	1.38
Trang Seafood Products Public Co., Ltd	1.38
Transamut Food Co., Ltd	1.38
Tung Lieng Trdg	1.38
United Cold Storage Co., Ltd	1.38
V Thai Food Product	(*)
Xian-Ning Seafood Co., Ltd	1.38
Yeenin Frozen Foods Co., Ltd	1.38
YHS Singapore Pte	1.38

Manufacturer/exporter	Percent margin
ZAFCO TRDG .....	1.38

\* No shipments or sales subject to this review.

### Assessment Rates

The Department shall determine, and CBP shall assess, antidumping duties on all appropriate entries.

Pursuant to 19 CFR 351.212(b)(1), because Pakfood and TRF reported the entered value for certain of their U.S. sales, we have calculated importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of antidumping duties calculated for the examined sales to the total entered value of the sales for which entered value was reported. To determine whether the duty assessment rates are *de minimis*, in accordance with the requirement set forth in 19 CFR 351.106(c)(2), we have calculated importer-specific *ad valorem* ratios based on the entered value.

For the remainder of Pakfood's and TRF's U.S. sales, we note that these

<sup>6</sup> This rate is based on the simple average of the margins calculated for those companies selected for individual review. Because we cannot apply our normal methodology of calculating a weighted-average margin due to requests to protect business-proprietary information, we find this rate to be the best proxy of the actual weighted-average margin determined for the mandatory respondents. *See Ball Bearings and Parts Thereof From France, et al.: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part*, 75 FR 53661, 53663 (Sept. 1, 2010) (*Bearings from France*).

<sup>7</sup> This company notified us that A. Wattanachai Frozen Products, on which we also initiated an administrative review, is a variation of its company name. The company's legal name is A. Wattanachai Frozen Products Co., Ltd.

<sup>8</sup> This company notified us that Golden Sea Frozen Foods, on which we also initiated an administrative review, is a variation of its company name. The company's legal name is Golden Sea Frozen Foods Co., Ltd.

<sup>9</sup> This company notified us that Kitchens of the Ocean (Thailand) Ltd., on which we also initiated an administrative review, is a variation of its company name. The company's legal name is Kitchens of the Oceans (Thailand) Ltd.

<sup>10</sup> This company notified us that SMP Foods Products Co., Ltd., and SMP Food Products Co., Ltd., on which we initiated an administrative review, are variations of its company name. The company's legal name is SMP Products, Co., Ltd.

<sup>11</sup> This company notified us that Surapon Seafood and Surapon Seafoods Public Co., Ltd, on which we initiated an administrative review, are variations of its company name. The company's legal name is Surapon Foods Public Co., Ltd.

<sup>12</sup> This company notified us that Thai World Imp. & Exp. Co. and Thai World Imports & Exports, on which we initiated an administrative review, are variations of its company name. The company's legal name is Thai World Import & Export Co., Ltd.

<sup>13</sup> This company notified us that Siam Union Frozen Foods, on which we also initiated an administrative review, is a variation of its company name. The company's legal name is The Siam Union Frozen Foods Co., Ltd.

companies did not report the entered value for the U.S. sales in question. Therefore, we have calculated importer-specific per-unit duty assessment rates by aggregating the total amount of antidumping duties calculated for the examined sales and dividing this amount by the total quantity of those sales. With respect to Pakfood's and TRF's U.S. sales of shrimp with sauce for which no entered value was reported, we have included the total quantity of the merchandise with sauce in the denominator of the calculation of the importer-specific rate because CBP will apply the per-unit duty rate to the total quantity of merchandise entered, including the sauce weight. To determine whether the duty assessment rates are *de minimis*, in accordance with the requirement set forth in 19 CFR 351.106(c)(2), we have calculated importer-specific *ad valorem* ratios based on the estimated entered value.

For the companies which were not selected for individual review, we have assigned these companies an assessment rate based on the simple average of the margins calculated for those companies selected for individual review. In situations where we cannot apply our normal methodology of calculating a weighted-average margin due to requests to protect business-proprietary information, we use a simple average when it yields the best proxy of the weighted-average margin as a matter of practice. *See Bearings from France*, 75 FR at 53663.

Pursuant to 19 CFR 351.106(c)(2), we will instruct CBP to liquidate without regard to antidumping duties any entries for which the assessment rate is *de minimis* (*i.e.*, less than 0.50 percent). The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review.

The Department clarified its "automatic assessment" regulation on May 6, 2003. *See Assessment Policy Notice*. This clarification will apply to entries of subject merchandise during the POR produced by companies included in these final results of review for which the reviewed companies did not know their merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate established in the *Section*

129 *Determination*<sup>14</sup> if there is no rate for the intermediate company(ies) involved in the transaction.

### Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided for by section 751(a)(2)(C) of the Act: (1) The cash deposit rates for the reviewed companies will be the rates shown above, except if the rate is less than 0.50 percent, *de minimis* within the meaning of 19 CFR 351.106(c)(1), the cash deposit will be zero; (2) for previously reviewed or investigated companies not listed above, as well as those companies listed in the "Determination of No Shipments" section, above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, or the less-than-fair-value investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 5.34 percent, the all-others rate made effective by the *Section 129 Determination*. These deposit requirements shall remain in effect until further notice.

### Notification to Importers

This notice serves as a final reminder to importers 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 antidumping duties occurred and the subsequent assessment of double antidumping duties.

<sup>14</sup> *See Implementation of the Findings of the WTO Panel in United States Antidumping Measure on Shrimp from Thailand: Notice of Determination under Section 129 of the Uruguay Round Agreements Act and Partial Revocation of the Antidumping Duty Order on Frozen Warmwater Shrimp from Thailand*, 74 FR 5638 (Jan. 30, 2009) (*Section 129 Determination*).

## Notification to Interested Parties

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing these results of review in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: July 3, 2012.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

## Appendix—Issues in Decision Memorandum

### General Issues

1. Offsets for Negative Margins
2. Voluntary Respondents
3. Treatment of Assessed Antidumping Duties
4. Treatment of Sauce in the Calculation of Gross Unit Price

### Company-Specific Comments

5. Clerical Errors in the Preliminary Results for TRF
6. TRF's Home Market Credit Expenses
7. TRF's Sales to a Certain U.S. Customer

[FR Doc. 2012-16833 Filed 7-9-12; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-601]

### Tapered Roller Bearings and Parts Thereof, Finished or Unfinished, From the People's Republic of China: Preliminary Results of the 2010-2011 Antidumping Duty Administrative Review, Rescission in Part, and Intent To Rescind in Part

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

**SUMMARY:** In response to requests from interested parties, the Department of Commerce ("Department") is currently conducting the 2010-2011 administrative review of the antidumping duty order on tapered roller bearings and parts thereof, finished or unfinished ("TRBs"), from the People's Republic of China ("PRC"), covering the period June 1, 2010, through May 31, 2011. We have

preliminarily determined that sales have been made below normal value ("NV") by certain companies subject to this review. If these preliminary results are adopted in our final results of this review, we will instruct U.S. Customs and Border Protection ("CBP") to assess antidumping duties on entries of subject merchandise during the period of review ("POR") for which the importer-specific assessment rates are above *de minimis*.

Interested parties are invited to comment on these preliminary results. We will issue the final results no later than 120 days from the date of publication of this notice.

**DATES:** *Effective Date:* July 10, 2012.

**FOR FURTHER INFORMATION CONTACT:** Brandon Farlander or Erin Kearney, AD/CVD Operations, Office 4, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-0182 or (202) 482-0167, respectively.

### Background

On June 15, 1987, the Department published in the **Federal Register** the antidumping duty order on TRBs from the PRC.<sup>1</sup> On June 1, 2011, the Department published a notice of opportunity to request an administrative review of the antidumping duty order on TRBs from the PRC.<sup>2</sup> On June 30, 2011, we received the following requests for review: (1) The Timken Company, of Canton, Ohio ("Petitioner") requested that the Department conduct administrative reviews of Changshan Peer Bearing Company ("CPZ/SKF"), Zhejiang Zhaofeng Mechanical Co., ("Zhejiang Zhaofeng"), and Haining Automann Parts Co., Ltd. ("Haining Automann"); (2) CPZ/SKF and its affiliate Peer Bearing Company ("Peer/SKF") requested that the Department conduct an administrative review of CPZ/SKF; (3) Xiang Yang Automobile Bearing Co., Ltd. ("ZXY") self-requested that the Department conduct an administrative review; (4) Zhejiang Sihe Machine Co., Ltd. ("Sihe") self-requested that the Department conduct an administrative review; (5) Xinchang Kaiyuan Automotive Bearing Co., Ltd. ("Kaiyuan") self-requested that the Department conduct an administrative

<sup>1</sup> See *Notice of Antidumping Duty Order; Tapered Roller Bearings and Parts Thereof, Finished or Unfinished, From the People's Republic of China*, 52 FR 22667 (June 15, 1987).

<sup>2</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 76 FR 31586 (June 1, 2011).

review; (6) Bosda International USA LLC ("Bosda"), a U.S. importer of subject merchandise, requested that the Department conduct an administrative review of Tianshui Hailin Import and Export Corporation ("Tianshui Hailin"); (7) Northfield Industries LLC ("Northfield"), a U.S. importer of subject merchandise, requested that the Department conduct an administrative review of Tianshui Hailin; (8) Fremont International Trading, Inc. ("FIT"), a U.S. importer of subject merchandise, requested that the Department conduct an administrative review of Tianshui Hailin; and (9) GMB North America Inc. ("GMB"), a U.S. importer of subject merchandise, requested that the Department conduct an administrative review of Zhejiang Zhaofeng.

On July 28, 2011, the Department initiated the administrative review of the antidumping duty order on TRBs from the PRC for the period June 1, 2010, through May 31, 2011.<sup>3</sup> On October 4, 2011, the Department exercised its authority to limit the number of respondents selected for individual examination pursuant to section 777A(c)(2) of the Tariff Act of 1930, as amended ("the Act"). The Department selected the largest exporter by volume as its mandatory respondent for this review, that is, CPZ/SKF.<sup>4</sup> On October 4, 2011, the Department issued its antidumping duty questionnaire to CPZ/SKF. Between November 21, 2011, and May 17, 2012, CPZ/SKF timely responded to the Department's original and supplemental questionnaires.

On March 5, 2012, the Department published a notice in the **Federal Register** extending the time limit for the preliminary results of review by the full 120 days allowed under section 751(a)(3)(A) of the Act, to June 29, 2012.<sup>5</sup> From April 16, 2012, through April 20, 2012, the Department conducted a sales and factors of production ("FOP") verification of CPZ/SKF, and from April 23, 2012, through April 25, 2012, conducted a sales

<sup>3</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews, Requests for Revocations in Part and Deferral of Administrative Reviews*, 76 FR 45227 (July 28, 2011) ("Initiation Notice").

<sup>4</sup> See the Department's Memorandum entitled, "Respondent Selection in the 2010-2011 Administrative Review of Tapered Roller Bearings and Parts Thereof, Finished and Unfinished from the People's Republic of China," dated October 4, 2011.

<sup>5</sup> See *Tapered Roller Bearings and Parts Thereof, Finished or Unfinished From the People's Republic of China: Extension of the Time Limit for the Preliminary Results of the Antidumping Duty Administrative Review*, 77 FR 13082 (March 5, 2012).