

## DEPARTMENT OF COMMERCE

## Foreign-Trade Zones Board

[Order No. 1842]

**Reorganization of Foreign-Trade Zone 18 Under Alternative Site Framework; San Jose, CA**

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the Board adopted the alternative site framework (ASF) (74 FR 1170, 01/12/2009; correction 74 FR 3987, 01/22/2009; 75 FR 71069-71070, 11/22/2010) as an option for the establishment or reorganization of general-purpose zones;

*Whereas*, the City of San Jose, California, grantee of Foreign-Trade Zone 18, submitted an application to the Board (FTZ Docket 28-2012, filed 04/04/2012) for authority to reorganize under the ASF with a service area of San Jose, California, within the San Jose U.S. Customs and Border Protection port of entry, and FTZ 18's existing Site 1 would be categorized as a magnet site;

*Whereas*, notice inviting public comment was given in the **Federal Register** (77 FR 21527, 04/10/2012) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

*Whereas*, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied, and that the proposal is in the public interest;

*Now, therefore*, the Board hereby orders:

The application to reorganize FTZ 18 under the alternative site framework is approved, subject to the FTZ Act and the Board's regulations, including Section 400.13, to the Board's standard 2,000-acre activation limit for the overall general-purpose zone project, and to a five-year ASF sunset provision for magnet sites that would terminate authority for Site 1 if not activated by July 31, 2017.

Signed at Washington, DC, this 23 day of July 2012.

**Paul Piquado,**

*Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.*

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## DEPARTMENT OF COMMERCE

## International Trade Administration

[A-357-812]

**Honey From Argentina: Preliminary Rescission of Antidumping Duty New Shipper Review**

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

**DATES:** Effective Date: July 31, 2012.

**SUMMARY:** The Department of Commerce (the "Department") is currently conducting a new shipper review ("NSR") of the antidumping duty order on honey from Argentina for the period of December 1, 2010, through November 30, 2011. As discussed below, we preliminarily determine that the exporter D'Ambros Maria de los Angeles and D'Ambros Maria Daniela SH, an Argentine partnership doing business as Apicola Danangie ("Danangie") did not satisfy the regulatory requirements for an NSR; therefore, we are preliminarily rescinding this NSR. We invite interested parties to comment on this preliminary rescission of review. *See* "Comments" section below.

**FOR FURTHER INFORMATION CONTACT:** Patrick Edwards or Angelica Mendoza, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC, 20230; telephone: (202) 482-8029 or (202) 482-3019, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

The antidumping duty order on honey from Argentina was published on December 10, 2001.<sup>1</sup> On January 3, 2012, the Department received a timely filed request for a NSR from Danangie.<sup>2</sup> On January 25, 2012, the Department initiated this NSR. *See Honey from Argentina: Notice of Initiation of Antidumping New Shipper Review*, 77 FR 4763 (January 31, 2012) ("Initiation Notice"). Along with the *Initiation Notice*, the Department released its Initiation Checklist. *See Memorandum to the File*, through Angelica L. Mendoza, Program Manager, regarding "Initiation of the Antidumping Duty New Shipper Review: Honey from Argentina," dated January 25, 2012 ("Initiation Checklist"). While the Department found that Danangie met

<sup>1</sup> *See Notice of Antidumping Duty Order: Honey From Argentina*, 66 FR 63672 (December 10, 2001).

<sup>2</sup> We note that January 3, 2012 was the first business day following the deadline of December 31, 2012.

the regulatory and statutory requirements for the initiation of a NSR in accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended ("the Act"), and 19 CFR 351.214(d), the Department noted in the *Initiation Notice* that it had concerns with certain information contained within the entry data received from U.S. Customs and Border Protection ("CBP"). Due to the business proprietary nature of this information, details of the Department's concerns are discussed in the Initiation Checklist. The Department further noted that it intended to address this issue after initiation of the NSR and that, if based on information collected, it determined that an NSR for Danangie was not warranted, the Department may rescind the review or apply facts available pursuant to section 776 of the Act, as appropriate.

On February 23, 2012, the Department issued the antidumping questionnaire to Danangie. On March 15, 2012, Danangie submitted its response to section A of the Department's questionnaire. On April 5, 2012, the Department received Danangie's responses to sections B and C of the questionnaire. On May 25, 2012, the Department issued a supplemental questionnaire to Danangie concerning, among other things, Danangie's organization, ownership, and sales history. Danangie submitted its response to the Department's supplemental questionnaire on June 19, 2012.

Following a review of Danangie's supplemental response, and due to the continued concern over certain information found in the entry data provided by CBP prior to initiation, on June 21, 2012, we requested that Danangie review its sales records to ensure that a previous sale of honey was not made by the company prior to the current NSR period. On July 5, 2012, Danangie filed on the record of this NSR a letter stating that Danangie did make a prior sale of subject merchandise which was shipped to the United States.

**Period of Review**

Pursuant to 19 CFR 351.214(g), the period of review ("POR") for this NSR is the annual period of December 1, 2010, through November 30, 2011.

**Scope of the Order**

The merchandise covered by the order is honey from Argentina. The products covered are natural honey, artificial honey containing more than 50 percent natural honey by weight, preparations of natural honey containing more than 50 percent natural honey by weight, and flavored honey. The subject merchandise includes all grades and