Pursuant to requests from interested parties, we are postponing the final determination and extending the provisional measures from a four-month period to not more than six months. Accordingly, we will make our final determination no later than 135 days after the date of publication of this preliminary determination, pursuant to section 735(a)(2) of the Act.

Suspension of Liquidation

In accordance with section 733(d) of the Act, the Department will instruct U.S. Customs and Border Protection (“CBP”) to suspend liquidation of all entries of drawn sinks from the PRC, as described in the “Scope of the Investigation” section, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the Federal Register.

Pursuant to 19 CFR 351.205(d), the Department will instruct CBP to require a cash deposit equal to the weighted-average amount by which NV exceeds U.S. price, adjusted where appropriate for export subsidies and estimated domestic subsidy pass-through, as follows: 1) The separate rate margin for the exporter/producer combinations listed in the table above will be the rate the Department has determined in this preliminary determination; 2) for all combinations of PRC exporters/ producers of merchandise under consideration which have not received their own separate rate AD margin above, the cash-deposit rate will be the cash deposit rate established for the PRC-wide entity; and 3) for all non-PRC exporters of merchandise under consideration which have not received their own separate rate above, the cash-deposit rate will be the cash deposit rate applicable to the PRC exporter/producer combination that supplied that non-PRC exporter.

We have adjusted the preliminary determination AD margins for export subsidies and estimated domestic subsidy pass-through as follows: 6

1) For Superte and Dongyuan, mandatory respondents each receiving their own calculated AD margin, we reduced their respective cash deposit rates by the respective export subsidies and estimated domestic subsidy pass-through determined for each of these respondents in the companion countervailing duty (“CVD”) proceeding. 7

2) For exporter/producer combinations receiving a separate AD margin based on the rates calculated for the mandatory respondents in the AD determination, we reduced the AD cash deposit rate by the lesser of a) the export subsidy rate applicable to each exporter or b) the average of the export subsidy rates applicable to the mandatory respondents on which the separate rate in the AD determination is based. 8

Additionally, pursuant to section 777A(f) of the Act, we further reduced the AD cash deposit rate by the estimated domestic subsidy pass-through contained in the AD separate rate margin, capped by the corresponding domestic subsidy determined for the exporter in the companion CVD proceeding.

3) For the PRC-wide entity, which received an adverse facts available rate based on information contained in the Petition, as an extension of the adverse inference found necessary pursuant to section 776(b) of the Act, the Department has adjusted the PRC-wide entity’s AD cash deposit rate by the lowest export subsidy rate and the lowest estimated domestic subsidy pass-through determined for any party in the companion CVD proceeding.

These cash deposit instructions will remain in effect until further notice.

International Trade Commission (“ITC”) Notification

In accordance with section 733(f) of the Act, we have notified the ITC of our preliminary affirmative determination of sales at LTFV. Section 735(b)(2) of the Act requires the ITC to make its final determination and extending the provisional measures period in Antidumping and Countervailing Duty Investigations, 76 FR 61042 (October 3, 2011). See also Preliminary Decision Memorandum.

6 See Preliminary Decision Memorandum.
7 See Id.
timely request for a new shipper review ("NSR") of the antidumping duty order on certain frozen fish fillets ("fish") from the Socialist Republic of Vietnam ("Vietnam"). The Department has determined that the request meets the statutory and regulatory requirements for initiation. The period of review ("POR") for this NSR is August 1, 2011, through July 31, 2012.


SUPPLEMENTARY INFORMATION:

Background
The antidumping duty order on fish from Vietnam was published on August 12, 2003.1 On August 31, 2012, pursuant to section 751(a)(2)(B)(i) of the Tariff Act of 1930, as amended (the "Act"), and 19 CFR 351.214, the Department received a NSR request from Golden Quality Seafood Corporation ("Golden Quality").2 The requesting company certified that it is a producer and exporter of the subject merchandise upon which the request was based.3 Pursuant to section 751(a)(2)(B)[i][I] of the Act and 19 CFR 351.214(b)(2), the requesting company certified that it did not export subject merchandise to the United States during the period of investigation ("POI").4 In addition, pursuant to section 751(a)(2)(B)[i][II] of the Act and 19 CFR 351.214(b)(2)[iii][A], the requesting company certified that, since the initiation of the investigation, it has never been affiliated with any Vietnamese exporter or producer who exported subject merchandise to the United States during the POI, including those respondents not individually examined during the investigation.5 As required by 19 CFR 351.214(b)(2)[iii][B], the requesting company also certified that its export activities were not controlled by the central government of Vietnam.6

In addition to the certifications described above, pursuant to 19 CFR 351.214(b)(2)[iv], the requesting company submitted documentation establishing the following: (1) The date on which it first shipped subject merchandise for export to the United States; (2) the volume of its first shipment; and (3) the date of its first sale to an unaffiliated customer in the United States.7

Initiation of New Shipper Review

Pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214(d)(1), and based on the documentation provided by Golden Quality, we find that the request submitted by Golden Quality meets the threshold requirements for initiation of the NSR for shipments of fish from Vietnam.8 The POR is August 1, 2011, through July 31, 2012.9 The Department intends to issue the preliminary results of this NSR no later than 180 days from the date of initiation, and the final results no later than 270 days from the date of initiation.10

We will instruct U.S. Customs and Border Protection ("CBP") to allow, at the option of the importer, the posting, until the completion of the review, of a bond or security in lieu of a cash deposit for each entry of the subject merchandise from the requesting company in accordance with section 751(a)(2)(B)[iii] of the Act and 19 CFR 351.214(e). Because Golden Quality certified that it both produced and exported the subject merchandise, the sale of which is the basis for the new shipper review request, we will instruct CBP to permit the use of a bond only for subject merchandise which Golden Quality both produced and exported.

Interested parties requiring access to proprietary information in this NSR should submit applications for disclosure under administrative protective order, in accordance with 19 CFR 351.305 and 19 CFR 351.306. This initiation and notice are in accordance with section 751(a)(2)[B] of the Act, 19 CFR 351.214, and 19 CFR 351.221(c)(1)(i).


Gary Taverman,
Senior Advisor for Antidumping and Countervailing Duty Operations.
[FR Doc. 2012–24545 Filed 10–3–12; 8:45 am]
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DEPARTMENT OF COMMERCE
International Trade Administration

Stony Brook University, et al.; Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscope

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, as amended by Pub. L. 106–36; 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in Room 3720, U.S. Department of Commerce, 14th and Constitution Avenue NW., Washington, D.C.

Docket Number: 12–034. Applicant: Stony Brook University, 1 Heights Dr., Stony Brook, NY 11794.


Comments: None received. Decision: Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as this instrument is intended to be used, is being manufactured in the United States at the time the instrument was ordered. Reasons: Each foreign instrument is an electron microscope and is intended for research or scientific educational uses requiring an electron microscope. We know of no electron microscope, or any other instrument suited to these purposes, which was being manufactured in the United States at the time of order of each instrument.

Dated: September 27, 2012.

Gregory W. Campbell,
Director, Subsidies Enforcement Office, Import Administration.

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DEPARTMENT OF COMMERCE
National Institute of Standards and Technology

 Proposed Information Collection; Comment Request; Usage of Elevators for Occupant Evacuation Questionnaire

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

ACTION: Notice.