

meaning of the Department's affiliation rules.<sup>1</sup>

Pursuant to the requirements set forth in section 751(a)(2)(B)(i) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.214(b)(2), Donghua Fine Chemical certified that (1) it did not export subject merchandise to the United States during the period of investigation (POI) (see section 751(a)(2)(B)(i)(I) of the Act and 19 CFR 351.214(b)(2)(i)); and (2) since the initiation of the investigation, it has never been affiliated with any company that exported subject merchandise to the United States during the POI, including those companies not individually examined during the investigation (see section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A)). Furthermore, as required by 19 CFR 351.214(b)(2), Donghua Fine Chemical's supplier, Donghua Chemical, provided certifications that (1) it did not export the subject merchandise to the United States during the POI or at any time following the POI and (2) since the initiation of the investigation, they have never been affiliated with any company that exported subject merchandise to the United States during the POI, including those companies not individually examined during the investigation. Additionally, in accordance with 19 CFR 351.214(b)(2)(iv), Donghua Fine Chemical submitted documentation establishing the following: (1) the date on which it first shipped subject merchandise to the United States; (2) the volume of its first shipment; and (3) the date of its first sale to an unaffiliated purchaser for exportation to the United States.

#### Initiation of Review

Based on information on the record and in accordance with section 751(a)(2)(B) of the Act, and 19 CFR 351.214(d), we find that the request meets the statutory and regulatory requirements for initiation of a new shipper review. See Memorandum to the File, through Angelica L. Mendoza, Program Manager, Antidumping and Countervailing Duty Operations, Office 7, regarding "Initiation of the Antidumping Duty New Shipper Review: Glycine from the People's Republic of China," dated October 23, 2012 (NSR Initiation Checklist). Accordingly, we are initiating a new shipper review of the antidumping duty order on glycine from the PRC exported by Donghua Fine Chemical, for the period March 1, 2012, through August 31, 2012.

<sup>1</sup> See 771(33) of the Act and section 351.102(b)(3) of the Department's Regulations.

However, the Department has concerns with certain other information contained within the entry data received from U.S. Customs and Border Protection (CBP). Due to the business proprietary nature of this information, please refer to the NSR Initiation Checklist for further discussion. The Department intends to address this issue after initiation of the new shipper review. If the Department subsequently determines, based on information collected, that a new shipper review for Donghua Fine Chemical is not warranted, the Department expects to rescind the review or apply facts available pursuant to section 776 of the Act, as appropriate.

We intend to issue the preliminary results of this review no later than 180 days after the date on which this review is initiated, and the final results within 90 days after the date on which we issue the preliminary results. See section 751(a)(2)(B)(iv) of the Act and 19 CFR 351.214(h)(i).

We will instruct 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 certain entries of the subject merchandise exported and produced by Donghua Fine Chemical in accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e). Because Donghua Fine Chemical certified that it exports the subject merchandise, the sale of which forms the basis for its new shipper review request, we will instruct CBP to permit the use of a bond only for entries of subject merchandise which Donghua Fine Chemical exported.

Interested parties may submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation and this notice are issued and published in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).

Dated: October 23, 2012.

**Christian Marsh,**

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-357-812]

#### Honey From Argentina: Final Rescission of Antidumping Duty New Shipper Review

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

**DATES:** *Effective Date:* October 30, 2012.

**SUMMARY:** On July 31, 2012, the Department of Commerce (the "Department") published a notice of preliminary rescission of the new shipper review ("NSR") of D'Ambrosio María de los Angeles and D'Ambrosio María Daniela SH, an Argentine partnership doing business as Apícola Danangie ("Danangie"), under the antidumping duty order on honey from Argentina for the period of December 1, 2010, through November 30, 2011.<sup>1</sup> We invited interested parties to comment on our preliminary rescission. We did not receive comments from any party. As discussed below, based on our analysis of the record, the Department has determined that Danangie did not satisfy the regulatory requirements for a NSR; therefore, we are rescinding this NSR.

**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

We published the notice of preliminary rescission of this new shipper review on July 31, 2012.<sup>2</sup> In the *Preliminary Rescission*, the Department found that Danangie, based on the company's own submission to the Department, did make a sale of subject merchandise which was shipped to the United States prior to the current new shipper period, and therefore, did not qualify for a NSR.<sup>3</sup> The complete discussion of the Department's decision to preliminarily rescind the NSR was set forth in its preliminary analysis memorandum, dated July 31, 2012.<sup>4</sup> We

<sup>1</sup> See *Honey from Argentina: Preliminary Rescission of Antidumping Duty New Shipper Review*, 77 FR 45334 (July 31, 2012) (*Preliminary Rescission*).

<sup>2</sup> See *Preliminary Rescission*.

<sup>3</sup> See *Preliminary Rescission* at 45334.

<sup>4</sup> See Memorandum to Angelica L. Mendoza, AD/CVD Operations, Office 7, entitled "Preliminary

invited interested parties to comment on our preliminary rescission of this NSR. No party submitted comments.

#### 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 colors of honey whether in liquid, creamed, comb, cut comb, or chunk form, and whether packaged for retail or in bulk form. The merchandise is currently classifiable under subheadings 0409.00.00, 1702.90.90, and 2106.90.99 of the Harmonized Tariff Schedule of the United States ("HTSUS"). Although the HTSUS subheadings are provided for convenience and customs purposes, the Department's written description of the merchandise under the order is dispositive.

#### Rescission of the Antidumping Duty New Shipper Review

The NSR provisions of the Department's regulations require that the entity making a request for an NSR must document and certify, among other things: (1) The date on which subject merchandise of the exporter or producer making the request was first entered or withdrawn from warehouse, for consumption, or, if it cannot establish the date of first entry, the date on which the exporter or producer first shipped the merchandise for export to the United States; (2) the volume of that and subsequent shipments; and (3) the date of the first sale to an unaffiliated customer in the United States.<sup>5</sup> The Department has not acquired nor received any additional information that would alter our preliminary determination that Danangie, having sold subject merchandise prior to the new shipper review period, does not qualify for a NSR in accordance with 19 CFR 351.241(c), as Danangie failed to certify to and document its first entry of subject merchandise (honey) into the United States. Furthermore, since the publication of the *Preliminary Rescission*, the Department solicited

comments from interested parties regarding the intended rescission of the NSR for Danangie; the Department received no comments.

Because we find Danangie did not have a qualifying, first entry during the new shipper period, we find that there is no qualifying sale to review. As such, we are rescinding this NSR. Accordingly, the all-others antidumping duty margin of 30.24 percent still applies for shipments of honey exported by Danangie for the period December 1, 2010, through November 30, 2011. We note that the Department revoked the antidumping duty order on honey from Argentina on September 21, 2012, with revocation effective August 2, 2012.<sup>6</sup> Therefore, and as discussed below, we are rescinding this NSR and terminating suspension and the collection of cash deposits.

#### Assessment Rate

The Department shall determine, and U.S. Customs and border Protection ("CBP") shall assess, antidumping duties on all appropriate entries. Because we are rescinding this NSR, the all others rate of 30.24 percent applies to all exports of honey exported by Danangie. The assessment rate for Danangie's shipments, however, could change as the Department is conducting an administrative review of the antidumping duty order on honey from Argentina covering Danangie and the period of December 1, 2010, through November 30, 2011. Thus, we will instruct CBP to continue to suspend entries during the period December 1, 2010, through November 30, 2011, of subject merchandise exported by Danangie until CBP receives instructions relating to the administrative review of the honey antidumping order covering the period December 1, 2010, through November 30, 2011.

#### Termination of Suspension of Liquidation

As noted above, the Department revoked the antidumping duty order on honey from Argentina effective August 2, 2012. *See Revocation*. Pursuant to revocation of the order, the Department instructed CBP, on October 9, 2012, to terminate suspension of liquidation and collection of cash deposits on entries of the subject merchandise entered, or withdrawn from warehouse, on or after August 2, 2012. Accordingly, entries of subject merchandise on or after August 2, 2012, are not subject to suspension of

liquidation or antidumping duty deposit requirements.

#### Notification to Importers

This notice serves as a reminder to the 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.

The NSR and rescission notice are published in accordance with sections 751(a)(2)(B) and 777(i) of the Act, as amended and 19 CFR 351.214(f).

Dated: October 22, 2012.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-968]

#### Aluminum Extrusions From the People's Republic of China: Notice of Partial Rescission of Countervailing Duty Administrative Review

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

**DATES:** *Effective Date:* October 30, 2012.

**FOR FURTHER INFORMATION CONTACT:** Kristen Johnson or Robert Copyak AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4793 or (202) 482-2209, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On May 1, 2012, the Department of Commerce (the Department) published a notice of opportunity to request an administrative review of the countervailing duty order on aluminum extrusions from the People's Republic of China (PRC).<sup>1</sup> Pursuant to requests from interested parties, the Department published in the **Federal Register** the notice of initiation of this antidumping

Analysis of Apicola Danangie's Entries in the Antidumping Duty New Shipper Review of Honey from Argentina," dated July 31, 2012.

<sup>5</sup> See 19 CFR 351.214(b)(2)(iv).

<sup>6</sup> See *Honey From Argentina; Final Results of Sunset Reviews and Revocation of Antidumping Duty and Countervailing Duty Orders*, 77 FR 58524 (September 21, 2012) ("Revocation").

<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 77 FR 25679 (May 1, 2012).