

has for processors and end-users, GIPSA worked with the USADPLC to establish an additional minimum color requirement for the U.S. No. 2 Smooth Yellow Dry Pea classification only; and a clear definition to describe the color "fair color yellow pea". Also, GIPSA worked with USADPLC to create a visual reference image that will aid in the consistent application of a fair color. The proposed definition for fair color yellow peas is: "Dry yellow peas that in mass are lightly to moderately discolored as a result of storage or any other cause to the extent they cannot be considered of good color." The addition of "fair color yellow peas" as a minimum color requirement for U.S. No. 2 "Smooth Yellow Dry Pea" classification only; the definition of

"fair color yellow peas"; and the establishment of the visual aid for the color to the U.S. Standards for Whole Dry Peas will result in a more uniform and consistent application of the standards.

"Good color peas" will continue to serve as a minimum color requirement for all classes of U.S. No. 1 Whole Dry Peas and "Good color peas" will continue to serve as a minimum color requirement for all classes of U.S. No. 2 Whole Dry Peas with the exception of Smooth Yellow Dry Peas. Samples meeting the minimum color requirement "poor color peas" will receive no better than a U.S. No. 3 grade designation for all classes of Whole Dry Peas.

**Proposed GIPSA Action**

GIPSA is proposing to establish an additional color grading factor requirement for the Whole Dry Peas class "Smooth Yellow Dry Peas" and establish a definition for "fair color yellow peas." The proposed addition to the grade standards will enable the class of Smooth Yellow Dry Peas to be marketed on the basis of acceptable appearances. The proposed definition for fair color yellow peas is as follows: "Dry yellow peas that in mass are lightly to moderately discolored as a result of storage or any other cause to the extent they cannot be considered of good color."

**GRADES, GRADE REQUIREMENTS, AND GRADE DESIGNATIONS**  
[406 Grades and grade requirements for dockage-free dry peas. (See also 408.)]

Grading factors	Maximum percent limits of: Grades U.S. Nos. <sup>1</sup>		
	1	2	3
Defective Peas:			
Weevil-Damaged Peas .....	0.3	0.8	1.5
Heat-Damaged Peas .....	0.2	0.5	1.0
Damaged Peas <sup>2</sup> .....	1.0	1.5	2.0
Other Classes <sup>3</sup> .....	0.3	0.8	1.5
Bleached Peas <sup>4</sup> .....	1.5	3.0	5.0
Split Peas .....	0.5	1.0	1.5
Shriveled Peas .....	2.0	4.0	8.0
Peas with Cracked Seedcoats .....	5.0	7.0	9.0
Foreign Material .....	0.1	0.2	0.5
Minimum Requirements for Color .....	Good	Good	Poor
Smooth Yellow Dry Peas .....	Good	Fair	Poor

U.S. Sample grade: U.S. Sample grade shall be dockage-free peas which:

- (a) Do not meet the requirements for the grades U.S. Nos. 1, 2, or 3; or
- (b) Contain metal fragments, broken glass, or a commercially objectionable odor; or
- (c) Contain more than 15 percent moisture; or
- (d) Are materially weathered, heating, or distinctly low quality; or
- (e) Are infested with live weevils or other live insects.<sup>5</sup>

<sup>1</sup> Uniformity of Size Requirements—Dry peas of any of the numerical grades shall be of such size that not more than 3.0 percent shall pass through the appropriate oblong-hole sieve as follows:

Mottled peas: 9/64" x 3/4"  
Special grade—Small peas: 10/64" x 3/4"  
All other peas: 11/64" x 3/4"

<sup>2</sup> Damaged peas do not include weevil-damaged or heat-damaged peas.

<sup>3</sup> These limits do not apply to the class Mixed Dry peas.

<sup>4</sup> These limits do not apply to Mottled, Wrinkled and/or Miscellaneous Dry peas, except for Marrowfat-type Dry peas.

<sup>5</sup> As applied to dockage-free whole dry peas, the meaning of the term *infested* as set forth in the Pea and Lentil Inspection Handbook.

GIPSA will solicit comments for 60 days. All comments received within the comment period will be made part of the public record maintained by GIPSA, will be available to the public for review, and will be considered by GIPSA before final action is taken on the proposal.

**Authority:** 7 U.S.C. 1621 *et seq.*  
**Larry Mitchell,**  
*Administrator, Grain Inspection, Packers and Stockyards Administration.*  
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**DEPARTMENT OF COMMERCE**  
**International Trade Administration**  
[A-570-848]  
**Freshwater Crawfish Tail Meat From the People's Republic of China: Initiation of Antidumping Duty New Shipper Reviews**

**AGENCY:** Enforcement and Compliance, formerly Import Administration,

International Trade Administration, Department of Commerce.

**DATES:** *Effective Date:* November 14, 2013.

**SUMMARY:** The Department of Commerce (Department) has determined that requests for new shipper reviews of the antidumping duty order on freshwater crawfish tail meat (crawfish) from the People's Republic of China (PRC), meet the statutory and regulatory requirements for initiation. The period of review (POR) for these new shipper reviews is September 1, 2012, through August 31, 2013.<sup>1</sup>

**FOR FURTHER INFORMATION CONTACT:** Bryan Hansen, AD/CVD Operations Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; Telephone: (202) 482-3683.

**SUPPLEMENTARY INFORMATION:**

**Background**

The antidumping duty order on crawfish from the PRC published in the **Federal Register** on September 15, 1997.<sup>2</sup> Pursuant to section 751(a)(2)(B)(i) of the Tariff Act of 1930, as amended (the Act), we received timely requests for new shipper reviews of the order from Hubei Nature Agriculture Industry Co., Ltd. (Hubei Nature)<sup>3</sup> and Hubei Zhenghe Food Co., Ltd. (Hubei Zhenghe).<sup>4</sup> Each company certified that it is both the producer and exporter of the subject merchandise upon which the request was based.<sup>5</sup>

Pursuant to section 751(a)(2)(B)(i)(I) of the Act and 19 CFR 351.214(b)(2)(i), Hubei Nature and Hubei Zhenghe each certified that it did not export subject merchandise to the United States during the period of investigation (POI).<sup>6</sup> In addition, pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), Hubei Nature and Hubei Zhenghe each certified that, since the initiation of the investigation, it has never been affiliated with any exporter

or producer who exported subject merchandise to the United States during the POI, including those respondents not individually examined during the POI.<sup>7</sup> As required by 19 CFR 351.214(b)(2)(iii)(B), Hubei Nature and Hubei Zhenghe also certified that their export activities were not controlled by the government of the PRC.<sup>8</sup>

In addition to the certifications described above, pursuant to 19 CFR 351.214(b)(2), Hubei Nature and Hubei Zhenghe each 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.<sup>9</sup>

**Initiation of New Shipper Review**

Pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214(d)(1), the Department finds that the requests from Hubei Nature and Hubei Zhenghe meet the threshold requirements for initiation of new shipper reviews for shipments of crawfish from the PRC produced and exported by Hubei Nature and produced and exported by Hubei Zhenghe.<sup>10</sup>

The Department intends to issue the preliminary results of these reviews no later than 180 days from the date of initiation and final results of these reviews no later than 90 days after the date the preliminary results are issued.<sup>11</sup> It is the Department's usual practice, in cases involving non-market economy countries, to require that a company seeking to establish eligibility for an antidumping duty rate separate from the country-wide rate provide evidence of *de jure* and *de facto* absence of government control over the company's export activities. Accordingly, we will issue a questionnaire to Hubei Nature and Hubei Zhenghe which will include a section requesting information concerning their eligibility for a separate rate. The new shipper review of Hubei Nature will be rescinded if the Department determines that Hubei

Nature has not demonstrated that it is eligible for a separate rate. Likewise, the new shipper review of Hubei Zhenghe will be rescinded if the Department determines that Hubei Zhenghe has not demonstrated that it is eligible for a separate rate.

We will instruct U.S. Customs and Border Protection 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 Hubei Nature and Hubei Zhenghe in accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e). Because each company certified that it produced and exported subject merchandise, the sale of which is the basis for the requests for new shipper reviews, we will apply the bonding privilege to Hubei Nature and Hubei Zhenghe only for subject merchandise which were produced and exported by Hubei Nature and produced and exported by Hubei Zhenghe.

To assist in its analysis of the *bona fides* of these two companies' sales, upon initiation of this new shipper review, the Department will require them to submit on an ongoing basis complete transaction information concerning any sales of subject merchandise to the United States that were made subsequent to the POR.

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

Dated: November 6, 2013.

**Christian Marsh,**

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

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[C-570-997, C-580-873, C-583-852]

**Non-Oriented Electrical Steel From the People's Republic of China, the Republic of Korea, and Taiwan: Initiation of Countervailing Duty Investigations**

**AGENCY:** Enforcement and Compliance, formerly Import Administration, International Trade Administration, Department of Commerce.

<sup>1</sup> See 19 CFR 351.214(g)(1)(i)(A).

<sup>2</sup> See *Notice of Final Determination of Sales at Less Than Fair Value: Freshwater Crawfish Tail Meat From the People's Republic of China*, 62 FR 41347 (August 1, 1997), as amended by *Notice of Amendment to Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Freshwater Crawfish Tail Meat From the People's Republic of China*, 62 FR 48218 (September 15, 1997).

<sup>3</sup> See Hubei Nature's new shipper request dated September 18, 2013.

<sup>4</sup> See Hubei Zhenghe's new shipper request dated September 30, 2013.

<sup>5</sup> See Hubei Nature's new shipper request at Exhibit 2 and Hubei Zhenghe's new shipper request at Exhibit 1.

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> Hubei Nature's new shipper request at Exhibit 1 and Hubei Zhenghe's new shipper request at Exhibit 2.

<sup>10</sup> See the memoranda to the file entitled "Freshwater Crawfish Tail Meat from the People's Republic of China: Initiation Checklist for Antidumping Duty New Shipper Review of Hubei Nature Agriculture Industry Co., Ltd." and "Freshwater Crawfish Tail Meat from the People's Republic of China: Initiation Checklist for Antidumping Duty New Shipper Review of Hubei Zhenghe Food Co., Ltd." dated concurrently with this notice.

<sup>11</sup> See section 751(a)(2)(B)(iv) of the Act.