

establishing the precise time a violation may occur does not preclude a finding that a violation is imminent, so long as there is sufficient reason to believe the likelihood of a violation." *Id.*

In its request, BIS has presented evidence that, in December 2013, two U.S.-origin General Electric CF6 aircraft engines² bearing manufacturer's serial numbers ("MSN") 695244 and 705112 were transported on behalf of Adaero International Trade, LLC to 3K Aviation Consulting & Logistics ("3K Aviation"), which is located in Turkey. Additionally, BIS has been notified that 3K Aviation is preparing to immediately re-export the engines to Iran without the U.S. Government authorization required by Section 746.7 of the EAR. BIS was further notified that Pouya Airline, an Iranian cargo airline, is scheduled to transport both engines from Turkey to Iran on January 7, 2014.

I find that the evidence presented by BIS demonstrates that a violation of the Regulations is imminent in both time and degree of likelihood. As such, a TDO is needed to give notice to persons and companies in the United States and abroad that they should cease dealing with the Respondents in export transactions involving items subject to the EAR. Such a TDO is consistent with the public interest to preclude future violations of the EAR.

Accordingly, I find that a TDO naming 3K Aviation Consulting & Logistics, Huseyin Engin Borluca, Adaero International Trade, Recep Sadettin Ilgin, and Pouya Airline is necessary, in the public interest, to prevent an imminent violation of the EAR.

This Order is being issued on an *ex parte* basis without a hearing based upon BIS's showing of an imminent violation in accordance with Section 766.24 of the Regulations.

It is therefore ordered:

First, that 3K AVIATION CONSULTING & LOGISTICS, A/K/A 3K HAVACILIK VE DANISMANLIK SAN. TIC. LTD. ST., Biniciler Apt. Savas Cad. No. 18/5, Sirinyali Mah. 07160, Antalya, Turkey, and Sonmez Apt. No. 4/5 1523 Sokak, Sirinyali Mah. 07160, Antalya, Turkey; HUSEYIN ENGIN BORLUCA, Biniciler Apt. Savas Cad. No. 18/5, Sirinyali Mah. 07160, Antalya, Turkey, and Sonmez Apt. No. 4/5 1523 Sokak, Sirinyali Mah. 07160, Antalya, Turkey; ADAERO INTERNATIONAL TRADE, LLC, 2326 17th Avenue, Rockford, IL 61104, and IDTM B1 Blok, KAT 14 No.

439, Ysilkoy, Istanbul, Turkey; RECEP SADETTIN ILGIN, 2326 17th Avenue, Rockford, IL 61104, and IDTM B1 Blok, KAT 14 No. 439, Ysilkoy, Istanbul, Turkey; and POUYA AIRLINE, a/k/a POUYA AIR, Mehrebad Airport, Tehran, Iran; and when acting for or on their behalf, any successors or assigns, agents, or employees (each a "Denied Person" and collectively the "Denied Persons") may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to the Export Administration Regulations ("EAR"), or in any other activity subject to the EAR including, but not limited to:

A. Applying for, obtaining, or using any license, License Exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the EAR, or in any other activity subject to the EAR; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the EAR, or in any other activity subject to the EAR.

Second, that no person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of a Denied Person any item subject to the EAR;

B. Take any action that facilitates the acquisition or attempted acquisition by a Denied Person of the ownership, possession, or control of any item subject to the EAR that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby a Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from a Denied Person of any item subject to the EAR that has been exported from the United States;

D. Obtain from a Denied Person in the United States any item subject to the EAR with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the EAR that has been or will be exported from the United States and which is owned, possessed or controlled by a Denied

Person, or service any item, of whatever origin, that is owned, possessed or controlled by a Denied Person if such service involves the use of any item subject to the EAR that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, that, after notice and opportunity for comment as provided in section 766.23 of the EAR, any other person, firm, corporation, or business organization related to a Denied Person by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be made subject to the provisions of this Order.

In accordance with the provisions of Section 766.24(e) of the EAR, the Respondents may, at any time, appeal this Order by filing a full written statement in support of the appeal with the Office of the Administrative Law Judge, U.S. Coast Guard ALJ Docketing Center, 40 South Gay Street, Baltimore, Maryland 21202-4022.

In accordance with the provisions of Section 766.24(d) of the EAR, BIS may seek renewal of this Order by filing a written request not later than 20 days before the expiration date. The Respondents may oppose a request to renew this Order by filing a written submission with the Assistant Secretary for Export Enforcement, which must be received not later than seven days before the expiration date of the Order.

A copy of this Order shall be served on the Respondents and shall be published in the **Federal Register**.

This Order is effective upon issuance and shall remain in effect for 180 days.

Dated: January 3, 2014.

David W. Mills,

Assistant Secretary of Commerce for Export Enforcement.

[FR Doc. 2014-00229 Filed 1-9-14; 8:45 a.m.]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-552-802]

Certain Frozen Warmwater Shrimp From the Socialist Republic of Vietnam: Initiation and Preliminary Results of Changed Circumstances Review

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

SUMMARY: In response to a request for a changed circumstances review ("CCR")

² The engines are items subject to the Regulations, classified under Export Control Classification Number 9A991.d, and controlled for anti-terrorism reasons.

of Gallant Ocean (Vietnam) Co., Ltd. (“Gallant Ocean”) and its subsidiary, Gallant Ocean (Quang Ngai), Co. Ltd. (“Quang Ngai”), the Department of Commerce (“Department”) is initiating a CCR of the antidumping duty order on certain frozen warmwater shrimp from the Socialist Republic of Vietnam (“Vietnam”). We have preliminarily determined that Gallant Dachan Seafood Co., Ltd. (“Dachan”) is the successor-in-interest to Quang Ngai, and, as a result, should be accorded the same treatment previously accorded to Quang Ngai. Interested parties are invited to comment on these preliminary results.

DATES: *Effective Date:* January 10, 2014.

FOR FURTHER INFORMATION CONTACT:

Ricardo Martinez Rivera or Bob Palmer, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: at (202) 482-4532 or (202) 482-9068, respectively.

SUPPLEMENTARY INFORMATION:

Background

The Department published the antidumping duty order on certain frozen warmwater shrimp from Vietnam on February 1, 2005.¹ In the fourth administrative review, we granted Gallant Ocean a separate rate.² In the sixth administrative review (*i.e.*, February 1, 2010, through January 31, 2011), Gallant Ocean acquired Quang Ngai, and in that review and in the seventh administrative review, we assigned Quang Ngai a separate rate (*i.e.*, zero percent).³ On October 31, 2013,⁴ Gallant Ocean informed the Department

that it had reduced ownership in Quang Ngai and changed its name, and petitioned the Department to conduct a CCR to confirm that Dachan is the successor-in-interest to Quang Ngai, for purposes of determining antidumping duties due as a result of the *Order*.⁵

Scope of the Order

The merchandise subject to the order is certain frozen warmwater shrimp. The product is currently classified under the following Harmonized Tariff Schedule of the United States item numbers: 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. The written description of the scope of the order is dispositive. A full description of the scope of the order is available in the accompanying Issues and Decision Memorandum.⁶

Initiation and Preliminary Results of Changed Circumstances Review

Pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (“the Act”), and 19 CFR 351.216, the Department will conduct a CCR upon a request from an interested party for a review of an antidumping duty order which shows changed circumstances sufficient to warrant a review of the order. The information submitted by Gallant Ocean supporting its claim that Dachan is the successor-in-interest to Quang Ngai, demonstrates changed circumstances sufficient to warrant such a review.⁷

In accordance with the above-referenced regulation, the Department is initiating a CCR to determine whether Dachan is the successor-in-interest to Quang Ngai. In determining whether one company is the successor-in-interest to another, the Department examines a number of factors including, but not limited to, changes in management, production facilities, supplier relationships, and customer base.⁸ Although no single factor will necessarily provide a dispositive

indication of succession, generally, the Department will consider one company to be a successor-in-interest to another company if its resulting operation is similar to that of its predecessor.⁹ Thus, if the evidence demonstrates that with respect to the production and sale of the subject merchandise, the new company operates as the same business entity as the prior company, the Department will assign the new company the cash-deposit rate of its predecessor.¹⁰

In its October 31, 2013, submission, Gallant Ocean provided information to demonstrate that Dachan is the successor-in-interest to Quang Ngai. Specifically, the record in this review indicates: (1) That, except for the financial manager, management which operated Dachan is the same which operated Quang Ngai;¹¹ (2) Dachan retained the same physical address and equipment as Quang Ngai and that production continued uninterrupted;¹² (3) that Dachan continued to purchase raw shrimp and packing materials from the same suppliers;¹³ (4) that Dachan continued to supply the same U.S. customer base.¹⁴ Under these circumstances, the Department preliminarily finds that Dachan operates as the same business entity as Quang Ngai. Given the continuity described above, we have preliminarily determined that no material change has occurred with respect to Quang Ngai’s management, production facilities, suppliers, or customer base as a result of the name change to Dachan.

When it concludes that expedited action is warranted, the Department may publish the notice of initiation and preliminary results for a CCR concurrently.¹⁵ We have determined that expedition of this CCR is warranted because we have the information necessary to make a preliminary finding

¹ See *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp From the Socialist Republic of Vietnam*, 70 FR 5152 (February 1, 2005) (“*Order*”).

² See *Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam: Final Results and Partial Rescission of Antidumping Duty Administrative Review*, 75 FR 47771 (August 9, 2010).

³ See *Certain Frozen Warmwater Shrimp From the Socialist Republic of Vietnam: Final Results and Final Partial Rescission of Antidumping Duty Administrative Review*, 77 FR 55800, 55802 (September 11, 2012), unchanged in *Frozen Warmwater Shrimp From the Socialist Republic of Vietnam: Amended Final Results and Partial Final Rescission of Antidumping Duty Administrative Review*, 77 FR 64102, 64103 (October 18, 2012); see also *Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam: Final Results and Final Partial Rescission of Antidumping Duty Administrative Review*, 78 FR 56211–14 (September 12, 2013).

⁴ This changed circumstances review was originally filed on September 30, 2013, within the seventh administrative review for frozen shrimp from Vietnam. Pursuant to instructions from the Department, Gallant Ocean re-filed this changed circumstances review on October 31, 2013.

⁵ See Letter from Gallant Ocean, dated October 31, 2013, at 3.

⁶ For a full description of the scope of the *Order*, see *Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam: Issues and Decision Memorandum for the Final Results*, (“*Issues and Decision Memorandum*”) dated September 6, 2013.

⁷ See 19 CFR 351.216(d); see also *Notice of Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review: Carbon and Certain Alloy Steel Wire Rod From Mexico*, 75 FR 67685 (November 3, 2010).

⁸ See *Industrial Phosphoric Acid From Israel; Final Results of Antidumping Duty Changed Circumstances Review*, 59 FR 6944 (February 14, 1994).

⁹ See *Brass Sheet and Strip From Canada; Final Results of Antidumping Duty Administrative Review*, 57 FR 20460 (May 13, 1992).

¹⁰ *Id.*; *Notice of Final Results of Changed Circumstances Antidumping Duty Administrative Review: Polychloroprene Rubber From Japan*, 67 FR 58 (January 2, 2002); see also *Ball Bearings and Parts Thereof from France: Final Results of Changed-Circumstances Review*, 75 FR 34688 (June 18, 2010) (the Department found successorship where the company changed its ownership structure, but made only minor changes to its operations, management, supplier relationships, and customer base).

¹¹ See Letter from Gallant Ocean, dated October 31, 2013, at 4 and Exhibit 4.

¹² See *id.*, at 5, and Exhibits 1 and 2.

¹³ See *id.*, at 5, and Exhibit 5.

¹⁴ See *id.*, at 5–6, and Exhibit 5.

¹⁵ See 19 CFR 351.221(c)(3)(ii); see also *Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review: Canned Pineapple Fruit From Thailand*, 69 FR 30878 (June 1, 2004).

already on the record.¹⁶ In this case, we preliminarily find that Dachan is the successor-in-interest to Quang Ngai and, as such, is entitled to Quang Ngai's cash-deposit rate with respect to entries of subject merchandise.

Should our final results remain the same as these preliminary results, effective the date of publication of the final results, we will instruct U.S. Customs and Border Protection to assign entries of merchandise produced or exported by Dachan the antidumping duty cash-deposit rate applicable to Quang Ngai.

Public Comment

Any interested party may request a hearing within 14 days of publication of this notice, in accordance with 19 CFR 351.310(c). Interested parties may submit case briefs and/or written comments no later than 30 days after the date of publication of this notice. Rebuttal briefs and rebuttals to written comments, which must be limited to issues raised in such briefs or comments, may be filed not later than 5 days after the case briefs. Any hearing, if requested, will normally be held two days after rebuttal briefs are due, in accordance with 19 CFR 351.310(d)(1). Parties who submit case briefs or rebuttal briefs in this CCR are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument with an electronic version included. Consistent with 19 CFR 351.216(e), we will issue the final results of this CCR no later than 270 days after the date on which this review was initiated or within 45 days of publication of these preliminary results if all parties agree to our preliminary finding.

We are issuing and publishing this initiation and preliminary results notice in accordance with sections 751(b)(1) and 777(i)(1) of the Act and 19 CFR 351.216 and 351.221(c)(3).

Dated: January 3, 2014.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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¹⁶ See *Ball Bearings and Parts Thereof from Japan: Initiation and Preliminary Results of Changed Circumstances Review*, 71 FR 14679 (March 23, 2006).

DEPARTMENT OF COMMERCE

International Trade Administration

[A-405-803]

Purified Carboxymethylcellulose From Finland: Final Results of Antidumping Duty Administrative Review; 2011-2012

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

SUMMARY: On August 7, 2013, the Department of Commerce (the Department) published the *Preliminary Results* of the 2011-2012 administrative review of the antidumping duty order on Purified Carboxymethylcellulose from Finland.¹ This review covers one respondent, CP Kelco Oy and CP Kelco, Inc. (collectively, CP Kelco). The petitioner in this proceeding is the Aqualon Company, a division of Hercules Incorporated (Petitioner). For these final results of review, we continue to find that CP Kelco made sales of subject merchandise to the United States at less than normal value (NV).

DATES: *Effective Date:* January 10, 2014.

FOR FURTHER INFORMATION CONTACT:

Tyler Weinhold or Robert James, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Room 7850, Washington, D.C. 20230; telephone (202) 482-1121 or (202) 482-0649, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 7, 2013, the Department published the *Preliminary Results*. We invited parties to comment on the *Preliminary Results*. In response, we received a case brief from CP Kelco on September 16, 2013.² Petitioner filed a rebuttal brief on September 20, 2013.³

Period of Review (POR)

The POR is July 1, 2011, through June 30, 2012.

¹ See *Purified Carboxymethylcellulose from Finland: Notice of Preliminary Results of Antidumping Duty Administrative Review; 2011-2012*, 78 FR 50028 (August 16, 2013) (*Preliminary Results*), and the accompanying Decision Memorandum (Preliminary Decision Memorandum).

² See case brief from CP Kelco, "Purified Carboxymethylcellulose from Finland; Case Brief" (September 16, 2013) (CP Kelco's Case Brief).

³ See rebuttal brief from Petitioner, "Purified Carboxymethylcellulose from Finland; Rebuttal Brief" (September 20, 2013) (Petitioner's Rebuttal Brief).

Scope of the Order

The merchandise covered by this order is all purified carboxymethylcellulose (CMC).⁴ The merchandise subject to this order is classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheading 3912.31.00.

Tolling of Deadlines

As explained in the memorandum from the Assistant Secretary for Enforcement and Compliance, the Department has exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from October 1, through October 16, 2013. See Memorandum for the Record from Paul Piquado, Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Shutdown of the Federal Government" (October 18, 2013). Therefore, all deadlines in this segment of the proceeding have been extended by 16 days. If the new deadline falls on a non-business day, in accordance with the Department's practice, the deadline will become the next business day. The revised deadline for the final results of this review is now January 2, 2014.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this antidumping investigation are addressed in the Issues and Decision Memorandum. A list of the issues raised is attached to this notice as Appendix I. We have analyzed all interested party comments and have made no changes to the *Preliminary Results* for these final results.

⁴ For a full description of the scope of the order, see Memorandum from Richard Weible, Director, Office VI, Antidumping and Countervailing Duty Operations, to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, "Issues and Decision Memorandum for the Final Results of the 2011 to 2012 Administrative Review of the Antidumping Duty Order on Purified Carboxymethylcellulose from Finland" (Issues and Decision Memorandum), which is dated concurrently with these final results and incorporated herein by reference. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and in the Central Records Unit (CRU), 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 Internet at <http://enforcement.trade.gov/fm/>. The signed Issues and Decision Memorandum and the electronic versions of the Issues and Decision Memorandum are identical in content.