

We will instruct CBP to assess antidumping duties on all appropriate entries covered by this new shipper review when the importer-specific assessment rate calculated in the final results of this review is above *de minimis*. Where either the respondent's weighted-average dumping margin is zero or *de minimis*, or an importer-specific assessment rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. The Department announced a refinement to its assessment practice in NME cases. Pursuant to this refinement in practice, for entries that were not reported in the U.S. sales databases submitted by Anying for this new shipper review, the Department will instruct CBP to liquidate such entries at the PRC-wide rate. In addition, if the Department determines that the exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (*i.e.*, at that exporter's rate) will be liquidated at the PRC-wide rate.<sup>12</sup>

The final results of this new shipper review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.

#### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this new shipper review for shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For the companies listed above that have a separate rate, the cash deposit rate will be that rate established in the final results of this new shipper review (except, if the rate is zero or *de minimis*, then a zero cash deposit will be required); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing producer/exporter-specific combination rate; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the PRC-

wide entity, or 58.84 percent; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC producer/exporter combination that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice also serves as a preliminary reminder to 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 Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing these results in accordance with sections 751(a)(2)(B) and 777(i)(1) of the Act and 19 CFR 351.214.

Dated: December 30, 2014.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

#### Appendix I—List of Topics Discussed in the Preliminary Decision Memorandum

1. Summary
2. Background
3. Scope of the Order
4. Discussion of the Methodology
5. Bona Fide Sale Analysis
6. Non-Market Economy Country Status
7. Separate Rates
8. Absence of De Jure Control
9. Absence of De Facto Control
10. Surrogate Country
11. Economic Comparability
12. Significant Producer of Comparable Merchandise
13. Data Availability
14. Date of Sale
15. Fair Value Comparisons
16. Differential Pricing Analysis
17. Results of the Differential Pricing Analysis
18. U.S. Price
19. Value Added Tax
20. Normal Value
21. Factor Valuations
22. Currency Conversion
23. Section 777A(f) of the Act

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-919, A-602-806]

#### Electrolytic Manganese Dioxide From the People's Republic of China and Australia: Continuation of the Antidumping Duty Order on the People's Republic of China, Revocation of the Antidumping Duty Order on Australia

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

**SUMMARY:** As a result of the determinations by the Department of Commerce (the "Department") and the International Trade Commission (the "ITC") in their five year (sunset) reviews that revocation of the antidumping duty ("AD") order on electrolytic manganese dioxide ("EMD") from the People's Republic of China ("PRC") would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, the Department is publishing a notice of continuation of the AD order on EMD from the PRC. In addition, as a result of the ITC's determination that revocation of the AD order on EMD from Australia is not likely to lead to continuation or recurrence of dumping and material injury to an industry in the United States within a reasonably foreseeable time, the Department is revoking the AD order on EMD from Australia.

**DATES:** *Effective Date:* January 9, 2015.

**FOR FURTHER INFORMATION CONTACT:** Howard Smith, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: 202-482-5193.

#### SUPPLEMENTARY INFORMATION

##### Background

On October 7, 2008, the Department published the AD orders on EMD from the PRC and Australia.<sup>1</sup> On September 3, 2013, the Department published the notice of initiation of the first sunset review of the AD orders on EMD from the PRC and Australia, pursuant to section 751(c) of the Tariff Act of 1930,

<sup>1</sup> See *Antidumping Duty Order: Electrolytic Manganese Dioxide from Australia*, 73 FR 58538 (October 7, 2008) ("Australia Order"); see also *Antidumping Duty Order: Electrolytic Manganese Dioxide from the People's Republic of China*, 73 FR 58537 (October 7, 2008).

<sup>12</sup> For a full discussion of this practice, see *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011).

as amended (the “Act”).<sup>2</sup> As a result of its reviews, the Department determined that revocation of the AD orders on EMD from the PRC and Australia would likely lead to continuation or recurrence of dumping and notified the ITC of the magnitude of the dumping margins likely to prevail should the order be revoked.<sup>3</sup> On December 24, 2014, the ITC published its determination, pursuant to section 751(c) of the Act, that revocation of the AD order on EMD from the PRC would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time, but that revocation of the AD order on EMD from Australia would not be likely to do so.<sup>4</sup>

### Scope of the Orders

The merchandise covered by these orders includes all manganese dioxide (MnO<sub>2</sub>) that has been manufactured in an electrolysis process, whether in powder, chip, or plate form. Excluded from the scope are natural manganese dioxide (NMD) and chemical manganese dioxide (CMD). The merchandise subject to these orders is classified in the Harmonized Tariff Schedule of the United States (“HTSUS”) at subheading 2820.10.00.00. While the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of these orders is dispositive.

### Continuation of the Order on EMD From the PRC

As a result of the determinations by the Department and the ITC that revocation of the AD order on EMD from the PRC would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the AD order on EMD from the PRC. U.S. Customs and Border Protection (“CBP”) will continue to collect AD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise.

The effective date of the continuation of the order will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, the

Department intends to initiate the next five-year review of the order not later than 30 days prior to the fifth anniversary of the effective date of continuation.

### Revocation of the Order on EMD From Australia

As a result of the determination by the ITC that revocation of the AD order on EMD from Australia would not be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time, pursuant to section 751(d)(2) of the Act, the Department is revoking the AD order on EMD from Australia. Pursuant to section 751(d)(2) of the Act and 19 CFR 351.222(i)(2)(i), the effective date of revocation is October 7, 2013 (*i.e.*, the fifth anniversary of the date of publication of the order in the **Federal Register**).<sup>5</sup>

### Cash Deposit and Assessment of Duties for EMD From Australia

The Department will notify CBP 15 days after publication of this notice, to terminate the suspension of liquidation and to discontinue the collection of cash deposits on entries of EMD from Australia, entered or withdrawn from warehouse, on or after October 7, 2013. The Department will further instruct CBP to refund with interest all cash deposits on entries made on or after October 7, 2013. Entries of EMD from Australia prior to the effective date of revocation will continue to be subject to suspension of liquidation and AD deposit requirements and assessments. The Department will complete any pending or requested administrative reviews of the order on EMD from Australia covering entries prior to October 7, 2013.

### Administrative Protective Order

This notice also serves as the only reminder to parties subject to administrative protective order (“APO”) of their responsibility concerning the return/destruction or conversion to judicial protective order of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Failure to comply is a violation of the APO which may be subject to sanctions.

These five-year (sunset) reviews and notice are published in accordance with sections 751(c) and (d)(2), and 777(i) of the Act, and 19 CFR 351.218(f)(4).

<sup>5</sup> See *Australia Order*, 73 FR at 58538; see also 19 CFR 351.222(i)(2)(i).

Dated: December 31, 2014.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XD702

### Gulf of Mexico Fishery Management Council (Council); Public Meeting

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public meeting of the Gulf of Mexico Fishery Management Council.

**SUMMARY:** The Gulf of Mexico Fishery Management Council (Council) will hold meetings of the: Administrative Policy, Data Collection, Reef Fish, Mackerel and Gulf SEDAR Management Committees; in conjunction with a meeting of the Full Council. The Council will also hold a formal public comment session.

**DATES:** The Council meeting will convene 8:30 a.m. on Monday, January 26 and adjourn 4 p.m. on Thursday, January 29, 2015.

**ADDRESSES:**

*Meeting address:* The meeting will be held at the Grand Hotel Marriott, located at One Grand Boulevard, Point Clear, AL 36564; telephone: (251) 928-9201.

*Council address:* Gulf of Mexico Fishery Management Council, 2203 North Lois Avenue, Suite 1100, Tampa, FL 33607.

**FOR FURTHER INFORMATION CONTACT:** Mr. Douglas Gregory, Executive Director, Gulf of Mexico Fishery Management Council; telephone: (813) 348-1630; fax: (813) 348-1711; email: [doug.gregory@gulfcouncil.org](mailto:doug.gregory@gulfcouncil.org)

**SUPPLEMENTARY INFORMATION:** The items of discussion for each individual management committee agenda are as follows:

*Administrative Policy Committee Agenda, Monday, January 26, 2015, 8:30 a.m. until 10:30 a.m.:*

- Update on Advisory Panel (AP) and Scientific and Statistical Committee (SSC) Appointment Process and Structure
- Review of NMFS/NOAA Comments on 2012 Standard Operating Policies and Procedures (SOPPs)

<sup>2</sup> See *Initiation of Five-Year (“Sunset”) Review*, 78 FR 54237 (September 3, 2013).

<sup>3</sup> See *Electrolytic Manganese Dioxide From Australia and the People’s Republic of China: Final Results of the Expedited First Sunset Reviews of the Antidumping Duty Orders*, 79 FR 6162, 6163 (February 3, 2014).

<sup>4</sup> See *Electrolytic Manganese Dioxide From Australia and China*, 79 FR 77525 (December 24, 2014).