

735(b)(3) of the Act, the ITC will determine within 45 days of the *Final Determination* whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports or sales (or the likelihood of sales) for importation of the subject merchandise. If the ITC determines that such injury exists, the Department will issue an antidumping duty order directing CBP to assess, upon further instruction by the Department, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

This amended final determination notice is published in accordance with section 735(e) of the Act and 19 CFR 351.224(e).

Dated: June 10, 2015.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-891]

#### **Hand Trucks and Certain Parts Thereof From the People's Republic of China: Notice of Amended Final Results of Antidumping Duty Administrative Review Pursuant to Settlement; 2010-2011**

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

**DATES:** *Effective Date:* June 16, 2015.

**FOR FURTHER INFORMATION CONTACT:** Scott Hoefke 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., Washington, DC 20230; telephone: (202) 482-4947 and (202) 482-0649, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On May 16, 2013, the Department of Commerce (the Department) published the final results of its administrative review of the antidumping duty order on hand trucks and certain parts thereof from People's Republic of China.<sup>1</sup> The

<sup>1</sup> See *Hand Trucks and Certain Parts Thereof from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2010-2011*, 78 FR 28801 (May 16, 2013) (*Final Results*).

period of review (POR) is December 1, 2010, through November 30, 2011.

The administrative review covered four companies, New-Tec Integration (Xiamen) Co., Ltd. (New-Tec), WelCom Products, Inc. (WelCom), Yuhuan Tongsheng Industry Company (Tongsheng), and Yangjiang Shunhe Industrial Co., Ltd. and Yangjiang Shunhe Industrial & Trade Co., Ltd. (collectively, Shunhe). In the *Final Results*, the Department rescinded the administrative review with respect to WelCom, Tongsheng, and Shunhe, and assigned to New-Tec, an exporter of hand trucks and certain parts thereof from the People's Republic of China to the United States, a rate of 9.21 percent for the 2010-2011 period of review.

Following the publication of the *Final Results*, Gleason Industrial Products, Inc. and Precision Products, Inc. (collectively, Gleason), domestic interested parties, and Cosco Home and Office Products (Cosco), a U.S. importer, filed lawsuits with the United States Court of International Trade (CIT) challenging various aspects of the Department's final results of administrative review.

The United States, Gleason, and Cosco have entered into an agreement to settle this dispute. Pursuant to the terms of settlement and the stipulation for entry of judgment, the amended final weighted-average dumping margin for New-Tec is 5.38 percent. The Court issued its Order of Judgment by Stipulation on May 29, 2015.<sup>2</sup>

#### **Assessment Rates**

The Department shall determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review. The Department intends to issue assessment instructions to CBP within 15 days after the date of publication of these amended final results of review in the **Federal Register**.

We have calculated importer-specific per-unit antidumping duty assessment rates by aggregating the total amount of dumping calculated for the examined sales of each importer and dividing each of these amounts by the total entered quantity associated with those sales.<sup>3</sup> We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review where an importer-specific assessment rate is not

<sup>2</sup> See *Cosco Home and Office Products v. United States*, Consol. Court No. 13-00217, Doc. No. 85 (May 29, 2015).

<sup>3</sup> See Memorandum to: The File "Per-Unit Assessment Calculation for New-Tec Integration (Xiamen) Co., Ltd. (New-Tec) in the Amended Final Results of Administrative Review of the Antidumping Order on Hand Trucks and Parts Thereof from the People's Republic of China; 2010-2011" dated concurrently with this notice.

zero or *de minimis*. We will instruct CBP to liquidate without regard to antidumping duties any entries for which the importer-specific assessment rate is zero or *de minimis*.

#### **Cash Deposit Requirements**

Since the *Final Results*, the Department completed a subsequent administrative review of, and established a new cash deposit rate for, New-Tec. Therefore, New-Tec's cash deposit rate does not need to be updated as a result of these amended final results. Rather, New-Tec's cash deposit rate will continue to be 0.00 percent, the rate established in that review.<sup>4</sup>

#### **Notification to Importers**

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) 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.

We are issuing this determination and publishing these amended final results in accordance with 19 U.S.C. 1516(e).

Dated: June 9, 2015.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XD732

#### **Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Shell Ice Overflight Surveys in the Beaufort and Chukchi Seas, Alaska**

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

**ACTION:** Notice; issuance of an incidental harassment authorization.

**SUMMARY:** In accordance with the Marine Mammal Protection Act

<sup>4</sup> See *Hand Trucks and Certain Parts Thereof from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2010-2012*, 79 FR 44008 (July 29, 2014).