

the final results of this review is not zero or *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 final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review where applicable.

In accordance with the Department's "automatic assessment" practice, for entries of subject merchandise during the POR produced by each respondent for which they did not know that their merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

We intend to issue instructions to CBP 15 days after publication of the final results of this review.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication of the final results of this administrative review, as provided by section 751(a)(2) of the Act: (1) The cash deposit rate for respondents noted above will be the rate established in the final results of this administrative review; (2) for merchandise exported by manufacturers or exporters not covered in this administrative review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the manufacturer of the subject merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 15.45 percent, the all-others rate established in the antidumping investigation as modified by the section 129

determination.¹¹ These cash deposit requirements, when imposed, shall remain in effect until further notice.

Disclosure and Public Comment

The Department will disclose to parties to this proceeding the calculations performed in reaching the preliminary results within five days of the date of publication of these preliminary results.¹² Pursuant to 19 CFR 351.309(c), interested parties may submit cases briefs not later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.¹³ Parties who submit comments are requested to submit: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities. All briefs must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety by the Department's electronic records system, ACCESS.

Interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, using Enforcement and Compliance's ACCESS system within 30 days of publication of this notice.¹⁴ Requests should contain the party's name, address, and telephone number, the number of participants, and a list of the issues to be discussed. If a request for a hearing is made, we will inform parties of the scheduled date for the hearing which will be held at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, at a time and location to be determined.¹⁵ Parties should confirm by telephone the date, time, and location of the hearing.

Unless the deadline is extended pursuant to section 751(a)(2)(B)(iv) of the Act, the Department will issue the final results of this administrative review, including the results of our analysis of the issues raised by the parties in their case briefs, within 120 days after issuance of these preliminary results.

Notification to Importers

This notice 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 Secretary's presumption that reimbursement of antidumping duties occurred and increase the subsequent assessment of the antidumping duties by the amount of antidumping duties reimbursed.

These preliminary results of review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: July 31, 2015.

Ronald K. Lorentzen,
Acting Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in the Preliminary Decision Memorandum

1. Summary
2. Background
3. Scope of the Order
4. Discussion of Methodology
 - Date of Sale
 - Comparisons to Normal Value
 - Product Comparisons
 - Determination of Comparison Method
 - Results of the Differential Pricing (DP) Analysis
 - Export Price
 - Constructed Export Price
 - Normal Value
 - A. Home Market Viability
 - B. Level of Trade
 - C. Cost of Production
 - D. Calculation of Cost of Production
 - E. Test of Home Market Prices
 - F. Results of the COP Test
 - Margins for Companies Not Selected for Individual Examination
 - Currency Conversion
5. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-827]

Cased Pencils From the People's Republic of China: Initiation of Antidumping Duty New Shipper Review

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

SUMMARY: On May 29, 2015, the Department of Commerce (the Department) received a timely request for a new shipper review (NSR) from

¹¹ See *Implementation of the Findings of the WTO Panel in US—Zeroing (EC): Notice of Determinations Under Section 129 of the Uruguay Round Agreements Act and Revocations and Partial Revocations of Certain Antidumping Duty Orders*, 72 FR 25261 (May 4, 2007).

¹² See 19 CFR 351.224(b).

¹³ See 19 CFR 351.309(d).

¹⁴ See 19 CFR 351.310(c).

¹⁵ See 19 CFR 351.310.

Wah Yuen Stationery Co. Ltd. (Wah Yuen), in accordance with section 751(a)(2)(B)(i) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.214(c).¹ On June 22, 2015, the Department issued a letter to Wah Yuen requesting that it correct certain deficiencies in its initial request.² On June 29, 2015, Wah Yuen submitted a timely response to the Department's request.³ The Department has determined that the request for a new shipper review of the antidumping duty order on cased pencils from the People's Republic of China (PRC) meets the statutory and regulatory requirements for initiation. Thus, we are initiating a new shipper review.

DATES: Effective date: August 7, 2015.

FOR FURTHER INFORMATION CONTACT:

Mary Kolberg, 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) 482-1785.

SUPPLEMENTARY INFORMATION:

Background

The antidumping duty order on cased pencils from the PRC published in the **Federal Register** on December 28, 1994.⁴ Pursuant to section 751(a)(2)(B)(i) of the Act, we received a timely request for a new shipper review of the *Order* from Wah Yuen.⁵ Wah Yuen certified that it is both the producer and exporter of the subject merchandise upon which its request was based.⁶

Pursuant to section 751(a)(2)(B)(i)(I) of the Act and 19 CFR 351.214(b)(2)(i), Wah Yuen certified that it did not export subject merchandise to the United States during the period of investigation (POI).⁷ In addition, pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), Wah Yuen certified that, since the initiation of the investigation, it has

¹ See Letter from Wah Yuen, "Certain Cased Pencils from the People's Republic of China: Request for New Shipper Review and Notice of Appearance" dated May 29, 2015 (Wah Yuen NSR request).

² See Letter from Dana S. Mermelstein, regarding the opportunity to correct deficiencies, dated June 22, 2015.

³ See Letter from Wah Yuen, "Certain Cased Pencils from the People's Republic of China: Supplemental Request for New Shipper Review" dated June 29, 2015 (Wah Yuen supplemental NSR request).

⁴ See *Antidumping Duty Order: Certain Cased Pencils from the People's Republic of China*, 59 FR 66909 (December 28, 1994) (*Order*).

⁵ See Wah Yuen NSR request.

⁶ Id. at page 1.

⁷ Id. at Exhibit 2.

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.⁸ As required by 19 CFR 351.214(b)(2)(iii)(B), Wah Yuen also certified that its export activities are not controlled by the government of the PRC.⁹

In addition to the certifications described above, pursuant to 19 CFR 351.214(b)(2), Wah Yuen 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.¹⁰

Period of Review

In accordance with 19 CFR 351.214(g)(1)(B), the period of review (POR) for new shipper reviews initiated in the month immediately following the semiannual anniversary month will be the six-month period immediately preceding the semiannual anniversary month. Therefore, based on the *Order*, the POR for this NSR is December 1, 2014, through May 31, 2015.

Initiation of New Shipper Reviews

Pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214(d)(1), the Department finds that the request from Wah Yuen meets threshold requirements for the initiation of a new shipper review of shipments of cased pencils from the PRC produced and exported by Wah Yuen.¹¹

The Department intends to issue the preliminary results of this new shipper review no later than 180 days from the date of initiation and the final results of the review no later than 90 days after the date the preliminary results are issued.¹² 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

⁸ See Wah Yuen supplemental NSR request at Exhibit 5.

⁹ See Wah Yuen NSR request at Exhibit 4.

¹⁰ Id. at Exhibit 1 and Wah Yuen supplemental NSR request at Exhibit 6.

¹¹ See the memorandum to the file entitled "Cased Pencils from the People's Republic of China: Initiation Checklist for Antidumping Duty New Shipper Review of Wah Yuen Stationery Co., Ltd." dated concurrently with this notice.

¹² See section 751(a)(2)(B)(iv) of the Act and 19 CFR 351.214(i).

company's export activities.¹³ Accordingly, we will issue a questionnaire to Wah Yuen that will include a section requesting information concerning its eligibility for a separate rate. The new shipper review of Wah Yuen will be rescinded if the Department determines that the new shipper applicant has not demonstrated that it is eligible for a separate rate.

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 the entry of the subject merchandise from Wah Yuen, in accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e). Specifically, the bonding privilege will apply only to entries of subject merchandise exported and produced by Wah Yuen, the sales of which are the basis for this NSR request.

Interested parties requiring access to proprietary information in the new shipper review 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: July 31, 2015.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XE013

Caribbean Fishery Management Council (CFMC); Public Meeting

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

ACTION: Notice of a public meeting.

SUMMARY: The Caribbean Fishery Management Council's (Council) Outreach and Education Advisory Panel (OEAP) will meet.

DATES: The meeting will be held on August 25, 2015, from 9 a.m. to 5 p.m.

¹³ See *Freshwater Crawfish Tail Meat From the People's Republic of China: Initiation of Antidumping Duty New Shipper Reviews*, 79 FR 64749 (October 31, 2014).