DEPARTMENT OF COMMERCE
International Trade Administration
[A–549–822]
Certain Frozen Warmwater Shrimp From Thailand: Recession of Antidumping Duty Administrative Review; 2017–2018
AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.
SUMMARY: The Department of Commerce (Commerce) is rescinding the administrative review of the antidumping duty order on certain frozen warmwater shrimp (shrimp) from Thailand for the period February 1, 2017, through January 31, 2018, based on the timely withdrawal of all requests for review.
SUPPLEMENTARY INFORMATION:
Background
On February 1, 2018, Commerce published in the Federal Register a notice of opportunity to request an administrative review of the antidumping duty order on shrimp from Thailand for the period February 1, 2017, through January 31, 2018.1 In February 2018, Commerce received timely requests, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), to conduct an administrative review of this antidumping duty order from the Ad Hoc Shrimp Trade Action Committee (the petitioner), the American Shrimp Processors Association (ASPA), and certain individual companies.2 Based upon these requests, on April 16, 2017, in accordance with section 751(a) of the Act, Commerce published in the Federal Register a notice of initiation listing 160 companies for which Commerce received timely requests for review.3
In July 2018, all parties timely withdrew their requests for an administrative review.4
Recission of Review
Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if a party who requested the review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review. As noted above, all parties withdrew their requests for review by the 90-day deadline. Accordingly, we are rescinding the administrative review of the antidumping duty order on frozen warmwater shrimp from Thailand covering the period February 1, 2017, through January 31, 2018.
Assessment
Commerce will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries. Antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.221(c)(1)(i). Commerce intends to issue appropriate assessment instructions to CBP 15 days after publication of this notice in the Federal Register.
Notification to Importers
This notice serves as a 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 Commerce’s presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.
Notification Regarding Administrative Protective Orders
This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return
destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

This notice is issued and published in accordance with sections 751(a) and 777(i)(1) of the Act and 19 CFR 351.213(d)(4).


James Maeder,
Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations performing the duties of Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

DEPARTMENT OF COMMERCE
International Trade Administration

Laminated Woven Sacks From the Socialist Republic of Vietnam: Postponement of Preliminary Determination in the Less-Than-Fair-Value Investigation

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


FOR FURTHER INFORMATION CONTACT: Drew Jackson or Celeste Chen, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4406 or (202) 482–0890, respectively.

SUPPLEMENTARY INFORMATION:

Background

On March 27, 2018, the Department of Commerce (Commerce) initiated a less-than-fair-value (LTFV) investigation of imports of laminated woven sacks (LWS) from the Socialist Republic of Vietnam (Vietnam).1 Currently, the preliminary determination is due no later than August 14, 2018.

Postponement of Preliminary Determination

Section 733(b)(1)(A) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in a LTFV investigation within 140 days after the date on which Commerce initiated the investigation. However, section 733(c)(1)(A)(b)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 190 days after the date on which Commerce initiated the investigation if: (A) The petitioner makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR 351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. Commerce will grant the request unless it finds compelling reasons to deny the request.

On July 17, 2018, the petitioners submitted a timely request that Commerce postpone the preliminary determination in the LTFV investigation.3 The petitioners stated that they request postponement “because the initial questionnaire responses submitted by the respondents in this investigation are substantially deficient, and it may not be possible for Commerce to obtain useful corrected responses within the current schedule.”4

For the reasons stated above, and because there are no compelling reasons to deny the request, Commerce, in accordance with section 733(c)(1)(A) of the Act, is postponing the deadline for the preliminary determination by 50 days (i.e., 190 days after the date on which this investigation was initiated). As a result, Commerce will issue its preliminary determination no later than October 3, 2018. In accordance with section 753(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determination of this investigation will continue to be 75 days after the date of the preliminary determination, unless postponed at a later date.

This notice is issued and published pursuant to section 733(c)(2) of the Act and 19 CFR 351.205(f)(1).


1 On May 20, 2013, Commerce issued its AR8 Amended Final Results.2 Vinh Hoan et al. v. United States, Consol. Court No. 13–00156, sustaining the Department of Commerce’s (Commerce) remand results for the eighth administrative review of the antidumping duty order on certain frozen fish fillets from the Socialist Republic of Vietnam (Vietnam) covering the period of review (POR) August 1, 2010, through July 31, 2011. Commerce is notifying the public that the Court’s final judgment is not in harmony with Commerce’s final results of the administrative review, and that Commerce is amending the final results with respect to certain exporters.


Gary Taverman,
Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

DEPARTMENT OF COMMERCE
International Trade Administration

Certain Frozen Fish Fillets From the Socialist Republic of Vietnam: Notice of Court Decisions Not in Harmony With Final Results of Administrative Review and Notice of Amended Final Results of Antidumping Duty Administrative Review

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

SUMMARY: On May 24, 2018, the United States Court of International Trade (Court) issued final judgments in Vinh Hoan Corporation et al. v. United States, Consol. Court No. 13–00156, sustaining the Department of Commerce’s (Commerce) remand results for the eighth administrative review of the antidumping duty order on certain frozen fish fillets from the Socialist Republic of Vietnam (Vietnam) covering the period of review (POR) August 1, 2010, through July 31, 2011. Commerce is notifying the public that the Court’s final judgment is not in harmony with Commerce’s final results of the administrative review, and that Commerce is amending the final results with respect to certain exporters.


SUPPLEMENTARY INFORMATION:

Background

On March 21, 2013, Commerce issued its AR8 Final Results.1 On May 20, 2013, Commerce issued its AR8 Amended Final Results.2 Vinh Hoan et al. v. United States, Consol. Court No. 13–00156, sustaining the Department of Commerce’s (Commerce) remand results for the eighth administrative review of the antidumping duty order on certain frozen fish fillets from the Socialist Republic of Vietnam (Vietnam) covering the period of review (POR) August 1, 2010, through July 31, 2011. Commerce is notifying the public that the Court’s final judgment is not in harmony with Commerce’s final results of the administrative review, and that Commerce is amending the final results with respect to certain exporters.


Gary Taverman,
Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

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2 See Certain Frozen Fish Fillets From the Socialist Republic of Vietnam: Amended Final Results of Antidumping Duty Administrative Review; 2010–