

sanction. We are issuing and publishing these final results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act and 19 CFR 351.218.

Dated: November 28, 2018.

**Gary Taverman,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-executive functions and duties of the Assistance Secretary for Enforcement and Compliance.*

**Appendix**

**List of Topics Discussed in the Issues and Decision Memorandum**

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[FR Doc. 2018–26429 Filed 12–4–18; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[C–489–806]

**Certain Pasta From Turkey: Final Results of the Expedited Fourth Sunset Review of the Countervailing Duty Order**

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

**SUMMARY:** The Department of Commerce (Commerce) finds that revocation of the countervailing duty (CVD) order on certain pasta from Turkey would be likely to lead to continuation or recurrence of a countervailable subsidy at the levels indicated in the “Final Results of Review” section of this notice.

**DATES:** Applicable December 5, 2018.

**FOR FURTHER INFORMATION CONTACT:** Aimee Phelan or Mary Kolberg at (202) 482–0697 or (202) 482–1785, respectively; AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:**

**Background**

On July 24, 1996, Commerce published the CVD order on certain

pasta from Turkey.<sup>1</sup> On August 1, 2018, Commerce published the notice of initiation of the fourth sunset review of this order, pursuant to section 751(c)(2) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup> On August 16, 2018, Commerce received a notice of intent to participate from A. Zerega’s Sons, Inc. (Zerega), Dakota Growers Pasta Company, Inc. (Dakota Growers), Riviana Foods, Inc. (Riviana) (formerly, New World Pasta Company),<sup>3</sup> and TreeHouse Foods, Inc. (TreeHouse) (formerly, The American Italian Pasta Company)<sup>4</sup> within the deadline specified in 19 CFR 351.218(d)(1)(i).<sup>5</sup> Zerega, Dakota Growers, Riviana, and TreeHouse claimed interested party status under section 771(9)(C) of the Act as producers of pasta in the United States.<sup>6</sup>

On August 31, 2018, Commerce received an adequate substantive response to the notice of initiation from domestic interested parties within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).<sup>7</sup> On August 31, 2018, Commerce also received a substantive response from the Government of Turkey (GOT).<sup>8</sup> However, we received no substantive responses from respondent interested parties who are producers or exporters of merchandise subject to the order covered by this sunset review. A government’s response alone, normally, is not sufficient for Commerce to conduct a full sunset review, unless the investigation was

<sup>1</sup> See *Notice of Countervailing Duty Order: Certain Pasta (“Pasta”) From Turkey*, 61 FR 38546 (July 24, 1996) (Order); see also *Final Affirmative Countervailing Duty Determination: Certain Pasta (“Pasta”) from Turkey*, 61 FR 30366 (June 14, 1996) (Final Determination).

<sup>2</sup> See *Initiation of Five-Year (Sunset) Reviews*, 83 FR 37463 (August 1, 2018).

<sup>3</sup> New World Pasta Company merged into Riviana Foods Inc. effective January 1, 2017.

<sup>4</sup> The American Italian Pasta Company was acquired by TreeHouse Foods in February 1, 2016.

<sup>5</sup> See Letter from Zerega, Dakota Growers, Riviana, and Treehouse, “Five-Year (Sunset) Review of the Countervailing Duty Order on Certain Pasta from Turkey—Domestic Interested Parties’ Notice of Intent to Participate,” dated August 16, 2018 (Domestic Parties’ Notice of Intent to Participate).

<sup>6</sup> See Letter from Domestic Interested Parties, “Five-Year (Sunset) Review of the Countervailing Duty Order on Certain Pasta—Domestic Interested Parties’ Notice of Intent to Participate,” August 16, 2018. As domestic producers of certain pasta, the petitioners are interested parties to this proceeding pursuant to section 771(9)(C) of the Act.

<sup>7</sup> See Letter from the petitioner, “Certain Pasta from Turkey—Five-Year (“4th Sunset”) Review of Countervailing Duty Order,” dated August 31, 2018 (Petitioners’ Substantive Response).

<sup>8</sup> See Letter from the GOT, “Substantive Response of the Government of Turkey in the Countervailing Duty 4th Sunset Review Involving Certain Pasta from Turkey,” dated August 31, 2018 (GOT substantive response).

conducted on an aggregate basis.<sup>9</sup> This investigation was conducted on a company-specific, rather than an aggregate, basis.

On September 20, 2018, Commerce notified the U.S. International Trade Commission that it did not receive an adequate substantive response from respondent interested parties.<sup>10</sup> As a result, pursuant to 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce has conducted an expedited (120-day) sunset review of the CVD order on certain pasta from Turkey.

**Scope of the Order**

The scope of the CVD order consists of certain non-egg dry pasta in packages of five pounds (or 2.27 kilograms) or less, whether or not enriched or fortified or containing milk or other optional ingredients such as chopped vegetables, vegetable purees, milk, gluten, diastases, vitamins, coloring and flavorings, and up to two percent egg white. The pasta covered by the order is typically sold in the retail market, in fiberboard or cardboard cartons or polyethylene or polyethylene bags, of varying dimensions.

Excluded from the scope of the order are refrigerated, frozen, or canned pastas, as well as all forms of egg pasta, with the exception of non-egg dry pasta containing up to two percent egg white.

The merchandise under review is currently classifiable under subheading 1902.19.20 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, our written description of the scope of the order is dispositive.

**Analysis of Comments Received**

All issues raised in this sunset review are addressed in the Issues and Decision Memorandum,<sup>11</sup> which is hereby adopted by this notice. The issues discussed in the Issues and Decision Memorandum are the likelihood of continuation or recurrence of a countervailable subsidy and the net countervailable subsidy likely to prevail if the order were revoked. The Issues and Decision Memorandum is a public

<sup>9</sup> See, e.g., *Certain Pasta from Turkey: Final Results of Expedited Five-Year (“Sunset”) Review of the Countervailing Duty Order*, 72 FR 5269 (February 5, 2007); *Certain Carbon Steel Products from Sweden: Final Results of Expedited Sunset Review of Countervailing Duty Order*, 65 FR 18304 (April 7, 2000).

<sup>10</sup> See Letter re: “Sunset Reviews Initiated on August 1, 2018,” dated September 20, 2018.

<sup>11</sup> See Memorandum “Issues and Decision Memorandum for the Expedited Fourth Sunset Review of the Countervailing Duty Order on Certain Pasta from Turkey,” dated concurrently with this notice (Issues and Decision Memorandum).

document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov>, and to all in the Central Records Unit, Room B8024, of the main Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

**Final Results of Review**

Pursuant to sections 751(c)(1) and 752(b) of the Act, Commerce determines that revocation of the CVD order on pasta from Turkey would be likely to lead to the continuation or recurrence of a countervailable subsidy at the rates listed below:

Exporter/producer	Net countervailable subsidy rate (percent)
Filiz Gida Sanayi ve Ticaret (Filiz) .....	1.73
Maktas Makarnacilik ve Ticaret (Maktas) .....	13.19
Oba Makarnacilik Sanayi ve Ticaret (Oba) .....	13.18
All Others .....	8.95

**Notification to Interested Parties**

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written notification of the return or 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 sanctionable violation.

We are issuing and publishing these results in accordance with sections 751(c), 752(b), and 777(i)(1) of the Act and 19 CFR 351.218.

Dated: November 28, 2018.

**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.*

**Appendix**

**List of Topics Discussed in the Issues and Decision Memorandum**

- I. Summary
- II. History of the Order

- III. Background
- IV. Scope of the Order
  - 1. Rulings Relevant to Scope
- V. Discussion of the Issues
  - 1. Likelihood of Continuation or Recurrence of a Countervailable Subsidy
  - 2. Net Countervailable Subsidy Likely to Prevail
  - 3. Nature of Subsidy
- VI. Final Results of the Review
- VII. Recommendation

[FR Doc. 2018-26430 Filed 12-4-18; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Institute of Standards and Technology**

**Submission for OMB Review; Comment Request**

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Agency:* National Institute of Standards and Technology (NIST).  
*Title:* NIST Generic Clearance for Usability Data Collections  
*OMB Control Number:* 0693-0043.  
*Form Number(s):* None.  
*Type of Request:* Regular Submission (revision and extension of a currently approved information collection).  
*Number of Respondents:* 150,000.  
*Average Hours per Response:* Varied, dependent upon the data collection method used. The possible response time to complete a questionnaire may be 15 minutes or 2 hours to participate in an empirical study.  
*Burden Hours:* 100,000.

*Needs and Uses:* NIST will conduct information collections to evaluate the usability and utility of NIST research for measurement and standardization work. These data collections efforts may include, but may not be limited to electronic methodologies, empirical studies, video and audio collections, interview, and questionnaires.

*Affected Public:* Individual or households; State, Local or Tribal Government; Federal Government.

*Frequency:* On occasion.  
*Respondent's Obligation:* Voluntary.  
 This information collection request may be viewed at [reginfo.gov](http://reginfo.gov). Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this

notice to [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov) or fax to (202) 395-5806.

**Sheleen Dumas,**

*Departmental Lead PRA Officer, Office of the Chief Information Officer, Commerce Department.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648-XG619**

**Implementation of Fish and Fish Product Import Provisions of the Marine Mammal Protection Act— Notification of Comparability Findings**

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

**ACTION:** Notice; comparability findings for Mexico.

**SUMMARY:** Under the authority of the Marine Mammal Protection Act (MMPA), the NMFS Assistant Administrator for Fisheries (Assistant Administrator) has issued comparability findings for the Government of Mexico's following fisheries: Upper Gulf of California shrimp trawl fishery for both small and large vessels; Upper Gulf of California shrimp *suripera* fishery; Upper Gulf of California sierra purse seine fishery; Upper Gulf of California sierra hook and line fishery; Upper Gulf of California chano trawl fishery, for small vessels; Upper Gulf of California *curvina* purse seine fishery; and Upper Gulf of California sardine/*curvina* purse seine fishery for both small and large vessels. The Assistant Administrator is denying a comparability finding for the El Golfo de Santa Clara *curvina* rodeo-style gillnet fishery. NMFS bases the comparability findings on documentary evidence submitted by the Government of Mexico and other relevant, readily-available information including scientific literature and the reports of the "Comité Internacional para la Recuperación de la Vaquita" (CIRVA) (the international recovery team for vaquita).

**DATES:** These comparability findings are valid for the period of November 30, 2018, through January 1, 2022, unless revoked by the Assistant Administrator in a subsequent action.

**FOR FURTHER INFORMATION CONTACT:** Nina Young, at email: [Nina.Young@noaa.gov](mailto:Nina.Young@noaa.gov) or phone: 301-427-8383.