on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

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

[FR Doc. 2019–00783 Filed 1–31–19; 8:45 am]
BILLING CODE 3510–GT–P

DEPARTMENT OF COMMERCE
International Trade Administration
North American Free Trade Agreement (NAFTA), Article 1904; Binational Panel Reviews: Notice of Completion of Panel Review

AGENCY: United States Section, NAFTA Secretariat, International Trade Administration, Department of Commerce.


SUMMARY: The U.S. Section of the NAFTA Secretariat has received motions filed on behalf of the Government of Canada; the U.S. Department of Commerce; North Pacific Paper Company (“NORPAC”); the Government of Alberta; the Government of British Columbia; the Government of Newfoundland and Labrador; the Government of Ontario; the Government of Quebec; Alberta Newsprint Company; Catalyst Paper Corporation, Catalyst Pulp and Paper Sales Inc. and Catalyst Paper (USA) Inc.; Gannett Supply Corporation; Kruger TroisRivieres L.P.; Corner Brook Pulp and Paper Limited; Kruger Publication Papers Inc. and Kruger Brantmon L.P.; Resolute FP Canada Inc. and Resolute FP US Inc.; and Rayonier A.M. Canada (successor to Tembec Inc.) requesting the termination of NAFTA Groundwood Paper CVD dispute.

DEPARTMENT OF COMMERCE
International Trade Administration

Background

On April 3, 2018, Commerce published a notice of opportunity to request an administrative review of the antidumping duty order on magnesium metal from China for the POR.1 On June 6, 2018, in response to a timely request from the petitioner,2 and in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the antidumping duty order on magnesium metal from China with respect to TMI and TMM.3

Scope of the Order

The product covered by this antidumping duty order is magnesium metal from China, which includes primary and secondary alloy magnesium metal, regardless of chemistry, raw material source, form, shape, or size. Magnesium is a metal or alloy containing by weight primarily the element magnesium. Primary magnesium is produced by decomposing raw materials into magnesium metal. Secondary magnesium is produced by recycling magnesium-based scrap into magnesium metal. The magnesium covered by this order includes blends of primary and secondary magnesium.

The subject merchandise includes the following alloy magnesium metal products made from primary and/or secondary magnesium including, without limitation, magnesium cast into ingots, slabs, rounds, billets, and other shapes; magnesium ground, chipped, crushed, or machined into rapsing, granules, turnings, chips, powder, briquettes, and other shapes; and products that contain 50 percent or greater, but less than 99.8 percent, magnesium, by weight, and that have been entered into the United States as conforming to an “ASTM Specification for Magnesium Alloy”4 and are thus outside the scope of the existing antidumping orders on magnesium from China (generally referred to as “alloy” magnesium).


3 See Initiation of Antidumping and Countervailing Duty Administrative Reviews, 83 FR 26258 [June 6, 2018].

4 The meaning of this term is the same as that used by the American Society for Testing and Materials in its Annual Book for ASTM Standards: Volume 01.02 Aluminum and Magnesium Alloys.
The scope of this order excludes: (1) All forms of pure magnesium, including chemical combinations of magnesium and other material(s) in which the pure magnesium content is 50 percent or greater, but less than 99.8 percent, by weight, that do not conform to an “ASTM Specification for Magnesium Alloy”; (2) magnesium that is in liquid or molten form; and (3) mixtures containing 90 percent or less magnesium in granular or powder form by weight and one or more of certain non-magnesium granular materials to make non-magnesium reagent mixtures, including lime, calcium metal, calcium silicon, calcium carbide, calcium carbonate, carbon, slag coagulants, fluorospars, nepheline syenite, feldspars, alumina (Al2O3), calcium aluminate, soda ash, hydrocarbons, graphite, coke, silicon, rare earth metals/mischmetal, cryolite, silica/fly ash, magnesium oxide, periclase, ferroalloys, dolomite lime, and colemantine.6 The merchandise subject to this order is classifiable under items 8104.19.00, and 8104.30.00 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS items are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

Preliminary Determination of No Shipments

We received timely submissions from TMI and TMM certifying that they did not have sales, shipments, or exports of subject merchandise to the United States during the POR.7 On August 13, 2018, we requested the U.S. Customs and Border Protection (CBP) data file of entries of subject merchandise imported into the United States during the POR, and exported by TMM and/or TMI. This query returned no entries during the POR.8 Additionally, in order to examine TMM’s and TMI’s claims, we sent an inquiry to CBP requesting that any CBP officer alert Commerce if he/she had information contrary to these no-shipments claims.9 On August 16, 2018, we received notification from CBP of no information contrary to the no shipment claims.

Because we have not received information to the contrary from CBP, consistent with our practice, we preliminarily determine that TMI and TMM had no shipments and, therefore, no reviewable entries during the POR. In addition, we find it is not appropriate to rescind the review with respect to these companies but, rather, to complete the review with respect to TMI and TMM and issue appropriate instructions to CBP based on the final results of the review, consistent with our practice in non-market economy (NME) cases.10

Public Comment

Interested parties may submit case briefs no later than 30 days after the date of publication of this notice in the Federal Register.12 Rebuttals to case briefs, which must be limited to issues raised in the case briefs, must be filed within five days after the date for filing case briefs.13 Parties who submit arguments are requested to submit with each argument (a) a statement of the issue, (b) a brief summary of the argument, and (c) a table of authorities.14 Parties submitting briefs should do so pursuant to Commerce’s electronic filing system: Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS).15 ACCESS is available to registered users at https://access.trade.gov, and is available to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building.

Pursuant to 19 CFR 351.310(c), 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 within 30 days of the date of publication of this notice. Hearing requests should contain the following information: (1) The party’s name, address, and telephone number; (2) the number of participants; and (3) a list of the issues parties intend to discuss. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs. If a request for a hearing is made, parties will be notified of the time and date of the hearing which will be held at the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

Unless extended, we intend to issue the final results of this administrative review, including our analysis of all issues raised in a written brief, within 120 days of publication of this notice in the Federal Register, pursuant to section 751(a)(3)(A) of the Act.

Assessment Rates

Upon issuance of the final results, Commerce will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review.16 We intend to issue assessment instructions to CBP 15 days after the publication date of the final results of this review. Pursuant to Commerce’s practice in NME cases, if we continue to determine in the final results that TMI and TMM had no shipments of subject merchandise, any suspended entries of subject merchandise during the POR from these companies will be liquidated at the China-wide rate.17

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of review, as provided for by section 751(a)(2)(C) of the Act: (1) For TMI, which claimed no shipments, the cash deposit rate will remain unchanged from the rate assigned to TMI in the most recently completed review of the company; (2)

5 The material is already covered by existing antidumping orders. See Notice of Antidumping Duty Orders: Pure Magnesium from the People’s Republic of China, the Russian Federation and Ukraine: Notice of Amended Final Determination of Sales at Less Than Fair Value; Antidumping Duty Investigation of Pure Magnesium from the Russian Federation, 60 FR 25691 (May 12, 1995); and Antidumping Duty Order: Pure Magnesium in Granular Form from the People’s Republic of China, 66 FR 57936 (November 19, 2001).

6 This third exclusion for magnesium-based reagent mixtures is based on the exclusion for reagent mixtures in the 2000–2001 investigations of magnesium from China, Israel, and Russia. See Final Determination of Sales at Less Than Fair Value: Pure Magnesium in Granular Form from the People’s Republic of China, 66 FR 49345 (September 27, 2001); and Final Determination of Sales at Less Than Fair Value: Pure Magnesium from Israel, 66 FR 49349 (September 27, 2001). TMM had no shipments of subject merchandise during the POR.


9 Id. at Attachment 1.

10 Id. at Attachment 3.

11 See Glycine from the People’s Republic of China; A–570–896; Certification of No Sales by Tianjin Magnesium Metal Co., Ltd.” dated July 5, 2018, at 1.


13 Id. at Attachment 2.

14 Id. at Attachment 3.

15 See Glycine from the People’s Republic of China: Final Results of Antidumping Duty Administrative Review 2014–2015, 81 FR 72567 (October 20, 2016) and the “Assessment Rates” section, below.

16 See 19 CFR 351.310(c).

17 For a full discussion of this practice, see Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties, 76 FR 65694 (October 24, 2011).
for previously investigated or reviewed Chinese and non-Chinese exporters who are not under review in this segment of the proceeding but who have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (3) for all Chinese exporters of subject merchandise that have not been found to be entitled to a separate rate (including TMM, which claimed no shipments, but has not been found to be separate from China-wide entity), the cash deposit rate will be China-wide rate of 14.49 percent; and (4) for all non-Chinese exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to Chinese exporter(s) that supplied that non-Chinese 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 period. Failure to comply with this requirement may result in the Secretary’s presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice is issued in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(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.

[FR Doc. 2019–00756 Filed 1–31–19; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[Application No. 14–5A004]

Export Trade Certificate of Review


SUMMARY: The Secretary of Commerce, through the International Trade Administration, Office of Trade and Economic Analysis (OTEA), has received an application for an amended Export Trade Certificate of Review (Certificate) from DFA. This notice summarizes the proposed amendment and seeks public comments on whether the amended Certificate should be issued.

FURTHER INFORMATION CONTACT:
Joseph Flynn, Director, Office of Trade and Economic Analysis, International Trade Administration, by telephone at (202) 482–5131 (this is not a toll-free number) or email at etca@trade.gov.

SUPPLEMENTARY INFORMATION:
The third of the Export Trading Company Act of 1982 (15 U.S.C. Sections 4001–21) (“the Act”) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from State and Federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. The regulations implementing Title III are found at 15 CFR part 325 (2018) (the “Regulations”). OTEA is issuing this notice pursuant to 15 CFR 325.6(a), which requires the Secretary of Commerce to publish a summary of the application in the Federal Register, identifying the applicant and each member and summarizing proposed export conduct.

Request for Public Comments

Interested parties may submit written comments relevant to the determination whether or not to issue a Certificate. The comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked as privileged or confidential business information will be deemed to be nonconfidential. An original and five (5) copies, plus two (2) copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Office of Trade and Economic Analysis, International Trade Administration, U.S. Department of Commerce, Room 21028, Washington, DC 20230.

Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the public if necessary for determining whether or not to issue the amended Certificate. Comments should refer to this application as “Export Trade Certificate of Review, application number 14–5A004.”

Summary of the Application

Applicant: DFA of California.
Contact: Matthew Krehe, (916) 646–6464.
Application No.: 14–5A004.
Date Deemed Submitted: December 18, 2018.

Proposed Amendment: DFA seeks to amend its Certificate as follows:
1. Add the following new Members of the Certificate within the meaning of section 325.2(1) of the Regulations (15 CFR 325.2(1)):
   • The DeRousi Group LLC—DBA DeRousi Nut
   • Santa Clara Nut Company

DFA’s proposed amendment of its Export Trade Certificate of Review results in the following Membership list:

1. Alpine Pacific Nut Company, Hughson, CA
2. Andersen & Sons Shelling, Vina, CA
3. Avanti Nut Company, Inc., Stockton, CA
4. Berberian Nut Company, LLC, Chico, CA
5. Carriere Family Farms, Inc., Glenn, CA
6. California Almond Packers and Exporters, Inc. (CAPEX), Corning, CA
7. California Walnut Company, Inc., Los Molinos, CA
8. Chico Nut Company, Chico, CA
9. Continente Nut LLC, Oakley, CA
10. C. R. Crain & Sons, Inc., Los Molinos, CA
11. Crain Walnut Shelling, Inc., Los Molinos, CA
12. Diamond Foods, LLC, Stockton, CA
13. Empire Nut Company, Colusa, CA
14. Fig Garden Packing, Inc., Fresno, CA
15. Gold River Orchards, Inc., Escalon, CA
16. Grower Direct Nut Company, Hughson, CA
17. Guerra Nut Shelling Company, Hollister, CA
18. Hill View Packing Company Inc., Gustine, CA
19. John B. SanFilippo & Son, Inc.
20. Mariani Nut Company, Winters, CA
21. Mariani Packing Company, Inc., Vacaville, CA
22. Mid Valley Nut Company Inc., Hughson, CA
23. Morada Nut Company, LP, Stockton, CA
24. National Raisin Company, Fowler, CA
25. O–G Nut Company, Stockton, CA
26. Omega Walnut, Inc., Orland, CA
27. Pearl Crop, Inc., Stockton, CA
28. Poinexter Nut Company, Selma, CA

DEPARTMENT OF COMMERCE

International Trade Administration

[Application No. 14–5A004]

Export Trade Certificate of Review


SUMMARY: The Secretary of Commerce, through the International Trade Administration, Office of Trade and Economic Analysis (OTEA), has received an application for an amended Export Trade Certificate of Review (Certificate) from DFA. This notice summarizes the proposed amendment and seeks public comments on whether the amended Certificate should be issued.

FURTHER INFORMATION CONTACT:
Joseph Flynn, Director, Office of Trade and Economic Analysis, International Trade Administration, by telephone at (202) 482–5131 (this is not a toll-free number) or email at etca@trade.gov.

SUPPLEMENTARY INFORMATION:
The third of the Export Trading Company Act of 1982 (15 U.S.C. Sections 4001–21) (“the Act”) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from State and Federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. The regulations implementing Title III are found at 15 CFR part 325 (2018) (the “Regulations”). OTEA is issuing this notice pursuant to 15 CFR 325.6(a), which requires the Secretary of Commerce to publish a summary of the application in the Federal Register, identifying the applicant and each member and summarizing proposed export conduct.

Request for Public Comments

Interested parties may submit written comments relevant to the determination whether an amended Certificate should be issued. The comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked as privileged or confidential business information will be deemed to be nonconfidential. An original and five (5) copies, plus two (2) copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Office of Trade and Economic Analysis, International Trade Administration, U.S. Department of Commerce, Room 21028, Washington, DC 20230.

Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the public if necessary for determining whether or not to issue the amended Certificate. Comments should refer to this application as “Export Trade Certificate of Review, application number 14–5A004.”

Summary of the Application

Applicant: DFA of California.
Contact: Matthew Krehe, (916) 646–6464.
Application No.: 14–5A004.
Date Deemed Submitted: December 18, 2018.

Proposed Amendment: DFA seeks to amend its Certificate as follows:
1. Add the following new Members of the Certificate within the meaning of section 325.2(1) of the Regulations (15 CFR 325.2(1)):
   • The DeRousi Group LLC—DBA DeRousi Nut
   • Santa Clara Nut Company

DFA’s proposed amendment of its Export Trade Certificate of Review results in the following Membership list:

1. Alpine Pacific Nut Company, Hughson, CA
2. Andersen & Sons Shelling, Vina, CA
3. Avanti Nut Company, Inc., Stockton, CA
4. Berberian Nut Company, LLC, Chico, CA
5. Carriere Family Farms, Inc., Glenn, CA
6. California Almond Packers and Exporters, Inc. (CAPEX), Corning, CA
7. California Walnut Company, Inc., Los Molinos, CA
8. Chico Nut Company, Chico, CA
9. Continente Nut LLC, Oakley, CA
10. C. R. Crain & Sons, Inc., Los Molinos, CA
11. Crain Walnut Shelling, Inc., Los Molinos, CA
12. Diamond Foods, LLC, Stockton, CA
13. Empire Nut Company, Colusa, CA
14. Fig Garden Packing, Inc., Fresno, CA
15. Gold River Orchards, Inc., Escalon, CA
16. Grower Direct Nut Company, Hughson, CA
17. Guerra Nut Shelling Company, Hollister, CA
18. Hill View Packing Company Inc., Gustine, CA
19. John B. SanFilippo & Son, Inc.
20. Mariani Nut Company, Winters, CA
21. Mariani Packing Company, Inc., Vacaville, CA
22. Mid Valley Nut Company Inc., Hughson, CA
23. Morada Nut Company, LP, Stockton, CA
24. National Raisin Company, Fowler, CA
25. O–G Nut Company, Stockton, CA
26. Omega Walnut, Inc., Orland, CA
27. Pearl Crop, Inc., Stockton, CA
28. Poinexter Nut Company, Selma, CA