Background

On May 1, 2019, Commerce published in the Federal Register a notice of opportunity to request an administrative review of the antidumping duty order on certain carbon and alloy steel cut-to-length plate from Austria for the period May 1, 2018, through April 30, 2019. On May 31, 2019, voestalpine Böhler Edelstahl GmbH & Co KG and voestalpine Böhler Bleche GmbH & Co KG (collectively, voestalpine), producers/exporters of certain carbon and alloy steel cut-to-length plate, filed a timely request for review, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(b). Pursuant to this request, and in accordance with section 751(a) of the Act and 19 CFR 351.221(c)(1)(i), we initiated an administrative review of voestalpine. On July 30, 2019, voestalpine filed a timely withdrawal of request for the administrative review and a request for rescission of the administrative review.

Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if the party that requested the review withdraws the request within 90 days of the date of publication of the notice of initiation of the requested review. As noted above, voestalpine, the only party to file a request for review, withdrew its request by the 90-day deadline. Accordingly, we are rescinding the administrative review of the antidumping duty order on certain carbon and alloy steel cut-to-length plate from Austria for the period May 1, 2018, through April 30, 2019, in its entirety.

Assessment

Commerce will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries of certain carbon and alloy steel cut-to-length plate from Austria. 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 351.212(c)(1)(i). Commerce intends to issue appropriate assessment instructions to CBP 15 days after the date of 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 all parties subject to administrative protective order (APO) of their responsibility concerning the disposition 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)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4).


James Maeder,
Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–552–802]


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

SUMMARY: On April 22, 2019, the Department of Commerce (Commerce) published in the Federal Register the preliminary results of the thirteenth administrative review of the antidumping duty order on certain warmwater shrimp from the Socialist Republic of Vietnam (Vietnam). Based upon our analysis of the comments received, we determine that sales by Fimex VN and Nha Trang Seaproduit Company were not made below normal value (NV) during the period of review (POR) February 1, 2017 through January 31, 2018.


SUPPLEMENTARY INFORMATION:

Background

On April 22, 2019, Commerce published the Preliminary Results. On May 22, 2019, Fimex VN and Quang Minh Seafood Co., Ltd. filed case briefs. On May 28, 2019, the petitioner filed its rebuttal brief.

Scope of the Order

The merchandise subject to the Order is certain frozen warmwater shrimp. The product is currently classified under the following Harmonized Tariff Schedule of the United States item numbers: 0306.17.00.03, 0306.17.00.06, 0306.17.00.09, 0306.17.00.12, 0306.17.00.15, 0306.17.00.18, 0306.17.00.21, 0306.17.00.24, 0306.17.00.27, 0306.17.00.40, 1605.21.10.30, and 1605.29.10.10. The written description of the scope of the Order is dispositive. A full description of the scope of the Order is available in the accompanying Issues and Decision Memorandum.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this review

1 See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review, 84 FR 18479 (May 1, 2019).


3 See Initiation of Antidumping and Countervailing Duty Administrative Reviews, 84 FR 33739 (July 15, 2019).


8 See Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam, 70 FR 5152 (February 1, 2005) (Order).
are addressed in the accompanying Issues and Decision Memorandum. A list of the issues which parties raised, and to which we respond in the Issues and Decision Memorandum is attached as Appendix I to this notice. The Issues and Decision Memorandum is a public 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 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 on the internet at http://enforcement.trade.gov/frn/index.html. The signed Issues and Decision Memorandum and electronic versions of the Issues and Decision Memorandum are identical in content.

Final Determination of No Shipments

In the Preliminary Results, Commerce determined that 18 companies under active review did not have any reviewable transactions during the POR. As we have not received any information to contradict this determination, Commerce determines that these 18 companies did not have any reviewable entries of subject merchandise during the POR, and will issue appropriate instructions that are consistent with our “automatic assessment” clarification, for these final results.

Final Results of Review

In the Preliminary Results, Commerce found that 67 companies for which a review was requested have not established eligibility for a separate rate and were considered to be part of the Vietnam-wide entity. We continue to find that, for the final results, these 67 companies remain ineligible for a separate rate (see Appendix II). Under Commerce’s policy, the Vietnam-wide entity will not be under review unless a party specifically requests, or Commerce self-initiates, a review of the entity. Because no party requested a review of the Vietnam-wide entity, the entity is not under review and the entity’s rate is not subject to change. For companies for which a review was requested and that have established eligibility for a separate rate, Commerce determines that weighted-average dumping margins of zero percent exist for each during the period February 1, 2017 through January 31, 2018:

<table>
<thead>
<tr>
<th>Exporter</th>
<th>Weighted-average margin (percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finex VN, and Sao Ta Seafood Factory</td>
<td>0.00</td>
</tr>
<tr>
<td>Nha Trang Seaprocess Company, and NT Seafoods Corporation, and Nha Trang Seafoods—F89 Joint Stock Company, and NTSF Seafoods Joint Stock Company</td>
<td>0.00</td>
</tr>
<tr>
<td>Bac Lieu Fisheries Joint Stock Company</td>
<td>0.00</td>
</tr>
<tr>
<td>Bentre Forestry and Aquaproduct Import-Export Joint Stock Company, aka FAQUIMEX</td>
<td>0.00</td>
</tr>
<tr>
<td>C.P. Vietnam Corporation</td>
<td>0.00</td>
</tr>
<tr>
<td>Cadovimex Seafood Import-Export and Processing Joint Stock Company</td>
<td>0.00</td>
</tr>
<tr>
<td>Camau Frozen Seafood Processing Import Export Corporation, aka Camimex</td>
<td>0.00</td>
</tr>
<tr>
<td>Camau Seafood Processing and Service Joint Stock Corporation, aka CASES</td>
<td>0.00</td>
</tr>
<tr>
<td>Can Tho Import Export Fishery Limited Company, aka CAFISH</td>
<td>0.00</td>
</tr>
<tr>
<td>Cuulong Seaprocess Company, aka Cuulong Sea pro</td>
<td>0.00</td>
</tr>
<tr>
<td>Fine Foods Co, aka FCC</td>
<td>0.00</td>
</tr>
</tbody>
</table>

See Preliminary Results, 84 FR at 16648. These 18 companies are: (1) Au Vung One Seafood Processing Import & Export Joint Stock Company; (2) Au Vung Two Seafood Processing Import & Export Joint Stock Company; (3) Bien Dong Seafood Co., Ltd.; (4) BIM Foods Joint Stock Company also initiated as BIM Seafood Joint Stock Company; (5) Cafatec Corporation; (6) Xi Nghiep Che Bien Thuy Sua; San Xuat Ku Ca; Canh Lo; (7) Taydo Seafood Enterprise; (8) Cam Ranh Seafoods; (9) Green Farms Joint Stock Company also initiated as Green Farms Seafoods Joint Stock Company; (10) Investment Commerce Fisheries Corporation (“INCOMFISH”) also initiated as Investment Commerce Fisheries Corporation (Incomfish); (11) Khanh Sung Co., Ltd.; (12) NGO BROS Seaprocesses Import-Export One Member Company Limited (“NGO BROS Company”) also initiated as Ngo Bros Seaprocesses Import-Export One Member Company Limited (“Ngo Bros. Co., Ltd.”); and Ngo Bros Seaprocesses Import-Export One Member Company Limited (Ngo Bros); (13) T&DCam Ranh Seafood Processing Company also initiated as Tavcan Frozen Seafood Processing Export Company (Tavcan Seafood Co.) and Tavcan Seafoods Company (“TAVCA”); (14) Thadimexco also initiated as Thanh Doan Sea Products Import & Export Processing Joint Stock Company (THADIMEXCO); (15) Thong Thuan—Cam Ranh Seafood Joint Stock Company also initiated as Thong Thuan—Cam Ranh Seafood Joint Stock Company (T&T Cam Ranh) and Thong Thuan Cam Ranh Seafood Joint Stock Company (“T&T Cam Ranh”); (16) Thong Thuan Seafood Company Limited; (17) Trung Son Seafood Processing Joint Stock Company also initiated as Trung Son Corp.; and (18) Vinh Hoan Corp.

For companies for which a review was requested and that have established eligibility for a separate rate, Commerce determines that weighted-average dumping margins of zero percent exist for each during the period February 1, 2017 through January 31, 2018:


Commerce has determined for these final results that Finex VN and Sao Ta Seafood Factory are affiliated within the meaning of section 771(33) of the Act and comprise a single entity pursuant to 19 CFR 351.401(l). For a complete discussion of this determination, see Issues and Decision Memorandum at 3–6.

Commerce previously determined Nha Trang Seaprocess Company to be part of a single entity along with NT Seafoods Corporation, Nha Trang Seafoods—F89 Joint Stock Company, and NTSF Seafoods Joint Stock Company. See Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam: Preliminary Results, Partial Rescission, and Request for Revocation. In Part, of the Fifth Administrative Review, 76 FR 12054, 12056 (March 4, 2012), unchanged in Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam: Final Results and Final Partial Rescission of Antidumping Duty Administrative Review, 76 FR 56158 (September 12, 2011). As the single entity has not reported changes since the preceding administrative review regarding the corporate or legal structure of the companies within the single entity, we continue to find that these companies are affiliated and comprise a single entity to which we will assign a single rate.
Additionally, consistent with its assessment practice in non-market economy (NME) cases, if Commerce continues to determine that an exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter’s case number (i.e., at that exporter’s rate) will be liquidated at the NME-wide rate.\(^{15}\)

### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this review. Commerce intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review.

To determine whether the duty assessment rates are de minimis, in accordance with the requirement set forth in 19 CFR 351.106(c)(2), we calculated importer- (or customer-) specific ad valorem ratios based on the estimated entered value. As each respondent’s weighted average dumping margin is zero or de minimis, or an importer- (or customer-) specific ad valorem rate is zero or de minimis, we will instruct CBP to liquidate the subject imports without regard to antidumping duties.\(^{14}\)

\(^{14}\) See 19 CFR 352.106(c)(2); and Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain\n
\(^{15}\) For a full discussion of this practice, see Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties, 76 FR 65694 (October 24, 2011).
Dated: August 20, 2019.

Jeffrey I. Kessler,
Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary
II. Background
III. Scope of the Order
IV. Changes From the Preliminary Results
V. Discussion of the Issues
Comment 1: Separate Rate Status for Sao Ta Seafood Factory
Comment 2: Treatment of Quang Minh Seafood Co., Ltd.
VI. Recommendation

Appendix II

Companies Subject to Review Determined To Be Part of the Vietnam-Wide Entity

1. A & CDN Foods Co., Ltd.
2. Amanda Seafood Co., Ltd.
3. An Huy B.T Co. Ltd.
4. Anh Koa Seafood
5. Anh Minh Quan Joint Stock Company
6. Asia Food Stuffs Import Export Co., Ltd.
7. B.O.P Company Limited
8. B.O.P. Limited Co.
9. Binh Dong Fisheries Joint Stock Company
10. Binh Thuan Import—Export Joint Stock Company (THAIMEX)
12. Cholimex Food Joint Stock Company
13. CJ Can Tre Foods Joint Stock Company
14. CJ Freshway (PIDES Food System Co., Ltd.)
15. Coastal Fisheries Development Corporation ("COFIDEC")
16. Danang Seaproduits Import-Export Corporation (SEADANANG)
17. Dong Do Profico., Ltd.
18. Dong Hai Seafood Limited Company
19. Dong Phuoc Seafood Co., Ltd.
20. Duc Cuong Seafood Trading Co., Ltd.
21. Gallant Dachan Seafood Co., Ltd.
22. Gallant Ocean (Vietnam) Co., Ltd. also initiated as Gallant Ocean Viet Nam Co. Ltd.
23. Hanh An Trading Service Co., Ltd.
24. Hanoi Johns Seafood Import & Export Joint Stock Company (Seaprodex Hanoi)
25. Ho Chi Minh City Joint Stock Company (Seaprodex HCM)
26. Ho Chi Minh Trung Joint Stock Company (Seaprodex HCM)
27. HungHai Agricultural Joint Stock Company
28. Huynh Hung Seafood Processing
29. Huynh Hung Trading and Export Joint Stock Company
30. JK Fish Co., Ltd.
31. Kaito Seafood Joint Stock Company
32. Khanh Minh Trading Investment Corporation
33. Khanhhoa Seafoods Exporting Company (KHASPEXCO)
34. Lam Son Import-Export Foodstuff Company Limited (Lamson Fixmexco)
35. Long Toan Frozen Aquatic Products Joint Stock Company
36. Minh Bach Seafood Company Limited
37. Minh Cuong Seafood Import Export Processing Joint Stock Company ("MC Seafood"), also initiated as Minh Cuong Seafood Import-Export Processing ("MC Seafood")
38. Minh Phu Seafood Corporation
39. My Son Seafoods Factory
40. Nam Hai Foodstuff and Export Company Ltd.
41. Namcan Seaproduits Import Export Joint Stock Company (Seanamico)
42. New Wind Seafood Co., Ltd.
43. Nha Trang Fisheries Joint Stock Company, also initiated as Nha Trang Fisheries Joint Stock Company ("Nha Trang Fisco")
44. Nhat Duc Co., Ltd.
45. Ngico Co., Ltd.
46. Phu Cuong Jostoco Corp., also initiated as Phu Cuong Jostoco Seafood Corporation
47. Phu Minh Hung Seafood Joint Stock Company
48. Phuong Nam Foodstuff Corp., also initiated as Phuong Nam Foodstuff Corp., Ltd.
49. Quang Minh Seafood Co., Ltd.
50. Quoc A Seafood Processing Import Export Co., Ltd.
51. Quoc Toan Seafood Processing Factory (Quoc Toan PTE)
52. Quy Nhon Frozen Seafoods Joint Stock Company
53. Saigon Aquatic Products Trading Joint Stock Company (AQUA Co.)
54. Saigon Food Joint Stock Company
55. Seafood Joint Stock Company No.4
56. Saigon Seafood Joint Stock Company
57. Special Aquatic Products Joint Stock Company (SEASPIMEX VIETNAM)
58. T & P Seafood Company Limited
59. Tai Nguyen Seafood Co., Ltd.
60. Tan Phong Phu Seafood Co., Ltd. ("TPP Co. Ltd.") also initiated as Tan Phong Phu Seafood Co., Ltd. (TPP Co. Ltd.)
61. Tan Thanh Loi Frozen Food Co., Ltd.
62. Thien Phu Seafood Export Processing Company Limited
63. Thinh Hung Co., Ltd.
64. Trang Corporation (Vietnam)
65. Trang Khan Seafood Co., Ltd.
66. Viet Nam Seafoods—Joint Stock Company
67. Viet Phu Foods and Fish Corp.

DEPARTMENT OF COMMERCE
International Trade Administration

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