

Dated: November 5, 2019.

**James Maeder,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-051]

#### Hardwood Plywood Products From the People's Republic of China: Rescission of Antidumping Duty New Shipper Review; 2019; Correction

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

**DATES:** Applicable November 12, 2019.

**FOR FURTHER INFORMATION CONTACT:** Jasun Moy, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-8194.

#### SUPPLEMENTARY INFORMATION:

##### Background

On September 27, 2019, the Department of Commerce (Commerce) published the *Rescission Notice* for the new shipper review of the antidumping duty order on hardwood plywood products (plywood) from the People's Republic of China (China).<sup>1</sup> In the *Rescission Notice*, we inadvertently stated that we would instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on entries of plywood from China during the period of review made by Xuzhou Constant Forest Industry Co., Ltd. (Constant Forest).

##### Correction to Rescission of Antidumping Duty New Shipper Review

Because the new shipper review of Constant Forest was not completed and Constant Forest's entries entered under a period for which parties will have an opportunity to request an administrative review, its entries should not be liquidated at this time. Once the opportunity to request an administrative review for the period January 1, 2019, through December 31, 2019, has passed, Commerce will assess duties on these entries consistent with either 19 CFR 351.212(b) (assessment as the result of a

review) or 351.212(c) (automatic assessment if no review is requested). Commerce has deactivated the liquidation instructions issued to CBP's Automated Commercial Environment and intends to issue an informational message stating that these entries must remain suspended until further notice.

This notice is issued and published in accordance with sections 751 and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.214(f)(3).

Dated: November 6, 2019.

**James Maeder,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[Application No. 19-00001]

#### Export Trade Certificate of Review

**ACTION:** Notice of issuance of an Export Trade Certificate of Review to National Pecan Shellers Association ("NPSA"), application number 19-00001.

**SUMMARY:** The Secretary of Commerce, through the Office of Trade and Economic Analysis ("OTEA"), issued an Export Trade Certificate of Review to NPSA on October 29, 2019.

**FOR FURTHER INFORMATION CONTACT:** Joseph Flynn, Director, OTEA, International Trade Administration, by telephone at (202) 482-5131 (this is not a toll-free number) or email at [etca@trade.gov](mailto:etca@trade.gov).

**SUPPLEMENTARY INFORMATION:** Title III 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. OTEA is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Secretary of Commerce to publish a summary of the certification in the **Federal Register**.

Under Section 305(a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice,

bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

#### Description of Certified Conduct

A summary of the conduct covered by the Export Trade Certificate of Review follows.

##### *Export Trade Activities and Methods of Operation*

1. Establishment of Pecan Export Trade Council and Designation of Independent Third Party

a. NPSA will establish a specially-funded Pecan Export Trade Council ("PETC"), which will operate under the umbrella of NPSA. NPSA will contract with an Independent Third Party to manage and administer PETC. The Independent Third Party will not disclose information obtained from PETC or from a Member to another Member, an entity that is not a Member, and/or NPSA, except as described below and as limited by the Terms and Conditions in the Certificate of Review.

b. PETC will provide Export Trade Facilitation Services, including to the Members. PETC's charter members, and those certified to engage in Export Trade Activities, are the Members listed in Attachment A. An amendment to this Certificate is required to add members to PETC. PETC membership will be open to entities that are not NPSA members, but shall be limited to: (1) Exporting U.S. shellers (*i.e.*, entities with a commercial pecan shelling plant); (2) exporting U.S. pecan growers; and (3) exporting U.S. handlers of pecans. NPSA and PETC, once it is established, will not export Products, except as described below and as limited by the Terms and Conditions in the Certificate of Review.

2. Activities That Are Not Transaction-Specific

NPSA, acting through PETC, and including by use of Export Intermediaries, may:

a. Export Sales Prices. Discuss sales prices and other terms of sale prevailing in the Export Markets;

b. Marketing and Distribution. Conduct marketing and distribution of Products in the Export Markets;

c. Promotion. Conduct joint promotion of Products in the Export Markets;

d. Market and Customer Allocation. Allocate geographic areas or countries in the Export Markets and/or customers in the Export Markets among Members;

e. Refusals to Deal. Refuse to quote prices for Products, or to market or sell

<sup>1</sup> See *Hardwood Plywood Products from the People's Republic of China: Rescission of Antidumping Duty New Shipper Review; 2019*, 84 FR 51111 (September 27, 2019) (*Rescission Notice*).