

Commerce intends to issue appropriate assessment instructions to CBP 15 days after publication of this notice.

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 or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. 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 violation which is subject to sanction.

Notification to Interested Parties

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

Dated: July 10, 2020.

James Maeder,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

Appendix

Companies Rescinded From Review

1. A&W (Shanghai) Woods Co., Ltd.
2. American Pacific Plywood, Inc.
3. Anhui Suzhou Dongda Wood Co., Ltd.
4. Baishan Huafeng Wooden Product Co., Ltd.
5. Baiying Furniture Manufacturer Co., Ltd.
6. Changbai Mountain Development And Protection Zone Hongtu Wood Industrial Co., Ltd.
7. Chinafloors Timber (China) Co., Ltd.
8. Cheng Hang Wood Co., Ltd.
9. Dalian Dajen Wood Co., Ltd.
10. Dalian Deerfu Wooden Product Co., Ltd.
11. Dalian Guhua Wooden Product Co., Ltd.
12. Dalian Huade Wood Product Co., Ltd.
13. Dalian Jinda Wood Products Corporation
14. Dalian Jiuyuan Wood Industry Co., Ltd.
15. Dalian Meisen Woodworking
16. Dalian Xinjinghua Wood Co., Ltd.
17. Dongtai Zhangshi Wood Industry Co. Ltd.
18. Dunhua City Wanrong Wood Industry Co., Ltd.
19. Fu Lik Timber (HK) Co., Ltd.
20. Fujian Wuyishan Werner Green Industry Co., Ltd.
21. Furnco International Shanghai Company
22. Gaotang Weilong Industry and Trade
23. Gold Seagull Shanghai Flooring
24. GTP International Ltd.
25. Guangdong Fu Lin Timber Technology Limited
26. Guangdong Yihua Timber Industry Co., Ltd.
27. Guangzhou Panyu Kangda Board Co., Ltd.
28. Guangzhou Panyu Southern Star Co., Ltd.
29. HaiLin XinCheng Wooden Products, Ltd.
30. Hangzhou Dazhuang Floor Co., Ltd. (DBA Dasso Industrial Group Co., Ltd.)
31. Hangzhou Huahi Wood Industry Co., Ltd.
32. Henan Xingwangjia Technology Co., Ltd.
33. Hong Kong Easoon Wood Technology Co., Ltd.
34. Huaxin Jiasheng Wood Co., Ltd.
35. Huber Engineering Wood Corp.
36. Huzhou City Nanxun Guangda Wood Co., Ltd.
37. Huzhou Daruo Import And Export
38. Huzhou Fuma Wood Co., Ltd.
39. Huzhou Laike Import and Export Co.
40. Huzhou Muyun Wood Co., Ltd.
41. Jesonwood Forest Products ZJ
42. Jiafeng Wood (Suzhou) Co., Ltd.
43. Jiangsu Kentier Wood Co., Ltd.
44. Jiashan Fengyun Timber Co., Ltd.
45. Jiaxing Brilliant Import & Export Co., Ltd.
46. Jilin Forest Industry Jinqiao Flooring Group Co., Ltd.
47. Kunming Alston (AST) Wood Products Co., Ltd.
48. Liaoning Daheng Timber Group
49. Linyi Bonn Flooring Manufacturing Co., Ltd.
50. Max Choice Wood Industry
51. Mudanjiang Bosen Wood Industry Co., Ltd.
52. Nakahiro Jyou Sei Furniture (Dalian) Co., Ltd.
53. Nanjing Minglin Wooden Industry Co., Ltd.
54. Ningbo Tianyi Bamboo and Wood Products Co., Ltd.
55. Power Dekor North America Inc.
56. PT. Tanjung Kreasi Parquet Industry
57. Qingdao Barry Flooring Co., Ltd.
58. Qingdao Wisdom International
59. Samling Riverside Co., Ltd.
60. Shandong Kaiyuan Wood Industry Co., Ltd.
61. Shandong Puli Trading Co., Ltd.
62. Shanghai Anxin (Weiguang) Timber Co., Ltd.
63. Shanghai Demeija Timber Co., Ltd.
64. Shanghai Eswell Timber Co., Ltd.
65. Shanghai Lairunde Wood Co., Ltd.
66. Shanghai Lizhong Wood Products Co., Ltd. (a/k/a The Lizhong Wood Industry Limited Company of Shanghai)
67. Shanghai New Sihe Wood Co., Ltd.
68. Shanghai Shenlin Corporation
69. Shenyang Haobainian Wooden Co., Ltd.
70. Shenyang Sende Wood Co., Ltd.
71. Shenzhenshi Huanwei Woods Co., Ltd.
72. Suifenhe Chengfeng Trading Co., Ltd.
73. Sunyoung Wooden Products
74. Suzhou Anxin Weiguang Timber Co., Ltd.
75. Tak Wah Building Material (Suzhou) Co.
76. The Greenville Flooring Co., Ltd.
77. Topocean Consolidation Service
78. Vicwood Industry (Suzhou) Co. Ltd.
79. Xuzhou Antop International Trade Co., Ltd.
80. Yixing Lion-King Timber Industry
81. Zhejiang Anji Xinfeng Bamboo And Wood Industry Co., Ltd.
82. Zhejiang Biyork Wood Co., Ltd.
83. Zhejiang Dadongwu Auto Elect Motor
84. Zhejiang Desheng Wood Industry Co., Ltd.
85. Zhejiang Fudeli Timber Industry Co., Ltd.
86. Zhejiang Fuma Warm Technology Co., Ltd.
87. Zhejiang Haoyun Wooden Co., Ltd.
88. Zhejiang Jesonwood Co., Ltd.
89. Zhejiang Jiaye Flooring
90. Zhejiang Tianzhen Bamboo & Wood Development Co., Ltd.
91. Zhejiang Yongyu Bamboo Joint-Stock Co., Ltd.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-471-807]

Certain Uncoated Paper from Portugal: Notice of Court Decision Not in Harmony With Amended Final Results of Antidumping Duty Administrative Review; Notice of Amended Final Results of Review Pursuant to Court Decision; 2015-2017

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

SUMMARY: On July 7, 2020, the U.S. Court of International Trade (CIT) sustained the final results of redetermination pertaining to the administrative review of the antidumping duty order on certain uncoated paper from Portugal covering the period of review (POR) August 26, 2015 through February 28, 2017. The Department of Commerce (Commerce) is notifying the public that the CIT's final judgement in this case is not in harmony with the final results of the administrative review, and that Commerce is amending the final results with respect to The Navigator Company, S.A. (Navigator).

DATES: Applicable July 17, 2020.

FOR FURTHER INFORMATION CONTACT: Kabir Archuleta, 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) 482-2593.

SUPPLEMENTARY INFORMATION:

Background

On August 13, 2018, Commerce published its *Final Results* in the 2015-2017 administrative review of certain uncoated paper from Portugal.¹ During the review, Commerce found that Navigator had failed to demonstrate that the allocation methodology for its U.S. brokerage and handling expenses did not create inaccuracies or distortions. Therefore, Commerce selected the

¹ See *Certain Uncoated Paper from Portugal: Final Results of Antidumping Duty Administrative Review; 2015-2017*, 83 FR 39982 (August 13, 2018) (*Final Results*), and accompanying Issues and Decision Memorandum (IDM).

highest reported allocated U.S. brokerage and handling expense as adverse facts available (AFA) for the allocated U.S. brokerage and handling expenses.²

Navigator alleged, among other things, that Commerce made a ministerial error in the *Final Results* when applying AFA for Navigator's allocated U.S. brokerage and handling expenses.³ Commerce agreed that it committed a ministerial error in its selection of the figure used as AFA; therefore, Commerce modified its calculations to select instead the highest transaction-specific, actual U.S. brokerage and handling expense.⁴

Navigator challenged Commerce's decision to base U.S. brokerage and handling expenses on AFA in the *Final Results*. In addition, The Packaging Corporation of America, United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial Service Workers International Union, AFL-CIO, CLC and the Domtar Corporation (collectively, the petitioners) challenged the value selected as AFA in *Amended Final Results*. On November 22, 2019, the CIT issued its *Remand Order*, remanding, in part, the *Final Results* and *Amended Final Results* to Commerce, stating that, in the *Final Results*, Commerce permissibly used facts otherwise available, but that the use of an adverse inference was not supported by substantive evidence, and that in the *Amended Final Results*, Commerce did not correct an inadvertent clerical error, but rather made an impermissible substantive modification to the *Final Results*.⁵

On February 19, 2020, Commerce issued the *Final Redetermination Results*,⁶ selecting a neutral facts available for allocated U.S. brokerage and handling expenses by calculating a weighted average of all positive allocated U.S. brokerage and handling expenses reported for the POR.⁷ On July

7, 2020, the CIT sustained Commerce's *Final Redetermination Results*.⁸

Timken Notice

In its decision in *Timken*,⁹ as clarified by *Diamond Sawblades*,¹⁰ the Court of Appeals for the Federal Circuit held that, pursuant to section 516A of the Trade Act of 1970, as amended (the Act), Commerce must publish notice of a court decision that is not "in harmony" with a Commerce determination and must suspend liquidation of entries pending a "conclusive" court decision.¹¹ The CIT's July 7, 2020 judgment sustaining the *Final Redetermination Results* constitutes a final decision of the CIT that is not in harmony with Commerce's *Amended Final Results*. This notice is published in fulfillment of the publication requirements of *Timken* and section 516A of the Act.

Amended Final Results of Review

Because there is now a final CIT decision, Commerce is amending its *Amended Final Results* with respect to Navigator for the POR as follows:

Exporter	Weighted-average dumping margin (percent)
The Navigator Company, S.A. ...	1.63

Assessment Instructions

In the event the CIT's ruling is not appealed or, if appealed, upheld by a final and conclusive court decision, Commerce intends to instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on unliquidated entries of subject merchandise exported by Navigator in accordance with 19 CFR 351.212(b)(1). Commerce will calculate importer-specific *ad valorem* assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of those sales, in accordance with 19 CFR 351.212(b)(1). We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific *ad valorem*

⁸ See *The Navigator Company, S.A. (Navigator) and Packaging Corporation of America et al. and Domtar Corporation v. United States and Packaging Corporation of America et al.*, Consol. Court No. 18-00192, Slip Op. 20-94 (CIT July 7, 2020).

⁹ See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

¹⁰ See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

¹¹ See sections 516A(c) and (e) of the Act.

assessment rate calculated is not zero or *de minimis*. Where an importer-specific *ad valorem* assessment rate is zero or *de minimis*,¹² we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Cash Deposit Requirements

The cash deposit rate for Navigator has been superseded by cash deposit rates calculated in intervening administrative reviews of the antidumping duty order on certain uncoated paper from Portugal. Thus, we will not alter Navigator's cash deposit rate as a result of these amended final results of review.

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(e), 751(a)(1), and 777(i)(1) of the Act.

Dated: July 9, 2020.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XA278]

Caribbean Fishery Management Council; Public Meeting

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

ACTION: Notice of a public virtual meeting.

SUMMARY: The Caribbean Fishery Management Council's (Council) Outreach and Education Advisory Panel (OEAP) will hold a two-day public virtual meeting to address the items contained in the tentative agenda included in the **SUPPLEMENTARY INFORMATION**.

DATES: The OEAP public virtual meeting will be held on August 4, 2020, from 12 p.m. to 3 p.m., and August 5, 2020, from 12 p.m. to 3 p.m. All meetings will be at Eastern Day Time.

ADDRESSES: You may join the OEAP public virtual meeting (via GoToMeeting) from a computer, tablet or smartphone by entering the following address:

¹² See 19 CFR 351.106(c)(2).

² *Id.* at Comment 2.

³ See *Certain Uncoated Paper from Portugal: Final Results of Antidumping Duty Administrative Review; 2015-2017*, 83 FR 52810 (October 18, 2018) (*Amended Final Results*), and accompanying IDM.

⁴ See *Amended Final Results* IDM at Allegation 2.

⁵ See *The Navigator Company, S.A. (Navigator) and Packaging Corporation of America et al. and Domtar Corporation v. United States and Packaging Corporation of America et al.*, Consol. Court No. 18-00192, Slip Op. 19-146 (CIT November 22, 2019) (*Remand Order*).

⁶ See *Final Results of Redetermination Pursuant to Court Remand in The Navigator Company, S.A. (Navigator) and Packaging Corporation of America et al. and Domtar Corporation v. United States and Packaging Corporation of America et al.*, Consol. Court No. 18-00192, Slip Op. 19-146, dated February 19, 2020 (*Final Redetermination Results*).

⁷ See *Final Redetermination Results* at 5.