

under a specific segment type called “AISL-Annual Inquiry Service List.”<sup>9</sup>

Interested parties who wish to be added to the annual inquiry service list for an order must submit an entry of appearance to the annual inquiry service list segment for the order in ACCESS within 30 days after the date of publication of the order. For ease of administration, Commerce requests that law firms with more than one attorney representing interested parties in an order designate a lead attorney to be included on the annual inquiry service list. Commerce will finalize the annual inquiry service list within five business days thereafter. As mentioned in the *Procedural Guidance*, the new annual inquiry service list will be in place until the following year, when the *Opportunity Notice* for the anniversary month of the order is published.

Commerce may update an annual inquiry service list at any time as needed based on interested parties’ amendments to their entries of appearance to remove or otherwise modify their list of members and representatives, or to update contact information. Any changes or announcements pertaining to these procedures will be posted to the ACCESS website at <https://access.trade.gov>.

### Special Instructions for Petitioners and Foreign Governments

In the *Final Rule*, Commerce stated that, “after an initial request and placement on the annual inquiry service list, both petitioners and foreign governments will automatically be placed on the annual inquiry service list in the years that follow.”<sup>10</sup> Accordingly, as stated above, the petitioners and foreign governments should submit their initial entry of appearance after publication of this notice in order to appear in the first annual inquiry service list. Pursuant to 19 CFR 351.225(n)(3), the petitioners and foreign governments will not need to resubmit their entries of appearance each year to continue to be included on the annual inquiry service list. However, the petitioners and foreign

<sup>9</sup> This segment will be combined with the ACCESS Segment Specific Information (SSI) field, which will display the month in which the notice of the order or suspended investigation was published in the *Federal Register*, also known as the anniversary month. For example, for an order under case number A-000-000 that published in the *Federal Register* in January, the relevant segment and SSI combination will appear in ACCESS as “AISL-January Anniversary.” Note that there will be only one annual inquiry service list segment per case number, and the anniversary month will be pre-populated in ACCESS.

<sup>10</sup> See *Final Rule*, 86 FR at 52335.

governments are responsible for making amendments to their entries of appearance during the annual update to the annual inquiry service list in accordance with the procedures described above.

### Notification to Interested Parties

This notice constitutes the antidumping duty order with respect to preserved mushrooms from France pursuant to section 736(a) of the Act. Interested parties can find a list of antidumping duty orders currently in effect at <https://www.trade.gov/data-visualization/adcvd-proceedings>.

This order is published in accordance with section 736(a) of the Act and 19 CFR 351.211(b).

Dated: January 12, 2023.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

### Appendix

#### Scope of the Order

The merchandise covered by this order is certain preserved mushrooms, whether imported whole, sliced, diced, or as stems and pieces. The preserved mushrooms covered under this order are the genus *Agaricus*. “Preserved mushrooms” refer to mushrooms that have been prepared or preserved by cleaning, blanching, and sometimes slicing or cutting. These mushrooms are then packed and heat sterilized in containers each holding a net drained weight of not more than 12 ounces (340.2 grams), including but not limited to cans or glass jars, in a suitable liquid medium, including but not limited to water, brine, butter, or butter sauce. Preserved mushrooms may be imported whole, sliced, diced, or as stems and pieces.

Excluded from the scope are “marinated,” “acidified,” or “pickled” mushrooms, which are prepared or preserved by means of vinegar or acetic acid, but may contain oil or other additives. To be prepared or preserved by means of vinegar or acetic acid, the merchandise must be a minimum 0.5 percent by weight acetic acid.

The merchandise subject to this order is classifiable under subheadings 2003.10.0127, 2003.10.0131, and 2003.10.0137 of the Harmonized Tariff Schedule of the United States (HTSUS). The subject merchandise may also be classified under HTSUS subheadings 2003.10.0143, 2003.10.0147, and 2003.10.0153. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope is dispositive.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-469-818]

#### Ripe Olives From Spain: Implementation of Determination Under Section 129 of the Uruguay Round Agreements Act

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

**SUMMARY:** On December 20, 2022, the U.S. Department of Commerce (Commerce) issued its final determination under section 129 of the Uruguay Round Agreements Act (URAA), regarding the countervailing duty (CVD) investigation of ripe olives from Spain. On January 12, 2023, the U.S. Trade Representative (USTR) directed Commerce to implement the section 129 final determination, which renders Commerce’s determinations in the CVD investigation not inconsistent with the World Trade Organization (WTO) dispute settlement findings in *United States—Antidumping and Countervailing Duties on Ripe Olives from Spain*, WT/DS577 (December 20, 2021) (DS577). As a result, Commerce is now implementing the section 129 final determination.

**DATES:** Applicable January 12, 2023.

**FOR FURTHER INFORMATION CONTACT:** Mary Kolberg or Dusten Hom, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-1785 and (202) 482-5075, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Nature of the Proceeding

Section 129 of the URAA governs the nature and effect of determinations issued by Commerce to implement findings by WTO dispute settlement panels and the Appellate Body. Specifically, section 129(b)(2) of the URAA provides that “notwithstanding any provision of the Tariff Act of 1930,” upon a written request from USTR, Commerce shall issue a determination that would render its actions not inconsistent with an adverse finding of a WTO panel or the Appellate Body.<sup>1</sup> The Statement of Administrative Action Accompanying the URAA, H.R. Doc. 103-316, Vol. 1 (1994) (SAA), variously refers to such a determination by Commerce as a “new,” “second,” and

<sup>1</sup> See 19 U.S.C. 3538(b)(2).

“different” determination.<sup>2</sup> After consulting with Commerce and the appropriate congressional committees, USTR may direct Commerce to implement, in whole or in part, the new determination made under section 129 of the URAA.<sup>3</sup> Pursuant to section 129(c) of the URAA, the new determination shall apply with respect to unliquidated entries of the subject merchandise that are entered or withdrawn from warehouse, for consumption, on or after the date on which USTR directs Commerce to implement the new determination.<sup>4</sup> The new determination is subject to judicial review, separate and apart from judicial review of Commerce’s original determination.<sup>5</sup>

**Background**

On July 11, 2022, Commerce informed interested parties that it was initiating administrative action under section 129 of the URAA to comply with the recommendations and rulings of the WTO Dispute Settlement Body in

DS577.<sup>6</sup> On September 23, 2022, Commerce addressed each of the issues and conclusions of the panel in DS577 through a preliminary determination memorandum.<sup>7</sup> We invited interested parties to comment on the Preliminary Determination.<sup>8</sup> After receiving case briefs and rebuttal comments from the interested parties, Commerce issued its final determination for the section 129 determination on December 20, 2022.<sup>9</sup> On January 12, 2023, USTR notified Commerce that, consistent with section 129(b)(3) of the URAA, consultations with Commerce and the appropriate congressional committees with respect to the December 20, 2022 determination have been completed and USTR directed Commerce to implement the determination in accordance with section 129(b)(4) if the URAA.

**Final Determination: Analysis of Comments Received**

The issues raised in the comments and rebuttal comments submitted by the interested parties to this proceeding are

addressed in the Final Determination. The Final Determination is a public document and is on file electronically via Enforcement and Compliance’s Antidumping and CVD Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Final Determination can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

**Final Determination: Recalculating Countervailing Duty Rates**

The recalculated countervailable subsidy rates, as included in the Final Determination and which remain unchanged from the Preliminary Determination in this section 129 proceeding for each company, are as follows:

Exporter/producer	Investigation subsidy rate (percent <i>ad valorem</i> )	Revised subsidy rate (percent <i>ad valorem</i> )
Aceitunas Guadalquivir S.L.U. <sup>10</sup> .....	27.02	11.63
All Others .....	14.97	11.08

**Implementation of the Revised Cash Deposit Requirements**

As noted above, on January 12, 2023, in accordance with sections 129(b)(4) and 129(c)(1)(B) of the URAA, USTR directed Commerce to implement this final determination. With respect to the investigation, Commerce will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of entries of subject merchandise that were entered, or withdrawn from warehouse, for consumption on or after the date of such implementation. In the final section 129 determination, the rates for Agro Sevilla Aceitunas S.Coop And. and Angel Camacho Alimentacion, S.L. remained unchanged from the investigation. However, these companies have a superseding cash deposit rate (*i.e.*, there have been final results published in a

subsequent administrative review), and thus, we will not issue revised cash deposit instructions to CBP for these companies. Similarly, while the rate for Aceitunas Guadalquivir S.L.U. changed in the final section 129 determination, because this company has a superseding cash deposit rate, we will not issue revised cash deposit instructions to CBP for this company. For all other producers or exporters that do not have their own rate, we will direct CBP to require a cash deposit equal to the revised all-others rate above. This notice of implementation of this section 129 final determination is published in accordance with section 129(c)(2)(A) of the URAA.

Dated: January 12, 2023.

**Lisa W. Wang,**  
*Assistant Secretary for Enforcement and Compliance.*

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**DEPARTMENT OF COMMERCE**

**National Institute of Standards and Technology**

**Advisory Committee on Earthquake Hazards Reduction Meeting**

**AGENCY:** National Institute of Standards and Technology, Department of Commerce.

**ACTION:** Notice of open meeting.

**SUMMARY:** The Advisory Committee on Earthquake Hazards Reduction (ACEHR or Committee) will hold an open virtual

Countervailing Duty Investigation,” dated December 20, 2022 (Final Determination).

<sup>10</sup> Commerce found the following companies to be cross-owned with Aceitunas Guadalquivir S.L.U.: Coromar Inv., S.L.; AG Explotaciones Agricolas, S.L.U.; and Grupo Aceitunas Guadalquivir, S.L. See *Ripe Olives from Spain: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order*, 83 FR 37469 (August 1, 2018).

<sup>2</sup> See SAA at 1025, 1027.

<sup>3</sup> See 19 U.S.C. 3538(b)(4).

<sup>4</sup> See 19 U.S.C. 3538(c).

<sup>5</sup> See 19 U.S.C. 1516a(a)(2)(B)(vii).

<sup>6</sup> See *Notice of Commencement of a Compliance Proceeding Pursuant to Section 129 of the Uruguay Round Agreements Act*, 87 FR 41109 (July 11, 2022).

<sup>7</sup> See Memorandum, “Ripe Olives from Spain: Preliminary Section 129 Determination Regarding the Countervailing Duty Investigation,” dated September 23, 2022 (Preliminary Determination).

<sup>8</sup> *Id.* at 22–23; see also Commerce’s Letter, “Ripe Olives from Spain: Deadline for Submission of Factual Information and Extension of Deadline for Case and Rebuttal Brief,” dated October 17, 2022.

<sup>9</sup> See Memorandum, “Ripe Olives from Spain: Final Section 129 Determination Regarding the