

- Corporation
25. Dong Hai Seafood Limited Company
  26. Dong Phuong Seafood Co., Ltd.
  27. Duc Cuong Seafood Trading Co., Ltd.
  28. Duong Hung Seafood
  29. FAQUIMEX
  30. FFC
  31. Fine Foods Company
  32. Gallant Dachan Seafood Co., Ltd.
  33. Gallant Ocean (Vietnam) Co. Ltd.
  34. Gallant Ocean (Vietnam) Joint Stock Company
  35. Go Dang Joint Stock Company
  36. GODACO Seafood
  37. Green Farms Seafood Joint Stock Company
  38. Hanh An Trading Service Co., Ltd.
  39. Hoang Anh Fisheries Trading Company Limited
  40. Hong Ngoc Seafood Co., Ltd.
  41. Hung Bang Company Limited
  42. Hung Dong Investment Service Trading Co., Ltd.
  43. HungHau Agricultural Joint Stock Company
  44. INCOMFISH
  45. Investment Commerce Fisheries Corporation
  46. JK Fish Co., Ltd.
  47. Khang An Foods Joint Stock Company
  48. Khanh Hoa Seafoods Exporting Company
  49. KHASPEXCO
  50. Long Toan Frozen Aquatic Products Joint Stock Company
  51. MC Seafood
  52. Minh Bach Seafood Company Limited
  53. Minh Cuong Seafood Import Export Processing Joint Stock Company
  54. Minh Phat Seafood Company Limited<sup>10</sup>
  55. Minh Phu Hau Giang Seafood<sup>11</sup>
  56. Minh Phu Seafood Corporation<sup>12</sup>
  57. Minh Qui Seafood Company Limited<sup>13</sup>
  58. Nam Phuong Foods Import Export Company Limited
  59. Nam Viet Seafood Import Export Joint Stock Company
  60. Namcan Seaproducts Import Export Joint Stock Company
  61. NAVIMEXCO
  62. New Generation Seafood Joint Stock Company
  63. New Wind Seafood Company Limited
  64. Ngoc Trinh Bac Lieu Seafood Co., Ltd.
  65. Nguyen Chi Aquatic Product Trading Company Limited
  66. Nhat Duc Co., Ltd.
  67. Nigico Co., Ltd.
  68. Phuong Nam Foodstuff Corp.
  69. QAIMEXCO
  70. Quang Minh Seafood Co., Ltd
  71. Quoc Ai Seafood Processing Import Export Co., Ltd.
  72. Quoc Toan PTE
  73. Quoc Toan Seafood Processing Factory
  74. Quy Nhon Frozen Seafoods Joint Stock Company
  75. Safe And Fresh Aquatic Products Joint Stock Company
  76. Saigon Aquatic Product Trading Joint Stock Company
  77. Saigon Food Joint Stock Company
  78. SEADANANG
  79. Seafood Direct 2012 One Member Limited
  80. Seafood Joint Stock Company No. 4
  81. Seafood Travel Construction Import-Export Joint Stock Company
  82. Seanamico
  83. Seaproducts Joint Stock Company
  84. Seaspimex Vietnam
  85. Seampy Seafood Company Limited
  86. South Ha Tinh Seaproducts Import-Export Joint Stock Company
  87. South Vina Shrimp—SVS
  88. Southern Shrimp Joint Stock Company
  89. Special Aquatic Products Joint Stock Company
  90. T & P Seafood Company Limited
  91. Tai Nguyen Seafood Co., Ltd.
  92. Tan Phong Phu Seafood Co., Ltd.
  93. Tan Thanh Loi Frozen Food Co., Ltd.
  94. THADIMEXCO
  95. Thai Hoa Foods Joint Stock Company
  96. Thai Minh Long Seafood Company Limited
  97. Thaimex
  98. Thanh Doan Fisheries Import-Export Joint Stock Company
  99. Thanh Doan Sea Products Import & Export Processing Joint-Stock Company
  100. Thanh Doan Seafood Import Export Trading Joint-Stock Company
  101. The Light Seafood Company Limited
  102. Thien Phu Export Seafood
  103. Thinh Hung Co., Ltd.

104. Thinh Phu Aquatic Products Trading Co., Ltd.
105. Thuan Thien Producing Trading Ltd. Co.
106. TPP Co. Ltd.
107. Trang Corporation (Vietnam)
108. Trung Son Corp.
109. Trung Son Seafood Processing Joint Stock Company
110. Van Duc Food Company Limited
111. Viet Asia Foods Company Limited
112. Viet Hai Seafood Co., Ltd.
113. Viet Phu Foods and Fish Corp.
114. Viet Shrimp Corporation
115. Vietnam Fish One Co., Ltd.<sup>14</sup>
116. VIFAFOOD
117. Vinh Phat Food Joint Stock Company
118. XNK Thinh Phat Processing Company

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–570–134]

#### Certain Metal Lockers and Parts Thereof From the People’s Republic of China: Final Results of Countervailing Duty Administrative Review; 2020–2021

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that countervailable subsidies were provided to producers and exporters of certain metal lockers and parts thereof (metal lockers) from the People’s Republic of China (China). The period of review (POR) is December 14, 2020, through December 31, 2021.

**DATES:** Applicable February 14, 2024.

**FOR FURTHER INFORMATION CONTACT:** Alex Cipolla, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4956.

#### SUPPLEMENTARY INFORMATION:

##### Background

On September 7, 2023, Commerce published the *Preliminary Results*.<sup>1</sup> For

<sup>14</sup> As noted above, though we stated we would rescind the review with respect to Vietnam Fish One in the *Preliminary Results*, we determined after the publication of the *Preliminary Results* that it must be included in the Vietnam-wide entity because of its historical *a.k.a.* relationship with Viet Hai Seafood Co., Ltd., a company we have determined to belong to the Vietnam-wide entity. For a full discussion, see the Vietnam Fish One Status Memorandum.

<sup>1</sup> See *Certain Metal Lockers and Parts Thereof from the People’s Republic of China: Preliminary Results and Partial Rescission of the Countervailing*

<sup>10</sup> As stated in the *Initiation Notice*, 88 FR at 21609, shrimp produced and exported by Minh Phat Seafood Company Limited were excluded from the *Order* effective July 18, 2016. See *Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam: Notice of Implementation of Determination Under Section 129 of the Uruguay Round Agreements Act and Partial Revocation of the Antidumping Duty Order*, 81 FR 47756, 47757–58 (July 22, 2016). Accordingly, this review was initiated for this exporter only with respect to subject merchandise produced by another entity. See *Initiation Notice*, 88 FR at 21616 (footnote 10).

<sup>11</sup> As stated in the *Initiation Notice*, shrimp produced and exported by Minh Phu Hau Giang Seafood were excluded from the *Order* effective July 18, 2016. See *Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam: Notice of Implementation of Determination Under Section 129 of the Uruguay Round Agreements Act and Partial Revocation of the Antidumping Duty Order*, 81 FR 47756, 47757–58 (July 22, 2016). Accordingly, this review was initiated for this exporter only with respect to subject merchandise produced by another entity. See *Initiation Notice*, 88 FR at 21616 (footnote 11).

<sup>12</sup> As stated in the *Initiation Notice*, shrimp produced and exported by Minh Phu Seafood Corporation were excluded from the *Order* effective July 18, 2016. See *Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam: Notice of Implementation of Determination Under Section 129 of the Uruguay Round Agreements Act and Partial Revocation of the Antidumping Duty Order*, 81 FR 47756, 47757–58 (July 22, 2016). Accordingly, this review was initiated for this exporter only with respect to subject merchandise produced by another entity. See *Initiation Notice*, 88 FR at 21616 (footnote 12).

<sup>13</sup> As stated in the *Initiation Notice*, shrimp produced and exported by Minh Qui Seafood Company Limited were excluded from the *Order* effective July 18, 2016. See *Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam: Notice of Implementation of Determination Under Section 129 of the Uruguay Round Agreements Act and Partial Revocation of the Antidumping Duty Order*, 81 FR 47756, 47757–58 (July 22, 2016). Accordingly, this review was initiated for this exporter only with respect to subject merchandise produced by another entity. See *Initiation Notice*, 88 FR at 21616 (footnote 13).

Continued

a complete description of the events that occurred subsequent to the *Preliminary Results*, see the Issues and Decision Memorandum.<sup>2</sup> On December 18, 2023, in accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), Commerce extended the deadline for issuing the final results until February 6, 2024.<sup>3</sup>

**Scope of the Order**<sup>4</sup>

The merchandise subject to the *Order* are metal lockers from China. A full description of the scope of the *Order* is contained in the Issues and Decision Memorandum.

**Analysis of Comments Received**

All issues raised by interested parties in case and rebuttal briefs are addressed in the Issues and Decision Memorandum. A list of the issues addressed in the Issues and Decision Memorandum is provided in the appendix 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 <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

**Changes Since the Preliminary Results**

Based on our review of the record and comments received from interested parties regarding our *Preliminary Results*, we made certain changes to the countervailable subsidy rate calculations for mandatory respondents Xingyi Metalworking (Zhejiang) Co., Ltd. (Xingyi Metalworking) and

Zhejiang Xingyi Metal Products Co., Ltd. (Zhejiang Xingyi). As a result of these changes, the final rates for the two companies under review which were not selected for individual examination also changed.<sup>5</sup> These changes are explained in the Issues and Decision Memorandum.

**Methodology**

Commerce is conducting this review in accordance with section 751(a)(1)(A) of the Act. For each of the subsidy programs found countervailable, we find that there is a subsidy, *i.e.*, a government-provided financial contribution that gives rise to a benefit to the recipient, and that the subsidy is specific.<sup>6</sup> The Issues and Decision Memorandum contains a full description of the methodology underlying Commerce’s conclusions, including any determination that relied upon the use of adverse facts available pursuant to sections 776(a) and (b) of the Act.

**Companies Not Selected for Individual Examination**

The statute and Commerce’s regulations do not address the establishment of a rate to be applied to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(e)(2) of the Act. Generally, Commerce looks to section 705(c)(5) of the Act, which provides instructions for determining the all-others rate in an investigation, for guidance when calculating the rate for companies which were not selected for individual examination in an administrative review. Under section 705(c)(5)(A) of the Act, the all-others rate is normally an amount equal to the weighted average of the countervailable

subsidy rates established for exporters and producers individually investigated, excluding any zero or *de minimis* countervailable subsidy rates, and any rates determined entirely on the basis of facts available.

As stated above, there are two companies for which a review was requested and not rescinded, and which were not selected as mandatory respondents or found to be cross-owned with the mandatory respondents. Because the rate calculated for the mandatory respondents in this review, Xingyi Metalworking and Zhejiang Xingyi, is above *de minimis* and not based entirely on facts available, we are applying Xingyi Metalworking and Zhejiang Xingyi’s subsidy rate to these non-selected companies. This methodology used to establish the rate for the non-selected companies is consistent with our practice regarding the calculation of the all-others rate, pursuant to section 705(c)(5)(A)(i) of the Act.

This is the same methodology Commerce applied in the *Preliminary Results* for determining a rate for companies not selected for individual examination. However, due to changes in the calculations for Xingyi Metalworking and Zhejiang Xingyi, we revised the non-selected rate accordingly. Consequently, for the two companies not selected for individual examination and for which the review was not rescinded, we are applying an *ad valorem* subsidy rate of 16.61 percent for 2020 and 22.72 percent for 2021.

**Final Results of Review**

We determine the following net countervailable subsidy rates exist for the period December 14, 2020, through December 31, 2021:

Producer/exporter	2020 subsidy rate (percent)	2021 subsidy rate (percent)
Xingyi Metalworking Technology (Zhejiang) Co., Ltd.; Zhejiang Xingyi Metal Products Co., Ltd .....	16.61	22.72
Hangzhou Evernew Machinery & Equipment Company Limited .....	16.61	22.72
Hangzhou Xline Machinery & Equipment Co. Ltd .....	16.61	22.72

**Disclosure**

Commerce intends to disclose its calculations and analysis performed for these final results to interested parties

<sup>1</sup> *Duty Administrative Review; 2020–2021*, 88 FR 61514 (September 7, 2023) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

<sup>2</sup> See Memorandum, “Issues and Decision Memorandum for the Final Results of Countervailing Duty Administrative Review: Certain Metal Lockers and Parts Thereof from the People’s Republic of China; 2020–2021,” dated

within five days of this notice in the **Federal Register** in accordance with 19 CFR 351.224(b).

concurrently with, and hereby adopted by, this notice.

<sup>3</sup> See Memorandum, “Extension of Deadline for Final Results of Countervailing Duty Administrative Review,” dated December 18, 2023.

<sup>4</sup> See *Certain Metal Lockers and Parts Thereof from the People’s Republic of China: Antidumping and Countervailing Duty Orders*, 86 FR 46826 (August 20, 2021) (*Order*).

**Assessment Requirements**

In accordance with section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(2), Commerce has

<sup>5</sup> The two companies not selected for individual examination are: Hangzhou Evernew Machinery & Equipment Company Limited, and Hangzhou Xline Machinery & Equipment Co. Ltd.

<sup>6</sup> See sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

determined, and U.S. Customs and Border Protection (CBP) shall assess, countervailing duties on all appropriate entries covered by this review, for the above-listed companies at the applicable *ad valorem* assessment rates listed for the corresponding time periods (*i.e.*, December 14, 2020, to December 31, 2020, and January 1, 2021, to December 31, 2021). Commerce intends to issue assessment instructions to CBP no earlier than 35 days after publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

### Cash Deposit Requirements

In accordance with section 751(a)(1) of the Act, Commerce also intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts calculated for the year 2021 for the above-listed companies with regard to shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of these final results of review. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the all-others rate or the most recent company-specific rate applicable to the company, as appropriate. These cash deposit requirements, effective upon publication of these final results, shall remain in effect until further notice.

### Administrative Protective Order

This notice also serves as a final reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), 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 sanctionable violation.

### Notification to Interested Parties

These final results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: February 6, 2024.

**Ryan Majerus,**

*Deputy Assistant Secretary for Policy and Negotiations, Performing the Non-exclusive Functions and Duties of the Assistant Secretary for Enforcement and Compliance.*

### Appendix

#### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Non-Selected Companies Under Review
- V. Subsidies Valuation
- VI. Use of Facts Otherwise Available and Application of Adverse Inferences
- VII. Analysis of Programs
- VIII. Discussion of the Issues
  - Comment 1: Valuation of Respondents' Inland Freight Expenses
  - Comment 2: Export Buyer's Credit Program
  - Comment 3: Whether Commerce Should Modify Less Than Adequate Remuneration (LTAR) Benchmarks
- IX. Recommendation

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Greater Atlantic Region Dealer Purchase Reports

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on November 03, 2023 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

*Agency:* National Oceanic and Atmospheric Administration, Commerce.

*Title:* Greater Atlantic Region Dealer Purchase Reports.

*OMB Control Number:* 0648-0229.

*Form Number(s):* None.

*Type of Request:* Regular submission (extension of a current information collection).

*Number of Respondents:* 641.

*Average Hours per Response:* 0.07.

*Total Annual Burden Hours:* 28,798.

*Needs and Uses:* This is an extension request of the current approval. Federally permitted dealers, and any individual acting in the capacity of a dealer, must submit to the Regional Administrator or to the official designee a detailed report of all fish purchased or received for a commercial purpose, other than solely for transport on land by one of the available electronic reporting mechanisms approved by National Marine Fisheries Service (NMFS). The information obtained is used by economists, biologists, and managers in the management of the fisheries. The data collection parameters are consistent with the current requirements for Federal dealers under the authority of the Magnuson-Stevens Fishery Conservation and Management Act.

*Affected Public:* Business or other for-profit organizations; Not-for-profit institutions; State, Local, Tribal government; Federal government.

*Frequency:* Weekly.

*Respondent's Obligation:* Mandatory.

*Legal Authority:* Magnuson-Stevens Fishery Conservation and Management Act, Code of Federal Regulations Title 50 Part 648. This information collection request may be viewed at [www.reginfo.gov](http://www.reginfo.gov). Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function and entering either the title of the collection or the OMB Control Number 0648-0229.

**Sheleen Dumas,**

*Department PRA Clearance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.*

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