

briefs.<sup>72</sup> Parties who submit arguments are requested to submit with the argument (a) a statement of the issue, (b) a brief summary of the argument, and (c) a table of authorities. Parties submitting briefs should do so pursuant to the Department's electronic filing system, IA ACCESS.<sup>73</sup>

Unless the deadline is extended, pursuant to section 751(a)(3)(A) of the Act, the Department will issue the final results of these reviews, including the results of our analysis of the issues raised by the parties in their comments, within 120 days of publication of the preliminary results. The assessment of antidumping duties on entries of merchandise covered by this review and future deposits of estimated duties shall be based on the final results of these reviews.

#### Assessment Rates

In accordance with section 351.212(b) of the Department's regulations, upon issuance of the final results, the Department will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by these reviews. The Department intends to issue assessment instructions to CBP 15 days after the publication date of the final result. For any individually examined respondent whose weighted-average dumping margin is above *de minimis* (i.e., 0.50 percent) in the final results of these reviews, the Department will calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales and the total entered value of sales, in accordance with section 351.212(b)(1) of the Department's regulations. As noted above, in this and future reviews, we will direct CBP to assess importer-specific assessment rates based on the resulting per-unit (i.e., per-kilogram) rates by the weight in kilograms of each entry of the subject merchandise during the POR. In these preliminary results, the Department applied the assessment rate calculation method adopted in *Final Modifications for Reviews*, i.e., on the basis of monthly average-to-average comparisons using only the transactions associated with that importer with offsets being provided for non-dumped comparisons.<sup>74</sup> Where an importer/

customer-specific per-unit rate is greater than *de minimis*, we will apply the assessment rate to the entered value of the importer's/customer's entries during the POR, in accordance with section 351.212(b)(1) of the Department's regulations. Where an importer/customer-specific per-unit rate is zero or *de minimis*, we will instruct CBP to liquidate appropriate entries without regard to antidumping duties.<sup>75</sup>

For the companies receiving a separate rate that were not selected for individual review, we will assign an assessment rate based on the average of the mandatory respondents, as discussed above. We intend to instruct CBP to liquidate entries containing subject merchandise exported by the Vietnam-wide entity at the Vietnam-wide rate. Finally, for those companies for which this review has been preliminarily rescinded, the Department intends to assess antidumping duties 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 section 351.212(c)(2) of the Department's regulations, if the review is rescinded for these companies.

#### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of these reviews for all shipments of the subject merchandise from Vietnam entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (a) For the exporters listed above, the cash deposit rate will be established in the final results of these reviews (except, if the rate is zero or *de minimis*, no cash deposit will be required for that company); (b) for previously investigated or reviewed Vietnamese and non-Vietnamese exporters not listed above that have a separate rate, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (c) for all Vietnamese exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the Vietnam-wide rate of \$2.11 per kilogram; and (d) for all non-Vietnamese exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the Vietnamese exporters

(February 14, 2012) ("Final Modifications for Reviews").

<sup>75</sup> See 351.106(c)(2) of the Department's regulations.

that supplied that non-Vietnamese exporter. These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Interested Parties

This notice serves as a preliminary reminder to importers of their responsibility under section 351.402(f)(2) of the Department's regulations to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing this determination in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: August 30, 2012.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-938]

#### Citric Acid and Certain Citrate Salts from the People's Republic of China: Notice of Rescission of Countervailing Duty Administrative Review, in Part

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**DATES:** *Effective Date:* September 12, 2012.

**FOR FURTHER INFORMATION CONTACT:** Kristen Johnson, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, Room 4014, 14th Street and Constitution Ave. NW., Washington, DC 20230, telephone: (202) 482-4793

#### SUPPLEMENTARY INFORMATION:

##### Background

On May 1, 2012, the Department of Commerce (the Department) published a notice of opportunity to request an administrative review of the countervailing duty (CVD) order on citric acid and certain citrate salts from the People's Republic of China.<sup>1</sup> On

<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity*

<sup>72</sup> See sections 351.309(c)(1)(ii) and 351.309(d) of the Department's regulations.

<sup>73</sup> See section 351.303 of the Department's regulations; see also <https://iaaccess.trade.gov/help/IA%20ACCESS%20User%20Guide.pdf>.

<sup>74</sup> See *Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8103

May 31, 2012, we received a request from Archer Daniels Midland Company, Cargill, Incorporated, and Tate & Lyle Ingredients Americas LLC, domestic producers of the subject merchandise and petitioners in the investigation (collectively, the Petitioners), to conduct an administrative review of Yixing-Union Biochemical Co., Ltd. (Yixing-Union).<sup>2</sup>

On July 10, 2012, the Department published the notice of initiation of the administrative review for the review period January 1, 2011, through December 31, 2011 (POR), which covered Yixing-Union and the RZBC Companies.<sup>3</sup> On July 13, 2012, Yixing-Union submitted a letter certifying that it had no sales, shipments, or exports of subject merchandise to the United States during the POR. On August 8, 2012, the Department published a notice of intent to rescind Yixing-Union's administrative review and invited interested parties to comment.<sup>4</sup> We received no comments, and have determined that the review of Yixing-Union should be rescinded.

### Scope of the Order

The scope of the order includes all grades and granulation sizes of citric acid, sodium citrate, and potassium citrate in their unblended forms, whether dry or in solution, and regardless of packaging type. The scope also includes blends of citric acid, sodium citrate, and potassium citrate; as well as blends with other ingredients, such as sugar, where the unblended form(s) of citric acid, sodium citrate, and potassium citrate constitute 40 percent or more, by weight, of the blend. The scope of the order also includes all forms of crude calcium citrate,

including dicalcium citrate monohydrate, and tricalcium citrate tetrahydrate, which are intermediate products in the production of citric acid, sodium citrate, and potassium citrate. The scope of the order does not include calcium citrate that satisfies the standards set forth in the United States Pharmacopeia and has been mixed with a functional excipient, such as dextrose or starch, where the excipient constitutes at least 2 percent, by weight, of the product. The scope of the order includes the hydrous and anhydrous forms of citric acid, the dihydrate and anhydrous forms of sodium citrate, otherwise known as citric acid sodium salt, and the monohydrate and monopotassium forms of potassium citrate. Sodium citrate also includes both trisodium citrate and monosodium citrate, which are also known as citric acid trisodium salt and citric acid monosodium salt, respectively. Citric acid and sodium citrate are classifiable under 2918.14.0000 and 2918.15.1000 of the Harmonized Tariff Schedule of the United States (HTSUS), respectively. Potassium citrate and crude calcium citrate are classifiable under 2918.15.5000 and 3824.90.9290 of the HTSUS, respectively. Blends that include citric acid, sodium citrate, and potassium citrate are classifiable under 3824.90.9290 of the HTSUS. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

### Partial Rescission of Review

Pursuant to 19 CFR 351.213(d)(3), the Department may rescind an administrative review, with respect to a particular exporter or producer, if the Secretary concludes that, during the period covered by the review, there were no entries, exports, or sales of the subject merchandise to the United States by that producer. Yixing-Union submitted a letter on July 13, 2012, certifying that it did not have sales, shipments, or exports of subject merchandise to the United States during the POR. We received no comments from any interested party on Yixing-Union's no-shipment claim.

We conducted an internal customs data query for the POR and issued a "no shipments inquiry" message to U.S. Customs and Border Protection (CBP), which posted the message on July 17, 2012.<sup>5</sup> The results of the customs data

query indicated that there were no entries of subject merchandise to the United States by Yixing-Union during the POR. We did not receive any information from CBP contrary to Yixing-Union's claim of no sales, shipments, or exports of subject merchandise to the United States during the POR.

Based on our analysis of the shipment data, we determine that Yixing-Union had no entries of subject merchandise to the United States during the POR. Therefore, in accordance with 19 CFR 351.213(d)(3), and consistent with our practice,<sup>6</sup> we determine to rescind the review for Yixing-Union. We will continue this administrative review with respect to the RZBC Companies.

We are issuing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4) of the Department's regulations.

Dated: August 31, 2012.

**Christian Marsh,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Proposed Information Collection; Comment Request; Elwha River Dam Removal and Floodplain Restoration Ecosystem Service Valuation Pilot Project

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA).  
**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before November 13, 2012.

**ADDRESSES:** Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616,

Customs message number 2199302, available at <http://addcvsd.cbp.gov> or IA ACCESS.

<sup>6</sup> See, e.g., *Welded Carbon Steel Standard Pipe and Tube from Turkey: Notice of Rescission of Countervailing Duty Administrative Review, in Part*, 74 FR 47921 (September 18, 2009).

*To Request Administrative Review*, 77 FR 25679 (May 1, 2012).

<sup>2</sup> Petitioners also requested a review of RZBC Co., Ltd., RZBC Imp. & Exp. Co., Ltd., and RZBC (Juxian) Co., Ltd. (collectively, the RZBC Companies). See Letter from petitioners to the Department regarding "Request for Administrative Review," dated May 31, 2012. This public document and all other public documents and public versions generated in the course of this review by the Department and interested parties are on file electronically via Import Administration's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and in the Central Records Unit (CRU), room 7046 of the main Department of Commerce building. In addition, a complete version of this notice can be accessed directly on the Internet at <http://www.trade.gov/ia/>.

<sup>3</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 77 FR 40565, 40573 (July 10, 2012).

<sup>4</sup> See *Citric Acid and Certain Citrate Salts from the People's Republic of China: Intent to Rescind Countervailing Duty Administrative Review, in Part*, 77 FR 47370 (August 8, 2012).

<sup>5</sup> See Memorandum to the File from Kristen Johnson, Trade Analyst, AD/CVD Operations, Office 3, regarding "Release of Results of Query Performed on Customs and Border Protection Trade Data Base," (July 10, 2012) and