

## DEPARTMENT OF COMMERCE

## Bureau of Industry and Security

President's Export Council  
Subcommittee on Export  
Administration; Notice of Open  
Meeting

The President's Export Council Subcommittee on Export Administration (PECSEA) will meet on September 18, 2013, 10 a.m., at the U.S. Department of Commerce, Herbert C. Hoover Building, Room 3884, 14th Street between Pennsylvania and Constitution Avenues NW., Washington, DC. The PECSEA provides advice on matters pertinent to those portions of the Export Administration Act, as amended, that deal with United States policies of encouraging trade with all countries with which the United States has diplomatic or trading relations and of controlling trade for national security and foreign policy reasons.

*Agenda:*

1. Opening remarks by the Chairman.
2. Opening remarks by the Bureau of Industry and Security.
3. Export Control Reform Update.
4. Presentation of papers or comments by the Public.
5. Subcommittee Updates.

The open session will be accessible via teleconference to 20 participants on a first come, first served basis. To join the conference, submit inquiries to Ms. Yvette Springer at [Yvette.Springer@bis.doc.gov](mailto:Yvette.Springer@bis.doc.gov), no later than September 11, 2013.

A limited number of seats will be available for the public session. Reservations are not accepted. To the extent time permits, members of the public may present oral statements to the PECSEA. Written statements may be submitted at anytime before or after the meeting. However, to facilitate distribution of public presentation materials to PECSEA members, the PECSEA suggests that public presentation materials or comments be forwarded before the meeting to Ms. Yvette Springer.

**FOR FURTHER INFORMATION CONTACT:**  
Yvette Springer on 202-482-2813.

Dated: August 29, 2013.

**Kevin J. Wolf,**

*Assistant Secretary for Export  
Administration.*

[FR Doc. 2013-21461 Filed 9-3-13; 8:45 am]

**BILLING CODE 3510-JT-P**

## DEPARTMENT OF COMMERCE

International Trade Administration  
[A-570-941]Certain Kitchen Appliance Shelving  
and Racks From the People's Republic  
of China: Preliminary Results of  
Antidumping Duty Administrative  
Review; 2011-2012

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

**SUMMARY:** The Department of Commerce ("Department") is conducting an administrative review of the antidumping duty order on certain kitchen appliance shelving and racks from the People's Republic of China ("PRC") for the period of review ("POR") September 1, 2011, through August 31, 2012. The review covers one exporter of subject merchandise, New King Shan (Zhu Hai) Wire Co., Ltd. ("New King Shan"). We have preliminarily found that New King Shan did not make sales of subject merchandise at less than normal value ("NV").

**DATES:** *Effective Date:* September 4, 2013.

**FOR FURTHER INFORMATION CONTACT:**  
Emeka Chukwudebe, AD/CVD  
Operations, Office 9, Import  
Administration, International Trade  
Administration, Department of  
Commerce, 14th Street and Constitution  
Avenue NW., Washington, DC 20230;  
telephone: (202) 482-0219.

**SUPPLEMENTARY INFORMATION:****Scope of the Order**

The merchandise covered by this Order<sup>1</sup> is certain kitchen appliance shelving and racks. The subject merchandise is currently classifiable under Harmonized Tariff Schedule of the United States ("HTSUS") subheadings: 8418.99.8050, 8418.99.8060, 7321.90.5000, 7321.90.6090, 8516.90.8000, 8516.90.8010, 7321.90.6040, and 8419.90.9520. The HTSUS subheadings are provided for convenience and customs purposes only; the written product description of the scope of the order is dispositive.<sup>2</sup>

<sup>1</sup> See *Certain Kitchen Appliance Shelving and Racks from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value and Notice of Antidumping Duty Order*, 74 FR 46971 (September 14, 2009) ("Order").

<sup>2</sup> See the "Decision Memorandum for Preliminary Results for the Antidumping Duty Administrative Review of Certain Kitchen Appliance Shelving and Racks from the People's Republic of China" ("Preliminary Decision Memorandum"), dated concurrent with and adopted by this notice, for a complete description of the Scope of the Order.

## PRC-Wide Entity

Although a review was requested for Jiangsu Weixi Group Co. ("Weixi"), a company named in the *Initiation Notice*,<sup>3</sup> such request was timely withdrawn. However, we are not rescinding the review for this company at this time. While the request for review of Weixi was timely withdrawn, Weixi does not have a separate rate and, therefore, currently remains part of the PRC-wide entity. Although the PRC-wide entity is not under review for these preliminary results, the possibility exists that the PRC-wide entity could be under review for the final results of this administrative review. Therefore, we are not rescinding the review with respect to Weixi at this time, but we intend to rescind the review with respect to Weixi in the final results if the PRC-wide entity is not reviewed.

**Methodology**

The Department has conducted this review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended ("the Act"). Constructed export prices have been calculated in accordance with section 772 of the Act. Because the PRC is a nonmarket economy within the meaning of section 771(18) of the Act, NV has been calculated in accordance with section 773(c) of the Act. Specifically, the Department preliminarily selected Thailand as the surrogate country, which is economically comparable to the PRC and is a significant producer of comparable merchandise. Thus, we calculated NV using Thai surrogate values, when available, to value the respondents' factors of production ("FOPs").

For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum. The Preliminary Decision Memorandum is a public document and is 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, room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the internet at <http://www.trade.gov/ia/>. The signed and electronic versions of the

<sup>3</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 77 FR 65858 (October 31, 2012) ("Initiation Notice").

Preliminary Decision Memorandum are identical in content.

### Preliminary Results of Review

The Department preliminarily determines that the following weighted-average dumping margin exists:

Exporter	Weighted-average dumping margin
New King Shan (Zhu Hai) Co., Ltd. <sup>4</sup> .....	0.00%

### Disclosure and Public Comment

The Department intends to disclose calculations performed for these preliminary results to the parties within five days after the date of publication of these preliminary results.<sup>5</sup> Interested parties may submit written comments no later than 30 days after the date of publication of these preliminary results of review.<sup>6</sup> Rebuttals briefs, limited to issues raised in case briefs, may be filed no later than five days after the time limit for filing the case briefs, as specified by 19 CFR 351.309(d).

Interested parties that wish to request a hearing, or participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, filed electronically using IA ACCESS. An electronically filed document must be received successfully in its entirety by the Department's IA ACCESS by 5:00 p.m. Eastern Standard Time within 30 days of publication of this notice.<sup>7</sup> Hearing requests should contain the following information: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Oral presentations will be limited to issues raised in the briefs. If a request for a hearing is made, parties will be notified of the time and date for the hearing to be held at the U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230.<sup>8</sup>

The Department intends to issue the final results of this administrative

review, which will include the results of its analysis of issues raised in any such comments, within 120 days of publication of these preliminary results, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h), unless this deadline is extended.

### Deadline for Submission of Publicly Available Surrogate Value Information

In accordance with 19 CFR 351.301(c)(3)(ii), the deadline for submission of publicly available information to value FOPs under 19 CFR 351.408(c) is 20 days after the date of publication of the preliminary results. In accordance with 19 CFR 351.301(c)(1), if an interested party submits factual information less than ten days before, on, or after (if the Department has extended the deadline), the applicable deadline for submission of such factual information, an interested party may submit factual information to rebut, clarify, or correct the factual information no later than ten days after such factual information is served on the interested party. However, the Department generally will not accept in the rebuttal submission additional or alternative surrogate value information not previously on the record, if the deadline for submission of surrogate value information has passed.<sup>9</sup> Furthermore, the Department generally will not accept business proprietary information in either the surrogate value submissions or the rebuttals thereto, as the regulation regarding the submission of surrogate values allows only for the submission of publicly available information.<sup>10</sup>

### Assessment Rates

Upon issuance of the final results, the Department will determine, and U.S. Customs and Border Protection ("CBP") shall assess, antidumping duties on all appropriate entries covered by this review.<sup>11</sup> The Department intends to issue assessment instructions to CBP 15 days after the publication date of the final results of this review.

For any individually examined respondent whose weighted average dumping margin is above *de minimis* (i.e., 0.50 percent) in the final results of this review, 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 19 CFR 351.212(b)(1). In these preliminary results, the Department applied the assessment rate calculation method adopted in *Final Modification 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>12</sup>

We will instruct CBP to assess antidumping duties on all appropriate entries covered by these reviews. Where either the respondent's weighted-average dumping margin is zero or *de minimis*, or an importer-specific assessment rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.<sup>13</sup>

The Department announced a refinement to its assessment practice in NME cases. Pursuant to this refinement in practice, for entries that were not reported in the U.S. sales databases submitted by companies individually examined during this review, the Department will instruct CBP to liquidate such entries at the PRC-wide rate. Additionally, if the Department determines that an exporter had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (i.e., at that exporter's rate) will be liquidated at the PRC-wide rate.<sup>14</sup>

### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For New King Shan, the cash deposit rate will be the rate established in the final results of this review (except, if the rate is zero or *de minimis*, i.e., less than 0.50 percent, then zero cash deposits will be required); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-

<sup>4</sup> In the first administrative review, the Department found New King Shan affiliated with certain entities and treated New King Shan and one of its affiliated entities as a single entity. Because there were no changes to the facts which supported that decision in the present review, we continue to find New King Shan and its affiliate to be a single entity in the third administrative review. Therefore, we will assign this rate to New King Shan and its affiliated entity. See the "Affiliation" section of the Preliminary Decision Memorandum.

<sup>5</sup> See 19 CFR 351.224(b).

<sup>6</sup> See 19 CFR 351.309(c).

<sup>7</sup> See 19 CFR 351.310(c).

<sup>8</sup> See *id.*

<sup>9</sup> See, e.g., *Glycine from the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Final Rescission*, in Part, 72 FR 58809 (October 17, 2007), and accompanying Issues and Decision Memorandum at Comment 2.

<sup>10</sup> See 19 CFR 351.301(c)(3).

<sup>11</sup> See 19 CFR 351.212(b).

<sup>12</sup> See *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings: Final Modification for Reviews*, 77 FR 8101 (February 14, 2012) ("Final Modification").

<sup>13</sup> See *id.*

<sup>14</sup> See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011).

specific rate; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the PRC-wide entity; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(h) and 351.221(b)(4).

Dated: August 28, 2013.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

#### Appendix

##### List of Topics Discussed in the Preliminary Decision Memorandum

1. Background
2. Scope of the Order
3. PRC-Wide Entity
4. Affiliations
5. New King Shan Affiliation/Single Entity
6. Nonmarket Economy Country
7. Separate Rates
8. Surrogate Country and Surrogate Value Data
9. Surrogate Country
10. Economic Comparability
11. Significant Producers of Identical or Comparable Merchandise
12. Data Availability
13. Date of Sale
14. Comparisons to Normal Value
15. U.S. Price—Constructed Export Price
16. Normal Value
17. Factor Valuations
18. Currency Conversion
19. Adjustment Under Section 777A(f) of the Act
20. Conclusion

[FR Doc. 2013-21464 Filed 9-3-13; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-827]

#### Certain Cased Pencils From the People's Republic of China: Rescission of Antidumping Duty Administrative Review; 2011-2012

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

**SUMMARY:** The Department of Commerce (Department) is rescinding the administrative review of the antidumping duty order on certain cased pencils (pencils) from the People's Republic of China (PRC) for the period December 1, 2011, through November 30, 2012, based on the withdrawal of the review request by one company and on the revocation of the order with respect to the second company for which a review was requested.

**DATES:** *Effective:* September 4, 2013.

**FOR FURTHER INFORMATION CONTACT:** Mary Kolberg at (202) 482-1785; AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

##### Background

On January 30, 2013, the Department initiated an administrative review of the antidumping duty order on pencils from the PRC for the period December 1, 2011, through November 30, 2012, based on self-requests by Beijing Fila Dixon Stationery Company, Ltd. and Orient International Holding Shanghai Foreign Trade Co., Ltd. (SFTC).<sup>1</sup> On February 4, 2013, SFTC withdrew its request for review. On July 18, 2013, the Department published the final results of the 2010-2011 administrative review of pencils from the PRC, in which it revoked the antidumping duty order on pencils (pencils order) with respect to Dixon effective December 1, 2011.<sup>3</sup>

<sup>1</sup> Beijing Fila Dixon Stationery Company, Ltd. is also known as Beijing Dixon Ticonderoga Stationery Company, Ltd., Beijing Dixon Stationery Company, Ltd., and Dixon Ticonderoga Company (collectively, Dixon).

<sup>2</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 78 FR 6291 (January 30, 2013).

<sup>3</sup> See *Certain Cased Pencils From the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Determination To Revoke Order In Part; 2010-2011*, 78 FR 42932 (July 18, 2013), and accompanying Issues and Decision Memorandum ("Pencils 2010-2011 Final").

## Rescission of Administrative Review

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review, in whole or in part, if the party that requested a review withdraws the request within 90 days of the publication of the notice of initiation of the requested review. In this case, SFTC withdrew its request within the 90-day deadline. Therefore, in accordance with 19 CFR 351.213(d)(1), we are rescinding the instant review with respect to SFTC.

In addition, since the Department revoked the pencils order with respect to Dixon effective December 1, 2011, the instant review is moot with respect to Dixon. Therefore, we are rescinding the review with respect to Dixon.

Therefore, because no other parties requested a review of this order for this period, we are rescinding the administrative review of the pencils order covering the period December 1, 2011, through November 30, 2012, in its entirety.

#### Assessment

The Department will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all entries of pencils from the PRC, except for entries exported by Dixon. Antidumping duties shall be assessed 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 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions to CBP 15 days after the date of publication of this notice of rescission of administrative review.

As a result of *Pencils 2010-2011 Final*, we already terminated the suspension of liquidation for subject merchandise exported by Dixon that was entered, or withdrawn from warehouse, for consumption, on or after December 1, 2011, and instructed CBP to refund, with interest, any cash deposits for such entries.

#### Notifications

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a reminder to parties subject to administrative