

## DEPARTMENT OF COMMERCE

## International Trade Administration

A-552-801

**Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Notice of Rescission of Antidumping Duty New Shipper Review**

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

**SUMMARY:** On September 28, 2006, the Department of Commerce ("the Department") published in the **Federal Register** (71 FR 56953) a notice announcing the initiation of a new shipper review of the antidumping duty order on certain frozen fish fillets from the Socialist Republic of Vietnam ("Vietnam") for East Sea Seafoods Joint Venture Co., Ltd. ("East Sea Seafoods"). The period of review ("POR") is August 1, 2005, to July 31, 2006. This review is now being rescinded because East Sea Seafoods withdrew its request in a timely manner.

**EFFECTIVE DATE:** January 23, 2007.

**FOR FURTHER INFORMATION CONTACT:** Matthew Renkey, AD/CVD Operations, Office 9, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Room 4003, Washington, D.C. 20230; telephone: (202) 482-2312.

**SUPPLEMENTARY INFORMATION:****Background**

On August 12, 2003, the Department published in the **Federal Register** an antidumping duty order covering certain frozen fish fillets from Vietnam. See *Notice of Antidumping Duty Order: Certain Frozen Fish Fillets from the Socialist Republic of Vietnam*, 68 FR 47909 (August 12, 2003). On August 31, 2006, East Sea Seafoods, requested, in accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended ("the Act"), and 19 CFR 351.214(d), that the Department conduct a new shipper review of this antidumping duty order covering the period August 1, 2005, through July 31, 2006.

On September 22, 2006, the Department initiated a new shipper review of East Sea Seafoods. See *Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Initiation of Antidumping Duty New Shipper Review*, 71 FR 56953 (September 28, 2006). On November 13, 2006, East Sea Seafoods filed a letter withdrawing its request for a new shipper review.

**Rescission of Review**

19 CFR 351.214(f)(1) states that if a party that requested a new shipper

review withdraws the request within 60 days of the publication of the notice of initiation of the requested review, the Secretary will rescind the review. East Sea Seafoods withdrew its new shipper review request within the 60-day deadline, in accordance with 19 CFR 351.214(f)(1). Accordingly, we are rescinding this new shipper review of the antidumping duty order on certain frozen fish fillets from Vietnam for East Sea Seafoods covering the period August 1, 2005, through July 31, 2006.

**Notification of Interested Parties**

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 Secretary's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective orders ("APOs") 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/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 that is subject to sanction.

This notice is issued and published in accordance with sections 751(a)(2)(B) and 777(i) of the Act and 19 CFR 351.214(f)(3).

Dated: January 12, 2007.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

## International Trade Administration

A-351-838, A-331-802, A-533-840, A-549-822, A-570-893, A-552-802

**Certain Frozen Warmwater Shrimp from Brazil, Ecuador, India, Thailand, the People's Republic of China and the Socialist Republic of Vietnam; Amended Orders**

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

**EFFECTIVE DATE:** January 23, 2007.

**FOR FURTHER INFORMATION CONTACT:** Kate Johnson at (202) 482-4929 (Brazil), David Goldberger at (202) 482-4136 (Ecuador), Elizabeth Eastwood at (202) 482-3874 (India), Irina Itkin at (202) 482-0656 (Thailand), Christopher Riker at (202) 482-3441 (People's Republic of China), and Alex Villanueva at (202) 482-3208 (Socialist Republic of Vietnam); AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230.

**Background**

On February 1, 2005, the Department of Commerce (the Department) published in the **Federal Register** its notices on amended final determinations of sales at less than fair value and antidumping duty orders of certain frozen warmwater shrimp from Brazil, Ecuador, India, Thailand, the People's Republic of China and the Socialist Republic of Vietnam. See *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from Brazil*, 70 FR 5143 (Feb. 1, 2005); *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from Ecuador*, 70 FR 5156 (Feb. 1, 2005); *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from India*, 70 FR 5147 (Feb. 1, 2005); *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from Thailand*, 70 FR 5145 (Feb. 1, 2005); *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp From the People's Republic of China*, 70 FR 5149 (Feb. 1, 2005); and *Notice of Amended Final Determination of Sales at Less*

*Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp From the Socialist Republic of Vietnam*, 70 FR 5152 (Feb. 1, 2005) (*Amended Shrimp Finals/Orders*). In the *Amended Shrimp Finals/Orders*, the Department noted that the scope of the antidumping duty orders had been amended to exclude canned warmwater shrimp and prawns to reflect the International Trade Commission's finding that a domestic industry in the United States is not materially injured or threatened with material injury by reason of imports of canned warmwater shrimp and prawns from the countries in question.

Subsequent to the issuance of the shrimp orders, we noticed that the first sentence of the first paragraph of the scope language of each order might suggest that the warmwater shrimp subject to the order includes warmwater shrimp in non-frozen form. Therefore, we are amending the scope language of the orders by moving the word "frozen" to be before "warmwater shrimp and prawns" in the first sentence of the first paragraph of the scope of each order to clarify that only frozen warmwater shrimp and prawns are subject to the order. As a result, the first paragraph of the scope of each order reads as follows:

The scope of this order includes certain frozen warmwater shrimp and prawns, whether wild-caught (*ocean harvested*) or farm-raised (*produced by aquaculture*), head-on or head-off, shell-on or peeled, tail-on or tail-off, deveined or not deveined, cooked or raw, or otherwise processed in frozen form.

We are thus amending the antidumping duty orders of certain frozen warmwater shrimp from Brazil, Ecuador, India, Thailand, the People's Republic of China and the Socialist Republic of Vietnam, as noted above.

These amended orders are issued and published in accordance with section 736(a) of the Tariff Act of 1930, as amended.

Dated: January 16, 2007.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. E7-931 Filed 1-22-03; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

(A-351-825, A-533-810, A-588-833, A-469-805)

### Stainless Steel Bar from Brazil, India, Japan, and Spain: Continuation of Antidumping Duty Orders

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

**SUMMARY:** As a result of the determinations by the Department of Commerce (the Department) and the International Trade Commission (ITC) that revocation of the antidumping duty orders on stainless steel bar from Brazil, India, Japan, and Spain would be likely to lead to continuation or recurrence of dumping and of material injury to an industry in the United States within a reasonably foreseeable time, the Department is publishing notice of the continuation of these antidumping duty orders.

**EFFECTIVE DATE:** January 23, 2007.

#### FOR FURTHER INFORMATION CONTACT:

Kristin Case or Minoo Hatten, Office 5, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-3174 and (202) 482-1690, respectively.

#### SUPPLEMENTARY INFORMATION:

#### Background

On March 1, 2006, the Department initiated the second sunset reviews of the antidumping duty orders on stainless steel bar (SSB) from Brazil, India, Japan, and Spain pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act). See *Initiation of Five-Year ("Sunset") Reviews*, 71 FR 10476 (March 1, 2006).

As a result of our review, we found that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping and we notified the ITC of the magnitude of the margins likely to prevail were the orders to be revoked. See *Stainless Steel Bar from Brazil, India, Japan, and Spain; Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders*, 71 FR 38372 (July 6, 2006). On December 4, 2006, the ITC determined, pursuant to section 751(c) of the Act, that revocation of the antidumping duty orders on SSB from Brazil, India, Japan, and Spain would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a

reasonably foreseeable time. See *Stainless Steel Bar From Brazil, India, Japan, and Spain*, 72 FR 1243 (January 10, 2007), and ITC Publication 3895 (January 2007) entitled *Stainless Steel Bar from Brazil, India, Japan, and Spain: Investigation Nos. 731-TA-678, 679, 681 and 682 (Second Review)*.

#### Scope of the Orders

Imports covered by these orders are shipments of SSB. SSB means articles of stainless steel in straight lengths that have been either hot-rolled, forged, turned, cold-drawn, cold-rolled or otherwise cold-finished, or ground, having a uniform solid cross section along their whole length in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles, hexagons, octagons, or other convex polygons. SSB includes cold-finished SSBs that are turned or ground in straight lengths, whether produced from hot-rolled bar or from straightened and cut rod or wire, and reinforcing bars that have indentations, ribs, grooves, or other deformations produced during the rolling process.

Except as specified above, the term does not include stainless steel semi-finished products, cut length flat-rolled products (*i.e.*, cut length rolled products which if less than 4.75 mm in thickness have a width measuring at least 10 times the thickness, or if 4.75 mm or more in thickness having a width which exceeds 150 mm and measures at least twice the thickness), wire (*i.e.*, cold-formed products in coils, of any uniform solid cross section along their whole length, which do not conform to the definition of flat-rolled products), and angles, shapes, and sections.

The SSB subject to these orders is currently classifiable under subheadings 7222.11.00.05, 7222.11.00.50, 7222.19.00.05, 7222.19.00.50, 7222.20.00.05, 7222.20.00.45, 7222.20.00.75, and 7222.30.00.00 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of these orders is dispositive.

#### Determination

As a result of the determinations by the Department and ITC that revocation of these antidumping duty orders would be likely to lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping duty orders on stainless steel bar from Brazil, India, Japan, and Spain.