

noted above. The request indicates that the savings from FTZ procedures help improve the plant's international competitiveness.

In accordance with the Board's regulations, Pierre Duy of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the following address: Office of the Executive Secretary, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230-0002. The closing period for receipt of comments is May 1, 2012. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to May 16, 2012.

A copy of the application will be available for public inspection at the Office of the Foreign-Trade Zones Board's Executive Secretary at the address listed above and in the "Reading Room" section of the Board's Web site, which is accessible via [www.trade.gov/ftz](http://www.trade.gov/ftz). For further information, contact Pierre Duy at [Pierre.Duy@trade.gov](mailto:Pierre.Duy@trade.gov) or (202) 482-1378.

Dated: February 23, 2012.

**Andrew McGilvray,**  
Executive Secretary.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-403-801, C-403-802]

#### **Fresh and Chilled Atlantic Salmon From Norway: Revocation of Antidumping and Countervailing Duty Orders**

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

**SUMMARY:** As a result of the determinations by the International Trade Commission (the "ITC") that revocation of the antidumping duty ("AD") and countervailing duty ("CVD") orders on fresh and chilled Atlantic salmon ("salmon") from Norway would not be likely to lead to the continuation or recurrence of material injury to an industry in the United States, the Department of

Commerce (the "Department") is revoking these AD and CVD orders.

**DATES:** *Effective Date:* February 13, 2011.

**FOR FURTHER INFORMATION CONTACT:** Eric Greynolds, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-6071.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On January 3, 2011, the Department initiated and the ITC instituted sunset reviews of the AD and CVD orders on salmon from Norway, pursuant to sections 751(c) and 752 of the Tariff Act of 1930, as amended (the "Act"), respectively. *See Initiation of Five-Year ("Sunset") Review*, 76 FR 89 (January 3, 2011); *Fresh and Chilled Atlantic Salmon From Norway*, 76 FR 166 (January 3, 2011). As a result of its reviews, the Department found that revocation of the AD order would likely lead to continuation or recurrence of dumping and that revocation of the CVD order would likely lead to continuation or recurrence of countervailable subsidization, and notified the ITC of the margins of dumping and the subsidy rates likely to prevail were the orders revoked. *See Fresh and Chilled Atlantic Salmon From Norway: Final Results of Full Third Sunset Review of Antidumping Duty Order*, 76 FR 70409 (November 14, 2011), and *Fresh and Chilled Atlantic Salmon From Norway: Final Results of Full Third Sunset Review of Countervailing Duty Order*, 76 FR 70411 (November 14, 2011).

On February 23, 2012, the ITC published its determination, pursuant to section 751(c) of the Act, that revocation of the AD and CVD orders on salmon from Norway would not be likely to lead to the continuation or recurrence of material injury within a reasonably foreseeable time. *See Fresh and Chilled Atlantic Salmon from Norway*, 77 FR 10772 (February 23, 2012) and USITC Publication 4303 (February 2012), entitled *Fresh and Chilled Atlantic Salmon from Norway* (Inv. Nos. 701-TA-302 and 731-TA-454 (Third Review)).

##### **Scope of the Orders**

The product covered by the orders is the species Atlantic salmon (*Salmo Salar*) marketed as specified herein; the order excludes all other species of salmon: Danube salmon, Chinook (also called "king" or "quinnat"), Coho ("silver"), Sockeye ("redfish" or "blueback"), Humpback ("pink") and

Chum ("dog").<sup>1</sup> Atlantic salmon is a whole or nearly-whole fish, typically (but not necessarily) marketed gutted, bled, and cleaned, with the head on. The subject merchandise is typically packed in fresh-water ice ("chilled"). Excluded from the subject merchandise are fillets, steaks and other cuts of Atlantic salmon. Also excluded are frozen, canned, smoked or otherwise processed Atlantic salmon. Atlantic salmon is currently provided for under Harmonized Tariff Schedule of the United States ("HTSUS") subheadings 0302.12.0003 and 0302.12.0004.

The HTSUS subheadings are provided for convenience and customs purposes. The written description remains dispositive as to the scope of the product coverage.

##### **Determination**

As a result of the determinations by the ITC that revocation of these AD and CVD orders would not be likely to lead to continuation or recurrence of material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department is revoking the AD and CVD orders on salmon from Norway. Pursuant to section 751(d)(2) of the Act and 19 CFR 351.222(i)(2)(i), the effective date of revocation is February 13, 2011 (*i.e.*, the fifth anniversary of the effective date of publication in the **Federal Register** of the continuation of these orders).<sup>2</sup>

The Department will notify U.S. Customs and Border Protection, 15 days after publication of this notice, to terminate suspension of liquidation and collection of cash deposits on entries of the subject merchandise, entered or withdrawn from warehouse, on or after February 13, 2011. Entries of subject merchandise prior to the effective date of revocation will continue to be subject to suspension of liquidation and antidumping and/or countervailing duty deposit requirements.

This notice also serves as the only reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the return/destruction or conversion to judicial protective order of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Failure to comply is a violation of the APO which may be subject to sanctions.

<sup>1</sup> On August 5, 2009, the Department made a final scope ruling determining that whole salmon steaks are within the scope of the order. *See Notice of Scope Rulings*, 75 FR 14138 (March 24, 2010).

<sup>2</sup> *See Continuation of Antidumping and Countervailing Duty Orders: Fresh and Chilled Atlantic Salmon from Norway*, 71 FR 7512 (February 13, 2006).

These five-year (sunset) reviews and notice are in accordance with section 751(d)(2) of the Act and published pursuant to section 777(i)(1) of the Act.

Dated: February 24, 2012.

**Ronald K. Lorentzen,**  
*Acting Assistant Secretary for Import Administration.*

[FR Doc. 2012-5024 Filed 3-1-12; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-893]

#### **Certain Frozen Warmwater Shrimp From the People's Republic of China: Preliminary Results, Partial Rescission, Extension of Time Limits for the Final Results, and Intent To Revoke, in Part, of the Sixth Antidumping Duty Administrative Review**

**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 frozen warmwater shrimp ("shrimp") from the People's Republic of China ("PRC"), covering the period of review ("POR") of February 1, 2010, through January 31, 2011. As discussed below, the Department preliminarily determines that the respondents in this review did not make sales in the United States at prices below normal value ("NV") during the POR.

**DATES:** *Effective Date:* March 2, 2012.

**FOR FURTHER INFORMATION CONTACT:** Kabir Archuleta or Bob Palmer, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone (202) 482-2593 or (202) 482-9068, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The Department received timely requests from the Ad Hoc Shrimp Trade Action Committee ("Petitioners"), the American Shrimp Processors Association ("Domestic Processors"), Zhanjiang Regal Integrated Marine Resources Co., Ltd. ("Regal"), and Hilltop<sup>1</sup> in accordance with 19 CFR

351.213(b), during the anniversary month of February, for administrative reviews of the antidumping duty order on shrimp from the PRC. The request for review submitted by Hilltop also included a request for company-specific revocation, pursuant to 19 CFR 351.222(b)(2).<sup>2</sup> On March 31, 2011, the Department initiated an administrative review of 84 producers/exporters of subject merchandise from the PRC.<sup>3</sup> On July 11, 2011, the Department received a submission from Domestic Processors requesting that the Department verify the factual information submitted by Hilltop, pursuant to 19 CFR 351.307(b)(v)(A).<sup>4</sup>

On March 29, 2011, the Department received a "no shipment certification"<sup>5</sup> from Shantou Yuexing Enterprise Company. In its certification, Shantou Yuexing Enterprise Company also requested that the Department rescind the review with respect to Shantou Yuexing Enterprise Company, pursuant to 19 CFR 351.213(d)(3).<sup>6</sup>

##### **Respondent Selection**

On May 9, 2011, in accordance with section 777A(c)(2) of the Tariff Act of 1930, as amended ("Act"), the Department selected Hilltop and Regal for individual examination in this review, since they were the largest exporters by volume during the POR, based on U.S. Customs and Border Protection ("CBP") data of U.S. imports.<sup>7</sup>

##### **Questionnaires**

On May 9, 2011, the Department issued its initial non-market economy ("NME") antidumping duty questionnaire to Hilltop and Regal, and issued supplemental questionnaires to Hilltop and Regal between July 2011

Corporation and Kingston Foods Corporation (collectively, "Hilltop").

<sup>2</sup> See Letter from Hilltop regarding Request for Administrative Review and Company-Specific Revocation dated February 28, 2011 ("Revocation Request").

<sup>3</sup> See *Initiation of Antidumping Duty Administrative Reviews, Requests for Revocation in Part, and Deferral of Administrative Review*, 76 FR 17825 (March 31, 2011) ("Initiation").

<sup>4</sup> See Letter from Domestic Processors regarding Verification Request for Hilltop International dated July 11, 2011.

<sup>5</sup> Companies have the opportunity to submit statements certifying that they did not enter, export or sell subject merchandise to the United States during the POR.

<sup>6</sup> See Letter from Shantou Yuexing regarding Request for Rescinding an Administrative Review dated March 29, 2011.

<sup>7</sup> See Memorandum to James Doyle, Director, Office 9, from Bob Palmer, Case Analyst, Office 9, "Antidumping Duty Administrative Review of Certain Frozen Warmwater Shrimp from the People's Republic of China: Selection of Respondents for Individual Review," dated May 9, 2011.

and January 2012. Hilltop and Regal responded to the Department's initial and subsequent supplemental questionnaires between August 2011 and January 2012.

##### **Surrogate Country and Surrogate Values**

On June 21, 2011, the Department sent interested parties a letter requesting comments on the surrogate country and information pertaining to the valuation of factors of production ("FOPs").<sup>8</sup> On August 4, 2011, Petitioners submitted comments on the selection of a surrogate country, stating that Thailand was the appropriate surrogate country for this review.<sup>9</sup> On September 2, 2011, Hilltop submitted comments on the selection of a surrogate country, arguing that India, while not on the surrogate country list, is the appropriate surrogate country for this review.<sup>10</sup> On September 7, 2011, Domestic Processors submitted rebuttal comments to Hilltop's submission, stating that India is no longer the most appropriate surrogate country for this proceeding.<sup>11</sup> On September 23, 2011, the Department received comments from Petitioners regarding the valuation of FOPs.<sup>12</sup> On September 26, 2011, the Department received comments from Hilltop regarding the valuation of FOPs.<sup>13</sup> On October 12, 2011, the Department received rebuttal comments from Hilltop regarding the valuation of FOPs.<sup>14</sup> For a detailed discussion of the selection of the surrogate country, see "Surrogate Country" section below.

##### **Case Schedule**

On August 16, 2011, in accordance with section 751(a)(3)(A) of the Act, we extended the time period for issuing the preliminary results by 120 days, until February 28, 2012. See *Certain Frozen Warmwater Shrimp From the People's Republic of China: Extension of*

<sup>8</sup> See Letter from Catherine Bertrand, Program Manager, Office 9, to All Interested Parties dated June 21, 2011.

<sup>9</sup> See Letter from Petitioners regarding Comments on Surrogate Country Selection for the Sixth Administrative Review (2010-2011) dated August 4, 2011 ("Petitioners SC Comments").

<sup>10</sup> See Letter from Hilltop regarding Surrogate Country Comment dated September 2, 2011 ("Hilltop SC Comments").

<sup>11</sup> See Letter from Domestic Processors regarding Surrogate Country Comments dated September 7, 2011 ("Domestic Processors SC Comments").

<sup>12</sup> See Letter from Petitioners regarding Data on Surrogate Values for the Sixth Administrative Review (2010-2011) dated September 23, 2011 ("Petitioners' SV Submission").

<sup>13</sup> See Letter from Hilltop regarding Hilltop Group's First Surrogate Value Submission dated September 26, 2011 ("Hilltop SV Submission").

<sup>14</sup> See Letter from Hilltop regarding First Surrogate Value Rebuttal dated October 12, 2011 ("Hilltop SV Rebuttal").

<sup>1</sup> Hilltop International, Yangjiang City Yelin Hoyat Quick Frozen Seafood Co., Ltd., Fuqing Yihua Aquatic Food Co., Ltd., Ocean Duke