

authority to reorganize and expand under the ASF with a service area of Clackamas, Multnomah and Washington Counties, Oregon, in and adjacent to the Portland, Oregon U.S. Customs and Border Protection port of entry, FTZ 45's existing Sites 1, 2, 3, 6 and new Site 9 would be categorized as magnet sites, and existing Site 7 would be categorized as a usage-driven site, acreage would be reduced at Site 2 and Sites 4, 5 and 8 would be removed from the zone;

Whereas, notice inviting public comment was given in the **Federal Register** (78 FR 4381–4382, 01/22/2013) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board adopts the findings and recommendation of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied;

Now, therefore, the Board hereby orders:

The application to reorganize and expand FTZ 45 under the ASF is approved, subject to the FTZ Act and the Board's regulations, including Section 400.13, to the Board's standard 2,000-acre activation limit for the zone, to a five-year ASF sunset provision for magnet sites that would terminate authority for Sites 2, 3, 6 and 9 if not activated by June 30, 2018, and to a three-year ASF sunset provision for usage-driven sites that would terminate authority for Site 7 if no foreign-status merchandise is admitted for a *bona fide* customs purpose by June 30, 2016.

Signed at Washington, DC, this 27th day of June 2013.

Paul Piquado,

Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

Attest:

Elizabeth Whiteman,

Acting Executive Secretary.

[FR Doc. 2013–16170 Filed 7–3–13; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–820]

Certain Hot-Rolled Carbon Steel Flat Products from India: Rescission of Antidumping Duty Administrative Review; 2011–2012

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

SUMMARY: The Department of Commerce (the Department) is rescinding the

administrative review of the antidumping duty order on certain hot-rolled carbon steel flat products (hot rolled steel) from India for the period December 1, 2011, through November 30, 2012.

DATES: *Effective Date:* July 5, 2013.

FOR FURTHER INFORMATION CONTACT:

Christopher Hargett, AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–4161.

SUPPLEMENTARY INFORMATION:

Background

On January 30, 2013, the Department initiated an administrative review of hot rolled steel from India covering the period December 1, 2011, through November 30, 2012, based on a request by United States Steel Corporation (U.S. Steel) and Nucor Corporation (Nucor).¹ The review covers eight companies.²

Nucor and U.S. Steel withdrew their requests for an administrative review of these companies on April 12, 2013, and April 25, 2013, respectively.

Rescission of 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 the review withdraws its request within 90 days of the publication of the *Initiation Notice*. In this case, U.S. Steel and Nucor withdrew their requests within the 90-day deadline and no other parties requested an administrative review of the antidumping duty order. Therefore, we are rescinding the administrative review of hot rolled steel from India covering the period December 1, 2011, through November 30, 2012, of the eight companies listed in the *Initiation Notice*.

Assessment

The Department will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all entries of hot rolled steel from India during the period of review. Because the Department is rescinding this administrative review in its entirety, the entries to which this administrative review pertained shall be assessed antidumping duties at rates equal to the cash deposit of estimated antidumping duties required at the time of entry or

¹ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 78 FR 6291 (January 30, 2013) (*Initiation Notice*).

² See *id.*, 78 FR 6292.

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 publication of this notice.

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 Department's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a final reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). 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)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: June 27, 2013

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2013–16168 Filed 7–3–13; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–831]

Fresh Garlic from the People's Republic of China: Initiation of Antidumping Duty New Shipper Review; 2011–2012

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

SUMMARY: The Department of Commerce (Department) has determined that requests for new shipper reviews (NSRs) of the antidumping duty order on fresh garlic from the People's Republic of China (PRC) meet the statutory and regulatory requirements for initiation.

The period of review (POR) is November 1, 2012, through April 30, 2013.

DATES: Effective July 5, 2013.

FOR FURTHER INFORMATION CONTACT: Lingjun Wang, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-2316.

SUPPLEMENTARY INFORMATION:

Background

The Department published the antidumping duty order on fresh garlic from the PRC in the **Federal Register** on November 16, 1994.¹ On May 8 and 24, 2013, the Department received timely requests for NSRs from Cangshan Qingshui Vegetable Foods Co., Ltd. (Qingshui) and *Jinxiang Merry Vegetable Co., Ltd.* (Merry), in accordance with section 751(a)(2)(B)(i) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.214(c).

Qingshui and Merry each certified that each is both the exporter and producer of the fresh garlic upon which their requests for NSRs are based. Pursuant to section 751(a)(2)(B)(i)(I) of the Act and 19 CFR 351.214(b)(2)(i), Qingshui and Merry each certified that they did not export fresh garlic for sale to the United States during the period of investigation (POI).² Moreover, pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), Qingshui and Merry each certified that, since the investigation was initiated, they have never been affiliated with any exporter or producer who exported the subject merchandise to the United States during the POI, including those not individually examined during the investigation.³ Further, as required by 19 CFR 351.214(b)(2)(iii)(B), they each certified that their export activities are not controlled by the central government of the PRC.⁴ Also, Qingshui and Merry each certified they had no subsequent shipments.⁵

In addition to the certifications described above, pursuant to 19 CFR

351.214(b)(2)(iv), Qingshui and Merry each submitted documentation establishing the following: (1) The dates on which the fresh garlic was first entered; (2) the volumes of those shipments; and (3) the dates of their first sales to unaffiliated customers in the United States.⁶

The Department queried the database of U.S. Customs and Border Protection (CBP) in an attempt to confirm that shipments reported by Qingshui and Merry had entered the United States for consumption and that liquidation had been properly suspended for antidumping duties. The information which the Department examined was consistent with that provided by Qingshui and Merry in their requests.⁷

Period of Review

Pursuant to 19 CFR 351.214(c), an exporter or producer may request an NSR within one year of the date on which its subject merchandise was first entered. Moreover, 19 CFR 351.214(d)(1) states that if the request for the review is made during the six-month period ending with the end of the semiannual anniversary month, the Secretary will initiate an NSR in the calendar month immediately following the semiannual anniversary month. Further, 19 CFR 351.214(g)(1)(i)(B) states that if the NSR was initiated in the month immediately following the semiannual anniversary month, the POR will be the six-month period immediately preceding the semiannual anniversary month. Within one year of the dates on which their fresh garlic was first entered, Qingshui and Merry made the requests for NSRs in May, which is the semiannual anniversary month of the order. Therefore, the Secretary must initiate these reviews in June and the POR is November 1, 2012, through April 30, 2013.⁸

Initiation of New Shipper Review

Pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214(b), and the information on the record, the Department finds that Qingshui's and Merry's requests meet the threshold requirements for initiation of an NSR. The Department intends to issue the preliminary results within 180 days after the date on which these review are initiated and the final results within 90 days after the date on which we issue the preliminary results.⁹

It is the Department's usual practice, in cases involving non-market

economies, to require that a company seeking to establish eligibility for an antidumping duty rate separate from the country-wide rate (*i.e.*, a separate rate) provide evidence of *de jure* and *de facto* absence of government control over the company's export activities.¹⁰ Accordingly, the Department will issue questionnaires to Qingshui and Merry that include a separate rate section. These reviews will proceed if the responses provide sufficient indication that the exporter and producer are not subject to either *de jure* or *de facto* government control with respect to their exports of fresh garlic.

The Department will instruct CBP to allow, at the option of the importer, the posting, until the completion of the review, of a bond or security in lieu of a cash deposit for certain entries of the subject merchandise from Qingshui and Merry in accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e). Specifically, the bonding privilege will only apply to entries of subject merchandise exported and produced by Qingshui, and exported and produced by Merry, the sales of which are the basis for these NSR requests.

Interested parties requiring access to proprietary information in these NSRs should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).

Dated: June 28, 2013.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-533-821]

Certain Hot-Rolled Carbon Steel Flat Products From India: Rescission of Countervailing Duty Administrative Review; 2012

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

SUMMARY: The Department of Commerce ("the Department") is rescinding the administrative review of the

¹ See *Antidumping Duty Order: Fresh Garlic From the People's Republic of China*, 59 FR 59209 (November 16, 1994).

² See Qingshui's request for an NSR dated May 8, 2013 at Exhibit 1 and Merry's request for an NSR dated May 24, 2013 at Exhibit 1.

³ *Id.*

⁴ *Id.*

⁵ See Memoranda to the File regarding "Initiation of Antidumping Duty New Shipper Review of Fresh Garlic from the People's Republic of China: Cangshan Qingshui Vegetable Foods Co., Ltd." and "Initiation of Antidumping Duty New Shipper Review of Fresh Garlic from the People's Republic of China: Jinxiang Merry Vegetable Co., Ltd.," both dated concurrently with this notice.

⁶ *Id.*

⁷ *Id.*

⁸ The initiation notice will be published in the **Federal Register** in July 2013.

⁹ See section 751(a)(2)(B)(iv) of the Act.

¹⁰ See Import Administration Policy Bulletin, Number: 05.1. (<http://ia.ita.doc.gov/policy/bull05-1.pdf>).