

## DEPARTMENT OF COMMERCE

## International Trade Administration

[A-552-802]

**Frozen Warmwater Shrimp From the Socialist Republic of Vietnam: Amended Final Results and Partial Final Rescission of Antidumping Duty Administrative Review**

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

**DATES:** *Effective Date:* October 18, 2012.

**FOR FURTHER INFORMATION CONTACT:** Toni Dach, 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) 482-1655.

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

On September 11, 2012, the Department of Commerce (“Department”) published in the **Federal Register** the final results of the sixth administrative review of the antidumping duty order of frozen warmwater shrimp from the Socialist Republic of Vietnam (“Vietnam”).<sup>1</sup>

On September 17, 2012, the Minh Phu Group,<sup>2</sup> Phu Cuong Jostoco Seafood Corporation, Thuan Phuoc Seafoods and Trading Corporation, and UTXI Aquatic Products Processing Corporation, collectively referred to here as “Vietnamese Respondents,” filed timely allegations that the Department made various ministerial errors in the *Final Results* and requested, pursuant to 19 CFR 351.224, that the Department

correct the alleged ministerial errors. No other parties in this proceeding submitted comments on the Department’s final margin calculations.

Based upon our analysis of the comments and allegations of ministerial errors, we made changes to the antidumping duty margin calculation for Minh Phu Group. Additionally, we made corrections to the exporter company names for the following: (1) UTXI Aquatic Products Processing Corporation; (2) Thuan Phuoc Seafoods and Trading Corporation; and (3) Phu Cuong Jostoco Seafood Corporation. Furthermore, as a result of correcting the clerical errors in the antidumping margin calculation for Minh Phu Group, the antidumping margin for the separate rate respondents was also revised because the separate rate margin was derived from the simple average of the margins of the Minh Phu Group and the Nha Trang Group.<sup>3</sup>

In the *Preliminary Results*,<sup>4</sup> pursuant to the withdrawal of the request for review of BIM Seafood Joint Stock Company (“BIM Seafood”), the Department preliminarily rescinded this review with respect to BIM Seafood. Subsequent to the *Final Results*, the Department discovered that we had inadvertently failed to include the final rescission for BIM Seafood in the *Final Results*. Therefore, we are also rescinding this review with respect to BIM Seafood.

**Scope of the Order**

For a full description of the products covered by the antidumping duty order on certain frozen warmwater shrimp from Vietnam, see Memorandum to Paul Piquado, from Christian Marsh,

regarding “Sixth Antidumping Administrative Review of Frozen Warmwater Shrimp from the Socialist Republic of Vietnam: Ministerial Error and Correction Memorandum,” dated concurrently with this notice (“Ministerial Errors and Correction Memo”).

**Amended Final Results**

The Act defines “ministerial error” as including “errors in addition, subtraction, or other arithmetic function, clerical errors resulting from inaccurate copying, duplication, or the like, and any other type of unintentional error which the administering authority considers ministerial.”<sup>5</sup> After analyzing the Vietnamese Respondents’ comments, we have determined, in accordance with section 751(h) of the Act and 19 CFR 351.224(e), that we made certain ministerial errors in our calculations for the final results with respect to our calculation of freight for the Minh Phu Group and certain typographical errors for various exporter company names.<sup>6</sup>

Because we have revised the antidumping duty margin for Minh Phu Group, we are also revising the antidumping duty margin for the separate rate respondents because the separate rate margin for those companies was calculated as the simple average margin for Minh Phu Group and Nha Trang Group. In accordance with section 751(h) of the Act, we are amending the final results of the administrative review of certain frozen warmwater shrimp from Vietnam.

The dumping margins for the period of review for these amended final results are as follows:

Exporter	Margin (percent)
Minh Phu Group: .....	0.53
Minh Phat Seafood Co., Ltd. aka .....	
Minh Phat Seafood aka	
Minh Phu Seafood Export Import Corporation (and affiliates Minh Qui Seafood Co., Ltd. and Minh Phat Seafood Co., Ltd.)	
aka	
Minh Phu Seafood Corp. aka	
Minh Phu Seafood Corporation aka	
Minh Qui Seafood aka	
Minh Qui Seafood Co., Ltd.	
Minh Phu Seafood Pte aka	
Minh Phat aka	
Minh Qui	
Minh Phu Hau Giang Seafood Co., Ltd.	
Nha Trang Seafoods Group: .....	1.23
Nha Trang Seaproduct Company (“Nha Trang Seafoods”) aka	

<sup>1</sup> See *Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam: Final Results and Final Partial Rescission of Antidumping Duty Administrative Review*, 77 FR 55800 (September 11, 2012) (“*Final Results*”).

<sup>2</sup> Minh Phu Seafood Corporation, Minh Qui Seafood Co., Ltd. and Minh Phat Seafood Co., Ltd.

<sup>3</sup> Nha Trang Seaproduct Company, NT Seafoods Corporation, Nhatrang Seafoods—F89 Joint Stock Company, and NTSF Seafoods Joint Stock Company.

<sup>4</sup> See *Certain Frozen Warmwater Shrimp From the Socialist Republic of Vietnam: Preliminary Results*

of *Administrative Review*, 77 FR 13547 (March 7, 2012) (“*Preliminary Results*”).

<sup>5</sup> See section 751(h) of the Tariff Act of 1930, as amended (“the Act”).

<sup>6</sup> See Ministerial Errors and Correction Memo.

Exporter	Margin (percent)
Nha Trang Seafoods aka Nha Trang Seafood Product Company aka Nha Trang Seaproduct Company Nha Trang Seafoods aka NT Seafoods Corporation ("NT Seafoods") aka Nha Trang Seafoods—F.89 Joint Stock Company ("Nha Trang Seafoods—F.89") aka NTSF Seafoods Joint Stock Company ("NTSF Seafoods")	
Amanda Foods (Vietnam) Limited ("Amanda Foods")	0.88
Bac Lieu Fisheries Company Limited aka	0.88
Bac Lieu Fisheries Company Limited ("Bac Lieu") aka Bac Lieu Fisheries Joint Stock Company aka Bac Lieu Fisheries Limited Company aka Bac Lieu Fisheries Company Limited aka Bac Lieu Fis	
Camau Frozen Seafood Processing Import Export Corporation ("CAMIMEX") aka	0.88
Camimex aka Camau Seafood Factory No. 4 aka Camau Seafood Factory No. 5 aka Camau Frozen Seafood Processing Import & Export aka Camau Frozen Seafood Processing Import Export Corp. (CAMIMEX—FAC 25) aka Frozen Factory No. 4 aka Camau Frozen Seafood Processing Import Export Corporation ("CAMIMEX") aka Camimex aka Camau Frozen Seafood Processing Import Export Corporation	
C.P. Vietnam Livestock Company Limited aka	0.88
C.P. Vietnam Livestock Corporation ("C.P. Vietnam") aka C.P. Vietnam Livestock Corporation aka C.P. Vietnam Livestock Co. Ltd.	
Cadovimex Seafood Import-Export and Processing Joint Stock Company ("CADOVIMEX—VIETNAM") aka	0.88
Cadovimex Seafood Import-Export and Processing Joint Stock Company aka Cadovimex-Vietnam aka Cadovimex aka Cai Doi Vam Seafood Import-Export Company aka Cai Doi Vam Seafood Import-Export Company ("Cadovimex") aka Cai Doi Vam Seafood Import-Export Company (Cadovimex) aka Cai Doi Vam Seafood aka Cai Doi Vam Seafood Im-Ex Company (Cadovimex) aka Cai Doi Vam Seafood Processing Factory aka Caidoivam Seafood Company (Cadovimex) aka Caidoivam Seafood Im-Ex Co.	
Cafatex Fishery Joint Stock Corporation ("Cafatex Corp.") aka	0.88
Cafatex Fishery Joint Stock Corporation ("CAFATEX CORP.") aka Cantho Animal Fisheries Product Processing Export Enterprise (Cafatex) aka Cafatex aka Cafatex Vietnam aka Xi Nghiep Che Bien Thuy Suc San Xuat Kau Cantho aka Cas aka Cas Branch aka Cafatex Saigon aka Cafatex Fishery Joint Stock Corporation aka Cafatex Corporation aka Taydo Seafood Enterprise aka Cafatex Corp. aka Cafatex Corporation	
Cam Ranh Seafoods Processing Enterprise Company ("Camranh Seafoods") aka	0.88
Camranh Seafoods	
Can Tho Agricultural and Animal Products Import Export Company ("CATACO") aka	0.88
CATACO Sole Member Limited Liability Company aka Can Tho Agricultural and Animal Product Import Export Company ("CATACO") aka Can Tho Agricultural Products aka CATACO aka Can Tho Agricultural and Animal Products Imex Company	
Can Tho Import Export Fishery Limited Company ("CAFISH")	0.88
Coastal Fishery Development aka	0.88
Coastal Fisheries Development Corporation ("Cofidec") aka Coastal Fisheries Development Corporation (Cofidec) aka COFIDEC aka Coastal Fisheries Development Corporation aka Coastal Fisheries Development Co. aka Coastal Fisheries Development Corp.	
Cuulong Seaproducts Company ("Cuu Long Seapro") aka	0.88
Cuu Long Seaproducts Limited ("Cuulong Seapro") aka Cuulong Seapro aka Cuulong Seaproducts Company aka	

Exporter	Margin (percent)
Cuulong Seaproducts Company ("Cuulong Seapro") aka Cuu Long Seaproducts Company ("Cuu Long Seapro") aka Cuu Long Seaproducts Company aka Cuu Long Seapro aka Cuulong Seaproducts Company ("Cuu Long Seapro") aka Cuu Long Seaproducts Limited (Cuulong Seapro) aka Cuulong Seapro aka Cuulong Seaproduct Company Danang Seaproducts Import Export Corporation ("Seaprodex Danang") aka .....	0.88
Danang Seaproducts Import Export Corporation aka Danang Seaproduct Import-Export Corporation aka Danang Seaproducts Import Export aka Danang Sea Products Import Export Corporation aka Tho Quang Seafood Processing & Export Company aka Seaprodex Danang aka Tho Quang Seafood Processing and Export Company aka Tho Quang aka Tho Quang Co.	
Gallant Ocean (Vietnam) Co., Ltd. aka ..... Gallant Ocean (Quang Ngai) Co. Ltd.	0.88
Viet I-Mei Frozen Foods Co., Ltd. aka ..... Viet I-Mei Frozen Foods Co. Ltd. aka Viet I-Mei aka Grobest & I-Mei Industrial (Vietnam) Co., Ltd. aka Grobest & I-Mei Industry (Vietnam) Co., Ltd. aka Grobest	0.88
Investment Commerce Fisheries Corporation ("Incomfish") aka ..... Incomfish aka Investment Commerce Fisheries Corp. aka Incomfish Corp. aka Incomfish Corporation aka Investment Commerce Fisheries aka Investment Commerce Fisheries Corporation aka Incomfish Corporation	0.88
Kim Anh Company Limited ("Kim Anh") .....	0.88
Minh Hai Export Frozen Seafood Processing Joint Stock Company aka ..... Minh Hai Jostoco aka Minh Hai Export Frozen Seafood Processing Joint-Stock Company ("Minh Hai Jostoco") aka Minh Hai Export Frozen Seafood Processing Joint Stock Company ("Minh Hai Jostoco") aka Minh Hai Export Frozen Seafood Processing Joint-Stock Company aka Minh Hai Joint Stock Seafood Processing Joint-Stock Company aka Minh Hai Export Frozen Seafood Processing Joint-Stock Co. aka Minh-Hai Export Frozen Seafood Processing Joint-Stock Company	0.88
Minh Hai Joint-Stock Seafoods Processing Company ("Seaprodex Minh Hai") aka ..... Sea Minh Hai aka Minh Hai Joint-Stock Seafoods Processing Company aka Seaprodex Minh Hai aka Seaprodex Min Hai aka Seaprodex Minh Hai (Minh Hai Joint Stock Seafoods Processing Co.) aka Seaprodex Minh Hai Factory aka Seaprodex Minh Hai Factory No. 69 aka Seaprodex Minh Hai Workshop 1 aka Seaprodex Minh Hai-Factory No. 78 aka Workshop I Seaprodex Minh Hai	0.88
Minh Hai Sea Products Import Export Company ("Seaprimex Co") aka ..... Ca Mau Seafood Joint Stock Company ("SEAPRIMEXCO") aka Seaprimexco Vietnam aka Seaprimexco aka Seaprimex Co aka Ca Mau Seafood Joint Stock Company ("Seaprimexco") aka Minh Hai Seaproducts Import Export Corporation aka Seaprimexco aka Minh Hai Seaproducts Co Ltd. (Seaprimexco) aka Ca Mau Seafood Joint Stock Company ("Seaprimexco Vietnam")	0.88
Ngoc Sinh Private Enterprise aka ..... Ngoc Sinh Seafoods aka Ngoc Sinh Seafoods Processing and Trading Enterprise aka Ngoc Sinh Fisheries aka Ngoc Sinh Private Enterprises aka Ngoc Sinh Seafoods Processing and Trading Enterprises aka Ngoc Sinh aka Ngoc Sinh Seafood Processing Company aka Ngoc Sinh Seafoods (Private Enterprise)	0.88

Exporter	Margin (percent)
Ngoc Tri Seafood Joint Stock Company .....	0.88
Nhat Duc Co., Ltd. aka .....	0.88
Nhat Duc Co., Ltd. ("Nhat Duc") .....	
Nha Trang Fisheries Joint Stock Company ("Nha Trang Fisco") aka .....	0.88
Nha Trang Fisheries Joint Stock Company aka .....	
Nhatrang Fisheries Joint Stock Company aka .....	
Nha Trang Fisco aka .....	
Nhatrang Fisco aka .....	
Nha Trang Fisheries Joint Stock Company ("Nha Trang Fisco") aka .....	
Nha Trang Fisheries, Joint Stock aka .....	
Nha Trang Fishereies Joint Stock Company (Nha Trang Fisco) .....	
Phu Cuong Seafood Processing and Import-Export Co., Ltd. aka .....	0.88
Phu Cuong Seafood Processing and Import Export Company Limited aka .....	
Phu Cuong Jostoco Corp. aka .....	
Phu Cuong Jostoco Seafood Corporation .....	
Phuong Nam Co., Ltd. ("Phuong Nam") aka .....	0.88
Western Seafood Processing and Exporting Factory ("Western Seafood") aka .....	
Phuong Nam Foodstuff Corp. aka .....	
Phuong Nam Co. Ltd. ....	
Sao Ta Foods Joint Stock Company ("Fimex VN") aka .....	0.88
Sao Ta Foods Joint Stock Company aka .....	
Fimex VN aka .....	
Sao Ta Seafood Factory aka .....	
Saota Seafood Factory .....	
Soc Trang Aquatic Products and General Import Export Company ("Stapimex") aka .....	0.88
Soc Trang Seafood Joint Stock Company ("Stapimex") aka .....	
Soc Trang Seafood Joint Stock Company aka .....	
Soc Trang Aquatic Products and General Import Export Company aka .....	
Stapimex aka .....	
Soc Trang Aquatic Products and General Import Export Company-(Stapimex) aka .....	
Stapimex Soc Trans Aquatic Products and General Import Export Company aka .....	
Stapmex .....	
Thuan Phuoc Seafoods and Trading Corporation aka .....	0.88
Thuan Phuoc Corp. aka .....	
Frozen Seafoods Factory No. 32 aka .....	
Seafoods and Foodstuff Factory aka .....	
My Son Seafoods Factory aka .....	
Seafoods and Foodstuff Factory .....	
UTXI Aquatic Products Processing Company aka .....	0.88
UT XI Aquatic Products Processing Company aka .....	
UT-XI Aquatic Products Processing Company aka .....	
UTXI aka .....	
UTXI Co. Ltd. aka .....	
Khanh Loi Seafood Factory aka .....	
Hoang Phuong Seafood Factory aka .....	
Hoang Phong Seafood Factory aka .....	
UTXI Aquatic Products Processing Corporation ("UTXICO") aka .....	
UTXI Aquatic Products Processing Corporation aka .....	
UTXICO .....	
Viet Foods Co., Ltd. aka .....	0.88
Nam Hai Foodstuff and Export Company Ltd. ....	
Viet Hai Seafood Co., Ltd. aka .....	0.88
Vietnam Fish One Co., Ltd. ("Fish One") aka .....	
Viet Hai Seafoods Company Ltd. ("Vietnam Fish One Co. Ltd.") .....	
Vietnam Clean Seafood Corporation aka .....	0.88
VINA Cleanfood .....	
Vietnam-wide Entity .....	25.76

### Rescission of Review, In Part

In the *Preliminary Results*, the Department preliminarily rescinded this review with respect to BIM Seafood because Domestic Producers<sup>7</sup> withdrew their request for review of BIM

<sup>7</sup> The Domestic Producers are the Ad Hoc Shrimp Trade Action Committee members: Nancy Edens; Papa Rod, Inc.; Carolina Seafoods; Bosarge Boats, Inc.; Knight's Seafood Inc.; Big Grapes, Inc.; Versaggi Shrimp Co.; and Craig Wallis.

Seafood.<sup>8</sup> 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 date of publication of the notice of initiation of the requested review. Therefore, as the withdrawal of the request for review of BIM Seafood was timely, we are

<sup>8</sup> See *Preliminary Results*, 77 FR at 13548.

rescinding this review with respect to BIM Seafood.

These amended final results and notice are issued and published in accordance with sections 751(h), and 777(i)(1) of the Act, and 19 CFR 351.224.

Dated: October 5, 2012.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

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**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Renewable Energy and Energy Efficiency Trade Policy Mission to Chile

**AGENCY:** International Trade Administration, Commerce.

**ACTION:** Notice.

##### Mission Description:

The U.S. Department of Commerce's International Trade Administration (ITA) is organizing a Renewable Energy and Energy Efficiency (RE&EE) Trade Policy Mission to Santiago, Chile from April 15–16, 2013. The mission is designed to be led by a senior Department of Commerce official, and will focus on: (1) Creating a policy environment conducive to growth in Chile's RE&EE market; and (2) introducing U.S. RE&EE exporters to key Chilean Government officials. Mission participants will also be invited to showcase their U.S.-made RE&EE technologies at an important industry-specific trade show following the trade policy mission at their own expense.

The RE&EE trade policy mission will promote the competitiveness of U.S. wind, solar, geothermal, biomass, hydropower, waste-to-energy, smart grid, and energy efficiency exporters in a key emerging market and demonstrate U.S. Government support for Chile's renewable energy goals. The mission supports ITA's commitments contained in the Renewable Energy and Energy Efficiency Export Initiative (RE4I), which aims to significantly increase U.S. RE&EE exports by the end of 2014, the National Export Initiative time frame.

If firms decide to participate in the International Fair of Technologies (IFT) Energy 2013 trade show immediately following the trade mission (April 17–19, 2013), which is encouraged by the Department, they will be expected to register and pay for their participation in the show separately from their trade policy mission participation fees.

##### Commercial Setting:

Chile's fast growing economy and business friendly environment provide an attractive market for U.S. exporters. The rapidly expanding Chilean economy, which grew 6.1% in 2011, has caused a dramatic increase in the

country's energy demand. Estimates indicate that Chile must install an additional 8 gigawatts (GW) of generating capacity by 2020 to meet its growing demand. Currently, Chile is dependent on imported fossil fuels for a large portion of its power generation (imported natural gas accounts for a third of the country's power capacity). As a result, energy prices have increased along with energy demand, incentivizing the development of the country's renewable energy resources. In fact, renewable energy technologies are much closer to "grid parity" in Chile than in most markets, enhancing their competitiveness.

Chile has a strong and growing energy industry. The country privatized its power sector in 1982, and today, has 70 power generation companies (4 dominant firms), five transmission operators (1 dominant), and 34 distribution companies (4 dominant). In renewable energy, Chile led Latin America in implementing a renewable energy portfolio standard (RPS). By 2011, Chilean utilities were required to produce 5% of their output from renewable energy sources; the quota increases by 0.5% annually from 2015 until 2024. Despite the RPS, renewable energy (aside from large hydropower) contributed just 2.7% of Chile's power capacity at the end of 2011. As a result, Chile must make a substantial investment in the sector to achieve its goal of 20% renewable energy capacity by 2020.

Fortunately, Chile possesses some of the world's largest potential for renewable energy. By 2011, Chile had installed only 0.198 GW of wind capacity, for example, despite an estimated potential of up to 10 GW. Likewise, Chile has developed only about half its biomass potential and has a small fraction of at least 2 GW of geothermal potential under development. Chile's solar potential is one of the largest in the world and—like other renewable energy technologies—has been largely undeveloped.

Chile's new National Energy Strategy contains six pillars: Energy efficiency; renewable energy; traditional fossil fuels; smart grid; competition in electricity distribution; and regional electricity distribution. In a speech on February 28, 2012, President Piñera announced the Government of Chile (GoC) would introduce 100 laws and administrative measures to implement the new strategy.

The mission will occur at an opportune time, as Chilean policy makers seek to establish policy to support the growth of renewable energy in their country. By facilitating high-

level discussions between U.S. exporters and Chilean officials, the mission will help create a burgeoning export market for U.S. RE&EE companies, substantially increasing U.S. exports to a country whose resource potential and business environment portends significant growth for years to come.

ITA's U.S. and Foreign Commercial Service (US&FCS) at the U.S. Embassy in Santiago reports that U.S. companies are well positioned to meet export orders; and that potential policy incentives could strongly catalyze additional development. Opportunities are expected in the wind, solar, geothermal, biomass, hydropower, and energy efficiency sectors. Several U.S. firms have already made investments in Chile's renewable energy sector.

##### Mission Goals:

The RE&EE trade policy mission will facilitate the development of an export market by supporting the establishment of policy incentives in Chile's RE&EE market. The mission will combine the policy development and advocacy efforts of a traditional trade policy mission with networking and business outreach opportunities for participating firms.. The delegation will have a unique opportunity to meet government officials, discuss policy concerns, and suggest creative solutions to Chile's energy challenges. Several topics pertinent to the creation of a thriving renewable energy market will be addressed, including:

- Establishment of incentives to help Chile meet the goals of its National Energy Strategy;
- Development of interconnection standards and feed-in tariffs that would attract global investment and provide an incentive for development;
- Mapping of renewable energy resources;
- Strengthening of policy and regulatory cooperation between the United States and Chile; and
- Development of local financing institutions to further encourage development.

Trade policy mission participants are also encouraged to exhibit at the IFT Energy 2013 trade show immediately following the trade policy mission. Participation in IFT Energy 2013 is not mandatory and firms that exhibit will be expected to make arrangements with the conference organizer separate from their participation in the trade policy mission.

##### Mission Scenario:

The Renewable Energy and Energy Efficiency Trade Policy Mission will provide several opportunities for participants to discuss policy challenges