

Notification to Interested Parties

This notice also serves as the only 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. Timely notification of the return or destruction of APO materials or conversion to judicial protective orders is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing the results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act.

Dated: September 30, 2010.

Ronald K. Lorentzen,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 2010-25210 Filed 10-5-10; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN: 0648-XZ42

Fisheries of the South Atlantic and Gulf of Mexico; Southeast Data, Assessment and Review (SEDAR); South Atlantic Fishery Management Council (SAFMC) Scientific and Statistical Committee (SSC); Gulf of Mexico Fishery Management Council (GMFMC) Scientific and Statistical Committee; Public Meetings

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of SEDAR spiny lobster update assessment review.

SUMMARY: SEDAR will hold a meeting of the spiny lobster update assessment review panel. The meeting will be held in Key West, FL. See **SUPPLEMENTARY INFORMATION**.

DATES: The meeting will be held November 18-19, 2010. See **SUPPLEMENTARY INFORMATION**.

⁴ The Department preliminarily determined that Akzo Nobel Functional Chemicals B.V. is the successor-in-interest to Akzo Nobel Surface Chemistry B.V. See *Purified Carboxymethylcellulose From the Netherlands; Preliminary Results of Antidumping Duty Administrative Review*, 75 FR 48310 (August 10, 2010). The Department intends to issue the final results on December 8, 2010 (the deadline may be extended).

ADDRESSES: The meeting will be held at the Key West Marriott, 3841 N. Roosevelt Blvd., Key West, FL 33040; telephone: (800) 546-0885.

FOR FURTHER INFORMATION CONTACT: Kim Iverson, Public Information Officer, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; telephone: (843) 571-4366; e-mail: Kim.Iverson@safmc.net.

SUPPLEMENTARY INFORMATION: The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR update assessments add additional years of information to benchmark assessment models developed and approved previously. SEDAR Update assessments are developed through a workshop and webinar process including representatives from State and Federal Agencies, Council SSCs and Advisory Panels, NGO's, and fishery constituents. Update assessments are reviewed by Council SSCs.

Representatives of the GMFMC and SAFMC SSCs are conducting this review of the updated spiny lobster assessment. They will develop stock status and fishing level recommendations that will be provided to each Council's SSC for consideration.

Spiny Lobster Update Review Schedule:

November 18, 2010: 9 a.m. - 6 p.m.

November 19, 2010: 8 a.m. - 12 p.m.

The established daily times may be adjusted as necessary to accommodate the timely completion of discussion relevant to the assessment process. Such adjustments may result in the meeting being extended from, or completed prior to, the time established by this notice.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take formal action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities.

Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **FOR FURTHER INFORMATION CONTACT**) at least 10 business days prior to each workshop.

Dated: September 30, 2010.

Tracey L. Thompson,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2010-25056 Filed 10-5-10; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-549-822]

Notice of Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review: Certain Frozen Warmwater Shrimp From Thailand

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

SUMMARY: A Foods 1991 Co., Limited (A Foods) has requested a changed circumstances review of the antidumping duty order on certain frozen warmwater shrimp from Thailand pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.216(b). The Department of Commerce (the Department) is initiating this changed circumstances review and issuing this notice of preliminary results pursuant to 19 CFR 351.221(c)(3)(ii). We have preliminarily determined that A Foods is the successor-in-interest to May Ao Company Limited (May Ao).

DATES: *Effective Date:* October 6, 2010.

FOR FURTHER INFORMATION CONTACT: Elizabeth Eastwood, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-3874.

SUPPLEMENTARY INFORMATION:

Background

On February 1, 2005, the Department published in the **Federal Register** an antidumping duty order on certain frozen warmwater shrimp from Thailand. See *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).

On September 1, 2010, A Foods informed the Department that it changed its name from May Ao and

provided supporting documentation. Additionally, A Foods requested that the Department conduct an expedited changed circumstances review under 19 CFR 351.221(c)(3)(iii) to confirm that A Foods is the successor-in-interest to May Ao for purposes of determining antidumping duty cash deposits and liabilities.

Scope of the Order

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,¹ deveined or not deveined, cooked or raw, or otherwise processed in frozen form.

The frozen warmwater shrimp and prawn products included in the scope of this order, regardless of definitions in the Harmonized Tariff Schedule of the United States (HTSUS), are products which are processed from warmwater shrimp and prawns through freezing and which are sold in any count size. The products described above may be processed from any species of warmwater shrimp and prawns. Warmwater shrimp and prawns are generally classified in, but are not limited to, the *Penaeidae* family. Some examples of the farmed and wild-caught warmwater species include, but are not limited to, whiteleg shrimp (*Penaeus vannamei*), banana prawn (*Penaeus merguensis*), fleshy prawn (*Penaeus chinensis*), giant river prawn (*Macrobrachium rosenbergii*), giant tiger prawn (*Penaeus monodon*), redspotted shrimp (*Penaeus brasiliensis*), southern brown shrimp (*Penaeus subtilis*), southern pink shrimp (*Penaeus notialis*), southern rough shrimp (*Trachypenaeus curvirostris*), southern white shrimp (*Penaeus schmitti*), blue shrimp (*Penaeus stylirostris*), western white shrimp (*Penaeus occidentalis*), and Indian white prawn (*Penaeus indicus*).

Frozen shrimp and prawns that are packed with marinade, spices or sauce are included in the scope of this order. In addition, food preparations, which are not "prepared meals," that contain more than 20 percent by weight of shrimp or prawn are also included in the scope of this order.

Excluded from the scope are: (1) Breaded shrimp and prawns (HTSUS subheading 1605.20.10.20); (2) shrimp and prawns generally classified in the *Pandalidae* family and commonly referred to as coldwater shrimp, in any

state of processing; (3) fresh shrimp and prawns whether shell-on or peeled (HTSUS subheadings 0306.23.00.20 and 0306.23.00.40); (4) shrimp and prawns in prepared meals (HTSUS subheading 1605.20.05.10); (5) dried shrimp and prawns; (6) canned warmwater shrimp and prawns (HTSUS subheading 1605.20.10.40); (7) certain dusted shrimp; and (8) certain battered shrimp. Dusted shrimp is a shrimp-based product: (1) That is produced from fresh (or thawed-from-frozen) and peeled shrimp; (2) to which a "dusting" layer of rice or wheat flour of at least 95 percent purity has been applied; (3) with the entire surface of the shrimp flesh thoroughly and evenly coated with the flour; (4) with the non-shrimp content of the end product constituting between four and 10 percent of the product's total weight after being dusted, but prior to being frozen; and (5) that is subjected to IQF freezing immediately after application of the dusting layer. Battered shrimp is a shrimp-based product that, when dusted in accordance with the definition of dusting above, is coated with a wet viscous layer containing egg and/or milk, and par-fried.

The products covered by this order are currently classified under the following HTSUS subheadings: 0306.13.00.03, 0306.13.00.06, 0306.13.00.09, 0306.13.00.12, 0306.13.00.15, 0306.13.00.18, 0306.13.00.21, 0306.13.00.24, 0306.13.00.27, 0306.13.00.40, 1605.20.10.10, and 1605.20.10.30. These HTSUS subheadings are provided for convenience and for customs purposes only and are not dispositive, but rather the written description of the scope of this order is dispositive.

Initiation and Preliminary Results

Pursuant to section 751(b)(1) of the Act, the Department will conduct a changed circumstances review upon receipt of information concerning, or a request from an interested party for a review of, an antidumping duty order which shows changed circumstances sufficient to warrant a review of the order. As indicated in the "Background" section, we have received information indicating that May Ao officially changed its name to A Foods on December 25, 2009. This constitutes changed circumstances warranting a review of the order. See CFR 19 351.216(d). Therefore, in accordance with section 751(b)(1) of the Act, we are initiating a changed circumstances review based upon the information contained in A Foods' submission.

Section 351.221(c)(3)(ii) of the Department's regulations permits the

Department to combine the notice of initiation of a changed circumstances review and the notice of preliminary results if the Department concludes that expedited action is warranted. In this instance, because we have on the record the information necessary to make a preliminary finding, we find that expedited action is warranted and have combined the notice of initiation and the notice of preliminary results.

In making a successor-in-interest determination, the Department examines several factors including, but not limited to, changes in: (1) Management; (2) production facilities; (3) supplier relationships; and (4) customer base. See, e.g., *Notice of Final Results of Changed Circumstances Antidumping Duty Administrative Review: Polychloroprene Rubber From Japan*, 67 FR 58 (Jan. 2, 2002); *Brass Sheet and Strip from Canada: Final Results of Antidumping Duty Administrative Review*, 57 FR 20460, 20462 (May 13, 1992). While no single factor or combination of these factors will necessarily provide a dispositive indication of a successor-in-interest relationship, the Department will generally consider the new company to be the successor to the previous company if the new company's resulting operation is not materially dissimilar to that of its predecessor. See, e.g., *Fresh and Chilled Atlantic Salmon from Norway: Final Results of Changed Circumstances Antidumping Duty Administrative Review*, 64 FR 9979 (Mar. 1, 1999); *Industrial Phosphoric Acid from Israel: Final Results of Changed Circumstances Review*, 59 FR 6944 (Feb. 14, 1994). Thus, if the evidence demonstrates that, with respect to the production and sale of the subject merchandise, the new company operates as the same business entity as the former company, the Department will accord the new company the same antidumping treatment as its predecessor.

In its submission, A Foods has provided sufficient evidence to warrant an expedited review to determine if it is the successor-in-interest to May Ao. A Foods states that the company's management, production facilities and customer/supplier relationships have not changed as a result of the corporate name change. To support its claims, A Foods submitted the following documents: (1) The A Foods registration documentation, as filed with the Ministry of Commerce's Registration Office of Thailand; (2) the ownership chart of May Ao before, and A Foods after, the name change; (3) the board of directors list of May Ao before, and A Foods after the name change; (4) the

¹ "Tails" in this context means the tail fan, which includes the telson and the uropods.

Hazard Analysis & Critical Control Points (HACCP) Quality Manuals for both A Foods and May Ao; (5) the A Foods 2009 financial statement; (6) the local registration office notice of address change; (7) a list of the suppliers of May Ao before, and A Foods after, the name change; (8) a list of the customers of May Ao before, and A Foods after, the name change; and (9) customer order forms of May Ao before, and A Foods after, the name change.

Based on the evidence reviewed, we preliminarily find that A Foods is the successor-in-interest to May Ao. We find that A Foods operates as the same business entity as May Ao and that the production facilities, supplier relationships, and customers have not changed as a result of the name change. Further, A Foods operates under the same HACCP Plan originally prepared by May Ao, and the senior management for A Foods has remained the same since the name change from May Ao. Thus, we preliminarily find that A Foods should receive the same antidumping duty cash-deposit rate (*i.e.*, 2.61 percent) with respect to the subject merchandise as May Ao, its predecessor company.

However, because cash deposits are only estimates of the amount of antidumping duties that will be due, changes in cash deposit rates are not made retroactive. If A Foods believes that the deposits paid exceed the actual amount of dumping, it is entitled to request an administrative review during the anniversary month of the publication of the order of those entries to determine the proper assessment rate and receive a refund of any excess deposits. *See Certain Hot-Rolled Lead and Bismuth Carbon Steel Products From the United Kingdom: Final Results of Changed-Circumstances Antidumping and Countervailing Duty Administrative Reviews*, 64 FR 66880 (Nov. 30, 1999). As a result, if these preliminary results are adopted in our final results of this changed circumstances review, we will instruct U.S. Customs and Border Protection to suspend shipments of subject merchandise made by A Foods at May Ao's cash deposit rate (*i.e.*, 2.61 percent) effective on the publication date of our final results.

Public Comment

Any interested party may request a hearing within 30 days of publication of this notice. *See* 19 CFR 351.310(c). A hearing, if requested, will be held 44 days after the date of publication of this notice, or the first working day thereafter. Interested parties may submit case briefs and/or written comments not

later than 30 days after the date of publication of this notice. Rebuttal briefs and rebuttals to written comments, which must be limited to issues raised in such briefs or comments, may be filed not later than 37 days after the date of publication of this notice. Parties who submit arguments are requested to submit with the argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Consistent with 19 CFR 351.216(e), we will issue the final results of this changed circumstances review no later than 270 days after the date on which this review was initiated, or within 45 days if all parties agree to our preliminary finding. We are issuing and publishing this finding and notice in accordance with sections 751(b)(1) and 777(i)(1) of the Act and 19 CFR 351.216.

Dated: September 30, 2010.

Ronald K. Lorentzen,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 2010-25218 Filed 10-5-10; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN: 0648-XZ41

Fisheries of the South Atlantic; South Atlantic Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of a public meeting.

SUMMARY: The South Atlantic Fishery Management Council (Council) will hold a meeting of its Snapper Grouper Advisory Panel (AP) in North Charleston, SC. *See* **SUPPLEMENTARY INFORMATION**.

DATES: The meeting will take place November 16–18, 2010. *See* **SUPPLEMENTARY INFORMATION** for specific dates and times.

ADDRESSES: The meeting will be held at the Hilton Garden Inn, 5265 International Boulevard, North Charleston, SC; telephone: (843) 308-9330.

FOR FURTHER INFORMATION CONTACT: Kim Iverson, Public Information Officer, South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N. Charleston, SC, 29405; telephone: (843) 571-4366 or toll free

(866) SAFMC-10; fax: (843) 769-4520; email: kim.iverson@safmc.net.

SUPPLEMENTARY INFORMATION: Members of the Snapper Grouper Advisory Panel will meet from 1:30 p.m. until 5 p.m. on November 16, 2010; from 8:30 a.m. until 5 p.m. on November 17, 2010 and from 8:30 a.m. until 12 noon on November 18, 2010.

The Advisory Panel will receive updates from Council staff and provide recommendations on the following amendments: Regulatory Amendments 9 & 10 to the Snapper Grouper Fishery Management Plan (FMP) addressing trip limits and changes to red snapper management due to the on-going stock assessment, respectively; Amendment 18A addressing management of black sea bass and golden tilefish; Amendment 24 addressing management of red grouper and Amendment 22 addressing long-term management of red snapper, and the Comprehensive Annual Catch Limit (ACL) Amendment addressing ACLs for several snapper grouper species as well as other Council-managed species. AP members will receive status reports on the following amendments to the Snapper Grouper FMP currently under development: Amendment 18B addressing possible extension of the snapper Grouper Fishery Management Unit northward, Amendment 20 addressing changes to the wreckfish Individual Transferrable Quota (ITQ) program, and Amendment 21 addressing development of a catch shares program for the snapper grouper fishery. The AP will also discuss spawning season protection for snapper grouper species.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during these meetings. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the Council office (*see* **FOR FURTHER INFORMATION CONTACT**) 3 days prior to the meeting.

NOTE: The times and sequence specified in this agenda are subject to change.