

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 these orders. In addition, food preparations (including dusted shrimp), which are not "prepared meals," that contain more than 20 percent by weight of shrimp or prawn are also included in the scope of these orders.

Excluded from the scope are: (1) Breaded shrimp and prawns (HTS 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 (HTS subheadings 0306.23.00.20 and 0306.23.00.40); (4) shrimp and prawns in prepared meals (HTS subheading 1605.20.05.10); (5) dried shrimp and prawns; (6) Lee Kum Kee's shrimp sauce;⁹ (7) canned warmwater shrimp and prawns (HTS subheading 1605.20.10.40); and (8) certain battered shrimp. Battered 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 individually quick frozen ("IQF") freezing immediately after application of the dusting layer. When dusted in accordance with the definition of dusting above, the battered shrimp product is also coated with a wet viscous layer containing egg and/or milk, and par-fried.

The products covered by these orders are currently classified under the following HTS 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 HTS subheadings are provided for convenience and for customs purposes only and are not dispositive, but rather the written description of the scope of these orders is dispositive.

⁹ The specific exclusion for Lee Kum Kee's shrimp sauce applies only to the scope in the PRC case.

Collection of Cash Deposits

The Department will instruct U.S. Customs and Border Protection to collect cash deposits on all imports of the subject merchandise (including dusted shrimp) entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice.

This notice is issued and published in accordance with sections 735(d), 736(a), and 777(i)(1) of the Act.

Dated: April 18, 2011.

Ronald K. Lorentzen,

Deputy Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-909]

Certain Steel Nails From the People's Republic of China: Amended Final Results of the First Antidumping Duty Administrative Review

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

DATES: *Effective Date:* April 26, 2011.

FOR FURTHER INFORMATION CONTACT: Emeka Chukwudebe or Matthew Renkey, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; *telephone:* (202) 482-0219 or (202) 482-2312, respectively.

SUPPLEMENTARY INFORMATION:

Background

On March 23, 2011, the Department of Commerce ("Department") published the final results of the first administrative review of the antidumping duty order on certain steel nails ("steel nails") from the People's Republic of China ("PRC").¹ Also on March 23, 2011, respondent Stanley² filed a timely allegation that the Department made two ministerial errors in the Final Results and requested, pursuant to 19 CFR 351.224, that the Department correct the alleged ministerial errors. On March 28, 2011,

¹ See *Certain Steel Nails From the People's Republic of China: Final Results of the First Antidumping Duty Administrative Review*, 76 FR 16379 (March 23, 2011) ("*Final Results*").

² The Stanley Works (Langfang) Fastening Systems Co., Ltd., the Stanley Works/Stanley Fastening Systems LP, and an unaffiliated wire drawing subcontractor are collectively referred to as "Stanley" in this administrative review.

Petitioner³ submitted comments rebutting one of the errors alleged by Stanley. No other party 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 have made changes to the margin calculations for Stanley, which in turn will also affect the margin for the separate-rate companies, as it was the only individually-reviewed respondent to receive a calculated rate.⁴

Scope of the Order

The merchandise covered by the order includes certain steel nails having a shaft length up to 12 inches. Certain steel nails include, but are not limited to, nails made of round wire and nails that are cut. Certain steel nails may be of one piece construction or constructed of two or more pieces. Certain steel nails may be produced from any type of steel, and have a variety of finishes, heads, shanks, point types, shaft lengths and shaft diameters. Finishes include, but are not limited to, coating in vinyl, zinc (galvanized, whether by electroplating or hot-dipping one or more times), phosphate cement, and paint. Head styles include, but are not limited to, flat, projection, cupped, oval, brad, headless, double, countersunk, and sinker. Shank styles include, but are not limited to, smooth, barbed, screw threaded, ring shank and fluted shank styles. Screw-threaded nails subject to this proceeding are driven using direct force and not by turning the fastener using a tool that engages with the head. Point styles include, but are not limited to, diamond, blunt, needle, chisel and no point. Finished nails may be sold in bulk, or they may be collated into strips or coils using materials such as plastic, paper, or wire. Certain steel nails subject to this proceeding are currently classified under the Harmonized Tariff Schedule of the United States ("HTSUS") subheadings 7317.00.55, 7317.00.65 and 7317.00.75.

Excluded from the scope of this proceeding are roofing nails of all lengths and diameter, whether collated or in bulk, and whether or not galvanized. Steel roofing nails are specifically enumerated and identified in ASTM Standard F 1667 (2005 revision) as Type I, Style 20 nails. Also excluded from the scope of this proceeding are corrugated nails. A corrugated nail is made of a small strip of corrugated steel with sharp points on one side. Also excluded from the scope of this proceeding are fasteners suitable

³ Mid Continent Nail Corporation.

⁴ See *Final Results*, 76 FR at 16381-16382.

for use in powder-actuated hand tools, not threaded and threaded, which are currently classified under HTSUS 7317.00.20 and 7317.00.30. Also excluded from the scope of this proceeding are thumb tacks, which are currently classified under HTSUS 7317.00.10.00. Also excluded from the scope of this proceeding are certain brads and finish nails that are equal to or less than 0.0720 inches in shank diameter, round or rectangular in cross section, between 0.375 inches and 2.5 inches in length, and that are collated with adhesive or polyester film tape backed with a heat seal adhesive. Also excluded from the scope of this proceeding are fasteners having a case hardness greater than or equal to 50 HRC, a carbon content greater than or equal to 0.5 percent, a round head, a secondary reduced-diameter raised head section, a centered shank, and a smooth symmetrical point, suitable for use in gas-actuated hand tools.

While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this proceeding is dispositive.

Amended Final Results of the Review

The Tariff Act of 1930, as amended (“Act”), defines a “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.” See section 751(h) of the Act; see also 19 CFR 351.224(e). After analyzing Stanley’s comments and Petitioner’s rebuttal comments, we have determined that we made certain ministerial errors, as defined by section 751(h) of the Act, in our calculations for the *Final Results*.

First, we agree with Stanley that we made a ministerial error in the calculation of the surrogate financial ratios of Nasco Steel Pvt., Ltd. (“Nasco”), which were used in Stanley’s margin calculation. Specifically, the Department inadvertently used the column for total depreciation from Schedule 4 of the financial statement, when we instead intended to use the column for depreciation during the fiscal year. Additionally, when reviewing the financial ratio calculations for Nasco to correct the above error, we also noted another inadvertent error in the calculation for the net change in inventory. Lastly, we disagree with Stanley’s second ministerial error allegation, regarding whether net U.S. prices and normal value were calculated on the same weight basis. The Department’s

selection of denominators represents an intentional methodological choice consistent with the scope of the order and does not constitute a ministerial error within the context of section 751(h) of the Act or 19 CFR 351.224(f). For a detailed discussion of these ministerial errors, as well as the Department’s analysis of these errors, see Memorandum to James C. Doyle, from Matthew Renkey, regarding “First Antidumping Duty Administrative Review of Certain Steel Nails from the People’s Republic of China: Ministerial Error Memorandum,” dated concurrently with this notice.

Therefore, in accordance with section 751(h) of the Act and 19 CFR 351.224(e), we are amending the *Final Results* of the administrative review of certain steel nails from the PRC. Listed below are the revised weighted average dumping margins for these amended final results:

Exporter	Weighted average margin (percent)
1) Stanley	10.63
2) Aironware (Shanghai) Co., Ltd	10.63
3) Chieih Yung Metal Ind. Corp.	10.63
4) China Staple Enterprise (Tianjin) Co., Ltd	10.63
5) Dezhou Hualude Hardware Products Co., Ltd	10.63
6) Faithful Engineering Products Co., Ltd	10.63
7) Hengshui Mingyao Hardware & Mesh Products Co., Ltd	10.63
8) Huanghua Jinhai Hardware Products Co., Ltd	10.63
9) Huanghua Xionghua Hardware Products Co., Ltd	10.63
10) Jisco Corporation	10.63
11) Koram Panagene Co., Ltd.	10.63
12) Nanjing Yuechang Hardware Co., Ltd	10.63
13) Qidong Liang Chyuan Metal Industry Co., Ltd	10.63
14) Qingdao D & L Group Ltd.	10.63
15) Romp (Tianjin) Hardware Co., Ltd	10.63
16) Shandong Dinglong Import & Export Co., Ltd	10.63
17) Shanghai Jade Shuttle Hardware Tools Co., Ltd	10.63
18) Shouguang Meiqing Nail Industry Co., Ltd	10.63
19) Tianjin Jinchi Metal Products Co., Ltd	10.63
20) Tianjin Jinghai County Hongji Industry & Business Co., Ltd	10.63
21) Tianjin Zhonglian Metals Ware Co., Ltd.	10.63
22) Wintime Import & Export Corporation Limited of Zhongshan	10.63
23) Zhejiang Gem-Chun Hardware Accessory Co., Ltd	10.63

Disclosure

We will disclose the calculations performed for these amended final results within five days of the date of publication of this notice to interested parties in accordance with 19 CFR 351.224(b).

Assessment Rates

Upon issuance of the amended final results, the Department will determine, and U.S. Customs and Border Protection (“CBP”) shall assess, antidumping duties on all appropriate entries. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of the amended final results of review, excluding any reported sales that entered during the gap period.⁵ Pursuant to 19 CFR 351.212(b)(1), we will calculate importer-specific (or customer-specific) *ad valorem* duty assessment rates based on the ratio of the total amount of the dumping margins calculated for the examined sales to the total entered value of those same sales. In accordance with 19 CFR 351.106(c)(2), we will instruct CBP to liquidate, without regard to antidumping duties, all entries of subject merchandise during the period of review for which the importer-specific assessment rate is zero or *de minimis*. For the companies receiving a separate rate that were not selected for individual review, we will calculate an assessment rate based on the simple average of the cash deposit rates calculated for the companies selected for individual review pursuant to section 735(c)(5)(B) of the Act.

Cash Deposit Requirements

The following cash deposit requirements will be effective retroactively on any entries made on or after March 23, 2011, the date of publication of the *Final Results*, for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) For the exporters listed above, the cash deposit rate will be established in the amended final results of this review (except, if the rate is zero or *de minimis*, i.e., less than 0.5 percent, no cash deposit will be required for that company); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that have

⁵ The gap period represents the period of time after the expiration of the 180-day provisional measures period during the original investigation, to the day prior to the U.S. International Trade Commission’s final determination. In the instant case, the gap period is July 22, 2008, to July 24, 2008.

separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (3) for all PRC exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the PRC-wide rate of 118.04 percent; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporters that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

Reimbursement of Duties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties has occurred and the subsequent assessment of doubled antidumping duties.

These amended final results are published in accordance with sections 751(h) and 777(i)(1) of the Act.

Dated: April 18, 2011.

Ronald K. Lorentzen,

Deputy Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-580-865, A-201-839]

Bottom Mount Combination Refrigerator-Freezers From the Republic of Korea and Mexico: Initiation of Antidumping Duty Investigations

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

DATES: *Effective Date:* April 26, 2011.

FOR FURTHER INFORMATION CONTACT: David Goldberger (Republic of Korea) or Henry Almond (Mexico), 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) 482-4136 or (202) 482-0049, respectively.

SUPPLEMENTARY INFORMATION:

The Petitions

On March 30, 2011, the Department of Commerce ("the Department") received antidumping duty petitions concerning imports of bottom mount combination refrigerator-freezers ("bottom mount refrigerators") from the Republic of Korea ("Korea") and Mexico filed in proper form by Whirlpool Corporation ("the petitioner"), a domestic producer of bottom mount refrigerators. *See* Bottom Mount Combination Refrigerator-Freezers from the Republic of Korea and Mexico; Antidumping and Countervailing Duty Petitions (collectively, "the petitions"). On April 5 and 12, 2011, the Department issued requests for additional information and clarification of certain areas of the antidumping petitions on Korea and Mexico. Based on the Department's request, the petitioner filed supplements to the petitions on Korea and Mexico on April 11 and 14, 2011.

In accordance with section 732(b) of the Tariff Act of 1930, as amended ("the Act"), the petitioner alleges that imports of bottom mount refrigerators from Korea and Mexico are being, or are likely to be, sold in the United States at less than fair value, within the meaning of section 731 of the Act, and that such imports materially injure, or threaten material injury to, an industry in the United States.

The Department finds that the petitioner filed these petitions on behalf of the domestic industry because the petitioner is an interested party as defined in section 771(9)(C) of the Act, and it has demonstrated sufficient industry support with respect to the investigations that it is requesting the Department to initiate (*see* "Determination of Industry Support for the Petitions" below).

Scope of Investigations

The products covered by these investigations are bottom mount refrigerators from Korea and Mexico. For a full description of the scope of the investigations, *please see* the "Scope of Investigations," in Appendix I of this notice.

Comments on Scope of Investigations

During our review of the petitions, we discussed the scope with the petitioner to ensure that it is an accurate reflection of the products for which the domestic industry is seeking relief. Moreover, as discussed in the preamble to the regulations (*Antidumping Duties; Countervailing Duties; Final Rule*, 62 FR 27296, 27323 (May 19, 1997)), we are setting aside a period for interested parties to raise issues regarding product

coverage. The Department encourages all interested parties to submit such comments by May 9, 2011, 20 calendar days from the date of signature of this notice. All comments must be filed on the records of the Korea and Mexico antidumping duty investigations as well as the Korea countervailing duty investigation. Comments should be addressed to Import Administration's APO/Dockets Unit, Room 1870, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230. The period of scope consultations is intended to provide the Department with ample opportunity to consider all comments and to consult with parties prior to the issuance of the preliminary determinations.

Comments on Product Characteristics for Antidumping Duty Questionnaires

We are requesting comments from interested parties regarding the appropriate physical characteristics of bottom mount refrigerators to be reported in response to the Department's antidumping questionnaires. This information will be used to identify the key physical characteristics of the subject merchandise in order to more accurately report the relevant costs of production, as well as to develop appropriate product comparison criteria.

Interested parties may provide any information or comments that they feel are relevant to the development of an accurate listing of physical characteristics. Specifically, they may provide comments as to which characteristics are appropriate to use as (1) general product characteristics and (2) the product comparison criteria. We note that it is not always appropriate to use all product characteristics as product comparison criteria. We base product comparison criteria on meaningful commercial differences among products. In other words, while there may be some physical product characteristics utilized by manufacturers to describe bottom mount refrigerators, it may be that only a select few product characteristics take into account commercially meaningful physical characteristics. In addition, interested parties may comment on the order in which the physical characteristics should be used in product matching. Generally, the Department attempts to list the most important physical characteristics first and the least important characteristics last.

In order to consider the suggestions of interested parties in developing and issuing the antidumping duty