

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-570-831]

**Fresh Garlic From the People's Republic of China: Continuation of Antidumping Duty Order**

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

**SUMMARY:** As a result of the determination by the Department of Commerce ("the Department") and the International Trade Commission ("ITC") that revocation of the antidumping duty order on fresh garlic from the People's Republic of China ("PRC") would be likely to lead to continuation or recurrence of dumping and of material injury to an industry in the United States within a reasonably foreseeable time, the Department is publishing notice of the continuation of the antidumping duty order.

**DATES:** *Effective Date:* April 30, 2012.

**FOR FURTHER INFORMATION CONTACT:** Sean Carey or Dana Mermelstein, 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) 482-3964 and (202) 482-1391, respectively.

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

On September 1, 2011, the Department published the notice of initiation of the third sunset review of the antidumping duty order on fresh garlic from the PRC pursuant to section 751(c) of the Tariff Act of 1930, as amended (Act).<sup>1</sup> The Department conducted an expedited sunset review of this order. As a result of its review, the Department found that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of dumping and notified the ITC of the magnitude of the margins likely to prevail were the order to be revoked.<sup>2</sup>

On April 27, 2012, the ITC issued its determination pursuant to section 751(c) of the Act that revocation of the antidumping duty order on fresh garlic from the PRC would be likely to lead to continuation or recurrence of material injury to an industry in the United

States within a reasonably foreseeable time.<sup>3</sup>

**Scope of the Order**

The products subject to the antidumping duty order are all grades of garlic, whole or separated into constituent cloves, whether or not peeled, fresh, chilled, frozen, provisionally preserved, or packed in water or other neutral substance, but not prepared or preserved by the addition of other ingredients or heat processing. The differences between grades are based on color, size, sheathing, and level of decay.

The scope of the order does not include the following: (a) Garlic that has been mechanically harvested and that is primarily, but not exclusively, destined for non-fresh use; or (b) garlic that has been specially prepared and cultivated prior to planting and then harvested and otherwise prepared for use as seed.

The subject merchandise is used principally as a food product and for seasoning. The subject garlic is currently classifiable under subheadings 0703.20.0010, 0703.20.0020, 0703.20.0090, 0710.80.7060, 0710.80.9750, 0711.90.6500, and 2005.99.9700 of the Harmonized Tariff Schedule of the United States ("HTSUS").<sup>4</sup> Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive. In order to be excluded from the antidumping duty order, garlic entered under the HTSUS subheadings listed above that is (1) mechanically harvested and primarily, but not exclusively, destined for non-fresh use or (2) specially prepared and cultivated prior to planting and then harvested and otherwise prepared for use as seed must be accompanied by declarations to U.S. Customs and Border Protection to that effect.

**Continuation of the Order**

As a result of the determinations by the Department and the ITC that revocation of the antidumping duty

<sup>3</sup> See *Fresh Garlic From China; Determination*, 77 FR 26579 (May 4, 2012).

<sup>4</sup> Effective January 10, 2002, HTSUS subheading 0711.90.60 was replaced by 0711.90.65. See *Proclamation 7515—To Modify the Harmonized Tariff Schedule of the United States, To Provide Rules of Origin Under the North American Free Trade Agreement for Affected Goods, and for Other Purposes*, 66 FR 66549 (December 26, 2001). Effective February 3, 2007, HTSUS subheading 2005.90.97 was replaced by 2005.99.97. See *Proclamation 8097—To Modify the Harmonized Tariff Schedule of the United States, To Adjust Rules of Origin Under the United States-Australia Free Trade Agreement and for Other Purposes by the President of the United States of America*, 72 FR 453 (January 4, 2006).

order would be likely to lead to continuation or recurrence of dumping and of material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping duty order on fresh garlic from the PRC.

U.S. Customs and Border Protection will continue to collect antidumping duty cash deposits at the rates in effect at the time of entry for all imports of subject merchandise.

The effective date of continuation of the order will be the effective date listed above. Pursuant to section 751(c)(2) of the Act, the Department intends to initiate the next five-year review of the order not later than 30 days prior to the fifth anniversary of the effective date of this continuation of the antidumping duty order.

This five-year (sunset) review and this notice are in accordance with sections 751(c) and 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: May 8, 2012.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

[FR Doc. 2012-11609 Filed 5-11-12; 8:45 am]

**BILLING CODE 3510-DS-P**

**DEPARTMENT OF COMMERCE****International Trade Administration****Initiation of Five-Year ("Sunset") Review; Correction**

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

**SUMMARY:** On May 1, 2012, the Department of Commerce ("the Department") published a notice in the *Federal Register* that incorrectly identified the antidumping duty order for which a five-year review ("Sunset Review") was being initiated.<sup>1</sup> This notice is a correction.

**DATES:** *Effective Date:* May 1, 2012.

**FOR FURTHER INFORMATION CONTACT:** Brenda E. Waters, Office of AD/CVD Operations, Customs Unit, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, telephone: (202) 482-4735.

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

In the *Initiation Notice* published in the *Federal Register* on May 1, 2012, the

<sup>1</sup> See *Initiation of Five-Year ("Sunset") Review*, 77 FR 25683 (May 1, 2012) ("*Initiation Notice*")

<sup>1</sup> See *Initiation of Five-Year ("Sunset") Review*, 76 FR 54430 (September 1, 2011).

<sup>2</sup> See *Fresh Garlic from the People's Republic of China: Final Results of Expedited Sunset Review of the Antidumping Duty Order*, 77 FR 777 (January 6, 2012).

Department incorrectly identified “Activated Cabron [sic]” from the People’s Republic of China as the antidumping duty order for which a five-year review (“Sunset Review”) was being initiated. The Department is now

correcting that notice: the antidumping duty order for which the Department is initiating a sunset review is Polyester Staple Fiber from China. The initiation is effective May 1, 2012.

#### Correction of Initiation of Review

In accordance with 19 CFR 351.218(c), effective May 1, 2012, we are initiating the Sunset Review of the following antidumping duty order:

DOC Case No.	ITC Case No.	Country	Product	Department contact
A-570-905 .....	731-TA-709 .....	China .....	Polyester Staple Fiber (1st Review) .....	Jennifer Moats (202) 482-5047.

#### Effect of Correction of Initiation Notice

Additional information concerning the Department’s Sunset proceedings can be found in the “Filing Information” and “Information Required From Interested Parties” sections of the *Initiation Notice*.<sup>2</sup> All filing requirements and deadlines under section 751(c) of the Tariff Act of 1930, as amended (“the Act”), and 19 CFR 351.218 for the above-identified Sunset Review were established with publication of the *Initiation Notice* on May 1, 2012. Because of the circumstances requiring this correction of the *Initiation Notice*, and pursuant to 19 CFR 351.302(b), the Department will consider requests from interested parties for the extension of the deadlines established by 19 CFR 351.218(d)(1)(i) for filing of a notice of intent to participate, by 19 CFR 351.218(d)(2)(i) for filing of a statement of waiver, and by 19 CFR 351.218(d)(3)(i) for filing of a substantive response.

This correction of the notice of initiation is published in accordance with section 751(c) of the Act and 19 CFR 351.218(c).

Dated: May 8, 2012.

**Christian Marsh,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

[FR Doc. 2012-11607 Filed 5-11-12; 8:45 am]

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

[A-552-812, A-583-849]

#### Steel Wire Garment Hangers From the Socialist Republic of Vietnam and Taiwan: Postponement of Preliminary Determinations of Antidumping Duty Investigations

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

**DATES:** *Effective Date:* May 14, 2012.

**FOR FURTHER INFORMATION CONTACT:**

Irene Gorelik (Vietnam) or Paul Walker

(Taiwan), Office 9, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, telephone: (202) 482-6905 or (202) 482-0413, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On January 18, 2012, the Department of Commerce (“Department”) initiated antidumping duty investigations of steel wire garment hangers from the Socialist Republic of Vietnam (“Vietnam”) and Taiwan.<sup>1</sup> The period of investigation (“POI”) for the Vietnam investigation is April 1, 2011, through September 30, 2011, and the POI for the Taiwan investigation is October 1, 2010, through September 30, 2011. The current deadline for the preliminary determinations of these investigations is June 6, 2012.

##### Postponement of Preliminary Determinations

Section 733(b)(1)(A) of the Tariff Act of 1930, as amended (“the Act”), requires the Department to complete its preliminary determinations for these investigations no later than 140 days after the date of issuance of the initiation (*i.e.*, June 6, 2012).

On April 27, 2012, M&B Metal Products Company, Inc.; Innovative Fabrication LLC/Indy Hanger; and US Hanger Company, LLC (collectively, “Petitioners”) made a timely request pursuant to 19 CFR 351.205(e) for a postponement of the preliminary determinations with respect to Vietnam and Taiwan. Petitioners requested postponement of the preliminary determinations of the antidumping duty investigations so that they have adequate time to analyze and comment upon the responses of the various companies selected as respondents.<sup>2</sup>

<sup>1</sup> See *Steel Wire Garment Hangers From the Socialist Republic of Vietnam and Taiwan: Initiation of Antidumping Duty Investigations*, 77 FR 3731 (January 25, 2012).

<sup>2</sup> See Letter from Petitioners, re: “Request for Extension of Time for Preliminary Determination,” dated April 27, 2012.

For the reason stated by Petitioners, and because there are no compelling reasons to deny the request, the Department is postponing the deadline for the preliminary determinations with respect to Vietnam and Taiwan by 50 days to July 26, 2012, pursuant to section 733(c)(1)(A) of the Act and 19 CFR 351.205(e). In accordance with section 735(a)(1) of the Act, the deadline for the final determinations of these antidumping duty investigations will continue to be 75 days after the date of these preliminary determinations, unless extended at a later date.

This notice is issued and published in accordance with section 733(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: May 8, 2012.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

[FR Doc. 2012-11658 Filed 5-11-12; 8:45 am]

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### Pacific 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 Pacific Fishery Management Council (Pacific Council) will convene a conference call of its Coastal Pelagic Species Advisory Subpanel (CPSAS) and Coastal Pelagic Species Management Team (CPSMT). A listening station will be available at the Pacific Council offices for interested members of the public.

**DATES:** The conference call will be held Monday, June 11, 2012 from 11 a.m. to 12:30 p.m.

**ADDRESSES:** The meeting will be held via conference call, with a public listening station available at the Pacific Council offices: 7700 NE Ambassador Place, Suite 101, Portland, OR 97220.

<sup>2</sup> See *id.* at 25684.