

results of review, or an importer-specific rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to dumping margins.

The Department clarified its "automatic assessment" regulation on May 6, 2003.<sup>7</sup> This clarification will apply to entries of subject merchandise during the POR produced by CP Kelco for which it did not know its merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate un-reviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

We intend to issue instructions to CBP 15 days after publication of the final results of this review.

### Cash Deposit Requirements

The following deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of CMC from Finland entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2) of the Act: (1) The cash deposit rate for CP Kelco Oy will be the rate established in the final results of this administrative review except if the rate is *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recent period in which the manufacturer or exporter participated; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value investigation but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; (4) the cash deposit rate for all other manufacturers or exporters will continue to be 6.65 percent, the all-others rate established in the less-than-fair-value investigation.<sup>8</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

<sup>7</sup> For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

<sup>8</sup> See *Notice of Antidumping Duty Orders: Purified Carboxymethylcellulose from Finland, Mexico, the Netherlands and Sweden*, 70 FR 39734 (July 11, 2005).

### Notification to Importers

This notice also serves as a preliminary 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 antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: August 1, 2013.

**Paul Piquado**,  
Assistant Secretary for Import  
Administration.

### Appendix I

#### List of Topics Discussed in the Preliminary Decision Memorandum

Scope of the Order  
Methodology  
Fair Value Comparisons  
Product Comparisons  
Date of Sale  
U.S. Price  
Normal Value  
Currency Conversion  
Differential Pricing Analysis

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-351-841]

#### Polyethylene Terephthalate Film, Sheet and Strip From Brazil: Preliminary Results of Antidumping Duty Administrative Review; 2011-2012

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

**DATES:** *Effective Date:* August 16, 2013.

**SUMMARY:** In response to requests from respondent Terphane Ltda. and from DuPont Teijin Films, Mitsubishi Polyester Film, Inc., SKC, Inc., and Toray Plastics (America), Inc. (collectively, Petitioners), the Department of Commerce (the Department) initiated an administrative review of the antidumping duty order on polyethylene terephthalate film, sheet and strip (PET film) from Brazil. The administrative review covers Terphane Ltda. and Terphane Inc. (collectively, Terphane) for the period of review (POR) November 1, 2011, through October 31, 2012. As we currently have no evidence of any

reviewable entries, shipments or sales of subject PET film by Terphane during the POR, we are issuing a preliminary no shipment determination.<sup>1</sup>

**FOR FURTHER INFORMATION CONTACT:** Tyler Weinhold or Robert James, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington DC 20230; telephone: (202) 482-1121 or (202) 482-0649, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Scope of the Order

The products covered by this order are all gauges of raw, pre-treated, or primed PET film, whether extruded or co-extruded. PET film is classifiable under subheading 3920.62.00.90 of the Harmonized Tariff Schedule of the United States.<sup>2</sup>

##### Methodology

The Department has conducted this review in accordance with section 751(a)(2) of the Tariff Act of 1930, as amended (the Act). For a full description of the methodology underlying our conclusions, see Preliminary Decision Memorandum. The Preliminary Decision Memorandum is a public document and is on file electronically via Import Administration's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the Internet at <http://iaaccess.trade.gov>. The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

##### *Preliminary Determination of No Shipments*

Based on information Terphane submitted after the initiation of this administrative review and information collected from U.S. Customs and Border

<sup>1</sup> Terphane is the only respondent in this review.

<sup>2</sup> For a full description of the scope of the order, see "Decision Memorandum for the Preliminary Results of the Antidumping Duty Administrative Review of Polyethylene Terephthalate Film, Sheet and Strip from Brazil: 2011-2012," from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Import Administration (Preliminary Decision Memorandum), dated concurrently with these results and hereby adopted by this notice.

Protection (CBP), the Department has preliminarily determined that the record evidence indicates that Terphane currently had no reviewable entries during the POR. In addition, the Department finds that it is not appropriate to rescind the review with respect to Terphane but, rather, to complete the review with respect to them and issue appropriate instructions to CBP based on the final results of this review, as is our recent past practice.<sup>3</sup>

#### Assessment Rates

The Department clarified its "automatic assessment" regulation on May 6, 2003. This clarification will apply to entries of subject merchandise during the POR produced by companies included in these final results of review for which these companies did not know that the merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate un-reviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003). We intend to issue assessment instructions directly to CBP 15 days after publication of the final results of this review.

#### Comments

Interested parties are invited to comment on these preliminary results and submit written arguments or case briefs within 30 days after the date of publication of this notice, unless otherwise notified by the Department.<sup>4</sup> Parties are reminded that written comments or case briefs are not the place for submitting new factual material. Rebuttal briefs, limited to issues raised in the case briefs, will be due five days later.<sup>5</sup> Parties who submit case or rebuttal briefs are requested to submit with each argument: (1) A statement of the issue; and (2) a brief summary of the argument. Parties are requested to provide a summary of the arguments not to exceed five pages and a table of statutes, regulations, and cases cited.

Any interested party who wishes to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for

Import Administration within 30 days after the day of publication of this notice. A request should contain: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed.<sup>6</sup> Issues raised in the hearing will be limited to those raised in case briefs. The Department will issue the final results of administrative review, including the results of our analysis of issues raised in any briefs, within 90 days after the date on which the preliminary results were issued, unless the deadline for the final results is extended.<sup>7</sup>

#### Notification to Importers

This notice serves as a preliminary reminder to the 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 Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice is published in accordance with sections 751(a)(2)(B) and 777(i) of the Act and 19 CFR 351.214(f).

Dated: August 2, 2013.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Implementation of New Gulf Coast Ecosystem Restoration Science, Observation, Monitoring, and Technology Program

**AGENCY:** National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice; implementation of competitive research program.

**SUMMARY:** NOAA announces the implementation, under the authority of the Resources and Ecosystem Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act (RESTORE Act) of

2012, of a new competitive science program to ensure the long-term sustainability of the Gulf of Mexico ecosystem and the communities that depend on it.

**FOR FURTHER INFORMATION CONTACT:** Russ Beard, Acting Program Director, Gulf Coast Ecosystem Restoration Science, Observation, Monitoring, and Technology Program, National Centers for Coastal Ocean Science, NOS.

*Email:*

*NOAARestoreScience@noaa.gov.*

*Phone:* 228.688.2936.

*Mailing Address:* 1021 Balch Boulevard, Suite 1003, Stennis Space Center, MS 39529.

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The Resources and Ecosystem Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act (RESTORE Act) of 2012 authorized the establishment of a science, observation, monitoring and technology program on ecosystem restoration (RESTORE Act Science Program). Under Section 1604 of the RESTORE Act, the National Oceanic and Atmospheric Administration (NOAA) has been designated with responsibilities to establish the Program which is to be funded by 2.5% of the Gulf Coast Ecosystem Restoration Trust Fund plus twenty-five percent of the Trust Fund accrued interest.

##### II. Program Administration

The Program will be housed within the National Ocean Service's National Center for Coastal Ocean Science (NCCOS). NCCOS's experience running competitive science programs focused on pressing coastal and ocean issues, its experience working in the Gulf of Mexico, and its demonstrated ability to transfer research results to resource managers makes it a logical home for the Program. In addition, NOAA established an Executive Oversight Board consisting of senior executives representing each of the NOAA Line Offices, as well as a senior executive from the US Fish and Wildlife Service, to oversee continuing development and implementation of the program, provide strategic and programmatic guidance to a Program Support Team and eventual approval of the Science and Engagement Plans developed by the Support Team. The Program and the Executive Oversight Board will consult with the RESTORE Act Council, science advisory bodies that may be established pursuant to the Act, and other entities as deemed appropriate by NOAA or the Department of Commerce.

<sup>3</sup> See, e.g., *Certain Frozen Warmwater Shrimp From Thailand: Preliminary Results of Antidumping Duty Administrative Review and Intent To Revoke the Order (in Part); 2011-2012*, 78 FR 15686 (March 12, 2013) and the accompanying Decision Memorandum at 7 to 8.

<sup>4</sup> See 19 CFR 351.309(c)(ii).

<sup>5</sup> See 19 CFR 351.309(d).

<sup>6</sup> See 19 CFR 351.310(c).

<sup>7</sup> See 19 CFR 351.214(i).