

FOR FURTHER INFORMATION CONTACT:

Katie Marksberry, 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: 202-482-7906.

SUPPLEMENTARY INFORMATION:**Background**

The notice announcing the antidumping duty order on shrimp from Vietnam was published in the **Federal Register** on February 1, 2005.¹ On August 30, 2013, pursuant to section 751(a)(2)(B)(i) of the Tariff Act of 1930, as amended (“the Act”), and 19 CFR 351.214, the Department received a timely request to conduct an NSR of the Order from Goldenquality Seafood Corporation (“Goldenquality”).² Goldenquality has certified that it is the producer and exporter of the subject merchandise upon which the request was based.³

Pursuant to section 751(a)(2)(B)(i)(I) of the Act and 19 CFR 351.214(b)(2)(i), Goldenquality certified that it did not export subject merchandise to the United States during the period of investigation (“POI”).⁴ In addition, pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), Goldenquality certified that, since the initiation of the investigation, it has never been affiliated with any Vietnam exporter or producer who exported subject merchandise to the United States during the POI, including those respondents not individually examined during the investigation.⁵ As required by 19 CFR 351.214(b)(2)(iii)(B), Goldenquality also certified that its export activities were not controlled by the Vietnam central government.⁶

In addition to the certifications described above, pursuant to 19 CFR 351.214(b)(2)(iv), Goldenquality submitted documentation establishing the following: (1) The date on which it first shipped subject merchandise for export to the United States; (2) the volume of its first shipment; and (3) the date of its first sale to an unaffiliated customer in the United States.⁷

¹ See *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp From the Socialist Republic of Vietnam*, 70 FR 5152 (February 1, 2005) (“Order”).

² See, generally, Goldenquality’s NSR request dated August 30, 2013.

³ See *id.*, at 2.

⁴ See *id.*, at 2 and Exhibit 1.

⁵ See *id.*

⁶ See *id.*, at 2.

⁷ See *id.*, at 2-3 and Exhibits 2-4.

Initiation of New Shipper Reviews

Pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214(d)(1), we find that Goldenquality’s NSR request meets the threshold requirements for initiation of an NSR for the shipment of certain frozen warmwater shrimp from Vietnam produced and exported by Goldenquality.⁸ The period of review (“POR”) is February 1, 2013 through July 31, 2013.⁹ The Department intends to issue the preliminary results of this NSR no later than 180 days from the date of initiation, and the final results no later than 270 days from the date of initiation.¹⁰

It is the Department’s usual practice, in cases involving non-market economies (“NMEs”), to require that a company seeking to establish eligibility for an antidumping duty rate separate from the NME entity-wide rate provide evidence of *de jure* and *de facto* absence of government control over the company’s export activities. Accordingly, we will issue a questionnaire to Goldenquality, which will include a section requesting information with regard to its export activities for separate rate purposes. The NSR will proceed if the response provides sufficient indication that Goldenquality is not subject to either *de jure* or *de facto* government control with respect to its exports of subject merchandise.

We will instruct U.S. Customs and Border Protection to allow, at the option of the importer, the posting, until the completion of the NSR, of a bond or security in lieu of a cash deposit for each entry of the subject merchandise from Goldenquality in accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e). Because Goldenquality certified that it produced and exported the subject merchandise, the sale of which is the basis for this NSR request, we will apply the bonding privilege to Goldenquality only for subject merchandise which Goldenquality both produced and exported.

Interested parties requiring access to proprietary information in this NSR should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 19 CFR 351.306.

This initiation and notice are published in accordance with section

⁸ See “Memorandum to the File, from James C. Doyle, Director, Office 9, “Initiation of AD New Shipper Review: Certain Frozen Warmwater Shrimp From the Socialist Republic of Vietnam A-552-802,” dated concurrently with this notice.

⁹ See 19 CFR 351.214(g)(1)(i)(B).

¹⁰ See section 751(a)(2)(B)(iv) of the Act.

751(a)(2)(B) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).

Dated: September 18, 2013.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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DEPARTMENT OF COMMERCE**International Trade Administration**

[A-580-816]

Certain Corrosion-Resistant Carbon Steel Flat Products From the Republic of Korea: Notice of Court Decisions Not in Harmony With Final Results of Administrative Review and Notice of Amended Final Results of Administrative Review; 2006-2007

SUMMARY: On August 8, 2013, the United States Court of International Trade (“CIT” or “Court”) enter final judgments sustaining the Department of Commerce’s (“Department”) final results of the remand redeterminations¹ relating to the fourteenth administrative review of the antidumping duty order on certain corrosion-resistant carbon steel flat products (“CORE”) from the Republic of Korea (“Korea”), pursuant to the CIT’s remand orders in *Union Steel v. United States*, 755 F. Supp. 2d 1304 (CIT 2011) (“*Union I*”), and *United States Steel Corp. v. United States*, 759 F. Supp. 2d 1349 (Ct. Int’l Trade 2011) (“*U.S. Steel I*”). Consistent with the decision of the United States Court of Appeals for the Federal Circuit (“CAFC”) in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (“*Timken*”), as clarified by *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (“*Diamond Sawblades*”), the Department is notifying the public that the final CIT judgments in this case are not in harmony with the Department’s final results of administrative review and is amending its final results of the administrative review of the antidumping duty order on CORE from Korea covering the period of review (“POR”) of August 1, 2006 through July 31, 2007, with respect to the weighted-average dumping margin assigned to Union Steel Manufacturing Co., Ltd. (“Union”).

DATES: Effective August 19, 2013.

¹ See Final Remand Results of Redetermination Pursuant to Remand, CIT Court No. 09-00130 (July 15, 2011) (“Union Remand Results”); Final Remand Results of Redetermination Pursuant to Remand, CIT Court No. 09-00156 (July 15, 2011) (“U.S. Steel Remand Results”).

FOR FURTHER INFORMATION CONTACT: Christopher Hargett, Office 8, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4161.

SUPPLEMENTARY INFORMATION:

Background

The Department published the final results of the fourteenth administrative review of the antidumping duty order on CORE from Korea on March 16, 2009.² Union, United States Steel Corporation, and Nucor Corporation respectively filed timely complaints with the CIT to challenge various aspects of the *Final Results*.

On February 15, 2011, the Court remanded for the Department to reconsider its positions with regard to the model-match criteria as applied to Union, the major input adjustment as applied to Union, and certain adjustments to Union's substrate purchases.³ On July 15, 2011, the Department filed remand redeterminations in which it revised its position with regard to the model-match criteria and purchases of substrate steel and material purchases as applied to Union.⁴ Accordingly, the Department recalculated Union's weighted-average margin from 7.56 percent in the *Final Results* to 7.45 percent.⁵ On April 25, 2012, the Court sustained the Department's remand redeterminations regarding the model-match criteria and substrate steel and material purchases as applied to Union.⁶ On August 8, 2013, after disposition of remaining issues, the Court entered final judgments.⁷

Timken Notice

In its decision in *Timken*, as clarified by *Diamond Sawblades*, the CAFC held

² See *Certain Corrosion-Resistant Carbon Steel Flat Products from the Republic of Korea: Notice of Final Results of the Fourteenth Administrative Review and Partial Rescission*, 74 FR 11082 (March 16, 2009) ("*Final Results*"), amended by *Certain Corrosion-Resistant Carbon Steel Flat Products from the Republic of Korea: Notice of Amended Final Results of the Fourteenth Antidumping Duty Administrative Review*, 74 FR 19199 (April 28, 2009) (amending with respect to Dongbu Steel Co., Ltd., Hyundai HYSCO, Pohang Iron & Steel Co., Ltd., and Pohang Coated Steel Co., Ltd.).

³ See *Union I* and *U.S. Steel I*.

⁴ See *Union Remand Results* and *U.S. Steel Remand Results*.

⁵ *Id.*

⁶ See *Union Steel v. United States*, 836 F. Supp. 2d 1382 (CIT 2012); *United States Steel Corp. v. United States*, 844 F. Supp. 2d 1334 (CIT 2012).

⁷ See *Union Steel v. United States*, Court No. 09-00130, Slip Op. 13-104 (CIT August 8, 2013); *United States Steel Corp. v. United States*, Consol. Court No. 09-00156, Slip Op. 13-103 (CIT August 8, 2013).

that, pursuant to section 516A(c) of the Tariff Act of 1930, as amended ("the Act"), the Department must publish a notice of a court decision that is not "in harmony" with a Department determination and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's August 8, 2013, judgments in this case constitute final decisions of that court that are not in harmony with the Department's final results of the administrative review. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, the Department will continue the suspension of liquidation of the subject merchandise pending expiration of the period of appeal or, if appealed, pending a final and conclusive court decision. Because the antidumping duty order on CORE from Korea has been revoked effective February 14, 2012, cash deposits are no longer in effect.⁸

Amended Final Results

Because there are now final court decisions with respect to this case, the Department is amending its *Final Results* with respect to Union's weighted-average dumping margins for the period August 1, 2006 through July 31, 2007.⁹ The revised weighted-average dumping margin is as follows:

Manufacturer/exporter	Weighted-average dumping margin (percent)
Union Steel	7.45

In the event that the CIT's ruling is not appealed, or if appealed, upheld by the CAFC, the Department will instruct CBP to liquidate entries of subject merchandise in accordance with 19 CFR 351.212(b).¹⁰

This notice is issued and published in accordance with sections 516A(e)(1), 751(a)(1), and 777(i)(1) of the Act.

Dated: September 19, 2013.

Paul Piquado,

Assistant Secretary for Import Administration.

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⁸ See *Corrosion-Resistant Carbon Steel Flat Products from Germany and the Republic of Korea: Revocation of Antidumping and Countervailing Duty Orders*, 78 FR 16832 (March 19, 2013)

⁹ The remaining weighted-average dumping margins from the *Final Results*, as subsequently amended, remain unchanged.

¹⁰ See *Final Results*, 74 FR 11083.

DEPARTMENT OF COMMERCE

International Trade Administration

[A-580-816]

Certain Corrosion-Resistant Carbon Steel Flat Products From the Republic of Korea: Notice of Court Decision Not in Harmony With Final Results of Administrative Review and Notice of Amended Final Results of Administrative Review; 2005-2006

SUMMARY: On August 8, 2013, the United States Court of International Trade ("CIT" or "Court") entered final judgment sustaining the Department of Commerce's ("Department") final results of the remand redetermination¹ relating to the thirteenth administrative review of the antidumping duty order on certain corrosion-resistant carbon steel flat products ("CORE") from the Republic of Korea ("Korea"), pursuant to the CIT's remand order in *Union Steel v. United States*, 753 F. Supp. 2d 1317 (CIT 2011) ("*Union II*"). Consistent with the decision of the United States Court of Appeals for the Federal Circuit ("CAFC") in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) ("*Timken*"), as clarified by *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) ("*Diamond Sawblades*"), the Department is notifying the public that the final CIT judgment in this case is not in harmony with the Department's final results of administrative review and is amending its final results of the administrative review of the antidumping duty order on CORE from Korea covering the period of review ("POR") of August 1, 2005 through July 31, 2006, with respect to the weighted-average dumping margin assigned to Union Steel Manufacturing Co., Ltd. ("Union").

DATES: *Effective* August 19, 2013.

FOR FURTHER INFORMATION CONTACT: Christopher Hargett, Office 8, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4161.

SUPPLEMENTARY INFORMATION:

Background

The Department published the final results of the thirteenth administrative review of the antidumping duty order on CORE from Korea on March 17,

¹ See *Final Remand Results of Redetermination Pursuant to Remand*, CIT Court No. 08-00101 (April 11, 2011) ("*Second Remand Results*").