

DEPARTMENT OF COMMERCE**International Trade Administration**

[A-570-941, C-570-942]

Certain Kitchen Appliance Shelving and Racks From the People's Republic of China: Continuation of Antidumping Duty Order and Countervailing Duty Order

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: As a result of the determinations by the Department of Commerce (the Department) and the International Trade Commission (the ITC) in their five-year (sunset) reviews that revocation of the antidumping (AD) order on certain kitchen appliance shelving and racks (kitchen racks) from the People's Republic of China (PRC) would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, the Department is publishing a notice of continuation of the AD order. As a result of the determinations by the Department and the ITC that revocation of the countervailing duty (CVD) order on kitchen racks from the PRC would likely lead to a continuation or recurrence of a countervailable subsidy and material injury to an industry in the United States, the Department is publishing a notice of continuation of the CVD order.

DATES: March 12, 2015.

FOR FURTHER INFORMATION CONTACT: Irene Gorelik, AD/CVD Operations, Office V (AD Order), or Mary Kolberg, AD/CVD Operations, Office I (CVD Order), Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-6905 or (202) 482-1785, respectively.

SUPPLEMENTARY INFORMATION:**Background**

The Department published its *Final AD Determination* and *Final CVD Determination* on kitchen racks from the PRC on July 24, 2009, and July 27, 2009, respectively.¹ On August 1, 2014, the Department initiated the first five-year (sunset) reviews of the *AD Order* and

¹ See *Certain Kitchen Appliance Shelving and Racks From the People's Republic of China: Final Determination of Sales at Less Than Fair Value*, 74 FR 36656 (July 24, 2009) (*Final AD Determination*); see also *Certain Kitchen Appliance Shelving and Racks from the People's Republic of China: Final Affirmative Countervailing Duty Determination*, 74 FR 37012 (July 27, 2009) (*Final CVD Determination*).

CVD Order, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).² As a result of its reviews, the Department determined that revocation of the AD order would likely lead to a continuation or recurrence of dumping and that revocation of the CVD order on kitchen racks from the PRC would likely lead to a continuation or recurrence of a countervailable subsidy. Therefore, the Department notified the ITC of the magnitude of the margins likely to prevail should the AD order be revoked, and the net countervailable subsidy rates likely to prevail should the CVD order be revoked.³ On February 27, 2015, the ITC published its determination, pursuant to section 751(c) of the Act, that revocation of the AD Order and the CVD Order on kitchen racks from the PRC would likely lead to a continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.⁴

Scope of the Order

The merchandise covered by these orders consists of shelving and racks for refrigerators, freezers, combined refrigerator-freezers, other refrigerating or freezing equipment, cooking stoves, ranges, and ovens. Certain kitchen appliance shelving and racks are defined as shelving, baskets, racks (with or without extension slides, which are carbon or stainless steel hardware devices that are connected to shelving, baskets, or racks to enable sliding), side racks (which are welded wire support structures for oven racks that attach to the interior walls of an oven cavity that does not include support ribs as a design feature), and sub-frames (which are welded wire support structures that interface with formed support ribs inside an oven cavity to support oven rack assemblies utilizing extension slides) with the following dimensions:

- Shelving and racks with dimensions ranging from 3 inches by 5 inches by 0.10 inch to 28 inches by 34 inches by 6 inches; or
- Baskets with dimensions ranging from 2 inches by 4 inches by 3 inches

² See *Initiation of Five-Year ("Sunset") Review*, 79 FR 44743 (August 1, 2014).

³ See *Certain Kitchen Appliance Shelving and Racks from the People's Republic of China: Final Results of Expedited First Sunset Review of the Antidumping Duty Order*, 79 FR 67423 (November 13, 2014) and accompanying Issues and Decision Memorandum; see also *Certain Kitchen Appliance Shelving and Racks From China: Final Results of Expedited Sunset Review of the Countervailing Duty Order*, 79 FR 73029 (December 9, 2014) and accompanying Issues and Decision Memorandum.

⁴ See *Certain Kitchen Appliance Shelving and Racks From China: Determination* (Investigation Nos. 701-TA-458 and 731-TA-1154 (Review)), 80 FR 10713 (February 27, 2015).

to 28 inches by 34 inches by 16 inches; or

- Side racks from 6 inches by 8 inches by 0.10 inch to 16 inches by 30 inches by 4 inches; or
- Sub-frames from 6 inches by 10 inches by 0.10 inch to 28 inches by 34 inches by 6 inches.

The subject merchandise is comprised of carbon or stainless steel wire ranging in thickness from 0.050 inch to 0.500 inch and may include sheet metal of either carbon or stainless steel ranging in thickness from 0.020 inch to 0.20 inch. The subject merchandise may be coated or uncoated and may be formed and/or welded. Excluded from the scope of the order is shelving in which the support surface is glass.

The merchandise subject to these orders is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) statistical reporting numbers 8418.99.80.50, 7321.90.50.00, 7321.90.60.40, 7321.90.60.90, 8418.99.80.60, 8419.90.95.20, 8516.90.80.00, and 8516.90.80.10. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

Continuation of the Orders

As a result of the determinations by the Department and the ITC that revocation of the AD order would likely lead to a continuation or recurrence of dumping and that revocation of the CVD order would likely lead to a continuation or recurrence of a countervailable subsidy and 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 AD and CVD orders on kitchen racks from the PRC. U.S. Customs and Border Protection will continue to collect AD and CVD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise.

The effective date of the continuation of the AD and CVD orders will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, the Department intends to initiate the next five-year review of the AD order and CVD order not later than 30 days prior to the fifth anniversary effective date of the continuation.

These five-year sunset reviews and this notice are in accordance with section 751(c) of the Act and published pursuant to section 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: March 6, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XD794

Pacific Fishery Management Council; Nearshore Species' Assessment Workshop

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

ACTION: Notice of public workshop.

SUMMARY: The Pacific Fishery Management Council (Pacific Council) will sponsor a nearshore species assessment workshop to evaluate catch data and proposed catch-per-unit-effort (CPUE) indices for 2015 west coast groundfish stock assessments for black rockfish, China rockfish, and kelp greenling off Oregon. The Nearshore Species Assessment Workshop is open to the public.

DATES: The Nearshore Species Assessment Workshop will commence at 1 p.m. PT, Tuesday, March 31, 2015 and will continue through 5:30 p.m. or as necessary to complete business for the day. The workshop will continue on Wednesday, April 1, 2015 and Thursday, April 2, 2015 beginning at 8:30 a.m. and ending at 5:30 p.m. each day, or as necessary to complete business.

ADDRESSES: The Nearshore Species Assessment Workshop will be held at the Sheraton Portland Airport Hotel, 8235 NE Airport Way, Portland, OR 97220; telephone: (503) 281-2500. The workshop will be held in the Cascade A/B Room on March 31 and April 1, and will move to the Garden A/B Room on April 2.

Council address: Pacific Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220-1384.

FOR FURTHER INFORMATION CONTACT: Mr. John DeVore, Pacific Council; telephone: (503) 820-2413.

SUPPLEMENTARY INFORMATION: The purpose of the Nearshore Species Assessment Workshop is to evaluate available catch and effort data proposed for developing CPUE indices to inform 2015 groundfish stock assessments for black and China rockfish, as well as the

population of kelp greenling off Oregon. Recommendations regarding the data available for use in developing CPUE indices for black rockfish, China rockfish, and kelp greenling will be forwarded to Stock Assessment Teams that will be conducting the assessments for their consideration in preparing these assessments scheduled for formal review later in 2015. Other data and approaches to assessing the abundance and productivity of west coast black rockfish, China rockfish, and kelp greenling may also be discussed at the Nearshore Species Assessment Workshop. No management actions will be decided in this workshop.

Although non-emergency issues not identified in the workshop agenda may come before the workshop participants for discussion, those issues may not be the subject of formal action during this workshop. Formal action at the workshop 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 workshop participants' intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for auxiliary aids should be directed to Mr. Kris Kleinschmidt at (503) 820-2425 at least 5 days prior to the workshop date.

Dated: March 6, 2015.

Tracey L. Thompson,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XD804

New England Fishery Management Council; Public Meeting

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

ACTION: Notice; public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Ecosystem Based Fishery Management Committee to consider actions affecting New England fisheries in the exclusive

economic zone (EEZ).

Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Monday, March 30, 2015 at 1 p.m. and Tuesday, March 31, 2015 at 8:30 a.m.

ADDRESSES: The meeting will be held at the Holiday Inn by the Bay, 88 Spring Street, Portland, ME 04101; telephone: (207) 775-2311; fax: (207) 772-4017

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT:

Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465-0492.

SUPPLEMENTARY INFORMATION: The Oversight Committee will evaluate available procedures to develop and implement Ecosystem Based Fisheries Management (EBFM) policy, based on a staff discussion document. To provide feedback to the EBFM Plan

Development Team, the committee will discuss progress on developing scientific advice on modifying the Atlantic herring Acceptable Biological Catch control rule in Draft Amendment 8 to account for forage considerations and herring's role in the ecosystem. Finally, the committee will develop a letter commenting on NOAA Fisheries Draft Climate Strategy (documents available at <http://www.nefmc.org/library/briefing-on-noaa-fisheries-draft-climate-science-strategy>).

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 Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas A. Nies, Executive Director, at (978) 465-0492, at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: March 6, 2015.

Tracey L. Thompson,

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

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