

## DEPARTMENT OF COMMERCE

## Foreign-Trade Zones Board

[Order No. 1979]

**Reorganization of Foreign-Trade Zone 42 Under Alternative Site Framework; Orlando, Florida**

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the Board adopted the alternative site framework (ASF) (15 CFR 400.2(c)) as an option for the establishment or reorganization of zones;

*Whereas*, the Greater Orlando Aviation Authority, grantee of Foreign-Trade Zone 42, submitted an application to the Board (FTZ Docket B–2–2015, docketed 01–20–2015) for authority to reorganize under the ASF with a service area of Orange County, Florida, in and adjacent to the Orlando Customs and Border Protection port of entry, and FTZ 42's existing Sites 1 and 2 would be categorized as magnet sites;

*Whereas*, notice inviting public comment was given in the **Federal Register** (80 FR 3951–3952, 01–26–2015) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

*Whereas*, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied;

*Now, therefore*, the Board hereby orders:

The application to reorganize FTZ 42 under the ASF is approved, subject to the FTZ Act and the Board's regulations, including § 400.13, to the Board's standard 2,000-acre activation limit for the zone, and to an ASF sunset provision for magnet sites that would terminate authority for Site 2 if not activated within five years from the month of approval.

Signed at Washington, DC, this 26th day of June, 2015.

**Paul Piquado,**

*Assistant Secretary of Commerce for Enforcement and Compliance, Alternate Chairman, Foreign-Trade Zones Board.*

ATTEST:

**Elizabeth Whiteman,**

*Acting Executive Secretary.*

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## DEPARTMENT OF COMMERCE

## International Trade Administration

[A–583–833]

**Polyester Staple Fiber From Taiwan: Final Results of Antidumping Duty Administrative Review; 2013–2014**

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

**SUMMARY:** On March 24, 2015, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on polyester staple fiber (PSF) from Taiwan.<sup>1</sup> For these final results, we continue to find that Far Eastern New Century Corporation (FENC) did not sell subject merchandise at less than normal value, and that Nan Ya Plastics Corporation (Nan Ya) had no shipments during the period of review (POR).

**DATES:** *Effective Date:* July 2, 2015.

**FOR FURTHER INFORMATION CONTACT:** Bryan Hansen or Minoo Hatten, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–3683, and (202) 482–1690, respectively.

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

On March 24, 2015, the Department published the *Preliminary Results*. The POR is May 1, 2013 through April 30, 2014. We invited interested parties to comment on the *Preliminary Results*. We received no comments.

The Department conducted this administrative review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

**Scope of the Order**

The product covered by the order is PSF. PSF is defined as synthetic staple fibers, not carded, combed or otherwise processed for spinning, of polyesters measuring 3.3 decitex (3 denier, inclusive) or more in diameter. This merchandise is cut to lengths varying from one inch (25 mm) to five inches (127 mm). The merchandise subject to the order may be coated, usually with a silicon or other finish, or not coated. PSF is generally used as stuffing in sleeping bags, mattresses, ski jackets, comforters, cushions, pillows, and

<sup>1</sup> See *Polyester Staple Fiber From Taiwan: Preliminary Results of Antidumping Duty Administrative Review; 2013–2014*, 80 FR 15565 (March 24, 2015) (*Preliminary Results*).

furniture. Merchandise of less than 3.3 decitex (less than 3 denier) currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) at subheading 5503.20.00.20 is specifically excluded from the order. Also specifically excluded from the order are PSF of 10 to 18 denier that are cut to lengths of 6 to 8 inches (fibers used in the manufacture of carpeting). In addition, low-melt PSF is excluded from the order. Low-melt PSF is defined as a bi-component fiber with an outer sheath that melts at a significantly lower temperature than its inner core.

The merchandise subject to the order is currently classifiable in the HTSUS at subheadings 5503.20.00.40, 5503.20.00.45, 5503.20.00.60, and 5503.20.00.65. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to the order is dispositive.

**Final Determination of No Shipments**

For the final results of this review, we determine that Nan Ya had no shipments during the POR.

**Changes Since the Preliminary Results**

The Department made no changes to its calculations announced in the *Preliminary Results*.

**Final Results of the Review**

For the final results of this review, we determine that a weighted-average dumping margin of 0.00 percent exists for FENC for the POR.

**Assessment Rates**

In accordance with 19 CFR 351.212 and the *Final Modification*,<sup>2</sup> the Department will instruct U.S. Customs and Border Protection (CBP) to liquidate all appropriate entries for FENC without regard to antidumping duties.

For entries of subject merchandise during the POR produced by FENC for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.<sup>3</sup>

Consistent with the *Assessment Policy Notice*, because we continue to find that Nan Ya had no shipments of subject merchandise to the United States, we

<sup>2</sup> See *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101, 8102 (February 14, 2012) (*Final Modification*).

<sup>3</sup> For a full discussion, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) (*Assessment Policy Notice*).

will instruct CBP to liquidate any applicable entries of subject merchandise 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 final results of administrative review for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date as provided by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for FENC will be 0.00 percent, the weighted-average dumping margin established in the final results of this administrative review; (2) for Nan Ya and previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation but the manufacturer is, the cash deposit rate will be the rate established for the manufacturer of the merchandise for the most recently completed segment of this proceeding; (4) the cash deposit rate for all other manufacturers or exporters will continue to be 7.31 percent.<sup>4</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

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

#### Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the

<sup>4</sup> The all-others rate established in the *Notice of Amended Final Determination of Sales at Less Than Fair Value: Certain Polyester Staple Fiber From the Republic of Korea and Antidumping Duty Orders: Certain Polyester Staple Fiber From the Republic of Korea and Taiwan*, 65 FR 33807 (May 25, 2000).

destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

#### Notification to Interested Parties

The Department is issuing and publishing these final results of administrative review in accordance with sections 751(a)(1), and 777(i) of the Act and 19 CFR 351.213(h).

Dated: June 26, 2015.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-020]

#### Melamine From the People's Republic of China: Postponement of Final Determination of Sales at Less Than Fair Value

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

**SUMMARY:** The Department of Commerce ("Department") is postponing the deadline for issuing the final determination in the less-than-fair-value ("LTFV") investigation of melamine from the People's Republic of China ("PRC") and is extending the provisional measures from a four-month period to a period not more than six months in duration.

**DATES:** *Effective date:* July 2, 2015.

**FOR FURTHER INFORMATION CONTACT:** James Terpstra at (202) 482-3965, Antidumping and Countervailing Duty Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:** On December 9, 2014, the Department published a notice of initiation of the LTFV investigations of melamine from the PRC and Trinidad and Tobago.<sup>1</sup> The period of investigation is April 1, 2014, through September 30, 2014. On June

<sup>1</sup> See *Melamine from the People's Republic of China and Trinidad and Tobago: Initiation of Antidumping Duty Investigations*, 79 FR 73037 (December 9, 2014).

18, 2015, the Department published its affirmative *Preliminary Determination* in the LTFV investigation of melamine from the PRC.<sup>2</sup> On June 5, 2015, Allied Chemicals Inc. ("Allied Chemicals") and Sichuan Golden-Elephant Sincerity Chemical Co., Ltd. ("Golden Elephant"), mandatory respondents in this investigation, requested that the Department postpone its final determination by 60 days (*i.e.*, to 135 days after publication of the *Preliminary Determination*).<sup>3</sup> On June 9, 2015, Allied Chemicals and Golden Elephant agreed to extend the application of the provisional measures prescribed under section 733(d) of the Act and 19 CFR 351.210(e)(2), from a four-month period to a period not to exceed six months.<sup>4</sup>

#### Postponement of Final Determination

Section 735(a)(2) of the Tariff Act of 1930, as amended ("the Act"), provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioner. Section 351.210(e)(2) of the Department's regulations requires that requests by respondents for postponement of a final determination be accompanied by a request for extension of provisional measures from a four-month period to a period not more than six months in duration.

In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because (1) our preliminary determination was affirmative; (2) the requesting producers or exporters account for a significant proportion of exports of the subject merchandise from their respective country; and (3) no compelling reasons for denial exist, we are postponing the

<sup>2</sup> See *Melamine from the People's Republic of China: Preliminary Determinations of Sales at Less Than Fair Value* 80 FR 34891 (June 18, 2015) ("*Preliminary Determination*").

<sup>3</sup> See the letter from Allied Chemicals and Golden Elephant entitled, "Melamine from the People's Republic of China; Respondents' Request to Extend the Due Date for the Preliminary Determination," dated June 5, 2015. Note that, although respondents' June 5, 2015, letter was mistitled, respondents clearly indicated on page two of the submission that they were requesting postponement of the final determination.

<sup>4</sup> See the letter from Allied Chemicals and Golden Elephant entitled, "Melamine from the People's Republic of China; Clarification of Respondents' June 5, 2015 Request to Extend the Due Date for the Final Determination," dated June 9, 2015.