

innerspring unit models at its own facility in Guangzhou, PRC. Petitioner believed that its operation (and costs) in the PRC are representative of the operations (and costs) of other PRC innerspring unit producers/exporters, as it is the largest producer of innersprings in the PRC.<sup>27</sup> According to Petitioner's analysis of its own production costs in the PRC, the total value of these innerspring components compose a significant portion of the total value of an innerspring unit.<sup>28</sup> Similarly, based on the limited information available from the sixth administrative review, we find that the value of production in the PRC appears to comprise a significant portion of the value of Macao Commercial's innersprings units.<sup>29</sup>

#### E. Additional Factors for Consideration

Section 781(b)(3) of the Act directs the Department to consider additional factors in determining whether to include merchandise assembled or completed in a foreign country within the scope of the *Order*.

##### (1) Pattern of Trade

Macao Commercial stated that it expressly set up the flow of trade of innerspring components from the PRC in order to make Macau the country of origin for shipment to countries with antidumping duty orders.<sup>30</sup> Additionally, data from the United States International Trade Commission DataWeb show a significant increase of U.S. imports of innerspring units from Macau since the imposition of the *Order*.<sup>31</sup>

##### (2) Affiliation

Macao Commercial is affiliated with a producer of subject merchandise in the PRC and is also affiliated with other Macanese companies involved in the innersprings industry.<sup>32</sup> Generally, the Department considers circumvention to be more likely to occur when the manufacturer of the PRC-origin merchandise is related to the third country assembler and is a critical element in our evaluation of circumvention.<sup>33</sup>

#### (3) Increase of Subject Imports From the PRC to Macau After the Investigation Initiation

We did not examine any evidence regarding an increase in subject imports (*i.e.*, completed uncovered innerspring units) from the PRC to Macau after the initiation of the investigation. Further, Macao Commercial stated in the sixth administrative review that it does not transship PRC-origin innerspring units to the United States.<sup>34</sup> Nonetheless, this factor does not appear particularly relevant in a completion/assembly in a third country circumvention inquiry because the issue is not subject imports from the PRC to Macau, but rather parts for assembly.<sup>35</sup>

#### F. Whether Action Is Appropriate To Prevent Evasion of the Order

Based on the factual information placed on the record concurrently with this initiation, and for the reasons provided in the analysis above, pursuant to section 781(b)(1)(E) of the Act, the Department determines that initiating an anticircumvention inquiry is appropriate to identify any potential evasion of the *Order*.

#### Analysis of the Request

Based on our analysis of the record information from prior segments placed on the record concurrently with this initiation, and our prior circumvention findings under this *Order*, the Department determines that this self-initiation of an anticircumvention inquiry is warranted. Pursuant to 19 CFR 351.225(b), the Department will notify by mail all parties on the Department's scope service list of the initiation of an anticircumvention inquiry.

In accordance with 19 CFR 351.225(l)(2), if the Department issues a preliminary affirmative determination, we will then instruct U.S. Customs and Border Protection to suspend liquidation and require a cash deposit of estimated duties on the merchandise. This circumvention inquiry covers Macao Commercial. If, within sufficient time, the Department receives a formal request from an interested party regarding potential circumvention of the *Order* by other Macanese companies, or if the Department determines from available information that an inquiry is warranted with respect to other Macanese companies, we will consider conducting additional inquiries concurrently.

The Department will establish a schedule for questionnaires and comments on the issues. In accordance with 19 CFR 351.225(f)(5) and section 781(f) of the Act, unless extended, the Department intends to issue its final determination within 300 days of the date of publication of this initiation. This notice is published in accordance 19 CFR 351.225(f).

Dated: November 16, 2014.

**Christian Marsh,**

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-008]

#### Calcium Hypochlorite From the People's Republic of China: Final Decision To Rescind the New Shipper Review of Haixing Jingmei Chemical Products Sales Co., Ltd.

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

**SUMMARY:** On June 27, 2016, the Department of Commerce (the "Department") published its *Preliminary Rescission* for the new shipper review ("NSR") of the antidumping duty order on calcium hypochlorite from the People's Republic of China ("PRC"). The period of review is July 25, 2014 through June 30, 2015. As discussed below, we preliminarily determined to rescind this review because we requested but were not provided sufficient information to conduct a *bona fide* analysis as required by the statute, and accordingly cannot determine whether the new shipper sales of Haixing Jingmei Chemical Products Sales Co., Ltd. ("Jingmei") are *bona fide*. Based on our analysis of the comments received, we make no changes to the *Preliminary Rescission*. Accordingly, we have determined to rescind this NSR with respect to Jingmei.

**DATES:** Effective November 22, 2016.

**FOR FURTHER INFORMATION CONTACT:** Kabir Archuletta or Amanda Brings, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-2593 or (202) 482-3927, respectively.

<sup>27</sup> *Id.* at 14-15 and Exhibit 6.

<sup>28</sup> *Id.*

<sup>29</sup> See AR6 Factual Information Memo at Attachment 1, Exhibit 3.

<sup>30</sup> See AR6 Factual Information Memo at Attachment 1, page 3.

<sup>31</sup> See Memorandum to the File "Innerspring Units Import Data," dated concurrently with this initiation notice.

<sup>32</sup> See AR6 Factual Information Memo at Attachments 1 and 2.

<sup>33</sup> See *Goldon Prelim*, and accompanying Preliminary Decision Memorandum at "Affiliation."

<sup>34</sup> See AR6 Factual Information Memo at Attachment 3, page 2.

<sup>35</sup> See, *e.g.*, *Goldon Initiation*.

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

For a complete description of the events that followed the publication of the *Preliminary Rescission*,<sup>1</sup> see the Issues and Decision Memorandum.<sup>2</sup> The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System ("ACCESS"). ACCESS is available to registered users at <http://access.trade.gov> and in the Department's Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Internet at <http://enforcement.trade.gov/frn/>. The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

**Scope of the Order**

The merchandise covered by the Order is calcium hypochlorite, regardless of form (e.g., powder, tablet (compressed), crystalline (granular), or in liquid solution), whether or not blended with other materials, containing at least 10% available chlorine measured by actual weight. Calcium hypochlorite is currently classifiable under the subheading 2828.10.0000 of the Harmonized Tariff Schedule of the United States.<sup>3</sup>

**Analysis of Comments Received**

All issues raised in the case briefs by parties are addressed in the Issues and Decision Memorandum.<sup>4</sup> A list of the issues which parties raised is attached to this notice as an Appendix.

**Final Rescission of Jingmei New Shipper Review**

In the *Preliminary Rescission*, we preliminarily determined to rescind this

review because we requested but were not provided sufficient information to conduct a *bona fide* analysis as required by the statute, and accordingly cannot determine whether the new shipper sales of Jingmei are *bona fide*. Based on the Department's complete analysis of all of the information and comments on the record of this review, we make no changes to the *Preliminary Rescission*. Accordingly, we have determined to rescind this NSR with respect to Jingmei. For a complete discussion, see the Preliminary *Bona Fide* Memo<sup>5</sup> and the Issues and Decision Memorandum.

**Assessment**

As the Department is rescinding this NSR, we have not calculated a company-specific dumping margin for Jingmei.

**Cash Deposit Requirements**

Effective upon publication of this notice of the final rescission of the NSR of Jingmei, the Department will instruct U.S. Customs and Border Protection to discontinue the option of posting a bond or security in lieu of a cash deposit for entries of subject merchandise from Jingmei. Because we did not calculate a dumping margin for Jingmei, Jingmei continues to be part of the PRC-wide entity. The cash deposit rate for the PRC-wide entity is 200.90 percent.<sup>6</sup> The current cash deposit requirements shall remain in effect until further notice.

**Administrative Protective Orders**

This notice also serves as a reminder to parties subject to administrative protective orders ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/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 violation which is subject to sanction.

The Department is issuing and publishing these results in accordance

with sections 751(a)(2)(B) and 777(i) of the Tariff Act of 1930, as amended, and 19 CFR 351.214 and 19 CFR 351.221(b)(5).

Dated: November 14, 2016.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

**Appendix—List of Topics Discussed in the Issues and Decision Memorandum**

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Discussion of the Issues
  - Comment 1: Whether the Department Should Have Conducted a *Bona Fide* Analysis
  - Comment 2: Whether the Department has "Penalized" Jingmei for Its Unaffiliated Customers' Partial Cooperation
- V. Recommendation

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

**RIN 0648-XC644**

**Marine Mammals; File No. 18016**

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

**ACTION:** Notice; receipt of application for permit amendment.

**SUMMARY:** Notice is hereby given that Tamara McGuire, LGL Alaska Research Associates, Inc., 2000 W International Airport Rd, Suite C1, Anchorage, AK 99502, has applied for an amendment to Scientific Research Permit No. 18016.

**DATES:** Written, telefaxed, or email comments must be received on or before December 22, 2016.

**ADDRESSES:** The application and related documents are available for review by selecting "Records Open for Public Comment" from the "Features" box on the Applications and Permits for Protected Species home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 18016 from the list of available applications.

These documents are also available upon written request or by appointment in the Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 427-8401; fax (301) 713-0376.

Written comments on this application should be submitted to the Chief, Permits and Conservation Division, at

<sup>1</sup> See *Calcium Hypochlorite From the People's Republic of China: Preliminary Intent to Rescind the New Shipper Review of Haixing Jingmei Chemical Products Sales Co., Ltd.*, 81 FR 41522 (June 27, 2016) ("*Preliminary Rescission*").

<sup>2</sup> See Memorandum to Paul Piquado, Assistant Secretary for Enforcement and Compliance, from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, "Issues and Decision Memorandum for the Final Rescission of the Antidumping Duty New Shipper Review of Calcium Hypochlorite From the People's Republic of China: Haixing Jingmei Chemical Products Sales Co., Ltd.," dated concurrently with and hereby adopted by this notice ("Issues and Decision Memorandum").

<sup>3</sup> For a complete description of the scope of the Order, see the Issues and Decision Memorandum.

<sup>4</sup> See Issues and Decision Memorandum.

<sup>5</sup> See Memorandum to James Doyle, Director, Office V, Antidumping and Countervailing Duty Operations, through Catherine Bertrand, Program Manager, Office V, Antidumping and Countervailing Duty Operations, from Kabir Archuletta, Senior International Trade Analyst, "*Bona Fide* Nature of the Sales in the Antidumping Duty New Shipper Review of Calcium Hypochlorite From the People's Republic of China: Haixing Jingmei Chemical Products Sales Co., Ltd.," dated June 20, 2016 ("*Preliminary Bona Fide* Memo").

<sup>6</sup> See *Calcium Hypochlorite From the People's Republic of China: Antidumping Duty Order*, 80 FR 5085 (January 30, 2015).