

Schedule of the United States (HTSUS), respectively. Potassium citrate and crude calcium citrate are classifiable under 2918.15.5000 and, if included in a mixture or blend, 3824.99.9295 of the HTSUS. Blends that include citric acid, sodium citrate, and potassium citrate are classifiable under 3824.99.9295 of the HTSUS. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

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DEPARTMENT OF COMMERCE

International Trade Administration

[Application No. 84-29A12]

Export Trade Certificate of Review

ACTION: Notice of Application for an Amended Export Trade Certificate of Review by Northwest Fruit Exporters, Application No. 84-29A12.

SUMMARY: The Secretary of Commerce, through the International Trade Administration, Office of Trade and Economic Analysis ("OTEAA"), has received an application for an amended Export Trade Certificate of Review ("Certificate") from Northwest Fruit Exporters. This notice summarizes the proposed amendment and seeks public comments on whether the amended Certificate should be issued.

FOR FURTHER INFORMATION CONTACT: Joseph Flynn, Director, Office of Trade and Economic Analysis, International Trade Administration, by telephone at (202) 482-5131 (this is not a toll-free number) or email at etca@trade.gov.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from State and Federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Export Trading Company Act of 1982 and 15 CFR 325.6(a) require the Secretary to publish a notice in the **Federal Register** identifying the applicant and summarizing its proposed export conduct.

Request for Public Comments

Interested parties may submit written comments relevant to the determination whether an amended Certificate should

be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked as privileged or confidential business information will be deemed to be nonconfidential.

An original and five (5) copies, plus two (2) copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Office of Trade and Economic Analysis, International Trade Administration, U.S. Department of Commerce, Room 21028, Washington, DC 20230.

Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the amended Certificate. Comments should refer to this application as "Export Trade Certificate of Review, application number 84-29A12."

A summary of the current application follows.

Summary of the Application

Applicant: Northwest Fruit Exporters, 105 South 18th Street, Suite 227, Yakima, WA 98901.

Contact: Fred Scarlett, Manager, (509) 576-8004.

Application No.: 84-29A12.

Date Deemed Submitted: July 10, 2018.

Proposed Amendment: Northwest Fruit Exporters seeks to amend its Certificate as follows:

1. Add the following companies as new Members of the Certificate within the meaning of section 325.2(l) of the Regulations (15 CFR 325.2(l)):

- Pine Canyon Growers LLC, Orondo, WA
- WP Packing LLC, Wapato, WA
- 2. Delete the following companies as Members of the Certificate:
- Columbia Fruit Packers/Airport Division, Wenatchee, WA
- Phillippi Fruit Company, Inc., Wenatchee, WA
- Western Traders LLC, E. Wenatchee, WA

3. Change the name of the following Members of the Certificate:

- Columbia Marketing International Corp., Wenatchee, WA, is now named CMI Orchards LLC, Wenatchee, WA
- Pride Packing Company, Wapato, WA, is now named Pride Packing Company LLC, Wapato, WA

4. Correct the name of the following Members of the Certificate:

- Diamond Fruit Growers, Odell, OR, is corrected to Diamond Fruit Growers, Inc., Odell, OR
 - HoneyBear Growers, Inc., Brewster, WA, is corrected to HoneyBear Growers LLC, Brewster, WA
 - Honey Bear Tree Fruit Co., LLC, Wenatchee, WA, is corrected to Honey Bear Tree Fruit Co LLC, Wenatchee, WA
 - L&M Companies, Union Gap, WA, is corrected to L & M Companies, Union Gap, WA
 - Polehn Farm's Inc., The Dalles, OR, is corrected to Polehn Farms, Inc., The Dalles, OR
 - Valicoff Fruit Co., Inc., Wapato, WA, is corrected to Valicoff Fruit Company Inc., Wapato, WA
- Northwest Fruit Exporter's proposed amendment of its Export Trade Certificate of Review would result in the following Membership list:*

1. Allan Bros., Naches, WA
2. AltaFresh L.L.C. dba Chelan Fresh Marketing, Chelan, WA
3. Apple House Warehouse & Storage, Inc., Brewster, WA
4. Apple King, L.L.C., Yakima, WA
5. Auvil Fruit Co., Inc., Orondo, WA
6. Baker Produce, Inc., Kennewick, WA
7. Blue Bird, Inc., Peshastin, WA
8. Blue Star Growers, Inc., Cashmere, WA
9. Borton & Sons, Inc., Yakima, WA
10. Brewster Heights Packing & Orchards, LP, Brewster, WA
11. Broetje Orchards LLC, Prescott, WA
12. C.M. Holtzinger Fruit Co., Inc., Yakima, WA
13. Chelan Fruit Cooperative, Chelan, WA
14. Chiawana, Inc. dba Columbia Reach Pack, Yakima, WA
15. CMI Orchards LLC, Wenatchee, WA
16. Columbia Fruit Packers, Inc., Wenatchee, WA
17. Columbia Valley Fruit, L.L.C., Yakima, WA
18. Congdon Packing Co. L.L.C., Yakima, WA
19. Conrad & Adams Fruit L.L.C., Grandview, WA
20. Cowiche Growers, Inc., Cowiche, WA
21. CPC International Apple Company, Tieton, WA
22. Crane & Crane, Inc., Brewster, WA
23. Custom Apple Packers, Inc., Quincy and Wenatchee, WA
24. Diamond Fruit Growers, Inc., Odell, OR
25. Domex Superfresh Growers LLC, Yakima, WA
26. Douglas Fruit Company, Inc., Pasco, WA
27. Dovex Export Company, Wenatchee, WA
28. Duckwall Fruit, Odell, OR
29. E. Brown & Sons, Inc., Milton-Freewater, OR
30. Evans Fruit Co., Inc., Yakima, WA
31. E.W. Brandt & Sons, Inc., Parker, WA
32. Frosty Packing Co., LLC, Yakima, WA
33. G&G Orchards, Inc., Yakima, WA
34. Gilbert Orchards, Inc., Yakima, WA
35. Hansen Fruit & Cold Storage Co., Inc., Yakima, WA
36. Henggeler Packing Co., Inc., Fruitland, ID
37. Highland Fruit Growers, Inc., Yakima, WA

38. HoneyBear Growers LLC, Brewster, WA
39. Honey Bear Tree Fruit Co LLC, Wenatchee, WA
40. Hood River Cherry Company, Hood River, OR
41. Ice Lakes LLC, East Wenatchee, WA
42. JackAss Mt. Ranch, Pasco, WA
43. Jenks Bros Cold Storage & Packing, Royal City, WA
44. Kershaw Fruit & Cold Storage, Co., Yakima, WA
45. L & M Companies, Union Gap, WA
46. Larson Fruit Co., Selah, WA
47. Legacy Fruit Packers LLC, Wapato, WA
48. Manson Growers Cooperative, Manson, WA
49. Matson Fruit Company, Selah, WA
50. McDougall & Sons, Inc., Wenatchee, WA
51. Monson Fruit Co., Selah, WA
52. Morgan's of Washington dba Double Diamond Fruit, Quincy, WA
53. Naumes, Inc., Medford, OR
54. Northern Fruit Company, Inc., Wenatchee, WA
55. Olympic Fruit Co., Moxee, WA
56. Oneonta Trading Corp., Wenatchee, WA
57. Orchard View Farms, Inc., The Dalles, OR
58. Pacific Coast Cherry Packers, LLC, Yakima, WA
59. Peshastin Hi-Up Growers, Peshastin, WA
60. Piepel Premium Fruit Packing LLC, East Wenatchee, WA
61. Pine Canyon Growers LLC, Orondo, WA
62. Polehn Farms, Inc., The Dalles, OR
63. Price Cold Storage & Packing Co., Inc., Yakima, WA
64. Pride Packing Company LLC, Wapato, WA
65. Quincy Fresh Fruit Co., Quincy, WA
66. Rainier Fruit Company, Selah, WA
67. Roche Fruit, Ltd., Yakima, WA
68. Sage Fruit Company, L.L.C., Yakima, WA
69. Smith & Nelson, Inc., Tonasket, WA
70. Stadelman Fruit, L.L.C., Milton-Freewater, OR, and Zillah, WA
71. Stemilt Growers, LLC, Wenatchee, WA
72. Strand Apples, Inc., Cowiche, WA
73. Symms Fruit Ranch, Inc., Caldwell, ID
74. The Dalles Fruit Company, LLC, Dallesport, WA
75. Underwood Fruit & Warehouse Co., Bingen, WA
76. Valicoff Fruit Company Inc., Wapato, WA
77. Washington Cherry Growers, Peshastin, WA
78. Washington Fruit & Produce Co., Yakima, WA
79. Western Sweet Cherry Group, LLC, Yakima, WA
80. Whitby Farms, Inc. dba: Farm Boy Fruit Snacks LLC, Mesa, WA
81. WP Packing LLC, Wapato, WA
82. Yakima Fresh, Yakima, WA
83. Yakima Fruit & Cold Storage Co., Yakima, WA
84. Zirkle Fruit Company, Selah, WA

Dated: July 20, 2018.

Joseph Flynn,

Director, Office of Trade and Economic Analysis, International Trade Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-970]

Multilayered Wood Flooring From the People's Republic of China: Notice of Court Decision Not in Harmony With the Second Amended Final Determination and Notice of Third Amended Final Determination of the Antidumping Duty Investigation

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

SUMMARY: On July 3, 2018, the United States Court of International Trade (CIT or Court) entered its final judgment in *Changzhou Haud Flooring Co., et al. v. United States*, sustaining, in part, the final results of remand redetermination pursuant to court order by the Department of Commerce (Commerce) pertaining to the less-than-fair-value (LTFV) investigation on multilayered wood flooring from the People's Republic of China (China). Commerce is notifying the public that the final judgment in this case is not in harmony with Commerce's final determination in the LTFV investigation of multilayered wood flooring from China. Pursuant to the CIT's final judgment, Dunhua City Jisen Wood Industry Co., Ltd., Fine Furniture (Shanghai) Limited, and Armstrong Wood Products (Kunshan) Co., Ltd. are being excluded from the order.

DATES: Applicable July 13, 2018.

FOR FURTHER INFORMATION CONTACT: Aleksandras Nakutis, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-3147.

SUPPLEMENTARY INFORMATION:

Background

The litigation in this case relates to Commerce's final determination in the antidumping duty investigation covering multilayered wood flooring from China,¹ which was later amended.² In the *First Amended Final Determination and Order*, Commerce assigned a rate of 3.30 percent to all

¹ See *Multilayered Wood Flooring from the People's Republic of China: Final Determination of Sales at Less Than Fair Value*, 76 FR 64318 (October 18, 2011) (*Final Determination*).

² See *Multilayered Wood Flooring from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 76 FR 76690 (December 8, 2011) (*First Amended Final Determination and Order*).

separate rate respondents.³ Commerce derived this rate by averaging the rates of the two individually investigated respondents with weighted-average margins above *de minimis*, pursuant to section 735(c)(5)(A) of the Tariff Act of 1930, as amended (the Act). Pursuant to a series of remand orders issued by the Court that resulted in five remand redeterminations, Commerce (1) revised its calculation of dumping margins for two mandatory respondents and the China-wide entity; and, (2) made certain findings regarding the dumping margins that were calculated for eight separate rate respondents that were plaintiffs in the litigation.

Regarding the dumping margins for two mandatory respondents in the investigation, on April 23, 2014, the Court granted a consent motion for severance and entered final judgment in *Baroque Timber Industries (Zhongshan) Company, Limited v. United States* with respect to Layo Wood and the Samling Group.⁴ 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*), Commerce gave notice of this decision, as well as the amended dumping margins of zero percent calculated for Layo Wood and Samling Group.⁵ Further, because Commerce changed the surrogate values in its first remand redetermination for mandatory respondents Layo Wood and Samling Group,⁶ the highest calculated transaction-specific rate on the record became 25.62 percent, which Commerce assigned to the China-wide entity.⁷ The CIT sustained Commerce's remand redetermination as it pertained to Layo

³ *Id.*

⁴ The full names of those companies are Zhejiang Layo Wood Industry Co. Ltd. (Layo Wood) and Baroque Timber Industries (Zhongshan) Co., Ltd., Riverside Plywood Corporation, Samling Elegant Living Trading (Labuan) Limited, Samling Global USA, Inc., Samling Riverside Co., Ltd., and Suzhou Times Flooring Co., Ltd. (collectively Samling Group).

⁵ See *Multilayered Wood Flooring from the People's Republic of China: Notice of Court Decision Not in Harmony With the Final Determination and Amended Final Determination of the Antidumping Duty Investigation*, 79 FR 25109 (May 2, 2014) (*Second Amended Final Determination*).

⁶ See *Final Results of Redetermination Pursuant to Court Order, Baroque Timber Industries (Zhongshan) Company, Limited, et al. v. United States*, dated November 14, 2013 (First Remand Redetermination), at 2-3.

⁷ *Id.*