

that such injury does exist, Commerce will issue a countervailing duty order directing CBP to assess, upon further instruction by Commerce, countervailing duties on all imports of the subject merchandise that are entered, or withdrawn, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the “Continuation of Suspension of Liquidation” section.

#### Administrative Protective Orders

In the event that the ITC issues a final negative injury determination, this notice will serve as the only reminder to parties subject to an APO of their responsibility concerning the destruction of proprietary information disclosed under APO, in accordance with 19 CFR 351.305(a)(3). 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.

#### Notification to Interested Parties

This determination is issued and published in accordance with sections 705(d) and 777(i) of the Act, and 19 CFR 351.210(c).

Dated: October 21, 2024.

#### Ryan Majerus,

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

#### Appendix I

##### Scope of the Investigation

The scope of this investigation includes certain frozen warmwater shrimp and prawns whether wild-caught (ocean harvested) or farm-raised (produced by aquaculture), head-on or head-off, shell-on or peeled, tail-on or tail-off, deveined or not deveined, cooked or raw, or otherwise processed in frozen form. “Tails” in this context means the tail fan, which includes the telson and the uropods.

The frozen warmwater shrimp and prawn products included in the scope, regardless of definitions in the Harmonized Tariff Schedule of the United States (HTSUS), are products which are processed from warmwater shrimp and prawns through freezing and which are sold in any count size.

The products described above may be processed from any species of warmwater shrimp and prawns. Warmwater shrimp and prawns are generally classified in, but are not limited to, the Penaeidae family. Some examples of the farmed and wild-caught warmwater species include, but are not limited to, whiteleg shrimp (*Penaeus vannamei*), banana prawn (*Penaeus merguensis*), fleshy prawn (*Penaeus chinensis*), giant river prawn

(*Macrobrachium rosenbergii*), giant tiger prawn (*Penaeus monodon*), redspotted shrimp (*Penaeus brasiliensis*), southern brown shrimp (*Penaeus subtilis*), southern pink shrimp (*Penaeus notialis*), southern rough shrimp (*Trachypenaeus curvirostris*), southern white shrimp (*Penaeus schmitti*), blue shrimp (*Penaeus stylirostris*), western white shrimp (*Penaeus occidentalis*), and Indian white prawn (*Penaeus indicus*).

Frozen shrimp and prawns that are packed with marinade, spices or sauce are included in the scope. In addition, food preparations, which are not “prepared meals,” that contain more than 20 percent by weight of shrimp or prawn are also included in the scope.

Excluded from the scope are: (1) breaded shrimp and prawns (HTSUS subheading 1605.20.10.20); (2) shrimp and prawns generally classified in the Pandalidae family and commonly referred to as coldwater shrimp, in any state of processing; (3) fresh shrimp and prawns whether shell-on or peeled (HTSUS subheadings 0306.36.0020 and 0306.36.0040); (4) shrimp and prawns in prepared meals (HTSUS subheading 1605.20.05.10); (5) dried shrimp and prawns; (6) canned warmwater shrimp and prawns (HTSUS subheading 1605.20.10.40); (7) certain dusted shrimp; and (8) certain battered shrimp. Dusted shrimp is a shrimp-based product: (1) that is produced from fresh (or thawed-from-frozen) and peeled shrimp; (2) to which a “dusting” layer of rice or wheat flour of at least 95 percent purity has been applied; (3) with the entire surface of the shrimp flesh thoroughly and evenly coated with the flour; (4) with the nonshrimp content of the end product constituting between four and 10 percent of the product’s total weight after being dusted, but prior to being frozen; and (5) that is subjected to IQF freezing immediately after application of the dusting layer. Battered shrimp is a shrimp-based product that, when dusted in accordance with the definition of dusting above, is coated with a wet viscous layer containing egg and/or milk, and par-fried.

The products covered by the scope are currently classified under the following HTSUS subheadings: 0306.17.0004, 0306.17.0005, 0306.17.0007, 0306.17.0008, 0306.17.0010, 0306.17.0011, 0306.17.0013, 0306.17.0014, 0306.17.0016, 0306.17.0017, 0306.17.0019, 0306.17.0020, 0306.17.0022, 0306.17.0023, 0306.17.0025, 0306.17.0026, 0306.17.0028, 0306.17.0029, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010. These HTSUS subheadings are provided for convenience and for customs purposes only and are not dispositive, but rather the written description of the scope is dispositive.

#### Appendix II

##### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Investigation
- IV. Diversification of Ecuador’s Economy
- V. Subsidies Valuation
- VI. Use of Facts Otherwise Available and Application of Adverse Inferences
- VII. Analysis of Programs
- VIII. Discussion of the Issues

- Comment 1: Commerce Should Countervail the Provision of Brackish Water
- Comment 2: Commerce Should Countervail the Provision of Fuel
- Comment 3: Commerce Should Revise the Benchmark Used To Value the Provision of Electricity
- Comment 4: Commerce Should Correct the Multiplier Used for Programs Benefitting Respondents’ Shrimp Suppliers
- Comment 5: Commerce Should Apply Adverse Facts Available (AFA) To Countervail Unverifiable and Omitted Income Tax Programs
- Comment 6: Commerce Should Revise the Denominator for the Investment Contract/Tax Incentives for Priority Sectors Under the 2010 Organic Production Code for Santa Priscila
- Comment 7: Commerce Should Make Certain Revisions to SONGA’s Subsidy Calculations
- Comment 8: Commerce Should Make Certain Revisions to Santa Priscila’s Subsidy Calculations
- Comment 9: Commerce Should Revise Its Countervailable Subsidy Calculation Regarding Provision of Land Concessions
- Comment 10: Commerce Should Find That Certain Tax Programs are not Countervailable
- Comment 11: Commerce Should Revise its Attribution of Benefits Received by Cross-Owned Input Suppliers to Santa Priscila
- Comment 12: Commerce Should Recalculate Its Countervailable Subsidy Calculation for SONGA Under the Refund of Currency Outflow Tax (ISD) On Inputs Program
- Comment 13: Section 771B Is Not Supported by the Record
- Comment 14: Commerce Should Adjust the Cash Deposit (CD) Rates
- Comment 15: Commerce’s Should Reverse Its Rejection of SONGA’s Minor Correction
- Comment 16: Commerce Should Correct its Application of AFA to SONGA and Naturisa, and Santa Priscila and Produmar Under the Motor Vehicle Tax Reduction Program
- IX. Recommendation

[FR Doc. 2024–24957 Filed 10–25–24; 8:45 am]

BILLING CODE 3510–DS–P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–331–805]

#### Frozen Warmwater Shrimp From Ecuador: Final Negative Determination of Sales at Less Than Fair Value

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that imports of frozen warmwater shrimp (shrimp) from Ecuador are not being, or not likely to be, sold in the United

States at less than fair value (LTFV) for the period of investigation (POI) October 1, 2022, through September 30, 2023.

**DATES:** Applicable October 28, 2024.

**FOR FURTHER INFORMATION CONTACT:** Kyle Clahane or Matthew Palmer, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-5449 or (202) 482-1678, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On May 30, 2024, Commerce published in the **Federal Register** its preliminary affirmative determination in the LTFV investigation of shrimp from Ecuador.<sup>1</sup> We invited interested parties to comment on the *Preliminary Determination*.<sup>2</sup> On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.<sup>3</sup> The deadline for the final determination of this investigation is now October 21, 2024.

A summary of the events that occurred since Commerce published the *Preliminary Determination*, as well as a full discussion of the issues raised by parties for this final determination, may

be found in the Issues and Decision Memorandum.<sup>4</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 <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

**Scope of the Investigation**

The product covered by this investigation is shrimp from Ecuador. For a complete description of the scope of this investigation, see Appendix I.

**Scope Comments**

We received no comments from interested parties on the scope of the investigation as it appeared in the *Preliminary Determination*. Therefore, we made no changes to the scope of the investigation.

**Verification**

Commerce was unable to conduct on-site verifications of the information relied on in making its final determination in this investigation. However, in August 2024, we took

additional steps in lieu of on-site verifications to verify the information relied upon in making this final determination, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act), by conducting virtual verifications of Industrial Pesquera Santa Priscila S.A. (Santa Priscila) and Sociedad Nacional de Galápagos C.A. (SONGA).<sup>5</sup>

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs submitted by interested parties in this investigation are addressed in the Issues and Decision Memorandum. A list of the issues addressed in the Issues and Decision Memorandum is attached to this notice as Appendix II.

**Changes Since the Preliminary Determination**

We made certain changes regarding Santa Priscila and SONGA’s reported sales and cost data since the *Preliminary Determination*. For a discussion of these changes, see the Issues and Decision Memorandum.

**Final Determination**

Commerce determines that the following estimated weighted-average dumping margins exist:

Exporter/Producer	Weighted-average dumping margin (percent)
Sociedad Nacional de Galápagos C.A./Marina del Rey .....	0.00.
Industrial Pesquera Santa Priscila S.A./Tropical Packing Ecuador Tropack S.A .....	0.48 ( <i>de minimis</i> ).

Consistent with section 735(c) of the Act, Commerce has not calculated an estimated weighted-average dumping margin for all other producers and exporters because it has not made an affirmative final determination of sales at LTFV.

**Disclosure**

Commerce intends to disclose the calculations performed in connection with this final determination to interested parties within five days of any public announcement or, if there is no public announcement, within five

days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

**Suspension of Liquidation**

Because Commerce has made a negative final determination of sales at LTFV with regard to subject merchandise, Commerce will not direct U.S. Customs and Border Protection to suspend liquidation or to require a cash deposit of estimated antidumping duties for entries of shrimp from Ecuador.

**U.S. International Trade Commission Notification**

In accordance with section 735(d) of the Act, we will notify the U.S. International Trade Commission of this final negative determination of sales at LTFV. As our final determination is negative, this proceeding is terminated in accordance with section 735(c)(2) of the Act.

**Administrative Protective Order**

This notice serves as the only reminder to parties subject to an administrative protective order (APO) of

<sup>1</sup> See *Frozen Warmwater Shrimp from Ecuador: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 89 FR 46857 (May 30, 2024) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum.

<sup>2</sup> *Id.* 89 FR at 46859.

<sup>3</sup> See Memorandum, “Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,” dated July 22, 2024.

<sup>4</sup> See Memorandum, “Issues and Decision Memorandum for the Final Affirmative Determination of Sales at Less Than Fair Value in the Investigation of Certain Frozen Warmwater Shrimp from Ecuador,” dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>5</sup> See Memoranda, “Verification of the Cost Response of Sociedad Nacional de Galapagos C.A. in the Less-Than-Fair-Value Investigation of Frozen Warmwater Shrimp from Ecuador,” dated September 20, 2024 (SONGA’s Cost Verification

Report); “Sales Verification of Sociedad Nacional de Galápagos C.A.,” dated August 27, 2024 (SONGA’s Sales Verification Report) (collectively, SONGA’s Verification Reports); “Verification of the Cost Response of Industrial Pesquera Santa Priscila in the Antidumping Duty Investigation of Frozen warm Water Shrimp from Ecuador,” dated September 18, 2024 (Santa Priscila’s Cost Verification Report); and “Sales Verification of Industrial Santa Priscila,” dated September 19, 2024 (Santa Priscila’s Sales Verification Report) (collectively, Santa Priscila’s Verification Reports).

their responsibility concerning the disposition 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

This final determination and notice are issued and published in accordance with sections 735(d) and 777(i) of the Act and 19 CFR 351.210(c).

Dated: October 21, 2024.

#### Ryan Majerus,

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

#### Appendix I

##### Scope of the Investigation

The scope of this investigation includes certain frozen warmwater shrimp and prawns whether wild-caught (ocean harvested) or farm-raised (produced by aquaculture), head-on or head-off, shell-on or peeled, tail-on or tail-off, deveined or not deveined, cooked or raw, or otherwise processed in frozen form. "Tails" in this context means the tail fan, which includes the telson and the uropods.

The frozen warmwater shrimp and prawn products included in the scope, regardless of definitions in the Harmonized Tariff Schedule of the United States (HTSUS), are products which are processed from warmwater shrimp and prawns through freezing and which are sold in any count size.

The products described above may be processed from any species of warmwater shrimp and prawns. Warmwater shrimp and prawns are generally classified in, but are not limited to, the Penaeidae family. Some examples of the farmed and wild-caught warmwater species include, but are not limited to, whiteleg shrimp (*Penaeus vannamei*), banana prawn (*Penaeus merguensis*), fleshy prawn (*Penaeus chinensis*), giant river prawn (*Macrobrachium rosenbergii*), giant tiger prawn (*Penaeus monodon*), redspotted shrimp (*Penaeus brasiliensis*), southern brown shrimp (*Penaeus subtilis*), southern pink shrimp (*Penaeus notialis*), southern rough shrimp (*Trachypenaeus curvirostris*), southern white shrimp (*Penaeus schmitti*), blue shrimp (*Penaeus stylirostris*), western white shrimp (*Penaeus occidentalis*), and Indian white prawn (*Penaeus indicus*).

Frozen shrimp and prawns that are packed with marinade, spices or sauce are included in the scope. In addition, food preparations, which are not "prepared meals," that contain more than 20 percent by weight of shrimp or prawn are also included in the scope.

Excluded from the scope are: (1) breaded shrimp and prawns (HTSUS subheading 1605.21.1020); (2) shrimp and prawns generally classified in the Pandalidae family

and commonly referred to as coldwater shrimp, in any state of processing; (3) fresh shrimp and prawns whether shell-on or peeled (HTSUS subheadings 0306.36.0020 and 0306.36.0040); (4) shrimp and prawns in prepared meals (HTSUS subheadings 1605.21.0500 and 1605.29.0500); (5) dried shrimp and prawns; (6) canned warmwater shrimp and prawns (HTSUS subheading 1605.29.1040); and (7) certain battered shrimp. Battered shrimp is a shrimp-based product: (1) that is produced from fresh (or thawed-from-frozen) and peeled shrimp; (2) to which a "dusting" layer of rice or wheat flour of at least 95 percent purity has been applied; (3) with the entire surface of the shrimp flesh thoroughly and evenly coated with the flour; (4) with the non-shrimp content of the end product constituting between four and ten percent of the product's total weight after being dusted, but prior to being frozen; and (5) that is subjected to individually quick frozen (IQF) freezing immediately after application of the dusting layer. When dusted in accordance with the definition of dusting above, the battered shrimp product is also coated with a wet viscous layer containing egg and/or milk, and par-fried.

The products covered by the scope are currently classified under the following HTSUS subheadings: 0306.17.0004, 0306.17.0005, 0306.17.0007, 0306.17.0008, 0306.17.0010, 0306.17.0011, 0306.17.0013, 0306.17.0014, 0306.17.0016, 0306.17.0017, 0306.17.0019, 0306.17.0020, 0306.17.0022, 0306.17.0023, 0306.17.0025, 0306.17.0026, 0306.17.0028, 0306.17.0029, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010. These HTSUS subheadings are provided for convenience and for customs purposes only and are not dispositive, but rather the written description of the scope is dispositive.

#### Appendix II

##### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Changes Since the *Preliminary Determination*
- IV. Discussion of the Issues
  - Comment 1: Whether Commerce Should Revise SONGA's Cost Adjustment for Its Purchases of Raw Shrimp From Affiliated Suppliers
  - Comment 2: Whether Commerce Should Recalculate SONGA's Reported Financial Expenses
  - Comment 3: Whether Revisions are Warranted to SONGA's Reported Indirect Selling Expenses
  - Comment 4: Whether Commerce Should Continue To Offset G&A Expenses by the Amount of Scrap Sales Revenue
  - Comment 5: Whether Commerce Should Revise SONGA's Per-Unit Costs for the Additional Wrapping and Finger-Laying Processes
  - Comment 6: Whether Commerce Should Compare U.S. Sales of Broken Shrimp to Constructed Value
  - Comment 7: Treatment of Clerical Errors in SONGA's Preliminary Margin Calculation
  - Comment 8: Inclusion of SONGA's Revised Sales and Cost Databases
  - Comment 9: Treatment of SONGA's Reported U.S. Customs Duty and Brokerage and Handling Expenses
  - Comment 10: Treatment of Export Subsidies for Santa Priscila and SONGA
  - Comment 11: Whether Commerce Should Apply Adverse Facts Available (AFA) to Santa Priscila for its Misrepresentation of its Payment Dates and its Failure To Report All Expenses
  - Comment 12: Whether Commerce Should Apply AFA to Santa Priscila's Credit Expenses, Other Discounts and Bank Charges.
  - Comment 13: Whether Commerce Should Apply the Market Price Adjustment to all Santa Priscila Raw Shrimp Purchases
  - Comment 14: Whether Commerce Should Reject Santa Priscila's Claimed Scrap Offset
  - Comment 15: Treatment of Santa Priscila's Return Expenses
  - Comment 16: Whether Commerce Should Incorporate Santa Priscila's Cost Verification Minor Corrections
  - Comment 17: Treatment of Clerical Errors in Santa Priscila's Preliminary Margin Calculation
- V. Recommendation



[FR Doc. 2024-24958 Filed 10-25-24; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-552-837]

#### Aluminum Extrusions From the Socialist Republic of Vietnam: Amended Final Affirmative Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) is amending its final affirmative determination in the less than fair value (LTFV) investigation of aluminum extrusions from the Socialist Republic of Vietnam (Vietnam) to correct ministerial errors. The period of investigation is April 1, 2023, through September 30, 2023.

**DATES:** Applicable October 28, 2024.

**FOR FURTHER INFORMATION CONTACT:** Rebecca Janz, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2972.

**SUPPLEMENTARY INFORMATION:**