

## DEPARTMENT OF COMMERCE

## International Trade Administration

[A-552-801]

**Certain Frozen Fish Fillets From the Socialist Republic of Vietnam: Notice of Partial Rescission of the Sixth Antidumping Duty Administrative Review**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**SUMMARY:** The Department of Commerce ("Department") is conducting an administrative review of the antidumping duty order on certain frozen fish fillets from the Socialist Republic of Vietnam ("Vietnam"). See *Notice of Antidumping Duty Order: Certain Frozen Fish Fillets From the Socialist Republic of Vietnam*, 68 FR 47909 (August 12, 2003). On September 22, 2009, the Department initiated the August 1, 2008, through July 31, 2009, antidumping duty administrative review on certain frozen fish fillets from Vietnam. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Deferral of Administrative Review*, 74 FR 48224, (September 22, 2009). The Department initiated this review with respect to 22 companies.<sup>1</sup>

On January 7, 2010, QVD withdrew its request for an administrative review. On January 8, 2010, Anvifish JSC withdrew its request for an administrative review. On January 8, 2010, Petitioners<sup>2</sup> partially withdrew their August 31,

<sup>1</sup> These companies include: 1) An Giang Fisheries Import and Export Joint Stock Company (aka Agifish or; AnGiang Fisheries Import and Export); 2) Anvifish Co., Ltd.; 3) Anvifish Joint Stock Company ("Anvifish JSC"); 4) Asia Commerce Fisheries Joint Stock Company (aka Acomfish JSC) ("Acomfish"); 5) Binh An Seafood Joint Stock Co. ("Binh An"); 6) Cadovimex II Seafood Import-Export and Processing Joint Stock Company; (aka Cadovimex II) ("Cadovimex II"); 7) CUU Long Fish Joint Stock Company (aka CL-Fish) ("CL-Fish"); 8) East Sea Seafoods Limited Liability Company (formerly known as East Sea Seafoods Joint Venture Co., Ltd.); 9) East Sea Seafoods Joint Venture Co., Ltd. (aka East Sea Seafoods LLC); 10) Hiep Thanh Seafood Joint Stock Co. ("Hiep Thanh"); 11) Nam Viet Company Limited (aka NAVICO) ("NAVICO"); 12) NTSF Seafoods Joint Stock Company (aka NTSF) ("NTSF"); 13) Panga Mekong Co., Ltd. ("Panga Mekong"); 14) QVD Food Company, Ltd. ("QVD"); 15) QVD Dong Thap Food Co., Ltd. ("QVD DT"); 16) Saigon-Mekong Fishery Co., Ltd. (aka SAMEFICO) ("SAMEFICO"); 17) Southern Fishery Industries Company, Ltd. (aka South Vina); 18) Thien Ma Seafood Co., Ltd. ("Thien Ma"); 19) Thuan Hung Co., Ltd. (aka THUFICO) ("Thuan Hung"); 20) Vinh Hoan Corporation; 21) Vinh Hoan Company, Ltd. and; 22) Vinh Quang Fisheries Corporation ("Vinh Quang").

<sup>2</sup> Catfish Farmers of America and individual U.S. catfish processors, America's Catch, Consolidated Catfish Companies, LLC dba Country Select Catfish, Delta Pride Catfish, Inc., Harvest Select Catfish, Inc., Heartland Catfish Company, Pride of the Pond, and Simmons Farm Raised Catfish, Inc.

2009, request for an administrative review for 13 companies, including Vinh Quang.<sup>3</sup> However, the Department will continue the administrative review with respect to Vinh Quang as this exporter did not withdraw its request and the company was chosen as a mandatory respondent.<sup>4</sup> The preliminary results of this administrative review are currently due no later than August 8, 2010.<sup>5</sup>

**EFFECTIVE DATE:** May 27, 2010.

**FOR FURTHER INFORMATION CONTACT:** Emeka Chukwudebe and Javier Barrientos, Office 9, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14<sup>th</sup> Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-0219 and (202) 482-2243, respectively.

**Partial Rescission of Review**

The applicable regulation, 19 CFR 351.213(d)(1), states that if a party that requested an administrative review withdraws the request within 90 days of the publication of the notice of initiation of the requested review, the Secretary will rescind the review. Petitioners withdrew their review request with respect to 13 exporters of subject merchandise within the 90-day deadline, in accordance with 19 CFR 351.213(d)(1). Respondents, QVD and Anvifish, also withdrew their respective requests for review within the 90-day deadline.

Therefore, in accordance with 19 CFR 351.213(d)(1), we are partially rescinding this review with respect to the following companies: Cadovimex II; CL-Fish; Hiep Thanh; NAVICO; NTSF; Panga Mekong; QVD; QVD DT; Thuan Hung; SAMEFICO; Thien Ma; Anvifish Co., Ltd.; and Anvifish JSC.<sup>6</sup>

<sup>3</sup> These companies include: 1) Cadovimex II; 2) CL-Fish; 3) Hiep Thanh; 4) NAVICO; 5) NTSF; 6) Panga Mekong; 7) QVD; 8) SAMEFICO; 9) Thien Ma; 10) Thuan Hung; 11) Vinh Quang; 12) QVD DT, and; 13) Anvifish.

<sup>4</sup> See Memorandum to James C. Doyle, Office 9 Director, through Alex Villanueva, Office 9 Program Manager, from Emeka Chukwudebe, Case Analyst, dated January 29, 2010, Antidumping Duty Administrative Review of Certain Frozen Fish Fillets from the Socialist Republic of Vietnam ("Vietnam"); Replacement of Mandatory Respondent ("Replacement of Mandatory Respondent Memo").

<sup>5</sup> See *Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Extension of Time Limit for Preliminary Results of the 6th Antidumping Duty Administrative and 6th New Shipper Reviews*, 75 FR 20983 (April 22, 2010).

<sup>6</sup> On October, 13, 2010, Binh An and Acomfish submitted no shipment certifications. However, we will address these claims and any possible rescission thereof, in the preliminary results.

**Assessment Rates**

The Department will instruct U.S. Customs and Border Protection ("CBP") to assess antidumping duties on all appropriate entries. For those companies for which this review has been rescinded and which have a separate rate from a prior segment of this proceeding, antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(2). Accordingly, the Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of this notice for the following companies; QVD; QVD DT; Thuan Hung; Hiep Thanh; Cadovimex II; SAMEFICO; and Anvifish Co., Ltd.

The Department cannot order liquidation for companies which, although they are no longer under review as a separate entity, may still be under review as part of the Vietnam-wide entity. Therefore, the Department cannot, at this time, order liquidation of entries for the following companies: CL-Fish; NAVICO; NTSF; Panga Mekong; Thien Ma; and Anvifish JSC.<sup>7</sup> The Department intends to issue liquidation instructions for the Vietnam-wide entities 15 days after publication of the final results of this review.

**Notification to Importers**

This notice serves as a final reminder to importers for whom this review is being rescinded, as of the publication date of this notice, 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 the antidumping duties occurred and the subsequent assessment of double antidumping duties.

**Notification Regarding APOs**

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

<sup>7</sup> In its January 8, 2010, withdrawal letter, Anvifish JSC claims that it is also known as Anvifish Co., Ltd. (the company presently assigned a separate rate). However, there is no information on the record establishing that Anvifish JSC was assigned a separate rate in a prior segment of this proceeding.

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.

This notice is issued and published in accordance with section 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: May 19, 2010.

**John M. Andersen,**

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

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**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Order No. 1680]

#### Reorganization of Foreign-Trade Zone 37 Under Alternative Site Framework Orange County, NY

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) in December 2008 (74 FR 1170, 01/12/09; correction 74 FR 3987, 01/22/09) as an option for the establishment or reorganization of general-purpose zones;

*Whereas*, Orange County, New York, grantee of Foreign-Trade Zone 37, submitted an application to the Board (FTZ Docket 51-2009, filed 11/12/2009) for authority to reorganize under the ASF with a service area of Orange County, New York, adjacent to the New York/Newark Customs and Border Protection port of entry, FTZ 37's existing Sites 3 and 7 would be categorized as magnet sites, and the grantee proposes one initial usage-driven site (Sites 8);

*Whereas*, notice inviting public comment was given in the **Federal Register** (74 FR 60238, 11/12/09) 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 Board's regulations are satisfied, and

that the proposal is in the public interest;

*Now, Therefore*, the Board hereby orders:

The application to reorganize FTZ 37 under the alternative site framework is approved, subject to the FTZ Act and the Board's regulations, including Section 400.28, to the Board's standard 2,000-acre activation limit for the overall general-purpose zone project, to a five-year ASF sunset provision for magnet sites that would terminate authority for Site 7 if not activated by May 31, 2015, and to a three-year ASF sunset provision for usage-driven sites that would terminate authority for Site 8 if no foreign-status merchandise is admitted for a *bona fide* customs purpose by May 31, 2013.

Signed at Washington, DC, May 13, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.*

Attest:

**Andrew McGilvray,**

*Executive Secretary.*

[FR Doc. 2010-12806 Filed 5-26-10; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Federal Advisory Committee; Military Leadership Diversity Commission (MLDC)

**AGENCY:** Office of the Under Secretary of Defense for Personnel and Readiness, (DoD).

**ACTION:** Meeting notice.

**SUMMARY:** Under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102-3.150, the Department of Defense announces that the Military Leadership Diversity Commission (MLDC) will meet on June 16 and 17, 2010, in McLean, VA. The meeting is open to the public, but seating is limited.

**DATES:** The meeting will be held on June 16, 2010 (from 8 a.m. to 5:30 p.m.) and on June 17, 2010 (from 8 a.m. to 6:15 p.m.).

**ADDRESSES:** The meeting will be held at the Hilton McLean—Tysons Corner, 7920 Jones Branch Dr., McLean, VA 22102.

**FOR FURTHER INFORMATION CONTACT:** Master Chief Steven A. Hady,

Designated Federal Officer, MLDC, at (703) 602-0838, 1851 South Bell Street, Suite 532, Arlington, VA. Email: [steven.Hady@wso.whs.mil](mailto:steven.Hady@wso.whs.mil).

#### SUPPLEMENTARY INFORMATION:

##### Purpose of the Meeting

The purpose of the meeting is for the commissioners of the Military Leadership Diversity Commission to continue their efforts to address congressional concerns as outlined in the commission charter.

##### Agenda

June 16, 2010

8 a.m.–11:15 p.m.

DFO opens the meeting  
Commission Chairman opening remarks

Admiral Gary Roughead, Chief of Naval Operations, addresses the MLDC Commission Decision Brief for implementation and accountability

11:15 a.m.

DFO recesses the meeting

12:15 p.m.–5:30 p.m.

DFO opens the meeting  
Decision brief on metrics  
Decision brief on retention

General George Casey, Jr., Chief of Staff of the Army, addresses the MLDC

Public comments

Commission Chairman closing remarks

DFO adjourns the meeting

June 17, 2010

8 a.m.–11 a.m.

DFO opens the meeting  
Commission Chairman opening remarks

Dr. Frank Dobbin, Professor of Sociology, Harvard University briefs the MLDC

Panel of representatives from private sector companies address the MLDC:

Mr. Steve Bucherati, Chief Diversity Officer, Coca Cola

Ms. Deborah Elam, Vice President and Chief Diversity Officer, General Electric

Mr. Frank McCloskey, Chief Diversity Officer, Georgia Power

11 a.m.

DFO recesses the meeting

12 p.m.–6:15 p.m.

DFO opens meeting  
Panel of representatives from private sector companies address the MLDC:

Mr. Hayward Bell, Chief Diversity Officer, Raytheon

Ms. Geeth Chettiar, Vice President for Diversity and EO Programs,