

## Background

On June 30, 2010, the Department of Commerce (“the Department”) published the initiation of the administrative review of the antidumping duty order on citric acid and certain citrate salts (“citric acid”) from the People’s Republic of China (“PRC”). See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Deferral of Administrative Review*, 75 FR 37759 (June 30, 2010). On January 25, 2011, the Department published the extension of time limits for the preliminary results of the administrative review of the antidumping duty order. See *Citric Acid and Certain Citrate Salts from the People’s Republic of China: Notice of Extension of Time Limit for the Preliminary Results of the Antidumping Duty Administrative Review*, 76 FR 4288 (January 25, 2011). This review covers the periods November 20, 2008, through May 19, 2009, and May 29, 2009, through April 30, 2010. The preliminary results of review are currently due no later than April 1, 2011.

### Extension of Time Limit for Preliminary Results of Review

Pursuant to section 751(a)(3)(A) of the Tariff Act of 1930, as amended (“the Act”), the Department shall make a preliminary determination in an administrative review of an antidumping duty order within 245 days after the last day of the anniversary month of the date of publication of the order. The Act further provides, however, that the Department may extend that 245-day period to 365 days if it determines it is not practicable to complete the review within the foregoing time period.

The Department finds that it is not practicable to complete the preliminary results of the administrative review of citric acid from the PRC within this time limit. Specifically, additional time is needed to examine the respondents’ production process, factors of production (FOPs), and determine surrogate values with which to value FOPs. Therefore, in accordance with section 751(a)(3)(A) of the Act, the Department is extending the time period for completion of the preliminary results of this review, which is currently due on April 1, 2011, by 60 days. Therefore, the preliminary results are now due no later than May 31, 2011.

This notice is published in accordance with sections 751(a)(3)(A) and 777(i) of the Act.

March 25, 2011.

**Christian Marsh,**

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-851]

#### Certain Preserved Mushrooms From the People’s Republic of China: Initiation of Antidumping Duty New Shipper Review

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

**SUMMARY:** The Department of Commerce (the Department) has received a request for a new shipper review (NSR) of the antidumping duty order on certain preserved mushrooms from the People’s Republic of China (PRC). In accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.214(d), we are initiating an antidumping duty NSR of Zhangzhou Long Mountain Foods Co., Ltd. (Long Mountain). The period of review (POR) of this NSR is February 1, 2010, through January 31, 2011.

**DATES:** *Effective Date:* March 31, 2011.

**FOR FURTHER INFORMATION CONTACT:** Fred Baker, Scott Hoefke, or Robert James, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, telephone: (202) 482-2924, (202) 482-4947, or (202) 482-0649, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On February 19, 1999, the Department published the antidumping duty order on certain preserved mushrooms from the PRC. See *Notice of Amendment of Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Preserved Mushrooms From the People’s Republic of China*, 64 FR 8308 (February 19, 1999). Thus, the antidumping duty order on certain preserved mushrooms from the PRC has a February anniversary month. On February 28, 2011, the Department received a request for an NSR from Long Mountain. In its request for review, Long Mountain identified itself as both exporter and producer of the subject merchandise. The Department determined that Long Mountain’s request contained certain deficiencies

and requested that it correct its submission. See March 15, 2011 letter from Robert James, Program Manager, to Long Mountain. In accordance with the Department’s requests, Long Mountain corrected the problems in its initial submission in a revised submission dated March 18, 2011. For the purpose of initiating this NSR, the Department determines that Long Mountain’s request for an NSR was timely filed.

Pursuant to the requirements set forth in section 751(a)(2)(B)(i) of the Act and 19 CFR 351.214(b)(2), Long Mountain certified that (1) It did not export subject merchandise to the United States during the period of investigation (POI) (see section 751(a)(2)(B)(i)(I) of the Act and 19 CFR 351.214(b)(2)(i)); (2) since the initiation of the investigation it has never been affiliated with any company that exported subject merchandise to the United States during the POI, including those companies not individually examined during the investigation (see section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A)); and (3) its export activities were not controlled by the central government of the PRC (see 19 CFR 351.214(b)(2)(iii)(B)). Additionally, in accordance with 19 CFR 351.214(b)(2)(iv), Long Mountain submitted documentation establishing the following: (1) The date on which it first shipped subject merchandise to the United States; (2) the volume of its first shipment; and (3) the date of its first sale to an unaffiliated customer in the United States. In accordance with 19 CFR 351.214(b)(2)(iv)(B), Long Mountain also provided the volume of its one subsequent shipment, dated January 30, 2011, which the company indicated was in transit to the United States.

##### Initiation of Review

Based on information on the record, and in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214(d), we find the request Long Mountain submitted meets the statutory and regulatory requirements for initiation of an NSR. See Memorandum to the File through Richard Weible, “Initiation of AD New Shipper Review: Certain Preserved Mushrooms from the People’s Republic of China (A-570-851),” dated March 31, 2011. Accordingly, we are initiating an NSR of the antidumping duty order on certain preserved mushrooms from the PRC produced and exported by Long Mountain. This review covers the period February 1, 2010, through January 31, 2011. We intend to issue the preliminary results of this review no later than 180 days after the date on which this review is initiated, and the

final results within 90 days after the date on which we issue the preliminary results. See section 751(a)(2)(B)(iv) of the Act and 19 CFR 351.214(h)(i).

In cases involving non-market economies, the Department requires that a company seeking to establish eligibility for an antidumping duty rate separate from the country-wide rate provide evidence of *de jure* and *de facto* absence of government control over the company's export activities. See, generally, *Wooden Bedroom Furniture from the People's Republic of China: Preliminary Results of Antidumping Duty New Shipper Reviews*, 75 FR 72794 (November 26, 2010), unchanged in *Wooden Bedroom Furniture from the People's Republic of China: Final Results of Antidumping Duty New Shipper Reviews*, 76 FR 9747 (February 22, 2011). Accordingly, we will issue a questionnaire to Long Mountain that will include a separate rates section. This review will proceed if the response provides sufficient indication that Long Mountain is not subject to either *de jure* or *de facto* government control with respect to its shipments of preserved mushrooms.

Upon initiation, we will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of any unliquidated entries of subject merchandise produced and exported by Long Mountain and will instruct the CBP to allow, at the option of the importer, the posting, until the completion of the review, of a bond or security in lieu of a cash deposit for certain entries of the subject merchandise produced and exported by Long Mountain in accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e). Because Long Mountain certified that it both produced and exported the subject merchandise, the sales of which form the basis for its NSR request, we will instruct CBP to permit the use of a bond only for entries of subject merchandise where Long Mountain acted both as producer and exporter.

To assist in its analysis of the *bona fides* of Long Mountain's sales, upon initiation of this NSR, the Department will require Long Mountain to submit on an ongoing basis complete transaction information concerning any sales of subject merchandise to the United States that were made subsequent to the POR.

Interested parties requiring access to business proprietary information in this NSR should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This notice serves as a reminder that any party submitting factual information

in an AD/CVD proceeding must certify to the accuracy and completeness of that information. See Section 782(b) of the Act. Parties are hereby reminded that revised certification requirements are in effect for company/government officials as well as their representatives in all AD/CVD investigations or proceedings initiated on or after March 14, 2011. See *Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings: Interim Final Rule*, 76 FR 7491 (February 10, 2011) (*Interim Final Rule*) amending 19 CFR 351.303(g)(1) and (2). The formats for the revised certifications are provided at the end of the *Interim Final Rule*. The Department intends to reject factual submissions in investigations/proceedings initiated on or after March 14, 2011 if the submitting party does not comply with the revised certification requirements.

Dated: March 24, 2011.

**Christian Marsh,**

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-552-801]

#### **Certain Frozen Fish Fillets From the Socialist Republic of Vietnam: Initiation of Antidumping Duty New Shipper Review**

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

**DATES:** *Effective Date:* March 31, 2011.

**SUMMARY:** The Department of Commerce ("Department") has determined that a request for a new shipper review ("NSR") of the antidumping duty order on certain frozen fish fillets ("fish fillets") from the Socialist Republic of Vietnam ("Vietnam"), received on February 28, 2011, meets the statutory and regulatory requirements for initiation. The period of review ("POR") for this NSR is August 1, 2010, through January 31, 2011.

**FOR FURTHER INFORMATION CONTACT:** Ricardo Martinez Rivera, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; *telephone:* 202-482-4532.

**SUPPLEMENTARY INFORMATION:**

## Background

The notice announcing the antidumping duty order on fish fillets from Vietnam was published in the **Federal Register** on August 12, 2003. See *Notice of Antidumping Duty Order: Certain Frozen Fish Fillets from the Socialist Republic of Vietnam*, 68 FR 47909 (August 12, 2003). On February 28, 2011, pursuant to section 751(a)(2)(B)(i) of the Tariff Act of 1930, as amended ("Act"), the Department received a properly filed NSR request during the semi-annual anniversary month of the antidumping duty order from Thuan An Production Trading & Services Co., Ltd. ("Tafishco"). Tafishco certified that it is both the producer and exporter of the subject merchandise upon which the request was based.

Pursuant to section 751(a)(2)(B)(i)(I) of the Act and 19 CFR 351.214(b)(2)(i), Tafishco certified that it did not export subject merchandise to the United States during the period of investigation ("POI"). In addition, pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), Tafishco certified that, since the initiation of the investigation, it has never been affiliated with any Vietnamese exporter or producer who exported subject merchandise to the United States during the POI, including those respondents not individually examined during the POI. As required by 19 CFR 351.214(b)(2)(iii)(B), Tafishco also certified that its export activities were not controlled by the central government of Vietnam.

In addition to the certifications described above, pursuant to 19 CFR 351.214(b)(2)(iv)(A), (B) and (C), Tafishco submitted documentation establishing the following: (1) The date on which Tafishco first shipped subject merchandise for export to the United States; (2) the volume of its first shipment; and (3) the date of its first sale to an unaffiliated customer in the United States.

The Department conducted U.S. Customs and Border Protection ("CBP") database queries in an attempt to confirm that Tafishco's shipments of subject merchandise had entered the United States for consumption and that liquidation of such entries had been properly suspended for antidumping duties. The Department also examined whether the CBP data confirmed that such entries were made during the NSR POR. The information we examined was consistent with that provided by Tafishco.