

For more information contact Yvette Springer on (202) 482–2813.

Dated: October 15, 2015.

**Yvette Springer,**

*Committee Liaison Officer.*

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**BILLING CODE P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–848]

#### **Freshwater Crawfish Tail Meat From the People’s Republic of China: Initiation of Antidumping Duty New Shipper Review**

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

**SUMMARY:** The Department of Commerce (the Department) is initiating a new shipper review (NSR) of the antidumping duty order on freshwater crawfish tail meat from the People’s Republic of China (PRC) with respect to Hubei Qianjiang Huashan Aquatic Food and Product Co., Ltd. (Hubei Qianjiang).

**DATES:** Effective Date: October 21, 2015.

**FOR FURTHER INFORMATION CONTACT:** Hermes Pinilla, AD/CVD Operations Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; Telephone: (202) 482–3477.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The antidumping duty order on freshwater crawfish tail meat from the PRC published in the **Federal Register** on September 15, 1997.<sup>1</sup> Pursuant to section 751(a)(2)(B)(i) of the Tariff Act of 1930, as amended (the Act), we received a timely request for a NSR of the order from Hubei Qianjiang.<sup>2</sup> Hubei Qianjiang certified that it is both the producer and exporter of the subject merchandise upon which the request was based.<sup>3</sup>

Pursuant to section 751(a)(2)(B)(i)(I) of the Act and 19 CFR 351.214(b)(2)(i), Hubei Qianjiang certified that it did not export subject merchandise to the United States during the period of

investigation (POI).<sup>4</sup> In addition, pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), Hubei Qianjiang certified that, since the initiation of the investigation, it has never been affiliated with any exporter or producer who exported subject merchandise to the United States during the POI, including those respondents not individually examined during the POI.<sup>5</sup> As required by 19 CFR 351.214(b)(2)(iii)(B), Hubei Qianjiang also certified that its export activities were not controlled by the government of the PRC.<sup>6</sup>

In addition to the certifications described above, pursuant to 19 CFR 351.214(b)(2), Hubei Qianjiang submitted documentation establishing the following: (1) The date on which it 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.<sup>7</sup>

##### **Period of Review**

The period of review (POR) for this NSR is September 1, 2014, through August 31, 2015.

##### **Initiation of New Shipper Review**

Pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214(d)(1), the Department finds that the request from Hubei Qianjiang meets the threshold requirements for initiation of a NSR for shipments of freshwater crawfish tail meat from the PRC produced and exported by Hubei Qianjiang.<sup>8</sup>

Unless extended, the Department intends to issue the preliminary results of this NSR no later than 180 days from the date of initiation and final results of the review no later than 90 days after the date the preliminary results are issued.<sup>9</sup> It is the Department’s usual practice, in cases involving non-market economy countries, to require 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. Accordingly, we will issue a questionnaire to Hubei Qianjiang which will include a section requesting

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> See Hubei Qianjiang’s new shipper request at Attachments 1 and 2.

<sup>8</sup> See the memorandum to the file entitled “Freshwater crawfish tail meat from the People’s Republic of China: Initiation Checklist for Antidumping Duty New Shipper Review of Hubei Qianjiang Huashan Aquatic Food and Product Co., Ltd.” dated concurrently with this notice.

<sup>9</sup> See section 751(a)(2)(B)(iv) of the Act.

information concerning its eligibility for a separate rate. The NSR of Hubei Qianjiang will be rescinded if the Department determines that Hubei Qianjiang has not demonstrated that it is eligible for a separate rate.

We will instruct U.S. Customs and Border Protection 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 each entry of the subject merchandise from Hubei Qianjiang in accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e). Because Hubei Qianjiang certified that it produced and exported subject merchandise, the sale of which is the basis for the request for a NSR, we will apply the bonding privilege to Hubei Qianjiang only for subject merchandise which was produced and exported by Hubei Qianjiang.

To assist in its analysis of the *bona fides* of Hubei Qianjiang’s sales, upon initiation of this NSR, the Department will require Hubei Qianjiang 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 proprietary information in the NSR should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are published in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).

Dated: October 15, 2015.

**Christian Marsh,**

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–018]

#### **Boltless Steel Shelving Units Prepackaged for Sale From the People’s Republic of China: Antidumping Duty Order**

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

**SUMMARY:** Based on affirmative final determinations by the Department of Commerce (the “Department”) and the International Trade Commission (“ITC”), the Department is issuing an

antidumping duty order on boltless steel shelving units prepackaged for sale from the People's Republic of China ("PRC").

**DATES:** Effective date: October 21, 2015.

**FOR FURTHER INFORMATION CONTACT:**

Kabir Archuleta or Irene Gorelik, 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) 482-6905, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On August 26, 2015, the Department published the final determination of sales at less than fair value in the antidumping duty investigation of boltless steel shelving units prepackaged for sale from the PRC.<sup>1</sup> On October 7, 2015, the ITC notified the Department of its final determination pursuant to section 735(b)(1)(A)(i) of the Tariff Act of 1930, as amended ("the Act"), that an industry in the United States is materially injured or threatened with material injury by reason of imports of boltless steel shelving units prepackaged for sale from the PRC.<sup>2</sup>

**Scope of the Order**

The scope of this order covers boltless steel shelving units prepackaged for sale, with or without decks ("boltless steel shelving"). The term "prepackaged for sale" means that, at a minimum, the steel vertical supports (*i.e.*, uprights and posts) and steel horizontal supports (*i.e.*, beams, braces) necessary to assemble a completed shelving unit (with or without decks) are packaged together for ultimate purchase by the end-user. The scope also includes add-on kits. Add-on kits include, but are not limited to, kits that allow the end-user to add an extension shelving unit onto an existing boltless steel shelving unit such that the extension and the original unit will share common frame elements (*e.g.*, two posts). The term "boltless" refers to steel shelving in which the vertical and

horizontal supports forming the frame are assembled primarily without the use of nuts and bolts or screws. The vertical and horizontal support members for boltless steel shelving are assembled by methods such as, but not limited to, fitting a rivet, punched or cut tab or other similar connector on one support into a hole, slot or similar receptacle on another support. The supports lock together to form the frame for the shelving unit, and provide the structural integrity of the shelving unit separate from the inclusion of any decking. The incidental use of nuts and bolts or screws to add accessories, wall anchors, tie-bars or shelf supports does not remove the product from scope. Boltless steel shelving units may also come packaged as partially assembled, such as when two upright supports are welded together with front-to-back supports, or are otherwise connected, to form an end unit for the frame. The boltless steel shelving covered by this order may be commonly described as rivet shelving, welded frame shelving, slot and tab shelving, and punched rivet (quasi-rivet) shelving as well as by other trade names. The term "deck" refers to the shelf that sits on or fits into the horizontal supports (beams or braces) to provide the horizontal storage surface of the shelving unit.

The scope includes all boltless steel shelving meeting the description above, regardless of (1) vertical support or post type (including but not limited to open post, closed post and tubing); (2) horizontal support or beam/brace profile (including but not limited to Z-beam, C-beam, L-beam, step beam and cargo rack); (3) number of supports; (4) surface coating (including but not limited to paint, epoxy, powder coating, zinc and other metallic coating); (5) number of levels; (6) weight capacity; (7) shape (including but not limited to rectangular, square, and corner units); (8) decking material (including but not limited to wire decking, particle board, laminated board or no deck at all); or (9) the boltless method by which vertical and horizontal supports connect (including but not limited to keyhole and rivet, slot and tab, welded frame, punched rivet and clip).

Specifically excluded from the scope are:

- Wall-mounted shelving, defined as shelving that is hung on the wall and does not stand on, or transfer load to, the floor;<sup>3</sup>

<sup>3</sup> The addition of a wall bracket or other device to attach otherwise freestanding subject merchandise to a wall does not meet the terms of this exclusion.

- wire shelving units, which consist of shelves made from wire that incorporates both a wire deck and wire horizontal supports (taking the place of the horizontal beams and braces) into a single piece with tubular collars that slide over the posts and onto plastic sleeves snapped on the posts to create the finished shelving unit;

- bulk-packed parts or components of boltless steel shelving units; and

- made-to-order shelving systems.

Subject boltless steel shelving enters the United States through Harmonized Tariff Schedule of the United States ("HTSUS") statistical subheadings 9403.20.0018, 9403.20.0020, 9403.20.0025, and 9403.20.0026, but may also enter through HTSUS 9403.10.0040. While HTSUS subheadings are provided for convenience and Customs purposes, the written description of the scope of this order is dispositive.

**Antidumping Duty Order**

In accordance with sections 735(b)(1)(A)(i) and 735(d) of the Act, the ITC has notified the Department of its final determination in this investigation, in which it found that imports of boltless steel shelving from the PRC are materially injuring or threatening material injury to a U.S. industry. Therefore, in accordance with section 735(c)(2) of the Act, we are publishing this antidumping duty order.

As a result of the ITC's final determination, in accordance with section 736(a)(1) of the Act, the Department will direct U.S. Customs and Border Protection ("CBP") to assess, upon further instruction by the Department, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price (or constructed export price) of the merchandise, for all relevant entries of boltless steel shelving from the PRC. These antidumping duties will be assessed on unliquidated entries from the PRC entered, or withdrawn from warehouse, for consumption on or after April 1, 2015, the date on which the Department published the *Preliminary Determination*,<sup>4</sup> but will not include entries occurring after the expiration of the provisional measures period and before publication of the ITC's final injury determination, as further described below.

<sup>4</sup> See *Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Preliminary Determination of Sales at Less Than Fair Value*, 80 FR 17409 (April 1, 2015) ("*Preliminary Determination*").

<sup>1</sup> See *Boltless Steel Shelving Units Prepackaged for Sale From the People's Republic of China: Final Determination of Sales at Less Than Fair Value*, 80 FR 51779 (August 26, 2015) ("*Final Determination*") and accompanying Issues and Decision Memorandum.

<sup>2</sup> See Letter to Christian Marsh, Deputy Assistant Secretary of Commerce for Enforcement and Compliance, from Meredith Broadbent, Chairman of the U.S. International Trade Commission, regarding boltless steel shelving units prepackaged for sale from the People's Republic of China (October 7, 2015). See also *Boltless Steel Shelving Units Prepackaged for Sale from China, Investigation Nos. 701-TA-523 and 731-TA-1259 (Final)*, 80 FR 61841 (October 14, 2015).

**Continuation of Suspension of Liquidation**

In accordance with section 735(c)(1)(B) of the Act, we will instruct CBP to continue to suspend liquidation on entries of subject merchandise from the PRC. We will also instruct CBP to require cash deposits equal to the estimated amount by which the normal value exceeds the U.S. price as indicated in the chart below, adjusted where appropriate for export subsidies and estimated domestic subsidy pass-through.<sup>5</sup> These instructions suspending liquidation will remain in effect until further notice.

Accordingly, effective on the date of publication of the ITC's final affirmative injury determination, CBP will require, at the same time as importers would normally deposit estimated duties on this subject merchandise, a cash deposit equal to the estimated weighted-average antidumping duty margins, adjusted where appropriate for export subsidies

and estimated domestic subsidy pass-through, as discussed above.<sup>6</sup> The "PRC-wide" rate applies to all exporters of subject merchandise not specifically listed.

**Provisional Measures**

Section 733(d) of the Act states that instructions issued pursuant to an affirmative preliminary determination may not remain in effect for more than four months except where exporters representing a significant proportion of exports of the subject merchandise request the Department to extend that four-month period to no more than six months. At the request of an exporter that accounted for a significant proportion of exports of boltless steel shelving from the PRC, we extended the four-month period to no more than six months.<sup>7</sup> In the underlying investigation, the Department published the *Preliminary Determination* on April 1, 2015. Therefore, the six-month period beginning on the date of the publication

of the *Preliminary Determination* ended on September 27, 2015. Furthermore, section 737(b) of the Act states that definitive duties are to begin on the date of publication of the ITC's final injury determination.

Therefore, in accordance with section 733(d) of the Act and our practice, we will instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of boltless steel shelving from the PRC entered, or withdrawn from warehouse, for consumption after September 27, 2015, the date the provisional measures expired, and through the day preceding the date of publication of the ITC's final injury determination in the **Federal Register**.

**Estimated Weighted-Average Dumping Margin**

The weighted-average antidumping duty margin percentages are as follows:

Exporter	Producer	Weighted-Average margin (percent)
Zhongda United Holding Group Co., Ltd .....	Jiaxing Zhongda Metalwork Co., Ltd .....	17.55
Jiaxing Zhongda Import & Export Co., Ltd .....	Jiaxing Zhongda Metalwork Co., Ltd .....	17.55
Ningbo ETDZ Huixing Trade Co., Ltd .....	Haifa (Ningbo) Office Equipment Co., Ltd .....	17.55
Ningbo ETDZ Huixing Trade Co., Ltd .....	Ningbo Decko Metal Products Trade Co., Ltd .....	17.55
Ningbo ETDZ Huixing Trade Co., Ltd .....	Lianfa Metal Product Co., Ltd .....	17.55
Meridian International Co., Ltd .....	Zhejiang Limai Metal Products Co., Ltd .....	17.55
Zhejiang Limai Metal Products Co., Ltd .....	Zhejiang Limai Metal Products Co., Ltd .....	17.55
HoiFat (NingBo) Office Facilities Co., Ltd .....	HoiFat (NingBo) Office Facilities Co., Ltd .....	17.55
PRC-Wide Entity (including Nanjing Topsun Racking Manufacturing Co., Ltd.) .....	.....	112.68

This notice constitutes the antidumping duty order with respect to boltless steel shelving from the PRC, pursuant to section 736(a) of the Act. Interested parties may contact the Department's Central Records Unit, Room B8024 of the main Commerce building, for copies of an updated list of antidumping duty orders currently in effect.

This order is published in accordance with sections 736(a) of the Act and 19 CFR 351.211(b).

Dated: October 15, 2015.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

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<sup>5</sup> See *Final Determination* 80 FR at 51781 (describing the adjustments to the AD duty margins in more detail); see also sections 772(c)(1)(C) and 777A(f) of the Act, respectively. Unlike in administrative reviews, the Department calculates the adjustment for export subsidies in investigations not in the margin calculation program, but in the cash deposit instructions issued to CBP. See, e.g., *Notice of Final Determination of*

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-570-979]

**Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the People's Republic of China: Preliminary Results of the Changed Circumstances Review**

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

**SUMMARY:** On March 18, 2015, the Department of Commerce (the "Department") initiated a changed circumstance review ("CCR") of the antidumping duty order on crystalline

silicon photovoltaic cells, whether or not assembled into modules ("solar cells"), from the People's Republic of China ("PRC") in response to a request from Neo Solar Power Corporation ("Neo Solar"), DelSolar Co., Ltd. ("DelSolar Taiwan"), and DelSolar (Wujiang) Ltd. ("DelSolar Wujiang").<sup>1</sup>

*Sales at Less Than Fair Value, and Negative Determination of Critical Circumstances: Certain Lined Paper Products from India*, 71 FR 45012 (August 8, 2006), and accompanying Issues and Decision Memorandum at Comment 1.

<sup>6</sup> See sections 736(a)(3), 772(c)(1)(C) and 777A(f) of the Act.

<sup>7</sup> See *Boltless Steel Shelving Units Prepackaged for Sale From the People's Republic of China:*

*Amended Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 80 FR 21207, 21208 (April 17, 2015).

<sup>1</sup> See *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China: Initiation of Changed Circumstances Review*, 80 FR 15568 (March 24, 2015) ("Initiation Notice"). We note that although