

Qingdao Blueshell Import & Export Corp
 Qingdao Fujing Group Co., Ltd
 Qingdao Huierde International Trade Co., Ltd
 RHI Refractories (Dalian) Co., Ltd
 RHI Refractories Liaoning Co., Ltd
 RHI Trading Shanghai Branch
 RHI Trading (Dalian) Co., Ltd
 Rongyuan Magnesite Co., Ltd. of Dashiqiao City
 Shandong Cambridge International Trade Inc
 Shandong Lunai Kiln Refractories Co., Ltd
 Shandong Refractories Corp
 Shanxi Dajin International (Group) Co., Ltd
 Shanxi Xinrong International Trade Co. Ltd
 Shenyang Yi Xin Sheng Lai Refractory Materials Co., Ltd
 Shinagawa Rongyuan Refractories Co., Ltd
 Sinosteel Corporation
 SMMC Group Co., Ltd
 Tangshan Success Import & Export Trading Co., Ltd
 Tianjin New Century Refractories, Ltd
 Tianjin New World Import & Export Trading Co., Ltd
 Tianjin Weiyuan Refractory Co., Ltd
 Vesuvius Advanced Ceramics (Suzhou) Co. Ltd
 Wonjin Refractories Co., Ltd
 Xiyuan Xingquan Forsterite Co., Ltd
 Yanshi City Guangming High-Tech Refractories Products Co., Ltd
 YHS Minerals Co., Ltd
 Yingkou Bayuquan Refractories Co., Ltd
 Yingkou Dalmond Refractories Co., Ltd
 Yingkou Guangyang Refractories Co., Ltd
 Yingkou Guangyang Refractories Co., Ltd. (YGR)
 Yingkou Heping Samwha Minerals Co., Ltd
 Yingkou Jiahe Refractories Co., Ltd
 Yingkou Jinlong Refractories Group
 Yingkou Kyushu Refractories Co., Ltd
 Yingkou New Century Refractories Ltd
 Yingkou Qinghua Group Imp. & Exp. Co., Ltd
 Yingkou Qinghua Refractories Co., Ltd
 Yingkou Sanhua Refractory Materials Co., Ltd
 Yingkou Tianrun Refractory Co., Ltd
 Yingkou Wonjin Refractory Material Co., Ltd
 Yingkou Yongji Mag Refractory, Ltd
 Yixing Runlong Trade Co., Ltd
 Yixing Xinwei Leeshing Refractory Materials Co., Ltd
 Yixing Zhenqiu Charging Ltd
 Zhejiang Changxing Guangming Special Refractory Material Foundry, Co., Ltd
 Zhejiang Deqing Jinlei Refractory Co., Ltd
 Zhejiang Huzhou Fuzilin Refractory Metals Group Co., Ltd
 Zhengzhou Annc Industrial Co., Ltd
 Zhengzhou Huachen Refractory Co., Ltd
 Zhengzhou Huawei Refractories Co., Ltd
 Zibo Lianzhu Refractory Materials Co., Ltd

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-831]

Fresh Garlic From the People's Republic of China: Final Results of the Semiannual Antidumping Duty New Shipper Review of Jinxiang Merry Vegetable Co., Ltd. and Cangshan Qingshui Vegetable Foods Co., Ltd.; 2012-2013

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

SUMMARY: On May 20, 2014, the Department of Commerce (Department) published its preliminary results of the 2012-2013 semiannual new shipper review of the antidumping duty order on fresh garlic from the People's Republic of China (PRC).¹ This review covers two companies: Jinxiang Merry Vegetable Co., Ltd. (Merry) and Cangshan Qingshui Vegetable Foods Co., Ltd. (Qingshui). We invited interested parties to comment. Based on our analysis of the comments received, we made no changes to the margin calculations for these final results. We continue to find that each of these companies sold subject merchandise at less than normal value.

DATED: *Effective Date:* October 16, 2014.

FOR FURTHER INFORMATION CONTACT: Sean Carey and Hilary E. Sadler, Esq., AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-3964 and (202) 482-4340, respectively.

Background

On May 20, 2014, the Department published the *Preliminary Results* of this new shipper review.² The review covers two new shippers, Merry and Qingshui. The period of review (POR) is November 1, 2012, through April 30, 2013. On June 19, 2014, the respondents requested a hearing and submitted a joint case brief. Petitioners³ did not file a case brief. On June 24, 2014,

¹ See *Fresh Garlic From the People's Republic of China: Preliminary Results of the New Shipper Review of Jinxiang Merry Vegetable Co., Ltd. and Cangshan Qingshui Vegetable Foods Co., Ltd.*, 79 FR 28895 (May 20, 2014) and its accompanying Issues and Decision Memorandum (*Preliminary Results*).

² *Id.*

³ Petitioners in this new shipper review are the Fresh Garlic Producers Association and its individual members: Christopher Ranch L.L.C., The Garlic Company, Valley Garlic, and Vessey and Company, Inc.

petitioners submitted rebuttal comments. On June 30, petitioners submitted timely comments on the calculations of the preliminary results.⁴ On July 23, 2014, the Department extended the deadline for these final results to October 10, 2014, in accordance with section 751(a)(2)(B) of Tariff Act of 1930, as amended (the Act) and 19 CFR 351.214(i)(2).⁵ On September 4, 2014, the Department held a public hearing regarding this review.

Scope of the Order

The products subject to this antidumping duty order are all grades of garlic, whole or separated into constituent cloves, whether or not peeled, fresh, chilled, frozen, provisionally preserved, or packed in water or other neutral substance, but not prepared or preserved by the addition of other ingredients or heat processing. Fresh garlic that are subject to the order are currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) 0703.20.0010, 0703.200020, 0703.20.0090, 0710.80.7060, 0710.80.9750, 0711.90.6000, and 2005.90.9700. Although the HTSUS numbers are provided for convenience and customs purposes, the written product description remains dispositive. A full description of the scope of the order is contained in the Issues and Decision Memorandum dated concurrently with, and hereby adopted by, this notice.⁶

Analysis of Comments Received

All issues raised in the case and rebuttal briefs are addressed in the Issues and Decision Memorandum. A list of the issues that are raised in the briefs and addressed in the Issues and Decision Memorandum is in the appendix of this notice. The Issues and Decision Memorandum is a public

⁴ See Letter from petitioners, "21st New Shipper Review of Fresh Garlic from the People's Republic of China—Petitioners' Comments on Surrogate Value Workbook," dated June 30, 2014.

⁵ See Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations from Hilary E. Sadler, Esq., Senior International Trade Compliance Analyst, Office VII, Antidumping and Countervailing Duty Operations, "Fresh Garlic from the People's Republic of China: Extension of Deadline for the Final Results of the Reviews of Cangshan Qingshui Vegetable Foods Co., Ltd. and Jinxiang Merry Vegetable Foods Co., Ltd." dated July 23, 2014.

⁶ See Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, regarding "Issues and Decision Memorandum for the Final Results of 2011-2012 Antidumping Duty Administrative Review of Fresh Garlic from the People's Republic of China," issued concurrently with this notice (Issues and Decision Memorandum).

document and is made available to the public via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at <https://iaaccess.trade.gov>, and is available to all parties in the Department's Central Records Unit,

located in Room 7046 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be found at <http://enforcement.trade.gov/frn/>. The signed and the electronic versions of the Issues and Decision Memorandum are identical in content.

Changes Since the Preliminary Results

The Department made no changes to the margin calculations since the *Preliminary Results*.

Final Results of Review

The Department determines that the following weighted-average dumping margins exist for the POR:

Exporter/producer	Weighted average margin (dollars per kilogram)
Jinxiang Merry Vegetable Co., Ltd	\$3.33
Cangshan Qingshui Vegetable Foods Co., Ltd	3.06

Disclosure and Public Comment

Normally, the Department discloses to interested parties the calculations performed in connection with the final results of review within five days after the date of publication of the notice of final results in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because the Department made no changes to the margin calculations for either respondent, in accordance with section 776 of the Act, there are no calculations to disclose. Accordingly, the issues pertaining to the rates assigned in these final results are discussed in the *Preliminary Results* and the Issues and Decision Memorandum.

Assessment Rates

The Department will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1). The Department intends to issue assessment instructions to CBP 15 days after the publication date of these final results of review. For Merry and Qingshui, we are calculating importer- (or customer-) specific assessment rates for the merchandise subject to this review. For any individually-examined respondent whose weighted-average dumping margin is above *de minimis*, the Department will calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales and the total entered value of sales.⁷ For Merry and Qingshui, we will instruct CBP to assess an antidumping duty assessment rate of \$3.33 per

kilogram and \$3.06 per kilogram, respectively, on all entries of subject merchandise that entered the United States during the POR.

The Department recently announced a refinement to its assessment practice in NME cases.⁸ Pursuant to this refinement in practice, for entries that were not reported in the U.S. sales databases submitted by companies individually examined during this review, but that entered under the case number of that exporter (*i.e.*, at the individually-examined exporter's cash deposit rate), the Department will instruct CBP to liquidate such entries at the PRC-wide rate. In addition, if the Department determines that an exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (*i.e.*, at that exporter's rate) will be liquidated at the PRC-wide rate of \$4.71 per kilogram.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this review for shipments of subject merchandise from Merry and Qingshui entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For subject merchandise produced and exported by the companies listed above, the cash deposit rate will be the rate established in these final results of review for each company as listed above; and (2) for subject merchandise exported by one of the companies listed above that was not produced by that company, the cash deposit rate will be that for the PRC-wide entity. These deposit requirements shall remain in effect until further notice.

Notification to Importers

This notice serves as final reminder to importers 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 POR. Failure to comply with this requirement could result in the Secretary of Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Return or Destruction of Proprietary Information

This notice serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of business proprietary information disclosed under the APO in accordance with 19 CFR 351.305(a)(3). We request timely written notification of return or destruction of APO materials or conversion to judicial protective order. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This notice is issued and published this notice in accordance with sections 751(a)(2)(B) and 777(i) of the Act, and 19 CFR 351.214.

Dated: October 8, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

Summary
Background
Scope of the Order
Discussion of the Issues
Comment 1: Selection of the Surrogate Country

A. Three-Prong Analysis to the Surrogate Country Selection

1. Economic Comparability

⁷ See *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification*, 77 FR 8101 (February 14, 2012).

⁸ See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011).

2. Significant Producer of Comparable Merchandise
3. Quality and Public Availability of Data
- B. General Challenge to the Surrogate Country Selection in the Preliminary Results

Comment 2: Adjusting Surrogate Values to Reflect Direct Packing Materials Recommendation

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DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Judges Panel of the Malcolm Baldrige National Quality Award

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of closed meeting.

SUMMARY: The Judges Panel of the Malcolm Baldrige National Quality Award (Judges Panel) will meet in closed session Monday through Friday, November 3–7, 2014, from 8:30 a.m. until 5:30 p.m. Eastern Time each day. The purpose of this meeting is to review recommendations from site visits, and recommend 2014 Malcolm Baldrige National Quality Award recipients. The meeting is closed to the public in order to protect the proprietary data to be examined and discussed at the meeting.

DATES: The meeting will be held Monday through Friday, November 3–7, 2014, from 8:30 a.m. until 5:30 p.m. Eastern Time each day. The entire meeting will be closed to the public.

ADDRESSES: The meeting will be held at the National Institute of Standards and Technology, Administration Building, Gaithersburg, Maryland 20899.

FOR FURTHER INFORMATION CONTACT: Robert Fangmeyer, Director, Baldrige Performance Excellence Program, National Institute of Standards and Technology, Gaithersburg, Maryland 20899, telephone number (301) 975-4781, email robert.fangmeyer@nist.gov.

SUPPLEMENTARY INFORMATION:

Authority: 15 U.S.C. 3711a(d)(1) and the Federal Advisory Committee Act, as amended, 5 U.S.C. App.

Pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. app., notice is hereby given that the Judges Panel will meet on Monday through Friday, November 3–7, 2014, from 8:30 a.m. until 5:30 p.m. Eastern Time each day. The Judges Panel is composed of twelve members, appointed by the Secretary of Commerce, chosen for their familiarity

with quality improvement operations and competitiveness issues of manufacturing companies, service companies, small businesses, health care providers, and educational institutions. Members are also chosen who have broad experience in for-profit and nonprofit areas. The purpose of this meeting is to review recommendations from site visits, and recommend 2014 Malcolm Baldrige National Quality Award recipients. The meeting is closed to the public in order to protect the proprietary data to be examined and discussed at the meeting.

The Chief Financial Officer and Assistant Secretary for Administration, with the concurrence of the Assistant General Counsel for Administration, formally determined on March 25, 2014, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended by Section 5(c) of the Government in Sunshine Act, Public Law 94-409, that the meeting of the Judges Panel may be closed to the public in accordance with 5 U.S.C. 552b(c)(4) because the meeting is likely to disclose trade secrets and commercial or financial information obtained from a person which is privileged or confidential; and 5 U.S.C. 552b(c)(9)(b) [sic] because for a government agency the meeting is likely to disclose information that could significantly frustrate implementation of a proposed agency action. The meeting, which involves examination of current Award applicant data from U.S. organizations and a discussion of these data as compared to the Award criteria in order to recommend Award recipients, will be closed to the public.

Dated: October 8, 2014.

Philip Singerman,

Associate Director for Innovation and Industry Services.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XD269

Taking of Threatened or Endangered Marine Mammals Incidental to Commercial Fishing Operations; Issuance of Permit

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice.

SUMMARY: In accordance with the Marine Mammal Protection Act

(MMPA), NMFS hereby issues a permit for a period of three years to authorize the incidental, but not intentional, taking of individuals of three stocks of marine mammals listed as threatened or endangered under the Endangered Species Act (ESA) by vessels involved in the Hawaii deep-set and shallow-set longline fisheries: the endangered humpback whale, (*Megaptera novaeangliae*), Central North Pacific stock; sperm whale, (*Physeter macrocephalus*), Hawaii stock; and false killer whale, (*Pseudorca crassidens*), Main Hawaiian Islands insular false killer whale (MHI IFKW) stock.

DATES: This permit is effective for a three-year period beginning October 16, 2014.

ADDRESSES: Reference material for this permit, including the negligible impact determination (NID) and a list of references cited in this notice, is available on the Internet at the following address: http://www.fpir.noaa.gov/DIR/dir_public_documents.html. Recovery plans for these species are available on the Internet at the following address: <http://www.nmfs.noaa.gov/pr/recovery/plans.htm#mammals>. Information on the False Killer Whale Take Reduction Plan is available on the Internet at the following address: http://www.fpir.noaa.gov/PRD/prd_FKW_take_reduction_team.html. Copies of the reference materials may also be obtained from the NMFS Pacific Islands Regional Office, Protected Resources Division, 1845 Wasp Blvd., Building 176, Honolulu, HI 96818.

FOR FURTHER INFORMATION CONTACT: Dawn Golden, NMFS Pacific Islands Region, (808) 725-5144, or Shannon Bettridge, NMFS Office of Protected Resources, (301) 427-8402.

SUPPLEMENTARY INFORMATION:

Background

Section 101(a)(5)(E) of the Marine Mammal Protection Act (MMPA), 16 U.S.C. 1361 *et seq.*, states that NOAA's National Marine Fisheries Service (NMFS), as delegated by the Secretary of Commerce, shall for a period of up to three years allow the incidental taking of marine mammal species listed under the Endangered Species Act (ESA), 16 U.S.C. 1531 *et seq.*, by persons using vessels of the United States and those vessels which have valid fishing permits issued by the Secretary in accordance with section 204(b) of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1824(b), while engaging in commercial fishing operations, if NMFS makes certain determinations. NMFS must determine, after notice and opportunity for public