

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of a Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by a Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby a Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from a Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from a Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by a Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by a Denied Person, if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, in addition to the Related Person named above, after notice and opportunity for comment as provided in section 766.23 of the Regulations, any other individual, firm, corporation, or other association or organization or other person related to a Denied Person by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order if necessary to prevent evasion of this Order.

Fourth, in accordance with Part 756 and Section 766.25(g) of the Regulations, Maple Pacific may file an appeal of the issuance of this Order against it with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must

comply with the provisions of Part 756 of the Regulations.

Fifth, in accordance with Part 756 and Section 766.23(c) of the Regulations, Hsu may file an appeal of naming him as a related person in this Order with the Under Secretary of Commerce for Industry and Security. This appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Sixth, a copy of this Order shall be provided to Maple Pacific and Hsu and shall be published in the **Federal Register**.

Seventh, this Order is effectively immediately and shall remain in effect until February 6, 2022.

Issued this 5th day of February, 2015.

**Thomas Andrukonis,**

*Acting Director, Office of Exporter Services.*

[FR Doc. 2015-02912 Filed 2-11-15; 8:45 am]

**BILLING CODE 4**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-552-801]

#### **Certain Frozen Fish Fillets From the Socialist Republic of Vietnam: Notice of Court Decisions Not in Harmony With Final Results of Administrative and New Shipper Reviews and Notice of Amended Final Results of Antidumping Duty Administrative Review**

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

**SUMMARY:** On December 18, 2014, the United States Court of International Trade ("the Court") issued final judgments in *Catfish Farmers of America et al. v. United States*, Consol. Court No. 11-00109 and *Catfish Farmers of America et al. v. United States*, Court No. 11-00110, sustaining the Department of Commerce's ("the Department") AR6 Remand final results which included an aligned new shipper review.<sup>1</sup> On December 19, 2014, the Court issued final judgment in *Catfish Farmers of America et al. v. United States*, Court No. 11-00252, sustaining the Department's NSR7 Remand final results.<sup>2</sup> In the AR6 Remand, the

<sup>1</sup> See Final Results Of Redetermination Pursuant To Court Remand, Consol. Court Nos. 11-00109 and 11-00110, Slip Ops. 13-63 and 13-64 (CIT May 23, 2013), dated January 17, 2014, ("AR6 Remand") available at <http://enforcement.trade.gov/remands/13-63&64.pdf>.

<sup>2</sup> See Final Results Of Redetermination Pursuant To Court Remand, Consol. Court No. 11-00252, Slip

Department recalculated the weighted-average dumping margin for Vinh Hoan Corporation ("Vinh Hoan") using revised surrogate values for by-products (fish waste, broken meat, and fish skin) and made adjustments for the inventory changes in the surrogate financial statements.<sup>3</sup> Because Vinh Hoan's margin is now above *de minimis*, it also becomes the margin for those companies not individually examined but receiving a separate rate.<sup>4</sup> The margins for the voluntary respondent Vinh Quang Fisheries Corporation ("Vinh Quang") and the new shipper Cuu Long Fish Joint Stock Company ("CL-Fish") did not change and remain *de minimis*.

In the NSR 7 Remand, the Department recalculated the weighted-average dumping margin for IDI Corporation ("IDI") and Thien Ma Seafood Company ("THIMACO") using revised surrogate values for by-products (fish waste, broken meat and fish skin).<sup>5</sup> However, the margins for IDI and THIMACO did not change and remain *de minimis*.

Consistent with the decision of the United States Court of Appeals for the Federal Circuit ("CAFC") in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) ("*Timken*"), as clarified by *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) ("*Diamond Sawblades*"), the Department is notifying the public that the final judgment in these cases is not in harmony with the Department's final results of the antidumping duty administrative and new shipper reviews of the antidumping duty order on certain frozen fish fillets from the Socialist Republic of Vietnam ("Vietnam") covering the period of review August 1, 2008, through July 31, 2009 ("AR6 POR"), and August 1, 2009, through February 15, 2010 ("NSR7 POR"). With respect to the AR6 POR, the Department is amending the final results with respect to the weighted-average dumping margins for Vinh Hoan, Agifish, ESS LLC and South

Op. 13-91 (CIT July 22, 2013), dated January 17, 2014, ("NSR7 Remand") available at <http://enforcement.trade.gov/remands/13-91.pdf>.

<sup>3</sup> See AR6 Remand at 41-46. As we explain below, the Department's recalculation of these surrogate values now yields an above *de minimis* weighted-average dumping margin for Vinh Hoan. Thus, consistent with our practice, the Department has amended the final results with respect to Vinh Hoan.

<sup>4</sup> These companies include: 1) An Giang Fisheries Import and Export Joint Stock Company (aka Agifish or An Giang Fisheries Import and Export); 2) East Sea Seafoods Limited Liability Company (formerly known as East Sea Seafoods Joint Venture Co., Ltd.) ("ESS LLC"); and 3) Southern Fishery Industries Co., Ltd. ("South Vina").

<sup>5</sup> See NSR7 Remand at 39-41.

Vina.<sup>6</sup> As the rates did not change for the new shipper reviews, the Department is not amending those final results.

**DATES:** *Effective Date:* December 29, 2014.

**FOR FURTHER INFORMATION CONTACT:** Javier Barrientos, 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) 482-2243.

**SUPPLEMENTARY INFORMATION:**

**Background**

On March 22, 2011, the Department issued *AR6 Final Results*.<sup>7</sup> Vinh Hoan and Petitioners<sup>8</sup> timely filed complaints with the Court and challenged certain aspects of the *AR6 Final Results*. On May 23, 2013, the Court remanded the Department's *AR6 Final Results* and instructed the Department to reconsider each of the following issues: (1) Surrogate country selection; (2) the surrogate values for by-products (fish waste, broken meat and fish skin); (3) alleged subsidies in one of the surrogate financial statements; and (4) ministerial allegations and effects on margins.<sup>9</sup>

On June 17, 2011, the Department issued *NSR7 Final Results*.<sup>10</sup> IDI and THIMACO and Petitioners timely filed complaints with the Court and challenged certain aspects of the *NSR7 Final Results*. On July 22, 2013, the Court remanded the Department's *NSR7 Final Results* and instructed the Department to reconsider each of the following issues: (1) Surrogate country selection; and (2) the surrogate values

for by-products (fish waste, broken meat and fish skin).<sup>11</sup>

On January 17, 2014, the Department filed the AR6 Remand and NSR7 Remand with the Court. With regard to the AR6 Remand and NSR7 Remand issues stated above, first, the Department maintained the selection of Bangladesh as the primary country. Second, the Department selected different surrogate values for the fish waste, broken meat, and fish skin by-products. With regard to the AR6 Remand only, the Department continued to use the same financial statements to calculate the surrogate financial ratios because the record did not contain evidence to provide a reason to believe or suspect that a countervailable subsidy was received during the relevant financial period. In addition, we accounted for all calculation changes as a result of the original ministerial error allegations and addressed the issues raised by the Court regarding the financial statements.

As a result, there are calculation changes due to selecting different by-product surrogate values and making an adjustment for the inventory changes in the financial statements. With regard to the AR6 Remand, after accounting for all such changes and issues, the resulting antidumping margin for the only mandatory respondent, Vinh Hoan, is \$0.06 per kilogram. Because Vinh Hoan's margin is now above *de minimis*, it would also become the margin for those companies not individually examined, but receiving a separate rate. The margins for the voluntary respondent Vinh Quang and the new shipper CL-Fish did not change and remain *de minimis*. On December 18,

2014, the Court entered judgments sustaining the AR6 Remand.<sup>12</sup>

With regard to the NSR7 Remand, after accounting for all such changes and issues, the resulting antidumping margins for IDI and THIMACO remain *de minimis*. On December 19, 2014, the Court entered judgment sustaining the Remand.<sup>13</sup>

**Timken Notice**

In its decision in *Timken*, 893 F.2d at 341, as clarified by *Diamond Sawblades*, the CAFC held that, pursuant to section 516A(e) of the Tariff Act of 1930, as amended ("the Act"), the Department must publish a notice of a court decision that is not "in harmony" with a Department determination and must suspend liquidation of entries pending a "conclusive" court decision. The Court's December 18, 2014, judgment sustaining the AR6 Remand constitutes a final decision of the Court that is not in harmony with the Department's *AR6 Final Results*. In addition, the Court's December 19, 2014, judgment sustaining the NSR 7 Remand constitutes a final decision of the Court that is not in harmony with the Department's *NSR7 Final Results*. This notice is published in fulfillment of the publication requirement of *Timken*.

**Amended Final Results**

Because there is now a final court decision, the Department is amending the *AR6 Final Results* with respect to Vinh Hoan, Agifish, ESS LLC, and South Vina. The revised weighted-average dumping margins for these exporters during the period April 1, 2009, through March 31, 2010, follow:

Exporter name	Weighted average dumping margin (dollars per kilogram)
Vinh Hoan Corporation .....	0.06
An Giang Fisheries Import and Export Joint Stock Company (aka Agifish or An Giang Fisheries Import and Export) .....	0.06
East Sea Seafoods Limited Liability Company (formerly known as East Sea Seafoods Joint Venture Co., Ltd.) ..	0.06
Southern Fishery Industries Co., Ltd .....	0.06

Accordingly, the Department will continue the suspension of liquidation of the subject merchandise pending the

expiration of the period of appeal or, if appealed, pending a final and conclusive court decision. In the event

the Court's ruling is not appealed or, if appealed, upheld by the CAFC, the Department will instruct U.S. Customs

<sup>6</sup> See *Certain Frozen Fish Fillets from the Socialist's Republic of Vietnam: Final Results of the Sixth Antidumping Duty Administrative Review and Sixth New Shipper Review*, 76 FR 15941 (March 22, 2011) ("AR6 Final Results") and the accompanying Issues and Decision Memorandum.

<sup>7</sup> *Id.*

<sup>8</sup> Catfish Farmers of America and the following 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. (collectively, "Petitioners").

<sup>9</sup> See *Catfish Farmers of America et al. v. United States*, Court No. 11-00109, Slip Op. 13-63 (CIT May 23, 2013).

<sup>10</sup> See *Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Final Results of the Antidumping Duty New Shipper Reviews*, 76 FR 35403 (June 17, 2011) ("NSR7 Final Results").

<sup>11</sup> See *Catfish Farmers of America et al. v. United States*, Court No. 11-00252, Slip Op. 13-91 (CIT July 22, 2013).

<sup>12</sup> See *Catfish Farmers of America et al. v. United States*, Court No. 11-00109, Slip. Op. 14-144 (CIT December 18, 2014); and *Catfish Farmers of America et al. v. United States*, Court No. 11-00110, Slip. Op. 14-145 (CIT December 18, 2014).

<sup>13</sup> See *Catfish Farmers of America et al. v. United States*, Court No. 11-00252, Slip. Op. 14-149 (CIT December 19, 2014).

and Border Protection to assess antidumping duties on unliquidated entries of subject merchandise exported by Vinh Hoan, Agifish, ESS LLC, and South Vina using the assessment rate calculated by the Department in the Remand and listed above.

### Cash Deposit Requirements

The cash deposit rate will remain the respondent-specific rate established for the subsequent and most-recent period during which the respondent was reviewed. The cash deposit rate for the Vietnam-wide entity, which is 2.39 U.S. dollars per kilogram, is the rate established for the subsequent and most-recent period during which the Vietnam-wide entity, including ESS LLC, was reviewed.<sup>14</sup>

### Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(e), 751(a)(1), and 777(i)(1) of the Act.

Dated: February 3, 2015.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2015-02973 Filed 2-11-15; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-970]

### Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review: Multilayered Wood Flooring From the People's Republic of China

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

**SUMMARY:** The Department of Commerce ("the Department") preliminarily determines that Zhejiang Fuma Warm Technology Co., Ltd. ("Zhejiang Fuma") is the successor-in-interest to Huzhou Fuma Wood Bus. Co., Ltd. ("Huzhou Fuma") for purposes of the antidumping duty order on multilayered wood flooring from the People's Republic of China ("PRC") and, as such, is entitled to Huzhou Fuma's cash deposit rate

with respect to entries of subject merchandise. Interested parties are invited to comment on this preliminary determination.

**DATES:** *Effective Date:* February 12, 2015.

### FOR FURTHER INFORMATION CONTACT:

James Martinelli or Krisha Hill, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-2923 or (202) 482-4037, respectively.

### SUPPLEMENTARY INFORMATION:

#### Background

On November 24, 2014, Zhejiang Fuma requested that the Department initiate an expedited changed circumstances review to confirm that Zhejiang Fuma is the successor-in-interest to Huzhou Fuma for purposes of determining antidumping duty liabilities.<sup>1</sup> We received no comments opposing Zhejiang Fuma's request.

On December 22, 2014, the Department extended the time period for determining whether to initiate a changed circumstances review by an additional 30 days, until February 7, 2015.<sup>2</sup>

On December 31, 2014 and January 20, 2015, Zhejiang Fuma responded to supplemental questionnaires issued by the Department.<sup>3</sup>

#### Scope of the Order

The merchandise covered by the order includes multilayered wood flooring, subject to certain exceptions.<sup>4</sup>

<sup>1</sup> See Letter from Zhejiang Fuma to the Department regarding, "Multilayered Wood Flooring from the People's Republic of China: Request for Expedited Changed Circumstances Review" (November 24, 2014) ("CCR Request").

<sup>2</sup> See Letter from Abdelali Elouaradia, Director, Office IV, AD/CVD Operations, to Zhejiang Fuma, regarding "Multilayered Wood Flooring From the People's Republic of China: Request for a Changed Circumstances Review" (December 22, 2014).

<sup>3</sup> See Letter from Zhejiang Fuma to the Department, regarding "Multilayered Wood Flooring from the People's Republic of China: Request for Expedited Changed Circumstances Review" (December 31, 2014) ("Supplemental Response"); Letter from Zhejiang Fuma to the Department, regarding "Multilayered Wood Flooring from the People's Republic of China: Request for Expedited Changes Circumstances Review" (January 20, 2015) ("Second Supplemental Response").

<sup>4</sup> For a complete description of the Scope of the Order, see Memorandum to Paul Piquado, Assistant Secretary for Enforcement and Compliance, from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, "Preliminary Results of Changed Circumstances Review: Multilayered Wood Flooring from the People's Republic of China" ("Preliminary Results Memo"), dated concurrently with, and adopted by, this notice.

Imports of the subject merchandise are provided for under the following subheadings of the Harmonized Tariff Schedule of the United States ("HTSUS"): 4412.31.0520; 4412.31.0540; 4412.31.0560; 4412.31.2510; 4412.31.2520; 4412.31.4040; 4412.31.4050; 4412.31.4060; 4412.31.4070; 4412.31.5125; 4412.31.5135; 4412.31.5155; 4412.31.5165; 4412.31.3175; 4412.31.6000; 4412.31.9100; 4412.32.0520; 4412.32.0540; 4412.32.0560; 4412.32.2510; 4412.32.2520; 4412.32.3125; 4412.32.3135; 4412.32.3155; 4412.32.3165; 4412.32.3175; 4412.32.3185; 4412.32.5600; 4412.39.1000; 4412.39.3000; 4412.39.4011; 4412.39.4012; 4412.39.4019; 4412.39.4031; 4412.39.4032; 4412.39.4039; 4412.39.4051; 4412.39.4052; 4412.39.4059; 4412.39.4061; 4412.39.4062; 4412.39.4069; 4412.39.5010; 4412.39.5030; 4412.39.5050; 4412.94.1030; 4412.94.1050; 4412.94.3105; 4412.94.3111; 4412.94.3121; 4412.94.3131; 4412.94.3141; 4412.94.3160; 4412.94.3171; 4412.94.4100; 4412.94.5100; 4412.94.6000; 4412.94.7000; 4412.94.8000; 4412.94.9000; 4412.94.9500; 4412.99.0600; 4412.99.1020; 4412.99.1030; 4412.99.1040; 4412.99.3110; 4412.99.3120; 4412.99.3130; 4412.99.3140; 4412.99.3150; 4412.99.3160; 4412.99.3170; 4412.99.4100; 4412.99.5100; 4412.99.5710; 4412.99.6000; 4412.99.7000; 4412.99.8000; 4412.99.9000; 4412.99.9500; 4418.71.2000; 4418.71.9000; 4418.72.2000; 4418.72.9500; and 9801.00.2500.

While HTSUS subheadings are provided for convenience and customs purposes, the written description of the subject merchandise is dispositive.

### Initiation of Changed Circumstances Review

Pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended ("the Act") and 19 CFR 351.216(d), the Department will conduct a changed circumstances review upon receipt of information concerning, or a request from an interested party for a review of, an antidumping duty finding which shows changed circumstances sufficient to warrant a review of the order. The information submitted by Zhejiang Fuma claiming that Zhejiang Fuma is the successor-in-interest to Huzhou Fuma demonstrates changed

<sup>14</sup> See *Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Final Results of Antidumping Duty Administrative Review; 2012-2013*, 80 FR 2394 (January 16, 2015). For ESS LLC prior to the publication of the final results of review on January 16, 2015 the cash deposit rate remained the rate established prior to losing its separate rate status, which was 1.20 U.S. dollars per kilogram. See *Certain Frozen Fish Fillets From the Socialist Republic of Vietnam: Amended Final Results of Antidumping Duty Administrative Review; 2011-2012*, 79 FR 37714 (July 2, 2014).