

**DATES:** *Effective Date:* June 4, 2014.

**FOR FURTHER INFORMATION CONTACT:** Michael J. Heaney or Davina Friedmann, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4475 or (202) 482-0698, respectively.

**SUPPLEMENTARY INFORMATION:** On September 12, 2012, the Department issued the *Final Results*.<sup>4</sup> Blue Field, an exporter of subject merchandise, timely filed complaints with the Court to challenge certain aspects of the *Final Results*. Specifically, Blue Field challenged the surrogate values assigned by the Department to its reported inputs of rice straw and cow manure. On November 14, 2013, the Court remanded the *Final Results* and instructed the Department to reconsider its calculation of Blue Field's surrogate values for rice straw and cow manure.<sup>5</sup> On remand, and under protest, the Department recalculated Blue Field's surrogate values for rice straw and cow manure using data from India.<sup>6</sup> As a result, Blue Field's margin changed from 308.33 percent to 82.04 percent.<sup>7</sup> On May 19, 2014, the Court entered judgment sustaining the Department's *Remand Results*.<sup>8</sup>

#### Timken Notice

In its decision in *Timken*, 893 F.2d at 341, as clarified by *Diamond Sawblades*, the Federal Circuit has 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 not "in harmony" with a Department determination, and must suspend liquidation of entries pending a "conclusive" court decision. The Court's May 19, 2014, judgment sustaining the *Remand Results* constitutes a final decision of the Court that is not in harmony with the Department's *Final Results*. This notice is published in fulfillment of the publication requirement of *Timken*. 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. The cash deposit rate will remain the PRC-wide entity rate (which includes Blue Field) established for the subsequent and most-recent period during which the PRC-wide entity was reviewed.<sup>9</sup>

#### Amended Final Determination

Because there is now a final court decision, the Department amends the *Final Results* with respect to Blue Field. The revised weighted-average dumping margin for Blue Field during the period February 1, 2010, through January 31, 2011 follows:

Exporter	Weighted average dumping margin (percent)
Blue Field (Sichuan) Food Industrial Co., Ltd .....	82.04

In the event the Court's ruling is not appealed, or if appealed and upheld by the Federal Circuit, the Department will instruct U.S. Customs and Border Protection to assess antidumping duties on entries of the subject merchandise exported by Blue Field using the revised assessment rate calculated by the Department in the *Remand Results*.

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

Dated: May 28, 2014.

**Paul Piquado,**

*Assistant Secretary for Enforcement & Compliance.*

[FR Doc. 2014-12992 Filed 6-3-14; 8:45 am]

**BILLING CODE 3510-DS-P**

#### DEPARTMENT OF COMMERCE

##### International Trade Administration

[A-570-912]

#### Certain New Pneumatic Off-the-Road Tires From the People's Republic of China: Final Results of Antidumping Duty Changed Circumstances Review

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

**SUMMARY:** On April 17, 2014, the Department of Commerce ("Department") published its *Preliminary Results* of a changed circumstances review ("CCR") of the antidumping duty order on certain new pneumatic off-the road ("OTR") tires

from the People's Republic of China ("PRC").<sup>1</sup> The Department preliminarily determined that Shandong Linglong Tyre Co., Ltd. ("Shandong Linglong") is the successor-in-interest to Zhaoyuan Leo Rubber Co., Ltd. ("Leo Rubber") and invited parties to comment on the *Preliminary Results*. As no parties submitted subsequent comment, the Department is making no changes to the *Preliminary Results*.

**DATES:** *Effective Date:* June 4, 2014.

**FOR FURTHER INFORMATION CONTACT:** Andrew Medley, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: 202-482-4987.

#### SUPPLEMENTARY INFORMATION:

##### Background

On September 4, 2008, the Department published in the **Federal Register** an antidumping duty order on OTR tires from the PRC.<sup>2</sup> Under the *Order*, Leo Rubber received the separate-rate respondent rate, as revised, of 12.83 percent.<sup>3</sup>

On April 17, 2014, we made a preliminary finding that Shandong Linglong is the successor-in-interest to Leo Rubber and thus, should receive the same antidumping duty treatment with respect to OTR tires from the PRC as the former Leo Rubber.<sup>4</sup> We also stated that interested parties had 30 days in which to request a hearing and submit case briefs.<sup>5</sup> No party submitted case briefs. Thus, consistent with 19 CFR 351.216(e), we are issuing this final determination within 45 days of our preliminary finding.

<sup>1</sup> See *Certain New Pneumatic Off-the-Road Tires from the People's Republic of China: Preliminary Results of Antidumping Duty Changed Circumstances Review*, 79 FR 21731 (April 17, 2014) ("Preliminary Results").

<sup>2</sup> See *Certain New Pneumatic Off-the-Road Tires From the People's Republic of China: Notice of Amended Final Affirmative Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 73 FR 51624 (September 4, 2008) ("Order").

<sup>3</sup> On August 30, 2012, the Department published in the **Federal Register** a final determination, under section 129 of the Uruguay Round Agreements Act ("URAA"), regarding the antidumping duty investigation on OTR Tires from the PRC. See *Implementation of Determinations Under Section 129 of the Uruguay Round Agreements Act: Certain New Pneumatic Off-the-Road Tires; Circular Welded Carbon Quality Steel Pipe; Laminated Woven Sacks; and Light-Walled Rectangular Pipe and Tube From the People's Republic of China*, 77 FR 52683 (August 30, 2012). As part the Department's final determination under section 129 of the URAA, Leo Rubber was assigned a revised cash deposit rate of 12.83 percent. *Id.*, 73 FR at 51627.

<sup>4</sup> See *Preliminary Results*, 79 FR at 21732.

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

<sup>4</sup> See *id.*

<sup>5</sup> See *Blue Field (Sichuan) Food Indus. Co., Ltd. v. United States*, 949 F. Supp. 2d 1311, 1334-35 (CIT November 14, 2013).

<sup>6</sup> See generally *Remand Results*.

<sup>7</sup> See *id.* at 14.

<sup>8</sup> See *Blue Field (Sichuan) Food Indus. Co., Ltd. v. United States*, Court No. 12-00320 (CIT May 19, 2014).

<sup>9</sup> See *Certain Preserved Mushrooms from the People's Republic of China: Final Results of Antidumping Duty Administrative Review 2012-2013*, 79 FR 12150, 12152 & n.16 (March 4, 2014).

## Scope of the Order

The merchandise covered by this Order includes new pneumatic tires designed for off-the-road and off-highway use, subject to certain exceptions. The subject merchandise is currently classifiable under Harmonized Tariff Schedule of the United States ("HTSUS") subheadings: 4011.20.10.25, 4011.20.10.35, 4011.20.50.30, 4011.20.50.50, 4011.61.00.00, 4011.62.00.00, 4011.63.00.00, 4011.69.00.00, 4011.92.00.00, 4011.93.40.00, 4011.93.80.00, 4011.94.40.00, and 4011.94.80.00. The HTSUS subheadings are provided for convenience and customs purposes only; the written product description of the scope of the order is dispositive.<sup>6</sup>

## Final Results of Changed Circumstances Review

Because no parties submitted comments opposing the Department's *Preliminary Results*, and because there is no other information or evidence on the record that calls into question the *Preliminary Results*, the Department determines that Shandong Linglong is the successor-in-interest to Leo Rubber for the purpose of determining antidumping duty liability.

## Instructions to U.S. Customs and Border Protection

The Department will instruct U.S. Customs and Border Protection to suspend liquidation and collect a cash deposit rate of 12.83 percent on all shipments of the subject merchandise produced and exported by Shandong Linglong and entered, or withdrawn from warehouse, for consumption, on or after the publication date of these results of changed circumstances review.<sup>7</sup>

## Notification

This notice serves as a reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance

<sup>6</sup> For a complete description of the Scope of the Order, see the Department's Memorandum to Melissa G. Skinner, Director, Office III, Antidumping and Countervailing Duty Operations, which was published concurrently with the *Preliminary Results*, and titled "Certain New Pneumatic Off-the-Road Tires from the People's Republic of China: Preliminary Successor-In-Interest Determination," dated April 10, 2014, at "Scope of the Order."

<sup>7</sup> See, e.g., *Stainless Steel Plate in Coils From Belgium: Notice of Final Results of Antidumping Duty Changed Circumstances Review*, 77 FR 21963 (April 12, 2012); see also *Notice of Final Results of Antidumping Duty Changed Circumstances Review: Certain Frozen Warmwater Shrimp From Thailand*, 75 FR 74684, 74685 (December 1, 2010).

with 19 CFR 351.306. 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 sanctionable violation.

We are issuing and publishing these final results and notice in accordance with sections 751(b) and 777(i) of the Tariff Act of 1930, as amended, and 19 CFR 351.216 and 351.221(c)(3).

Dated: May 29, 2014.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2014-12993 Filed 6-3-14; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-880]

### Barium Carbonate From the People's Republic of China: Final Results of Expedited Second Sunset Review of the Antidumping Duty Order

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

**SUMMARY:** On February 3, 2014, the Department of Commerce (the "Department") initiated the second five-year ("sunset") review of the antidumping duty order on barium carbonate from the People's Republic of China ("PRC") pursuant to section 751(c) of the Tariff Act of 1930, as amended (the "Act").<sup>1</sup> As a result of this sunset review, the Department finds that revocation of the antidumping duty order on barium carbonate from the PRC would be likely to lead to continuation or recurrence of dumping at the levels indicated in the "Final Results of Review" section of this notice.

**DATES:** *Effective Date:* June 4, 2014.

**FOR FURTHER INFORMATION CONTACT:** Irene Gorelik, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-6905.

### SUPPLEMENTARY INFORMATION:

#### Background

On March 5, 2014, the Department received an adequate substantive response from domestic interested party Chemical Products Corporation

<sup>1</sup> See *Initiation of Five-Year ("Sunset") Review*, 79 FR 6163 (February 3, 2014).

("Petitioner") within the deadline specified in 19 CFR 351.218(d)(3)(i).<sup>2</sup> We received no responses from respondent interested parties. As a result, the Department conducted an expedited (120-day) sunset review of the order, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2).

### Analysis of Comments Received

All issues raised in this sunset review are addressed in the "Issues and Decision Memorandum for the Expedited Second Sunset Review of the Antidumping Duty Order on Barium Carbonate from the People's Republic of China" from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, dated concurrently with, and hereby adopted by, this notice ("Decision Memorandum"). The issues discussed in the Decision Memorandum include the likelihood of continuation or recurrence of dumping and the magnitude of the margins likely to prevail if the order were to be revoked. Parties may find a complete discussion of all issues raised in the review and the corresponding recommendations in this public memorandum which is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Services System ("IA ACCESS"). Access to IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and is available to all parties in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Decision Memorandum is available directly on the Web at <http://enforcement.trade.gov/frn/>. The signed Decision Memorandum and the electronic versions of the Decision Memorandum are identical in content.

### Scope of the Order

The merchandise covered by this order is barium carbonate, regardless of form or grade. The product is currently classifiable under subheading 2836.60.0000 of the Harmonized Tariff Schedule of the United States ("HTSUS"). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of this proceeding is dispositive.

<sup>2</sup> See Petitioner's March 5, 2014, submission.