

will be that for the PRC-wide entity; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter.

With respect to Hubei Nature, the new shipper respondent, the Department established a combination cash deposit rate for this company consistent with its practice as follows: (1) For subject merchandise produced and exported by Hubei Nature, the cash deposit rate will be the rate established for Hubei Nature in the final results of the NSR; (2) for subject merchandise exported by Hubei Nature, but not produced by Hubei Nature, the cash deposit rate will be the rate for the PRC-wide entity; and (3) for subject merchandise produced by Hubei Nature but not exported by Hubei Nature, the cash deposit rate will be the rate applicable to the exporter.

These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary 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 these PORs. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing the preliminary results of these reviews in accordance with sections 751(a)(1), 751(a)(2)(B)(iv), 751(a)(3), 777(i) of the Act and 19 CFR 351.213(h), 351.214 and 351.221(b)(4).

Dated: September 29, 2014.

Paul Piquado,
Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

- 1. Summary
- 2. Background
- 3. Scope of the Order
- 4. Bona Fides Analysis
- 5. Non-Market-Economy Country Status
- 6. Surrogate Country
- 7. Separate Rates
- 8. Absence of De Jure Control
- 9. Absence of De Facto Control
- 10. Fair Value Comparisons
- 11. U.S. Price
- 12. Normal Value
- 13. Surrogate Values
- 14. Currency Conversion

15. Recommendation
[FR Doc. 2014-23793 Filed 10-3-14; 8:45 am]
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DEPARTMENT OF COMMERCE

International Trade Administration
[A-570-924]

Polyethylene Terephthalate Film, Sheet, and Strip From the People's Republic of China: Notice of Court Decision Not in Harmony With Final Results of Administrative Review and Notice of Amended Final Results of Administrative Review Pursuant to Court Decision

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

SUMMARY: On July 22, 2014, the United States Court of International Trade ("CIT") sustained the Department of Commerce's ("the Department") results of redetermination, pursuant to the CIT's remand order, in *Dupont Teijin Films v. United States*, 997 F. Supp. 2d 1338 (CIT 2014).¹

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 this case is not in harmony with the Department's *PET Film Final Results*² and is amending the final results with respect to the margins assigned to Tianjin Wanhua Co., Ltd., Sichuan Dongfang Insulating Material Co., Ltd., Fuwei Films (Shandong) Co., Ltd., and Shaoxing Xiangyu Green Packing Co., Ltd. ("Respondents") for the period of review ("POR") November 1, 2009, through October 31, 2010.

Effective Date: August 1, 2014.

FOR FURTHER INFORMATION CONTACT:

Thomas Martin, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-3936.

¹ See Final Results of Redetermination Pursuant to Court Remand, Court No. 12-00088, dated February 7, 2014, available at: <http://enforcement.trade.gov/remands/index.html> ("*PET Film Final Remand*").

² See *Polyethylene Terephthalate Film, Sheet, and Strip from the People's Republic of China: Final Results of the 2009-2010 Antidumping Duty Administrative Review of the Antidumping Duty Order*, 77 FR 14493 (March 12, 2012) ("*PET Film Final Results*").

SUPPLEMENTARY INFORMATION: On March 12, 2012, the Department published the *PET Film Final Results*. Domestic producers Dupont Teijin Films, Mitsubishi Polyester Film, Inc., SKC, Inc., and Toray Plastics (America), Inc. appealed the *PET Film Final Results* to the CIT, and on February 7, 2013, the CIT issued its first remand order in this case concerning the Department's selection of its surrogate country.³ On August 21, 2013, the CIT issued its second remand and ordered the Department to reconsider its surrogate country selection with the benefit of 2009 per-capita gross national income data.⁴

Pursuant to the CIT's remand instructions, the Department, under protest, selected South Africa as the primary surrogate country for calculating normal value.⁵ The CIT sustained the Department's *PET Film Final Remand* on July 22, 2014,⁶ and, as a result, the Respondents' dumping margins changed.

Timken Notice

In its decision in *Timken*, 893 F.2d at 341, as clarified by *Diamond Sawblades*, the CAFC 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 that is not "in harmony" with a Department determination and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's July 22, 2014, judgment sustaining the *PET Film Final Remand* constitutes a final decision of that court that is not in harmony with the *PET Film Final Results*. This notice is published in fulfillment of the publication requirements of *Timken*.

Amended Final Results

Because there is now a final court decision with respect to the *PET Film Final Results*, the revised dumping margins are as follows:

Exporter	Weighted-average margin (percent)
Tianjin Wanhua Co., Ltd.	19.49
Sichuan Dongfang Insulating Material Co., Ltd.	14.25
Fuwei Films (Shandong) Co., Ltd.	19.35

³ See *Dupont Teijin Films v. United States*, 896 F. Supp. 2d 1302 (CIT 2013).

⁴ See *Dupont Teijin Films v. United States*, 931 F. Supp. 2d 1297 (CIT 2013) ("*Remand Opinion and Order*").

⁵ See *PET Film Final Remand*.

⁶ See *Dupont Teijin Films v. United States*, 997 F. Supp. 2d 1338 (CIT 2014).

Exporter	Weighted-average margin (percent)
Shaoxing Xiangyu Green Packing Co., Ltd.	19.35

Because no party appealed the CIT's decision before the period of appeal expired on September 22, 2014, the CIT's decision is now final and conclusive. Accordingly, the Department will instruct U.S. Customs and Border Protection to assess antidumping duties on entries during the POR of the subject merchandise exported by the Respondents using the revised assessment rates calculated by the Department in the *PET Film Final Remand*.

Cash Deposit Requirements

Since the *PET Film Final Results*, the Department has established a new cash deposit rate for the Respondents.⁷ Therefore, the Respondents' cash deposit rates do not need to be updated as a result of these amended final results. The cash deposit rate for the Respondents will remain the rate established for the subsequent and most-recent period during which the Respondents were reviewed.

Notification to Interested Parties

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

Dated: September 29, 2014.

Paul Piquado,

Assistant Secretary For Enforcement and Compliance.

[FR Doc. 2014-23796 Filed 10-3-14; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

Application(s) for Duty-Free Entry of Scientific Instruments

Pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, as amended by Pub. L. 106-36; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States.

⁷ See *Polyethylene Terephthalate Film, Sheet, and Strip From the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2011-2012*, 79 FR 37715 (July 2, 2014).

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be postmarked on or before October 27, 2014. Address written comments to Statutory Import Programs Staff, Room 3720, U.S. Department of Commerce, Washington, DC 20230. Applications may be examined between 8:30 a.m. and 5:00 p.m. at the U.S. Department of Commerce in Room 3720.

Docket Number: 14-021. **Applicant:** Utah State University, 2400 Old Main Hill, Logan, Utah 84322-2400.

Instrument: Respirometer for measuring the oxygen consumption of aquatic animals. **Manufacturer:** Loligo Systems, Denmark. **Intended Use:** The instrument will be used to better understand how the ability of aquatic organisms to obtain oxygen under different environmental conditions affects their growth, survivorship, distribution, and abundance. The phenomenon being studied is the rate of oxygen consumption by aquatic invertebrates, using the instrument under different temperatures and pollution concentrations. Continuous measurement of metabolic (oxygen consumption) response to stress by small aquatic organisms (<10mm in length) requires a flow-through system with oxygen probes and equipment that can both be programmed to precisely increase the temperature of a water bath and automatically detect ug level changes in oxygen concentrations, without which the research could not be conducted. **Justification for Duty-Free Entry:** There are no instruments of the same general category manufactured in the United States. **Application accepted by Commissioner of Customs:** August 5, 2014.

Docket Number: 14-023. **Applicant:** Louisiana State University, 202 Nicholson Hall, LSU, Baton Rouge, LA 70803. **Instrument:** Scanning Probe Microscope (SPM)—scanning tunneling microscopy. **Manufacturer:** SPECS Surface Nano Analysis, Germany. **Intended Use:** The instrument will be used to elucidate catalytic properties of metal and metal-oxide systems, uncovering new schemes by which organic molecules become environmentally hazardous upon chemisorption. Scanning tunneling microscopy (STM) will be used to probe the nanoscale atomic structure, growth, and atomic/molecular dynamics of a variety of systems, including metal nanoclusters on oxides and graphene, metal oxide surfaces and metal surfaces. All experiments will be conducted in ultra-high vacuum conditions, including in addition the STM, other surface sciences probes such as electron-energy loss spectroscopy, x-ray and UV

photoemission spectroscopy. The electronics and STM head must provide 60 frames per second scan rate with pixel density of 128 x 128, the STM head must be mounted on an 8 inch flange with a vertical face, the instrument must have the ability to sputter clean the tip without removing it from the STM scan head, the tunneling bias voltage must be applied to the sample, and the preamp must collect current from the tip. **Justification for Duty-Free Entry:** There are no instruments of the same general category manufactured in the United States. **Application accepted by Commissioner of Customs:** August 26, 2014.

Dated: September 29, 2014.

Gregory W. Campbell,

Director of Subsidies Enforcement, Enforcement and Compliance.

[FR Doc. 2014-23794 Filed 10-3-14; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

Quarterly Update to Annual Listing of Foreign Government Subsidies on Articles of Cheese Subject to an In-Quota Rate of Duty

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

DATES: *Effective Date:* October 6, 2014.

FOR FURTHER INFORMATION CONTACT: Stephanie Moore, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave. NW., Washington, DC 20230, telephone: (202) 482-3692.

SUPPLEMENTARY INFORMATION: Section 702 of the Trade Agreements Act of 1979 (as amended) (the Act) requires the Department of Commerce (the Department) to determine, in consultation with the Secretary of Agriculture, whether any foreign government is providing a subsidy with respect to any article of cheese subject to an in-quota rate of duty, as defined in section 702(h) of the Act, and to publish quarterly updates to the type and amount of those subsidies. We hereby provide the Department's quarterly update of subsidies on articles of cheese that were imported during the periods April 1, 2014, through June 30, 2014.

The Department has developed, in consultation with the Secretary of Agriculture, information on subsidies,