

### 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of 12.83 percent on all shipments of the subject merchandise produced and exported by Shandong Linglong and entered, or withdrawn from warehouse, for consumption, on or after the publication date of these results of changed circumstances review.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.

## Final Results of Review

We determine that revocation of the order would be likely to lead to continuation or recurrence of dumping at the following weighted-average percentage margins:

Exporter	Weighted-average dumping margin (percent)
Qingdao Red Star Chemical Import & Export Co., Ltd. ....	34.44
PRC-Wide Entity .....	81.30

## Administrative Protective Order

This notice also serves as the only reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return of 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 violation which is subject to sanction.

This sunset review and notice are in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act.

Dated: May 28, 2014.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-893]

### Certain Frozen Warmwater Shrimp From the People's Republic of China: Notice of Court Decision Not in Harmony With Final Results and Notice of Amended Final Results

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

**SUMMARY:** On May 20, 2014, the United States Court of International Trade ("CIT") sustained the Department of Commerce's ("the Department") final results of redetermination pursuant to remand of the 2008-2009 antidumping duty administrative review of certain frozen warmwater shrimp from the People's Republic of China ("Remand

Redetermination").<sup>1</sup> 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 (CAFC 2010) ("*Diamond Sawblades*"), the Department is notifying the public that the final judgment in this case is not in harmony with the Department's final results and is amending the final results of the administrative review of certain frozen warmwater shrimp from the People's Republic of China ("PRC") with respect to the margin assigned to Hilltop International ("Hilltop") covering the period of review ("POR") February 1, 2008, through January 31, 2009.<sup>2</sup>

**DATES:** Effective Date: May 30, 2014.

**FOR FURTHER INFORMATION CONTACT:** Kabir Archuleta, 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.

**SUPPLEMENTARY INFORMATION:** On July 19, 2013, the CIT remanded this case to the Department for reconsideration<sup>3</sup> pursuant to the order of the CAFC in *Ad Hoc Shrimp Trade Action Committee v. United States*, No. 2012-1416 (Fed. Cir. 2013), which granted the Department's request for a voluntary remand in this matter to allow for reconsideration in light of information discovered in the sixth administrative review of this proceeding.<sup>4</sup> Pursuant to the *Remand Order*, we reconsidered our determination in this review and found that Hilltop provided false and incomplete information regarding its affiliates and that none of its submissions could be relied upon. Accordingly, we found that Hilltop failed to rebut the presumption that it is part of the PRC-wide entity and applied total adverse facts available ("AFA") to the PRC-wide entity, which includes

Hilltop. As AFA, we applied a dumping margin of 112.81 percent, which is the highest rate from any segment of the proceeding and the current PRC-wide rate, and reevaluated that margin to ensure that it continues to be reliable and have probative value.<sup>5</sup> The CIT sustained the Department's *Remand Redetermination* on May 20, 2014, making the effective date of this notice May 30, 2014.<sup>6</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) 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 May 20, 2014, judgment sustaining the Department's *Remand Redetermination* with respect to Hilltop constitutes a final decision of that court that is not in harmony with the Department's *Final Results*. This notice is published in fulfillment of the publication requirements 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 rate established for the most recent period during which the PRC-wide entity was reviewed.<sup>7</sup>

### Amended Final Results

Because there is now a final court decision, we are amending the *Final Results* with respect to Hilltop's margin for the period February 1, 2008, through January 31, 2009. The revised weighted-average dumping margin is as follows:

Exporter	Percent margin
PRC-Wide Entity <sup>8</sup> .....	112.81

In the event the CIT's ruling is not appealed, 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 Hilltop using

<sup>5</sup> See *Remand Redetermination*.

<sup>6</sup> See *Ad Hoc Shrimp Trade Action Committee*, Court Nos. 10-00275 and 11-00335, Slip Op. 14-55 (CIT May 20, 2014).

<sup>7</sup> See *Certain Frozen Warmwater Shrimp From the People's Republic of China: Final Results of Administrative Review; 2011-2012*, 78 FR 56209 (September 12, 2013).

<sup>8</sup> The PRC-wide entity includes Hilltop International.

<sup>1</sup> See Results Of Redetermination Pursuant To Court Remand issued by the Department of Commerce (November 4, 2013), available at <http://enforcement.trade.gov/remands/>.

<sup>2</sup> See *Administrative Review of Certain Frozen Warmwater Shrimp From the People's Republic of China: Final Results and Partial Rescission of Antidumping Duty Administrative Review*, 75 FR 49460 (August 13, 2010) ("*Final Results*").

<sup>3</sup> See *Ad Hoc Shrimp Trade Action Committee v. United States*, Court No. 10-00275, Slip Op. 13-89 (CIT July 19, 2013) ("*Remand Order*").

<sup>4</sup> See *Administrative Review of Certain Frozen Warmwater Shrimp From the People's Republic of China: Final Results, Partial Rescission of Sixth Antidumping Duty Administrative Review and Determination Not To Revoke in Part*, 77 FR 53856 (September 4, 2012).