if the interested party’s attempts were reasonable, pursuant to 19 CFR 351.303((i)(3)(ii).

As explained in Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties, 68 FR 23954 (May 6, 2003), and Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties, 76 FR 65694 (October 24, 2011) the Department clarified its practice with respect to the collection of final antidumping duties on imports of merchandise where intermediate firms are involved. The public should be aware of this clarification in determining whether to request an administrative review of merchandise subject to antidumping findings and orders.\(^2\)

Further, as explained in Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Proceedings, 76 FR 65963 (November 4, 2013), the Department clarified its practice with regard to the conditional review of the non-market economy (NME) entity in administrative reviews of antidumping duty orders. The Department will no longer consider the NME entity as an exporter conditionally subject to administrative reviews. Accordingly, the NME entity will not be under review unless the Department specifically receives a request for, or self-initiates, a review of the NME entity.\(^3\)

In administrative reviews of antidumping duty orders on merchandise from NME countries where a review of the NME entity has not been initiated, but where an individual exporter for which a review was initiated does not qualify for a separate rate, the Department will issue a final decision indicating that the company in question is part of the NME entity. However, in that situation, because no review of the NME entity was conducted, the NME entity’s entries were not subject to the review and the rate for the NME entity is not subject to change as a result of that review (although the rate for the individual exporter may change as a function of the finding that the exporter is part of the NME entity).

Following initiation of an antidumping administrative review when there is no review requested of the NME entity, the Department will instruct CBP to liquidate entries for all exporters not named in the initiation notice, including those that were suspended at the NME entity rate.

All requests must be filed electronically in Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (“ACCESS”) on Enforcement and Compliance’s ACCESS Web site at http://access.trade.gov. Further, in accordance with 19 CFR 351.303((i)(i)), a copy of each request must be served on the petitioner and each exporter or producer specified in the request.

The Department will publish in the Federal Register a notice of “Initiation of Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation” for requests received by the last day of March 2015. If the Department does not receive, by the last day of March 2015, a request for review of entries covered by an order, finding, or suspended investigation listed in this notice and for the period identified above, the Department will instruct CBP to assess antidumping or countervailing duties on those entries at a rate equal to the cash deposit of (or bond for) estimated antidumping or countervailing duties required on those entries at the time of entry, or withdrawal from warehouse, for consumption and to continue to collect the cash deposit previously ordered.

For the first administrative review of any order, there will be no assessment of antidumping or countervailing duties on entries of subject merchandise entered, or withdrawn from warehouse, for consumption during the relevant provisional-measures “gap” period of the order, if such a gap period is applicable to the period of review.

This notice is not required by statute but is published as a service to the international trading community.


Christian Marsh,
Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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\(^2\) See also the Enforcement and Compliance Web site at http://trade.gov/enforcement.

\(^3\) In accordance with 19 CFR 351.213(b)(1), parties should specify that they are requesting a review of entries from exporters comprising the entity, and to the extent possible, include the names of such exporters in their request.
issues are identified in the Appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at http://access.trade.gov and in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Internet at http://trade.gov/enforcement/fra/index.html. The signed Issues and Decision Memorandum and electronic versions of the Issues and Decision Memorandum are identical in content.

Changes Since the Preliminary Results

Based on the comments received from Jindal, SRF, and domestic interested parties Polyplex USA LLC and Flex USA, we made the following changes to our rate calculations for Jindal and SRF: We adjusted the cash deposit rates for Jindal and SRF, as necessary, to exclude the foreign currency denominated pre- and post-export financing benefits. Further, we revised our allocation calculations and adjusted the numerator in our subsidy rate calculations for Jindal with respect to the Status Holder Incentive Scheme (SHIS). For a discussion of these issues, see the Issues and Decision Memorandum.

Final Results of Administrative Review

In accordance with section 777A(e)(1) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.221(b)(5), we calculated individual ad valorem subsidy rates for Jindal and SRF, for the POR for this administrative review.

<table>
<thead>
<tr>
<th>Manufacturer/exporter</th>
<th>Subsidy rate (percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jindal Poly Films Limited</td>
<td>7.66</td>
</tr>
<tr>
<td>SRF Limited</td>
<td>2.03</td>
</tr>
</tbody>
</table>

These final results are issued and published in accordance with sections 751(a)(1) and 777(j)(1) of the Act.

Assessment and Cash Deposit Requirements

In accordance with 19 CFR 351.221(b)(2), the Department intends to issue appropriate instructions to U.S. Customs and Border Protection (CBP) 15 days after publication of the final results of this review. The Department will instruct CBP to liquidate shipments of subject merchandise produced and/or exported by Jindal and SRF, respectively, entered or withdrawn from warehouse, for consumption from January 1, 2012, through December 31, 2012, at 7.66 percent ad valorem and at 2.03 percent ad valorem, respectively, of the entered value.

The Department intends also to instruct CBP to collect cash deposits of estimated countervailing duties at the rate of 7.66 percent ad valorem for Jindal and of 2.03 percent ad valorem for SRF of the entered value on shipments of the subject merchandise produced and exported by SRF, entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review. We intend to instruct CBP to continue to collect cash deposits for non-reviewed companies at the applicable company-specific countervailing duty rate for the most recent period or the all-others rate established in the investigation. These cash deposit rates, when imposed, shall remain in effect until further notice.

Administrative Protective Order

This notice also serves as a final reminder to parties subject to an 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(a)(3), which continues to govern business proprietary information in this segment of proceeding. 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 violation which is subject to sanction.

These final results are issued and Dated: February 23, 2015.

Paul Piquado,
Assistant Secretary for Enforcement and Compliance.

Appendix I

Issues and Decision Memorandum

I. Summary

II. Background

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IV. Analysis of Programs

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2. Program Determined To Be Terminated

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1. Issue: Whether There Has Been A Program-Wide Change for Pre-Shipment Export Financing in Foreign Currency and Adjustment of the Cash Deposit Rate.

2. Issue: Whether The Department Wrongly Countervailed Export Promotion Capital Goods Scheme (EPCGS) Benefits That Apply To Non-Subject Merchandise.

3. Issue: Whether The Department Made An Error In Calculating The POR Benefit for The Status Holder Incentive Scheme (SHIS).

4. Issue: Whether The Value Added Tax (VAT) And Central Sales Tax (CST) Refunds Under The Industrial Promotion Subsidy (IPS) Of The State Government Of Maharashtra’s (SGOM) Package Scheme Of Incentives (PSI) Is Countervailable.

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DEPARTMENT OF COMMERCE

International Trade Administration

Initiation of Five-Year (“Sunset”) Review

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

SUMMARY: In accordance with section 751(c) of the Tariff Act of 1930, as amended (“the Act”), the Department of Commerce (“the Department”) is automatically initiating the five-year review (“Sunset Review”) of the antidumping and countervailing duty (“AD/CVD”) orders listed below. The International Trade Commission (“the Commission”) is publishing concurrently with this notice its notice of Institution of Five-Year Review which covers the same orders.

DATES: Effective (March 1, 2015).