On January 29, 2015, Petitioners submitted a rebuttal brief.  

**Scope of the Order**

The products subject to this antidumping duty order are all grades of garlic, whole or separated into constituent cloves, whether or not peeled, fresh, chilled, frozen, provisionally preserved, or packed in water or other neutral substance, but not prepared or preserved by the addition of other ingredients or heat processing. Fresh garlic that are subject to the order are currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) 0703.20.00, 0703.20.00, 0703.20.00, 0710.80.70, 0710.80.9750, 0711.90.60, and 2005.90.97. Although the HTSUS numbers are provided for convenience and customs purposes, the written product description remains dispositive. A full description of the scope of the order is contained in the Issues and Decision memorandum dated concurrently with and hereby adopted by this notice.  

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs are addressed in the Issues and Decision Memorandum, which is dated concurrently and is hereby adopted by this notice. A list of the issues that are raised in the briefs and addressed in the Issues and Decision Memorandum is in Appendix III of this notice. The Issues and Decision Memorandum is a public document and is made available to the public via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Services System (ACCESS). ACCESS is available to registered users at https://access.trade.gov, and is available to all parties in the Department’s Central Records Unit, located in Room 7046 of the main Department of Commerce building. In addition, a complete version of the Decision Memorandum can be found at http://enforcement.trade.gov/frn/. The signed and the electronic versions of the Decision Memorandum are identical in content.

**Changes Since the Preliminary Results**

For the final results, based on analysis of the comments received and our review of the record, the Department has made no changes to the Preliminary Results. Detailed discussions of the issues raised by parties can be found in the Decision Memorandum.

**Final Determination of No Shipments**

As discussed in the Preliminary Results, 16 companies timely certified that they had no shipments during the period of review. After reviewing these certifications with U.S. Customs and Border Protection (CBP) and examining CBP shipment data, the Department preliminarily found that these companies did not have reviewable transactions during the POR. Since the Preliminary Results, the Department has not received comments or information that would warrant a review of this preliminary finding. As such, for these final results, the Department finds that the 16 companies listed in Appendix I had no shipments during the POR.

**PRC-Wide Entity**

As discussed in the Preliminary Results, the Department preliminarily determined that 124 companies are part of the PRC-wide entity. In addition to the two mandatory respondents who failed to cooperate to the best of their ability to comply with requested information, the Department also found that 92 of the companies whose review requests were withdrawn had not been assigned a separate rate from a prior segment of the proceeding, and thus were considered part of the PRC-wide entity. Further, an additional 30 companies, for which a review was requested, and not withdrawn, did not file a separate rate application or certification, nor did they file a no shipments certification. Accordingly, the Department preliminarily determined these companies to be part of the PRC-wide entity. As discussed in detail in the Decision Memorandum, the Department continues to find Golden Bird to be part of the PRC-wide entity. Other than from Golden Bird, the Department has not received comments or information that would warrant a review of the preliminary decision to consider these companies part of the PRC-wide entity. Thus, for these final results, the Department continues to find all 124 companies to be part of the PRC-wide entity. A full list of
companies determined to be part of the PRC-wide entity can be found in Appendix II.

Separate Rates

In the Preliminary Results, the Department found that non-selected companies Chengwu County Yuanxiang Industry & Commerce Co., Ltd.; Jinxiang Richfar Fruits and Vegetables Co., Ltd.; Qingdao Lianghe International Trade Co., Ltd.; Shandong Chenhe International Trading Co., Ltd.; Xinboda; Weifang Hongqiao International Logistics Co., Ltd. and XuZhou Simple Garlic Industry Co., Ltd. demonstrated their eligibility for separate rates. Since the Preliminary Results, the Department has not received any comments that would warrant a review of these preliminary findings. Therefore, we continue to find that these companies are eligible for separate rates.

Neither the Tariff Act of 1930, as amended (the Act), nor the Department’s regulations address the establishment of the rate applied to individual companies not selected for examination where the Department limited its examination in an administrative review pursuant to section 777A(c)(2) of the Act. The Department’s practice in cases involving limited selection based on exporters accounting for the largest volumes of exports has been to look to section 735(c)(5) of the Act for guidance, which provides instructions for calculating the all-others rate in an investigation. Section 735(c)(5)(A) of the Act instructs the Department to avoid calculating an all-others rate using any rates that are zero, de minimis, or based entirely on facts available. Section 735(c)(5)(B) of the Act provides that, where all rates are zero, de minimis, or based entirely on facts available, the Department may use “any reasonable method” for assigning an all-others rate.

We determine that, consistent with our Preliminary Results, the rate for non-selected companies eligible for separate rates should be based on the rate used for non-selected separate rate companies in the most recently completed administrative review under this order. This is consistent with precedent and is a reasonable method to determine this rate in the instant review. Pursuant to this method, we are assigning the rate of $1.82 per kilogram to non-selected companies eligible for separate rates, which is from the most recently completed administrative review under this order.a

Final Results of Review

The Department determines that the following dumping margins exist for the period November 1, 2012, through October 31, 2013.

<table>
<thead>
<tr>
<th>Exporter</th>
<th>Weighted-average margin (dollars per kilogram)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chengwu County Yuanxiang Industry &amp; Commerce Co., Ltd</td>
<td>1.82</td>
</tr>
<tr>
<td>Jinxiang Richfar Fruits &amp; Vegetables Co., Ltd</td>
<td>1.82</td>
</tr>
<tr>
<td>Qingdao Lianghe International Trade Co., Ltd</td>
<td>1.82</td>
</tr>
<tr>
<td>Shandong Chenhe International Trading Co., Ltd</td>
<td>1.82</td>
</tr>
<tr>
<td>Shenzhen Xinboda Industrial Co., Ltd</td>
<td>1.82</td>
</tr>
<tr>
<td>Weifang Hongqiao International Logistics Co., Ltd</td>
<td>1.82</td>
</tr>
<tr>
<td>XuZhou Simple Garlic Industry Co., Ltd</td>
<td>1.82</td>
</tr>
<tr>
<td>PRC-Wide Rate</td>
<td>4.71</td>
</tr>
</tbody>
</table>

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b), the Department has determined, and CBP shall assess, antidumping duties on all appropriate entries of subject merchandise, where applicable, in accordance with the final results of this review. The Department intends to issue appropriate assessment instructions for such producers/exporters directly to CBP 15 days after the date of publication of this notice in the Federal Register.

The Department will direct CBP to assess importer-specific assessment rates based on the resulting per-unit (i.e., per kilogram) amount on each entry of the subject merchandise during the POR. For entries that were not reported in the U.S. sales database submitted by an exporter individually examined during this review, the Department will instruct CBP to liquidate such entries at the PRC-wide rate. Additionally, if the Department determines that an exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter’s case number (i.e., at the exporter’s rate) will be liquidated at the PRC-wide rate.10

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this review for shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For the companies listed above, the cash deposit rate will be the weighted-average dumping margins indicated above (except, if the rate is zero or de minimis, then zero cash deposit will be required); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the PRC-wide rate of $4.71 per kilogram; 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. These requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a final 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 the POR. Failure to comply with this requirement could result in the Department’s presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification to Interested Parties

This notice also serves as a reminder to entities 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

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7 Id. at 72626, 72627.
9 Includes Golden Bird and Hejia.
Appendix I

Companies That Have Certified No Shipments
1. Cangshan Qingshui Vegetable Foods Co., Ltd.
2. Chengyu County Yuanxiang Industry & Commerce Co., Ltd.
3. Jinan Farm Lady Trading Co., Ltd.
4. Jinan Yifa Garlic Produce Co., Ltd.
5. Jinan Yongja Trade Co., Ltd.
6. Jinxiang Chengda Import & Export Co., Ltd.
7. Jinxiang Merry Vegetable Co., Ltd.
8. Jinxiang Yuanxin Import & Export Co., Ltd.
9. Shenzhen Baiming Co., Ltd.
10. Shijiazhuang Goodman Trading Co., Ltd.
11. Qingdao Maycarrier Import & Export Co., Ltd.
13. Qingdao Tiantai Yangxiao Co., Ltd.
14. Qingdao Xiantianfeng Foods Co., Ltd. or Xi Tian Feng
15. Xuzhou Simple Garlic Industry Co., Ltd.
16. Yantai Jinyan Trading Inc.

Appendix II

List of Companies Subject to the PRC-Wide Scope of the Order

Development and Company)

1. American Pioneer Shipping
2. Anhui Dongqian Foods Ltd.
3. Anqiu Haoshun Trade Co., Ltd.
4. Anhui Dongqian Foods Ltd.
5. APM Global Logistics (Shanghai) Co., Ltd.
6. APS Qingdao
7. Chiping Shengkang Foodstuff Co., Ltd.
8. CMEC Engineering Machinery Import & Export Co., Ltd.
10. Dongying Shunying Chemical Co., Ltd.
11. Dynalink Systems Logistics (Qingdao) Inc.
12. Eimskip Logistics Inc.
13. Feicheng Acid Chemicals Co., Ltd.
14. Foshan Fuyi Food Co., Ltd.
15. Frog World Co., Ltd.
16. Foshan Fuyi Food Co., Ltd.
17. Goodwave Technology Development Ltd.
18. Grand Asia (Shanghai) Co., Ltd.
22. Homan Weite Industrial Co., Ltd.
23. Heze Ever-Best International Trade Co., Ltd. (f/k/a Shandong Heze International Trade and Developing Company)
24. Hong Kong Golden Eagle Group Ltd.
25. Hongqiao International Logistics Co.
26. Intecs Logistics Service Co., Ltd.
27. IT Logistics Qingdao Branch
29. Jinan Yipin Corporation Ltd.
30. Jining De-Rain Trading Co., Ltd.
31. Jining Highton Trading Co., Ltd.
32. Jining Juhong International Trading Co., Ltd.
33. Jining Tiankuang Trade Co., Ltd.
34. Jining Trans-High Trading Co., Ltd.
35. Jinxian County Huaguang Food Import & Export Co., Ltd.
36. Jinxian Dongchun Food Co., Ltd.
37. Jinxian Dongyun Freezing Storage Co., Ltd. (a/k/a Jinxian Eastward Shipping Import and Export Limited Company)
38. Jinxian Dongyun Import & Export Co., Ltd.
39. Jinxian Fengsheng Import & Export Co., Ltd.
40. Jinxian Grand Agricultural Co., Ltd.
41. Jinxian Hejia Co., Ltd.
42. Jinxian Infarm Fruits & Vegetables Co., Ltd.
43. Jinxian Meihua Garlic Produce Co., Ltd.
44. Jinxian Shanyang Freezing Storage Co., Ltd.
45. Jinxian Shenglong Trade Co., Ltd.
46. Jinxian Tianheng Trade Co., Ltd.
47. Jinxian Tianma Freezing Storage Co., Ltd.
48. Jinxian Xin Bai Shite Trade Co., Ltd. (a/k/a Jinxian Best Trade Co., Ltd.)
49. Juye Homestead Fruits and Vegetables Co., Ltd.
50. Kingwin Industrial Co., Ltd.
51. Laiwu Fukai Foodstuff Co., Ltd.
52. Laiwu Jiahe Fruit and Vegetable Co., Ltd.
53. Laiwu Xihan Fruits and Vegetables
54. Linshu Dading Private Agricultural Products Co., Ltd.
55. Linyi City Hedong District Jiuli Foodstuff Co.
56. Linyi City Kangfa Foodstuff Drinkable Co., Ltd.
57. Linyi Katayama Foodstuff Co., Ltd.
58. Linyi Tianqin Foodstuff Co., Ltd.
59. Lingjin Ruiying Foodstuff Co., Ltd.
60. Qingdao Apex Shipping Co., Ltd.
61. Qingdao BNP Co., Ltd.
62. Qingdao Cherry Leather Garment Co., Ltd.
63. Qingdao Chongzhi International Transportation Co., Ltd.
64. Qingdao Everfresh Trading Co., Ltd.
65. Qingdao Liang He International Trade Co., Ltd.
66. Qingdao Lianghe International Trade Co., Ltd.
67. Qingdao Saturn International Trade Co., Ltd.
68. Qingdao Sino-World International Trading Co., Ltd.
69. Qingdao Winner Foodstuff Co., Ltd.
70. Qingdao Xin Tian Feng Food Co., Ltd.
71. Qingdao Yuankang International
72. Qufu Dongbao Import & Export Co., Ltd.
73. Rizhao Huasai Foodstuff Co., Ltd.
74. Sunny Import & Export Limited
75. Sunny Import & Export Limited
76. T&S International, LLC.
77. Taian Eastsun Foods Co., Ltd.
78. Taian Fook Hong Tong Kee Pte. Ltd.
79. Tianjin Spiceshi Co., Ltd.
80. Shandong Longlai Fruits and Vegetables Co., Ltd.
81. Shandong Sanxing Food Co., Ltd.
82. Shandong Wonderland Organic Food Co., Ltd.
83. Shandong Xingda Foodstuffs Group Co., Ltd.
84. Shandong Yipin Agro (Group) Co., Ltd.
85. Shanghai Ever Rich Trade Company
86. Shanghai Goldenbridge International Co., Ltd.
87. Shanghai Great Harvest International Co., Ltd.
88. Shanghai LJ International Trading Co., Ltd.
89. Shanghai Medicine & Health Products Import/Export Co., Ltd.
90. Shanghai Yijia International Transportation Co., Ltd.
91. Shenzhen Fanhuai Import & Export Co., Ltd.
92. Shenzhen Greening Trading Co., Ltd.
93. Shenzhen Xunong Trade Co., Ltd.
94. Sunny Import & Export Limited
95. Tangerine International Trading Co.
96. T&S International, LLC.
97. Taian Eastsun Foods Co., Ltd.
98. Taian Fook Hong Tong Kee Pte. Ltd.
99. Taian Solar Summit Food Co., Ltd.
100. Tianjin Spiceshi Co., Ltd.
101. Tianjin Spiceshi Co., Ltd.
102. U.S. United Logistics (Ningbo) Inc.
103. V.T. Impex (Shandong) Limited
104. Weifang Chenglong Import & Export Co., Ltd.
105. Weifang He Lu Food Import & Export Co., Ltd.
106. Weifang Hongo Qiao International Logistics Co., Ltd.
107. Weifang Jinhao Agricultural Equipment Co., Ltd.
108. Weifang Naife Foodstuffs Co., Ltd.
109. Weifang Shennong Foodstuff Co., Ltd.
110. Weihai Textile Group Import & Export Co., Ltd.
111. WSSP Corporation (Weifang)
112. Xiamen Huamin Import Export Company
113. Xiamen Keep Top Imp. and Exp. Co., Ltd.
114. Xinjiang Top Agricultural Products Co., Ltd.
115. XuZhou Heiners Agricultural Co., Ltd.
116. Yishui Hengshun Food Co., Ltd.
117. You Shi Li International Trading Co., Ltd.
118. Zhangzhou Xiangcheng Rainbow Greenland FoodCo., Ltd.
119. Zhengzhou Dadi Garlic Industry Co., Ltd.
120. Zhengzhou Huachao Industrial Co., Ltd.
121. Zhengzhou Xiwannian Food Co., Ltd.
122. Zhengzhou Xuri Import & Export Co., Ltd.
123. Zhengzhou Yuanli Trading Co., Ltd.
124. Zhong Lian Farming Product (Qingdao) Ltd.

Appendix III

List of Topics Discussed in the Issues and Decision Memorandum

Summary
Background
Scope of the Order
Discussion of the Issues
DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
RIN 0648–XD930
Determination of Overfishing or an Overfished Condition
AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.
ACTION: Notice.
SUMMARY: This action serves as a notice that NMFS, on behalf of the Secretary of Commerce (Secretary), has found that the following stocks are subject to overfishing or are in an overfished condition: Gulf of Maine/Northern Georges Bank red hake, which is managed by the New England Fishery Management Council, is now subject to overfishing, but is not overfished; and Southeast Florida hogfish, which is jointly managed by the Gulf of Mexico and South Atlantic Fishery Management Councils, is now subject to overfishing and is in an overfished condition. NMFS, on behalf of the Secretary, notifies the appropriate fishery management council (Council) whenever it determines that overfishing is occurring, a stock is in an overfished condition, a stock is approaching an overfished condition, or when a rebuilding plan has not resulted in adequate progress toward ending overfishing and rebuilding affected fish stocks.
FOR FURTHER INFORMATION CONTACT: Regina Spallone, (301) 427–8568.
SUPPLEMENTARY INFORMATION: Pursuant to sections 304(e)(2) and (e)(7) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1854(e)(2) and (e)(7), and implementing regulations at 50 CFR 600.310(e)(2), NMFS, on behalf of the Secretary, must notify Councils whenever it determines that a stock or stock complex is overfished or approaching an overfished condition; or if an existing rebuilding plan has not ended overfishing or resulted in adequate rebuilding progress. NMFS also notifies Councils when it determines a stock or stock complex is subject to overfishing. Section 304(e)(2) further requires NMFS to publish these notices in the Federal Register.
NMFS has determined that the Gulf of Maine/Northern Georges Bank stock of red hake is now subject to overfishing. The New England Fishery Management Council has been informed that they must end overfishing on this stock.
NMFS has determined that the Southeast Florida stock of hogfish is now subject to overfishing and in an overfished condition. The Southeast Florida stock of hogfish was recently identified as a separate stock among a total of three hogfish stocks. The Gulf of Mexico Fishery Management Council and the South Atlantic Fishery Management Council have been informed that they must end overfishing and rebuild the Southeast Florida stock of hogfish.
Dated: June 9, 2015.
Emily H. Menashes,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 2015–14625 Filed 6–12–15; 8:45 am]
BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
RIN 0648–XD934
Fishes of the South Atlantic; Southeast Data, Assessment, and Review (SEDAR); Public Meeting
AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.
ACTION: Notice of SEDAR 41 pre Data Workshop II webinar.
SUMMARY: The SEDAR 41 assessments of the South Atlantic stocks of red snapper and gray triggerfish will consist of a series of workshops and webinars: Data Workshops; an Assessment Process; and a Review Workshop. This notice is for a webinar associated with the Data portion of the SEDAR process. See SUPPLEMENTARY INFORMATION.
DATES: A SEDAR 41 pre Data Workshop II webinar will be held on Wednesday, July 1, 2015, from 9 a.m. until 12 p.m. The established times may be adjusted as necessary to accommodate the timely completion of discussion relevant to the assessment process. Such adjustments may result in the meeting being extended from, or completed prior to, the time established by this notice.
ADDRESSES: Meeting address: The meeting will be held via webinar. The webinar is open to members of the public. Those interested in participating should contact Julia Byrd at SEDAR (see FOR FURTHER INFORMATION CONTACT below) to request an invitation providing webinar access information. Please request webinar invitations at least 24 hours in advance of each webinar.
SEDAR address: 4055 Faber Place Drive, Suite 201, N. Charleston, SC 29405.
FOR FURTHER INFORMATION CONTACT: Julia Byrd, SEDAR Coordinator; phone: (843) 571–4366; email: julia.byrd@safmc.net.
SUPPLEMENTARY INFORMATION: The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions, have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR is a three-step process including: (1) Data Workshop(s); (2) Assessment Process; and (3) Review Workshop. The product of the Data Workshop(s) is a data report which compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses. The product of the Assessment Process is a stock assessment report which describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. The assessment is independently peer reviewed at the Review Workshop. The product of the Review Workshop is a Summary documenting panel opinions regarding the strengths and weaknesses of the stock assessment and input data. Participants for SEDAR Workshops are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils and NOAA Fisheries Southeast Regional Office, Highly Migratory Species Management Division, and Southeast Fisheries Science Center. Participants include: Data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and non-governmental organizations (NGOs); international experts; and staff of...