Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review, in whole or in part, if the party that requested the review withdraws its request within 90 days of the publication of the notice of initiation of the requested review. In this case, Petitioner and Domestic Producers timely withdrew their request by the 90-day deadline, and no other party requested an administrative review of the antidumping duty order. As a result, pursuant to 19 CFR 351.213(d)(1), we are rescinding the administrative review of shrimp from the PRC for the period February 1, 2014, through January 31, 2015, in its entirety.

Assessment

The Department will instruct U.S. Customs and Border Protection ("CBP") to assess antidumping duties on all appropriate entries. Because the Department is rescinding this administrative review in its entirety, the entries to which this administrative review pertained shall be assessed antidumping duties at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions to CBP 15 days after the publication of this notice in the Federal Register, if appropriate.

Notifications

This notice 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 this review period. 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 doubled antidumping duties.

This notice also serves as a final 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(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or 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 notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: June 17, 2015.

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

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–475–818]

Certain Pasta from Italy: Notice of Preliminary Results of Antidumping Duty Changed Circumstances Review

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

SUMMARY: On August 12, 2014, the Department of Commerce (the Department) initiated a changed circumstances review of the antidumping duty order on certain pasta from Italy in order to determine whether La Molisana S.p.A. (La Molisana) is the successor-in-interest to La Molisana Industrie Alimentari, S.p.A. (LMI), a respondent in the investigation and several administrative reviews.1 We preliminarily determine that La Molisana is not the successor-in-interest to LMI. We invite interested parties to comment on these preliminary results.

DATES: Effective date June 23, 2015.


SUPPLEMENTARY INFORMATION:

Background

On July 24, 1996, the Department published in the Federal Register the antidumping duty order on pasta from Italy.2 The most recently completed administrative review for LMI was for the July 1, 1998 to June 30, 1999 period.3 Pursuant to Section 129 of the Uruguay Round Agreements Act, the Department recalculated the cash deposit rate for LMI and assigned it a de minimis margin.4

On June 23, 2014, La Molisana requested a changed circumstances review. On August 12, 2014, the Department initiated this review.5 On October 20, 2014, New World Pasta Company and Dakota Growers Pasta Company (hereinafter referred to as Petitioners) submitted comments on La Molisana’s request for a changed circumstances review. On December 3, 2014, the Department requested additional information from La Molisana, which was submitted, in part, on January 9, 2015, and after an extension was granted, the remainder was submitted on January 28, 2015 (hereinafter referred to as the Supplemental Response).

On February 6, 2015, Petitioners submitted comments on La Molisana’s Supplemental Response. On February 11, 2015, La Molisana objected to Petitioners’ February 6, 2015, submission and requested that the Department reject it because it contained untimely filed, uncertified, new factual information. On February 20, 2015, the Department decided not to reject Petitioners’ February 6, 2015, submission.6 La Molisana filed comments on February 27, 2015, regarding the Department’s decision. On March 4, 2015, the Department requested additional information from La Molisana, which was provided on March 24, 2015 (hereinafter referred to as Second Supplemental Response).

On April 27, 2015, we extended the time period for issuing the final results of this changed circumstance review by 90 days.7

Scope of the Order

Imports covered by this order are shipments of certain non-egg dry pasta

1 See Certain Pasta from Italy: Final Results of Antidumping Duty Administrative Review, 65 FR 77852 (December 13, 2000).
2 See Notice of Implementation of Determination Under Section 129 of the Uruguay Round Agreements Act: Stainless Steel Plate in Coils From Belgium, Steel Concrete Reinforcing Bars From Latvia, Purified Carboxymethylcellulose From Finland, Certain Pasta From Italy, Purified Carboxymethylcellulose From the Netherlands, Stainless Steel Wire Rod From Spain, Granular Polytetrafluoroethylene Resin From Italy, Stainless Steel Sheet and Strip in Coils From Japan, 77 FR 36257 (June 18, 2012) (Notice of Section 129 Implementation).
3 See Initiation Notice.
in packages of five pounds four ounces or less, whether or not enriched or fortified or containing milk or other optional ingredients such as chopped vegetables, vegetable purées, milk, gluten, diastasis, vitamins, coloring and flavorings, and up to two percent egg white. The pasta covered by this scope is typically sold in the retail market, in fiberboard or cardboard cartons, or polyethylene or polypropylene bags of varying dimensions.

For a full description of the scope, see the Preliminary Results of Changed Circumstances Review Regarding Successor-In-Interest Analysis: Certain Pasta from Italy memorandum dated concurrently with and hereby adopted by this notice.8 The Preliminary Results of Changed Circumstances Review memorandum is a business proprietary document of which the public version 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 it 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 Preliminary Results of Changed Circumstances Review memorandum can be accessed directly on the internet at http://enforcement.trade.gov/frn/. The signed Preliminary Results of Changed Circumstances Review memorandum and the electronic version of the Preliminary Results of Changed Circumstances Review memorandum are identical in content.

Preliminary Results of Changed Circumstances Review

In this changed circumstances review, pursuant to section 751(b) of the Tariff Act of 1930, as amended (the Act), the Department conducted a successor-in-interest analysis. In making such a successor-in-interest determination, the Department examines several factors including, but not limited to, changes in: (1) Management; (2) production facilities; (3) supplier relationships; and (4) customer base.9 While no one or combination of these factors will necessarily provide a dispositive indication, the Department will generally consider the new company to be the successor to the previous company if its resulting operation is not materially dissimilar to that of its predecessor.10 Thus, if the evidence demonstrates that, with respect to the production and sale of the subject merchandise, the new company operates as the same business entity as the former company, the Department will assign the new company the cash deposit rate of its predecessor.11

Based on the totality of the record evidence and on comments from interested parties, we preliminarily determine that La Molisana is materially dissimilar to LMI in terms of management, production facilities, and supplier relationships. Therefore, we preliminarily find that La Molisana is not the successor-in-interest to LMI.12

Consequently, we preliminarily determine that La Molisana should not be given the same antidumping duty treatment as LMI. This determination will apply to all entries of the subject merchandise entered or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this changed circumstances review.13 If we reach the same conclusion in the final results, then the cash deposit for La Molisana will continue to be 15.45 percent, the all-others rate established in the antidumping duty investigation, as modified by the section 129 determination.14 This cash deposit requirement will remain in effect until a company-specific rate is calculated for La Molisana.15

Public Comment

Pursuant to 19 CFR 351.309(c), interested parties may submit case briefs no later than 10 days after the date of publication of this notice via ACCESS. ACCESS is available to registered users at http://access.trade.gov and is available to all parties in the Central Records Unit, room 7046, of the main Department of Commerce building. Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than five days after the date for filing case briefs. Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. An electronically filed document must be received successfully in its entirety by ACCESS, no later than 5:00 p.m. Eastern Time within 10 days after the date of publication of this notice. Requests should contain: (1) The party’s name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in case briefs.

Consistent with 19 CFR 351.216(e), we will issue the final results of this changed circumstances review no later than 270 days after the date on which this review was initiated, or within 45 days after the publication of the preliminary results if all parties in this review agree to our preliminary results.

We are issuing and publishing this determination and notice in accordance with sections 751(b) and 777(i)(1) of the Act and 19 CFR 351.216 and 351.221.

Dated: June 10, 2015.

Paul Piquado,
Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Changed Circumstances Review Decision Memorandum

I. Summary


8 See, e.g., Brake Rotors. See also Delverde.
9 Id.; see also, e.g., Notice of Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review: Certain Frozen Warmwater Shrimp From India, 77 FR 64953 (October 24, 2012), unchanged in Final Results of Antidumping Duty Changed Circumstances Review: Certain Frozen Warmwater Shrimp From India, 77 FR 73619 (December 11, 2012).
10 See Preliminary Results in Changed Circumstances Review memorandum.
11 See Granular Polytetrafluoroethylene Resin From Italy: Final Results of Changed Circumstances Review, 68 FR 25327 (May 12, 2003). See also Delverde.
12 See Notice of Implementation of Section 129.
13 La Molisana is currently being reviewed in an administrative review covering the period July 1, 2013 through June 30, 2014. See Initiation of Antidumping and Countervailing Duty Administrative Reviews, 79 FR 51548 (August 29, 2014).
II. Background
III. Scope of the Order
IV. Discussion of Methodology
V. Analysis
1. Management
2. Production Facilities
3. Supplier Relationship
4. Customer Base

COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities Under OMB Review

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (“PRA”), this notice announces that the Information Collection Request (“ICR”) abstracted below has been forwarded to the Office of Management and Budget (“OMB”) for review and comment. The ICR describes the nature of the information collection and its expected costs and burden.

DATES: Comments must be submitted on or before July 23, 2015.

ADDRESSES: Comments regarding the burden estimated or any other aspect of the information collection, including suggestions for reducing the burden, may be submitted directly to the Office of Information and Regulatory Affairs in OMB, within 30 days of the notice’s publication, by email at OIRAsubmissions@omb.eop.gov. Please identify the comments by OMB Control No. 3038–0013. Please provide the Commodity Futures Trading Commission (“Commission”) with a copy of all submitted comments at the address listed below. Please refer to OMB Reference No. 3038–0013, found on http://reginfo.gov. Comments may also be mailed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for the Commodity Futures Trading Commission, 725 17th Street NW., Washington, DC 20503, and Hannah Ropp, Surveillance Analyst, Division of Market Oversight, Commodity Futures Trading Commission, 1155 21st Street NW., Washington, DC 20581; phone: (202) 418–5228; fax: (202) 418–5307; email: hropp@cftc.gov, and refer to OMB Control No. 3038–0013.

SUPPLEMENTARY INFORMATION:

Title: “Exemptions from Speculative Limits (OMB Control No. 3038–0013).” This is a request for extension of a currently approved information collection.

Abstract: Section 4a(a) of the Commodity Exchange Act (“Act”) allows the Commission to set speculative limits in any commodity for future delivery in order to prevent excessive speculation. Certain sections of the Act and the Commission’s Regulations allow exemptions from the speculative limits for persons using the market for hedging and, under certain circumstances, for commodity pool operators and similar traders. This information collection contains the recordkeeping and reporting requirements needed to ensure regulatory compliance with Commission rules relating to this issue.

Burden Statement: The respondent burden for this collection is estimated to be 3 hours per response. These estimates include the time to locate the information related to the exemptions and to file necessary exemption paperwork.

Respondents/Affected Entities: Swap Dealers, Large Traders, and other entities affected by Rules 1.47 and 1.48 and Part 150 of the Commission’s regulations.

Estimated number of respondents: 9. Estimated total annual burden on respondents: 48 hours.

Frequency of collection: 1–2 reports annually.

There are no capital costs or operating and maintenance costs associated with this collection.

Authority: 44 U.S.C. 3501 et seq.

Dated: June 17, 2015.

Robert N. Sidman, Deputy Secretary of the Commission.

CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC–2014–0033]


ACTION: Notice of availability.


DATES: Submit comments by August 7, 2015.

ADDRESSES: You may submit comments, identified by Docket No. CPSC–2014–0033, by any of the following methods:

Electronic Submissions: Submit electronic comments to the Federal eRulemaking Portal at: http://www.regulations.gov. Follow the instructions for submitting comments. The Commission does not accept comments submitted by electronic mail (email), except through www.regulations.gov. The Commission encourages you to submit electronic comments by using the Federal eRulemaking Portal, as described above.

Written Submissions: Submit written submissions by mail/hand delivery/courier to: Office of the Secretary, Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504–7923.

Instructions: All submissions received must include the agency name and docket number for this notice. All comments received may be posted without change, including any personal identifiers, contact information, or other personal information provided, to: