

Thai Union Group is the successor-in-interest to Thai Union Frozen. We received no comments or requests for a public hearing from interested parties within the time period set forth in the *Initiation and Preliminary Results*.

#### Scope of the Order

The merchandise subject to the order is certain frozen warmwater shrimp.<sup>3</sup> The product is currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) item numbers: 0306.17.0003, 0306.17.0006, 0306.17.0009, 0306.17.0012, 0306.17.0015, 0306.17.0018, 0306.17.0021, 0306.17.0024, 0306.17.0027, 0306.17.0040, 1605.21.1030, and 1605.29.1010. Although the HTSUS numbers are provided for convenience and customs purposes, the written product description remains dispositive.

#### Final Results of Changed Circumstances Review

For the reasons stated in the *Initiation and Preliminary Results*, and because we received no comments from interested parties to the contrary, the Department continues to find that Thai Union Group is the successor-in-interest to Thai Union Frozen. As a result of this determination, we find that Thai Union Group should receive the cash deposit rate previously assigned to Thai Union Frozen in the most recently completed review of the antidumping duty order on shrimp from Thailand.<sup>4</sup> Consequently, the Department will instruct U.S. Customs and Border Protection to suspend liquidation of all shipments of subject merchandise produced or exported by Thai Union Group and entered, or withdrawn from warehouse, for consumption on or after the publication date of this notice in the **Federal Register** at 1.10 percent, which is the current antidumping duty cash-deposit rate for the Thai Union group of companies, of which Thai Union Frozen (and now Thai Union Group) is a part.<sup>5 6</sup>

<sup>3</sup> For a complete description of the scope of the order, see *Initiation and Preliminary Results*.

<sup>4</sup> See, e.g., *Final Results of Antidumping Duty Changed Circumstances Review: Certain Circular Welded Non-Alloy Steel Pipe and Tube from Mexico*, 74 FR 41681, 41682 (August 18, 2009).

<sup>5</sup> This group now consists of Thai Union Group, Thai Union Seafood Co., Ltd., Pakfood Public Company Limited, Okeanos Co. Ltd., Okeanos Food Co., Ltd, Asia Pacific (Thailand) Co., Ltd., Chaophraya Cold Storage Co. Ltd., and Takzin Samut Co. Ltd. (collectively, "Thai Union").

<sup>6</sup> Thai Union Frozen received a 1.10 percent dumping margin as part of Thai Union in the 2012–2013 administrative review of the AD order on shrimp from Thailand. See *Certain Frozen Warmwater Shrimp From Thailand: Final Results of Antidumping Duty Administrative Review, Final Determination of No Shipments, and Partial*

This cash deposit requirement shall remain in effect until further notice.

We are issuing this determination and publishing these final results and notice in accordance with sections 751(b)(1) and 777(i)(1) and (2) of the Tariff Act of 1930, as amended, and 19 CFR 351.216 and 351.221(c)(3).

Dated: December 24, 2015.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2015–33161 Filed 1–4–16; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–570–968]

#### Aluminum Extrusions From the People's Republic of China: Notice of Court Decision Not in Harmony With Final Results of Countervailing Duty Administrative Review and Notice of Amended Final Results Pursuant to Court Decision

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

**SUMMARY:** On December 14, 2015, the United States Court of International Trade (CIT or the Court) sustained the Department of Commerce's (Department's) results of redetermination,<sup>1</sup> which recalculated the subsidy rate for Tai Shan City Kam Kiu Aluminium Extrusion Co. Ltd. (Kam Kiu) in the first administrative review of the countervailing duty (CVD) order on aluminum extrusions from the People's Republic of China,<sup>2</sup> pursuant to the Court's remand order in *Kam Kiu*.<sup>3</sup>

*Rescission of Review; 2012–2013*, 79 FR 51306 (August 28, 2014) (corrected by *Certain Frozen Warmwater Shrimp From Thailand: Notice of Correction to the Final Results of the 2012–2013 Antidumping Duty Administrative Review*, 79 FR 62099 (October 16, 2014)). We note that Thai Union Frozen is also a respondent in the current 2014–2015 administrative review of this antidumping duty order. See *Certain Frozen Warmwater Shrimp from India and Thailand: Notice of Initiation of Antidumping Duty Administrative Reviews*, 80 FR 16634 (March 30, 2015). Because we determined that Thai Union Group is the successor-in-interest to Thai Union Frozen, we will assign Thai Union Group an updated cash deposit rate based on the final results of that administrative review.

<sup>1</sup> See *Tai Shan City Kam Kiu Aluminium Extrusion Co., Ltd. v. United States*, Court No. 14–00016; Slip Op. 15–138 (CIT December 14, 2015) (*Kam Kiu II*).

<sup>2</sup> See *Aluminum Extrusions from the People's Republic of China: Final Results of Countervailing Duty Administrative Review; 2010 and 2011*, 79 FR 106 (January 2, 2014) (*Final Results*), and accompanying Issues and Decision Memorandum (Final Results Decision Memorandum).

<sup>3</sup> See *Tai Shan City Kam Kiu Aluminium Extrusion Co., Ltd. v. United States*, Court No. 14–

Consistent with the decision of the United States Court of Appeals for the Federal Circuit (CAFC) in *Timken*,<sup>4</sup> as clarified by *Diamond Sawblades*,<sup>5</sup> 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 its *Final Results* with respect to Kam Kiu.

**DATES:** *Effective Date:* December 24, 2015.

#### FOR FURTHER INFORMATION CONTACT:

Kristen Johnson, AD/CVD Operations, Office III, Enforcement and Compliance, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: 202–482–4793.

#### SUPPLEMENTARY INFORMATION:

##### Background

In the *Final Results*, the Department determined that Kam Kiu failed to respond to its request for information regarding the company's quantity and value of imports of subject merchandise to the United States during the review period.<sup>6</sup> The Department therefore found Kam Kiu to be uncooperative and determined that the application of facts available with an adverse inference was appropriate pursuant to sections 776(a)(2)(A) and (C) and section 776(b) of the Tariff Act of 1930, as amended (the Act).<sup>7</sup> The Department assigned to Kam Kiu a rate of 121.22 percent. This rate was based on the application of total adverse facts available (AFA) which the Department determined was corroborated to the extent practicable in accordance with section 776(c) of the Act.<sup>8</sup>

In *Kam Kiu*, the Court held that the Department must, to the extent practicable, corroborate the AFA rate assigned to Kam Kiu by either attempting to corroborate Kam Kiu's ability to benefit simultaneously from the location-specific subsidy programs included in the AFA rate, or adjusting its methodology as applied to Kam Kiu and corroborate its findings under the new methodology.<sup>9</sup> The Court found

00016; Slip Op. 15–21 (CIT March 20, 2015) (*Kam Kiu*).

<sup>4</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>5</sup> See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

<sup>6</sup> This first administrative review covered the period September 7, 2010, through December 31, 2011.

<sup>7</sup> See Final Results Decision Memorandum at "Use of Facts Otherwise Available and Adverse Inferences: Application of Total AFA to Non-Cooperative Companies" and Comment 23.

<sup>8</sup> *Id.*

<sup>9</sup> See *Kam Kiu*, Slip Op. at 18–20.

that the Department did not explain how the final rate of 121.22 percent was related to Kam Kiu, and that such a rate appeared punitive in light of the lower rates assigned to the mandatory respondents which were partially based on AFA.<sup>10</sup> The Court further held that the Department failed to corroborate its finding that Kam Kiu could have benefited from the “Export Rebate for Mechanic, Electronic, and High-Tech Products” program, and evidence that the mandatory respondents in the review did not use the program detracted from the Department’s finding.<sup>11</sup>

On remand, the Court instructed the Department to reconsider its corroboration methodology with regard to location-specific subsidy programs included in Kam Kiu’s rate and the “Export Rebate for Mechanic, Electronic, and High-Tech Products” program also included in Kam Kiu’s rate, as well as to explain how the final AFA rate relates to Kam Kiu.<sup>12</sup>

In its final results of redetermination pursuant to *Kam Kiu*,<sup>13</sup> the Department demonstrated that the AFA rate applied to Kam Kiu in the *Final Results* was corroborated to the extent practicable and was relevant to Kam Kiu. However, to comply with the Court’s remand order, under protest, the Department adjusted Kam Kiu’s AFA rate to remove all location-specific subsidy programs aside from programs that Kam Kiu could have used based on its mailing address. The Department further explained its corroboration of Kam Kiu’s ability to use the “Export Rebate for Mechanic, Electronic, and High-Tech Products” program to the extent practicable, and demonstrated that the revised AFA rate of 79.80 percent was relevant to Kam Kiu.

On December 14, 2015, the Court sustained the Department’s final results of redetermination pursuant to remand.<sup>14</sup>

#### Timken Notice

In its decision in *Timken*<sup>15</sup> as clarified by *Diamond Sawblades*, the CAFC has held that, pursuant to section 516A(e) of 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 Court’s opinion in *Kam Kiu II*, issued on December 14, 2015, sustaining the Department’s final results of redetermination, constitutes a final decision of the 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.

#### Amended Final Results

Because there is now a final court decision with respect to the *Final Results*, the Department amends its *Final Results*. The Department finds that the following revised net subsidy rate exists:

Company	Subsidy rate
Tai Shan City Kam Kiu Aluminium Extrusion Co. Ltd.	79.80 percent <i>ad valorem</i>

Since the *Final Results*, the Department established a new cash deposit rate for Kam Kiu.<sup>16</sup> Therefore, the cash deposit rate for Kam Kiu does not need to be updated as a result of these amended final results. In the event that the Court’s ruling is not appealed, or if appealed, upheld by the CAFC, the Department will instruct U.S. Customs and Border Protection to liquidate entries of subject merchandise that were exported by Kam Kiu, and which were entered, or withdrawn from warehouse, for consumption during the period September 7, 2010, through December 31, 2011, at the revised rate of 79.80 percent *ad valorem*.

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

Dated: December 29, 2015.

#### Paul Piquado,

*Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2015–33164 Filed 1–4–16; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

#### National Conference on Weights and Measures 101st Interim Meeting

**AGENCY:** National Institute of Standards and Technology, Commerce.

**ACTION:** Notice.

**SUMMARY:** The 101st Interim Meeting of the National Conference on Weights and Measures (NCWM) will be held in San Diego, California, from Sunday, January 10, 2016, through Wednesday, January 13, 2016. This notice contains information about significant items on the NCWM Committee agendas but does not include all agenda items. As a result, the items are not consecutively numbered.

**DATES:** The meeting will be held on Sunday, January 10, 2016, through Tuesday, January 12, 2016, from 8:00 a.m. to 5:00 p.m. Pacific time, and on Wednesday, January 13, 2016 from 9:00 a.m. to 12:00 p.m. Pacific time. The meeting schedule is available at [www.ncwm.net](http://www.ncwm.net).

**ADDRESSES:** This meeting will be held at the Westin San Diego Gaslamp Quarter, 910 Broadway Circle, San Diego, California 92101.

**FOR FURTHER INFORMATION CONTACT:** Ms. Carol Hockert, Chief, NIST, Office of Weights and Measures, 100 Bureau Drive, Stop 2600, Gaithersburg, MD 20899–2600. You may also contact Ms. Hockert at (301) 975–5507 or by email at [carol.hockert@nist.gov](mailto:carol.hockert@nist.gov). The meeting is open to the public, but a paid registration is required. Please see NCWM Web site ([www.ncwm.net](http://www.ncwm.net)) to view the meeting agendas, registration forms, and hotel reservation information.

#### SUPPLEMENTARY INFORMATION:

Publication of this notice on the NCWM’s behalf is undertaken as a public service; NIST does not endorse, approve, or recommend any of the proposals or other information contained in this notice or in the publications of the NCWM.

The NCWM is an organization of weights and measures officials of the states, counties, and cities of the United States, federal agencies, and representatives from the private sector. These meetings bring together government officials and representatives of business, industry, trade associations, and consumer organizations on subjects related to the field of weights and measures technology, administration, and enforcement. NIST participates to

<sup>10</sup> *Id.*, at 22–23.

<sup>11</sup> *Id.*, at 23.

<sup>12</sup> *Id.*

<sup>13</sup> See *Final Results of Redetermination Pursuant to Court Remand—Tai Shan City Kam Kiu Aluminium Extrusion Co., Ltd. v. United States*, Court No. 14–00016; Slip Op. 15–21 (CIT 2015), signed August 13, 2015.

<sup>14</sup> See *Kam Kiu II*.

<sup>15</sup> See *Timken*, 893 F.2d at 341.

<sup>16</sup> See *Aluminium Extrusions from the People’s Republic of China: Final Results of Countervailing Duty Administrative Review*; 2012, 79 FR 78788 (December 31, 2014).