above for each of the respective companies shown above, on shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits at the most-recent company-specific or all-others rate applicable to the company, as appropriate. These cash deposit requirements, when imposed, shall remain in effect until further notice. These preliminary results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).


Ronald K. Lorentzen,
Acting Assistant Secretary for Enforcement and Compliance.

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Appendix II—Non-Selected Companies Under Review
1. Chint Solar (Zhejiang) Co., Ltd.
2. Hefei JA Solar Technology Co., Ltd.
3. Perlight Solar Co., Ltd.
4. Risen Energy Co., Ltd.
5. Shanghai JA Solar Technology Co., Ltd.
7. Sunny Apex Development Limited

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DEPARTMENT OF COMMERCE
International Trade Administration
[A–570–851]


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

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on certain preserved mushrooms from the People’s Republic of China (the PRC). The period of review (POR) is February 1, 2015, through January 31, 2016. The Department preliminarily determines that, during the POR, one mandatory respondent, Dezhou Kaihang Agricultural Science Technology Co. Ltd. (Dezhou Kaihang) did not sell subject merchandise below normal value (NV). We also preliminarily determine that the other mandatory respondent, Linyi City Kangfa Foodstuff Drinkable Co., Ltd. (Kangfa) has not demonstrated its eligibility for a separate rate and is, therefore, part of the PRC-wide entity. We preliminarily determined that the following companies had no reviewable shipments during the POR: (1) Zhangzhou Hongda Import & Export Trading Co., Ltd. (Hongda); and (2) Zhangzhou Gangchang Canned Foods Co., Ltd., Fujian and Zhangzhou Gangchang Canned Foods Co., Ltd. (collectively, Gangchang). Finally, we preliminarily find that the remaining 98 companies under review did not demonstrate their eligibility for a separate rate and are part of the PRC-wide entity. Interested parties are invited to comment on these preliminary results.

DATES: Effective March 6, 2017.


Background

On February 19, 1999, the Department published in the Federal Register the antidumping duty order on certain preserved mushrooms from the PRC.1 On February 3, 2016, the Department published in the Federal Register an opportunity to request an administrative review of the order.2 On April 7, 2016, the Department published in the Federal Register notice of initiation of this review, covering 103 separately-named companies.3 On June 17, 2016, the Department selected Dezhou Kaihang and Kangfa as mandatory respondents and issued antidumping questionnaires to these companies.4 Dezhou Kaihang timely submitted questionnaire responses, but Kangfa did not respond to the Department’s request for information.

Scope of the Order

The products covered by this order are certain preserved mushrooms. The merchandise subject to this order is classifiable under subheadings: 2003.10.0127, 2003.10.0131, 2003.10.0137, 2003.10.0143, 2003.10.0147, 2003.10.0153, and 0711.51.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and Customs purposes, the written description of the scope of this order is dispositive.5

Preliminary Determination of No Shipments

Two companies that received a separate rate in previous segments of the proceeding and are subject to this review, Hongda and Gangchang,6 certified that they did not have any exports of subject merchandise during the POR.7 We requested that U.S.

1 See Notice of Amendment of Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Preserved Mushrooms from the People’s Republic of China, 64 FR 8308 (February 19, 1999) (the Order).
2 See Antidumping or Countervailing Duty Order, 74 FR 14772 (April 1, 2009) (the Order).
3 See Notice of Initiation of Antidumping and Countervailing Duty Administrative Reviews, 81 FR 20324 (April 7, 2016) (Initiation Notice).
5 For a complete description of the scope of the order, see Memorandum from James Maeder, Senior Director, Office I, for Antidumping and Countervailing Duty Operations, to Ronald K. Lorentzen, Acting Assistant Secretary for Enforcement and Compliance, “Certain Preserved Mushrooms from the People’s Republic of China: Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review; 2015–2016,” dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).
6 In the company certification of no shipments, the names “Zhangzhou Gangchang Canned Foods Co., Ltd., Fujian” and “Zhangzhou Gangchang Canned Foods Co., Ltd.” are used interchangeably. When a similar issue arose during an earlier new shipper review, counsel clarified that the correct name of the company is “Zhangzhou Gangchang Canned Foods Co., Ltd., Fujian.” See Certain Preserved Mushrooms from the People’s Republic of China: Preliminary Results of Antidumping Duty New Shipper Reviews 74 FR 28882 (June 18, 2009). Nonetheless, in a subsequent administrative review, we identified the company as “Zhangzhou Gangchang Canned Foods Co., Ltd.” See Certain Preserved Mushrooms from the People’s Republic of China: Final Results of Antidumping Duty New Shipper Reviews 80 FR 32355 (June 8, 2015). In light of this interchangeable treatment, to avoid any confusion, we are including both name variations in our preliminary finding of no shipments.
7 See Letters from Zhangzhou Gangchang Canned Foods Co., Ltd., and Zhangzhou Hongda Import & Export Trading Co., Ltd., dated May 6, 2016. One additional company, Zhejiang Jinhua Jinli...
Customs and Border Protection (CBP) report any contrary information regarding these certifications. To date, we have received no evidence that these companies had any shipments of the subject merchandise sold to the United States during the POR. Further, consistent with our practice, we find that it is not appropriate to rescind the review with respect to these companies but, rather, to complete the review and issue appropriate instructions to CBP based on the final results of review.

Separate Rates

The Department preliminarily determines that the information placed on the record by Dezhou Kaihang demonstrates that Dezhou Kaihang is entitled to separate rate status. No other parties submitted separate rate information in this review.

PRC-Wide Entity

The Department’s change in policy regarding conditional review of the PRC-wide entity applies to this administrative review. Under this policy, the PRC-wide entity will not be under review unless a party specifically requests, or the Department self-initiates, a review of the entity. Because no party requested a review of the PRC-wide entity in this review, nor did the Department self-initiate a review of the PRC-wide entity, the entity is not under review and the entity’s “rate” (i.e., 308.33 percent) is not subject to change. Aside from Dezhou Kaihang and the no shipments companies discussed above, the Department considers all other companies for which a review was requested (which did not file a separate rate application or separate rate certification) to be part of the PRC-wide entity.

Mushroom Co., Ltd., also filed a no-shipment certification; however, because this company did not have a separate rate in previous segments of this proceeding and did not submit a separate rate application, we have continued to include this company in the PRC-wide entity.

8 See CBP message numbers 7047304 and 7047303, dated February 16, 2016.


10 See Preliminary Decision Memorandum, at “Discussion of the Methodology” section.


Mushroom Co., Ltd., also filed a no-shipping certification; however, because this company did not have a separate rate in previous segments of this proceeding and did not submit a separate rate application, we have continued to include this company in the PRC-wide entity.

14 See 19 CFR 351.306(c)(1)(iii).
submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities. Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than five days after the cases briefs are filed.

Interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety by the Department’s ACCESS by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice.17

Hearing 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 the respective case briefs. Unless extended, the Department intends to issue the final results of this review, including the results of its analysis of issues raised by parties in their comments, within 120 days after the publication of these preliminary results, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

Assessment Rates

Upon issuing the final results of review, the Department will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review.18 If Dezhou Kaihang’s weighted-average dumping margin is above de minimis (i.e., 0.5 percent) in the final results of this review, we will calculate an importer-specific assessment rate calculation method adopted in Final Modification for Reviews.19 Where an importer-specific ad valorem rate is zero or de minimis, we will instruct CBP to liquidate appropriate entries without regard to antidumping duties.20

For entries that were not reported in the U.S. sales databases submitted by exporters individually examined during this review, the Department will instruct CBP to liquidate such entries at the PRC-wide rate. In addition, 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 that exporter’s rate) will be liquidated at the PRC-wide rate of 308.33 percent.21 The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of the final results of review.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this review.22

- For an existing separate rate, the cash deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter. For all non-PRC exporters of subject merchandise which have not received an existing exporter-specific rate, the cash deposit rate will be zero for that exporter; (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 existing exporter-specific rate; (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 that for the PRC-wide entity; 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 cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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

We are issuing and publishing these preliminary results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213.


Ronald K. Lorentzen, Acting Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF265

New England Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice: public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Research Steering Committee to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Thursday, March 23, 2017 at 9:30 a.m.

ADDRESS: The meeting will be held at the Hilton Garden Inn, 100 Boardman Street, Boston, MA 02128; telephone: (617) 567–6789.