

ITC Notification

In accordance with section 735(d) of the Act, we have notified the ITC of our final determination. As our final determination is affirmative, the ITC will determine within 45 days whether imports of the subject merchandise are causing material injury, or threat of material injury, to an industry in the United States. If the ITC determines that material injury or threat of injury does not exist, the proceeding will be terminated and all securities posted will be refunded or canceled. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing CBP to assess antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

Return or Destruction of Proprietary Information

This notice will serve as the only reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing this determination and notice in accordance with sections 735(d) and 777(i) of the Act.

Dated: October 17, 2007.

David M. Spooner,

Assistant Secretary for Import Administration.

Appendix—Issues in Decision Memo**Comments**

Issue 1: *Whether to Adjust Export Price for Amounts Paid by TK to an Unaffiliated Company*

Issue 2: *Application of Major Input Rule to Logs Used to Produce Pulp by IK*

Issue 3: *Application of Major Input Rule to Pulp Produced by Lontar*

Issue 4: *Selection of Market Price Used for Testing of Purchases of Pulp from Lontar*

Issue 5: *Application of Transactions Disregarded Rule for Purchases of Electricity*

Issue 6: *Treatment of Miscellaneous Expenses in Financial Expense Calculation*

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DEPARTMENT OF COMMERCE**International Trade Administration**

(A-533-840)

Certain Frozen Warmwater Shrimp from India: Amended Final Results of Antidumping Duty Administrative Review and Rescission In Part

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

EFFECTIVE DATE: October 25, 2007.

FOR FURTHER INFORMATION CONTACT: Elizabeth Eastwood, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-3874.

SUPPLEMENTARY INFORMATION:**Background**

In accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended (the Act), on September 12, 2007, the Department of Commerce (the Department) published its notice of final results of antidumping duty administrative review on certain frozen warmwater shrimp from India. *See Certain Frozen Warmwater Shrimp from India: Final Results and Partial Rescission of Antidumping Duty Administrative Review*, 72 FR 52055 (Sept. 12, 2007) (*Final Results*). On October 12, 2007, we received an allegation from Lotus Sea Farms (Lotus), a respondent in this proceeding, that the Department made a ministerial error with respect to the rate assigned to it in the final results.

Although we received Lotus's ministerial error allegation after the normal deadline for filing ministerial error allegations (*see* 19 CFR 351.224(c)(2),(4)), we find good cause to extend the deadline for filing a ministerial error allegation to the date we received the request and allegation from Lotus. *See* 19 CFR 351.302(b). After analyzing Lotus's submission, we have determined, in accordance with section 751(h) of the Act, that we made a ministerial error in the final results when we assigned the adverse facts available (AFA) rate to Lotus because we believed that it had failed to submit a response to the Department's quantity and value (Q&V) questionnaire when, in fact, it had done so. Therefore, because: 1) Lotus responded to the Department's request for Q&V information in this administrative review; and 2) the evidence on the record does not indicate that Lotus exported subject merchandise

to the United States during the POR, we are rescinding the administrative review for it.

Amended Final Results of Review and Rescission in Part

We have determined, in accordance with section 751(h) of the Act and 19 CFR 351.224(e), that the Department made a ministerial error in the final results by assigning Lotus the AFA rate when Lotus did indeed respond to the Department's request for Q&V information. In addition, because the evidence on the record of this administrative review does not indicate that Lotus exported subject merchandise during the POR, we are rescinding the administrative review for it. For a detailed discussion of this ministerial error, the Department's finding of good cause to extend the deadline for filing a ministerial error allegation, and the Department's analysis, see the October 16, 2007, memorandum to James Maeder from Elizabeth Eastwood entitled, "Ministerial Error Allegation Regarding Lotus Sea Farms in the Final Results of the 2004-2006 Antidumping Duty Administrative Review of Certain Frozen Warmwater Shrimp from India."

Therefore, we are amending the final results of administrative review of certain frozen warmwater shrimp from India for the period August 4, 2004, through January 31, 2006. As a result of correcting the ministerial error discussed above, we are rescinding this administrative review with respect to Lotus, and we will notify U.S. Customs and Border Protection of this rescission. For the remaining respondents, the weighted-average dumping margins remain the same. *See Final Results.*

We are issuing and publishing this determination and notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: October 19, 2007.

David M. Spooner,

Assistant Secretary for Import Administration.

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