

instructions for the companies subject to these reviews directly to CBP 15 days after publication of the final results of these reviews. For assessment purposes for companies with a calculated rate, where possible, the Department calculated importer-specific assessment rates for freshwater crawfish tail meat from the PRC on a per-unit basis. Specifically, the Department divided the total dumping margins (calculated as the difference between normal value and export price) for each importer by the total quantity of subject merchandise sold to that importer during the POR to calculate a per-unit assessment amount. The Department will direct CBP to assess importer-specific assessment rates based on the resulting per-unit (i.e., per-kilogram) rates by the weight in kilograms of each entry of the subject merchandise during the POR. However, the final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of these reviews and for future deposits of estimated duties, where applicable.

#### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of these reviews for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) for the exporters listed above, the cash deposit rate will be that established in the final results of this review (except, if the rate is zero or *de minimis*, no cash deposit will be required); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recently completed review; (3) for all PRC exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the PRC-wide rate of 223.01 percent; 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 exporters that supplied that non-PRC exporter. These 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 review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

These administrative and new shipper reviews and notice are in accordance with sections 751(a)(1), 751(a)(2)(B), and 777(i) of the Act and 19 CFR 351.213 and 351.214.

Dated: October 1, 2007.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-552-801]

#### Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Initiation of Antidumping Duty New Shipper Reviews

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

**EFFECTIVE DATE:** October 9, 2007.

**SUMMARY:** The Department of Commerce ("Department") has determined that two requests for a new shipper review of the antidumping duty order on certain frozen fish fillets from the Socialist Republic of Vietnam ("Vietnam"), received on June 15, 2007, and August 29, 2007, meet the statutory and regulatory requirements for initiation. The period of review ("POR") for the two new shipper reviews which the Department is initiating is August 1, 2006, through July 31, 2007.

**FOR FURTHER INFORMATION CONTACT:** Javier Barrientos, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-2243.

#### SUPPLEMENTARY INFORMATION:

##### Background

The notice announcing the antidumping duty order on certain frozen fish fillets from Vietnam was published in the **Federal Register** on August 12, 2003. *See Notice of Antidumping Duty Order: Certain Frozen Fish Fillets from the Socialist Republic of Vietnam*, 68 FR

47909(August 12, 2003).<sup>1</sup> On June 15, and August 29, 2007, pursuant to 19 CFR 351.214(c), the Department received two new shipper review requests from Southern Fishery Industries Company, Ltd. ("South Vina") and Binh An Seafood Joint Stock Co. ("Binh An"), respectively. South Vina and Binh An certified that they are both the producer and exporter of the subject merchandise upon which the request for a new shipper review is based. The Catfish Farmers of America and individual U.S. catfish processors ("Petitioners") did not submit comments with regard to these two new shipper requests.

Pursuant to section 751(a)(2)(B)(i)(I) of the Tariff Act of 1930 as amended ("the Act"), and 19 CFR 351.214(b)(2)(i), South Vina and Binh An certified that they did not export certain frozen fish fillets to the United States during the period of investigation ("POI"). In addition, pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), South Vina and Binh An certified that, since the initiation of the investigation, they have never been affiliated with any Vietnamese exporter or producer who exported certain frozen fish fillets to the United States during the POI, including those not individually examined during the investigation. As required by 19 CFR 351.214(b)(2)(iii)(B), South Vina and Binh An also certified that their export activities were not controlled by the central government of Vietnam.

In addition to the certifications described above, pursuant to 19 CFR 351.214(b)(2)(iv), South Vina and Binh An submitted documentation establishing the following: (1) the date on which South Vina and Binh An first shipped certain frozen fish fillets for export to the United States and the date on which the frozen fish fillets were first entered, or withdrawn from warehouse, for consumption; (2) the volume of their first shipment; and (3) the date of their first sale to an unaffiliated customer in the United States.

The Department conducted CBP database queries to confirm that South Vina and Binh An's shipments of subject merchandise had entered the United States for consumption and that liquidation of such entries had been

<sup>1</sup> Therefore, a request for a new shipper review based on the anniversary month, was due to the Department by the final day of August 2007. *See* 19 CFR 351.214(d)(1).

<sup>2</sup> South Vina made one subsequent shipment to the United States, while Binh An made two subsequent shipments during the POR, which the Department corroborated using data from U.S. Customs and Border Protection ("CBP").

properly suspended for antidumping duties.

### Initiation of New Shipper Reviews

Pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214(d)(1), the Department finds that South Vina and Binh An's requests meet the threshold requirements for initiation of a new shipper review for the shipment of certain frozen fish fillets from Vietnam they produced and exported.

The POR for the two new shipper reviews is August 1, 2006, through July 31, 2007. See 19 CFR 351.214(g)(1)(ii)(A). The Department intends to issue the preliminary results of these reviews no later than 180 days from the date of initiation, and final results of these reviews no later than 270 days from the date of initiation. See section 751(a)(2)(B)(iv) of the Act.

On August 17, 2006, the Pension Protection Act of 2006 (H.R. 4) was signed into law. Section 1632 of H.R. 4 temporarily suspends the authority of the Department to instruct CBP to collect a bond or other security in lieu of a cash deposit in new shipper reviews. Therefore, the posting of a bond under section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e) in lieu of a cash deposit is not available in this case. Importers of subject merchandise manufactured and exported by South Vina and/or Binh An must continue to pay a cash deposit of estimated antidumping duties on each entry of subject merchandise at the current Vietnam-wide rate of 63.88 percent.

Interested parties requiring access to proprietary information in this new shipper review should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306. This initiation and notice are published in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).

Dated: September 26, 2007.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-824, A-583-837]

### Polyethylene Terephthalate Film, Sheet, and Strip From India and Taiwan: Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders

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

**SUMMARY:** On June 1, 2007, the Department of Commerce (the Department) published in the **Federal Register** the notice of initiation of the five-year sunset reviews of the antidumping duty orders on polyethylene terephthalate film, sheet, and strip (PET Film) from India and Taiwan pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>1</sup> As a result of adequate substantive response on filed on behalf of domestic interested parties and inadequate response from respondent interested parties, the Department has conducted expedited sunset reviews for these orders pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(c). As a result of this sunset review, the Department finds that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping at the levels indicated in the "Final Results of Review" section of this notice.

**DATES:** *Effective Date:* October 9, 2007.

**FOR FURTHER INFORMATION CONTACT:** Martha Douthit or Dana Mermelstein, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-5050 and (202) 482-1391, respectively.

#### SUPPLEMENTARY INFORMATION:

#### Background

On June 1, 2007, the Department initiated sunset reviews of the antidumping duty orders on PET Film from India and Taiwan, pursuant to section 751(c) of the Act. See *Notice of Initiation*. Within the deadline specified in section 351.218(d)(1)(i) of the Department's regulations, the Department received notices of intent to participate from domestic interested parties DuPont Teijin Films (DuPont), Mitsubishi Polyester Film of America

(MFA), SKC, Inc. (SKC), and Toray Plastics (America), Inc. (TPA) (collectively, the PET Film Group). DuPont, MFA, and TPA were the petitioners in the original investigation. SKC was a supporter of the petition in the original investigation. The PET Film Group stated that they are not related to any Indian or Taiwanese producers or exporters of the subject merchandise. In addition, members of the PET Film Group noted that they are not importers of the subject merchandise and they are not related to any importer of the subject merchandise. The PET Film Group claimed interested party status under section 771(9)(C) of the Act as U.S. producers of a domestic like product.

On July 2, 2007, the Department received substantive responses from the PET Film Group within the deadline specified in 19 CFR 351.218(d)(3)(i). We did not receive responses from respondent interested parties in this proceeding. As such, pursuant to 19 CFR 351.218(e)(1)(ii)(c)(1), the Department notified the ITC that respondent interested parties' responses were inadequate. See Letter from Susan Kuhbach, Senior Director, AD/CVD Operations, Office 1, Import Administration, to Robert Carpenter, Director, Office of Investigations, ITC, dated July 23, 2007. In accordance with section 751(c)(3)(B) of the Act, the Department has conducted an expedited review of these orders.

#### Scope of the Orders

##### *India and Taiwan*

The products covered by these orders are all gauges of raw, pretested, or primed PET film, whether extruded or coextruded. Excluded are metallized films and other finished films that have had at least one of their surfaces modified by the application of a performance-enhancing resinous or inorganic layer more than 0.00001 inches thick. Imports of PET film were currently classifiable in the Harmonized Tariff Schedule of the United States ("HTSUS") under item number 3920.62.00. Effective July 1, 2003, the HTSUS subheading 3920.62.00.00 was divided into 3920.62.00.10 (metallized PET film) and 3920.62.00.90 (non-metallized PET film). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of these orders is dispositive. Since these orders were published, there was one scope determination for PET Film from India, dated August 25, 2003. In this determination, requested by International Packaging Films, Inc., the

<sup>1</sup> See *Initiation of Five-Year ("Sunset") Reviews*, 72 FR 30544 (June 1, 2007) (*Notice of Initiation*).