

that is subject to the Regulations, or in any other activity subject to the Regulations.

II. No person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

III. After notice and opportunity for comment as provided in Section 766.23 of the Regulations, any other person, firm, corporation, or business organization related to Kazerani by affiliation, ownership, control or position of responsibility in the conduct of trade or related services may also be subject to the provisions of this Order if necessary to prevent evasion of the Order.

IV. This Order does not prohibit any export, reexport, or other transaction subject to the Regulations where the only items involved that are subject to the Regulations are the foreign-produced direct product of U.S.-origin technology.

V. This Order is effective immediately and shall remain in effect until January 30, 2018.

VI. In accordance with Part 756 of the Regulations, Kazerani may file an

appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

VII. A copy of this Order shall be delivered to the Kazerani. This Order shall be published in the **Federal Register**.

Issued this 19th day of September 2013.

**Bernard Kritzer,**

*Director, Office of Exporter Services.*

[FR Doc. 2013-23306 Filed 9-24-13; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-601]

#### **Tapered Roller Bearings from the People's Republic of China: Notice of Court Decision Not in Harmony With Final Results of Administrative Review and Notice of Amended Final Results of Administrative Review**

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

**SUMMARY:** On August 30, 2013, the United States Court of International Trade ("CIT" or "Court") sustained the Department of Commerce's ("Department") final results of the second remand redetermination<sup>1</sup> relating to the twentieth administrative review of the antidumping duty order on tapered roller bearings from the People's Republic of China ("PRC"), in *Peer Bearing Company—Changshan v. United States*, Court No. 09-00052, Slip Op. 13-116 (CIT 2013) ("CPZ III"). Consistent with the decision of the United States Court of Appeals for the Federal Circuit ("CAFC") in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) ("*Timken*"), as clarified by *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) ("*Diamond Sawblades*"), the Department is notifying the public that the final CIT judgment in this case is not in harmony with the Department's final results and is amending its final results of the administrative review of the antidumping duty order on tapered roller bearings from the PRC covering the period of review ("POR") of June 1, 2006, through May 31, 2007, with respect to the weighted-average

dumping margin assigned to Peer Bearing Company—Changshan ("CPZ").

**DATES:** *Effective Date:* September 9, 2013.

#### **FOR FURTHER INFORMATION CONTACT:**

Brendan Quinn, Office 8, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-5848.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

Subsequent to the publication of the *Final Results*<sup>2</sup> on January 22, 2009, CPZ filed a complaint with the CIT to challenge various aspects of the *Final Results*.

On January 28, 2011, in *Peer Bearing Company—Changshan v. United States*, 752 F. Supp. 2d 1353 (CIT 2011) ("CPZ I"), the Court remanded the *Final Results* and ordered that the Department: a) re-determine CPZ's margin using U.S. prices calculated in a manner that complies with the law, either by employing the constructed export price ("CEP") methodology using price and transaction data available on the administrative record or re-opening the record to obtain export price ("EP") information; and b) review, reconsider, and re-determine surrogate values ("SVs") for alloy steel wire rod, alloy steel bar, and scrap from the production of cages, used to calculate CPZ's factors of production.

In response to CPZ I, the Department issued the *Final Results of Redetermination Pursuant to Remand*, Court No. 09-00052, Slip Op. 11-11 (CIT 2011) on July 1, 2011 ("CPZ I Remand Redetermination"). In the CPZ I Remand Redetermination, the Department determined: 1) that CPZ's dumping margin should be calculated on an EP basis; 2) that CPZ was unresponsive to the Department's requests for EP information; and 3) to apply total adverse facts available ("AFA") to CPZ. As a result of the determination to apply total AFA to CPZ, the Department did not reach any determination regarding SV issues remanded by the Court in CPZ I.

On August 2, 2012, in *Peer Bearing Company—Changshan v. United States*, Court No. 09-00052, Slip Op. 12-102 (CIT 2012) ("CPZ II"), the Court remanded the CPZ I Remand Redetermination to the Department. In

<sup>1</sup> See *Final Results of Redetermination Pursuant to Court Remand*, Court No. 09-00052, Slip Op. 12-102, dated October 2, 2012 ("CPZ II Remand Redetermination").

<sup>2</sup> *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China: Final Results of Antidumping Duty Administrative Review*, 74 FR 3987 (January 22, 2009) ("Final Results").

*CPZ II*, the Court held that the Department acted unlawfully by using an adverse inference in re-determining CPZ's dumping margin, and acted unlawfully by failing to recalculate the SVs. The Court ordered the Department to: 1) Determine the U.S. price for CPZ's sales of subject merchandise according to a lawful method; and 2) review, reconsider, and re-determine the SVs.

In response to *CPZ II*, the Department issued the *CPZ II Remand Redetermination* on October 2, 2012. In the *CPZ II Remand Redetermination*, the Department: 1) Applied non-AFA by calculating CPZ's margin utilizing the CEP U.S. price methodology based on sales information available on the record of the underlying review; and 2) re-determined the SVs based on alternative SV information on the record.

On August 31, 2013, the Court sustained the *CPZ II Remand Redetermination*, holding that: 1) There was no error in the Department's decision to use the record CEP data instead of entered value data to determine the U.S. prices of CPZ's subject merchandise, as had been argued during the remand proceeding; and 2) the re-determined SVs comply with the remand order issued in *CPZ I*.<sup>3</sup>

#### Timken Notice

In its decision in *Timken*, as clarified by *Diamond Sawblades*, the CAFC held that, pursuant to section 516A(c) of the Tariff Act of 1930, as amended ("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 CIT's August 30, 2013, judgment in this case constitutes a final decision of that court that is not in harmony with the Department's final results of the administrative review. 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 expiration of the period of appeal or, if appealed, pending a final and conclusive court decision. The cash deposit rate will remain the company-specific rate established for the most recently completed segment of this proceeding in which the respondent was included.

#### Amended Final Results

Because there is now a final court decision with respect to this case, the

Department is amending its *Final Results* with respect to CPZ's weighted-average dumping margin for the period June 1, 2006 through May 31, 2007. The revised weighted-average dumping margin is as follows:

TRBS FROM THE PRC	
Exporter	Weighted-average margin (percent)
Peer Bearing Company—Changshan (CPZ) .....	6.25

In the event that the CIT's ruling is not appealed, or if appealed, upheld by the CAFC, the Department will instruct Customs and Border Protection to assess antidumping duties on entries of the subject merchandise exported by CPZ during the POR.

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

Dated: September 18, 2013.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

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**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-588-870]

#### Chlorinated Isocyanurates From Japan: Initiation of Antidumping Duty Investigation

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

**DATES:** *Effective Date:* September 25, 2013.

**FOR FURTHER INFORMATION CONTACT:** Julia Hancock or Jerry Huang at (202) 482-1394 or (202) 482-4047, respectively, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

##### The Petition

On August 29, 2013, the Department of Commerce (the "Department") received an antidumping duty ("AD") petition concerning imports of chlorinated isocyanurates ("chlorinated isos") from Japan, filed in proper form by Clearon Corp. and Occidental

Chemical Corporation ("Petitioners").<sup>1</sup> Petitioners are domestic producers of chlorinated isos. On September 4, 2013, Petitioners provided a supplement to the foreign market research report provided in the Petition.<sup>2</sup> The Department requested additional information and clarification of certain areas of the Petition on September 4, 2013 and September 5, 2013.<sup>3</sup> Petitioners filed their response to these requests on September 9, 2013.<sup>4</sup> Petitioners also submitted additional information regarding the foreign market research report on September 9, 2013.<sup>5</sup> On September 10, 2013, Department officials held a telephone conference call with the source of the home market pricing information to confirm the information provided.<sup>6</sup> Additionally, on September 10, 2013, Department officials held a telephone conference call with Petitioners regarding the Supplement to the AD/CVD Petitions.<sup>7</sup> On September 10, 2013, Petitioners resubmitted Exhibit AD-26 of the Petition.<sup>8</sup>

In accordance with section 732(b) of the Tariff Act of 1930, as amended (the "Act"), Petitioners allege that imports of chlorinated isos from Japan are being, or are likely to be, sold in the United States at less than fair value within the meaning of section 731 of the Act and that such imports are materially injuring, or threatening material injury to, an industry in the United States. Also, consistent with section 732(b)(1) of the Act, the Petition is accompanied by information reasonably available to Petitioners supporting their allegations.

The Department finds that Petitioners filed this Petition on behalf of the domestic industry because they are interested parties as defined in section 771(9)(C) of the Act and have demonstrated sufficient industry support with respect to the initiation of the AD investigation that they are requesting. See the "Determination of

<sup>1</sup> See Petition for the Imposition of Antidumping Duties on Chlorinated Isocyanurates from Japan, dated August 29, 2013 ("Petition").

<sup>2</sup> See First Supplement to the AD Petition, dated September 4, 2013 ("First Supplement").

<sup>3</sup> See Department's General Supplemental Questionnaire issued on September 4, 2013 and Department's AD/CVD Supplemental Questionnaire issued on September 5, 2013.

<sup>4</sup> See Supplement to the AD/CVD Petitions, dated September 9, 2013 ("Supplement to the AD/CVD Petitions").

<sup>5</sup> See Second Supplement to the AD Petition, dated September 9, 2013 ("Second Supplement").

<sup>6</sup> See Memorandum to the File from Julia Hancock, dated September 11, 2013.

<sup>7</sup> See Memorandum to the File from Jerry Huang, dated September 11, 2013.

<sup>8</sup> See Amended Supplement to the AD Petition, dated September 10, 2013 ("Amended Supplement").

<sup>3</sup> See *CPZ III*, Slip Op. 13-116 at 5-9.