

Results of Sunset Review” section of this notice.

DATES: *Effective Date:* June 4, 2014.

FOR FURTHER INFORMATION CONTACT: David Goldberger, AD/CVD Operations, Office II, Enforcement and Compliance, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4136.

SUPPLEMENTARY INFORMATION:

Background

On February 10, 2014, the Department published the *Preliminary Results*. We preliminarily found that dumping was likely to continue or recur if the AD order were revoked, and determined to report to the International Trade Commission (ITC) the rates calculated in the *LTFV Final*² as the margins of dumping likely to prevail.

We invited interested parties to comment on the *Preliminary Results*. We received case briefs from Appvion, Inc. (Appvion³), a domestic manufacturer of lightweight thermal paper, and Papierfabrik August Koehler SE (Koehler), a German producer/exporter of lightweight thermal paper, on April 1, 2014, and rebuttal briefs from these parties on April 11, 2014.

Scope of the Order

The merchandise covered by the order is lightweight thermal paper. The merchandise subject to the order is currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 3703.10.60, 4811.59.20, 4811.90.8000, 4811.90.8030, 4811.90.8040, 4811.90.8050, 4811.90.9000, 4811.90.9030, 4811.90.9035, 4811.90.9050, 4811.90.9080, 4811.90.9090, 4820.10.20, and 4823.40.00. While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

For a full description of the scope, see “Final Results Issues and Decision Memorandum for the Full Sunset Review of the Antidumping Duty (AD) Order on Lightweight Thermal Paper from Germany,” dated concurrently with this notice (Decision Memorandum).

² See *Lightweight Thermal Paper from Germany: Notice of Final Determination of Sales at Less Than Fair Value*, 73 FR 57326, 57328 (October 2, 2008) (*LTFV Final*).

³ Appvion (formerly Appleton Papers) was the petitioner in the original investigation of lightweight thermal paper from Germany. See *LTFV Final*.

Analysis of Comments Received

All issues raised in this review are addressed in the Decision Memorandum, dated concurrently with this final notice, which is hereby adopted by this notice. The issues discussed in the accompanying Decision Memorandum include the likelihood of the continuation of dumping and the magnitude of the margins likely to prevail. The Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at <http://iaaccess.trade.gov>. The Decision Memorandum is available to all parties in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>. The signed and electronic versions of the Decision Memorandum are identical in content.

Final Results of Sunset Review

We determine that revocation of the AD order on lightweight thermal paper from Germany would be likely to lead to continuation or recurrence of dumping at the following weighted-average margins:

Manufacturer/exporter	Margin (percent)
Koehler	6.50
All Others	6.50

Notification to Interested Parties

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

We are issuing and publishing the final results of this full sunset review in accordance with sections 751(c)(5)(A), 752(c), and 777(i) of the Tariff Act of 1930, as amended, and 19 CFR 351.218(f)(3).

Dated: May 28, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-851]

Certain Preserved Mushrooms From the People's Republic of China: Notice of Court Decision Not in Harmony With Final Results and Notice of Amended Final Results of the Antidumping Duty Administrative Review; 2010-2011

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

SUMMARY: On May 19, 2014, the United States Court of International Trade (the Court) issued final judgment in *Blue Field (Sichuan) Food Indus. Co., Ltd. v. United States*, Court No. 12-00320, sustaining the Department of Commerce's (the Department) final results of redetermination pursuant to remand.¹ In the *Remand Results*, under protest, the Department recalculated the surrogate values for rice straw and cow manure reported by Blue Field (Sichuan) Food Indus. Co., Ltd. (Blue Field).² Consistent with the decision of the United States Court of Appeals for the Federal Circuit (Federal Circuit) 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 judgment in this case is not in harmony with the Department's final results of the antidumping duty administrative review of certain preserved mushrooms from the People's Republic of China covering the period February 1, 2010, through January 31, 2011, and is amending the final results with respect to the weighted-average dumping margin assigned to Blue Field.³

¹ See Final Results of Redetermination Pursuant to Court Remand, Certain Preserved Mushrooms from the People's Republic of China, *Blue Field (Sichuan) Food Indus. Co., Ltd. v. United States*, Court No. 12-00320; Slip Op. 13-142 (CIT November 14, 2013), dated March 18, 2014 (*Remand Results*), available at <http://enforcement.trade.gov/remands/index.htm>.

² See generally *Remand Results*.

³ See *Certain Preserved Mushrooms from the People's Republic of China: Final Results of Antidumping Duty Administrative Review*, 77 FR 55808 (September 11, 2012) (*Final Results*), and accompanying Issues and Decision Memorandum.

DATES: *Effective Date:* June 4, 2014.

FOR FURTHER INFORMATION CONTACT:

Michael J. Heaney or Davina Friedmann, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4475 or (202) 482-0698, respectively.

SUPPLEMENTARY INFORMATION:

On September 12, 2012, the Department issued the *Final Results*.⁴ Blue Field, an exporter of subject merchandise, timely filed complaints with the Court to challenge certain aspects of the *Final Results*. Specifically, Blue Field challenged the surrogate values assigned by the Department to its reported inputs of rice straw and cow manure. On November 14, 2013, the Court remanded the *Final Results* and instructed the Department to reconsider its calculation of Blue Field's surrogate values for rice straw and cow manure.⁵ On remand, and under protest, the Department recalculated Blue Field's surrogate values for rice straw and cow manure using data from India.⁶ As a result, Blue Field's margin changed from 308.33 percent to 82.04 percent.⁷ On May 19, 2014, the Court entered judgment sustaining the Department's *Remand Results*.⁸

Timken Notice

In its decision in *Timken*, 893 F.2d at 341, as clarified by *Diamond Sawblades*, the Federal Circuit has held that, pursuant to section 516A(e) of the Tariff Act of 1930, as amended (the Act), the Department must publish a notice of a court decision not "in harmony" with a Department determination, and must suspend liquidation of entries pending a "conclusive" court decision. The Court's May 19, 2014, judgment sustaining the *Remand Results* 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 requirement 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. The cash deposit rate will remain the PRC-wide entity rate (which includes Blue Field) established for the subsequent and most-recent period during which the PRC-wide entity was reviewed.⁹

Amended Final Determination

Because there is now a final court decision, the Department amends the *Final Results* with respect to Blue Field. The revised weighted-average dumping margin for Blue Field during the period February 1, 2010, through January 31, 2011 follows:

Exporter	Weighted average dumping margin (percent)
Blue Field (Sichuan) Food Industrial Co., Ltd	82.04

In the event the Court's ruling is not appealed, or if appealed and upheld by the Federal Circuit, the Department will instruct U.S. Customs and Border Protection to assess antidumping duties on entries of the subject merchandise exported by Blue Field using the revised assessment rate calculated by the Department in the *Remand Results*.

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

Dated: May 28, 2014.

Paul Piquado,

Assistant Secretary for Enforcement & Compliance.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-912]

Certain New Pneumatic Off-the-Road Tires From the People's Republic of China: Final Results of Antidumping Duty Changed Circumstances Review

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

SUMMARY: On April 17, 2014, the Department of Commerce ("Department") published its *Preliminary Results* of a changed circumstances review ("CCR") of the antidumping duty order on certain new pneumatic off-the road ("OTR") tires

from the People's Republic of China ("PRC").¹ The Department preliminarily determined that Shandong Linglong Tyre Co., Ltd. ("Shandong Linglong") is the successor-in-interest to Zhaoyuan Leo Rubber Co., Ltd. ("Leo Rubber") and invited parties to comment on the *Preliminary Results*. As no parties submitted subsequent comment, the Department is making no changes to the *Preliminary Results*.

DATES: *Effective Date:* June 4, 2014.

FOR FURTHER INFORMATION CONTACT:

Andrew Medley, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: 202-482-4987.

SUPPLEMENTARY INFORMATION:

Background

On September 4, 2008, the Department published in the **Federal Register** an antidumping duty order on OTR tires from the PRC.² Under the *Order*, Leo Rubber received the separate-rate respondent rate, as revised, of 12.83 percent.³

On April 17, 2014, we made a preliminary finding that Shandong Linglong is the successor-in-interest to Leo Rubber and thus, should receive the same antidumping duty treatment with respect to OTR tires from the PRC as the former Leo Rubber.⁴ We also stated that interested parties had 30 days in which to request a hearing and submit case briefs.⁵ No party submitted case briefs. Thus, consistent with 19 CFR 351.216(e), we are issuing this final determination within 45 days of our preliminary finding.

¹ See *Certain New Pneumatic Off-the-Road Tires from the People's Republic of China: Preliminary Results of Antidumping Duty Changed Circumstances Review*, 79 FR 21731 (April 17, 2014) ("Preliminary Results").

² See *Certain New Pneumatic Off-the-Road Tires From the People's Republic of China: Notice of Amended Final Affirmative Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 73 FR 51624 (September 4, 2008) ("Order").

³ On August 30, 2012, the Department published in the **Federal Register** a final determination, under section 129 of the Uruguay Round Agreements Act ("URAA"), regarding the antidumping duty investigation on OTR Tires from the PRC. See *Implementation of Determinations Under Section 129 of the Uruguay Round Agreements Act: Certain New Pneumatic Off-the-Road Tires; Circular Welded Carbon Quality Steel Pipe; Laminated Woven Sacks; and Light-Walled Rectangular Pipe and Tube From the People's Republic of China*, 77 FR 52683 (August 30, 2012). As part the Department's final determination under section 129 of the URAA, Leo Rubber was assigned a revised cash deposit rate of 12.83 percent. *Id.*, 73 FR at 51627.

⁴ See *Preliminary Results*, 79 FR at 21732.

⁵ *Id.*

⁴ See *id.*

⁵ See *Blue Field (Sichuan) Food Indus. Co., Ltd. v. United States*, 949 F. Supp. 2d 1311, 1334-35 (CIT November 14, 2013).

⁶ See generally *Remand Results*.

⁷ See *id.* at 14.

⁸ See *Blue Field (Sichuan) Food Indus. Co., Ltd. v. United States*, Court No. 12-00320 (CIT May 19, 2014).

⁹ See *Certain Preserved Mushrooms from the People's Republic of China: Final Results of Antidumping Duty Administrative Review 2012-2013*, 79 FR 12150, 12152 & n.16 (March 4, 2014).