

its *First Redetermination*, in which it: (1) Determined to use the Indonesian “basket” category 7217.10 to value steel wire, (2) determined to use the brokerage and handling (B&H) calculation outlined in the *Final Results*, and (3) continued to apply the zeroing methodology utilized in the *Final Results*.⁷

Upon consideration of the *First Redetermination*, on January 8, 2016, the Court sustained: (1) The use of World Bank data to derive brokerage and handling expenses, and (2) the application of zeroing.⁸ The Court, however, remanded the case to the Department to reconsider its adjustment of brokerage and handling based upon container size. Additionally, the Court directed the Department to use Indonesian HTS value 7217.10.00 to value Foshan Shunde’s steel wire input.⁹

On March 29, 2016, we issued the *Second Redetermination*, where we used the Indonesian HTS value 7217.10.00, and did not adjust the ports and terminal handling fee and document preparation fee based upon container size.¹⁰

On April 6, 2016, the Court sustained the *Second Redetermination*, and entered final judgment.¹¹

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 April 6, 2016, judgment sustaining the *Second Redetermination* 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.

Amended Final Results

Because there is now a final court decision, the Department amends the *Final Results* with respect to the dumping margin of Foshan Shunde. The revised weighted-average dumping margin for Foshan Shunde during the period August 1, 2009, through July 31, 2010, is as follows:

| Exporter | Weighted average dumping margin (percent) |
|---|---|
| Foshan Shunde Yongjian Housewares & Hardware Co., Ltd | 33.43 |

For Foshan Shunde, the cash deposit rate will remain the rate established in the 2010–2011 *Final Results*, a subsequent review, which is 157.68 percent.¹²

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 (CBP) to assess antidumping duties on entries of the subject merchandise exported by Foshan Shunde using the revised assessment rate calculated by the Department in the *Second Redetermination*.

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 13, 2016.

Paul Piquado,

Assistant Secretary for Enforcement & Compliance.

[FR Doc. 2016–12003 Filed 5–19–16; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[Application No. 14–3A004]

Export Trade Certificate of Review

ACTION: Notice of application for an amended Export Trade Certificate of Review by DFA of California (“DFA”), Application No. 14–3A004.

¹² See *Floor Standing Metal-Top Ironing Tables and Certain Parts Thereof From the People’s Republic of China: Final Results of Antidumping Duty Administrative Review* 77 FR 55806 (September 11, 2012) (2010–2011 *Final Results*).

SUMMARY: The Secretary of Commerce, through the International Trade Administration, Office of Trade and Economic Analysis (OTEA), has received an application for an amended Export Trade Certificate of Review (“Certificate”) from DFA. This notice summarizes the proposed amendment and seeks public comments on whether the amended Certificate should be issued.

FOR FURTHER INFORMATION CONTACT:

Joseph E. Flynn, Director, Office of Trade and Economic Analysis, International Trade Administration, by telephone at (202) 482–5131 (this is not a toll-free number) or email at etca@trade.gov.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. Sections 4001–21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from State and Federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. The regulations implementing Title III are found at 15 CFR part 325 (2016). Section 302(b)(1) of the Export Trading Company Act of 1982 and 15 CFR 325.6(a) require the Secretary to publish a notice in the **Federal Register** identifying the applicant and summarizing its application. Under 15 CFR 325.6(a), interested parties may, within twenty days after the date of this notice, submit written comments to the Secretary through OTEA on the application.

Request for Public Comments:

Interested parties may submit written comments relevant to the determination whether an amended Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked as privileged or confidential business information will be deemed to be nonconfidential.

An original and five (5) copies, plus two (2) copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Office of Trade and Economic Analysis, International Trade Administration, U.S. Department of Commerce, Room 21028, Washington, DC 20230.

Information submitted by any person is exempt from disclosure under the

⁷ See *Final Results of Redetermination Pursuant to Court Remand Floor Standing Metal-Top Ironing Tables and Certain Parts Thereof from the People’s Republic of China*, dated April 9, 2015 (*First Redetermination*).

⁸ See *Foshan Shunde Yongjian Housewares & Hardware Co., Ltd. v. United States*, Court No. 12–00069, Slip Op. 16–01 (January 8, 2016) (*Foshan Shunde II*).

⁹ *Id.*

¹⁰ See *Final Results of Redetermination Pursuant to Court Remand Floor Standing Metal-Top Ironing Tables and Certain Parts Thereof from the People’s Republic of China*, dated March 29, 2016 (*Second Redetermination*).

¹¹ See *Foshan Shunde Yongjian Housewares & Hardware Co., Ltd. v. United States*, Court No. 12–0006, Slip Op. 16–34 (April 6, 2016).

Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the amended Certificate. Comments should refer to this application as "Export Trade Certificate of Review, application number 14-3A004."

Summary of the Application

Applicant: DFA of California.
Contact: c/o Gilbert Associates, Inc.,
 2880 Gateway Oaks Drive, Suite 100,
 Sacramento, California 95833.
Application No.: 14-3A004.
Date Deemed Submitted: May 9, 2016.

Proposed Amendment

1. Change the name of existing Member Diamond Foods, Inc. to Diamond Foods, LLC.

DFA's proposed amendment of its Export Trade Certificate of Review would result in the following entities as Members under the Certificate:

1. Alpine Pacific Nut Company, Hughson, CA
2. Andersen & Sons Shelling, Vina, CA
3. Avanti Nut Company, Inc., Stockton, CA
4. Berberian Nut Company, LLC, Chico, CA
5. Carriere Family Farms, Inc., Glenn, CA
6. California Almond Packers and Exporters (CAPEX), Corning, CA
7. California Walnut Company, Inc., Los Molinos, CA
8. Chico Nut Company, Chico, CA
9. Continente Nut LLC, Oakley, CA
10. C. R. Crain & Sons, Inc., Los Molinos, CA
11. Crain Walnut Shelling, Inc., Los Molinos, CA
12. Crisp California Walnuts, Stratford, CA
13. Diamond Foods, LLC, Stockton, CA
14. Empire Nut Company, Colusa, CA
15. Fig Garden Packing, Inc., Fresno, CA
16. Gold River Orchards, Inc., Escalon, CA
17. Grower Direct Nut Company, Hughson, CA
18. GSF Nut Company, Orosi, CA
19. Guerra Nut Shelling Company, Hollister, CA
20. Hill View Packing Company Inc., Gustine, CA
21. Mariani Nut Company, Winters, CA
22. Mariani Packing Company, Inc., Vacaville, CA
23. Mid Valley Nut Company Inc., Hughson, CA
24. Morada Nut Company, LP, Stockton, CA
25. National Raisin Company, Fowler, CA
26. O-G Nut Company, Stockton, CA

27. Omega Walnut, Inc., Orland, CA
28. Pearl Crop, Inc., Stockton, CA
29. Poindexter Nut Company, Selma, CA
30. Prima Noce Packing, Linden, CA
31. RPC Packing Inc., Porterville, CA
32. Sacramento Packing, Inc., Yuba City, CA
33. Sacramento Valley Walnut Growers, Inc., Yuba City, CA
34. San Joaquin Figs, Inc., Fresno, CA
35. Shoei Foods USA, Inc., Olivehurst, CA
36. Stapleton-Spence Packing, Gridley, CA
37. Sun-Maid Growers of California, Kingsburg, CA
38. Sunsweet Growers Inc., Yuba City, CA
39. Taylor Brothers Farms, Inc., Yuba City, CA
40. T.M. Duche Nut Company, Inc., Orland, CA
41. Wilbur Packing Company, Inc., Live Oak, CA
42. Valley Fig Growers, Fresno, CA

Dated: May 17, 2016.

Joseph Flynn,

Director, Office of Trade and Economic Analysis, International Trade Administration.
 [FR Doc. 2016-11991 Filed 5-19-16; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XE628

Endangered and Threatened Species; Take of Anadromous Fish, Rockfish, and Eulachon

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

ACTION: Notice; applications for four new scientific research permits, two permit modifications, and one permit renewal.

SUMMARY: Notice is hereby given that NMFS has received seven scientific research permit application requests relating to Pacific salmon, steelhead, rockfish, sturgeon, and eulachon. The proposed research is intended to increase knowledge of species listed under the Endangered Species Act (ESA) and to help guide management and conservation efforts. The applications may be viewed online at: https://apps.nmfs.noaa.gov/preview/preview_open_for_comment.cfm.

DATES: Comments or requests for a public hearing on the applications must

be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific standard time on June 20, 2016.

ADDRESSES: Written comments on the applications should be sent to the Protected Resources Division, NMFS, 1201 NE Lloyd Blvd., Suite 1100, Portland, OR 97232-1274. Comments may also be sent via fax to 503-230-5441 or by email to nmfs.nwr.apps@noaa.gov (include the permit number in the subject line of the fax or email).

FOR FURTHER INFORMATION CONTACT: Rob Clapp, Portland, OR (ph.: 503-231-2314), Fax: 503-230-5441, email: Robert.Clapp@noaa.gov. Permit application instructions are available from the address above, or online at <https://apps.nmfs.noaa.gov>.

SUPPLEMENTARY INFORMATION:

Species Covered in This Notice

The following listed species are covered in this notice:

Chinook salmon (*Oncorhynchus tshawytscha*): Threatened Puget Sound (PS); threatened California Coastal (CC).

Steelhead (*O. mykiss*): Threatened PS; threatened Northern California (NC).

Chum salmon (*O. keta*): Threatened Hood Canal Summer-run (HCS).

Coho salmon (*O. kisutch*): Threatened Southern Oregon/Northern California Coast (SONCC).

Sockeye salmon (*O. nerka*): Threatened Ozette Lake (OL).

Eulachon (*Thaleichthys pacificus*): Threatened Southern (S).

Green sturgeon (*Acipenser medirostris*): Threatened S.

Bocaccio (*Sebastes paucispinis*): Endangered Puget Sound/Georgia Basin (PS/GB).

Canary rockfish (*S. pinniger*): Threatened PS/GB.

Yelloweye rockfish (*S. ruberrimus*): Threatened PS/GB.

Authority

Scientific research permits are issued in accordance with section 10(a)(1)(A) of the ESA (16 U.S.C. 1531 *et seq.*) and regulations governing listed fish and wildlife permits (50 CFR parts 222-226). NMFS issues permits based on findings that such permits: (1) Are applied for in good faith; (2) if granted and exercised, would not operate to the disadvantage of the listed species that are the subject of the permit; and (3) are consistent with the purposes and policy of section 2 of the ESA. The authority to take listed species is subject to conditions set forth in the permits.

Anyone requesting a hearing on an application listed in this notice should set out the specific reasons why a