

their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written 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 sanctionable violation.

Notification to Interested Parties

This final determination and notice are issued and published in accordance with sections 735(d) and 777(i) of the Act and 19 CFR 351.210(c).

Dated: October 21, 2024.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The scope of this investigation includes certain frozen warmwater shrimp and prawns whether wild-caught (ocean harvested) or farm-raised (produced by aquaculture), head-on or head-off, shell-on or peeled, tail-on or tail-off, deveined or not deveined, cooked or raw, or otherwise processed in frozen form. "Tails" in this context means the tail fan, which includes the telson and the uropods.

The frozen warmwater shrimp and prawn products included in the scope, regardless of definitions in the Harmonized Tariff Schedule of the United States (HTSUS), are products which are processed from warmwater shrimp and prawns through freezing and which are sold in any count size.

The products described above may be processed from any species of warmwater shrimp and prawns. Warmwater shrimp and prawns are generally classified in, but are not limited to, the Penaeidae family. Some examples of the farmed and wild-caught warmwater species include, but are not limited to, whiteleg shrimp (*Penaeus vannamei*), banana prawn (*Penaeus merguensis*), fleshy prawn (*Penaeus chinensis*), giant river prawn (*Macrobrachium rosenbergii*), giant tiger prawn (*Penaeus monodon*), redspotted shrimp (*Penaeus brasiliensis*), southern brown shrimp (*Penaeus subtilis*), southern pink shrimp (*Penaeus notialis*), southern rough shrimp (*Trachypenaeus curvirostris*), southern white shrimp (*Penaeus schmitti*), blue shrimp (*Penaeus stylirostris*), western white shrimp (*Penaeus occidentalis*), and Indian white prawn (*Penaeus indicus*).

Frozen shrimp and prawns that are packed with marinade, spices or sauce are included in the scope. In addition, food preparations, which are not "prepared meals," that contain more than 20 percent by weight of shrimp or prawn are also included in the scope.

Excluded from the scope are: (1) breaded shrimp and prawns (HTSUS subheading 1605.21.1020); (2) shrimp and prawns generally classified in the Pandalidae family

and commonly referred to as coldwater shrimp, in any state of processing; (3) fresh shrimp and prawns whether shell-on or peeled (HTSUS subheadings 0306.36.0020 and 0306.36.0040); (4) shrimp and prawns in prepared meals (HTSUS subheadings 1605.21.0500 and 1605.29.0500); (5) dried shrimp and prawns; (6) canned warmwater shrimp and prawns (HTSUS subheading 1605.29.1040); and (7) certain battered shrimp. Battered shrimp is a shrimp-based product: (1) that is produced from fresh (or thawed-from-frozen) and peeled shrimp; (2) to which a "dusting" layer of rice or wheat flour of at least 95 percent purity has been applied; (3) with the entire surface of the shrimp flesh thoroughly and evenly coated with the flour; (4) with the non-shrimp content of the end product constituting between four and ten percent of the product's total weight after being dusted, but prior to being frozen; and (5) that is subjected to individually quick frozen (IQF) freezing immediately after application of the dusting layer. When dusted in accordance with the definition of dusting above, the battered shrimp product is also coated with a wet viscous layer containing egg and/or milk, and par-fried.

The products covered by the scope are currently classified under the following HTSUS subheadings: 0306.17.0004, 0306.17.0005, 0306.17.0007, 0306.17.0008, 0306.17.0010, 0306.17.0011, 0306.17.0013, 0306.17.0014, 0306.17.0016, 0306.17.0017, 0306.17.0019, 0306.17.0020, 0306.17.0022, 0306.17.0023, 0306.17.0025, 0306.17.0026, 0306.17.0028, 0306.17.0029, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010. These HTSUS subheadings are provided for convenience and for customs purposes only and are not dispositive, but rather the written description of the scope is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Changes Since the *Preliminary Determination*
- IV. Discussion of the Issues
 - Comment 1: Whether Commerce Should Revise SONGA's Cost Adjustment for Its Purchases of Raw Shrimp From Affiliated Suppliers
 - Comment 2: Whether Commerce Should Recalculate SONGA's Reported Financial Expenses
 - Comment 3: Whether Revisions are Warranted to SONGA's Reported Indirect Selling Expenses
 - Comment 4: Whether Commerce Should Continue To Offset G&A Expenses by the Amount of Scrap Sales Revenue
 - Comment 5: Whether Commerce Should Revise SONGA's Per-Unit Costs for the Additional Wrapping and Finger-Laying Processes
 - Comment 6: Whether Commerce Should Compare U.S. Sales of Broken Shrimp to Constructed Value
 - Comment 7: Treatment of Clerical Errors in SONGA's Preliminary Margin Calculation

- Comment 8: Inclusion of SONGA's Revised Sales and Cost Databases
- Comment 9: Treatment of SONGA's Reported U.S. Customs Duty and Brokerage and Handling Expenses
- Comment 10: Treatment of Export Subsidies for Santa Priscila and SONGA
- Comment 11: Whether Commerce Should Apply Adverse Facts Available (AFA) to Santa Priscila for its Misrepresentation of its Payment Dates and its Failure To Report All Expenses
- Comment 12: Whether Commerce Should Apply AFA to Santa Priscila's Credit Expenses, Other Discounts and Bank Charges.
- Comment 13: Whether Commerce Should Apply the Market Price Adjustment to all Santa Priscila Raw Shrimp Purchases
- Comment 14: Whether Commerce Should Reject Santa Priscila's Claimed Scrap Offset
- Comment 15: Treatment of Santa Priscila's Return Expenses
- Comment 16: Whether Commerce Should Incorporate Santa Priscila's Cost Verification Minor Corrections
- Comment 17: Treatment of Clerical Errors in Santa Priscila's Preliminary Margin Calculation
- V. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-552-837]

Aluminum Extrusions From the Socialist Republic of Vietnam: Amended Final Affirmative Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances

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

SUMMARY: The U.S. Department of Commerce (Commerce) is amending its final affirmative determination in the less than fair value (LTFV) investigation of aluminum extrusions from the Socialist Republic of Vietnam (Vietnam) to correct ministerial errors. The period of investigation is April 1, 2023, through September 30, 2023.

DATES: Applicable October 28, 2024.

FOR FURTHER INFORMATION CONTACT: Rebecca Janz, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2972.

SUPPLEMENTARY INFORMATION:

Background

On October 3, 2024, Commerce published in the **Federal Register** its final affirmative determination of sales at LTFV and final affirmative determination of critical circumstances, in part, in the investigation of aluminum extrusions from Vietnam.¹ Also on October 3, 2024, the petitioners submitted a timely allegation that Commerce made ministerial errors in the *Final Determination*.² No other interested party filed an allegation of a ministerial error or submitted a rebuttal to the petitioners' ministerial error allegation. We agree that we made ministerial errors in the *Final Determination*, and we are amending the weighted-average dumping margin for East Asia Aluminum Company Limited (East Asia) and the non-individually examined separate rate companies. Additionally, due to our revision of the weighted-average dumping margins, we are amending our final determination of critical circumstances with respect to these companies.

Scope of the Investigation

The product covered by this investigation is aluminum extrusions from Vietnam. For a complete description of the scope of this investigation, see *Final Determination*.³

Amendment to the Final Determination

Commerce reviewed the record, and we agree that the errors alleged by the petitioners constitute ministerial errors within the meaning of section 735(e) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.224(f).⁴ Specifically, we find that we made inadvertent errors in valuing East Asia's ocean freight and marine insurance expenses. Pursuant to 19 CFR 351.224(e), Commerce is amending the *Final Determination* to reflect the correction of the ministerial errors, as described in the Ministerial Error Memorandum.⁵ Based on the

¹ See *Aluminum Extrusions from the Socialist Republic of Vietnam: Final Affirmative Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances, in Part*, 89 FR 80530 (October 3, 2024) (*Final Determination*), and accompanying Issues and Decision Memorandum (IDM).

² See Petitioners' Letter, "Ministerial Error Allegation," dated October 3, 2024. The petitioners are U.S. Aluminum Extruders Coalition and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union.

³ See *Final Determination*, 89 FR at 80533.

⁴ See Memorandum, "Analysis of Ministerial Error Allegation," dated concurrently with this **Federal Register** notice (Ministerial Error Memorandum).

⁵ *Id.*

corrections, East Asia's final dumping margin changed from 14.15 percent to 16.02 percent. As a result, we are also revising the rate assigned to the non-individually examined separate rate companies from 14.15 percent to 16.02 percent. The amended estimated weighted-average dumping margins are listed in the "Amended Final Determination" section below.

Amendment to the Final Determination of Critical Circumstances, in Part

In the *Final Determination*, we found that critical circumstances exist with respect to the Vietnam-wide entity, but critical circumstances do not exist for imports of aluminum extrusions from Vietnam with respect to East Asia and the non-individually examined separate rate companies, pursuant to sections 735(a)(3)(A) and (B) of the Act, and 19 CFR 351.206.⁶ As a result of our amended final determination, we now find that importers of aluminum extrusions exported by East Asia and the non-individually examined separate rate companies knew or should have known that the exporter was selling the subject merchandise at less than its fair value and that there would be material injury by reason of such sales, pursuant to section 735(a)(3)(A)(ii) of the Act, and these imports of subject merchandise were massive over a relatively short period, pursuant to section 735(a)(3)(B). Accordingly, we are amending our *Final Determination* to find that critical circumstances do exist with respect to East Asia and the non-individually examined separate rate companies. For further discussion, see Ministerial Error Memorandum.

Amended Final Determination

The amended final estimated weighted-average dumping margins are as follows:

Exporter	Producer	Weighted-average dumping margin (percent)
East Asia Aluminum Company Limited.	East Asia Aluminum Company Limited.	16.02
Austdoor Group Joint Stock Company.	Austdoor Group Joint Stock Company.	16.02
BKQ Manufacturing and Trading Company Limited.	Fravi Vietnam Group Joint Stock Company.	16.02

Exporter	Producer	Weighted-average dumping margin (percent)
Viet Nam Chuangxing Aluminium Company Limited.	Vietnam Yongxing Aluminium Industry Co., Ltd.	16.02
Do Thanh Aluminium Joint Stock Company.	Do Thanh Aluminium Joint Stock Company.	16.02
Ha Noi DST Joint Stock Company.	Ha Noi DST Joint Stock Company.	16.02
Euroha Joint Stock Company.	Euroha Joint Stock Company.	16.02
Fravi Viet Nam Group Joint Stock Company.	Fravi Viet Nam Group Joint Stock Company.	16.02
Gold Well Co., Ltd.	Gold Well Co., Ltd.	16.02
Hong Xin Co., Ltd.	Vietnam Yongxing Aluminium Industry Co., LTD.	16.02
Hyundai Aluminium Vina Shareholding Company.	Hyundai Aluminium Vina Shareholding Company.	16.02
KIMSEN Industrial Corporation.	KIMSEN Industrial Corporation.	16.02
Mien Hua Precision Mechanical Co., Ltd.	Mien Hua Precision Mechanical Co., Ltd.	16.02
Ngoc Diep Aluminium Joint Stock Company.	Ngoc Diep Aluminium Joint Stock Company.	16.02
Nhon Trach Branch of Tung Kuang Industrial Joint Stock Company.	Nhon Trach Branch of Tung Kuang Industrial Joint Stock Company.	16.02
Northstar Precision (Vietnam) Co., Ltd.	Northstar Precision (Vietnam) Co., Ltd.	16.02
Sapa Ben Thanh Aluminium Profiles, Co., Ltd.	Sapa Ben Thanh Aluminium Profiles, Co., Ltd.	16.02
Song Hong Aluminum Shalumi Group Joint Stock Company.	Song Hong Aluminum Shalumi Group Joint Stock Company.	16.02
Shinyang Metal Korea Co., Ltd.	Shinyang Metal Korea Co., Ltd.	16.02
Shinyang Metal Vietnam Co., Ltd.	Shinyang Metal Vietnam Co., Ltd.	16.02

⁶ See *Final Determination*, 89 FR at 80531.

Exporter	Producer	Weighted-average dumping margin (percent)
Tan A Aluminum Company Limited.	Tan A Aluminum Company Limited.	16.02
Tin An Investment Production Trading Joint Stock Company.	Austdoor Group Joint Stock Company.	16.02
Tin An Investment Production Trading Joint Stock Company.	Viet Phap Aluminium Factory—Viet Phap Shal Aluminium Joint Stock Company.	16.02
Tin Kim Plastic Joint Stock Company.	Austdoor Group Joint Stock Company.	16.02
Tin Kim Plastic Joint Stock Company.	Viet Phap Aluminium Factory—Viet Phap Shal Aluminium Joint Stock Company.	16.02
Tung Kuang Industrial Joint Stock Company.	Tung Kuang Industrial Joint Stock Company.	16.02
Tung Shin Industrial Co., Ltd.	Tung Shin Industrial Co., Ltd.	16.02
Vietnam Beta Aluminum Company Limited.	Vietnam Beta Aluminum Company Limited.	16.02
Vietnam Yongxing Aluminium Industry Co., Ltd.	Vietnam Yongxing Aluminium Industry Co., Ltd.	16.02

Disclosure

Commerce intends to disclose the calculations performed in this amended final determination to interested parties within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in the **Federal Register** in accordance with 19 CFR 351.224(b).

Amended Cash Deposits and Continuation of Suspension of Liquidation

The collection of cash deposits and suspension of liquidation will be revised according to the rates established in this amended final determination, in accordance with section 735(c)(1)(B) of the Act. These rates will be effective on the date of publication of this notice in the **Federal Register**. These suspension of

liquidation instructions will remain in effect until further notice.

In accordance with section 735(c)(4) of the Act, because Commerce now finds that critical circumstances exist for East Asia and the non-individually examined separate rate companies, Commerce intends to instruct U.S. Customs and Border Protection (CBP) to suspend liquidation of all entries of subject merchandise from these companies that were entered, or withdrawn from warehouse for consumption on or after February 7, 2024, which is 90 days before the publication of the *Preliminary Determination*⁷ in the **Federal Register**.

U.S. International Trade Commission Notification

In accordance with section 735(d) of the Act, we will notify the U.S. International Trade Commission (ITC) of our amended final affirmative determination of sales at LTFV. If the ITC determines that material injury or threat of material injury does not exist, the proceeding will be terminated and all cash deposits will be refunded or canceled, and suspension of liquidation will be lifted. If the ITC determines that such injury does exist, Commerce will issue an antidumping duty order directing CBP to assess, upon further instruction by Commerce, antidumping duties on all imports of the subject merchandise that are entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the “Amended Cash Deposits and Continuation of Suspension of Liquidation” section.

Notification to Interested Parties

This amended final determination and notice are issued and published pursuant to sections 735(d) and 777(i)(1) of the Act, and 19 CFR 351.210(c).

Dated: October 22, 2024.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

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⁷ See *Aluminum Extrusions from the Socialist Republic of Vietnam: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 89 FR 38075 (May 7, 2024).

DEPARTMENT OF COMMERCE

International Trade Administration

[C–560–843]

Frozen Warmwater Shrimp From Indonesia: Final Negative Countervailing Duty Determination

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that countervailable subsidies are not being provided to producers and exporters of frozen warmwater shrimp (shrimp) from Indonesia. The period of investigation is January 1, 2022, through December 31, 2022.

DATES: Applicable October 28, 2024.

FOR FURTHER INFORMATION CONTACT: Kelsie Hohenberger, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2517.

SUPPLEMENTARY INFORMATION:

Background

On April 1, 2024, Commerce published its *Preliminary Determination* in the **Federal Register** and invited interested parties to comment.¹ In the *Preliminary Determination*, and in accordance with section 705(a)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.210(b)(4), Commerce aligned this final countervailing duty (CVD) determination with the final antidumping duty (AD) determinations of frozen warmwater shrimp from Ecuador and Indonesia.² On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.³ The deadline for the final determination is now October 21, 2024.

A summary of the events that occurred since Commerce published the *Preliminary Determination* may be found in the Issues and Decision Memorandum.⁴ The Issues and Decision

¹ See *Frozen Warmwater Shrimp from Indonesia: Preliminary Negative Countervailing Duty Determination, and Alignment of Final Determination With the Final Antidumping Duty Determination*, 89 FR 22383 (April 1, 2024) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

² *Id.*, 89 FR 22384.

³ See Memorandum, “Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,” dated July 22, 2024.

⁴ See Memorandum, “Issues and Decision Memorandum for the Final Negative Determination in the Countervailing Duty Investigation of Frozen