

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-549-822]

**Certain Frozen Warmwater Shrimp from Thailand; Notice of Amended Final Results of Antidumping Duty Administrative Review**

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

**DATES:** Effective Date: February 7, 2011.

**FOR FURTHER INFORMATION CONTACT:**

Elizabeth Eastwood, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-3874.

**SUPPLEMENTARY INFORMATION:****Amended Final Results**

On September 12, 2007, the Department of Commerce (the Department) published the final results of its administrative review of the antidumping duty order on certain frozen warmwater shrimp (shrimp) from Thailand. See *Certain Frozen Warmwater Shrimp from Thailand: Final Results and Final Partial Rescission of Antidumping Duty Administrative Review*, 72 FR 52065 (Sept. 12, 2007). The period of review (POR) is August 4, 2004, through January 31, 2006.

As part of this decision, the Department assigned an adverse facts available (AFA) rate to Gallant Ocean (Thailand) Co., Ltd. (Gallant Ocean), an exporter of Thai shrimp to the United States. The application of AFA was necessitated by the fact that Gallant Ocean failed to cooperate with the Department by ignoring multiple requests for information.

Following the publication of the final results, Gallant Ocean filed a lawsuit with the United States Court of International Trade (CIT) challenging the Department's final results of administrative review. See *Gallant Ocean (Thailand) Co., Ltd. v. United States*, Court No. 07-00360. In January 2009, the CIT found that the Department's decision was supported by substantial evidence and in accordance with law, and thus it sustained this decision in all respects. See *Gallant Ocean (Thailand) Co., Ltd. v. United States*, 602 F. Supp. 2d 1337 (CIT 2009).

Gallant Ocean then appealed the CIT's decision before the Court of Appeals for the Federal Circuit (CAFC). On April 16, 2010, the CAFC agreed with Gallant Ocean and vacated the CIT's ruling. The CAFC ordered the CIT to remand it back to the Department "for further proceedings consistent with this opinion." See *Gallant Ocean*, 602 F.3d at 1325, corrected June 30, 2010. On October 20, 2010, the Department issued its final results of redetermination pursuant to the CAFC's ruling. See *Gallant Ocean (Thailand) Co., Ltd. v. United States*, Final Results of Redetermination Pursuant to Court Remand (Oct. 20, 2010).

The United States and Gallant Ocean have now entered into an agreement to settle this dispute. Pursuant to the terms of the agreement between the United States and Gallant Ocean, we will liquidate Gallant Ocean's entries during the POR at the 12.55 percent rate agreed to by the parties.

We are issuing this determination and publishing these amended final results and notice in accordance with 19 U.S.C. 1516a(e).

Dated: January 31, 2011.

**Paul Piquado,**

*Acting Deputy Assistant Secretary for Import Administration.*

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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: Notice of Extension of Time Limit for the Final Results of the 2008-2009 Administrative Review of the Antidumping Duty Order**

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

**DATES:** *Effective Date:* February 7, 2011.

**FOR FURTHER INFORMATION CONTACT:**

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**SUPPLEMENTARY INFORMATION:****Background**

On October 26, 2009, the Department of Commerce ("Department") initiated the administrative review of the antidumping duty order on certain new pneumatic off-the-road tires ("OTR tires") from the People's Republic of China ("PRC") for the period February 20, 2008, through August 31, 2009. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 74 FR 54956 (October 26, 2009). On October 19, 2010, the Department published its preliminary results of the administrative review of the antidumping order on OTR tires from the PRC. See *Certain New Pneumatic Off-the-Road Tires From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review*, 75 FR 64259 (October 19, 2010). The final results are currently due no later than February 16, 2011.

**Extension of Time Limit for Final Results**

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended ("the Act"), requires the Department to issue the final results in an administrative review within 120 days after the date on which the preliminary results are published. However, if it is not practicable to complete the review within this time period, section 751(a)(3)(A) of the Act allows the Department to extend the time period to a maximum of 180 days.

We determine that it is not practicable to complete the final results of this review within the current deadline because the Department continues to require additional time to analyze issues raised in recent surrogate value submissions, verification exhibits, and case briefs and rebuttals. Therefore, we are extending the time limit for completion of the final results by 30 days, in accordance with section 751(a)(3)(A) of the Act. An extension of 30 days from the current deadline of February 16, 2011, would result in a new deadline of March 18, 2011. As such, the final results are now due no later than March 18, 2011.

This notice is published pursuant to sections 751(a) and 777(i) of the Act.

Dated: January 31, 2011.

**Christian Marsh,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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