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 included in the scope of this investigation are currently classified under the following HTSUS subheadings: 0306.17.00.03, 0306.17.00.06, 0306.17.00.09, 0306.17.00.12, 0306.17.00.15, 0306.17.00.18, 0306.17.00.21, 0306.17.00.24, 0306.17.00.27, 0306.17.00.40, 1605.21.10.30, and 1605.29.10.10. 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 2
List of Topics Discussed in the Preliminary Decision Memorandum
1. Scope Comments
2. Scope of the Investigation
3. Injury Test
4. Subsidies Valuation
5. Analysis of Programs
6. Disclosure and Public Comment
7. Verification

SUPPLEMENTARY INFORMATION:
Scope of the Investigation
The products covered by this investigation are 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, regardless of size. For a complete description of the scope of the investigation, see Appendix 1 to this notice.

Methodology
The Department is conducting this countervailing duty (CVD) investigation in accordance with section 701 of the Act. For a full description of the methodology underlying our preliminary conclusions, see the Preliminary Decision Memorandum.1 The Preliminary Decision Memorandum is a public document and is on file electronically via Import Administration’s Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS).

IA ACCESS is available to registered users at http://iaaccess.trade.gov, and 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 Preliminary Decision Memorandum can be accessed directly on the Internet at http://www.trade.gov/ia/. The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content. We have calculated de minimis CVD rates for each individually investigated producer/exporter of the subject merchandise. Consistent with section 703(b)(4)(A) of the Act, we have disregarded these rates and preliminarily determined that no countervailable subsidies are being provided to the production or exportation of the subject merchandise in Indonesia. The “all others” rate is also de minimis. Consequently, consistent with section 703(b)(4)(A) of the Act, we similarly have disregarded this rate.

Negative Preliminary Determination and Suspension of Liquidation
We preliminarily determine the countervailable subsidy rates to be the following:

<table>
<thead>
<tr>
<th>Company</th>
<th>Subsidy rate (percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PT. Central Pertiwi Bahari ....</td>
<td>0.81</td>
</tr>
<tr>
<td>PT. Central Proteinaprima Tbk</td>
<td>1.22</td>
</tr>
</tbody>
</table>
| PT. First Marine Seafoods ... | *
| PT. Khom Foods ................ | 0.99 |

Because we have preliminarily determined that the CVD rates in this investigation are de minimis, we will not direct U.S. Customs and Border Protection to suspend liquidation of entries of the subject merchandise.

Disclosure and Public Comment
The Department intends to disclose to interested parties the calculations performed in connection with this preliminary determination within five days of its public announcement.2 Interested parties may submit case and rebuttal briefs, as well as request a hearing.3 For a schedule of the deadlines for filing case briefs, rebuttal briefs, and hearing requests, see the Preliminary Decision Memorandum.

This determination is issued and published pursuant to sections 703(f) and 777(i) of the Act.


Ronald K. Lorentzen,
Acting Assistant Secretary for Import Administration.

Appendix 1
Scope of the Investigation
The products covered by this investigation are 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, regardless of size. 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 megalaspis), freshwater prawn (P. monodon), giant tiger prawn (Macrobrachium rosenbergii), giant river prawn (P. brasilienensis), southern brown shrimp (P. subtilis), southern pink shrimp (P. noctiluca), southern rough shrimp (Trachypenaeus curvispinosus), southern white shrimp (P. schmitti), blue shrimp (P. stylirostris), western white shrimp (P. occidentalis), and Indian white prawn (P. indicus).

Frozen shrimp and prawns that are packed with marinade, spices, or sauce are included in the scope. In addition, food preparations (including dusted shrimp), 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; (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; (4) shrimp and prawns in prepared meals; (5) dried shrimp and prawns; (6) canned warmwater shrimp and prawns; and (7) certain “battered shrimp” (see below).

“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 10 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 included in the scope of this investigation are currently classified under the following HTSUS subheadings: 0306.17.00.03, 0306.17.00.06, 0306.17.00.09, 0306.17.00.12, 0306.17.00.15, 0306.17.00.18, 0306.17.00.21, 0306.17.00.24, 0306.17.00.27, 0306.17.00.30, 1605.21.10.30 and 1605.29.10.10. 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 2

List of Topics Discussed in the Preliminary Decision Memorandum

1. Scope Comments
2. Scope of the Investigation
3. Injury Test
4. Subsidies Valuation
5. Voluntary Respondents
6. Use of Facts Otherwise Available and Adverse Inferences
7. Analysis of Programs
8. ITC Notification
9. Disclosure and Public Comment
10. Verification

[F] BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Certain Frozen Warmwater Shrimp From Thailand: Preliminary Countervailing Duty Determination

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

SUMMARY: The Department of Commerce (the Department) preliminarily determines that countervailable subsidies are being provided to producers and exporters of certain frozen warmwater shrimp (frozen shrimp) from Thailand. The period of investigation is January 1, 2011, through December 31, 2011. Pursuant to section 705(a)(1) of the Tariff Act of 1930, as amended (the Act), the final determination in this countervailing duty investigation in accordance with section 703(d)(1)(i) of the Act, we calculated a countervailing duty rate for each individually investigated producer/exporter of the subject merchandise. We have also calculated an all-others rate. Consequently, the rate calculated for TUF/TUS is also assigned as the “all others” rate.

FOR FURTHER INFORMATION CONTACT: Myrna Lobo or Justin Neuman, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–2371 and (202) 482–0486, respectively.

SUPPLEMENTARY INFORMATION:

Scope of the Investigation

The products covered by this investigation are 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, regardless of size. The definition of shrimp includes all species included in the scope.

Methodology

The Department is conducting this countervailing duty investigation in accordance with section 701 of the Act. For a full description of the methodology underlying our preliminary conclusions, see the Preliminary Decision Memorandum.1

The Preliminary Decision Memorandum is a public document and is on file electronically via Import Administration’s Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at http://iaaccess.trade.gov, and 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 Preliminary Decision Memorandum can be accessed directly on the Internet at http://www.trade.gov/ia. The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

In accordance with section 703(d)(1)(i) of the Act, we calculated a countervailing duty rate for each individually investigated producer/exporter of the subject merchandise. We have also calculated an all-others rate. Sections 703(d) and 705(c)(5)(A) of the Act state that for companies not investigated, we will determine an all-others rate by weighting the individual company subsidy rate of each of the companies investigated by each company’s exports of subject merchandise to the United States. However, the all-others rate may not include zero and de minimis rates or any rates based solely on the facts available. In this investigation, the only rate that is not de minimis or based entirely on facts available is the rate calculated for Thai Union Frozen Products Public Co., Ltd./Thai Union Seafood Co., Ltd. (TUF/TUS). Consequently, the rate calculated for TUF/TUS is also assigned as the “all others” rate.

Preliminary Determination and Suspension of Liquidation

We preliminarily determine the countervailable subsidy rates to be:

<table>
<thead>
<tr>
<th>Company</th>
<th>Subsidy rate (percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thai Union Frozen Products Public Co., Ltd./Thai Union Seafood Co., Ltd.</td>
<td>2.09</td>
</tr>
<tr>
<td>Marine Gold Products Limited</td>
<td>1.75</td>
</tr>
</tbody>
</table>

1 See Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Ronald K. Lorenzen, Acting Assistant Secretary for Import Administration regarding “Decision Memorandum for the Preliminary Determination in the Countervailing Duty Investigation of Certain Frozen Warmwater Shrimp from Thailand,” dated concurrently with this notice (Preliminary Decision Memorandum).