

identified above but the producer is, then the cash deposit rate will be equal to the respondent-specific estimated dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all-others estimated weighted-average dumping margin. These suspension of liquidation instructions will remain in effect until further notice.

### ITC Notification

In accordance with section 735(d) of the Act, we will notify the ITC of our determination. In addition, we are making available to the ITC all non-privileged and non-proprietary information related to this investigation. We will allow the ITC access to all privileged and business proprietary information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under an administrative protective order (APO), without the written consent of the Assistant Secretary for Enforcement and Compliance.

Because the final determination in this proceeding is affirmative, in accordance with section 735(b) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of cherries from Turkey no later than 45 days after our final determination. 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. If the ITC determines that such injury does exist, Commerce will issue an AD 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upon further instruction by Commerce, antidumping duties on all imports of the subject merchandise that are entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the "Continuation of Suspension of Liquidation" section.

### Notification Regarding Administrative Protective Orders

In the event that the ITC issues a final negative injury determination, this notice will serve as the only reminder to parties subject to the APO of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return/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.

### Notification to Interested Parties

This determination is issued and published pursuant to sections 735(d) and 777(i) of the Act.

Dated: December 4, 2019.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

### Appendix

#### Scope of the Investigation

The scope of this investigation covers dried tart cherries, which may also be referred to as, e.g., dried sour cherries or dried red tart cherries. Dried tart cherries may be processed from any variety of tart cherries. Tart cherries are generally classified as *Prunus cerasus*. Types of tart cherries include, but are not limited to, Amarelle, Kutahya, Lutowka, Montmorency, Morello, and Oblacinska. Dried tart cherries are covered by the scope of this investigation regardless of the horticulture method through which the cherries were produced (e.g., organic or not), whether or not they contain any added sugar or other sweetening matter, whether or not they are coated in oil or rice flour, whether infused or not infused, and regardless of the infusion ingredients, including sugar, sucrose, fruit juice, and any other infusion ingredients. The scope includes partially rehydrated dried tart cherries that retain the character of dried fruit. The subject merchandise covers all shapes, sizes, and colors of dried tart cherries, whether pitted or unpitted, and whether whole, chopped, minced, crumbled, broken, or otherwise reduced in size. The scope covers dried tart cherries in all types of packaging, regardless of the size or packaging material.

Included in the scope of this investigation are dried tart cherries that otherwise meet the definition above that are packaged with non-subject products, including, but not limited to, mixtures of dried fruits and mixtures of dried fruits and nuts, where the smallest individual packaging unit of any such product contains a majority (i.e., 50 percent or more) of dried tart cherries by dry net weight. Only the dried tart cherry components of such products are covered by this investigation; the scope does not include the non-subject components of such products.

Included in the scope of this investigation are dried tart cherries that have been further processed in a third country, including but not limited to processing by stabilizing, preserving, sweetening, adding oil or syrup, coating, chopping, mincing, crumbling, packaging with non-subject products, or other packaging, or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the dried tart cherries.

Excluded from the scope of this investigation are dried tart cherries that have been incorporated as an ingredient in finished bakery and confectionary items (cakes, cookies, candy, granola bars, etc.).

The subject merchandise is currently classifiable under 0813.40.3000 of the Harmonized Tariff Schedule of the United States (HTSUS). The subject merchandise may also enter under subheadings 0813.40.9000, 0813.50.0020, 0813.50.0060, 2006.00.2000, 2006.00.5000, and 2008.60.0060. The HTSUS subheadings set forth above are provided for convenience and U.S. customs purposes only. The written description of the scope is dispositive.

[FR Doc. 2019-26551 Filed 12-9-19; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-489-836]

### Dried Tart Cherries From the Republic of Turkey: Final Affirmative Countervailing Duty Determination

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

**SUMMARY:** The Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of dried tart cherries (cherries) from the Republic of Turkey (Turkey).

**DATES:** Applicable December 10, 2019.

**FOR FURTHER INFORMATION CONTACT:** Ajay Menon, 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) 482-1993.

#### SUPPLEMENTARY INFORMATION:

#### Background

This final determination is made in accordance with section 705 of the Tariff Act of 1930, as amended (the Act). The petitioner in this investigation is the Dried Tart Cherry Trade Committee.<sup>1</sup> The mandatory respondents in this investigation are Isik Tarim Urunleri Sanayi ve Ticaret A.S. (Isik Tarim) and Yamanlar Tarim Urunleri (Yamanlar Tarim). Neither the mandatory respondents, nor the Government of Turkey, responded to our requests for information in this investigation. On September 27, 2019, Commerce published in the **Federal Register** the *Preliminary Determination* and invited interested parties to comment.<sup>2</sup> We received no comments

<sup>1</sup> See Petitioner's Letter, "Petitions for the Imposition of Antidumping and Countervailing Duties: Dried Tart Cherries from the Republic of Turkey," dated April 23, 2019.

<sup>2</sup> See *Dried Tart Cherries from the Republic of Turkey: Preliminary Affirmative Countervailing Duty Determination*, 84 FR 51109 (September 27, 2019) (*Preliminary Determination*), and

regarding the *Preliminary Determination*.

### Period of Investigation

The period of investigation is January 1, 2018 through December 31, 2018.

### Scope of the Investigation

The products covered by this investigation are cherries from Turkey. For a complete description of the scope of this investigation, see the appendix to this notice.

### Analysis of Subsidy Programs—Adverse Facts Available (AFA)

For purposes of this final determination, we relied solely on facts available, because neither the Government of Turkey, nor either of the selected mandatory respondents, participated in this investigation. Further, because the mandatory respondents and the Government of Turkey did not cooperate to the best of their abilities in responding to our requests for information in this investigation, we drew adverse inferences in selecting from among the facts otherwise available, in accordance with sections 776(a)–(b) of the Act. Therefore, consistent with the *Preliminary Determination*, we continue to apply AFA to Isik Tarim and Yamanlar Tarim. No interested party submitted comments on the *Preliminary Determination*. Thus, we made no changes to the subsidy rates for the mandatory respondents for the final determination. A detailed discussion of our application of AFA is provided in the *Preliminary Determination* and the accompanying Preliminary Decision Memorandum.<sup>3</sup>

### All-Others Rate

As discussed in the *Preliminary Determination*, Commerce based the selection of the all-others rate on the countervailable subsidy rate established for the mandatory respondents, in accordance with section 705(c)(5)(A)(ii) of the Act.<sup>4</sup> We made no changes to the selection of the all-others rate for this final determination.

### Final Determination

Commerce determines that the following estimated net countervailable subsidy rates exist:

Company	Subsidy rate (percent)
Isik Tarim Urunleri Sanayi ve Ticaret A.S. ....	204.93
Yamanlar Tarim Urunleri .....	204.93
All-Others .....	204.93

### Disclosure

The subsidy rate calculations in the *Preliminary Determination* were based on AFA.<sup>5</sup> As noted above, there are no changes to the calculations. Thus, no additional disclosure is necessary for this final determination.

### Continuation of Suspension of Liquidation

As a result of our *Preliminary Determination* and pursuant to sections 703(d)(1)(B) and (d)(2) of the Act, Commerce instructed U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise as described in the scope of the investigation section entered, or withdrawn from warehouse, for consumption on or after the date of publication of the *Preliminary Determination* in the **Federal Register**.

If the U.S. International Trade Commission (ITC) issues a final affirmative injury determination, we will issue a countervailing duty (CVD) order, continue the suspension of liquidation under section 706(a) of the Act, and require a cash deposit of estimated countervailing duties for such entries of subject merchandise in the amounts indicated above. If the ITC determines that material injury, or threat of material injury, does not exist, this proceeding will be terminated and all estimated duties deposited or securities posted as a result of the suspension of liquidation will be refunded or canceled.

### ITC Notification

In accordance with section 705(d) of the Act, we will notify the ITC of our determination. In addition, we are making available to the ITC all non-privileged and non-proprietary information related to this investigation. We will allow the ITC access to all privileged and business proprietary information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under an administrative protective order (APO), without the written consent of the Assistant Secretary for Enforcement and Compliance.

Because the final determination in this proceeding is affirmative, in

accordance with section 705(b) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of cherries from Turkey no later than 45 days after our final determination. 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. If the ITC determines that such injury does exist, Commerce will issue a CVD order directing CBP to assess, upon further instruction by Commerce, countervailing 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 “Continuation of Suspension of Liquidation” section.

### Notification Regarding APOs

In the event that the ITC issues a final negative injury determination, this notice will serve as the only reminder to parties subject to the APO of their responsibility concerning the destruction 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 violation which is subject to sanction.

### Notification to Interested Parties

This determination is issued and published pursuant to sections 705(d) and 777(i) of the Act.

Dated: December 4, 2019.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

### Appendix

#### Scope of the Investigation

The scope of this investigation covers dried tart cherries, which may also be referred to as, e.g., dried sour cherries or dried red tart cherries. Dried tart cherries may be processed from any variety of tart cherries. Tart cherries are generally classified as *Prunus cerasus*. Types of tart cherries include, but are not limited to, Amarelle, Kutahya, Lutowka, Montmorency, Morello, e.g., Oblacinska. Dried tart cherries are covered by the scope of this investigation regardless of the horticulture method through which the cherries were produced (e.g., organic or not), whether or not they contain any added sugar or other sweetening matter, whether or not they are coated in oil or rice flour, whether infused or not infused, and regardless of the infusion ingredients, including sugar,

accompanying Preliminary Decision Memorandum (PDM).

<sup>3</sup> *Id.*, PDM at “Use of Facts Otherwise Available and Adverse Inferences.”

<sup>4</sup> See *Preliminary Determination*, 84 FR at 51110.

<sup>5</sup> *Id.*, PDM at Appendix—“AFA Rate Calculation.”

sucrose, fruit juice, and any other infusion ingredients. The scope includes partially rehydrated dried tart cherries that retain the character of dried fruit. The subject merchandise covers all shapes, sizes, and colors of dried tart cherries, whether pitted or unpitted, and whether whole, chopped, minced, crumbled, broken, or otherwise reduced in size. The scope covers dried tart cherries in all types of packaging, regardless of the size or packaging material.

Included in the scope of this investigation are dried tart cherries that otherwise meet the definition above that are packaged with non-subject products, including, but not limited to, mixtures of dried fruits and mixtures of dried fruits and nuts, where the smallest individual packaging unit of any such product contains a majority (*i.e.*, 50 percent or more) of dried tart cherries by dry net weight. Only the dried tart cherry components of such products are covered by this investigation; the scope does not include the non-subject components of such products.

Included in the scope of this investigation are dried tart cherries that have been further processed in a third country, including but not limited to processing by stabilizing, preserving, sweetening, adding oil or syrup, coating, chopping, mincing, crumbling, packaging with non-subject products, or other packaging, or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the dried tart cherries.

Excluded from the scope of this investigation are dried tart cherries that have been incorporated as an ingredient in finished bakery and confectionary items (cakes, cookies, candy, granola bars, *etc.*).

The subject merchandise is currently classifiable under 0813.40.3000 of the Harmonized Tariff Schedule of the United States (HTSUS). The subject merchandise may also enter under subheadings 0813.40.9000, 0813.50.0020, 0813.50.0060, 2006.00.2000, 2006.00.5000, and 2008.60.0060. The HTSUS subheadings set forth above are provided for convenience and U.S. customs purposes only. The written description of the scope is dispositive.

[FR Doc. 2019-26552 Filed 12-9-19; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Agency:* National Oceanic and Atmospheric Administration (NOAA).

*Title:* Alaska Council Cooperative Annual Reports.

*OMB Control Number:* 0648-0678.

*Form Number(s):* None.

*Type of Request:* Regular.

*Number of Respondents:* 19.

*Average Hours Per Response:* Alaska Crab Rationalization Program Cooperative Annual Report, 47 hours; Annual Rockfish Cooperative Report, 37 hours; Annual Amendment 80 Cooperative Report, 18 hours; Amendment 80 Halibut Prohibited Species Catch (PSC) Management Plan, 12.5 hours; Amendment 80 Halibut Bycatch Avoidance Progress Report, 12.5 hours; American Fisheries Act (AFA) Catcher Vessel Intercooperative Agreement, 48 hours; American Fisheries Act Annual Catcher Vessel Intercooperative Report, 40 hours; American Fisheries Act Cooperative Annual Report, 16 hours.

*Burden Hours:* 695.

*Needs and Uses:* The North Pacific Fishery Management Council (Council) has developed several cooperative programs as options in larger catch share programs for the federally managed fisheries off Alaska. As part of these cooperative programs, the Council has either recommended that the National Marine Fisheries Service (NMFS) require the cooperative managers to submit an annual written report detailing various activities of the cooperative, or the Council has requested that cooperative managers voluntarily submit an annual report to the Council. These reports are intended to be a resource for the Council and the public to track the effectiveness of the cooperative and its ability to meet the Council's goals. Additionally, they are a tool for the cooperatives to provide feedback on a catch share program and how the cooperative element is functioning.

In general, the cooperative managers present the cooperative reports during the April Council meeting. Regulations do not require cooperative managers to present cooperative reports to the Council; however, they are encouraged to do so, and this has been common practice for many cooperative representatives. Public dissemination of the annual cooperative reports and presentation of an overview of the reports at the April Council meeting each year provides stakeholders and members of the public the opportunity to provide public comment to the Council about the cooperatives and the catch share programs.

Some of the cooperative annual reports are required in Federal regulation and others are requested by the Council as a voluntary annual

submission. This information collection covers both the mandatory and voluntary components of the cooperative annual reports.

This information collection contains the following reports.

- The Alaska Crab Rationalization Program Cooperative Annual Report allows the Council to determine if the cooperatives are taking adequate action to facilitate the transfer of quota share (QS) to active participants and control QS lease rates, or if potential future regulatory action may be needed to address these concerns. This report is voluntary.
- The Annual Rockfish Cooperative Report provides information to the Council and NMFS about how the catch share program and its associated cooperative elements are functioning. This is particularly important as the Council is evaluating reauthorization of the Rockfish Program in 2019 and 2020. This report is mandatory.
- The Annual Amendment 80 Cooperative Report provides information to the Council and NMFS about how the catch share program is functioning, and if potential future changes may be needed. This report is mandatory.
- The Amendment 80 Halibut Prohibited Species Catch (PSC) Management Plan informs the Council of an Amendment 80 cooperative's plan to use voluntary, non-regulatory methods to avoid halibut bycatch in the Bering Sea and Aleutian Islands (BSAI) groundfish fisheries. This report is voluntary.
- The Amendment 80 Halibut Bycatch Avoidance Progress Report allows each sector in the BSAI groundfish fisheries to inform the Council of its progress on voluntary, non-regulatory methods used within its fishery cooperatives to avoid halibut bycatch in the BSAI groundfish fisheries. This report is voluntary.
- The American Fisheries Act (AFA) Catcher Vessel Inter-cooperative Agreement provides information to NMFS, the Council, and the public about inter-cooperative fishery allocations, PSC allocations, transfers of allocations and PSC, monitoring methods, and bycatch reduction methods. This report is voluntary.
- The American Fisheries Act Annual Catcher Vessel Inter-cooperative Report provides detailed information about how sideboard limits and PSC are being used to determine if program objectives are being satisfactorily met; provides the Council and the public with a simple means of evaluating the AFA catcher vessel fleets' aggregate fishing performance under the AFA regulations;