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International Trade Administration
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July 11, 2019

MEMORANDUM TO: Jeffrey I. Kessler
Assistant Secretary
for Enforcement and Compliance

FROM: James Maeder
Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations

SUBJECT: Freshwater Crawfish Tail Meat from the People's Republic of China: Decision Memorandum for the Preliminary Results of the Antidumping Duty Administrative Review; 2017-2018

I. SUMMARY

The Department of Commerce (Commerce) is conducting an administrative review of the antidumping duty (AD) order on freshwater crawfish tail meat from the People's Republic of China (China). The period of review (POR) for the administrative review is September 1, 2017 through August 31, 2018. The administrative review covers two mandatory respondents, Hubei Qianjiang Huashan Aquatic Food and Product Co., Ltd. (Hubei Qianjiang) and Nanjing Gemsen International Co., Ltd. (Nanjing Gemsen). Commerce preliminarily determines that sales of subject merchandise by Hubei Qianjiang have not been made at prices below normal value (NV), and sales of subject merchandise by Nanjing Gemsen have been made at prices below NV.

II. BACKGROUND

On September 15, 1997, Commerce published an amended final determination and AD order on freshwater crawfish tail meat from China.[1]

On September 11, 2018, Commerce published a notice of opportunity to request an administrative review of the order.[2] On November 15, 2018, based on timely requests for an administrative review, Commerce initiated an administrative review of 15 exporters/producers.[3]

[1] *See Notice of Amendment to Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Freshwater Crawfish Tail Meat from the People's Republic of China*, 62 FR 48218 (September 15, 1997).
[2] *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 83 FR 45888 (September 11, 2018).
[3] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 83 FR 57411 (November 15, 2018) (*Initiation Notice*).

INTERNATIONAL
TRADE
ADMINISTRATION

On February 13, 2019, we selected Hubei Qianjiang and Nanjing Gemsen as mandatory respondents for individual examination in this review.[4]

We are conducting this review in accordance with sections 751(a)(1), 751(a)(3), and 777(i)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213.

Commerce exercised its discretion to toll all deadlines affected by the partial federal government closure from December 22, 2018 through the resumption of operations on January 29, 2019.[5] The revised deadline for the preliminary results is now July 12, 2019.

III. SCOPE OF THE ORDER

The product covered by the AD order is freshwater crawfish tail meat, in all its forms (whether washed or with fat on, whether purged or un-purged), grades, and sizes; whether frozen, fresh, or chilled; and regardless of how it is packed, preserved, or prepared. Excluded from the scope of the order are live crawfish and other whole crawfish, whether boiled, frozen, fresh, or chilled. Also excluded are saltwater crawfish of any type, and parts thereof. Freshwater crawfish tail meat is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers 1605.40.10.10 and 1605.40.10.90, which are the HTSUS numbers for prepared foodstuffs, indicating peeled crawfish tail meat and other, as introduced by U.S. Customs and Border Protection (CBP) in 2000, and HTSUS numbers 0306.19.00.10 and 0306.29.00.00, which are reserved for fish and crustaceans in general. On February 10, 2012, Commerce added HTSUS classification number 0306.29.01.00 to the scope description pursuant to a request by CBP. On September 21, 2018, Commerce added HTSUS classification numbers 0306.39.0000 and 0306.99.0000 to the scope description pursuant to a request by CBP. The HTSUS subheadings are provided for convenience and customs purposes only. The written description of the scope of the order is dispositive.

IV. DISCUSSION OF THE METHODOLOGY

A. Non-Market Economy Country Status

Commerce considers China to be a non-market economy (NME) country. In accordance with section 771(18)(C)(i) of the Act, any determination that a country is an NME country shall remain in effect until revoked by the administering authority. None of the parties to this proceeding contested NME treatment for China. Therefore, for the preliminary results of this administrative review, we treated China as an NME country and applied our current NME methodology in accordance with section 773(c) of the Act.

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[4] *See* Memorandum, "Freshwater Crawfish Tail Meat from the People's Republic of China - Respondent Selection for the 2017-2018 Antidumping Duty Administrative Review," dated February 13, 2019 (Respondent Selection Memorandum).

[5] *See* Memorandum to the Record from Gary Taverman, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Pai1ial Shutdown of the Federal Government," dated January 28, 2019. All deadlines in this segment of the proceeding have been extended by 40 days.

B. Surrogate Country

In AD proceedings involving NME countries, pursuant to section 773(c)(1) of the Act, Commerce determines NV based on the value of the NME producer's factors of production (FOPs). Also pursuant to section 773(c)(1), valuation of the FOPs is based on the best available information regarding such factors in an appropriate market economy country or countries. In accordance with section 773(c)(4) of the Act, in valuing the FOPs Commerce uses, to the extent possible, the prices or costs of the FOPs in one or more market-economy countries that are at the same level of economic development to that of the NME country and that are also significant producers of merchandise comparable to the subject merchandise. Commerce has determined that Romania, Malaysia, Russia, Mexico, Brazil, and Kazakhstan are countries that are at the same level of economic development to that of China.[6] None of these countries are a significant producer of freshwater crawfish tail meat, but Malaysia is a significant producer of comparable merchandise, that is processed seafood.[7]

As stated in 19 CFR 351.408(c)(2), Commerce's preference is to value all FOPs in a single surrogate country. Thus, in this instance, we have publicly available data from Malaysian sources which allow the valuation of almost all of the FOPs required to calculate NV. We do not have publicly available data on the record from any of the other potential surrogate countries listed above.[8]

We have on the record contemporaneous financial statements from a Malaysian frozen seafood processor and, therefore, we preliminarily find that, pursuant to section 773(c)(1) of the Act, the Malaysian frozen seafood manufacturer's 2017 Annual Report constitutes the "best available information."[9] The frozen seafood manufacturer is located in Malaysia, which is a significant producer of comparable merchandise and is at the same level of economic development to China. In addition, it is the country we have selected as the primary surrogate country and, as discussed above, it is Commerce's preference to value FOPs in a single primary surrogate country.

We are unable to value the whole crawfish input in any of the potential surrogate countries. Instead, we valued whole crawfish using contemporaneous information, *i.e.*, imports of crawfish into Spain from Portugal during the POR as reported by *Agencia Tributaria* under the Integrated Tariff of the European Communities (TARIC) code 0306.39.10, which represents the appropriate classification of Spanish imports of whole crawfish. Spain is a significant producer of

[6] *See* Commerce Letter, "Freshwater Crawfish Tail Meat from the People's Republic of China: Request for Surrogate Country and Surrogate Value Comments and Information," dated February 27, 2019.
[7] *See* Memorandum, "Freshwater Crawfish Tail Meat from the People's Republic of China: Selection of Surrogate Country," dated concurrently with this memorandum.
[8] *See* Hubei Qianjiang and Nanjing Gemsen's Letter, "Freshwater Crawfish Tail Meat from the People's Republic of China: Comments on Surrogate Value," dated April 26, 2019 (Respondents' Surrogate Value Comments).
[9] *Id.* at Exhibit SV-9.

freshwater crawfish and, therefore, we relied on Spanish values in previous reviews for this input.[10]

With regard to crawfish shells, Hubei Qianjiang and Nanjing Gemsen requested that Commerce consider using import data provided by the Global Trade Atlas (GTA) under Malaysian tariff schedule classification 0508.00.2000 to value the scrap by-product.[11] After careful review, we find that Malaysian tariff schedule classification 0508.00.2000 is a basket category that includes non-chitin containing echinoderms and decorative shells of various kinds and does not appear to include the shells comparable to the crawfish shell or scrap produced as a by-product from processing crawfish tail meat.[12] Thus, we have looked at other data sources to value the scrap by-product input. In previous reviews, Commerce has used a 2001 Indonesian price quote to value the scrap by-product input.[13] We find it reasonable to use this data source again to value the scrap by-product input because it is public information, represents a price on a wet-weight

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[10] *See*, *e.g.*, *Freshwater Crawfish Tail Meat from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review and New Shipper Review; 2011-2012*, 78 FR 61331 (October 3, 2013) (*11/12 FCTM Prelim*), and accompanying Preliminary Decision Memorandum (PDM) at "Surrogate Country," unchanged in *Freshwater Crawfish Tail Meat from the People's Republic of China: Final Results of Antidumping Duty Administrative Review and New Shipper Review; 2011-2012*, 79 FR 22947 (April 25, 2014) (*11/12 FCTM Final*), and accompanying Issues and Decision Memorandum (IDM); *Freshwater Crawfish Tail Meat from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review and New Shipper Review; 2012-2013*, 79 FR 60134 (October 6, 2014) (*FCTM 12/13 Prelim*), and accompanying PDM at "Surrogate Country," unchanged in *Freshwater Crawfish Tail Meat from the People's Republic of China: Final Results of Antidumping Duty Administrative Review and New Shipper Review; 2012-2013*, 79 FR 75535 (December 18, 2014) (*12/13 FCTM Final*); *Freshwater Crawfish Tail Meat from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review and New Shipper Reviews; 2013-2014*, 80 FR 60624 (October 7, 2015) (*13/14 FCTM Prelim*), and accompanying PDM at "Surrogate Country," unchanged in *Freshwater Crawfish Tail Meat from the People's Republic of China: Final Results of Antidumping Duty Administrative Review and New Shipper Reviews; 2013–2014*, 81 FR 21840 (April 13, 2016) (*13/14 FCTM Final*), and accompanying IDM; *Freshwater Crawfish Tail Meat from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review and New Shipper Review; 2014–2015*, 81 FR 70389 (October 12, 2016) (*14/15 FCTM Prelim*), and accompanying PDM at "Surrogate Country," unchanged in *Freshwater Crawfish Tail Meat from the People's Republic of China: Final Results of Antidumping Duty Administrative Review and New Shipper Review; 2014-2015*, 82 FR 17634 (April 12, 2017) (*14/15 FCTM Final*), and accompanying IDM; *Freshwater Crawfish Tail Meat from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review, Rescission of Review in Part, and Preliminary Intent To Rescind New Shipper Review; 2015–2016*, 82 FR 26435 (June 7, 2017) (*15/16 FCTM Prelim*), and accompanying PDM at "Surrogate Country," unchanged in *Freshwater Crawfish Tail Meat from the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Rescission of New Shipper Review; 2015-2016*, 82 FR 47469 (October 12, 2017) (*15/16 FCTM Final*), and accompanying IDM; *Freshwater Crawfish Tail Meat from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review and New Shipper Reviews, and Rescission of Review in Part; 2016-2017*, 83 FR 52201 (October 16, 2018) (*16/17 FCTM Prelim*), and accompanying PDM at "Surrogate Country," unchanged in *Freshwater Crawfish Tail Meat from the People's Republic of China: Final Results of Antidumping Duty Administrative Review and New Shipper Reviews; 2016-2017*, 84 FR 2489 (February 7, 2019) (*16/17 FCTM Final*); *Freshwater Crawfish Tail Meat From the People's Republic of China: Preliminary Results of Antidumping Duty New Shipper Review; 2017–2018*, 84 FR 12585 (April 2, 2019), and accompanying PDM at "Surrogate Country."

[11] *See* Respondents' Surrogate Value Comments at 3.

[12] *See 11/12 FCTM Final* IDM at 3-9.

[13] *Id.*; *16/17 FCTM Prelim*, unchanged in *16/17 FCTM Final*.

basis, which is consistent with how Chinese producers sell their crawfish scrap, and because no interested party has placed on the record an alternative data source to consider in valuing the scrap by-product. [14] Although in this review, Indonesia is no longer on the list of countries at the same level of economic development as China, Commerce relies on the "best available information, pursuant to section 773(c)(1) of the Act. Furthermore, Commerce shall utilize "to the extent possible" surrogate values from countries that are: (1) at a level of economic development comparable to that of the relevant nonmarket economy country; and (2) significant producers of comparable merchandise. However, when data are not available from the preferred surrogate countries, as is the case in this review, Commerce may look to other data sources.[15] As such, we used the 2001 Indonesian price quote from the 2017-2018 Semi-Annual New Shipper Review, which the respondents placed on the record in their surrogate value comments.[16] Thus, we find the 2001 Indonesian price quote is the best information available to value crawfish scrap.

C. Separate Rate

In AD proceedings involving NME countries, Commerce relies on a rebuttable presumption that all companies within the country are subject to government control and, thus, should be assessed a single AD rate.[17] Thus, Commerce will assign all exporters this single rate unless an exporter can demonstrate that it is sufficiently independent from the government such that it is entitled to a separate rate. Commerce assigns separate rates in NME proceedings only if respondents can demonstrate the absence of both *de jure* and *de facto* government control over export activities under a test developed by commerce.[18]

In the *Initiation Notice*, Commerce notified parties of the application process by which exporters and producers may obtain separate rate status in NME proceedings.[19] Commerce received from Hubei Qianjiang and Nanjing Gemsen information pertaining to each company's eligibility for a

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[14] *See Notice of Preliminary Results of Antidumping Duty New Shipper Reviews: Freshwater Crawfish Tail Meat from the People's Republic of China*, 67 FR 52442, 52446 (August 12, 2002), unchanged in *Freshwater Crawfish Tail Meat from the People's Republic of China; Notice of Final Results of Antidumping Duty New Shipper Review, and Final Rescission of Antidumping Duty New Shipper Review*, 68 FR 1439 (January 10, 2003); *see also 16/17 FCTM Prelim* PDM at 7-8, unchanged in *16/17 FCTM Final*.

[15] *See* Policy Bulletin 04.1, Non-Market Economy Surrogate Country Selection Process, dated March 3, 2004 at 4-5.

[16] *See* Respondents' Surrogate Value Comments at Exhibit SV-2.

[17] *See, e.g.*, *Antidumping Duty Investigation of Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances, In Part*, 80 FR 34893 (June 18, 2015), and accompanying IDM at Comment 35; *Notice of Final Determination of Sales at Less Than Fair Value, and Affirmative Critical Circumstances, In Part: Certain Lined Paper Products from the People's Republic of China*, 71 FR 53079, 53082 (September 8, 2006).

[18] *See Final Determination of Sales at Less Than Fair Value: Sparklers from the People's Republic of China*, 56 FR 20588 (May 6, 1991) (*Sparklers*); and *Notice of Final Determination of Sales at Less Than Fair Value: Silicon Carbide from the People's Republic of China*, 59 FR 22585, 22586-87 (May 2, 1994) (*Silicon Carbide*); *see also 15/16 FCTM Prelim* PDM at 8-10, unchanged in *15/16 FCTM Final*.

[19] *See Initiation Notice*, 83 FR at 57412.

separate rate.[20] Commerce also received separate rate certifications from six other respondents, Deyan Aquatic Products and Food Co., Ltd. (Deyan Aquatic), Hubei Nature Agriculture Industry Co., Ltd. (Hubei Nature), Hubei Yuesheng Aquatic Products Co., Ltd. (Hubei Yuesheng), Xiping Opeck Food Co., Ltd. (Xiping Opeck), Xuzhou Jinjiang Foodstuffs Co., Ltd. (Xuzhou Jinjiang), and Yancheng Hi-King Agricultural Developing Co., Ltd. (Yancheng Hi-King),[21] not selected for individual examination in the administrative review.[22]

1. Absence of *De Jure* Control

Commerce considers the following *de jure* criteria in determining whether an individual company may be granted a separate rate: (1) an absence of restrictive stipulations associated with an individual exporter's business and export licenses; (2) any legislative enactments decentralizing control of companies; and (3) other formal measures by the government decentralizing control of companies.[23]

The evidence provided by Deyan Aquatic, Hubei Nature, Hubei Qianjiang, Hubei Yuesheng, Nanjing Gemsen, Xiping Opeck, Xuzhou Jinjiang, and Yancheng Hi-King supports a preliminary finding of an absence of *de jure* government control based on the following: (1) an absence of restrictive stipulations associated with the individual exporter's business and export

[20] *See* Hubei Qianjiang's Letter, "Freshwater Crawfish Tail Meat from the People's Republic of China Separate Rate Certification," dated December 14, 2018 (Hubei Qianjiang SRC); Nanjing Gemsen's Letter, "Freshwater Crawfish Tail Meat from the People's Republic of China Separate Rate Certification," dated December 14, 2018 (Nanjing Gemsen SRC).

[21] Since the 2010-2011 administrative review, Commerce has treated the following companies as a single entity: Yancheng Hi-King, Yancheng Seastar Seafood Co., Ltd. (Seastar), Wuhan Hi-King Agriculture Development Co., Ltd. (Wuhan Hi-King), Jiangxi Hi-King Poyang Lake Seafood Co., Ltd. (Jiangxi Hi-King), Yancheng Hi-King Frozen Food Co., Ltd. (Hi-King Frozen), and Yancheng Hi-King Aquatic Growing Co., Ltd. (Hi-King Growing). *See Freshwater Crawfish Tail Meat from the People's Republic of China: Antidumping Duty Administrative Review; 2010–2011*, 77 FR 61383 (October 9, 2012), and accompanying PDM at 3 ("Treatment of Affiliated Parties as a Single Entity"), unchanged in *Freshwater Crawfish Tail Meat from the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Partial Rescission; 2010–2011*, 78 FR 22228 (April 15, 2013). In *15/16 FCTM Prelim* PDM at 3-4, unchanged in *15/16 FCTM Final*, Yancheng Hi-King demonstrated that, as of January 2016, it divested its ownership interests in the following companies: Wuhan Hi-King, Jiangxi Hi-King, Hi-King Frozen, and Hi-King Growing. Thus, we are treating the following companies as a single entity: Yancheng Hi-King and Seastar.

[22] *See* Deyan Aquatic's Letter, "Freshwater Crawfish Tail Meat from the People 's Republic of China Separate Rate Certification," dated December 14, 2018 (Deyan Aquatic SRC); Hubei Nature's Letter, "Freshwater Crawfish Tailmeat from the People's Republic of China: Submission of Separate Rate Certification," dated December 4, 2018 (Hubei Nature SRC); Hubei Yeusheng's Letter, "Freshwater Crawfish Tail Meat from the People's Republic of China: Submission of Separate Rate Certification," dated November 30, 2018 (Hubei Yuesheng SRC); Xiping Opeck's Letter, "Freshwater Crawfish Tail Meat from the People 's Republic of China Separate Rate Certification," dated December 14, 2018 (Xiping Opeck SRC); Xuzhou Jinjiang's Letter, "Freshwater Crawfish Tail Meat from the People 's Republic of China Separate Rate Certification," dated December 14, 2018 (Xuzhou Jinjiang SRC); Yancheng Hi-King's Letter, "Freshwater Crawfish Tail Meat from The People's Republic of China: Separate Rate Certification," dated December 14, 2018 (Yancheng Hi-King SRC).

[23] *See Sparklers*, 56 FR at 20589; *see also 15/16 FCTM Prelim* PDM at 8-10, unchanged in *15/16 FCTM Final*.

licenses; (2) legislative enactments decentralizing control of the company; and (3) formal measures by the government decentralizing control of the company.[24]

2. Absence of *De Facto* Control

As stated in previous cases, there is some evidence that certain enactments of the Chinese central government have not been implemented uniformly among different sectors and/or jurisdictions in China.[25] Therefore, Commerce determined that an analysis of *de facto* control is critical in determining whether the respondents are, in fact, subject to a degree of government control which would preclude Commerce from assigning separate rates. Commerce typically considers the following four factors in evaluating whether a respondent is subject to *de facto* government control of its export functions: (1) whether the export prices are set by, or subject to the approval of, a government agency; (2) whether the respondent has the authority to negotiate and sign contracts and other agreements; (3) whether the respondent has autonomy from the government in making decisions regarding the selection of management; and (4) whether the respondent retains the proceeds of its export sales and makes independent decisions regarding the disposition of profits or financing of losses.[26]

Deyan Aquatic, Hubei Nature, Hubei Qianjiang, Hubei Yuesheng, Nanjing Gemsen, Xiping Opeck, Xuzhou Jinjiang, and Yancheng Hi-King have each made the following assertions: (1) they establish their own export prices; (2) they negotiate contracts without guidance from any government entities or organizations; (3) they make their own personnel decisions; and (4) they retain the proceeds of its export sales, uses profits according to its business needs, and have the authority to sell their assets and to obtain loans.[27] Based on the information on the record of this administrative review, Commerce preliminarily determines that there is an absence of *de facto* governmental control over the export activities of Deyan Aquatic, Hubei Nature, Hubei Qianjiang, Hubei Yuesheng, Nanjing Gemsen, Xiping Opeck, Xuzhou Jinjiang, and Yancheng Hi-King.

Given that Commerce found that Deyan Aquatic, Hubei Nature, Hubei Qianjiang, Hubei Yuesheng, Nanjing Gemsen, Xiping Opeck, Xuzhou Jinjiang, and Yancheng Hi-King operate free of *de jure* and *de facto* governmental control, we preliminarily determine that they both satisfy the criteria for a separate rate.

[24] *See* Deyan Aquatic SRC at 4-5; Hubei Nature SRC at 4; Hubei Yuesheng SRC at 4; Xiping Opeck SRC at 5; Xuzhou Jinjiang SRC at 5; Yancheng Hi-King SRC at 4-5; *see* also Hubei Qianjiang's March 20, 2019, section A questionnaire response at A-1 through A-9 (Hubei Qianjiang AQR); and Nanjing Gemsen's March 20, 2019, section A questionnaire response at A-1 through A-9 (Nanjing Gemsen AQR).
[25] *See 12/13 FCTM Prelim* PDM at "Separate Rates," unchanged in *12/13 FCTM Final*; *see also Silicon Carbide*, 59 FR at 22586-87.
[26] *See Notice of Final Determination of Sales at Less Than Fair Value: Furfuryl Alcohol from the People's Republic of China*, 60 FR 22544, 22545 n.3 (May 8, 1995); *Silicon Carbide*, 59 FR at 22586-87; *see also 15/16 FCTM Prelim* PDM at 9-10, unchanged in *15/16 FCTM Final*.
[27] *See* Deyan Aquatic SRC at 5-6; Hubei Nature SRC at 4-5; Hubei Yuesheng SRC at 4-5; Xiping Opeck SRC at 5-6; Xuzhou Jinjiang SRC at 5-6; Yancheng Hi-King SRC at 5-6; Hubei Qianjiang AQR at A-6 to A-9; Nanjing Gemsen AQR at A-6 to A-9.

3. Separate Rate for Eligible Non-Selected Respondents

In accordance with section 777A(c)(2)(B) of the Act, we selected Hubei Qianjiang and Nanjing Gemsen for individual examination because we did not have the resources to examine all companies for which a review was requested.[28]

The statute and Commerce's regulations do not address the establishment of a rate to be applied to individual separate rate respondents not selected for examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in a market economy investigation, for guidance when calculating the rate for separate rate respondents which were not individually examined in an administrative review.

Under section 735(c)(5)(A) of the Act, the all-others rate is normally "an amount equal to the weighted average of the estimated weighted average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely {on the basis of facts available}." Accordingly, when only one weighted-average dumping margin for the individually investigated respondents is above *de minimis* and not based on total facts available, the separate rate will be equal to that single above *de minimis* rate.[29]

For these preliminary results, Commerce has calculated a rate for the mandatory respondent Hubei Qianjiang that is *de minimis* and a rate for the mandatory respondent Nanjing Gemsen that is not zero, *de minimis*, or based entirely on facts available. Therefore, in accordance with section 735(c)(5)(A) of the Act and its prior practice,[30] Commerce has preliminarily assigned Nanjing Gemsen's calculated rate (*i.e.*, 7.92 percent) as the separate rate for the non-examined separate rate exporters: Deyan Aquatic, Hubei Nature, Hubei Yuesheng, Xiping Opeck, Xuzhou Jinjiang, and Yancheng Hi-King.

4. China-Wide Entity

Upon the initiation of this review, we provided an opportunity for all companies listed in the *Initiation Notice* that wish to qualify for separate rate status in this review to complete, as appropriate, either a separate rate application or separate rate certification.[31] We preliminarily

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[28] *See* Respondent Selection Memorandum.

[29] *See Longkou Haimeng Mach. Co. v. United States*, 581 F. Supp. 2d 1344, 1357-60 (CIT 2008); *see also Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam: Final Results of Antidumping Duty Administrative Review, 2014-2015*, 81 FR 62717 (September 12, 2016) and accompanying IDM at Comment 7.

[30] *See*, *e.g.*, *Multilayered Wood Flooring from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review, Preliminary Determination of No Shipments, and Preliminary Partial Rescission of Antidumping Duty Administrative Review; 2014-2015*, 81 FR 95114 (December 27, 2016) and accompanying PDM at 9, unchanged in *Multilayered Wood Flooring from the People's Republic of China: Final Results of Antidumping Duty Administrative Review, Final Determination of No Shipments, and Final Partial Rescission of Antidumping Duty Administrative Review; 2014-2015*, 82 FR 25766 (June 5, 2017).

[31] *See Initiation Notice*, 83 FR 57411 ("All firms listed below that wish to qualify for separate rate status in the administrative reviews involving NME countries must complete, as appropriate, either a separate rate application or certification, as described below.").

find that one company, Jingzhou Tianhe Aquatic Products Co., Ltd., listed in the *Initiation Notice*, is part of the China-wide entity, because it did not submit a separate rate application, separate rate certification, or a no-shipment letter.

Under Commerce's current policy regarding conditional review of the China-wide entity, the China-wide entity will not be under review unless a party specifically requests, or Commerce self-initiates, a review of the entity.[32] Because no party requested a review of the China-wide entity in this review, the entity is not under review, and the entity's rate of 223.01 percent is not subject to change.[33]

D. Fair Value Comparisons

To determine whether the sale of subject merchandise by Hubei Qianjiang and Nanjing Gemsen were made at less than NV, we compared their export price (EP) to NV, as described in the "Export Price" and "Normal Value" sections below.

1. Determination of Comparison Method

Pursuant to 19 CFR 351.414(c)(1), Commerce calculates weighted-average dumping margins by comparing weighted-average NVs to weighted-average EPs or constructed export prices (CEPs) (*i.e.*, the average-to-average (A-A) method) unless the Secretary determines that another method is appropriate in a particular situation. In less-than-fair-value investigations, Commerce determines whether to compare weighted-average NVs with the EPs or CEPs of individual sales (*i.e.*, the average-to-transaction (A-T) method) as an alternative comparison method using an analysis consistent with section 777A(d)(l)(B) of the Act. Although section 777A(d)(1)(B) of the Act does not strictly govern Commerce's examination of this question in the context of administrative and new shipper reviews, Commerce nevertheless finds that the issue arising under 19 CFR 351.414(c)(1) in administrative and new shipper reviews is, in fact, analogous to the issue in less-than-fair-value investigations.

In recent investigations, Commerce applied a "differential pricing" analysis for determining whether application of the A-T method is appropriate in a particular situation pursuant to section 777A(d)(1)(B) of the Act and 19 CFR 351.414(c)(1). Commerce finds that the differential pricing analysis used in recent investigations may be instructive for purposes of examining whether to apply an alternative comparison method in this administrative review. Commerce will continue to develop its approach in this area based on comments received in this and other proceedings, and on Commerce's additional experience with addressing the potential masking of dumping that can occur when Commerce uses the A-A method in calculating a respondent's weighted-average dumping margin.

[32] *See Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings*, 78 FR 65963, 65970 (November 4, 2013).
[33] *See Freshwater Crawfish Tail Meat from the People's Republic of China; Notice of Final Results of Antidumping Duty Administrative Review*, 68 FR 19504 (April 21, 2003).

The differential pricing analysis used in these preliminary results examines whether there exists a pattern of EPs or CEPs for comparable merchandise that differ significantly among purchasers, regions, or time periods. The analysis evaluates all export sales by purchaser, region, and time period to determine whether a pattern of prices that differ significantly exists. If such a pattern is found, then the differential pricing analysis evaluates whether such differences can be taken into account when using the A-A method to calculate the weighted-average dumping margin. The analysis incorporates default group definitions for purchasers, regions, time periods, and comparable merchandise. Purchasers are based on the reported consolidated customer codes. Regions are defined using the reported destination code (*i.e.*, zip codes) and are grouped into regions based upon standard definitions published by the U.S. Census Bureau. Time periods are defined by the quarter within the POR based upon the reported date of sale. For purposes of analyzing sales transactions by purchaser, region, and time period, comparable merchandise is defined using the product control number and all characteristics of the U.S. sales, other than purchaser, region, and time period, that Commerce uses in making comparisons between EP or CEP and NV for the individual dumping margins.

In the first stage of the differential pricing analysis used here, the "Cohen's *d* test" is applied. The Cohen's *d* coefficient is a generally recognized statistical measure of the extent of the difference between the mean (*i.e.*, weighted-average price) of a test group and the mean (*i.e.*, weighted-average price) of a comparison group. First, for comparable merchandise, the Cohen's *d* coefficient is calculated when the test and comparison groups of data for a particular purchaser, region or time period each have at least two observations, and when the sales quantity for the comparison group accounts for at least five percent of the total sales quantity of the comparable merchandise. Then, the Cohen's *d* coefficient is used to evaluate the extent to which the prices to the particular purchaser, region, or time period differ significantly from the prices of all other sales of comparable merchandise. The extent of these differences can be quantified by one of three fixed thresholds defined by the Cohen's *d* test: small, medium, or large (0.2, 0.5, and 0.8, respectively). Of these thresholds, the large threshold provides the strongest indication that there is a significant difference between the mean of the test and comparison groups, while the small threshold provides the weakest indication that such a difference exists. For this analysis, the difference is considered significant, and the sales in the test group are found to pass the Cohen's *d* test, if the calculated Cohen's *d* coefficient is equal to or exceeds the large (*i.e.*, 0.8) threshold.

Next, the "ratio test" assesses the extent of the significant price differences for all sales as measured by the Cohen's *d* test. If the value of sales to purchasers, regions, and time periods that pass the Cohen's *d* test account for 66 percent or more of the value of total sales, then the identified pattern of prices that differ significantly supports the consideration of the application of the A-T method to all sales as an alternative to the A-A method. If the value of sales to purchasers, regions, and time periods that pass the Cohen's *d* test accounts for more than 33 percent and less than 66 percent of the value of total sales, then the results support consideration of the application of an A-T method to those sales identified as passing the Cohen's *d* test as an alternative to the A-A method, and application of the A-A method to those sales identified as not passing the Cohen's *d* test. If 33 percent or less of the value of total sales passes the Cohen's *d* test, then the results of the Cohen's *d* test do not support consideration of an alternative to the A-A method.

If both tests in the first stage (*i.e.*, the Cohen's *d* test and the ratio test) demonstrate the existence of a pattern of prices that differ significantly such that an alternative comparison method should be considered, then in the second stage of the differential pricing analysis, Commerce examines whether using only the A-A method can appropriately account for such differences. In considering this question, Commerce tests whether using an alternative comparison method, based on the results of the Cohen's *d* and ratio tests described above, yields a meaningful difference in the weighted-average dumping margin as compared to that resulting from the use of the A-A method only. If the difference between the two calculations is meaningful, this demonstrates that the A-A method cannot account for differences such as those observed in this analysis, and, therefore, an alternative comparison method would be appropriate. A difference in the weighted-average dumping margins is considered meaningful if: (1) there is a 25 percent relative change in the weighted-average dumping margins between the A-A method and the appropriate alternative method where both rates are above the *de minimis* threshold; or (2) the resulting weighted-average dumping margins between the A-A method and the appropriate alternative method move across the *de minimis* threshold.

Interested parties may present arguments and justifications in relation to the above-described differential pricing approach used in these preliminary results, including arguments for modifying the group definitions used in this proceeding.

2. Results of the Differential Pricing Analysis

For Hubei Qianjiang and Nanjing Gemsen, based on the results of the differential pricing analysis, Commerce preliminarily finds that 100 percent and 81.3 percent of the value of their U.S. sales pass the Cohen's *d* test, respectively, and confirms the existence of a pattern of prices that differ significantly among purchasers, regions, or time periods.[34] Further, Commerce preliminarily determines that there is no meaningful difference between the weighted-average dumping margin calculated using the average-to-average method and the weighted-average dumping margin calculated using an alternative comparison method based on applying the average-to-transaction method to all U.S. sales. Thus, for these preliminary results, Commerce is applying the average-to-average method for all U.S. sales to calculate the weighted-average dumping margin for Hubei Qianjiang and Nanjing Gemsen.

E. U.S. Price

For Hubei Qianjiang and Nanjing Gemsen, in accordance with section 772(a) of the Act, we based the U.S. price on EP because the record information indicates that the first sale to an unaffiliated purchaser was made prior to importation and CEP was not otherwise warranted. We calculated EP based on the packed free-on-board (FOB)-China-port price to the first unaffiliated

[34] *See* Memorandum, "Administrative Review of the Antidumping Duty Order on Freshwater Crawfish Tail Meat from the People's Republic of China: Preliminary Results Analysis Memorandum for Hubei Qianjiang Huashan Aquatic Food and Product Co., Ltd.," dated concurrently with this memorandum (Hubei Qianjiang Preliminary Analysis Memorandum); and Memorandum, "Administrative Review of the Antidumping Duty Order on Freshwater Crawfish Tail Meat from the People's Republic of China: Preliminary Results Analysis Memorandum for Nanjing Gemsen International Co., Ltd.," dated concurrently with this memorandum (Nanjing Gemsen Preliminary Analysis Memorandum).

purchaser in the United States. In accordance with section 772(c) of the Act, we calculated net EP by deducting foreign inland freight expenses and foreign brokerage and handling expenses from the starting price (gross unit price) charged to the first unaffiliated customer in the United States. We based all movement expenses reported on surrogate values because a Chinese company provided the movement services.

Commerce's practice in NME cases is to adjust EP and CEP for the amount of any un-refunded (herein, "irrecoverable") value-added tax (VAT), in accordance with section 772(c)(2)(B) of the Act.[35] In changing the practice, Commerce explained that when an NME government imposes an export tax, duty, or other charge on subject merchandise, or on inputs used to produce subject merchandise, from which the respondent was not exempted, Commerce will reduce the respondent's EP and CEP prices accordingly, by the amount of the tax, duty or charge paid, but not rebated.[36] Where the irrecoverable VAT is a fixed percentage of EP or CEP, Commerce explained that the final step in arriving at a tax neutral dumping comparison is to reduce the U.S. EP or CEP downward by this same percentage.[37]

Commerce's methodology, as explained above and applied in this review, essentially amounts to performing two basic steps: (1) determining the amount (or rate) of the irrecoverable VAT tax on subject merchandise; and (2) reducing U.S. price by the amount (or rate) determined in step one. Information placed on the record of this review by Hubei Qianjiang and Nanjing Gemsen indicates that, according to the Chinese VAT schedule, the standard VAT levy was 17 percent before May 1, 2018, and 16 percent after May 1, 2018, due to a change in the VAT law, and the rebate rate for subject merchandise, for these two periods, is 15 percent and 16 percent, respectively.[38] Therefore, for purposes of these preliminary results, we removed from U.S. price, for Hubei Qianjiang the appropriate amount related to VAT, one percent, which is the difference between the VAT levy and the rebate rate, because all of its sales were after May 1, 2018.[39] For Nanjing Gemsen, the appropriate amount related to VAT is two percent for its sales before May 1, 2018 and one percent for its sales after May 1, 2018.

F. Date of Sale

Section 351.401(i) of Commerce's regulations states that, normally, we will use the date of invoice, as recorded in the producer's or exporter's records kept in the ordinary course of business, as the date of sale. The regulation provides further that we may use a date other than

[35] *See Methodological Change for Implementation of Section 772(c)(2)(B) of the Tariff Act of 1930, as Amended, In Certain Non-Market Economy Antidumping Proceedings*, 77 FR 36481, 36483-84 (June 19, 2012) (*Methodological Change*).

[36] *Id.*; *see also Chlorinated Isocyanurates from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2011-2012*, 79 FR 4875 (January 30, 2014), and accompanying IDM at Comment 5.A.

[37] *See Methodological Change*, 77 FR at 36483.

[38] *See* Nanjing Gemsen's April 5, 2019 Section C & D Questionnaire Responses (Nanjing Gemsen CDQR) at C-22, Exhibits C-1 and C-3; Hubei Qianjiang's April 5, 2019 Section C & D Questionnaire Responses (Hubei Qianjiang's April 5, 2019 CDQR) at C-23, Exhibits C-1 and C-3.

[39] For details on our price adjustments related to VAT, *see* Hubei Qianjiang Preliminary Analysis Memorandum; *see also* Nanjing Gemsen Preliminary Analysis Memorandum.

the date of the invoice if the Secretary is satisfied that a different date better reflects the date on which the exporter or producer establishes the material terms of sale. Commerce has a long-standing practice of finding that, where shipment date precedes invoice date, shipment date better reflects the date on which the material terms of sale are established.[40]

Nanjing Gemsen

Nanjing Gemsen reported the date of invoice as the date of sale for all U.S. sales.[41] However, because, for certain sales transactions Nanjing Gemsen's reported date of shipment preceded the date of invoice, consistent with 19 CFR 351.401(i) and Commerce practice, we used the earlier of Nanjing Gemsen's shipment date or invoice date as the date of sale. [42]

Hubei Qianjiang

Hubei Qianjiang reported the date of invoice as the date of sale for all U.S. sales.[43] Consistent with our regulatory presumption of invoice date as the date of sale and because the evidence does not demonstrate that the material terms of sale were established on another date, we used Hubei Qianjiang's invoice date as the date of sale for U.S. sales.[44]

G. Normal Value

Section 773(c)(1) of the Act provides that Commerce shall determine NV using an FOP methodology if the merchandise is exported from an NME country and the available information does not permit the calculation of NV using home-market prices, third-country prices, or constructed value under section 773(a) of the Act. Commerce uses an FOP methodology, because the presence of government controls on various aspects of NMEs render price comparisons and the calculation of production costs invalid under its normal methodologies.[45]

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[40] *See 15/16 FCTM Prelim* PDM at 14-15, unchanged in *15/16 FCTM Final*; *see also Notice of Final Determination of Sales at Less Than Fair Value and Negative Final Determination of Critical Circumstances: Certain Frozen and Canned Warmwater Shrimp from Thailand*, 69 FR 76918 (December 23, 2004) and accompanying IDM at Comment 10; and *Notice of Final Determination of Sales at Less Than Fair Value: Structural Steel Beams from Germany*, 67 FR 35497 (May 20, 2002) and accompanying IDM at Comment 2.

[41] *See* Nanjing Gemsen AQR at A-11.

[42] *See* Nanjing Gemsen CDQR at C-4 to C-6 and Exhibit SC-2. For more details on our calculation, *see* Nanjing Gemsen's Preliminary Analysis Memorandum.

[43] *See* Hubei Qianjiang AQR at A-12; and Hubei Qianjiang's supplemental response at S-1, S-2, and Exhibit SC-1.

[44] *See* 19 CFR 351.401(i). For more details on our calculation, *see* Hubei Qianjiang's Preliminary Analysis Memorandum.

[45] *See Tapered Roller Bearings and Parts Thereof, Finished or Unfinished, from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review and Notice of Intent to Rescind in Part*, 70 FR 39744, 39754 (July 11, 2005), unchanged in *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from the People's Republic of China: Final Results of 2003-2004 Administrative Review and Partial Rescission of Review*, 71 FR 2517 (January 17, 2006); *see also 15/16 FCTM Prelim* PDM at 15-16, unchanged in *15/16 FCTM Final*.

In accordance with section 773(c) of the Act, we relied on the FOP data reported by the respondents for the POR. We calculated NV by adding together values for the FOPs, general expenses, profit, and packing costs. Specifically, we valued materials, labor, and packing by multiplying the reported per-unit rates for the FOPs consumed in producing the subject merchandise by the average per-unit surrogate values described below. We added freight costs for the material inputs. We calculated the freight costs by multiplying surrogate freight rates by the shorter of the reported distance from the domestic supplier to the factory that produced the subject merchandise or the distance from the nearest seaport to the factory that produced the subject merchandise, as appropriate. This adjustment is in accordance with the decision by the United States Court of Appeals for the Federal Circuit in *Sigma Corp. v. United States*, 117 F.3d 1401, 1407-1409 (CAFC 1997), which held that Commerce has discretion to choose a methodology to determine freight components if it does not substantially overvalue total freight expenses. We increased the calculated costs of the FOPs by adding surrogate general expenses and profit.[46]

H. Surrogate Values

In selecting surrogate values, we considered the quality, specificity, and contemporaneity of the data.[47] For these preliminary results, in selecting the best available data for valuing FOPs in accordance with section 773(c)(1) of the Act, we followed our practice of choosing publicly available values which are non-export average values, most contemporaneous with the POR, product-specific, and tax-exclusive.[48] We also considered the quality of the source of surrogate information in selecting surrogate values.[49] For those surrogate values that are not contemporaneous with the POR, we adjusted for inflation using country-specific consumer prices (CPI) or purchase price indices (PPIs) as reported in the *International Financial Statistics* and published by the International Monetary Fund.[50]

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[46] *See* Memorandum to the File, "Freshwater Crawfish Tail Meat from the People's Republic of China: Surrogate-Value Memorandum," dated concurrently with this document (Surrogate Value Memorandum).

[47] *See*, *e.g.*, *Fresh Garlic from the People's Republic of China: Final Results of Antidumping Duty New Shipper Review*, 67 FR 72139 (December 4, 2002), and accompanying IDM at Comment 6; *Final Results of First New Shipper Review and First Antidumping Duty Administrative Review: Certain Preserved Mushrooms from the People's Republic of China*, 66 FR 31204 (June 11, 2001), and accompanying IDM at Comment 5; *see also 15/16 FCTM Prelim* PDM at 16, unchanged in *15/16 FCTM Final*.

[48] *See*, *e.g.*, *Notice of Preliminary Determination of Sales at Less Than Fair Value, Negative Preliminary Determination of Critical Circumstances and Postponement of Final Determination: Certain Frozen and Canned Warmwater Shrimp from the Socialist Republic of Vietnam*, 69 FR 42672, 42682 (July 16, 2004), unchanged in *Final Determination of Sales at Less Than Fair Value: Certain Frozen and Canned Warmwater Shrimp from the Socialist Republic of Vietnam*, 69 FR 71005 (December 8, 2004); *see also 15/16 FCTM Prelim* PDM at 8-10, unchanged in *15/16 FCTM Final*.

[49] *See Tapered Roller Bearings and Parts Thereof, Finished or Unfinished, from the People's Republic of China: Preliminary Results of the 2007-2008 Administrative Review of the Antidumping Duty Order*, 74 FR 32539, 32543 (July 8, 2009), unchanged in *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from the People's Republic of China: Final Results of the 2007-2008 Administrative Review of the Antidumping Duty Order*, 75 FR 844 (January 6, 2010).

[50] *See* Surrogate Value Memorandum.

Furthermore, we disregarded import prices that we have reason to believe or suspect may be subsidized.[51] In this regard, we previously found that it is appropriate to disregard such prices from India, Indonesia, South Korea and Thailand because we determined that these countries maintain broadly available, non-industry specific export subsidies.[52] Additionally, we disregarded prices from NME countries.[53]

We used the following surrogate values in our margin calculation for the preliminary results of this administrative review:

We valued freshwater crawfish using publicly available data for Spanish imports of whole crawfish from Portugal for the 2017-2018 POR.[54] Specifically, we used the data sourced from *Agencia Tributaria* under the TARIC code 0306.39.10 to value live freshwater crawfish. We valued the crawfish shell by-product using a 2001 price quote from Indonesia for wet crab and shrimp shells and inflated this value using the Indonesian CPI to make it contemporaneous with the POR.[55]

We used the *Global Trade Atlas* online data to value packing materials and coal.[56] We used data published by Suruhanjaya Perkidmatan Air Negara (SPAN), Malaysia's National Water Service Commission to value water.[57] We valued electricity using data published by Tenaga Nasional, Malaysia's largest electricity provider.[58]

We valued non-refrigerated truck freight using the World Bank's *Doing Business 2018 – Malaysia*, which we find to be contemporaneous, specific to the cost of shipping goods in Malaysia, and representative of a broad market average.[59] Because we could not find any

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[51] *See* Section 773(c)(5) of the Act; *see also Dates of Application of Amendments to the Antidumping and Countervailing Duty Laws Made by the Trade Preferences Extension Act of 2015*, 80 FR 46793, 46795 (August 6, 2015).

[52] *See, e.g.*, *Steel Threaded Rod from India: Final Affirmative Countervailing Duty Determination and Partial Final Affirmative Determination of Critical Circumstances*, 79 FR 40712 (July 14, 2014); *Biodiesel from the Republic of Indonesia*, 82 FR 53471 (November 16, 2017); *Certain Uncoated Paper from Indonesia: Final Affirmative Countervailing Duty Determination*, 81 FR 3104 (January 20, 2016); *Corrosion-Resistant Carbon Steel Flat Products from the Republic of Korea: Final Results of Countervailing Duty Administrative Review; 2011*, 79 FR 5378 (January 31, 2014); *Large Residential Washers from the Republic of Korea: Final Affirmative Countervailing Duty Determination*, 77 FR 75975 (December 26, 2012); and *Certain Frozen Warmwater Shrimp from Thailand: Final Negative Countervailing Duty Determination*, 78 FR 50379 (August 19, 2013).

[53] *See*, *e.g.*, *Certain Kitchen Appliance Shelving and Racks from the People's Republic of China: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 74 FR 9591, 9599-9600 (March 5, 2009), unchanged in *Certain Kitchen Appliance Shelving and Racks from the People's Republic of China: Final Determination of Sales at Less Than Fair Value*, 74 FR 36656 (July 24, 2009), unchanged in *Certain Kitchen Appliance Shelving and Racks from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value and Notice of Antidumping Duty Order*, 74 FR 46971 (September 14, 2009).

[54] *See* Surrogate Value Memorandum at 3, 4.

[55] *Id*.

[56] *Id*. at 4, 5

[57] *Id*; *see also* Respondents' Surrogate Value Comments at 3 and Exhibit SV-4.

[58] *See* Respondents' Surrogate Value Comments at 2 and Exhibit SV-3.

[59] *Id.* at 4 and Exhibit SV-9; *see also* Surrogate Value Memorandum at 6.

reliable information from Malaysia, or any of the five other countries determined to be economically comparable to China, we valued refrigerated truck freight based on price quotations from CTC Freight Carriers of Delhi, India, dated April 30, 2004, placed originally on the record of the 2009-2010 administrative review.[60] To make it contemporaneous with the POR, we inflated this value using the Indian CPI.[61]

We valued foreign brokerage and handling expenses using the information in the World Bank Group's *Doing Business 2018 – Malaysia*.[62] This source provides a price list based on a survey case study of the procedural requirements necessary to export a standardized cargo of goods by ocean transit from Malaysia. Because data reported in this source were current and, thus, contemporaneous with the POR, no adjustment was necessary.

In these preliminary results, we valued labor using the mean nominal hourly labor cost per employee by economic activity for Malaysia as published by the International Labour Organization. A more detailed description of the wage rate calculation methodology is provided in the Surrogate Value Memorandum.[63]

Finally, we valued factory overhead, SG&A, and profit by using a Malaysian frozen seafood manufacturer's 2017 audited financial statements. For more specific information concerning our use of the 2017 financial statements of the Malaysian manufacturer of frozen seafood, *see* the Surrogate Value Memorandum.[64]

V. CURRENCY CONVERSION

We made currency conversions into U.S. dollars in accordance with section 773A(a) of the Act based on the exchange rates in effect on the dates of the U.S. sales as certified by the Federal Reserve Bank. These exchange rates are available on the Enforcement and Compliance website at http://enforcement.trade.gov/exchange/index.html.

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[60] *See* Surrogate Value Memorandum at 6; *see also Preliminary Results Freshwater Crawfish Tail Meat From the People's Republic of China: of Antidumping Duty Administrative Review and Intent to Rescind Review in Part* {sic}, 76 FR 62349, 62354 (October 7, 2011), unchanged in *Freshwater Crawfish Tail Meat from the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Rescission of Review in Part*, 77 FR 21529 (April 10, 2012).
[61] *See* Surrogate Value Memorandum at 6 and 7.
[62] *See* Respondents' Surrogate Value Comments at 3 and Exhibit SV-7.
[63] *See* Surrogate Value Memorandum at 6.
[64] *Id*.

VI. RECOMMENDATION

We recommend applying the above methodology for these preliminary results.

☒	☐
Agree	Disagree

7/11/2019

X

Signed by: JEFFREY KESSLER

Jeffrey I. Kessler
Assistant Secretary
for Enforcement and Compliance