



A-570-893

POR: 2/01/2018 – 01/31/2019

**Public Document**

E&amp;C/V: SM

**DATE:** March 3, 2020

**MEMORANDUM TO:** The File

**FROM:** Scott McBride  
Assistant Chief Counsel, Chief Counsel for Trade Enforcement and Compliance (CCTEC)

**RE:** Administrative Review of the Antidumping Duty Order on Certain Frozen Warmwater Shrimp from the People's Republic of China

**SUBJECT:** *Ex Parte* Call with Representative McCarthy

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On March 2, 2020 in the Herbert C. Hoover Building, Department of Commerce officials, including Secretary Ross, held a call with Representative Kevin McCarthy regarding the ongoing administrative review of the antidumping duty order on frozen warmwater shrimp from the People's Republic of China. Representative McCarthy expressed concern about an importer in his district named Red Chamber, and the potential duties that might apply to the producer and exporter of shrimp imported by Red Chamber in Commerce's forthcoming preliminary results of review. Pursuant to a question from Representative McCarthy, Secretary Ross offered to look into the amount of duties Red Chamber would be subject to (see Attachment 1).

The following individuals were present on the call:

Department of Commerce

Wilbur Ross	Secretary of Commerce
Lawson Kluttz	Acting Deputy Assistant Secretary for Legislative and Intergovernmental Affairs
Jeffrey I. Kessler	Assistant Secretary for Enforcement and Compliance
Scott McBride	Assistant Chief Counsel, CCTEC

U.S. House of Representatives

Kevin McCarthy	Member of Congress
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## Attachment 1

Barcode: 3952731-01 A-570-893 REV - Admin Review 2/1/18 - 1/31/19 PRC Shrimp AR14

**From:** [Kluttz, Lawson \(Federal\)](#)  
**To:** [Meyer, Katie](#)  
**Subject:** Follow-up  
**Date:** Friday, March 6, 2020 4:46:39 PM

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Hey Katie,

During the telephone call on Monday, Leader McCarthy expressed concern that the importer in California, Red Chamber, might be required to pay as much as \$7 million in duties if we determine in the current administrative review that the Chinese exporter at issue (i.e., Shantou Red Garden Food Processing Co., Ltd.) is not excluded from the antidumping order on Frozen Warmwater Shrimp from the People's Republic of China. We promised that we would look into that figure, which we did. I cannot provide you with an assessment of the duties that Red Chamber owes (because that information is proprietary), but I can tell you that our team believes that the \$7 million figure is significantly overstated. It appears to be derived from an estimate based on the China-wide antidumping rate of 112.81 percent, taking various factors into consideration and based on certain calculation assumptions. However, in the preliminary results announced on March 2, the applicable company-specific rate for Shantou Red Garden Food Processing Co., Ltd. is 58.61 percent – a much lower rate.

All interested parties will have an opportunity to submit case briefs on Commerce's preliminary determination, as well as rebuttal briefs responding to other parties' case briefs. The deadlines for case briefs and rebuttal briefs have not yet been set, but we would be happy to inform your staff when they are.

If you have any further questions, please do not hesitate to contact me.

Best,  
Lawson

Lawson Kluttz  
Office of Legislative and Intergovernmental Affairs  
U.S. Department of Commerce  
202-482-3663