

and under statistical categories 5806.32.1080; 5810.92.9080; 5903.90.3090; and 6307.90.9889. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description, available in *Narrow Woven Ribbons with Woven Selvedge from the People's Republic of China: Countervailing Duty Order*, 75 FR 53642 (September 1, 2010), remains dispositive.

A full description of the scope of the order is contained in the Decision Memorandum.

### Methodology

We conducted this review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found countervailable, we have determined that there is a subsidy, *i.e.*, a government-provided financial contribution by an "authority" that gives rise to a benefit to the recipient, and that the subsidy is specific.<sup>2</sup>

In making these findings, we relied on facts available and, because Bestpak and the Government of the PRC did not act to the best of their ability to respond to our requests for information, we have drawn adverse inferences in selecting from among the facts otherwise available.<sup>3</sup> For further information, *see* "Use of Facts Otherwise Available and Adverse Inferences" in the Decision Memorandum.

For a full description of the methodology underlying our conclusions, *see* the Decision Memorandum.

### Changes from the Preliminary Results

No party submitted comments with respect to the *Preliminary Results*. Because we have identified more appropriate information for use as adverse facts available, we have revised the net subsidy rate for Bestpak accordingly. For a full description of that updated information and accompanying changes, *see* the Decision Memorandum.

### Final Results of the Review

In accordance with 19 CFR 351.221(b)(4)(i), we calculated an individual subsidy rate for Bestpak for the period January 1, 2012, through December 31, 2012.

We find that the net subsidy rate for Bestpak is as follows:

Producer/exporter	Net subsidy rate %
Yangzhou Bestpak Gifts & Crafts Co., Ltd .....	88.49

### Disclosure and Public Comment

All calculations for these final results are contained in the Decision Memorandum and have been thereby disclosed.<sup>4</sup>

### Assessment Rates

Consistent with section 751(a)(1) of the Act and 19 CFR 351.212(b)(2), upon issuance of the final results, we shall determine, and the U.S. Customs and Border Protection (CBP) shall assess, countervailing duties on all appropriate entries covered by this review. We intend to issue instructions to CBP 15 days after publication of these final results of this review in the **Federal Register**.

### Cash Deposit Requirements

We intend to instruct CBP to collect cash deposits of countervailing duties in the amount shown above for Bestpak. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the most recent company-specific or all-others rate applicable to the company. These cash deposit requirements, when imposed, shall remain in effect until further notice.

This administrative review and notice are in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.213.

Dated: December 19, 2014.

### Paul Piquado,

*Assistant Secretary for Enforcement and Compliance.*

### Appendix—List of Topics Discussed in the Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Use of Facts Otherwise Available and Adverse Inferences
  - A. Application of AFA to Bestpak
  - B. Subsidy Rate Chart
- V. Disclosure
- VI. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–965; C–570–966]

### Drill Pipe From the People's Republic of China: Notice of Court Decision Not in Harmony With International Trade Commission's Injury Determination, Revocation of Antidumping and Countervailing Duty Orders Pursuant to Court Decision, and Discontinuation of Countervailing Duty Administrative Review

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

**SUMMARY:** On November 10, 2014, the Court of International Trade (CIT) entered its final judgment sustaining the International Trade Commission's (ITC) remand redetermination that imports of drill pipe from the People's Republic of China (PRC) do not materially injure or threaten to materially injure the United States domestic industry. As a result, we are notifying the public that this court decision is not in harmony with the ITC's original affirmative determination that the domestic industry was threatened with material injury by reason of imports of drill pipe from the PRC, and pursuant to the ITC's publication of its negative remand redetermination in the **Federal Register**, we are hereby revoking these orders.

**DATES:** *Effective Date:* November 20, 2014.

**FOR FURTHER INFORMATION CONTACT:** Julia Hancock or Kristen Johnson, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; Telephone: (202) 482–1394 or (202) 482–4793, respectively.

### SUPPLEMENTARY INFORMATION:

#### Background

On March 3, 2011, the Department of Commerce (the Department) published antidumping and countervailing duty orders on imports of drill pipe from the PRC, based, in part, on the final affirmative determination of the ITC that the domestic industry was threatened with material injury by reason of imports of drill pipe from the PRC.<sup>1</sup>

<sup>1</sup> *See Drill Pipe from the People's Republic of China: Antidumping Duty Order*, 76 FR 11757 (March 3, 2011); *Drill Pipe from the People's Republic of China: Countervailing Duty Order*, 76 FR 11758 (March 3, 2011); *Drill Pipe and Drill Collars from China*, Investigation Nos. 701–TA–474 and 731–TA–1176 (Final), USITC Publication 4213 (February 2011).

<sup>2</sup> *See* sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

<sup>3</sup> *See* sections 776(a) and (b) of the Act.

<sup>4</sup> 19 CFR 351.224(b) calls for the Department to disclose calculations performed in connection with the final results of an administrative review within five days after the publication of the final results.

The respondent, Downhole Pipe, a Chinese producer of subject merchandise, subsequently challenged the ITC's final injury determination in *Downhole Pipe v. United States*, CIT No. 11-00080, and the ITC reversed its injury determination on remand, finding no material injury or threat thereof. On November 10, 2014, the CIT affirmed the ITC's remand and entered judgment in the case.<sup>2</sup> Therefore, there is now a final CIT decision in the case sustaining the ITC's negative injury determination concerning drill pipe from the PRC. The November 10, 2014, decision by the CIT in *Downhole Pipe* constitutes a final CIT decision that is not in harmony with the ITC's original affirmative injury determination.

#### Statutory Notice

In its decision in *Timken Co. v. United States*, 893 F.2d 337, 341 (Fed. Cir. 1990), the Court of Appeals for the Federal Circuit (CAFC) held that, pursuant to section 516A of the Tariff Act of 1930, as amended (the Act), the Department must publish a notice of a court decision that is not "in harmony" with an ITC determination and must suspend liquidation of entries pending a "conclusive" court decision.<sup>3</sup> The November 10, 2014, decision by the CIT in *Downhole Pipe* constitutes a final CIT decision that is not in harmony with the ITC's original affirmative injury determination on drill pipe from the PRC. Thus, this notice is published in fulfillment of the publication requirement in *Timken* and section 516A of the Act.

Accordingly, the Department intends to issue instructions to U.S. Customs and Border Protection (CBP) to suspend liquidation of all unliquidated entries of subject merchandise which are entered, or withdrawn from warehouse, for consumption after November 20, 2014, which is ten days after the court's decision in accordance with section 516A of the Act. Pursuant to *Timken*, all entries entered, or withdrawn from warehouse, for consumption after November 20, 2014, that remains unliquidated, will be suspended during the pendency of the appeals process so that they may be liquidated in accordance with the "conclusive" court decision.

#### Revocation of the Antidumping and Countervailing Duty Orders and Discontinuation of Countervailing Duty Administrative Review

The ITC published notice of its negative determination in the **Federal Register**, pursuant to sections 705(d) and 735(d) of the Tariff Act of 1930, as amended (the Act).<sup>4</sup> See *International Trade Commission, Investigation Nos. 701-TA-474 and 731-TA-1176 (Final Remand): Drill Pipe and Drill Collars from China*, 79 FR 75592 (December 18, 2014); sections 705(d) and 735(d) of the Act ("... the Commission . . . shall publish notice of its determination in the **Federal Register**.").

Pursuant to sections 705(c)(2) and 735(c)(2) of the Act, "the investigation shall be terminated upon publication of that negative determination" and the Department shall "terminate the suspension of liquidation" and "release any bond or other security, and refund any cash deposit." Sections 705(c)(2)(A) and (B) of the Act; sections 735(c)(2)(A) and (B) of the Act. As a result of the ITC's publication, the Department is hereby revoking the antidumping and countervailing duty orders and releasing any bonds or other security and refunding cash deposits.

While sections 705(c)(2)(A) and 735(c)(2)(A) of the Act instruct the Department to terminate suspension of liquidation, here, because suspension of liquidation must continue during the pendency of the appeals process (in accordance with *Timken* and as discussed above), we will instruct CBP at this time to (A) continue suspension at a cash deposit rate of 0.0 percent until instructed otherwise; and (B) release any bond or other security, and refund any cash deposit made pursuant to *Drill Pipe from the People's Republic of China: Antidumping Duty Order*, 76 FR 11757 (March 3, 2011); *Drill Pipe from the People's Republic of China: Countervailing Duty Order*, 76 FR 11758 (March 3, 2011). In the event the court's ruling in *Downhole Pipe* is not appealed, or if appealed and upheld by the CAFC, the Department will instruct CBP to terminate the suspension of liquidation and to liquidate those entries of subject merchandise without regard to antidumping or countervailing duties. Notwithstanding the continued suspension described above, the antidumping and countervailing duty orders on drill pipe from the PRC are hereby revoked. As a result of this revocation, the Department is discontinuing the ongoing

administrative review of the countervailing duty order covering the period January 1, 2013, through December 31, 2013,<sup>5</sup> and will not initiate any new administrative reviews of the antidumping and countervailing duty orders.

This notice is published pursuant to section 516A of the Act. See sections 516A(c)(1) and (e).

Dated: December 18, 2014.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Enforcement and Compliance.*

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

[A-821-811]

#### Solid Fertilizer Grade Ammonium Nitrate From the Russian Federation: Rescission of Antidumping Duty Administrative Review; 2013-2014

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

**DATES:** *Effective Date:* December 29, 2014.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Eastwood or David Crespo, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-3874 and (202) 482-3693, respectively.

#### Background:

On April 1, 2014, the Department of Commerce (the Department) published in the **Federal Register** a notice of "Opportunity to Request Administrative Review" of the antidumping duty order on solid fertilizer grade ammonium nitrate (ammonium nitrate) from the Russian Federation (Russia) covering the period of review of April 1, 2013, through March 31, 2014.<sup>1</sup> During the anniversary month of April 2014, the Department received a timely request, in accordance with section 751(a) of the

<sup>5</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 79 FR 24398 (April 30, 2014). The Department received a request to conduct a countervailing duty administrative review from Shanxi Yida Special Steel Imp. & Exp. Co., Ltd., a Chinese exporter of drill pipe.

<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 79 FR 18260 (April 1, 2014).

<sup>2</sup> See *Downhole Pipe v. United States*, CIT No. 11-00080, Slip Op. 14-130 (November 10, 2014).

<sup>3</sup> See sections 516A(c)(1) and (e) of the Act.

<sup>4</sup> See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374, 1381-82 (Fed. Cir. 2010).