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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-008]

Calcium Hypochlorite From the People's Republic of China: Initiation of Antidumping Duty New Shipper Review; 2014-2015

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

DATES: Effective date August 26, 2015.

SUMMARY: The Department of Commerce ("the Department") has received a timely request for a new shipper review ("NSR") of the antidumping duty ("AD") order on calcium hypochlorite from the People's Republic of China ("PRC"). The Department has determined that the request meets the statutory and regulatory requirements for initiation. The period of review ("POR") for this NSR is July 25, 2014, through June 30, 2015.

FOR FURTHER INFORMATION CONTACT: Irene Gorelik, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: 202-482-6905.

SUPPLEMENTARY INFORMATION:

Background

The AD order on calcium hypochlorite was published in the

Federal Register on January 30, 2015.¹

On July 20, 2015, pursuant to section 751(a)(2)(B)(i) of the Tariff Act of 1930, as amended ("the Act"), and 19 CFR 351.214(b), the Department received a NSR request from Haixing Jingmei Chemical Products Sales Co., Ltd. ("Haixing Jingmei").² Haixing Jingmei certified that it is the exporter of the subject merchandise upon which the request is based and that its affiliate, Haixing Eno Chemical Co., Ltd., is the producer of the subject merchandise.³

Pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214(b)(2)(ii), Haixing Jingmei certified that it did not export subject merchandise to the United States during the period of investigation ("POI").⁴ Further, Haixing Eno Chemical Co., Ltd. certified that it is the producer of the subject merchandise upon which the request is based. In addition, pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), Haixing Jingmei certified that, since the initiation of the investigation, it has never been affiliated with any PRC exporter or producer who exported subject merchandise to the United States during the POI, including those respondents not individually examined during the investigation.⁵ As required by 19 CFR 351.214(b)(2)(iii)(B), Haixing Jingmei also certified that its export activities were not controlled by the government of the PRC.⁶

In addition to the certifications described above, pursuant to 19 CFR 351.214(b)(2)(iv), Haixing Jingmei submitted documentation establishing the following: (1) The date on which it first shipped subject merchandise for export to the United States; (2) the volume of its first shipment and subsequent shipments; and (3) the date of its first sale to an unaffiliated customer in the United States.⁷

Finally, the Department conducted a U.S. Customs and Border Protection ("CBP") database query and confirmed the price, quantity, date of sale, and date of entry of Haixing Jingmei's sales.⁸

¹ See *Calcium Hypochlorite From the People's Republic of China: Antidumping Duty Order*, 80 FR 5085 (January 30, 2015) ("Order").

² See Letter from Haixing Jingmei, "Entry of Appearance and Corrected Request for New Shipper Review: Calcium Hypochlorite from the People's Republic of China," dated July 20, 2015 ("NSR Request").

³ *Id.*, at 2-3 and Exhibit 1.

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*, at 3 and Exhibit 2; see also Letter from Haixing Jingmei, "Calcium Hypochlorite from the People's Republic of China: Response to Pre-Initiation Question," dated July 24, 2015.

⁸ The Department will place the results of the completed CBP database query along with Haixing

Initiation of New Shipper Review

Pursuant to section 751(a)(2)(B) of the Act, 19 CFR 351.214(b), and 19 CFR 351.214(d)(1), and based on the evidence provided by Haixing Jingmei, we find that its request meets the threshold requirements for initiation of the NSR for shipments of calcium hypochlorite from the PRC produced by Haixing Eno Chemical Co., Ltd. and exported by Haixing Jingmei.⁹ The POR is July 25, 2014, through June 30, 2015.¹⁰ If the information supplied by Haixing Jingmei is found to be incorrect or insufficient during the course of this proceeding, the Department may rescind the review for Haixing Jingmei or apply facts available pursuant to section 776 of the Act, depending on the facts on record.

Absent a determination that the new shipper review is extraordinarily complicated, the Department intends to issue the preliminary results of this NSR within 180 days from the date of initiation and the final results within 90 days after the date on which the preliminary results are issued.¹¹

It is the Department's usual practice, in cases involving non-market economies ("NMEs"), to require that a company seeking to establish eligibility for an antidumping duty rate separate from the NME entity-wide rate provide evidence of *de jure* and *de facto* absence of government control over the company's export activities.

Accordingly, we will issue questionnaires to Haixing Jingmei that will include a section requesting information concerning its eligibility for a separate rate. The NSR will proceed if the responses provide sufficient indication that Haixing Jingmei is not subject to either *de jure* or *de facto* government control with respect to its exports of subject merchandise.

We will instruct CBP to allow, at the option of the importer, the posting, until the completion of this review, of a bond or security in lieu of a cash deposit for each entry of the subject merchandise from the requesting companies in accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e). Because Haixing Jingmei certified that its affiliate Haixing Eno Chemical Co., Ltd. produced the subject merchandise which Haixing Jingmei exported, the

Jingmei's entry documents on the record after the publication of this notice.

⁹ See "Memorandum to the File, from Irene Gorelik, Senior Analyst, "Calcium Hypochlorite from the People's Republic of China: New Shipper Initiation Checklist," dated concurrently with this notice and herein incorporated by reference.

¹⁰ See 19 CFR 351.214(g)(1)(ii)(B).

¹¹ See section 751(a)(2)(B)(iv) of the Act and 19 CFR 351.214(i).

sales of which are the basis for the NSR request, we will instruct CBP to permit the use of a bond only for subject merchandise which Haixing Eno Chemical Co., Ltd produced and Haixing Jingmei exported.

Interested parties requiring access to proprietary information in this NSR should submit applications for disclosure under administrative protective order, in accordance with 19 CFR 351.305 and 19 CFR 351.306.

This initiation and notice are in accordance with section 751(a)(2)(B) of the Act, 19 CFR 351.214, and 19 CFR 351.221(c)(1)(i).

Dated: August 19, 2015.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-019]

Boltless Steel Shelving Units Prepackaged for Sale From the People's Republic of China: Final Affirmative Countervailing Duty Determination

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

SUMMARY: The Department of Commerce ("Department") published the *Preliminary Determination* of the countervailing duty ("CVD") investigation of boltless steel shelving units prepackaged for sale ("boltless steel shelves") from the People's Republic of China ("PRC") on January 30, 2015.¹ The Department determines that countervailable subsidies are being provided to producers and exporters of boltless steel shelves from the PRC. For information on the estimated subsidy rates, see the "Final Determination" section of this notice. The period of investigation is January 1, 2013 through December 31, 2013.

DATES: *Effective Date:* August 26, 2015.

FOR FURTHER INFORMATION CONTACT: Susan Pulongbarit (Topsun) or Paul Walker (ETDZ), AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th

Street and Constitution Avenue NW., Washington, DC 20230; telephone 202.482.4031, or 202.482.0413, respectively.

SUPPLEMENTARY INFORMATION:

Background

On January 30, 2015, the Department published the *Preliminary Determination*.² Between May 6 and June 6, 2015, we conducted verifications of the questionnaire responses of Nanjing ETDZ Huixing Trade Co., Ltd. ("ETDZ"), Nanjing Topsun Racking Manufacturing Co., Ltd. ("Topsun"), and a customer.³ On May 21, 2015, the Department issued the Post-preliminary Determination.⁴ Between June 24 and June 29, 2015, interested parties submitted case and rebuttal briefs. A full discussion of the issues raised by parties for this final determination may be found in the I&D Memo, which is hereby adopted by this notice.⁵ The I&D Memo is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System ("ACCESS").

² See *Countervailing Duty Investigation of Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Preliminary Determination and Alignment of Final Determination with Final Antidumping Duty Determination*, 80 FR 5089 (January 30, 2015) ("*Preliminary Determination*") and accompanying Preliminary Decision Memorandum ("PDM").

³ See Memorandum to Scot T. Fullerton, Program Manager, from Susan S. Pulongbarit, Senior International Trade Analyst, "Countervailing Duty Investigation: Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Verification Report: Nanjing Topsun Racking Manufacturing Co., Ltd. ("Topsun") and Nanjing Great Wall Co., Ltd. ("Great Wall")," dated June 16, 2015; Memorandum to Scot T. Fullerton, Program Manager, from Paul Walker, Case Analyst, "Countervailing Duty Investigation of Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Verification Report for Ningbo ETDZ Huixing Trade Co., Ltd.," dated June 16, 2015; and Memorandum to Paul Walker, Acting Program Manager, from Susan Pulongbarit, Case Analyst, "Countervailing Duty Investigation of Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Verification Report," dated June 17, 2015.

⁴ See Memorandum to Paul Piquado, Assistant Secretary, Enforcement and Compliance, from Christian Marsh, Deputy Assistant Secretary, for Antidumping and Countervailing Duty Operations, "Countervailing Duty Investigation of Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Post-Preliminary Determination Decision Memorandum," dated May 29, 2015 ("Post-preliminary Determination").

⁵ See Memorandum to Ronald K. Lorentzen, Acting Assistant Secretary, Enforcement and Compliance, from Christian Marsh, Deputy Assistant Secretary, for Antidumping and Countervailing Duty Operations, "Countervailing Duty Investigation of Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Issues and Decision Memorandum for the Final Determination," dated concurrently with this notice ("I&D Memo").

ACCESS is available to registered users at <http://access.trade.gov>, and is available to all parties in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the I&D Memo can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed I&D Memo and the electronic versions are identical in content.

Scope of the Investigation and Scope Comments

The scope of this investigation covers boltless steel shelving units prepackaged for sale, with or without decks ("boltless steel shelving"). The term "prepackaged for sale" means that, at a minimum, the steel vertical supports (*i.e.*, uprights and posts) and steel horizontal supports (*i.e.*, beams, braces) necessary to assemble a completed shelving unit (with or without decks) are packaged together for ultimate purchase by the end-user. The scope also includes add-on kits. Add-on kits include, but are not limited to, kits that allow the end-user to add an extension shelving unit onto an existing boltless steel shelving unit such that the extension and the original unit will share common frame elements (*e.g.*, two posts). The term "boltless" refers to steel shelving in which the vertical and horizontal supports forming the frame are assembled primarily without the use of nuts and bolts, or screws. The vertical and horizontal support members for boltless steel shelving are assembled by methods such as, but not limited to, fitting a rivet, punched or cut tab, or other similar connector on one support into a hole, slot or similar receptacle on another support. The supports lock together to form the frame for the shelving unit, and provide the structural integrity of the shelving unit separate from the inclusion of any decking. The incidental use of nuts and bolts, or screws to add accessories, wall anchors, tie-bars or shelf supports does not remove the product from scope. Boltless steel shelving units may also come packaged as partially assembled, such as when two upright supports are welded together with front-to-back supports, or are otherwise connected, to form an end unit for the frame. The boltless steel shelving covered by this investigation may be commonly described as rivet shelving, welded frame shelving, slot and tab shelving, and punched rivet (quasi-rivet) shelving as well as by other trade names. The term "deck" refers to the shelf that sits on or fits into the horizontal supports (beams or braces) to provide the horizontal storage surface of the shelving unit.

¹ See *Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Preliminary Determination and Alignment of Final Determination with Final Antidumping Duty Determination*, 80 FR 5089 (January 30, 2015) ("*Preliminary Determination*").