

shall assess, antidumping duties on all appropriate entries covered by this review.¹⁰ The Department intends to issue assessment instructions to CBP 15 days after the publication date of the final results of this review.

For any individually examined respondent whose weighted average dumping margin is above *de minimis* (i.e., 0.50 percent) in the final results of this review, the Department will calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of sales, in accordance with 19 CFR 351.212(b)(1). Where an importer- (or customer-) specific *ad valorem* rate is greater than *de minimis*, the Department will instruct CBP to collect the appropriate duties at the time of liquidation.¹¹ Where either a respondent's weighted average dumping margin is zero or *de minimis*, or an importer- (or customer-) specific *ad valorem* is zero or *de minimis*, the Department will instruct CBP to liquidate appropriate entries without regard to antidumping duties.¹²

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this review for shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by sections 751(a)(2)(C) of the Act: (1) For the companies listed above that have a separate rate, the cash deposit rate will be that established in the final results of this review (except, if the rate is zero or *de minimis*, then zero cash deposit will be required); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the PRC-wide entity; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

¹⁰ See 19 CFR 351.212(b).

¹¹ See 19 CFR 351.212(b)(1).

¹² See 19 CFR 351.106(c)(2).

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during the POR. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

These preliminary results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: February 8, 2016.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

1. Summary
2. Case History
3. Scope of the Order
4. Discussion of the Methodology
 - a. Non-Market Economy Country Status
 - b. Separate Rates
 - c. Surrogate Country
 - d. PRC-Wide Entity
 - e. Determination of Comparison Method
 - f. Results of Differential Pricing Analysis
 - g. Comparisons to Normal Value
 - h. Date of Sale
 - i. Export Price
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 - k. Normal Value
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 - m. Currency Conversion
5. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-533-825]

Polyethylene Terephthalate Film, Sheet, and Strip From India: Final Results of Countervailing Duty Administrative Review; 2013

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

SUMMARY: On August 6, 2015, the Department published the preliminary results of the administrative review of the countervailing duty order on polyethylene terephthalate film, sheet, and strip (PET film) from India.¹ The

¹ See *Polyethylene Terephthalate Film, Sheet and Strip From India: Preliminary Results And Partial*

period of review (POR) is January 1, 2013, through December 31, 2013.² Based on an analysis of the comments received, the Department has made changes to the subsidy rate determined for Jindal Poly Films Limited (Jindal). The final subsidy rates are listed in the "Final Results of Administrative Review" section below.

DATES: *Effective date:* February 16, 2016.

FOR FURTHER INFORMATION CONTACT: Elfi Blum, AD/CVD Operations, Office VII, Enforcement and Compliance, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-0197.

Scope of the Order

For the purposes of the order, the products covered are all gauges of raw, pretreated, or primed polyethylene terephthalate film, sheet and strip, whether extruded or coextruded. Excluded are metallized films and other finished films that have had at least one of their surfaces modified by the application of a performance-enhancing resinous or inorganic layer of more than 0.00001 inches thick. Imports of PET film are classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under item number 3920.62.00.90. HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope of the order is dispositive.

Analysis of Comments Received

The issues raised by Petitioners³ and Jindal in their case briefs, and Petitioners' rebuttal brief, are addressed in the Issues and Decision Memorandum.⁴ The issues are

Rescission of Countervailing Duty Administrative Review; 2013, 80 FR 46956 (August 6, 2015) (*Preliminary Results 2013*).

² As explained in the memorandum from the Acting Assistant Secretary for Enforcement & Compliance, the Department has exercised its discretion to toll all administrative deadlines due to the recent closure of the Federal Government. All deadlines in this segment of the proceeding have been extended by four business days. The revised deadline for the final results of this review is now February 8, 2016. See Memorandum to the Record from Ron Lorentzen, Acting A/S for Enforcement & Compliance, regarding "Tolling of Administrative Deadlines as a Result of the Government Closure During Snowstorm Jonas," dated January 27, 2016.

³ DuPont Teijin Films, Inc., Mitsubishi Polyester Film, Inc. and SKC, Inc. (collectively, "Petitioners").

⁴ See Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, "Issues and Decision Memorandum for the Final Results of Countervailing Duty Administrative Review: Polyethylene Terephthalate Film, Sheet, and Strip from India; 2013," dated concurrently with this notice and herein

Continued

identified in the Appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov> and in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Internet at <http://trade.gov/enforcement/frn/index.html>. The signed Issues and Decision Memorandum and electronic versions of the Issues and Decision Memorandum are identical in content.

Changes Since the Preliminary Results

Based on the comments received from Petitioners and Jindal, we adjusted the numerators used in Jindal's subsidy rate calculations for the Export Promotion Capital Goods Scheme (EPCGS) and the Duty Drawback (DDB) programs. For a discussion of these issues, see the Issues and Decision Memorandum and Memorandum to the File from Elfi Page, International Trade Compliance Analyst, titled "Final Results of 2013 Countervailing Duty Administrative Review: Polyethylene Terephthalate Film, Sheet, and Strip from India-Jindal Polyfilms Limited," each dated concurrently with these final results.

Methodology

The Department 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 find that there is a subsidy, *i.e.*, a government-provided financial contribution that gives rise to a benefit to the recipient, and that the subsidy is specific.⁵ For a description of the methodology underlying all of the Department's conclusions, see the Issues and Decision Memorandum.

Companies Not Selected for Individual Review

For the companies not selected for individual review (Ester, Garware, Polyplex, Vacmet, and Vacmet India Limited), because the rates calculated for Jindal and SRF were above *de minimis* and not based entirely on facts available, we applied a subsidy rate

incorporated by reference (Issues and Decision Memorandum).

⁵ 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.

based on a weighted average of the subsidy rates calculated for Jindal and SRF using publicly ranged sales data submitted by respondents.⁶

Final Results of Administrative Review

In accordance with section 777A(e)(1) of the Act and 19 CFR 351.221(b)(5), we determine the total estimated net countervailable subsidy rates for the period January 1, 2013, through December 31, 2013 to be:

Manufacturer/exporter	Subsidy rate (percent <i>ad valorem</i>)
Jindal Poly Films of India Limited	8.90
SRF Limited	2.11
Ester Industries Limited	6.09
Garware Polyester Ltd.	6.09
Polyplex Corporation Ltd.	6.09
Vacmet	6.09
Vacmet India Limited	6.09

Assessment and Cash Deposit Requirements

In accordance with 19 CFR 351.212(b)(2), the Department intends to issue appropriate instructions to U.S. Customs and Border Protection (CBP) 15 days after publication of the final results of this review. The Department will instruct CBP to liquidate shipments of subject merchandise produced and/or exported by the companies listed above, entered or withdrawn from warehouse, for consumption from January 1, 2013, through December 31, 2013, at the percent rates, as listed above for each of the respective companies, of the entered value.

The Department intends also to instruct CBP to collect cash deposits of estimated countervailing duties, in the amounts shown above for each of the respective companies shown above, on shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of

⁶ The statute and the Department's regulations do not directly address the establishment of rates to be applied to companies not selected for individual examination where the Department limited its examination in an administrative review pursuant to section 777A(e)(2) of the Act. However, the Department normally determines the rates for non-selected companies in reviews in a manner that is consistent with section 705(c)(5) of the Act, which provides instructions for calculating the all others rate in an investigation. Section 705(c)(5)(A) of the Act instructs the Department to calculate an all others rate using the weighted average of the subsidy rates established for the producers/exporters individually examined, excluding any zero, *de minimis*, or facts available rates. In this review, calculating the non-selected rate by weight averaging Jindal's and SRF's rates risks disclosure of proprietary information. Therefore, we calculated the rate for the non-selected companies by weight averaging the rates of Jindal and SRF using publicly-ranged sales data.

publication of the final results of this review. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits at the most-recent company-specific or all-others rate applicable to the company, as appropriate. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Administrative Protective Order

This notice also serves as a final reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of proceeding. 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.

These final results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: February 8, 2016.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix I—Issues and Decision Memorandum

- I. Summary
- II. Background
 - Scope of the Order
- III. Subsidies Valuation Information
 - A. Allocation Period
 - B. Benchmarks Interest Rates
 - C. Denominator
- IV. Analysis of Programs
 - A. Programs Determined To Be Countervailable
 - B. Programs Determined To Be Not Used or To Provide No Benefit During the POR
- V. Analysis of Comments
 - Comment 1: Whether the Department Wrongly Countervailed Export Promotion Capital Goods Scheme (EPCGS) Benefits That Apply to Non-Subject Merchandise.
 - Comment 2: Whether the Department Used the Wrong Numerator To Calculate the POR Benefit for the Status Holder Incentive Scheme (SHIS).
 - Comment 3: Whether the Value Added Tax (VAT) and Central Sales Tax (CST) Refunds Under the Industrial Promotion Subsidy (IPS) of the State Government of Maharashtra's (SGOM) Package Scheme of Incentives (PSI) Is Countervailable.
 - Comment 4: Whether the Department Double Counted One of the EPCGS Licences Reported by Jindal and Failed To Include the Benefit of Another License in Its Rate Calculations for Jindal

Comment 5: Whether the Department Used the Wrong Figure To Calculate the Duty Drawback Subsidy for Jindal

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-036]

Certain Biaxial Integral Geogrid Products From the People's Republic of China: Initiation of Less-Than-Fair-Value Investigation

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

DATES: *Effective date:* February 16, 2016.

FOR FURTHER INFORMATION CONTACT: Julia Hancock at (202) 482-1394 and Susan Pulongbarit (202) 482-4031, AD/CVD Operations, Enforcement and Compliance, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

The Petition

On January 13, 2016, the Department of Commerce ("the Department") received an antidumping duty ("AD") petition concerning imports of certain biaxial integral geogrid products ("geogrids") from the People's Republic of China ("PRC"), filed in proper form on behalf of Tensar Corporation ("Petitioner").¹ The AD petition was accompanied by a countervailing duty ("CVD") petition for the PRC.² Petitioner is a domestic producer of geogrids.³

On January 15, 2016, the Department requested additional information and clarification of certain areas of the Petition,⁴ and Petitioner timely filed responses to these requests on January 20, 2016.⁵ On January 26, 2016, the

Department requested additional information and clarification on the calculation of AD margins,⁶ and Petitioner timely filed a response to this request on January 28, 2016.⁷ On January 27, 2016, the Department determined to toll all deadlines four business days as a result of the Federal Government closure during snowstorm Jonas, which is applicable to this initiation.

As explained in the memorandum from the Acting Assistant Secretary for Enforcement and Compliance, the Department has exercised its discretion to toll all administrative deadlines due to the recent closure of the Federal Government. All deadlines in this segment of the proceeding have been extended by four business days. The revised deadline for the initiation of this investigation is now February 8, 2016.⁸

In accordance with section 732(b) of the Tariff Act of 1930, as amended (the "Act"), Petitioner alleges that imports of geogrids from the PRC are being, or are likely to be, sold in the United States at less-than-fair value within the meaning of section 731 of the Act, and that such imports are materially injuring, or threatening material injury to, an industry in the United States. Also, consistent with section 732(b)(1) of the Act, the Petition is accompanied by information reasonably available to Petitioner supporting its allegations.

The Department finds that Petitioner filed these Petitions on behalf of the domestic industry because Petitioner is an interested party as defined in section 771(9)(C) of the Act. The Department also finds that Petitioner demonstrated sufficient industry support with respect to the initiation of the AD investigation that Petitioner is requesting.⁹

Period of Investigation

Because the AD Petition was filed on January 13, 2015, the period of investigation ("POI") is, pursuant to 19 CFR 351.204(b)(1), July 1, 2015, through December 31, 2015.

Response to the General Issues Supplemental Questionnaire, dated January 20, 2016 ("General Issues Supplement").

⁶ See Letter from the Department to Petitioner entitled "Petition for the Imposition of Antidumping Duties on Imports of Certain Biaxial Integral Geogrid Products from the People's Republic of China: Supplemental Questions," January 26, 2016 ("Second AD Supplemental Questionnaire").

⁷ See Petitioner's January 28, 2016 submission ("Second AD Petition Supplement").

⁸ See Memorandum to the Record from Ron Lorentzen, Acting A/S for Enforcement & Compliance, regarding "Tolling of Administrative Deadlines As a Result of the Government Closure During Snowstorm Jonas," dated January 27, 2016.

⁹ See the "Determination of Industry Support for the Petition" section below.

Scope of the Investigation

The products covered by this investigation are geogrids from the PRC. For a full description of the scope of this investigation, see the "Scope of the Investigation," in Appendix I of this notice.

Comments on Scope of the Investigation

During our review of the AD and CVD Petitions, the Department issued questions to, and received responses from, Petitioner pertaining to the proposed scope to ensure that the scope language in the Petition would be an accurate reflection of the products for which the domestic industry is seeking relief.¹⁰

As discussed in the preamble to the Department's regulations,¹¹ we are setting aside a period for interested parties to raise issues regarding product coverage (*i.e.*, the scope). The Department will consider all comments received from parties and, if necessary, will consult with parties prior to the issuance of the preliminary determination. If scope comments include factual information (*see* 19 CFR 351.102(b)(21)), all such factual information should be limited to public information. In order to facilitate preparation of its questionnaires, the Department requests all interested parties to submit such comments by 5:00 p.m. Eastern Time ("ET") on February 29, 2016, which is 20 calendar days from the signature date of this notice. Any rebuttal comments, which may include factual information, must be filed by 5:00 p.m. ET on March 10, 2016, which is 10 calendar days after the initial comments deadline.

The Department requests that any factual information the parties consider relevant to the scope of the investigations be submitted during this time period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigations may be relevant, the party may contact the Department and request permission to submit the additional information. All such comments must be filed on the records of each of the concurrent AD and CVD investigations.

Filing Requirements

All submissions to the Department must be filed electronically using Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System

¹⁰ See General Issues Supplemental Questionnaire and General Issues Supplement.

¹¹ See *Antidumping Duties; Countervailing Duties*, 62 FR 27296, 27323 (May 19, 1997).

¹ See the Petitions for the Imposition of Antidumping Duties and Countervailing Duties: Certain Biaxial Integral Geogrid Products from the People's Republic of China, dated January 13, 2016 ("the Petition").

² *Id.*

³ See Volume I of the Petition at 2.

⁴ See Letters from the Department to Petitioner entitled "Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of Certain Biaxial Integral Geogrid Products from the People's Republic of China: Supplemental Questions," January 15, 2016 ("General Issues Supplemental Questionnaire"); and "Petition for the Imposition of Antidumping Duties on Certain Biaxial Integral Geogrid Products from the People's Republic of China," dated January 15, 2016 ("AD Supplemental Questionnaire").

⁵ See Petitioner's Response to the AD Supplemental Questionnaire, dated January 20, 2016 ("AD Petition Supplement") and Petitioner's