

Comment 6: Whether Certain Scope Language Should Be Removed  
 Comment 7: Wood Shims  
 Comment 8: Pre-Painted Wood Products  
 Comment 9: I-Joists  
 Comment 10: Miscellaneous Products Discussed by the Government of British Columbia (GBC) and the BC Lumber Trade Council (BCLTC)  
 Comment 11: Bed-Frame Components/ Crating Ladder Components  
 Comment 12: U.S.-Origin Lumber Sent to Canada for Further Processing  
 Comment 13: Softwood Lumber Produced in Canada From U.S.-Origin Logs  
 Comment 14: Remanufactured Goods  
 Comment 15: Eastern White Pine  
 Comment 16: Additional Scope Issues  
 Comment 16A: Whether the Department Should Conduct a Pass-Through Analysis for Independent Remanufacturers That Purchase Softwood Lumber at Arm's Length  
 Comment 16B: Whether Countervailing Duties Should Only Be Applicable on a First Mill Basis  
 Comment 16C: Whether the Department Should Exclude Softwood Lumber Products From New Brunswick  
 Comment 16D: Whether the Department Should Finalize the Exclusion of Softwood Lumber Products From the Atlantic Provinces  
 General Issues  
 Comment 17: Particular Market Situation  
 Comment 18: Differential Pricing Analysis  
 Comment 19: Whether Critical Circumstances Exist With Respect to Shipments of Certain Softwood Lumber Imports From Canada  
 Comment 20: Whether the Department Should Deduct SLA Export Tax From U.S. Price  
 Comment 21: Deduction of Indirect Selling Expenses and Inventory Carrying Costs Incurred in Canada From U.S. CEP  
 Comment 22: Currency Conversions in the Home Market Program  
 Comment 23: Matching Criteria When Applying Arm's Length Test to Canfor's and Resolute's Home Market Sales  
 Company-Specific Issues  
 Comment 24: Basis for Canfor's Gross Unit Price  
 Comment 25: Variable Representing Canfor's Total Cost of Manufacturing  
 Comment 26: Canfor's Reported Export Taxes  
 Comment 27: Canfor's Electricity Costs  
 Comment 28: Canfor's Reported Packing Costs  
 Comment 29: Canfor's By-Product Offsets  
 Comment 30: Canfor's Reconciling Items  
 Comment 31: Canfor's Cost Related to Canal Flats  
 Comment 32: Canfor's Gains and Losses for Derivatives  
 Comment 33: Resolute's Credit Expenses  
 Comment 34: Corrections to Resolute's Sales Databases as Noted in the Sales Verification Report  
 Comment 35: Resolute's Corporate Level Costs  
 Comment 36: Allocation of Resolute Canada's Corporate Charges  
 Comment 37: Resolute Growth's G&A Expense

Comment 38: Resolute Growth's Miscellaneous Income  
 Comment 39: Resolute's Wood Segment Corporate Income and Expense Items  
 Comment 40: Resolute's Long-Term Interest Income  
 Comment 41: Resolute's Timber Transport Costs  
 Comment 42: Resolute's Minor Cost Corrections  
 Comment 43: Resolute's Byproduct Offsets  
 Comment 44: Resolute's Offset for Further Processed Byproducts  
 Comment 45: Resolute's Startup Adjustments  
 Comment 46: Whether the Department Should Adjust Tolko's U.S. Prices to Reflect Losses on Futures Contracts  
 Comment 47: Cost of Discontinued Operations in Tolko's G&A Expenses  
 Comment 48: Depreciation on Tolko's Idle Assets  
 Comment 49: Exclusion of Long-Term Interest Income From Tolko's Financial Expenses  
 Comment 50: Byproduct Offset Adjustments for Tolko  
 Comment 51: Offset for the Revenue Earned by Tolko on Sales of Self-Generated Electricity  
 Comment 52: Yield Loss in Tolko's Cost of Manufacturing  
 Comment 53: U.S. Price Adjustment  
 Comment 54: Billing Adjustments  
 Comment 55: West Fraser Reported Millcode  
 Comment 56: Financial Expenses  
 Comment 57: Byproduct Offset for Sales of Byproducts to Affiliated Companies  
 Comment 58: Purchases of Seeds  
 Comment 59: West Fraser's Cost Reconciliation/Non-Operating Expenses  
 VI. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-201-842]

#### Large Residential Washers From Mexico: Preliminary Results of the Antidumping Duty Administrative Review; 2016-2017

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

**SUMMARY:** The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on large residential washers from Mexico. The period of review (POR) is February 1, 2016, through January 31, 2017. The review covers one producer/exporter of the subject merchandise, Electrolux Home Products Corp. N.V. and Electrolux Home Products de Mexico, S.A. de C.V. (collectively, Electrolux). We preliminarily determine that sales of subject merchandise by Electrolux have been made at prices below normal value

(NV). We invite interested parties to comment on these preliminary results.

**DATES:** *Applicable:* November 8, 2017.

**FOR FURTHER INFORMATION CONTACT:** Ross Belliveau or Rebecca Janz, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4952 or (202) 482-2972, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Scope of the Order

The products covered by the order are all large residential washers and certain subassemblies thereof from Mexico. The products are currently classifiable under subheadings 8450.20.0040 and 8450.20.0080 of the Harmonized Tariff System of the United States (HTSUS). Products subject to this order may also enter under HTSUS subheadings 8450.11.0040, 8450.11.0080, 8450.90.2000, and 8450.90.6000. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to this scope is dispositive.<sup>1</sup>

##### Methodology

The Department is conducting this review in accordance with sections 751(a)(1)(B) and (2) of the Tariff Act of 1930, as amended (the Act). Pursuant to section 776(a) and (b) of the Act, the Department has preliminarily relied upon facts otherwise available with adverse inferences (AFA) for Electrolux because this respondent did not timely respond to the Department's antidumping duty questionnaire. For a complete explanation of the methodology and analysis underlying the preliminary application of AFA, see the Preliminary Decision Memorandum. The Preliminary 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 <https://access.trade.gov>, and to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be found at

<sup>1</sup> For a full description of the scope of the order, see Memorandum, "Decision Memorandum for the Preliminary Results of the 2016-2017 Administrative Review of the Antidumping Duty Order on Large Residential Washers from Mexico," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<http://enforcement.trade.gov/frn/>. The signed Preliminary Decision Memorandum and the electronic version of the Preliminary Decision Memorandum are identical in content. A list of the topics discussed in the Preliminary Decision Memorandum is attached as the Appendix to this notice.

### Preliminary Results of the Review

As a result of this review, the Department preliminarily determines that a dumping margin of 72.41 percent exists for Electrolux for the period February 1, 2016, through January 31, 2017.

### Disclosure

Normally, the Department discloses to interested parties the calculations performed in connection with the preliminary results within five days of the date of publication of the notice of preliminary results in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, there are no calculations to disclose because, in accordance with section 776 of the Act, the Department preliminarily applied AFA to Electrolux, the only company that is subject to this review, and the applied AFA rate is based solely on a dumping margin applied in a prior segment of this proceeding.

### Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than 30 days after the date of publication of the preliminary results, unless the Secretary alters the time limit. Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after the deadline date for case briefs.<sup>2</sup> Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this administrative review are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce within 30 days after the date of publication of this notice. Requests should contain the party's name, address, and telephone number; the number of participants; and a list of the issues to be discussed. If a request for a hearing is made, the Department intends to hold the hearing at the U.S.

Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230, at a time and date to be determined.<sup>3</sup> Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

All submissions, with limited exceptions, must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety by 5 p.m. Eastern Time (ET) on the due date. Documents excepted from the electronic submission requirements must be filed manually (*i.e.*, in paper form) with the APO/Dockets Unit in Room 18022 and stamped with the date and time of receipt by 5 p.m. ET on the due date.

The Department intends to issue the final results of this administrative review, including the results of its analysis of issues raised in any written briefs, not later than 120 days after the date of publication of this notice, unless the deadline is extended.<sup>4</sup>

### Assessment Rates

Upon issuance of the final results, the Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review.<sup>5</sup> The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.<sup>6</sup>

### Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for Electrolux will be the rate established in the final results of this review; (2) for previously reviewed or investigated companies not participating in this review, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value (LTFV) investigation, but the

manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 36.52 percent, the all-others rate established in the LTFV investigation.<sup>7</sup> These deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importers

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

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: October 31, 2017.

### 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.*

### Appendix

#### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Application of Facts Available and Adverse Inferences
  - A. Use of Facts Available
  - B. Application of Facts Available With an Adverse Inference
  - C. Selection and Corroboration of Adverse Facts Available Rate
- V. Duty Absorption
- VI. Conclusion

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<sup>3</sup> *Id.*

<sup>4</sup> See section 751(a)(3)(A) of the Act and 19 CFR 351.213(h).

<sup>5</sup> See 19 CFR 351.212(b).

<sup>6</sup> See section 751(a)(2)(C) of the Act.

<sup>7</sup> See *Large Residential Washers from Mexico and the Republic of Korea: Antidumping Duty Orders*, 78 FR 11148 (February 15, 2013).

<sup>2</sup> See 19 CFR 351.309; see also 19 CFR 351.303 (for general filing requirements).