

instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all appropriate entries of wire rod from Spain, which were entered, or withdrawn from warehouse, for consumption on or after October 31, 2017, the date of publication of the preliminary determination of this investigation in the **Federal Register**. For entries made by AME, in accordance with section 735(c)(4)(A) of the Act, because we continue to find that critical circumstances exist, we will instruct CBP to continue to suspend liquidation of all appropriate entries of wire rod from Spain which were entered, or withdrawn from warehouse, for consumption on or after August 2, 2017, which is 90 days prior to the date of publication of the preliminary determination of this investigation in the **Federal Register**.

Further, Commerce will instruct CBP to require a cash deposit equal to the estimated weighted-average dumping margins as shown above.

International Trade Commission (ITC) Notification

In accordance with section 735(d) of the Act, we will notify the ITC of the final affirmative determination of sales at LTFV. Because the final determination in this proceeding is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of wire rod from Spain sold in the United States at LTFV no later than 45 days after our final determination. If the ITC determines that material injury or threat of material injury does not exist, the proceeding will be terminated and all cash deposits will be refunded. If the ITC determines that such injury does exist, Commerce will issue an antidumping duty order directing CBP to assess, upon further instruction by Commerce, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the "Continuation of Suspension of Liquidation" section.

Notification Regarding Administrative Protective Orders (APO)

This notice serves as a reminder to parties subject to APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely notification of the return or destruction of APO materials, or conversion to

judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

Notification to Interested Parties

This determination and this notice are issued and published pursuant to sections 735(d) and 777(i)(1) of the Act and 19 CFR 351.210(c).

Dated: March 19, 2018.

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 I

Scope of the Investigation

The products covered by this investigation are certain hot-rolled products of carbon steel and alloy steel, in coils, of approximately round cross section, less than 19.00 mm in actual solid cross-sectional diameter. Specifically excluded are steel products possessing the above-noted physical characteristics and meeting the Harmonized Tariff Schedule of the United States (HTSUS) definitions for (a) stainless steel; (b) tool steel; (c) high-nickel steel; (d) ball bearing steel; or (e) concrete reinforcing bars and rods. Also excluded are free cutting steel (also known as free machining steel) products (*i.e.*, products that contain by weight one or more of the following elements: 0.1 percent of more of lead, 0.05 percent or more of bismuth, 0.08 percent or more of sulfur, more than 0.04 percent of phosphorous, more than 0.05 percent of selenium, or more than 0.01 percent of tellurium). All products meeting the physical description of subject merchandise that are not specifically excluded are included in this scope.

The products under investigation are currently classifiable under subheadings 7213.91.3011, 7213.91.3015, 7213.91.3020, 7213.91.3093, 7213.91.4500, 7213.91.6000, 7213.99.0030, 7227.20.0030, 7227.20.0080, 7227.90.6010, 7227.90.6020, 7227.90.6030, and 7227.90.6035 of the HTSUS. Products entered under subheadings 7213.99.0090 and 7227.90.6090 of the HTSUS may also be included in this scope if they meet the physical description of subject merchandise above. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of these proceedings is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Use of Adverse Facts Available
- IV. Critical Circumstances
- V. Scope of the Investigation
- VI. Scope Comments
- VII. Margin Calculations
- VIII. Discussion of the Issues:

- Comment 1: Date of Sale and Use of Constructed Export Price
- Comment 2: Inclusion of Certain Extraordinary Expenses in GSW's Net General and Administrative Expenses
- Comment 3: Correction of Certain Data Errors
- Comment 4: Inclusion of Income Attributable to Certain Scrap Sales in GSW's Net General and Administrative Expenses
- Comment 5: Adjustment of GSW's Reported Costs To Reflect the Yield Loss Attributable to the Cutting Stage of the Production Process
- Comment 6: Whether GSW Understated its Per-Unit Costs by Reporting Sales Quantities
- Comment 7: Whether GSW Improperly Calculated Direct Materials Cost on a Product-Group Basis
- Comment 8: Inclusion of Certain Items in the Calculation of the CELSA Companies' General and Administrative Expense Rates
- Comment 9: AFA
- IX. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-836]

Glycine From the People's Republic of China: Notice of Court Decision Not in Harmony With Final Results of the Antidumping Duty Administrative Review and Notice of Amended Final Results; 2013-2014

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

SUMMARY: The Court of International Trade (CIT or Court) sustained the final remand results pertaining to the administrative review of the antidumping duty order on glycine from the People's Republic of China (China), covering the period of March 1, 2013, through February 28, 2014. The Department of Commerce (Commerce) is notifying the public that the final judgment in this case is not in harmony with Commerce's final results of the administrative review and that Commerce is amending the final results with respect to the dumping margin assigned to Baoding Mantong Fine Chemistry Co. Ltd. (Baoding Mantong).
DATES: Applicable [March 22, 2018].

FOR FURTHER INFORMATION CONTACT: Edythe Artman or Brian Davis, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone:

(202) 482–3931 or (202) 482–7924, respectively.

SUPPLEMENTARY INFORMATION:

Background

On October 15, 2015, Commerce published the *Final Results*,¹ in which it determined Baoding Mantong to have a weight-averaged dumping margin of 143.87 percent for the period under review. On August 1, 2017, the Court sustained three of Commerce's determinations in the *Final Results* but, with respect to findings for Baoding Mantong, remanded the results to Commerce for reconsideration of the surrogate value selection for liquid ammonia and the selection of companies used for the respondent's surrogate financial ratios.² In the Final Results of Redetermination, Commerce selected a new surrogate value for liquid ammonia and changed its selection of surrogate financial ratios; these two changes resulted in a dumping margin of zero percent.³ On March 12, 2018, the Court sustained the Final Results of Redetermination.⁴

Timken Notice

In its decision in *Timken*,⁵ as clarified by *Diamond Sawblades*,⁶ the Court of Appeals for the Federal Circuit held that, pursuant to section 516A(e) of the Tariff Act of 1930, as amended (the Act), Commerce must publish a notice of a court decision that is not "in harmony" with a Commerce determination and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's March 12, 2018, final judgment sustaining the Final Results of Redetermination constitutes a final decision of the Court that is not in harmony with Commerce's *Final*

Results. This notice is published in fulfillment of the *Timken* publication requirements. Accordingly, Commerce will continue the suspension of liquidation of the subject merchandise pending a final and conclusive court decision.

Amended Final Results of Review

Because there is now a final court decision, Commerce is amending the *Final Results* with respect to the dumping margin calculated for Baoding Mantong. Based on the Final Results of Redetermination, as sustained by the CIT, the revised dumping margin for Baoding Mantong, for the period March 1, 2013, through February 28, 2014, is as follows:

Producer or exporter	Weighted-average dumping margin (percent)
Baoding Mantong Fine Chemistry Co. Ltd	0.00

In the event the Court's ruling is not appealed or, if appealed, upheld by a final and conclusive court decision, Commerce will instruct the U.S. Customs and Border Protection (CBP) to assess antidumping duties on unliquidated entries of subject merchandise with respect to Baoding Mantong.

Cash Deposit Requirements

As Baoding Mantong's cash deposit rate has not been subject to subsequent administrative reviews, Commerce will issue revised cash deposit instructions to CBP adjusting the rate for Baoding Mantong to zero percent, effective March 22, 2018.

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(e)(1), 751(a)(1), and 777(i)(1) of the Act.

Dated: March 22, 2018.

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.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–055]

Carton-Closing Staples From the People's Republic of China: Final Affirmative Determination of Sales at Less Than Fair Value

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

SUMMARY: The Department of Commerce (Commerce) determines that carton-closing staples from the People's Republic of China (China) are being, or are likely to be, sold in the United States at less than fair value (LTFV). The final dumping margin of sales at LTFV is shown in the "Final Determination" section of this notice.

DATES: Applicable March 28, 2018.

FOR FURTHER INFORMATION CONTACT: Irene Gorelik, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–6905.

SUPPLEMENTARY INFORMATION:

Background

On November 3, 2017, Commerce published in the **Federal Register** its preliminary affirmative determination in the LTFV investigation of carton-closing staples from China.¹ For a complete description of the events that followed the *Preliminary Determination*, see the Issues and Decision Memorandum that is dated concurrently with this determination and hereby adopted by this notice.² Commerce exercised its discretion to toll deadlines affected by the closure of the Federal Government from January 20 through 22, 2018. If the new deadline falls on a non-business day, in accordance with Commerce's practice, the deadline will become the next business day. The revised deadline for the final

¹ See *Glycine from the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Partial Rescission of Antidumping Duty Administrative Review; 2013–2014*, 80 FR 62027 (October 15, 2015) (*Final Results*) and accompanying Issues and Decision Memorandum (Issues and Decision Memorandum).

² See *Evonik Rexim (Nanning) Pharmaceutical Co. Ltd. v. United States*, 253 F. Supp. 3d 1364 (2017). The Court consolidated actions filed by Evonik Rexim (Nanning) Pharmaceutical Co. Ltd. (Evonik) and Baoding Mantong on January 21, 2016, but later granted a motion to sever and stay one of Evonik's claims pending the final disposition of a similar claim in another segment of this antidumping duty proceeding.

³ See "Final Results of Redetermination Pursuant to Court Remand," dated October 20, 2017 (Final Results of Redetermination).

⁴ See *Evonik Rexim (Nanning) Pharmaceutical Co. Ltd. v. United States*, Court No. 15–00296, Slip Op. 18–21 (CIT March 12, 2018).

⁵ See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

⁶ See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

¹ See *Carton-Closing Staples from the People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination and Extension of Provisional Measures*, 82 FR 51213 (November 3, 2017) (*Preliminary Determination*) and accompanying Preliminary Decision Memorandum.

² See Memorandum, "Issues and Decision Memorandum for the Final Affirmative Determination in the Less-Than-Fair-Value Investigation of Carton-Closing Staples from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).