

company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation, but the producer is, the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the producer of the subject merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 0.00 percent, the all-others rate established in the investigation.⁵ These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a final 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 this POR. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of doubled antidumping duties.

Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective orders (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 the 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 the terms of an APO is a sanctionable violation.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(h).

Dated: December 10, 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

List of Topics Discussed in the Final Decision Memorandum

- I. Summary
- II. List of Comments
- III. Background
- IV. Changes Since the Preliminary Results
- V. Scope of the Order
- VI. Discussion of Comments
 - Comment: Errors in Home Market SAS Programming Language
- VII. Recommendation

[FR Doc. 2018–27122 Filed 12–13–18; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–869]

Diffusion-Annealed, Nickel-Plated, Flat-Rolled Steel Products From Japan: Final Results of Antidumping Duty Administrative Review; 2016–2017

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

SUMMARY: The Department of Commerce (Commerce) find that diffusion-annealed, nickel-plated, flat-rolled steel products from Japan have been sold at less than normal value during the period of review (POR) May 1, 2016, through April 30, 2017.

DATES: Applicable December 14, 2018.

FOR FURTHER INFORMATION CONTACT: Edythe Artman, 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.

SUPPLEMENTARY INFORMATION:

Background

On June 11, 2018, Commerce published the *Preliminary Results*.¹ A summary of the events that occurred since Commerce published these results, as well as a full discussion of the issues raised by parties for these final results, may be found in the Issues

and Decision Memorandum, which is hereby adopted by this notice.²

Scope of the Order

The diffusion-annealed, nickel-plated flat-rolled steel products included in this order are flat-rolled, cold-reduced steel products, regardless of chemistry; whether or not in coils; either plated or coated with nickel or nickel-based alloys and subsequently annealed (*i.e.*, “diffusion-annealed”); whether or not painted, varnished or coated with plastics or other metallic or nonmetallic substances; and less than or equal to 2.0 mm in nominal thickness. For purposes of this order, “nickel-based alloys” include all nickel alloys with other metals in which nickel accounts for at least 80 percent of the alloy by volume.

Imports of merchandise included in the scope of this order are classified primarily under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7212.50.0000 and 7210.90.6000, but may also be classified under HTSUS subheadings 7210.70.6090, 7212.40.1000, 7212.40.5000, 7219.90.0020, 7219.90.0025, 7219.90.0060, 7219.90.0080, 7220.90.0010, 7220.90.0015, 7225.99.0090, or 7226.99.0180. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the Issues and Decision Memorandum. A list of the issues raised by parties is attached to this notice as an Appendix. 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 <https://access.trade.gov> and it 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 Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed and electronic versions of

⁵ See *Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders*, 81 FR 48390, 48393 (July 25, 2016).

¹ See *Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan: Preliminary Results of Antidumping Duty Administrative Review; 2016–2017*, 83 FR 26955 (June 11, 2018) (*Preliminary Results*) and accompanying Preliminary Decision Memorandum.

² See Memorandum, “Issues and Decision Memorandum for the Final Results of the Administrative Review of the Antidumping Duty Order on Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan; 2016–2017,” dated concurrently with and hereby adopted by this notice (Issues and Decision Memorandum).

the Issues and Decision Memorandum are identical in content.

With regard to NSSMC, we received no comments or submissions since the *Preliminary Results*. Therefore, we continue to find that, in accordance with sections 776(a) and (b) of the Act, application of facts otherwise available, with an adverse inference, is warranted.³

Changes Since the Preliminary Results

Based on our review of the record and comments received from interested parties, we made certain changes to the margin calculations for Toyo Kohan. Commerce has relied on partial facts available under section 776(a) and (b) of the Act. In addition, Commerce finds that Toyo Kohan failed to cooperate to the best of its ability and thus it is

applying adverse inferences in selecting from facts available, pursuant to section 776(b). For a discussion of these changes, see Issues and Decision Memorandum.

Final Results of the Review

The final dumping margins are as follows for the period May 1, 2016, through April 30, 2017:

Producer or exporter	Dumping margin (percent)
Toyo Kohan Co., Ltd	4.57
Nippon Steel & Sumitomo Metal Corporation	77.70

Disclosure

We will disclose the calculations performed to parties in this proceeding within five days of the date of publication of this notice, in accordance with 19 CFR 351.224(b).

Assessment Rates

Commerce shall determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(1).

For Toyo Kohan, because its weighted-average dumping margin is not zero or *de minimis* (i.e., less than 0.5 percent), Commerce has calculated an importer-specific *ad valorem* duty assessment rate. We calculated importer-specific *ad valorem* antidumping duty rates by aggregating the total amount of dumping calculated for the importer’s examined sales and dividing each of these amounts by the total entered value associated with those sales. We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review where an importer-specific assessment is above *de minimis*. Pursuant to 19 CFR 351.106(c)(2), we will instruct CBP to liquidate without regard to antidumping duties any entries for which the importer-specific assessment rate is zero or *de minimis*.

For NSSMC, we will base the assessment rate for the corresponding entries on the margin listed above.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of this notice for all shipments of subject merchandise entered, or withdrawn from warehouse,

for consumption on or after the publication of these final results, as provided by section 751(a)(2) of the Act:

- (1) The cash deposit rate for Toyo Kohan and NSSMC will be the rate established in the final results of this administrative review;
 - (2) for merchandise exported by manufacturers or exporters not covered in this administrative review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company specific rate published for the most recently completed segment of this proceeding;
 - (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the manufacturer of the subject merchandise; and
 - (4) the cash deposit rate for all other manufacturers or exporters will continue to be 45.42 percent, the all-others rate established in the antidumping investigation.⁴
- These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a final 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 period of review. Failure to comply with this requirement could result in Commerce’s presumption that reimbursement of antidumping duties did occur and the subsequent assessment of doubled antidumping duties.

Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective orders (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 the 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 the terms of an APO is a sanctionable violation.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(h).

Dated: December 7, 2018.

Christian Marsh,
Deputy Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. List of Issues
- III. Background
- IV. Scope of the Order
- V. Application of Partial Facts Available and Use of Adverse Inference
- VI. Discussion of the Issues
 - Comment 1: Failure to Report Actual Production Dates
 - Comment 2 Failure to Report Actual Home Market Payment Dates
 - Comment 3: Reconciliation of U.S. Sales at Verification
 - Comment 4: Rejection of Toyo Kohan’s Factual Information to Rebut the Verification Report

³ For a full discussion of Commerce’s determination to apply adverse fact available pursuant to sections 776(a) and (b) of the Act, see

Preliminary Results at 26956 and accompanying Preliminary Decision Memorandum at 3–5.

⁴ See *Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan: Antidumping*

Duty Order, 79 FR 30816, 30817 (May 29, 2014) (*Order*).

Comment 5: Use of Revised Data in the Final Results of Review
 Comment 6: Failure to Report End-User Customer Codes

VII. Recommendation

[FR Doc. 2018-27120 Filed 12-13-18; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-475-819]

Pasta From Italy: Final Results of Countervailing Duty Administrative Review; 2016

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

SUMMARY: The Department of Commerce (Commerce) has completed its administrative review of the countervailing duty (CVD) order on pasta from Italy. We have determined that GR.A.M.M. S.r.l. (GR.A.M.M.), the only mandatory respondent, received countervailable subsidies during the period of review (POR) January 1, 2016, through December 31, 2016.

DATES: Applicable December 14, 2018.

FOR FURTHER INFORMATION CONTACT: Mary Kolberg, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-1785.

SUPPLEMENTARY INFORMATION:

Background

On July 24, 1996, Commerce published in the **Federal Register** a CVD Order on pasta from Italy.¹ On August 9, 2018, Commerce published the *Preliminary Results* of this CVD administrative review in the **Federal Register**.² Commerce gave interested parties an opportunity to comment on the *Preliminary Results*. On September 11, 2018, we received a case brief from GR.A.M.M. No rebuttal comments were received.

Scope of the Order

The merchandise covered by this order is certain non-egg dry pasta from Italy. The merchandise subject to this order is currently classifiable under

items 1901.90.90.95 and 1902.19.20 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to the order is dispositive. A full description of the scope of the order is contained in the Issues and Decision Memorandum, which is hereby adopted in this notice.³

Analysis of Comments Received

All issues raised in the respondent's case brief are listed in the Appendix to this notice and are addressed in the Issues and Decision Memorandum accompanying 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 Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

Changes Since the Preliminary Results

For the final results, we changed the calculation of the countervailable subsidy rate for Action 6.1.4, Aid on Investment Program Promoted by Micro and Small Businesses, based on additional information provided regarding the specificity of the program and no longer find the portion of the program funded by the Regional Government of Puglia to be countervailable.

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 to be countervailable during the POR, 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.⁴ For a full description of the methodology underlying our

conclusions, *see* the Issues and Decision Memorandum.

Final Results of Review

We determine the following net countervailable subsidy rate for GR.A.M.M., for the period, January 1, 2016, through December 31, 2016:

Producer/exporter	Net subsidy rate (percent)
GR.A.M.M. S.r.l.	1.18

Disclosure

We intend to disclose to the parties in this proceeding the calculations performed for these final results within five days of the date of publication of this notice in the **Federal Register**.⁵

Assessment Rates

In accordance with 19 CFR 351.212(b)(2), Commerce intends to issue assessment instructions to U.S. Customs and Border Protection (CBP) 15 days after the date of publication of these final results to liquidate shipments of subject merchandise entered, or withdrawn from warehouse, for consumption, on or after January 1, 2016 through December 31, 2016, at the *ad valorem* rate listed above.

Cash Deposit Instructions

In accordance with section 751(a)(2)(C) of the Act, we intend to instruct CBP to collect cash deposits of estimated countervailing duties in the amount shown above for shipments of subject merchandise by GR.A.M.M.. 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.

Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written 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 terms of an APO is a sanctionable violation.

We are issuing and publishing these results in accordance with sections

¹ See *Notice of Countervailing Duty Order and Amended Final Affirmative Countervailing Duty Determination: Certain Pasta ("Pasta") from Italy*, 61 FR 38544 (July 24, 1996) (Order).

² See *Certain Pasta from Italy: Preliminary Results of Countervailing Duty Administrative Review and Partial Rescission; 2016*, 83 FR 39418 (August 9, 2018) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

³ See Memorandum, "Issues and Decision Memorandum for the Final Results of Countervailing Duty Administrative Review: Certain Pasta from Italy; 2016," dated concurrently with this notice (Issues and Decision Memorandum).

⁴ 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.

⁵ See 19 CFR 351.224(b).