

**DATES:** Applicable June 4, 2019.

**SUMMARY:** The Department of Commerce (Commerce) is rescinding the administrative review of the antidumping duty order on steel wire garment hangers from Taiwan for the period of review (POR), December 1, 2017, through November 30, 2018.

**FOR FURTHER INFORMATION CONTACT:** Annathea Cook, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone (202) 482-0250.

**SUPPLEMENTARY INFORMATION:**

**Background**

On December 3, 2018, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the antidumping duty order on steel wire garment hangers from Taiwan for the period of December 1, 2017, through November 30, 2018.<sup>1</sup> On December 14, 2018, in accordance with section 751(a) of the Tariff Act of 1930, as amended, (the Act) and 19 CFR 351.213(b), Commerce received a timely request from the petitioner<sup>2</sup> to conduct an administrative review of the antidumping duty order on steel wire garment hangers from Taiwan manufactured and/or exported by Charles Enterprise Co., Ltd.; Gee Ten Enterprise Co., Ltd.; Inmall Enterprises Co., Ltd.; Mindful Life and Coaching Co., Ltd.; Ocean Concept Corporation; Su-Chia International Ltd.; Taiwan Hanger Manufacturing Co., Ltd.; and Young Max Enterprises Co. Ltd.<sup>3</sup>

On March 14, 2019, Commerce published in the **Federal Register** a notice of initiation of an administrative review of the antidumping duty order for the period December 1, 2017, through November 30, 2018.<sup>4</sup> On May 13, 2019, the petitioners timely withdrew their request for an administrative review for all companies under review.<sup>5</sup>

<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 83 FR 62293 (December 3, 2018).

<sup>2</sup> M&B Metal Products Company, Inc.

<sup>3</sup> See the petitioner's letter, "Steel Wire Garment Hangers from Taiwan: Request for Sixth Administrative Review," (December 14, 2018).

<sup>4</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 84 FR 9297 (March 14, 2019).

<sup>5</sup> See the petitioner's letter, "Sixth Administrative Review of Steel Wire Garment Hangers from Taiwan—Petitioner's Withdrawal of Review Request," (May 13, 2019).

**Rescission of Review**

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, "in whole or in part, if the party that requested a review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review." The petitioner withdrew its request for review within the 90-day deadline. No other party requested an administrative review of the antidumping duty order. Therefore, in response to the timely withdrawal request and in accordance with 19 CFR 351.213(d)(1), Commerce is rescinding the administrative review of the antidumping duty order on steel wire garment hangers from Taiwan in its entirety.

**Assessment**

Commerce intends to instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries of steel wire garment hangers from Taiwan during the POR. Antidumping duties shall be assessed at rates equal to the cash deposit rate of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue appropriate assessment instructions to CBP 15 days after the publication of this notice in the **Federal Register**.

**Notification to Importers**

This notice serves as the only reminder to importers, whose entries will be liquidated as a result of this rescission, 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 review period. Failure to comply with this requirement may result in the presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

**Notification Regarding Administrative Protective Order**

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). 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 sanctionable violation.

This notice is published in accordance with sections 751(a) and 777(i)(1) of the Act and 19 CFR 351.213(d)(4).

Dated: May 28, 2019.

**Gary Taverman,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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**BILLING CODE 3510-DS-P**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[C-570-094]

**Refillable Stainless Steel Kegs From the People's Republic of China: Preliminary Affirmative Determination, in Part, of Critical Circumstances in the Countervailing Duty Investigation**

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

**DATES:** Applicable June 4, 2019.

**FOR FURTHER INFORMATION CONTACT:**

Nicholas Czajkowski, 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) 482-1395.

**SUPPLEMENTARY INFORMATION:**

**Background**

On April 5, 2019, the Department of Commerce (Commerce) published the preliminary determination in the countervailing duty (CVD) investigation of imports of refillable stainless steel kegs (kegs) from the People's Republic of China.<sup>1</sup> On May 2, 2019, the American Keg Company LLC (petitioner) alleged that critical circumstances exist with respect to imports of kegs from China, pursuant to sections 703(e) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.206.<sup>2</sup>

In accordance with 19 CFR 351.206(c)(2)(ii), if the petitioner submits an allegation of critical circumstances later than 20 days before the scheduled date of the preliminary determination, Commerce must issue a

<sup>1</sup> See *Refillable Stainless Steel Kegs from the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination*, 84 FR 13634 (April 5, 2019) (*Preliminary Determination*) and accompanying Preliminary Decision Memorandum (PDM).

<sup>2</sup> See Letter from the petitioner, "Refillable Stainless Steel Kegs from the People's Republic of China: Petitioner's Critical Circumstances Allegation," dated May 2, 2019.

preliminary finding whether there is a reasonable basis to believe or suspect that critical circumstances exist within 30 days of the petitioner's allegation.

Section 703(e)(1) of the Act provides that Commerce, upon receipt of a timely allegation of critical circumstances, will preliminarily determine that critical circumstances exist in CVD investigations if there is a reasonable basis to believe or suspect that: (A) "the alleged countervailable subsidy" is inconsistent with the Subsidies and Countervailing Measures (SCM) Agreement of the World Trade Organization; and (B) there have been massive imports of the subject merchandise over a relatively short period. Sections 351.206(h)(2) and (i) of Commerce's regulations provide that imports must increase by at least 15 percent during the "relatively short period" to be considered "massive" and defines a "relatively short period" as normally being the period beginning on the date the proceeding begins (*i.e.*, the date the petition is filed) and ending at least three months later.

#### Critical Circumstances Analysis

To determine whether an alleged countervailable subsidy is inconsistent with the SCM Agreement, in accordance with section 703(e)(1)(A) of the Act, Commerce considered the evidence on the record of this CVD investigation. Specifically, as reflected in the *Preliminary Determination*, Commerce found that Ningbo Master International Trade Co., Ltd. (Ningbo Master), the one participating mandatory respondent in this investigation, benefitted from the following export-contingent subsidies: International Market Expansion Fund and Export Assistance Grants.<sup>3</sup>

In determining whether there are "massive imports" over a "relatively short period," pursuant to section 703(e)(1)(B) of the Act, Commerce normally compares the import volumes of the subject merchandise for at least three months immediately preceding the filing of the petition (*i.e.*, the "base period") to a comparable period of at least three months following the filing of the petition (*i.e.*, the "comparison period").<sup>4</sup> Imports will normally be

considered massive when imports during the comparison period have increased by 15 percent or more compared to imports during the base period.<sup>5</sup>

Accordingly, to determine preliminarily whether there has been a massive surge in imports for Ningbo Master International Trade Co., Ltd. (Ningbo Master), the mandatory respondent in this investigation, which provided shipment data, Commerce compared the total volume of shipments from October 2018 through April 2019, the comparison period (*i.e.*, all months for which shipment data was available), with the preceding seven-month period of March 2018 through September 2018, the base period. After analyzing the data submitted, we preliminarily determine imports from Ningbo Master were not massive (*i.e.*, did not increase by more than 15 percent between the base and comparison periods) over a relatively short period of time within the context of 19 CFR 351.206(h).<sup>6</sup>

As detailed in the *Preliminary Determination*, Commerce applied an Adverse Facts Available (AFA) rate for certain companies that did not act to the best of their ability to respond to Commerce's requests for information.<sup>7</sup> Therefore, we preliminarily determine, on the basis of AFA,<sup>8</sup> that there has been a massive surge in imports for these 19 companies that chose not to participate in this investigation. Further, in the *Preliminary Determination*, we preliminarily determined that all 19 companies benefitted from export-contingent countervailable subsidies, including the "International Market

*Affirmative Final Determination of Critical Circumstances*, 82 FR 51806 (November 8, 2017) at 51807-08.

<sup>5</sup> *Id.*

<sup>6</sup> See Memorandum to the File, "Countervailing Duty Investigation of Refillable Stainless Steel Kegs from the People's Republic of China: Preliminary Determination of Critical Circumstances" dated concurrently with this notice.

<sup>7</sup> See PDM at pages 14-17. Specifically, one mandatory respondent, Penglai Jinfu Stainless Steel Products Co., Ltd., failed to respond to Commerce's questionnaire, and the following 18 companies failed to respond to Commerce's Quantity and Value Questionnaire: Equipmentines (Dalian) E-Commerce Co., Ltd.; Jinan HaoLu Machinery Equipment Co., Ltd.; NDL Keg Qingdao Inc.; Ningbo Direct Import & Export Co., Ltd.; Ningbo Hefeng Container Manufacture Co., Ltd.; Ningbo Hefeng Kitchen Utensils Manufacture Co., Ltd.; Ningbo HGM Food Machinery Co., Ltd.; Ningbo Jiangbei Bei Fu Industry and Trade Co., Ltd.; Ningbo Sanfino Import & Export Co., Ltd.; Ningbo Shimaotong International Co., Ltd.; Ningbo Sunburst International Trading Co., Ltd.; Orient Equipment (Taizhou) Co., Ltd.; Qingdao Henka Precision Technology Co., Ltd.; Shandong Tiantai Beer Equipment; Sino Dragon Trading International; Wenzhou Deli Machinery Equipment Co.; Wuxi Taihu Lamps and Lanterns Co., Ltd.; and Yantai Trano New Material Co., Ltd.

<sup>8</sup> See section 776 of the Act.

Expansion Fund" and "Export Assistance Grants" programs.<sup>9</sup> Therefore, we preliminarily find that these companies received countervailable subsidies that are inconsistent with the SCM Agreement, in accordance with section 703(e)(1)(A) of the Act. As such, we preliminarily determine that critical circumstances exist with respect to these AFA companies only.

To determine whether imports were massive for all other producers/exporters, Commerce's normal practice is to subtract shipments reported by the cooperating mandatory respondents from shipment data of subject merchandise compiled by the ITC.<sup>10</sup> However, as discussed in the *Initiation Notice*<sup>11</sup> for this investigation, the Harmonized Tariff Schedule of the United States (HTSUS) numbers under which the subject merchandise would enter are basket categories containing a wide variety of manufactured steel products unrelated to kegs. Therefore, consistent with prior practice, we have preliminarily relied upon the participating respondent company's data as "facts available" in accordance with section 776(a)(1) of the Act to determine whether imports from all other producers/exporters were massive.<sup>12</sup> Based on the import data submitted by Ningbo Master, we have preliminarily determined that imports from all other producers/exporters likewise were not massive.

#### Final Critical Circumstances Determination

We will issue our final determinations concerning critical circumstances when we issue our final CVD determination. All interested parties will have the opportunity to address this determination. Case briefs, addressing critical circumstances only, may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the publication date of this notice. Rebuttal briefs, limited to issues raised in these critical circumstances-only case briefs, may be

<sup>9</sup> See PDM at pages 15-17 and Appendix.

<sup>10</sup> See, e.g., *Antidumping Duty Investigation of Refillable Stainless Steel Kegs from Mexico: Preliminary Affirmative Determination of Critical Circumstances*, 84 FR 18796 (May 2, 2019) at 18798 (*Kegs from Mexico Preliminary Critical Circumstances Determination*).

<sup>11</sup> See Memorandum to the File, "Countervailing Duty Investigation Initiation Checklist: Refillable Stainless Steel Kegs from the People's Republic of China," dated October 10, 2018 (Initiation Checklist); see also *Refillable Stainless Steel Kegs from the Peoples Republic of China: Initiation of Countervailing Duty Investigation*, 83 FR 52192 (October 16, 2018) (*Initiation Notice*).

<sup>12</sup> See, e.g., *Kegs from Mexico Preliminary Critical Circumstances Determination*, 84 FR at 18798.

<sup>3</sup> See e.g., Memorandum to the File, "Countervailing Duty Investigation of Refillable Stainless Steel Kegs from the People's Republic of China: Preliminary Determination Calculations for Ningbo Master International Trade Co., Ltd.," dated March 29, 2019.

<sup>4</sup> See *Antidumping and Countervailing Duty Investigations of Certain Softwood Lumber Products from Canada: Preliminary Determinations of Critical Circumstances*, 82 FR 19219 (April 27, 2017) at 19220, unchanged in *Certain Softwood Lumber Products from Canada: Final Affirmative Determination of Sales at Less Than Fair Value and*

submitted no later than five days after the deadline date for case briefs.<sup>13</sup> Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs for this critical circumstances finding 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.

#### ITC Notification

In accordance with section 703(f) of the Act, we will notify the ITC of this preliminary determination of critical circumstances.

#### Suspension of Liquidation

In accordance with section 703(e)(2)(A) of the Act, for the 19 companies that chose not to participate in this investigation, we will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of any unliquidated entries of subject merchandise from China entered, or withdrawn from warehouse for consumption, on or after January 5, 2019, which is 90 days prior to the date of publication of the *Preliminary Determination* in the **Federal Register**. For such entries, CBP shall require a cash deposit equal to the estimated preliminary subsidy rates established for these companies in the *Preliminary Determination*. This suspension of liquidation will remain in effect until further notice.

This determination is issued and published pursuant to section 777(i) of the Act.

Dated: May 28, 2019.

**Christian Marsh,**

*Deputy Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Meeting of the Civil Nuclear Trade Advisory Committee

**AGENCY:** International Trade Administration, U.S. Department of Commerce.

**ACTION:** Notice of Federal Advisory Committee meeting.

**SUMMARY:** This notice sets forth the schedule and proposed agenda for a

meeting of the Civil Nuclear Trade Advisory Committee (CINTAC).

**DATES:** The meeting is scheduled for Monday, June 24, 2019, from 2:00 p.m. to 4:00 p.m. Eastern Daylight Time (EDT). The deadline for members of the public to register to participate, including requests to make comments during the meeting and for auxiliary aids, or to submit written comments for dissemination prior to the meeting, is 5:00 p.m. Eastern Daylight Time (EDT) on Thursday, June 20, 2019.

**ADDRESSES:** The meeting will be held via conference call. The call-in number and passcode will be provided by email to registrants. Requests to register to participate (including to speak or for auxiliary aids) and any written comments should be submitted to: Mr. Devin Horne, Office of Energy & Environmental Industries, International Trade Administration, Room 28018, 1401 Constitution Ave. NW, Washington, DC 20230. (Fax: 202-482-5665; email: [devin.horne@trade.gov](mailto:devin.horne@trade.gov)). Members of the public are encouraged to submit registration requests and written comments via email to ensure timely receipt.

**FOR FURTHER INFORMATION CONTACT:** Mr. Devin Horne, Office of Energy & Environmental Industries, International Trade Administration, Room 28018, 1401 Constitution Ave. NW, Washington, DC 20230. (Phone: 202-482-0775; Fax: 202-482-5665; email: [devin.horne@trade.gov](mailto:devin.horne@trade.gov)).

#### SUPPLEMENTARY INFORMATION:

##### Background

The CINTAC was established under the discretionary authority of the Secretary of Commerce and in accordance with the Federal Advisory Committee Act (5 U.S.C. App.), in response to an identified need for consensus advice from U.S. industry to the U.S. Government regarding the development and administration of programs to expand United States exports of civil nuclear goods and services in accordance with applicable U.S. laws and regulations, including advice on how U.S. civil nuclear goods and services export policies, programs, and activities will affect the U.S. civil nuclear industry's competitiveness and ability to participate in the international market.

The Department of Commerce renewed the CINTAC charter on August 10, 2018. This meeting is being

convened under the sixth charter of the CINTAC.

*Topics to be considered:* The agenda for the Monday, June 24, 2019, CINTAC meeting is as follows: Discussion of activities related to the U.S. Department of Commerce's Civil Nuclear Trade Initiative.

Members of the public wishing to attend the meeting must notify Mr. Devin Horne at the contact information above by 5:00 p.m. EDT on Thursday, June 20, 2019 in order to pre-register to participate. Please specify any requests for reasonable accommodation at least five business days in advance of the meeting. Last minute requests will be accepted but may not be possible to fill. A limited amount of time will be available for brief oral comments from members of the public attending the meeting. To accommodate as many speakers as possible, the time for public comments will be limited to two (2) minutes per person, with a total public comment period of 20 minutes. Individuals wishing to reserve speaking time during the meeting must contact Mr. Horne and submit a brief statement of the general nature of the comments and the name and address of the proposed participant by 5:00 p.m. EDT on Thursday, June 20, 2019. If the number of registrants requesting to make statements is greater than can be reasonably accommodated during the meeting, ITA may conduct a lottery to determine the speakers.

Any member of the public may submit written comments concerning the CINTAC's affairs at any time before and after the meeting. Comments may be submitted to the Civil Nuclear Trade Advisory Committee, Office of Energy & Environmental Industries, Room 28018, 1401 Constitution Ave. NW, Washington, DC 20230. For consideration during the meeting, and to ensure transmission to the Committee prior to the meeting, comments must be received no later than 5:00 p.m. EDT on Thursday, June 20, 2019. Comments received after that date will be distributed to the members but may not be considered at the meeting.

Copies of CINTAC meeting minutes will be available within 90 days of the meeting.

Dated: May 29, 2019.

**Devin Horne,**

*Designated Federal Officer, Office of Energy and Environmental Industries.*

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<sup>13</sup> See 19 CFR 351.309; see also 19 CFR 351.303 (for general filing requirements).