

SUPPLEMENTARY INFORMATION:

Background

On February 13, 2018, Commerce published the *Final Results*.¹ Subsequently, Jindal Poly Films Limited of India (Jindal), a mandatory respondent in the underlying proceeding, filed suit at the CIT to challenge certain aspects of the *Final Results*. On March 11, 2019, the CIT remanded the *Final Results* to Commerce, to further explain its decision to deny Jindal's claimed Financing Charges Discount and the Exclusive Dealer Discount post-sale adjustments, finding that Commerce had failed to articulate its reasoning for denying the adjustments.² On July 10, 2019, Commerce issued its *Remand Results*, in which it granted post-sale price adjustments for Jindal's Financing Charges Discount and Exclusive Dealer Discount.³ On July 23, 2019, the CIT sustained Commerce's *Remand Results*, and entered final judgment.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 July 23, 2019, judgment sustaining Commerce's *Remand Results* constitutes a final decision of that court that is not in harmony with Commerce's *Final Results*. This notice is published in fulfillment of the publication requirements of *Timken*. Commerce will continue the suspension of liquidation of the subject merchandise pending the expiration of the period of appeal, or if

appealed, pending a final and conclusive court decision.

Amended Final Results

Because there is now a final court decision, Commerce is amending its *Final Results* with respect to Jindal's weighted-average dumping margin. The revised weighted-average dumping margin for Jindal for the July 1, 2015, through June 30, 2016, period of review is as follows:

Producer or exporter	Weighted-average dumping margin (percent)
Jindal Poly Films Limited of India ⁷	0.87

In the event the CIT's ruling is not appealed or, if appealed, is upheld by a final and conclusive court decision, Commerce will instruct U.S. Customs and Border Protection to assess antidumping duties on unliquidated entries of subject merchandise based on the revised rates calculated by Commerce in the *Remand Results* and listed above.

Cash Deposit Requirements

Because the cash deposit rate for the company listed above, has been superseded by a cash deposit rate calculated in an intervening administrative review of the antidumping duty order on PET Film from India,⁸ we will not alter the cash deposit rate currently in effect for these respondents based on these amended final results. Effective March 13, 2019, the cash deposit rate applicable to entries of subject merchandise exported by Jindal is 5.95 percent.

Notification to Interested Parties

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

Dated: July 30, 2019.

Christian Marsh,

Deputy Assistant Secretary for Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Advance Notification of Sunset Review

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

Background

Every five years, pursuant to the Tariff Act of 1930, as amended (the Act), the Department of Commerce (Commerce) and the International Trade Commission automatically initiate and conduct reviews to determine whether revocation of a countervailing or antidumping duty order or termination of an investigation suspended under section 704 or 734 of the Act would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy (as the case may be) and of material injury.

Upcoming Sunset Reviews for September 2019

Pursuant to section 751(c) of the Act, the following Sunset Review is scheduled for initiation in September 2019 and will appear in that month's *Notice of Initiation of Five-Year (Sunset) Review (Sunset Review)*.

	Department contact
Antidumping Duty Proceedings	
Refined Brown Aluminum Oxide from China (A-570-882) (3rd Review)	Joshua Poole (202) 482-1293.
Countervailing Duty Proceedings	
No Sunset Review of countervailing duty orders is scheduled for initiation in September 2019.	

¹ See *Polyethylene Terephthalate Film, Sheet, and Strip from India: Final Results of Antidumping Duty Administrative Review; 2015-2016*, 83 FR 6162 (February 13, 2018) (*Final Results*), and accompanying Issues and Decision Memorandum (IDM).

² See *Jindal Poly Films Limited of India v. United States*, Court No. 18-00038, Slip Op. 19-31 (CIT 2019).

³ See *Final Results of Redetermination Pursuant to Court Remand, Jindal Poly Films Limited of India v. United States*, Court No. 18-00038 (July 10, 2019) (*Remand Results*).

⁴ See *Jindal Poly Films Limited of India v. United States*, Court No. 18-00038, Slip Op. 19-91 (CIT 2019).

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*).

⁷ The Initiation Notice also lists the company as Jindal Poly Films Ltd. (India). See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 81 FR 62720, (September 12, 2016). As noted in the Preliminary Decision

Memoranda, dated concurrently with the **Federal Register** notice, the Department has determined that Jindal Poly Films Limited of India is the same company as Jindal Poly Films Ltd. (India). See *Polyethylene Terephthalate Film, Sheet, and Strip from India: Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review; 2015-2016* 82 FR 36735 (August 7, 2017).

⁸ See *Polyethylene Terephthalate Film, Sheet, and Strip from India: Final Results of Antidumping Duty Administrative Review; 2016-2017*, 84 FR 9092 (March 13, 2019), and accompanying IDM.

Suspended Investigations	Department contact
No Sunset Review of suspended investigations is scheduled for initiation in September 2019.	

Commerce's procedures for the conduct of Sunset Reviews are set forth in 19 CFR 351.218. The *Notice of Initiation of Five-Year (Sunset) Review* provides further information regarding what is required of all parties to participate in the Sunset Review.

Pursuant to 19 CFR 351.103(c), Commerce will maintain and make available a service list for these proceedings. To facilitate the timely preparation of the service list(s), it is requested that those seeking recognition as interested parties to a proceeding contact Commerce in writing within 10 days of the publication of the Notice of Initiation.

Please note that if Commerce receives a Notice of Intent to Participate from a member of the domestic industry within 15 days of the date of initiation, the review will continue.

Thereafter, any interested party wishing to participate in the Sunset Review must provide substantive comments in response to the notice of initiation no later than 30 days after the date of initiation.

This notice is not required by statute but is published as a service to the international trading community.

Dated: July 22, 2019.

James Maeder,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review

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

FOR FURTHER INFORMATION CONTACT:

Brenda E. Brown, Office of AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, telephone: (202) 482-4735.

SUPPLEMENTARY INFORMATION:

Background

Each year during the anniversary month of the publication of an antidumping or countervailing duty order, finding, or suspended investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended (the Act), may request, in accordance with 19 CFR 351.213, that the Department of Commerce (Commerce) conduct an administrative review of that antidumping or countervailing duty order, finding, or suspended investigation.

All deadlines for the submission of comments or actions by Commerce discussed below refer to the number of calendar days from the applicable starting date.

Respondent Selection

In the event Commerce limits the number of respondents for individual examination for administrative reviews initiated pursuant to requests made for the orders identified below, Commerce intends to select respondents based on U.S. Customs and Border Protection (CBP) data for U.S. imports during the period of review. We intend to release the CBP data under Administrative Protective Order (APO) to all parties having an APO within five days of publication of the initiation notice and to make our decision regarding respondent selection within 21 days of publication of the initiation **Federal Register** notice. Therefore, we encourage all parties interested in commenting on respondent selection to submit their APO applications on the date of publication of the initiation notice, or as soon thereafter as possible. Commerce invites comments regarding the CBP data and respondent selection within five days of placement of the CBP data on the record of the review.

In the event Commerce decides it is necessary to limit individual examination of respondents and conduct respondent selection under section 777A(c)(2) of the Act:

In general, Commerce finds that determinations concerning whether particular companies should be "collapsed" (*i.e.*, treated as a single entity for purposes of calculating antidumping duty rates) require a substantial amount of detailed information and analysis, which often require follow-up questions and

analysis. Accordingly, Commerce will not conduct collapsing analyses at the respondent selection phase of a review and will not collapse companies at the respondent selection phase unless there has been a determination to collapse certain companies in a previous segment of this antidumping proceeding (*i.e.*, investigation, administrative review, new shipper review or changed circumstances review). For any company subject to a review, if Commerce determined, or continued to treat, that company as collapsed with others, Commerce will assume that such companies continue to operate in the same manner and will collapse them for respondent selection purposes. Otherwise, Commerce will not collapse companies for purposes of respondent selection. Parties are requested to (a) identify which companies subject to review previously were collapsed, and (b) provide a citation to the proceeding in which they were collapsed. Further, if companies are requested to complete a Quantity and Value Questionnaire for purposes of respondent selection, in general each company must report volume and value data separately for itself. Parties should not include data for any other party, even if they believe they should be treated as a single entity with that other party. If a company was collapsed with another company or companies in the most recently completed segment of a proceeding where Commerce considered collapsing that entity, complete quantity and value data for that collapsed entity must be submitted.

Deadline for Withdrawal of Request for Administrative Review

Pursuant to 19 CFR 351.213(d)(1), a party that requests a review may withdraw that request within 90 days of the date of publication of the notice of initiation of the requested review. The regulation provides that Commerce may extend this time if it is reasonable to do so. Determinations by Commerce to extend the 90-day deadline will be made on a case-by-case basis.

Deadline for Particular Market Situation Allegation

Section 504 of the Trade Preferences Extension Act of 2015 amended the Act by adding the concept of particular market situation (PMS) for purposes of constructed value under section 773(e)