

requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

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

Dated: September 12, 2019.

**James Maeder,**

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

## Appendix

- Canadian Solar (USA) Inc.
- Canadian Solar Inc.
- Chint Solar (Zhejiang) Co., Ltd.
- ET Solar Industry Limited
- Hangzhou Zhejiang University Sunny Energy Science and Technology Co., Ltd.
- Jiangsu Sunlink PV Technology Co., Ltd.
- JinkoSolar (U.S.) Inc.
- Nice Sun PV Co., Ltd.
- Shenzhen Topray Solar Co., Ltd.
- Sunpreme Inc.
- Xiamen Eco-sources Technology Co., Ltd.
- Yingli Green Energy Holding Company Limited
- Yingli Green Energy International Trading Company Limited
- Taizhou BD Trade Co., Ltd.

[FR Doc. 2019-20178 Filed 9-17-19; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-059]

#### **Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel From the People's Republic of China: Rescission of Countervailing Duty Administrative Review; 2017-2018**

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

**SUMMARY:** The Department of Commerce (Commerce) is rescinding the administrative review of the countervailing duty order on cold-drawn mechanical tubing of carbon and alloy steel (cold-drawn mechanical tubing) from the People's Republic of China (China) for the period September 25, 2017, through December 31, 2018, based on the timely withdrawals of the requests for review.

**DATES:** Applicable September 18, 2019.

**FOR FURTHER INFORMATION CONTACT:** Shanah Lee, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Ave. NW, Washington, DC 20230; telephone: (202) 482-6386.

## Background

On February 8, 2019, Commerce published a notice of opportunity to request an administrative review of the countervailing duty order on cold-drawn mechanical tubing from China for the period September 25, 2017, through December 31, 2018.<sup>1</sup> On February 28, 2019, Howmet Corp Logistics Services (Howmet), a U.S. importer, timely filed a request to conduct an administrative review of Wuxi P&C Machinery Co., Ltd. (Wuxi P&C).<sup>2</sup> Also, on February 28, 2019, ArcelorMittal Tubular Products LLC and Webco Industries, Inc. (the petitioners) timely filed a request to conduct an administrative review of 18 companies, including Wuxi P&C.<sup>3</sup> Based on these requests, on May 2, 2019, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), Commerce published in the **Federal Register** a notice of initiation of administrative review covering the period September 25, 2017, through December 31, 2018 for 18 companies.<sup>4</sup> On June 28, 2019, the petitioners submitted a request to withdraw their request for administrative review with respect to all companies for which a review was requested.<sup>5</sup> On July 31, 2019, Howmet submitted a request to withdraw its request for administrative review with respect to Wuxi P&C.<sup>6</sup>

## Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if the party that requested the review withdraws the request within 90 days of the date of publication of the notice of initiation of the requested review. As noted above, Howmet and the petitioners withdrew

<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 84 FR 2816 (February 8, 2019).

<sup>2</sup> See Howmet's Letter, "Cold-Drawn Mechanical Tubing from the People's Republic of China: Request for Administrative Review," dated February 28, 2019.

<sup>3</sup> See Petitioners' Letter, "Cold-Drawn Mechanical Tubing from the People's Republic of China—Domestic Industry's Request for 2017-2018 First Administrative Review," dated February 28, 2019.

<sup>4</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 84 FR 18777 (May 2, 2019) (*Initiation Notice*), as corrected by *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 84 FR 47242 (September 9, 2019).

<sup>5</sup> See Petitioners' Letter, "Cold-Drawn Mechanical Tubing from the People's Republic of China—Petitioners' Withdrawal of Request for an Administrative Review and Request for Rescission of Review," dated June 27, 2019.

<sup>6</sup> See Howmet's Letter, "Cold-Drawn Mechanical Tubing from the People's Republic of China: Withdrawal of Request for Administrative Review," dated July 31, 2019.

their requests by the 90-day deadline. Accordingly, we are rescinding the administrative review of the countervailing duty order on cold-drawn mechanical tubing from China covering September 25, 2017, through December 31, 2018, in its entirety.

## Assessment

Commerce will instruct U.S. Customs and Border Protection (CBP) to assess countervailing duties on all appropriate entries of cold-drawn mechanical tubing from China. Countervailing duties shall be assessed at rates equal to the cash deposit of estimated countervailing 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 date of publication of this notice in the **Federal Register**.

## Notification Regarding Administrative Protective Orders

This notice serves as a reminder to all 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. 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 violation which is subject to sanction.

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

Dated: September 12, 2019.

**James Maeder,**

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

[FR Doc. 2019-20179 Filed 9-17-19; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-588-874]

#### **Certain Hot-Rolled Steel Flat Products From Japan: Correction to Final Results of Antidumping Duty Changed Circumstances Review**

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

**SUMMARY:** The Department of Commerce (Commerce) is correcting the final results of the changed circumstances review of the antidumping duty order

on certain hot-rolled steel flat products from Japan to state the actual rate in effect for Nippon Steel Corporation (NSC) on the date that those final results published.

**DATES:** Applicable September 18, 2019.

**FOR FURTHER INFORMATION CONTACT:** Leo Ayala or Jun Jack Zhao, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-3945 or (202) 482-1396, respectively.

### Background

On September 5, 2019, Commerce published in the *Federal Register* the final results of the changed circumstances review (*CCR Final Results*) of the antidumping duty order<sup>1</sup> on certain hot-rolled steel flat products from Japan.<sup>2</sup> As a result of the CCR, we determined that NSC was the successor-in-interest to Nippon Steel & Sumitomo Metal Corporation (NSSMC).<sup>3</sup> In the *Federal Register* notice, we inadvertently stated that the cash deposit rate in effect for NSC on the date the *CCR Final Results* were published was NSSMC's antidumping duty cash-deposit rate from the underlying investigation (4.99 percent). However, the actual rate in effect for NSC on the date the *CCR Final Results* were published was NSSMC's rate from the final results of the first administrative review (7.64 percent), published on June 28, 2019, which superseded the 4.99 percent investigation rate.<sup>4</sup> Therefore, we are correcting the *CCR Final Results*. This notice serves to correct the NSC rate listed in the *CCR Final Results* from 4.99 percent to 7.64 percent. No other changes have been made to the *CCR Final Results*.

<sup>1</sup> See *Certain Hot-Rolled Steel Flat Products from Australia, Brazil, Japan, the Republic of Korea, the Netherlands, the Republic of Turkey, and the United Kingdom: Amended Final Affirmative Antidumping Determinations for Australia, the Republic of Korea, and the Republic of Turkey and Antidumping Duty Orders*, 81 FR 67962 (October 3, 2016).

<sup>2</sup> In the *CCR Final Results*, we determined that Nippon Steel Corporation (NSC) was the successor-in-interest to Nippon Steel & Sumitomo Metal Corporation (NSSMC) for purposes of determining antidumping duty cash deposits and liabilities. See *Certain Hot-Rolled Steel Flat Products from Japan: Notice of Final Results of Antidumping Duty Changed Circumstances Review*, 84 FR 46713 (September 5, 2019) (*CCR Final Results*).

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

<sup>4</sup> See *Certain Hot-Rolled Steel Flat Products from Japan: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2016-2017*, 84 FR 31025 (June 28, 2019). This cash deposit requirement shall remain in effect until further notice.

Commerce is issuing and publishing these final results and notice in accordance with sections 751(b)(1) and (4) and 777(i) of the Act, and sections 19 CFR 351.216 and 351.221(c)(3)(i).

Dated: September 11, 2019.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2019-20175 Filed 9-17-19; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-909]

#### **Certain Steel Nails From the People's Republic of China: Notice of Court Decision Not in Harmony With Final Scope Ruling and Notice of Amended Final Scope Ruling Pursuant to Court Decision**

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

**SUMMARY:** The Department of Commerce (Commerce) is notifying the public that the Court of International Trade's (CIT) final judgment in this case is not in harmony with Commerce's final scope ruling and is, therefore, finding that zinc and nylon anchors imported by Simpson Strong-Tie Company (Simpson), are not within the scope of the antidumping duty order on certain steel nails (nails) from the People's Republic of China (China).

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

**FOR FURTHER INFORMATION CONTACT:** Annatheia Cook, Office V, AD/CVD Operations, 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 March 10, 2016, Simpson submitted a scope request asking Commerce to confirm its claim that "Zinc Nailon™" anchors and "Nylon Nailon™" anchors<sup>1</sup> are outside the scope of the antidumping duty order on nails from China.<sup>2</sup> Simpson described the zinc and nylon anchors as consisting

<sup>1</sup> See Simpson's Letter, "Certain Steel Nails from the People's Republic of China (A-570-909) for Simpson Strong-Tie and Certain "Zinc and "Nylon Nailon™" Pin Drive Anchors," dated July 21, 2016 (Scope Request).

<sup>2</sup> See *Antidumping Duty Order: Certain Steel Nails from the People's Republic of China*, 73 FR 44961 (August 1, 2008) (*Order*).

of two parts: (1) A zinc alloy or nylon body; and (2) a carbon and stainless steel pin.<sup>3</sup>

Commerce issued its Final Scope Ruling on March 20, 2017, finding that Simpson's zinc and nylon anchors were subject to the scope of the *Order* based upon the plain meaning of the *Order* and the description of the zinc and nylon anchors contained in Simpson's scope ruling request.<sup>4</sup> Commerce also found that several sources under 19 CFR 351.225(k)(1)—particularly the petition, the final determination of the International Trade Commission (ITC) issued in connection with the underlying investigation, and prior scope rulings—further supported Commerce's determination that Simpson's zinc and nylon anchors fall within the scope of the *Order*.<sup>5</sup> As a result of the Final Scope Ruling, Commerce instructed U.S. Customs and Border Protection (CBP) to continue suspension of liquidation of entries of Simpson's zinc and nylon anchors.<sup>6</sup>

Simpson challenged Commerce's Final Scope Ruling before the CIT. On September 21, 2018, the CIT remanded the Final Scope Ruling, holding that Simpson's zinc and nylon anchors are not a "nail" within the plain meaning of the word and are, therefore, outside the scope of the *Order*.<sup>7</sup> The CIT relied on dictionary definitions to determine the definition of "nail" and concluded that, because Simpson's zinc and nylon anchors are a unitary article of commerce, the entire product, not just a component part, must fit the definition of a nail to fall within the scope of the *Order*.<sup>8</sup> Therefore, the CIT held that the entire zinc or nylon anchor is not a nail "constructed of two or more pieces" pursuant to the *Order*.<sup>9</sup> Additionally, the CIT held that, because the relevant industry classifies anchors with a steel pin as anchors, not nails, trade usage further supports the conclusion that Simpson's zinc and nylon anchors are not nails.<sup>10</sup> In support of its conclusion, the CIT cited its decision in *OMG, Inc. v. United States*, in which it found a product with a zinc anchor body and a

<sup>3</sup> See Scope Request at 3-4, and 18.

<sup>4</sup> See Memorandum, "Antidumping and Countervailing Duty Orders on Certain Steel Nails from the People's Republic of China: Final Scope Ruling on Simpson Strong-Tie Company's Anchors," dated March 20, 2017 (Final Scope Ruling).

<sup>5</sup> *Id.* at 12-13.

<sup>6</sup> See Message Number 7125304, dated May 5, 2017.

<sup>7</sup> See *Simpson Strong-Tie Company, v. United States*, Court No. 17-00057, Slip Op. 18-123 (CIT 2018) (*Remand Order*).

<sup>8</sup> See *Remand Order*, Slip Op. 18-123 at 10-11.

<sup>9</sup> *Id.* at 11.

<sup>10</sup> *Id.* at 11-12.