

Background

On October 1, 2019, Commerce published the notice of initiation of the first full sunset review of the *Order*,¹ pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).² Commerce received notices of intent to participate from Ajinomoto Health & Nutrition North America (the petitioner), a U.S. producer and wholesaler of a domestic like product, within the 15-day deadline specified in 19 CFR 351.218(d)(1)(i).³

On October 31, 2019, the petitioner filed its substantive response, and the CJ Companies filed their response in this sunset review pursuant to 19 CFR 351.218(d)(3).⁴ On November 5, 2019, PT. Cheil Jedang Indonesia and CJ America, Inc. (collectively, the CJ Companies) submitted rebuttal comments to the petitioner's response.⁵ On November 8, 2019, the petitioner timely filed rebuttal comments to the CJ Companies' response.⁶ On January 14, 2020, Commerce determined that we would conduct a full sunset review of MSG from Indonesia in accordance with 19 CFR 351.218 and notified the International Trade Commission.⁷

Scope of the Order

The product covered by the *Order* is MSG, whether or not blended or in solution with other products. Specifically, MSG that has been blended or is in solution with other product(s) is included in this scope when the resulting mix contains 15 percent or more of MSG by dry weight. Products with which MSG may be blended include, but are not limited to, salts,

¹ *Monosodium Glutamate from the People's Republic of China, and the Republic of Indonesia: Antidumping Duty Orders; and Monosodium Glutamate from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value (Order)*, 79 FR 70505 (November 26, 2014) (*Order*).

² See *Initiation of Five-Year (Sunset) Reviews*, 84 FR 52067 (October 1, 2019).

³ See Petitioner's Letter, "Monosodium Glutamate from Indonesia: Notice of Intent to Participate," dated October 15, 2019.

⁴ See Petitioner's Letter, "Monosodium Glutamate from Indonesia, First Review: Substantive Response to Notice of Initiation," dated October 31, 2019; CJ Companies' Letter, "Monosodium Glutamate ('MSG') from Indonesia: First Sunset Review; CJ Response to Notice of Initiation," dated October 31, 2019.

⁵ See CJ Companies' Letter, "Monosodium Glutamate ('MSG') from Indonesia: First Sunset Review; CJ Rebuttal to Petitioner Response to Notice of Initiation," dated November 5, 2019.

⁶ See Petitioner's Letter, "Monosodium Glutamate from Indonesia, First Review: Rebuttal to Substantive Response of PT. Cheil Jedang Indonesia and CJ America, Inc. to Notice of Initiation," dated November 8, 2019.

⁷ See Memorandum, "Adequacy Reconsideration: First Sunset Review of Monosodium Glutamate from Indonesia," dated January 14, 2019.

sugars, starches, maltodextrins, and various seasonings. A full description of the scope of the *Order* is contained in the accompanying Preliminary Decision Memorandum.⁸

Analysis of Comments Received

All issues raised in this sunset review are addressed in the Preliminary Decision Memorandum,⁹ which is hereby adopted by this notice. The Preliminary 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 to all in the Central Records Unit, Room B8024 of the main Commerce building. A list of topics discussed in the Preliminary Decision Memorandum is included as an appendix to this notice. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/fn>. The signed and electronic versions of the Preliminary Decision Memorandum are identical in content.

Preliminary Results of Review

Pursuant to sections 751(c)(1) and 752(c)(1) and (3) of the Act, Commerce preliminarily determines that revocation of the *Order* would be likely to lead to the continuation or recurrence of dumping at weighted-average dumping margins up to 6.19 percent.

Public Comment

Interested parties may submit case briefs no later than 50 days after the date of publication of the preliminary results of this full sunset review, in accordance with 19 CFR 351.309(c)(1)(i). Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than five days after the time limit for filing case briefs in accordance with 19 CFR 351.309(d). Any interested party may request a hearing within 30 days of publication of this notice in accordance with 19 CFR 351.310(c). Ordinarily, a hearing, if requested will be held two days after the scheduled date the rebuttal briefs are due. Commerce will issue a notice of final results of this full sunset review, which will include the results of its analysis of issues raised in

⁸ See Memorandum, "Preliminary Decision Memorandum for the First Full Sunset Review of the Antidumping Duty Order on Monosodium Glutamate from the Republic of Indonesia," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

⁹ *Id.*

any such comments, not later than May 28, 2020.

Notification to Interested Parties

This five-year (sunset) review and notice are in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act, and 19 CFR 351.218(f)(1).

Dated: February 26, 2020.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. History of the Order
- V. Legal Framework
- VI. Discussion of the Issues
 1. Likelihood of Continuation or Recurrence of Dumping
 2. Magnitude of the Dumping Margin Likely to Prevail
- VII. Preliminary Results of Sunset Review
- VIII. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-475-818]

Certain Pasta From Italy: Amended Final Results of Antidumping Duty Administrative Review; 2017-2018

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

SUMMARY: The Department of Commerce (Commerce) is amending the final results of the administrative review of the antidumping duty (AD) order on certain pasta from Italy to correct one ministerial error. The period of review (POR) is July 1, 2017 through June 30, 2018.

DATES: Applicable March 3, 2020.

FOR FURTHER INFORMATION CONTACT: Joy Zhang (Ghigi/Zara) or George McMahon (Indalco), AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-1168 or (202) 482-1167, respectively.

SUPPLEMENTARY INFORMATION:

Background

On January 16, 2020, Commerce published its final results of the administrative review of the antidumping duty order on certain pasta

from Italy, covering a 2017–2018 period of review.¹ On January 21, 2020, Industria Alimentare Colavita S.p.A. (Indalco) submitted a timely allegation that Commerce made two ministerial errors in the *Final Results*.² On January 23, 2020, Domestic Producers³ filed a timely rebuttal to Indalco's allegation.⁴

Legal Framework

A ministerial error, as defined in section 751(h) of the Tariff Act of 1930, as amended (the Act), includes “errors in addition, subtraction, or other arithmetic function, clerical errors resulting from inaccurate copying, duplication, or the like, and any other type of unintentional error which the administering authority considers ministerial.”⁵ With respect to final results of an administrative review, 19 CFR 351.224(e) provides that Commerce “will analyze any comments received and, if appropriate, correct any ministerial error by amending . . . the final results of review. . . .”

Ministerial Error Allegations

In its ministerial error allegation, Indalco argues that Commerce failed to recalculate imputed credit expenses for certain home market sales in which Indalco reported no payment date. In addition, Indalco asserts that when Commerce plugged the missing payment date for certain home market sales, Commerce should have relied on the date of its last cost supplemental questionnaire response, rather than the date of the last section B supplemental questionnaire response, which is the date Commerce used in the *Final Results*.

We agree with Indalco that Commerce committed an inadvertent error within the meaning of section 735(e) of the Act and 19 CFR 351.224(f) with respect to imputed credit expenses in the home market. We intended to recalculate imputed credit expenses for certain home market sales in which Indalco reported no payment date. However, we inadvertently omitted that calculation from the dumping calculations used in the *Final Results*. Thus, we determine

¹ See *Certain Pasta from Italy: Final Results of Antidumping Duty Administrative Review: 2017–2018*, 85 FR 2714 (January 16, 2020) (*Final Results*).

² See Indalco's Letter, “Certain Pasta from Italy: 22nd POR Final Results: Request for Correction of Clerical Error,” dated January 21, 2020. This submission is timely filed within five days of the disclosure, as provided in 19 CFR 351.224(c)(2).

³ The domestic producers are Dakota Growers Pasta Company, Riviana Foods and Treehouse Foods (collectively, Domestic Producers).

⁴ See Domestic Producers' Letter, “Administrative Review of Certain Pasta from Italy—Petitioners' Response to Indalco's Ministerial Error Comments,” dated January 23, 2020.

⁵ See 19 CFR 351.224(f).

that, in accordance with section 751(h) of the Act and 19 CFR 351.224(f), we made an unintentional ministerial error in the *Final Results*. As to the date that Commerce should use when the payment date information is missing for certain home market sales, we find that Indalco's comments constitute a methodological argument that does not meet the definition of a ministerial error as defined under 19 CFR 351.224(f). As a result, we have not addressed Indalco's argument on this point for these amended final results.⁶ For a detailed discussion of these ministerial error allegations, as well as Commerce's analysis, see the Ministerial Error Memorandum.⁷

Non-Examined Companies

Pursuant to 19 CFR 351.224(e), we are amending the *Final Results* to correct the ministerial error. The correction results in a revised weighted-average dumping margin for Indalco of zero percent. The weighted-average dumping margin for Ghigi 1870 S.p.A. and Pasta Zara S.p.A. (Ghigi/Zara) of 91.76 percent *ad valorem* remains unchanged from the *Final Results*.⁸ As a result of these amended final results, Ghigi/Zara is the sole mandatory respondent with a weighted-average dumping margin which is not zero, *de minimis* or based entirely on facts available. Thus, consistent with section 735(c)(5)(A) of the Act, we have assigned the weighted-average dumping margin calculated for Ghigi/Zara to the following companies that were not selected for individual examination in this review: Agritalia S.r.L. and Tesa S.r.L.

Amended Final Results

The amended final results are as follows:

Producer or exporter	Weighted-average dumping margin (percent)
Ghigi 1870 S.p.A. and Pasta Zara S.p.A. ⁹	91.76
Industria Alimentare Colavita S.p.A	0.00
Agritalia S.r.L	91.76
Tesa Srl (Tesa)	91.76

⁶ For further information, see Memorandum, “Administrative Review of the Antidumping Duty Order on Certain Pasta from Italy; 2017–2018: Ministerial Error Memorandum,” dated concurrently with these amended final results (Ministerial Error Memorandum).

⁷ *Id.*

⁸ See *Final Results*, 85 FR at 2714.

⁹ The margin calculated for Ghigi 1870 S.p.A. and Pasta Zara S.p.A. is unchanged from the *Final Results*.

Disclosure

We intend to disclose the calculation performed for these amended final results within five days of the publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Antidumping Duty Assessment

Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. The ministerial error corrections resulted in a zero percent margin for Indalco.

Accordingly, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

In accordance with Commerce's “automatic assessment” practice, for entries of subject merchandise during the POR produced by each respondent for which it did not know that its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate, *i.e.*, 15.45 percent, from the less-than-fair-value investigation as modified by the section 129 determination,¹⁰ if there is no rate for the intermediate company(ies) involved in the transaction.¹¹

On January 30, 2020, the Court of International Trade issued preliminary injunctions prohibiting the assessment of duties on entries of subject merchandise produced and/or exported by: (1) Ghigi/Zara; (2) Tesa SrL; and (3) Agritalia S.r.L. starting January 30, 2020. Accordingly, Commerce will not order CBP to assess antidumping duties on entries of that merchandise while the preliminary injunctions are in place.

Cash Deposit Requirements

The following cash deposit requirements for estimated antidumping duties will be effective for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after January 16, 2020, the date of publication of the *Final Results* of this administrative review in the **Federal Register**, as provided by section 751(a)(2) of the Act: (1) The cash deposit rate for respondents noted above will be equal to the weighted-average dumping margin established in the amended final results of this administrative review,

¹⁰ See *Implementation of the Findings of the WTO Panel in US—Zeroing (EC): Notice of Determinations Under Section 129 of the Uruguay Round Agreements Act and Revocations and Partial Revocations of Certain Antidumping Duty Orders*, 72 FR 25261 (May 4, 2007).

¹¹ See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

except when that rate is *de minimis* where the cash deposit rate will be zero; (2) for merchandise exported by producers or exporters not covered in this administrative review but covered in a prior completed 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 producer is, then 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 producers or exporters will continue to be 15.45 percent, the all-others rate established in the less-than-fair-value investigation as modified by the section 129 determination.

These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers Regarding the Reimbursement of Duties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during the POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of doubled antidumping duties.

Notification Regarding Administrative Protective Order

This notice also serves as a reminder to the 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.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.224(e).

Dated: February 20, 2020.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-810]

Stainless Steel Bar From India: Preliminary Results of Antidumping Duty Administrative Review; and Rescission of Review in Part; 2018-2019

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

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that producers/exporters subject to this review made sales of stainless steel bar (SS Bar) from India at less than fair value (LTFV) during the period of review (POR) February 1, 2018 through January 31, 2019. Interested parties are invited to comment on these preliminary results.

DATES: Applicable March 3, 2020.

FOR FURTHER INFORMATION CONTACT:

Hermes Pinilla or Allison Hollander, 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) 482-3477 or (202) 482-2805, respectively.

SUPPLEMENTARY INFORMATION:

Background

This review covers two producers/exporter of the subject merchandise, Venus Wire Industries Pvt. Ltd., and its affiliates Hindustan Inox, Precision Metals and Sieves Manufacturers (India) Pvt. Ltd. (collectively, the Venus Group),¹ and Ambica Steels Limited (Ambica). Commerce preliminarily determines that sales of subject merchandise by Ambica have not been

¹ Commerce has previously determined that Venus Wire Industries Pvt. Ltd., and its affiliates Hindustan Inox, Precision Metals and Sieves Manufacturers (India) Pvt. Ltd. constitute a single entity. See *Stainless Steel Bar from India: Preliminary Results of Changed Circumstances Review and Intent To Reinstate Certain Companies in the Antidumping Duty Order*, 82 FR 48483 (October 18, 2017), and accompanying Preliminary Decision Memorandum at 3-5, unchanged in *Final Results of Changed Circumstances Review and Reinstatement of Certain Companies in the Antidumping Duty Order*, 83 FR 17529 (April 20, 2018). We have received no information on the record of this review to dispute that finding.

made at prices below normal value. Commerce also preliminarily determines that sales of subject merchandise by the Venus Group have been made at prices below normal value. Interested parties are invited to comment on these preliminary results.

Scope of the Order

The merchandise subject to the order is SS Bar from India. Imports of the product are currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 7222.11.00, 7222.19.00, 7222.20.00, 7222.30.00. While the HTSUS subheadings are provided for convenience and customs purposes, the written description is dispositive. For a full description of the scope of the order, see the Preliminary Decision Memorandum.²

Rescission of Administrative Review in Part

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if the parties that requested a review withdraw the request within 90 days of the date of publication of the notice of initiation.

On July 31, 2019, Carpenter Technology Corporation, Crucible Industries LLC, Electralloy, a Division of G.O. Carlson, Inc., North American Stainless, Universal Stainless & Alloy Products, Inc., and Valbruna Slater Stainless, Inc. (collectively, the petitioners), withdrew their request for an administrative review of one company, Jindal Stainless Hisar Ltd. (JSHL).³ The petitioners are the only party that requested a review of JSHL. The petitioners' withdrawal of review request was submitted within the deadline set forth under 19 CFR 351.213(d)(1). Accordingly, Commerce is rescinding this review, in part, with respect to JSHL, in accordance with 19 CFR 351.213(d)(1).⁴

Methodology

Commerce is conducting this review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act). Commerce calculated export prices in accordance with section 772 of the Act.

² See Memorandum, "Decision Memorandum for the Preliminary Results of Antidumping Duty Administrative Review: Stainless Steel Bar from India: 2017-2018," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

³ See Petitioners' letter, "Stainless Steel Bar from India: Withdrawal of Request for Administrative Review," dated July 31, 2019.

⁴ For more details, see the Preliminary Decision Memorandum.