

the period of review (POR): October 1, 2018, through September 30, 2019.

**DATES:** Applicable March 27, 2020.

**FOR FURTHER INFORMATION CONTACT:** Leo Ayala or Kathryn Wallace, 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) 482-6251, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On October 1, 2019, Commerce published a notice of opportunity to request an administrative review of the antidumping duty order on steel concrete reinforcing bar (rebar) from Taiwan for the period October 1, 2018, through September 30, 2019.<sup>1</sup> On October 31, 2019, the petitioner<sup>2</sup> filed a timely request for review with respect to Power Steel Co., Ltd. (Power Steel).<sup>3</sup> No other review requests were submitted. Based on the petitioner's request, on December 11, 2019, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(b), Commerce published in the **Federal Register** a notice of initiation of an administrative review of Power Steel for the October 1, 2018, through September 30, 2019 POR.<sup>4</sup> On March 10, 2020, the petitioner submitted a timely withdrawal of its review request of Power Steel in this administrative review of the antidumping duty order on rebar from Taiwan.<sup>5</sup>

**Rescission of Review**

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if the parties that requested the review withdraw the request within 90 days of the date of publication of notice of initiation of the requested review. As noted above, the petitioner fully withdrew its review request by the 90-

<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation: Opportunity to Request Administrative Review*, 84 FR 52068 (October 1, 2019).

<sup>2</sup> The petitioner is Rebar Trade Action Coalition (RTAC), and its individual members Byer Steel Group, Inc., Commercial Metals Company, Gerdau Ameristeel U.S. Inc., Nucor Corporation, and Steel Dynamics, Inc.

<sup>3</sup> See Petitioner's Letter, "Steel Concrete Reinforcing Bar from Taiwan: Request for Administrative Review," dated October 31, 2019.

<sup>4</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 84 FR 67712 (December 11, 2019) (*Initiation Notice*).

<sup>5</sup> See Petitioner's Letter, "Steel Concrete Reinforcing Bar from Taiwan: Withdrawal of Request for Administrative Review," dated March 10, 2020.

day deadline, and no other party requested an administrative review of the antidumping duty order. As such, Commerce is in receipt of a timely request for withdrawal of this administrative review with respect to the sole company for which a review was requested and for which this review was initiated, Power Steel.<sup>6</sup>

Accordingly, we are rescinding the administrative review of the antidumping duty order on rebar from Taiwan for the period October 1, 2018, through September 30, 2019, in its entirety.

**Assessment**

Commerce will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries of rebar from Taiwan at rates equal to the cash deposit 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 a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of the antidumping and/or countervailing duties occurred and the subsequent assessment of doubled antidumping duties.

**Notification Regarding Administrative Protective Order**

This notice serves as a final reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, 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.

This notice is issued and published in accordance with section 751(a)(1) and

777(i)(1) of the Act and 19 CFR 351.213(d)(4).

Dated: March 23, 2020.

**James Maeder,**

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

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-570-827]

**Certain Cased Pencils From the People's Republic of China: 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) determines that Fila Dixon Stationery (Kunshan) Co., Ltd. (Kunshan Dixon) is not eligible for a separate rate and, therefore, remains part of the China-wide entity. The period of review (POR) is December 1, 2017 through November 30, 2018.

**DATES:** Applicable March 27, 2020.

**FOR FURTHER INFORMATION CONTACT:** Sergio Balbontin or Brian Smith, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-6478, or (202) 482-1766, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

Commerce published the *Preliminary Results* on October 10, 2019, and invited interested parties to comment.<sup>1</sup> Kunshan Dixon and its affiliate Beijing Fila Dixon Stationery Co., Ltd. (Beijing Dixon) (the Dixon Companies) submitted a case brief.<sup>2</sup> For the events that occurred subsequent to the *Preliminary Results*, see Commerce's Issues and Decision Memorandum.<sup>3</sup>

<sup>1</sup> See *Certain Cased Pencils from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review and Rescission of Review, in Part; 2017-2018*, 84 FR 54592 (October 10, 2019) (*Preliminary Results*) and accompanying Preliminary Decision Memorandum.

<sup>2</sup> See the Dixon Companies' Letter, "Certain Cased Pencils from the People's Republic of China: Case Brief and Request for hearing by Fila Dixon Stationery (Kunshan) Co., Ltd. (Case No. A-570-827)," dated November 12, 2019 (Dixon Companies' Case Brief).

<sup>3</sup> See Memorandum, "Certain Cased Pencils from the People's Republic of China: Issues and Decision

Continued

<sup>6</sup> See *Initiation Notice*.

## Scope of the Order

The merchandise subject to the order includes certain cased pencils from China. The subject merchandise is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheading 9609.10.00. Although the HTSUS subheading is provided for convenience and customs purposes, the written product description is dispositive. A full description of the scope of the order is contained in the Issues and Decision Memorandum.

## Analysis of Comments Received

In the Issues and Decision Memorandum, we addressed all issues raised in the Dixon Companies' Case Brief. In the Appendix to this notice, we provide a list of these issues. 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 to all parties 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 Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

## Changes From the Preliminary Results

Based on our analysis of the comments received, Commerce has not revised the *Preliminary Results*.

## Methodology

Commerce has conducted this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act). In the *Preliminary Results*, Commerce determined that Kunshan Dixon was ineligible for a separate rate and is part of the China-wide entity, subject to the China-wide entity rate of 114.90 percent.<sup>4</sup> As we have not received any information since the issuance of the *Preliminary Results* that provides a basis for reconsidering this determination, we continue to find that Kunshan Dixon is ineligible for a separate rate.

As noted in the *Preliminary Results*, Commerce's policy regarding conditional review of the China-wide

entity applies to this administrative review.<sup>5</sup> Under this policy, the China-wide entity will not be under review unless a party specifically requests, or Commerce self-initiates, a review of the entity. Because no party requested a review of the China-wide entity, and we did not self-initiate a review, the entity is not under review and the entity's rate is not subject to change.

For a full description of the methodology underlying our conclusions, see Issues and Decision Memorandum.

## Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. We intend to issue assessment instructions to CBP 15 days after the publication date of these final results of review. We further intend to instruct CBP to apply an *ad valorem* assessment rate of 114.90 percent to all entries of subject merchandise during the POR which were exported by Kunshan Dixon.

## Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of these final results of this administrative review for shipments of the subject merchandise from China entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For previously investigated or reviewed Chinese and non-Chinese exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recently completed segment of this proceeding in which they were reviewed; (2) for all Chinese exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be equal to the weighted-average dumping margin for the China-wide entity which is 114.90 percent; and (3) for all non-Chinese exporters of subject merchandise which have not received their own separate rate, the cash deposit rate will be the rate applicable to the Chinese exporter(s) that supplied that non-Chinese exporter. These cash deposit requirements, effective upon

publication of these final results, 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)(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 Commerce's presumption that reimbursement of antidumping duties has occurred and the subsequent assessment of double antidumping duties.

## Notification Regarding Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective order (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 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 violation which is subject to sanction.

## Notification to Interested Parties

We are issuing and publishing these final results of administrative review and notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(5).

Dated: March 23, 2020.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

## Appendix

### Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Discussion of the Issues
  - Comment 1: Whether Kunshan Dixon is Subject to Review
  - Comment 2: Kunshan Dixon's Claim of No Shipments
  - Comment 3: Whether Commerce Abused its Discretion
- V. Recommendation

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Memorandum for the Final Results; 2017-2018," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>4</sup> See *Preliminary Results*.

<sup>5</sup> See *Antidumping Proceedings: Announcement of Change in Department Practice Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings*, 78 FR 65963, 65970 (November 4, 2013).