

or exporters will continue to be 23.21 percent, the all-others rate established in the *Order*. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

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.

Administrative Protective Order (APO)

In accordance with 19 CFR 351.305(a)(3), this notice also serves as a reminder to parties subject to APO of their responsibility concerning the return or destruction of proprietary information disclosed under the APO, 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 subject to sanction.

Notification to Interested Parties

We intend to issue and publish these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(h) and 351.221(b)(5).

Dated: April 1, 2020.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-580-876]

Welded Line Pipe From the Republic of Korea: Notice of Court Decision Not in Harmony With the Amended Final Determination in the Less-Than-Fair-Value Investigation, and Notice of Amended Final Determination and Amended Antidumping Duty Order

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

SUMMARY: On March 24, 2020, the U.S. Court of International Trade (CIT)

sustained the Department of Commerce's (Commerce's) second remand redetermination pertaining to the less-than-fair-value (LTFV) investigation of welded line pipe (WLP) from the Republic of Korea (Korea). Commerce is notifying the public that the final judgment in this case is not in harmony with Commerce's amended final determination in the LTFV investigation of WLP from Korea and that Commerce is amending the amended final determination and antidumping duty order with respect to the weighted-average dumping margin for Hyundai HYSCO Co. Ltd. (Hyundai HYSCO).

DATES: Applicable April 3, 2020.

FOR FURTHER INFORMATION CONTACT: David Goldberger or Joshua Tucker, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4136 and (202) 482-2044, respectively.

SUPPLEMENTARY INFORMATION:

Background

On October 13, 2015, Commerce published its *Final Determination* in the LTFV investigation of WLP from Korea.¹ Subsequently, on November 10, 2015, Commerce published its *Amended Final Determination*.² On December 1, 2015, Commerce published the *Order* resulting from the investigation.³ As reflected in Commerce's *Amended Final Determination* and *Order*, Commerce calculated weighted-average dumping margins of 6.23 percent for Hyundai HYSCO, 2.53 percent for SeAH Steel Corporation (SeAH), the other mandatory respondent in the investigation, and 4.38 percent for all others.⁴

Hyundai HYSCO, SeAH, and the petitioners⁵ appealed Commerce's *Final Determination*, as amended by the *Amended Final Determination*, and

¹ See *Welded Line Pipe from the Republic of Korea: Final Determination of Sales at Less Than Fair Value*, 80 FR 61366 (October 13, 2015) (*Final Determination*), and accompanying Issues and Decision Memorandum (IDM).

² See *Welded Line Pipe from the Republic of Korea: Amended Final Determination of Sales at Less Than Fair Value*, 80 FR 69637 (November 10, 2015) (*Amended Final Determination*).

³ See *Welded Line Pipe from the Republic of Korea and the Republic of Turkey: Antidumping Duty Orders*, 80 FR 75056 (December 1, 2015) (*Order*).

⁴ See *Amended Final Determination*, 80 FR at 69638; see also *Order*, 80 FR at 75057.

⁵ The petitioners are: Stupp Corporation, a division of Stupp Bros., Inc., TMK IPSCO, Welspun Tubular LLC USA, and Maverick Tube Corporation (Maverick).

resulting *Order* to the CIT. On January 8, 2019, the CIT remanded for Commerce to explain or reconsider its decision to include certain "local sales" in Hyundai HYSCO's home market sales database.⁶ Separately, the CIT held that Commerce's rejection of Maverick's September 8, 2015 supplemental case brief constituted an abuse of discretion, and remanded for Commerce to review and determine which portions should be retained on the record.⁷ On May 2, 2019, Commerce issued the *First Remand Results*, in which it determined that Hyundai HYSCO knew, or should have known, that certain "local sales" included in its home market database would be exported without further processing in Korea.⁸ Accordingly, Commerce reclassified these sales and excluded them from the calculation of normal value (NV), which resulted in a recalculated weighted-average dumping margin of 6.22 percent for Hyundai HYSCO.⁹ In addition, Commerce reopened the administrative record to permit Maverick to place its September 8, 2015 supplemental case brief on the record in its entirety, and to permit other interested parties to submit rebuttal briefs in response to Maverick's supplemental case brief. Consistent with its practice to determine home market viability early in a proceeding, Commerce did not reconsider Hyundai HYSCO's home market viability.¹⁰

The CIT, however, subsequently held that, by refusing to reassess the viability of HYSCO's home market, "Commerce failed to comply with its statutory and regulatory mandate to ensure the sufficiency of the home market as a basis for normal value."¹¹ On that basis, it remanded to Commerce to further explain or reconsider Hyundai HYSCO's home market viability.¹²

On January 14, 2020, Commerce issued the *Second Remand Results* in accordance with the CIT's order.¹³ On remand, Commerce provided further explanation regarding Hyundai HYSCO's home market viability. Specifically, Commerce explained that Hyundai HYSCO's home market sales quantity was sufficient to permit Commerce to make a proper comparison

⁶ See *Stupp Corporation et al. v. United States*, 359 F. Supp. 3d 1293, 1309-1312 (CIT 2019).

⁷ *Id.*, 359 F. Supp. 3d at 1311-12.

⁸ See *Final Results of Redetermination Pursuant to Court Remand*, Consol. Court No. 15-00334, dated May 2, 2019 (*First Remand Results*).

⁹ *Id.* at 13.

¹⁰ *Id.*

¹¹ See *Stupp Corporation et al. v. United States*, 413 F. Supp. 3d 1326, 1332 (CIT 2019).

¹² *Id.*, 413 F. Supp. 3d at 1333.

¹³ See *Final Results of Redetermination Pursuant to Second Court Remand*, Consol. Court No. 15-00334 (January 14, 2020) (*Second Remand Results*).

between export price and NV, consistent with its statutory and regulatory mandates. On March 24, 2020, the CIT sustained Commerce's *Second Remand Results*.¹⁴

Timken Notice

In its decision in *Timken*,¹⁵ as clarified by *Diamond Sawblades*,¹⁶ the Court of Appeals for the Federal Circuit held that, pursuant to section 516A of the Tariff Act of 1930, as amended (the Act), Commerce must publish a notice of court decision that is not "in harmony" with a Commerce determination and must suspend liquidation of entries pending a "conclusive" court decision.¹⁷ The CIT's March 24 2020 judgment constitutes a final decision of that court that is not in harmony with Commerce's *Final Determination, Amended Final Determination, and Order*. Thus, this notice is published in fulfillment of the publication requirements of *Timken* and section 516A of the Act.

Amended Final Determination and Amended Order

Because there is now a final court decision, Commerce is amending its *Amended Final Determination and Order* with respect to the weighted-average dumping margin for Hyundai HYSCO.¹⁸ The revised weighted-average dumping margin is as follows:

Exporter/producer	Weighted-average dumping margin (percent)
Hyundai HYSCO Co., Ltd	6.22

Cash Deposit Requirements

Because there have been subsequent administrative reviews for Hyundai Steel Company (Hyundai Steel), the successor company to Hyundai HYSCO,¹⁹ the cash deposit rate for Hyundai Steel will remain the rate established in the most recently-

¹⁴ See *Stupp Corporation et al. v. United States*, Consol. Court No. 15-00334, Slip Op. 20-38, dated March 24, 2020.

¹⁵ See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

¹⁶ See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F. 3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

¹⁷ See sections 516A(c) and (e) of the Act.

¹⁸ The change to Hyundai HYSCO's margin did not affect the calculation of the all-others rate. See *First Remand Results* at 13.

¹⁹ As discussed in the *Final Determination*, and accompanying IDM at 1, Hyundai HYSCO merged with Hyundai Steel subsequent to the period of investigation and Hyundai HYSCO no longer exists.

completed administrative review (*i.e.*, 29.89 percent).²⁰

Notification to Interested Parties

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

Dated: April 1, 2020.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-201-845]

Sugar From Mexico: Final Results of the Expedited First Sunset Review of the Agreement Suspending the Antidumping Duty Investigation

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

SUMMARY: As a result of this sunset review, the Department of Commerce (Commerce) finds that termination of the Agreement Suspending the Antidumping Duty Investigation on Sugar from Mexico (Agreement) and the suspended antidumping duty (AD) investigation would be likely to lead to the continuation or recurrence of dumping at the levels indicated in the "Final Results of Sunset Reviews" section of this notice. The magnitude of the dumping margin likely to prevail is indicated in the "Final Results of Review" section of this notice.

DATES: Applicable April 7, 2020.

FOR FURTHER INFORMATION CONTACT:

Sally C. Gannon, Bilateral Agreements, Office of Policy, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0162.

SUPPLEMENTARY INFORMATION:

Background

On December 3, 2019, Commerce published the notice of initiation of the first sunset review of the agreement suspending the antidumping investigation on sugar from Mexico, pursuant to section 751(c)(2) of the Tariff Act of 1930, as amended (the

²⁰ See *Welded Line Pipe From the Republic of Korea: Amended Final Results of Antidumping Duty Administrative Review*; 2016-2017, 84 FR 35371, 35372 (July 23, 2019).

Act).¹ We received notice of intent to participate in the review from the following parties, both domestic interested parties: Imperial Sugar Company and the American Sugar Coalition ("ASC").² Commerce received complete substantive responses from the domestic interested parties within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).³ We rejected untimely submissions filed by Sweetener Users Association (SUA) on January 21, 2020 and January 23, 2020.⁴ We received no substantive responses from any other interested parties, nor was a hearing requested. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce conducted an expedited (120-day) sunset review of the Agreement and suspended investigation.⁵

Scope of the Agreement

The merchandise subject to the Agreement is raw and refined sugar of all polarimeter readings derived from sugar cane or sugar beets. The chemical sucrose gives sugar its essential character. Sucrose is a nonreducing disaccharide composed of glucose and fructose linked by a glycosidic bond via their anomeric carbons. The molecular formula for sucrose is C₁₂H₂₂O₁₁; the International Union of Pure and Applied Chemistry (IUPAC) International Chemical Identifier (InChI) for sucrose is 1S/C12H22O11/c13-14-6(16)8(18)9(19)11(21-4)23-12(3-15)10(20)7(17) 5(2-14)22-12/h4-11,13-20H,1-3H2/t4-,5-,6-,7-,8+,9-,10+,11-,12+/m1/s1; the InChI Key for sucrose is CZMRCDWAGMRECN-UGDNZRGBSA-N; the U.S. National Institutes of Health PubChem Compound Identifier (CID) for sucrose is 5988; and the Chemical

¹ See *Initiation of Five-Year (Sunset) Reviews*, 84 FR 58687 (November 1, 2019); *Initiation of Five-Year (Sunset) Review; Correction*, 84 FR 66153 (December 3, 2019).

² See Letter, "Sugar from Mexico: Notice of Intent to Participate", dated December 18, 2019; Letter, "Sugar from Mexico, Case Nos. C-201-846 and A-201-845 (Five-Year Sunset Reviews): Notice of Intent to Participate", dated December 18, 2019.

³ See Letter, American Sugar Coalition, "Sugar from Mexico: Substantive Response to Notice of Initiation of Five-Year (Sunset) Reviews of the Antidumping and Countervailing Duty Suspension Agreements," dated January 2, 2020; Letter, "Sugar from Mexico: Substantive Response of the Imperial Sugar Company to Commerce's Notice of Initiation of Five-Year ("Sunset") Reviews", dated January 2, 2020.

⁴ See Letter to Wilbur Ross, Secretary of Commerce, from Sweetener Users Association, re: "Sugar from Mexico" (January 21, 2020); Letter to Wilbur Ross, Secretary of Commerce, from Sweetener Users Association, re: "Sugar from Mexico" (January 23, 2020); Letter, "Rejection on January 21 and January 23 Filings", dated February 5, 2020.

⁵ See Letter, "Sunset Reviews Initiated on December 2, 2019", dated January 22, 2020.