

**DEPARTMENT OF COMMERCE****Foreign-Trade Zones Board**

[Order No. 2104]

**Restricted Approval for Production Authority/Foreign-Trade Zone 12/Black & Decker (U.S.), Inc. (Lithium Ion Battery Assembly for Cordless Power Tools)/Mission, Texas**

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the Foreign-Trade Zones (FTZ) Act provides for “. . . the establishment . . . of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes,” and authorizes the Foreign-Trade Zones Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs and Border Protection ports of entry;

*Whereas*, the McAllen Foreign Trade Zone Inc., grantee of Foreign-Trade Zone 12, has requested production authority on behalf of Black & Decker (U.S.), Inc. (Black & Decker), within FTZ 12 in Mission, Texas, (B–68–2019, docketed October 25, 2019);

*Whereas*, notice inviting public comment has been given in the **Federal Register** (84 FR 59352, November 4, 2019) and the application has been processed pursuant to the FTZ Act and the Board’s regulations; and,

*Whereas*, the Board adopts the findings and recommendations of the examiner’s report, and finds that the requirements of the FTZ Act and the Board’s regulations would be satisfied and that the proposal would be in the public interest, if subject to the restriction listed below;

*Now, therefore*, the Board hereby orders:

The application for production authority under zone procedures within FTZ 12 on behalf of Black & Decker, as described in the application and **Federal Register** notice, is approved, subject to the FTZ Act and the Board’s regulations, including Section 400.13, and further subject to the following restriction: The authority shall remain in effect for a period of five years from the date of approval by the Board.

Dated: July 26, 2020.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance, Alternate Chairman, Foreign-Trade Zones Board.*

[FR Doc. 2020–16889 Filed 8–3–20; 8:45 am]

**BILLING CODE 3510–DS–P**

**DEPARTMENT OF COMMERCE****Foreign-Trade Zones Board**

[B–48–2020]

**Foreign-Trade Zone (FTZ) 201—Holyoke, Massachusetts; Notification of Proposed Production Activity; ProAmpac Holdings, Inc. (Flexible Packaging Applications); Westfield, Massachusetts**

ProAmpac Holdings, Inc. (ProAmpac) submitted a notification of proposed production activity to the FTZ Board for its facilities in Westfield, Massachusetts. The notification conforming to the requirements of the regulations of the FTZ Board (15 CFR 400.22) was received on July 27, 2020.

ProAmpac already has authority to produce flexible packaging for food, medical, pharmaceutical, and other consumer and industrial applications within Subzone 201D. The current request would add finished products to the scope of authority. Pursuant to 15 CFR 400.14(b), FTZ activity would be limited to the specific finished products described in the submitted notification (as described below) and subsequently authorized by the FTZ Board.

Production under FTZ procedures could exempt ProAmpac from customs duty payments on the foreign-status materials/components used in export production (estimated five percent of production). On its domestic sales, ProAmpac would be able to choose the duty rates during customs entry procedures that apply to: Heavy paper can liner and pouch/packaging stock—paper and paperboard, weighing >150g/m<sup>2</sup>, with aluminum laminated on one side, and extruded plastics, with the paper being the primary layer; paper can liner and pouch/packaging stock without plastics—paper with aluminum laminated on one side with the paper being the primary layer; paper label stock—paper and foil laminates used for labels; laminated aluminum lidding stock—printed or unprinted aluminum, laminated with a plastic coating; aluminum laminated packaging stock without extruded plastics—aluminum laminated with printed or unprinted paper or plastic film on one side, with the aluminum being the primary layer; and, aluminum food wrap—printed and unprinted aluminum laminated with paper in roll form (duty rates ranges from duty-free to 3.7%). ProAmpac would be able to avoid duty on foreign-status components which become scrap/waste. Customs duties also could possibly be deferred or reduced on foreign-status production equipment.

There are no new materials/components included in this notification.

Public comment is invited from interested parties. Submissions shall be addressed to the Board’s Executive Secretary and sent to: [ftz@trade.gov](mailto:ftz@trade.gov). The closing period for their receipt is September 14, 2020.

A copy of the notification will be available for public inspection in the “Reading Room” section of the Board’s website, which is accessible via [www.trade.gov/ftz](http://www.trade.gov/ftz).

For further information, contact Christopher Wedderburn at [Chris.Wedderburn@trade.gov](mailto:Chris.Wedderburn@trade.gov) or (202) 482–1963.

Dated: July 29, 2020.

**Andrew McGilvray,**

*Executive Secretary.*

[FR Doc. 2020–16890 Filed 8–3–20; 8:45 am]

**BILLING CODE 3510–DS–P**

**DEPARTMENT OF COMMERCE****Foreign-Trade Zones Board**

[B–47–2020]

**Foreign-Trade Zone (FTZ) 49—Newark and Elizabeth, New Jersey; Notification of Proposed Production Activity; Catalent Pharma Solutions (Pharmaceutical Products); Somerset, New Jersey**

Catalent Pharma Solutions (Catalent) submitted a notification of proposed production activity to the FTZ Board for its facility in Somerset, New Jersey. The notification conforming to the requirements of the regulations of the FTZ Board (15 CFR 400.22) was received on July 17, 2020.

The applicant indicates that it will be submitting a separate application for FTZ designation at the company’s facility under FTZ 49. The facility is used for the production of encorafenib bulk capsules. Pursuant to 15 CFR 400.14(b), FTZ activity would be limited to the specific foreign-status material and specific finished product described in the submitted notification (as described below) and subsequently authorized by the FTZ Board.

Production under FTZ procedures could exempt Catalent from customs duty payments on the foreign-status material used in export production. On its domestic sales, for the foreign-status material noted below, Catalent would be able to choose the duty rate during customs entry procedures that applies to BRAFTOVI (encorafenib bulk capsules) (duty-free). Catalent would be able to avoid duty on foreign-status material

which becomes scrap/waste. Customs duties also could possibly be deferred or reduced on foreign-status production equipment.

The material sourced from abroad is encorafenib API (duty rate 6.5%).

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary and sent to: [ftz@trade.gov](mailto:ftz@trade.gov). The closing period for their receipt is September 14, 2020.

A copy of the notification will be available for public inspection in the "Reading Room" section of the Board's website, which is accessible via [www.trade.gov/ftz](http://www.trade.gov/ftz).

For further information, contact Christopher Wedderburn at [Chris.Wedderburn@trade.gov](mailto:Chris.Wedderburn@trade.gov) or (202) 482-1963.

Dated: July 28, 2020.

**Andrew McGilvray,**  
Executive Secretary.

[FR Doc. 2020-16887 Filed 8-3-20; 8:45 am]

BILLING CODE 3510-DS-P

## 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.

#### 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) of the Act.<sup>1</sup> Section 773(e) of the Act states that "if a particular market situation exists such that the cost of materials and fabrication or other processing of any kind does not accurately reflect the cost of production in the ordinary course of trade, the administering authority may use another calculation methodology under this subtitle or any other calculation methodology." When an interested party submits a PMS allegation pursuant to section 773(e) of the Act, Commerce will respond to such a submission consistent with 19 CFR 351.301(c)(2)(v). If Commerce finds that a PMS exists under section 773(e) of the Act, then it will modify its dumping calculations appropriately.

Neither section 773(e) of the Act nor 19 CFR 351.301(c)(2)(v) set a deadline for the submission of PMS allegations and supporting factual information. However, in order to administer section 773(e) of the Act, Commerce must receive PMS allegations and supporting factual information with enough time to consider the submission. Thus, should an interested party wish to submit a PMS allegation and supporting new factual information pursuant to section

<sup>1</sup> See Trade Preferences Extension Act of 2015, Public Law 114-27, 129 Stat. 362 (2015).