

## Background

On January 2, 2020, the ITC instituted,<sup>1</sup> and Commerce initiated,<sup>2</sup> the third five-year (sunset) reviews of the AD orders on ferrovanadium from South Africa and China,<sup>3</sup> pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act). As a result of its reviews, Commerce determined, pursuant to sections 751(c) and 752(c) of the Act, that revocation of the *Orders* on ferrovanadium from South Africa and China would be likely to lead to the continuation or recurrence of dumping. Commerce also notified the ITC of the magnitude of the margins of dumping likely to prevail should the *Orders* be revoked.<sup>4</sup>

On August 13, 2020, the ITC published its determinations, pursuant to sections 751(c) and 752(a) of the Act, that revocation of the *Orders* would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.<sup>5</sup>

## Scope of the Orders

The scope of the *Orders* covers all ferrovanadium regardless of grade, chemistry, form, shape, or size. Ferrovanadium is an alloy of iron and vanadium that is used chiefly as an additive in the manufacture of steel. The merchandise is commercially and scientifically identified as vanadium. It specifically excludes vanadium additives other than ferrovanadium, such as nitride vanadium, vanadium-aluminum master alloys, vanadium chemicals, vanadium oxides, vanadium waste and scrap, and vanadium-bearing raw materials such as slag, boiler residues and fly ash. Merchandise under the following Harmonized Tariff Schedule of the United States (HTSUS)

item numbers 2850.00.2000, 8112.40.3000, and 8112.40.6000 are specifically excluded.

Ferrovanadium is classified under HTSUS item number 7202.92.00. Although the HTSUS item number is provided for convenience and Customs purposes, Commerce's written description of the scope of these orders remains dispositive.

## Continuation of the Orders

As a result of the determinations by Commerce and the ITC that revocation of the *Orders* would likely lead to a continuation or a recurrence of dumping and of material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act and 19 CFR 351.218(a), Commerce hereby orders the continuation of the *Orders*. U.S. Customs and Border Protection will continue to collect AD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of the continuation of the *Orders* will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act and 19 CFR 351.218(c)(2), Commerce intends to initiate the next five-year review of the *Orders* not later than 30 days prior to the fifth anniversary of the effective date of continuation.

## Administrative Protective Order

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return/destruction or conversion to judicial protective order of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Failure to comply is a violation of the APO which may be subject to sanctions.

## Notification to Interested Parties

These five-year (sunset) reviews and this notice are in accordance with sections 751(c) and (d)(2) of the Act and published in accordance with section 777(i) of the Act, and 19 CFR 351.218(f)(4). Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.<sup>6</sup>

Dated: August 13, 2020.

**Jeffrey I. Kessler,**

Assistant Secretary for Enforcement and Compliance.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-880]

### Barium Carbonate From the People's Republic of China: Continuation of Antidumping Duty Order

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

**SUMMARY:** As a result of the determinations by the Department of Commerce (Commerce) and the International Trade Commission (ITC) that revocation of the antidumping duty (AD) order on barium carbonate from the People's Republic of China (China) would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, Commerce is publishing a notice of continuation of the AD order.

**APPLICABLE DATE:** Applicable August 20, 2020.

#### FOR FURTHER INFORMATION CONTACT:

Eliza Siordia, 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) 482-3878.

#### SUPPLEMENTARY INFORMATION:

### Background

On October 1, 2003, Commerce published its AD order on barium carbonate from China.<sup>1</sup> On January 2, 2020, the ITC instituted,<sup>2</sup> and Commerce initiated,<sup>3</sup> the third sunset review of the *Order*, pursuant to section 751(c) of the Tariff Act of 1930 as amended (the Act). As a result of its review, Commerce determined that a revocation of the *Order* would likely lead to continuation or recurrence of dumping and, therefore, notified the ITC of the magnitude of the margin rates likely to prevail should the *Order* be revoked.<sup>4</sup>

On August 14, 2020, the ITC published its determination, pursuant to sections 751(c) and 752(a) of the Act, that revocation of the *Order* would likely lead to continuation or recurrence of material injury to an industry in the

<sup>1</sup> See *Ferrovanadium from China and South Africa; Institution of Five-Year Reviews*, 85 FR 122 (January 2, 2020).

<sup>2</sup> See *Initiation of Five-Year (Sunset) Reviews*, 85 FR 67 (January 2, 2020).

<sup>3</sup> See *Notice of Antidumping Duty Order: Ferrovanadium from the Republic of South Africa*, 68 FR 4169 (January 28, 2003); see also *Notice of Amended Final Antidumping Duty Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Ferrovanadium From the People's Republic of China*, 68 FR 4168 (January 28, 2003) (collectively, *Orders*).

<sup>4</sup> See *Ferrovanadium From the Republic of South Africa and the People's Republic of China: Final Results of the Expedited Third Sunset Reviews of the Antidumping Duty Orders*, 85 FR 26667 (May 5, 2020), and accompanying Issues and Decision Memorandum.

<sup>5</sup> See *Ferrovanadium from the Republic of South Africa and the People's Republic of China (Inv. Nos. 731-TA-986 and 731-TA-987 (Review))*, 85 FR 49394 (August 13, 2020); see also *Ferrovanadium from the Republic of South Africa and the People's Republic of China (Inv. Nos. 731-TA-986 and 731-TA-987 (Review))*, USITC Pub. 5099 (August 2020).

<sup>6</sup> See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

<sup>1</sup> See *Antidumping Duty Order: Barium Carbonate from the People's Republic of China*, 68 FR 56619 (October 1, 2003) (*Order*).

<sup>2</sup> See *Barium Carbonate from China; Institution of a Five-Year Review*, 85 FR 125 (January 2, 2020).

<sup>3</sup> See *Initiation of Five-Year (Sunset) Reviews*, 85 FR 67 (January 2, 2020).

<sup>4</sup> See *Barium Carbonate from the People's Republic of China: Final Results of the Expedited Third Sunset Review of the Antidumping Duty Order*, 85 FR 26666 (May 5, 2020).

United States within a reasonably foreseeable time.<sup>5</sup>

### Scope of the Order

The product covered by the *Order* is barium carbonate, regardless of form or grade and currently classifiable under subheading 2836.60.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of this proceeding is dispositive.

### Continuation of the Order

As a result of the determinations by Commerce and the ITC that revocation of the *Order* would likely lead to a continuation or a recurrence of dumping, as well as material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act and 19 CFR 351.218(a), Commerce hereby orders the continuation of the *Order* on barium carbonate from China.

U.S. Customs and Border Protection will continue to collect AD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of the continuation of the *Order* will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act and 19 CFR 351.218(c)(2), Commerce intends to initiate the next five-year review of the *Order* not later than 30 days prior to the fifth anniversary of the effective date of continuation.

### Notification to Interested Parties

This five-year sunset review and this notice are in accordance with sections 751(c) and 751(d)(2) of the Act and published in accordance with section 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: August 14, 2020.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration [C–570–118]

#### Wood Mouldings and Millwork Products From the People's Republic of China: Amended Preliminary Countervailing Duty Determination

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

**SUMMARY:** The Department of Commerce (Commerce) is amending the scope of the countervailing duty (CVD) investigation of wood mouldings and millwork products (millwork products) from the People's Republic of China (China) to conform with the scope published in the preliminary determinations of the companion antidumping duty (AD) investigations of millwork products from Brazil and China, where appropriate. The period of investigation is January 1, 2019 through December 31, 2019.

**DATES:** Applicable August 20, 2020.

**FOR FURTHER INFORMATION CONTACT:** Irene Gorelik, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–6905.

#### SUPPLEMENTARY INFORMATION:

##### Background

Commerce published its *CVD Preliminary Determination* on June 12, 2020.<sup>1</sup>

On August 12, 2020, Commerce published the Brazil and China *AD Preliminary Determinations* within which the scope of the investigations was amended to exclude certain products, and to clarify the inclusion of certain products, based upon comments received from interested parties.<sup>2</sup>

<sup>1</sup> See *Wood Mouldings and Millwork Products from the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination with Final Antidumping Duty Determination*, 85 FR 35900 (June 12, 2020) (*CVD Preliminary Determination*).

<sup>2</sup> See *Wood Mouldings and Millwork Products from Brazil: Preliminary Negative Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 85 FR 48667 (August 12, 2020); and *Wood Mouldings and Millwork Products from the People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 85 FR 48669 (August 12, 2020) (collectively, *AD Preliminary Determinations*); see also Memorandum, “Wood Mouldings and Millwork Products from Brazil and the People's Republic of China: Preliminary Scope Decision Memorandum,” dated August 5, 2020, which was placed on the records of the AD and CVD investigations.

### Amended Scope of the Investigation

The products covered by this investigation are millwork products from China. We are amending the scope of the CVD investigation to conform with the scope of the companion AD investigations, where appropriate, as indicated below. The following products are not subject to the scope of the investigation:

- Lumber (solid, edge-glued or fingered-jointed);
  - Stair stringers;
  - Countertop/butcherblocks; and,
  - Unassembled wooden kitchen cabinets and unassembled wooden bathroom cabinets, including their wood moulding components, which are covered under another CVD order.
- Furthermore, the following products are subject to the investigation:
- Screen/surfaced on four sides (S4S) and/or surface one side, two edges (S1S2E) stock/boards that are finger-jointed or edge-glued; and,
  - Wood moulding door components which enter as part of unassembled door kits.

The above exclusions and clarifications were first enumerated in the *AD Preliminary Determinations*. For a complete description of the amended scope of this investigation, see Appendix I.

### Suspension of Liquidation

We have not revised the estimated cash deposit rates published in the *CVD Preliminary Determination*. In accordance with section 703(d)(1)(B) and (d)(2) of the Tariff Act of 1930, as amended (the Act), we will direct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of entries of subject merchandise as described in the amended scope of the investigation, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**, and to continue to require a cash deposit, pursuant to 19 CFR 351.205(d). Additionally, because certain products are now excluded from the scope of the investigation, Commerce will instruct CBP to terminate suspension of liquidation of those excluded products, and to refund any cash deposits previously posted with respect to them.

### Public Comment

Commerce has set a separate deadline for scope comments in the AD and CVD millwork products investigation proceedings.<sup>3</sup> The current deadline for case briefs regarding scope issues is 30

<sup>3</sup> See *AD Preliminary Determinations* at “Public Comment.”

<sup>5</sup> See *Barium Carbonate from China*, 85 FR 49681 (August 14, 2020).