

tires from China.¹ On July 10, 2020, Commerce published the *Notice of Initiation* of the first sunset review of the *Order*, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.218(c).² On July 16, 2020, Commerce received a notice of intent to participate from the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial Workers Union, AFL–CIO, CLC (collectively, the petitioner) within the deadline specified in 19 CFR 351.218(d)(1)(i).³ The petitioner claimed interested party status under section 771(9)(D) of the Act as a certified union representative of an industry engaged in the manufacture, production, or wholesale in the United States of a domestic like product.

On July 31, 2020, Commerce received an adequate substantive response from the petitioner within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).⁴ Commerce did not receive submissions from any other interested parties. We received no substantive response from respondent interested parties.

On August 20, 2020, Commerce notified the U.S. International Trade Commission that it did not receive an adequate substantive response from respondent interested parties.⁵ As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce has conducted an expedited (120-day) sunset review of the *Order*.

Scope of the Order

Imports covered by the order are shipments of certain passenger vehicle and light truck tires. Passenger vehicle and light truck tires are new pneumatic tires, of rubber, with a passenger vehicle or light truck size designation. Tires covered by this order may be tube-type, tubeless, radial, or non-radial, and they may be intended for sale to original equipment manufacturers or the replacement market. Subject tires have,

¹ See *Certain Passenger Vehicle and Light Truck Tires from the People’s Republic of China: Amended Final Affirmative Antidumping Duty Determination and Antidumping Duty Order; and Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order*, 80 FR 47902 (August 10, 2015) (*Order*).

² See *Initiation of Five-Year (“Sunset”) Review*, 85 FR 39526 (July 1, 2020).

³ See Petitioner’s Letter, “Certain Passenger Vehicle and Light Truck Tires from the People’s Republic of China: Notice of Intent to Participate,” dated July 16, 2020.

⁴ See Petitioner’s Letter, “Passenger Vehicle and Light Truck Tires from China, CVD Order, First Sunset Review: Substantive Response of USW,” dated July 31, 2020.

⁵ See Commerce’s Letter, “Sunset Reviews Initiated on July 1, 2020,” dated August 20, 2020.

at the time of importation, the symbol “DOT” on the sidewall, certifying that the tire conforms to applicable motor vehicle safety standards.

The merchandise subject to this order may be classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 4011.10.10.10, 4011.10.10.20, 4011.10.10.30, 4011.10.10.40, 4011.10.10.50, 4011.10.10.60, 4011.10.10.70, 4011.10.50.00, 4011.20.10.05, and 4011.20.50.10. Tires meeting the scope description may also enter under the following HTSUS subheadings: 4011.99.45.10, 4011.99.45.50, 4011.99.85.10, 4011.99.85.50, 8708.70.45.45, 8708.70.45.60, 8708.70.60.30, 8708.70.60.45, and 8708.70.60.60. Although HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

Analysis of Comments Received

All issues raised in this sunset review are addressed in the Issues and Decision Memorandum. A list of the topics discussed in the Issues and Decision Memorandum is attached as an appendix to this notice. 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 <http://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed at <https://enforcement.trade.gov/frn/>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

Final Results of Sunset Review

Pursuant to sections 751(c)(1) and 752(b) of the Act, we determine that revocation of the CVD order on passenger tires from China would be likely to lead to continuation or recurrence of countervailable subsidies at the following rates:

Producer/exporter	Net countervailable subsidy rate (percent)
GITI Tire (Fujian) Co., Ltd	36.79
Cooper Kunshan Tire Co., Ltd	20.73
Shandong Yongsheng Rubber Group Co., Ltd	116.73
All Others	30.61

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 or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely 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 the final results and this notice in accordance with sections 751(c), 752(b), and 777(i)(1) of the Act and 19 CFR 351.218.

Dated: October 29, 2020.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. History of the Order
- V. Legal Framework
- VI. Discussion of the Issues
- VII. Final Results of Sunset Review
- VIII. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–002]

Chloropicrin From the People’s Republic of China: Final Results of Sunset Review and Revocation of Order

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

SUMMARY: On August 4, 2020, the Department of Commerce (Commerce) initiated the fifth sunset review of the antidumping duty order on chloropicrin from the People’s Republic of China (China). Because the domestic interested parties did not file a timely substantive response in this sunset review, Commerce is revoking this antidumping duty order.

DATES: Applicable September 22, 2020.

FOR FURTHER INFORMATION CONTACT: Abdul Alnoor, AD/CVD Operations,

Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4554.

SUPPLEMENTARY INFORMATION:

Background

On March 22, 1984, Commerce issued an antidumping duty order on chloropicrin from China.¹ On September 22, 2015, Commerce published a notice of continuation of the *Order*.² There has been one administrative review since issuance of the *Order*.³ Commerce conducted four previous sunset reviews of the *Order*. Commerce published the final results of those sunset reviews on March 9, 1999;⁴ July 6, 2004;⁵ November 6, 2009;⁶ and August 7, 2015.⁷ On August 4, 2020, Commerce initiated the fifth sunset review of this *Order*.⁸

On August 18, 2020, within the applicable deadline, Commerce received notice of intent to participate⁹ from Ashta Chemicals, Inc.; Niklor Chemical Co., Inc.; and Trinity Manufacturing, Inc., the domestic interested parties in this proceeding.¹⁰ However, the domestic interested parties failed to submit a substantive response to the notice of initiation by the applicable time limit of September 3, 2020, as required by 19 CFR 351.218(d)(3).¹¹

¹ See *Antidumping Duty Order: Chloropicrin from the People's Republic of China*, 49 FR 10691 (March 22, 1984) (*Order*).

² See *Chloropicrin From the People's Republic of China: Continuation of Antidumping Duty Order*, 80 FR 57149 (September 22, 2015) (2015 Continuation Notice).

³ See *Chloropicrin from the People's Republic of China: Final Results of Administrative Review of Antidumping Duty Order*, 50 FR 2844 (January 22, 1985).

⁴ See *Final Results of Expedited Sunset Review: Chloropicrin from the People's Republic of China*, 64 FR 11440 (March 9, 1999).

⁵ See *Chloropicrin from the People's Republic of China: Final Results of the Expedited Sunset Review of Antidumping Duty Order*, 69 FR 40601 (July 6, 2004).

⁶ See *Chloropicrin From the People's Republic of China: Final Results of the Expedited Sunset Review of the Antidumping Duty Order*, 74 FR 57450 (November 6, 2009).

⁷ See *Chloropicrin from the People's Republic of China: Final Results of the Expedited Sunset Review of the Antidumping Duty Order*, 80 FR 47467 (August 7, 2015).

⁸ See *Initiation of Five-Year (Sunset) Reviews*, 85 FR 47185 (August 4, 2020).

⁹ See Domestic Interested Parties' Letter, "Notice of Intent to Participate in Five-Year ('Sunset') Review of Chloropicrin from China; Application Under Administrative Protective Order," dated August 18, 2020.

¹⁰ See 19 CFR 351.218(d)(1)(i).

¹¹ On September 18, 2020, the domestic interested parties attempted to file a late substantive response. See Domestic Interested Parties' Letter, "Substantive Response on Behalf of Ashta Chemicals Inc, Niklor Chemical Company, and

Pursuant to 19 CFR 351.218(e)(1)(i)(C)(2), on September 10, 2020, Commerce notified the International Trade Commission, in writing, that it intended to issue a final determination revoking this antidumping duty order.¹²

Scope of the Order

The merchandise subject to the antidumping duty order is chloropicrin, also known as trichloronitromethane. A major use of the product is as a pre-plant soil fumigant (pesticide). Such merchandise is classifiable under Harmonized Tariff Schedule (HTS) subheading 2904.90.50.05.¹³ The HTS subheading is provided for convenience and customs purposes. The written description remains dispositive.

Determination To Revoke

19 CFR 351.218(e)(1)(i)(C) states that if no domestic party has filed a complete substantive response to the notice of initiation under paragraph (d)(3) of that section, then Commerce will issue a final determination revoking the order or terminating the suspended investigation not later than 90 days after the date of publication in the **Federal Register** of the Notice of Initiation. In turn, paragraph (d)(3) establishes a time limit for substantive responses to a notice of initiation, which is 30 days after the date of publication in the **Federal Register** of the notice of initiation. In this case, the notice of initiation was published in the **Federal Register** on August 4, 2020, and therefore the applicable time limit for substantive responses was September 3, 2020. As noted above, Commerce did not receive a substantive response from any domestic interested party by September 3.

Because no domestic interested party timely filed an adequate substantive

Trinity Manufacturing, Inc.," dated September 18, 2020. At the same time, the domestic interested parties also filed an untimely request for an extension to file the substantive response in this sunset review. See Letter from Kalik Lewin, "Request for Leave for late Filing: Substantive Response in Five-Year ('Sunset') Review of Chloropicrin from China," dated September 18, 2020. Commerce rejected the late submission of the substantive response. See Commerce Letters, "Five-Year ('Sunset') Review of Chloropicrin from China: Rejection of Request for Leave for Late Filing and Rejection of Domestic Interested Parties' Substantive Response," dated September 28, 2020; and "Five-Year ('Sunset') Review of Chloropicrin from China: Response to Second Request to Extend the Deadline for Filing a Substantive Response," dated November 2, 2020.

¹² See Commerce's Letter, "Sunset Review Initiated on August 4, 2020," dated September 10, 2020.

¹³ Since this scope was written, the HTS subheading has changed. Subject merchandise is currently classifiable under HTS subheading 2904.91.00.00.

response in this sunset review, Commerce finds that no domestic interested party has responded to the notice of initiation of this sunset review under 751(c)(3)(A) of the Act. Therefore, consistent with the section 751(c)(3)(A) of the Act and 19 CFR 351.222(i)(1)(i), we are revoking the antidumping duty order on chloropicrin from China.¹⁴

Effective Date of Revocation

The effective date of revocation is September 22, 2020, the fifth anniversary of the date of publication in the **Federal Register** of the most recent notice of continuation of this antidumping duty order.¹⁵

Pursuant to section 751(c)(3)(A) of the Act, Commerce intends to issue instructions to U.S. Customs and Border Protection 15 days after the publication of this notice to terminate the suspension of liquidation of the merchandise subject to this order entered, or withdrawn from warehouse, on or after September 22, 2020. Entries of subject merchandise prior to the effective date of revocation will continue to be subject to suspension of liquidation and antidumping duty deposit requirements. Commerce will complete any pending administrative reviews of this order and will conduct administrative reviews of subject merchandise entered prior to the effective date of revocation in response to appropriately filed requests for review.

This notice of revocation is published in accordance with sections 751(c) and 777(i)(1) of the Act and 19 CFR 351.218(e)(1)(i)(C)(3) and 19 CFR 351.222(i)(1)(i).

Dated: November 2, 2020.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-475-818]

Certain Pasta From Italy: Initiation and Preliminary Results of Changed Circumstances Review

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

SUMMARY: The Department of Commerce (Commerce) is initiating a changed circumstances review (CCR) to

¹⁴ See 19 CFR 351.218(e)(1)(i)(C)(1).

¹⁵ See 2015 Continuation Notice.