

antidumping duty administrative review.<sup>10</sup> Accordingly, the NME entity will not be under review unless Commerce specifically receives a request for, or self-initiates, a review of the NME entity. In this administrative review, no party requested a review of the China-wide entity. Moreover, we have not self-initiated a review of the China-wide entity. Because no review of the China-wide entity is being conducted, the China-wide entity's entries are not subject to the review, and the rate applicable to the NME entity is not subject to change as a result of this review. The China-wide entity rate is 167.02 percent.<sup>11</sup>

### Public Comment

Interested parties are invited to comment on the preliminary results and may submit case briefs and/or written comments, filed electronically via Enforcement and Compliance's Antidumping Duty and Countervailing Duty Centralized Electronic Service System (ACCESS), within 30 days after the date of publication of these preliminary results of review.<sup>12</sup> ACCESS is available to registered users at <https://access.trade.gov>. Rebuttal briefs, limited to issues raised in the case briefs, must be filed within seven days after the time limit for filing case briefs.<sup>13</sup> Parties who submit case or rebuttal briefs in this proceeding are requested to submit with each argument a statement of the issue, a brief summary of the argument, and a table of authorities.<sup>14</sup> Note that Commerce has temporarily modified certain portions of its requirements for serving documents containing business proprietary information, until further notice.<sup>15</sup>

Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to Commerce within 30 days of the date of publication of this notice.<sup>16</sup> Requests should contain: (1) The party's name, address, the telephone number; (2) the number of participants; and (3)

a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs. If a request for a hearing is made, parties will be notified of the time and date for the hearing to be held.<sup>17</sup> Commerce intends to issue the final results of this administrative review, which will include the results of our analysis of all issues raised in the case briefs, within 120 days of publication of these preliminary results in the **Federal Register**, unless extended, pursuant to section 751(a)(3)(A) of the Act.

### Assessment Rates

Upon issuance of the final results of this review, Commerce will determine, and CBP will shall assess, antidumping duties on all appropriate entries of subject merchandise covered by this review.<sup>18</sup> We intend to instruct CBP to liquidate entries containing subject merchandise exported by the company under review that we determine in the final results to be part of the China-wide entity at the China-wide entity rate of 167.02 percent. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this 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 sections 751(a)(2)(C) of the Act: (1) For companies that have a separate rate, the cash deposit rate will be that established in the final results of this review (except, if the rate is zero or *de minimis*, then zero cash deposit will be required); (2) for previously investigated or reviewed Chinese or non-Chinese exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) 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 that for the China-wide entity (*i.e.*, 167.02 percent); and (4) for all non-Chinese exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the Chinese exporter that supplied that non-Chinese exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importers

This notice also serves as a reminder to importers of their responsibility under 19 CFR 315.402(f)(2) to file a certificate regarding the reimbursement of antidumping 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 antidumping duties occurred and the subsequent assessment of double antidumping duties.

### Notification to Interested Parties

We are issuing and publishing these preliminary results in accordance with sections 751(a)(1) and 777(i) of the Act, and 19 CFR 351.213(h) and 351.221(b)(4).

Dated: January 27, 2021.

**Christian Marsh,**

*Acting Assistant Secretary for Enforcement and Compliance.*

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## 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

<sup>10</sup> See *Antidumping Proceedings: Announcement of Change in Department Practice for 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).

<sup>11</sup> See 1,1,1,2 Tetrafluoroethane (R-134a) from the People's Republic of China: *Antidumping Duty Order*, 82 FR 18422, 18423 (April 19, 2017).

<sup>12</sup> See 19 CFR 351.309(c)(1)(ii).

<sup>13</sup> See 19 CFR 351.309(d)(1) and (2); see also *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020) (*Temporary Rule*).

<sup>14</sup> See 19 CFR 351.309(c) and (d); see also 19 CFR 351.303 (for general filing requirements).

<sup>15</sup> See *Temporary Rule*.

<sup>16</sup> See 19 CFR 351.310(c).

<sup>17</sup> See 19 CFR 310(d).

<sup>18</sup> See 19 CFR 351.212(b)(1).

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 773(e) of the Act, it must do so no later than 20 days after submission of initial Section D responses.

*Opportunity To Request a Review:* Not later than the last day of February 2021,<sup>2</sup> interested parties may request administrative review of the following orders, findings, or suspended investigations, with anniversary dates in February for the following periods:

	Period to be reviewed
<b>Antidumping Duty Proceedings</b>	
BRAZIL: Carbon and Alloy Steel Cut-to-Length Plate, A-351-847 .....	2/1/20-1/31/21
INDIA: Certain Cut-To-Length Carbon-Quality Steel Plate A-533-817 .....	2/1/20-1/31/21
INDIA: Certain Preserved Mushrooms, A-533-813 .....	2/1/20-1/31/21
INDIA: Certain Frozen Warmwater Shrimp, A-533-840 .....	2/1/20-1/31/21
INDIA: Stainless Steel Bar, A-533-810 .....	2/1/20-1/31/21
INDONESIA: Certain Cut-To-Length Carbon-Quality Steel Plate, A-560-805 .....	2/1/20-1/31/21
INDONESIA: Certain Preserved Mushrooms, A-560-802 .....	2/1/20-1/31/21
ITALY: Stainless Steel Butt-Weld Pipe Fittings, A-475-828 .....	2/1/20-1/31/21

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

<sup>2</sup> Or the next business day, if the deadline falls on a weekend, federal holiday or any other day when Commerce is closed.

	Period to be reviewed
JAPAN: Carbon Steel Butt-Weld Pipe Fittings, A-588-602 .....	2/1/20-1/31/21
MALAYSIA: Stainless Steel Butt-Weld Pipe Fittings, A-557-809 .....	2/1/20-1/31/21
MEXICO: Large Residential Washers, A-201-842 .....	2/1/20-1/31/21
PHILIPPINES: Stainless Steel Butt-Weld Pipe Fittings, A-565-801 .....	2/1/20-1/31/21
REPUBLIC OF KOREA: Certain Cut-To-Length Carbon-Quality Steel Plate, A-580-836 .....	2/1/20-1/31/21
SOCIALIST REPUBLIC OF VIETNAM: Certain Frozen Warmwater Shrimp, A-552-802 .....	2/1/20-1/31/21
SOCIALIST REPUBLIC OF VIETNAM: Steel Wire Garment Hangers, A-552-812 .....	2/1/20-1/31/21
SOCIALIST REPUBLIC OF VIETNAM: Utility Scale Wind Towers, A-552-814 .....	2/1/20-1/31/21
SOUTH AFRICA: Certain Carbon and Alloy Steel Cut-To-Length Plate, A-791-822 .....	2/1/20-1/31/21
TAIWAN: Crystalline Silicon Photovoltaic Products, A-583-853 .....	2/1/20-1/31/21
TAIWAN: Carbon and Alloy Steel Threaded Rod, A-583-865 .....	9/25/19-1/31/21
THAILAND: Certain Frozen Warmwater Shrimp, A-549-822 .....	2/1/20-1/31/21
THE PEOPLE'S REPUBLIC OF CHINA: Certain Preserved Mushrooms, A-570-851 .....	2/1/20-1/31/21
THE PEOPLE'S REPUBLIC OF CHINA: Common Alloy Aluminum Sheet, A-570-073 .....	2/1/20-1/31/21
THE PEOPLE'S REPUBLIC OF CHINA: Crystalline Silicon Photovoltaic, A-570-010 .....	2/1/20-1/31/21
THE PEOPLE'S REPUBLIC OF CHINA: Certain Frozen Warmwater Shrimp, A-570-893 .....	2/1/20-1/31/21
THE PEOPLE'S REPUBLIC OF CHINA: Heavy Forged Hand Tools, With or Without Handles, A-570-803 .....	2/1/20-1/31/21
THE PEOPLE'S REPUBLIC OF CHINA: Large Residential Washers, A-570-033 .....	2/1/20-1/31/21
THE PEOPLE'S REPUBLIC OF CHINA: Rubber Bands, A-570-069 .....	2/1/20-1/31/21
THE PEOPLE'S REPUBLIC OF CHINA: Small Diameter Graphite Electrodes, A-570-929 .....	2/1/20-1/31/21
THE PEOPLE'S REPUBLIC OF CHINA: Truck and Bus Tires, A-570-040 .....	2/1/20-1/31/21
THE PEOPLE'S REPUBLIC OF CHINA: Uncovered Innerspring Units, A-570-928 .....	2/1/20-1/31/21
THE PEOPLE'S REPUBLIC OF CHINA: Utility Scale Wind Towers, A-570-981 .....	2/1/20-1/31/21
TURKEY: Certain Carbon and Alloy Steel Cut-To-Length Plate, A-489-828 .....	2/1/20-1/31/21

#### Countervailing Duty Proceedings

INDIA: Certain Cut-To-Length Carbon-Quality Steel Plate C-533-818 .....	1/1/20-12/31/20
INDIA: Prestressed Concrete Steel Wire Strand, C-533-829 .....	1/1/20-12/31/20
INDIA: Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel, C-533-874 .....	1/1/20-12/31/20
INDONESIA: Certain Cut-To-Length Carbon-Quality Steel Plate, C-560-806 .....	1/1/20-12/31/20
REPUBLIC OF KOREA: Certain Cut-To-Length Carbon-Quality Steel Plate, C-580-837 .....	1/1/20-12/31/20
SOCIALIST REPUBLIC OF VIETNAM: Steel Wire Garment Hangers, C-552-813 .....	1/1/20-12/31/20
THE PEOPLE'S REPUBLIC OF CHINA: Cold-Drawn Mechanical Tubing, C-570-059 .....	1/1/20-12/31/20
THE PEOPLE'S REPUBLIC OF CHINA: Common Alloy Aluminum Sheet, C-570-074 .....	1/1/20-12/31/20
THE PEOPLE'S REPUBLIC OF CHINA: Crystalline Silicon Photovoltaic Products, C-570-011 .....	1/1/20-12/31/20
THE PEOPLE'S REPUBLIC OF CHINA: Rubber Bands, C-570-070 .....	1/1/20-12/31/20
THE PEOPLE'S REPUBLIC OF CHINA: Truck and Bus Tires, C-570-041 .....	1/1/20-12/31/20
THE PEOPLE'S REPUBLIC OF CHINA: Utility Scale Wind Towers, C-570-982 .....	1/1/20-12/31/20

#### Suspension Agreements

None.

In accordance with 19 CFR 351.213(b), an interested party as defined by section 771(9) of the Act may request in writing that the Secretary conduct an administrative review. For both antidumping and countervailing duty reviews, the interested party must specify the individual producers or exporters covered by an antidumping finding or an antidumping or countervailing duty order or suspension agreement for which it is requesting a review. In addition, a domestic interested party or an interested party described in section 771(9)(B) of the Act must state why it desires the Secretary to review those particular producers or exporters. If the interested party intends for the Secretary to review sales of merchandise by an exporter (or a producer if that producer also exports merchandise from other suppliers) which was produced in more than one country of origin and each country of

origin is subject to a separate order, then the interested party must state specifically, on an order-by-order basis, which exporter(s) the request is intended to cover.

Note that, for any party Commerce was unable to locate in prior segments, Commerce will not accept a request for an administrative review of that party absent new information as to the party's location. Moreover, if the interested party who files a request for review is unable to locate the producer or exporter for which it requested the review, the interested party must provide an explanation of the attempts it made to locate the producer or exporter at the same time it files its request for review, in order for the Secretary to determine if the interested party's attempts were reasonable, pursuant to 19 CFR 351.303(f)(3)(ii).

As explained in *Antidumping and Countervailing Duty Proceedings*:

*Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003), and *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011), Commerce clarified its practice with respect to the collection of final antidumping duties on imports of merchandise where intermediate firms are involved. The public should be aware of this clarification in determining whether to request an administrative review of merchandise subject to antidumping findings and orders.<sup>3</sup>

Commerce no longer considers the non-market economy (NME) entity as an exporter conditionally subject to an antidumping duty administrative

<sup>3</sup> See the Enforcement and Compliance website at <https://legacy.trade.gov/enforcement/>.

reviews.<sup>4</sup> Accordingly, the NME entity will not be under review unless Commerce specifically receives a request for, or self-initiates, a review of the NME entity.<sup>5</sup> In administrative reviews of antidumping duty orders on merchandise from NME countries where a review of the NME entity has not been initiated, but where an individual exporter for which a review was initiated does not qualify for a separate rate, Commerce will issue a final decision indicating that the company in question is part of the NME entity. However, in that situation, because no review of the NME entity was conducted, the NME entity's entries were not subject to the review and the rate for the NME entity is not subject to change as a result of that review (although the rate for the individual exporter may change as a function of the finding that the exporter is part of the NME entity). Following initiation of an antidumping administrative review when there is no review requested of the NME entity, Commerce will instruct CBP to liquidate entries for all exporters not named in the initiation notice, including those that were suspended at the NME entity rate.

All requests must be filed electronically in Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) on Enforcement and Compliance's ACCESS website at <https://access.trade.gov>.<sup>6</sup> Further, in accordance with 19 CFR 351.303(f)(1)(i), a copy of each request must be served on the petitioner and each exporter or producer specified in the request. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.<sup>7</sup>

Commerce will publish in the **Federal Register** a notice of "Initiation of Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation" for requests received by the last day of

February 2021. If Commerce does not receive, by the last day of February 2021, a request for review of entries covered by an order, finding, or suspended investigation listed in this notice and for the period identified above, Commerce will instruct CBP to assess antidumping or countervailing duties on those entries at a rate equal to the cash deposit of estimated antidumping or countervailing duties required on those entries at the time of entry, or withdrawal from warehouse, for consumption and to continue to collect the cash deposit previously ordered.

For the first administrative review of any order, there will be no assessment of antidumping or countervailing duties on entries of subject merchandise entered, or withdrawn from warehouse, for consumption during the relevant provisional-measures "gap" period of the order, if such a gap period is applicable to the period of review.

This notice is not required by statute but is published as a service to the international trading community.

Dated: January 27, 2021.

**James Maeder,**

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-520-803]

#### **Polyethylene Terephthalate Film, Sheet, and Strip From the United Arab Emirates: Final Results of Antidumping Duty Administrative Review; 2018-2019**

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

**SUMMARY:** The Department of Commerce (Commerce) determines that Flex Middle East FZE (Flex), the sole producer/exporter subject to this administrative review, made sales of subject merchandise at less than normal value during the period of review (POR), November 1, 2018, through October 31, 2019.

**DATES:** Applicable February 2, 2021.

**FOR FURTHER INFORMATION CONTACT:** Andrew Huston, 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) 482-4261.

## SUPPLEMENTARY INFORMATION:

### Background

Commerce published the preliminary results of this administrative review on November 10, 2020.<sup>1</sup> We invited interested parties to comment on the *Preliminary Results*. No parties submitted comments.

### Scope of the Order

The products covered by the order are all gauges of raw, pre-treated, or primed polyethylene terephthalate film (PET Film), whether extruded or co-extruded. Excluded are metallized films and other finished films that have had at least one of their surfaces modified by the application of a performance-enhancing resinous or inorganic layer more than 0.00001 inches thick. Also excluded is roller transport cleaning film which has at least one of its surfaces modified by application of 0.5 micrometers of SBR latex. Tracing and drafting film is also excluded. PET Film is classifiable under subheading 3920.62.00.90 of the Harmonized Tariff Schedule of the United States (HTSUS). While HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of the order is dispositive.

### Changes Since the Preliminary Results

Because we received no comments on the *Preliminary Results*, we have made no changes to the weighted-average dumping margin determined for Flex, nor have we prepared an Issues and Decision Memorandum to accompany this notice. We, therefore, adopt the analysis and explanation in our *Preliminary Results* for purposes of these final results.

### Final Results of Review

As a result of this review, we determine that the following weighted-average dumping margin exists for the period of November 1, 2018, through October 31, 2019:

Manufacturer/exporter	Weighted-average margin (percent)
Flex Middle East FZE .....	70.75

### Assessment Rates

Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all

<sup>1</sup> See *Polyethylene Terephthalate Film, Sheet, and Strip from the United Arab Emirates: Preliminary Results of Antidumping Duty Administrative Review; 2018-2019*, 85 FR 71606 (November 10, 2020) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

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

<sup>5</sup> In accordance with 19 CFR 351.213(b)(1), parties should specify that they are requesting a review of entries from exporters comprising the entity, and to the extent possible, include the names of such exporters in their request.

<sup>6</sup> See *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011).

<sup>7</sup> See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19*, 85 FR 41363 (July 10, 2020).