issue its final determination no later than June 16, 2021.

Notice to Interested Parties

This notice is issued and published pursuant to section 735(a)(2) of the Act and 19 CFR 351.210(g).

Dated: February 1, 2021.

Christian Marsh,
Acting Assistant Secretary for Enforcement and Compliance.

DEPARTMENT OF COMMERCE
International Trade Administration
[A–552–831]
Seamless Refined Copper Pipe and Tube From the Socialist Republic of Vietnam: Postponement of Final Determination of Less-Than-Fair-Value Investigation

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

SUMMARY: The Department of Commerce (Commerce) is postponing the deadline for issuing the final determination in the less-than-fair-value (LTFV) investigation of imports of seamless refined copper pipe and tube (copper pipe and tube) from the Socialist Republic of Vietnam (Vietnam) until June 16, 2021, and is extending the provisional measures from a four-month period to a period of not more than six months.

DATES: Applicable February 8, 2021.

FOR FURTHER INFORMATION CONTACT:

SUPPLEMENTARY INFORMATION:

Background

On July 20, 2020, Commerce initiated the LTFV investigation of imports of copper pipe and tube from Vietnam. The period of investigation is October 1, 2019, through March 31, 2020. On February 1, 2021, Commerce published its Preliminary Determination in this LTFV investigation.1

Postponement of the Final Determination

Section 735(a)(2) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.210(b)(2) provide that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by the exporters or producers who account for a significant portion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioner. Further, 19 CFR 351.210(e)(2) requires that such postponement requests by exporters be accompanied by a request for extension of provisional measures from a four-month period to a period of not more than six months, in accordance with section 733(d) of the Act.

On January 28, 2021, Hailiang (Vietnam) Copper Manufacturing Company Limited/Hongkong Hailiang Metal Trading Limited (also known as Hong Kong Hailiang Metal Trading Limited) (Hailiang Vietnam/Hongkong Hailiang), the sole mandatory respondent in this investigation, requested that Commerce postpone the deadline for the final determination until no later than 135 days from the publication of the Preliminary Determination and extend the application of the provisional measures from a four-month period to a period of not more than six months.3 Additionally, on January 28, 2021, the American Copper Tube Coalition and its constituent members (the petitioners) requested that Commerce postpone the deadline for the final determination. In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(i), because: (1) The preliminary determination was affirmative; (2) the request was made by the exporter and producer who accounts for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, Commerce is postponing the final determination until no later than 135 days after the date of the publication of the Preliminary Determination and extending the provisional measures from a four-month period to a period of not more than six months. Accordingly, Commerce will issue its final determination no later than June 16, 2021.

Notice to Interested Parties

This notice is issued and published pursuant to section 735(a)(2) of the Act and 19 CFR 351.210(g).

Dated: February 1, 2021.

Christian Marsh,
Acting Assistant Secretary for Enforcement and Compliance.

DEPARTMENT OF COMMERCE
International Trade Administration
[C–570–138]
Pentafluoroethane (R–125) From the People’s Republic of China: Initiation of Countervailing Duty Investigation

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

DATES: Applicable February 1, 2021.

FOR FURTHER INFORMATION CONTACT:
Joshua Tucker or Peter Skarlatos, 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) 482–2044 or (202) 482–0324, respectively.

SUPPLEMENTARY INFORMATION:

The Petition

On January 12, 2021, the U.S. Department of Commerce (Commerce) received a countervailing duty (CVD) petition concerning imports of pentafluoroethane (R–125) from the People’s Republic of China (China) filed in proper form on behalf of Honeywell International, Inc. (the petitioner). The Petition was accompanied by an antidumping duty (AD) petition concerning imports of R–125 from China.

Between January 14 and 27, 2021, Commerce requested supplemental information pertaining to certain aspects

4 The members of the American Copper Tube Coalition are Mueller Copper Tube Products, Inc., Mueller Copper Tube West Co., Mueller Copper Tube Company, Inc., Howell Metal Company, and Linessets, Inc. (collectively, Mueller Group) and Cerro Flow Products, LLC.
of the Petition, to which the petitioner filed responses between January 19 and 28, 2021.

In accordance with section 702(b)(1) of the Tariff Act of 1930, as amended (the Act), the petitioner alleges that the Government of China (COC) is providing countervailable subsidies, within the meaning of sections 701 and 771(S) of the Act, to producers of R–125 in China and that such imports are materially injuring, or threatening material injury to, the domestic industry producing R–125 in the United States. Consistent with section 702(b)(1) of the Act and 19 CFR 351.202(b), for those alleged programs on which we are initiating a CVD investigation, the Petition is supported by information reasonably available to the petitioner.

Commerce finds that the petitioner filed the Petition on behalf of the domestic industry because the petitioner is an interested party as defined in section 771(9)(C) of the Act. Commerce also finds that the petitioner demonstrated sufficient industry support with respect to the initiation of the requested CVD investigation.

Period of Investigation

Because the Petition was filed on January 12, 2021, the period of investigation is January 1, 2020, through December 31, 2020.

Scope of the Investigation

The merchandise covered by this investigation is R–125 from China. For a full description of the scope of this investigation, see the appendix to this notice.

Comments on Scope of the Investigation

On January 14, 22, and 27, 2021, Commerce requested further information from the petitioner regarding the proposed scope to ensure that the scope language in the Petition is an accurate reflection of the products for which the domestic industry is seeking relief. On January 19 and 28, 2021, the petitioner revised the scope. The description of the merchandise covered by this investigation, as described in the appendix to this notice, reflects these clarifications.

As discussed in the Preamble to Commerce’s regulations, we are setting aside a period for interested parties to raise issues regarding product coverage (i.e., scope). Commerce will consider all comments received from interested parties and, if necessary, will consult with interested parties prior to the issuance of the preliminary determination. If scope comments include factual information, all such factual information should be limited to public information. To facilitate preparation of its questionnaires, Commerce requests that all interested parties submit scope comments by 5:00 p.m. Eastern Time (ET) on February 22, 2021, which is the next business day after 20 calendar days from the signature date of this notice.

Any rebuttal comments, which may include factual information, must be filed by 5:00 p.m. ET on March 4, 2021, which is 10 calendar days from the initial comment deadline.

Commerce requests that any factual information the parties consider relevant to the scope of the investigation be submitted during this time period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigation may be relevant, the party may contact Commerce and request permission to submit the additional information. All scope comments must also be filed on the record of the concurrent AD investigation.

Filing Requirements

All submissions to Commerce must be filed electronically using Enforcement and Compliance (E&C)’s Antidumping Duty and Countervailing Duty Centralized Electronic Service System (ACCESS), unless an exception applies. An electronically filed document must be received successfully in its entirety by the time and date it is due.

Consultations

Pursuant to sections 702(b)(4)(A)(i) and (ii) of the Act, Commerce notified the GOI of the receipt of the Petition and provided it the opportunity for consultations with respect to the CVD Petition. The GOI did not request consultations.

Determination of Industry Support for the Petition

Section 702(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 702(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (i) At least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 702(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, Commerce shall: (i) Poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) determine industry support


See “Determination of Industry Support for the Petition” section, infra.

See 19 CFR 351.204(b)(2).
using a statistically valid sampling method to poll the “industry.”

Section 771(4)(A) of the Act defines the “industry” as the producers as a whole of a domestic like product. Thus, to determine whether a petition has the requisite industry support, the statute directs Commerce to look to producers and workers who produce the domestic like product. The International Trade Commission (ITC), which is responsible for determining whether “the domestic industry” has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both Commerce and the ITC must apply the same statutory definition regarding the domestic like product, they do so for different purposes and pursuant to a separate and distinct authority. In addition, Commerce’s determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to law.14

Section 771(10) of the Act defines the domestic like product as “a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title.” Thus, the reference point from which the domestic like product analysis begins is “the article subject to an investigation” (i.e., the class or kind of merchandise to be investigated, which normally will be the scope as defined in the petition).

With regard to the domestic like product, the petitioner does not offer a definition of the domestic like product distinct from the scope of the investigation.15 Based on our analysis of the information submitted on the record, we have determined that R–125, as defined in the scope, constitutes a single domestic like product, and we have analyzed industry support in terms of that domestic like product.16

In determining whether the petitioner has standing under section 702(c)(4)(A) of the Act, we considered the industry support data contained in the Petition with reference to the domestic like product as defined in the “Scope of the Investigation,” in the appendix to this notice. To establish industry support, the petitioner provided its own production of the domestic like product in 2020.17 The petitioner states that there are no other known U.S. producers of R–125; therefore, the Petition is supported by 100 percent of the U.S. industry.18 We relied on data provided by the petitioner for purposes of measuring industry support.19

Our review of the data provided in the Petition, the Petitioner’s First Supplemental Questionnaire Response, and other information readily available to Commerce indicates that the petitioner has established industry support for the Petition. First, the Petition established support from domestic producers (or workers) accounting for more than 50 percent of the total production of the domestic like product and, as such, Commerce is not required to take further action in order to evaluate industry support (e.g., polling).20 Second, the domestic producers (or workers) have met the statutory criteria for industry support under section 702(c)(4)(A)(i) of the Act because the domestic producers (or workers) who support the Petition account for at least 25 percent of the total production of the domestic like product.21 Finally, the domestic producers (or workers) have met the statutory criteria for industry support under section 702(c)(4)(A)(ii) of the Act because the domestic producers (or workers) who support the Petition account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the Petition.22 Accordingly, Commerce determines that the Petition was filed on behalf of the domestic industry within the meaning of section 702(b)(1) of the Act.23

Injury Test

Because China is a “Subsidies Agreement Country” within the meaning of section 701(b) of the Act, section 701(a)(2) of the Act applies to this investigation. Accordingly, the ITC must determine whether imports of the subject merchandise from China materially injure, or threaten material injury to, a U.S. industry.

Allegations and Evidence of Material Injury and Causation

The petitioner alleges that imports of the subject merchandise are benefiting from countervailable subsidies and that such imports are causing, or threaten to cause, material injury to the U.S. industry producing the domestic like product. In addition, the petitioner alleges that subject imports exceed the negligibility threshold provided for under section 771(24)(A) of the Act.24

The petitioner contends that the industry’s injured condition is illustrated by a significant and increasing volume of subject imports; reduced market share; underselling and price depression and suppression; lost sales and revenues; decline in employment variables; declining profitability; and adverse impact on capital expenditures and capacity utilization.25 We assessed the allegations and supporting evidence regarding material injury, threat of material injury, causation, as well as negligibility, and we have determined that these allegations are properly supported by adequate evidence, and meet the statutory requirements for initiation.26

Initiation of CVD Investigation

Based upon our examination of the Petition and supplemental responses, we find that the Petition meets the requirements of section 702 of the Act. Therefore, we are initiating a CVD investigation to determine whether imports of R–125 from China benefit from countervailable subsidies conferred by the GOC. Based on our review of the Petition, we find that there is sufficient information to initiate a CVD investigation on all five alleged programs. For a full discussion of the basis for our decision to initiate on each program, see China CVD Initiation

分布和副本的请愿书

在根据第702(b)(4)(A)节和第19 CFR 351.202(f)节制作的公众版，请愿书必须提供给GOC通过ACCESS。此外，根据可执行性，Commerce将努力提供一个公众版的请愿书给每个出口商在请愿书中指定的出口商，作为第19 CFR 351.203(c)(2)节的一部分。

ITC通知

Commerce将通知ITC其立案，作为第702(d)节的要求。

初步确定

ITC将对是否对中国进口的R-125造成或威胁造成重大损害，以及损害是否与从中国进口的R-125有关进行初步确定。29 初步确定的决定将导致ITC终止调查。

提交事实信息

事实信息在19 CFR 351.102(b)(21)节中定义为：（i）证据提交给回答人及问题；（ii）书面证据提交给支持证据；（iii）可以公开获取的信息提交给支撑者；（iv）证据被记录下来；（v）其他事实信息在第(i)-(iv)节中描述。33 第351.301(b)节说明Commerce任何情况下都应为某些事件进行初步确定。30 Commerce将根据事实决定是否需要在调查中进行更正和澄清。

法规要求

任何提交事实信息的人必须符合AD和CVD法规的要求，包括准确性、完整性和及时性。

通知利益相关者

请愿书的提交和申诉的时间限制

任何提交事实信息的人必须符合AD和CVD法规的要求，包括准确性、完整性和及时性。

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DEPARTMENT OF COMMERCE

International Trade Administration

C–570–968

Aluminum Extrusions From the People’s Republic of China: Notice of Correction to Final Results of Countervailing Duty Administrative Review; 2018

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

SUMMARY: The Department of Commerce (Commerce) is issuing a correction to the previously published Federal Register notice of the final results of the countervailing duty administrative review on aluminum extrusions from the People’s Republic of China (China) covering the period January 1, 2018, through December 31, 2018, which inadvertently omitted certain companies.

DATES: Applicable February 8, 2021.


SUPPLEMENTARY INFORMATION:

Correction

On January 22, 2021, Commerce published the Final Results in the Federal Register.1 The Final Results covered nine companies under administrative review and intended to convey the final subsidy rates assigned to all nine companies in a rates table.2 However, Commerce inadvertently omitted from the rates table three of the nine companies to which it assigned final subsidy rates.3 Those companies are: Shanyang Yuanda Aluminum Industry Engineering Co. Ltd. (Shenyang Yuanda); Summit Heat Sinks Metal Co., Ltd. (Summit); and Wenzhou Yongtai Electric Co. Ltd. (Wenzhou Yongtai).4 In the Final Results, Commerce made no changes to its preliminary results, and thus continued to assign the rate of 242.15 percent, based on adverse facts available, to these three companies, which are included in the rates table listed below.5

With this notice, we are hereby correcting the Final Results by providing the complete rates table for all nine companies, which restates the subsidy rates for six of the nine companies and includes the additional three companies that were inadvertently omitted from the rates table in the Final Results (i.e., Shenyang Yuanda, Summit, and Wenzhou Yongtai).

Corrected Final Results of Administrative Review

As stated in the Final Results, and in accordance with 19 CFR 351.221(b)(5), we determine the following final net subsidy rates for the 2018 administrative review:6

<table>
<thead>
<tr>
<th>Company</th>
<th>Final ad valorem rate (percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Activa International Co.</td>
<td>242.15</td>
</tr>
<tr>
<td>Changzhou Tenglong Auto Parts Co. Ltd</td>
<td>16.08</td>
</tr>
<tr>
<td>CRRC Changzhou Auto Parts Co. Ltd</td>
<td>242.15</td>
</tr>
<tr>
<td>Dongguan Aoda Aluminum Co. Ltd</td>
<td>16.08</td>
</tr>
<tr>
<td>Guangdong Xingfa Aluminum Co., Ltd</td>
<td>242.15</td>
</tr>
<tr>
<td>Precision Metal Works Ltd</td>
<td>242.15</td>
</tr>
<tr>
<td>Shenyang Yuanda Aluminum Industry Engineering Co. Ltd</td>
<td>242.15</td>
</tr>
<tr>
<td>Summit Heat Sinks Metal Co., Ltd</td>
<td>242.15</td>
</tr>
<tr>
<td>Wenzhou Yongtai Electric Co. Ltd</td>
<td>242.15</td>
</tr>
</tbody>
</table>

This notice serves as a correction to the Final Results and is published in accordance with 751(a) and 777(i) of the Tariff Act of 1930, as amended.

Dated: February 1, 2021.

Christian Marsh,
Acting Assistant Secretary for Enforcement and Compliance.

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2 Id., 86 FR at 6631.
4 See Preliminary Results, 85 FR at 47350.
5 See Final Results, 86 FR at 6630; see also Preliminary Results, 85 FR at 47351.
7 This company was inadvertently omitted from the rates table in the Final Results.
8 Id.
9 Id.