

proprietary information, until further notice.¹³

Commerce intends to issue the final results of this administrative review, including the results of our analysis of the issues raised by the parties in their comments, no later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h), unless this deadline is extended.

Notification to Interested Parties

These preliminary results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213 and 19 CFR 351.221(b)(4).

Dated: May 12, 2021.

Christian Marsh,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Use of Facts Otherwise Available and Application of Adverse Inferences
- V. Subsidies Valuation Information
- VI. Analysis of Programs
- VII. Recommendation

[FR Doc. 2021–10441 Filed 5–17–21; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–428–850]

Thermal Paper From Germany: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Preliminary Affirmative Determination of Critical Circumstances in Part, Postponement of Final Determination, and Extension of Provisional Measures; Correction

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

SUMMARY: The Department of Commerce (Commerce) published notice in the *Federal Register* of May 12, 2021, in which Commerce made a preliminary affirmative determination of sales at less than fair value (LTFV) of thermal paper from Germany. This notice failed to include language regarding the suspension of liquidation for Papierfabrik August Koehler SE (Koehler) during the critical circumstances period.

¹³ See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

DATES: Applicable May 12, 2021.

FOR FURTHER INFORMATION CONTACT:

David Goldberger, 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) 482–4136.

SUPPLEMENTARY INFORMATION:

Correction

In the *Federal Register* of May 12, 2021, in FR Doc 2021–09965, on page 26002, in the second column, correct the “Suspension of Liquidation” section to add the following second and third paragraphs which had been omitted:

Section 733(e)(2) of the Tariff Act of 1930, as amended (the Act), provides that, given an affirmative determination of critical circumstances, the suspension of liquidation shall apply to unliquidated entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the later of: (a) The date which is 90 days before the date on which the suspension of liquidation was first ordered; or (b) the date on which notice of initiation of the investigation was published. As noted above, Commerce preliminarily finds that critical circumstances exist for imports of subject merchandise produced and exported by Koehler. In accordance with section 733(e)(2)(A) of the Act, the suspension of liquidation shall apply to unliquidated entries of shipments of thermal paper from Germany that were produced and/or exported by Koehler that are entered, or withdrawn from warehouse, for consumption on or after February 11, 2021, which is 90 days before the publication date of the *Preliminary Determination* in the *Federal Register*.

These suspension of liquidation instructions will remain in effect until further notice.

Background

On May 12, 2021, Commerce published in the *Federal Register* a preliminary affirmative determination of sales at LTFV of thermal paper from Germany.¹ This notice failed to include language regarding the suspension of liquidation for Koehler during the critical circumstances period.

Notification to Interested Parties

This notice serves as a correction and is published in accordance with

¹ See *Thermal Paper from Germany: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Preliminary Affirmative Determination of Critical Circumstances in Part, Postponement of Final Determination, and Extension of Provisional Measures*, 86 FR 26001 (May 12, 2021).

sections 773(f) and 777(i)(1) of the Act and 19 CFR 351.205(c).

Dated: May 12, 2021.

Christian Marsh,

Acting Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2021–10438 Filed 5–17–21; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–985]

Xanthan Gum From the People’s Republic of China: Amended Final Results of Antidumping Duty Administrative Review; 2016–2017

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

SUMMARY: The Department of Commerce (Commerce) is amending the final results of the administrative review of the antidumping duty order on xanthan gum from the People’s Republic of China (China) covering the period, July 1, 2016, through June 30, 2017, to include results with respect to Neimenggu Fufeng Biotechnologies Co., Ltd. (a.k.a. Inner Mongolia Fufeng Biotechnologies Co., Ltd./Shandong Fufeng Fermentation Co., Ltd./Xinjiang Fufeng Biotechnologies Co., Ltd. (collectively, Fufeng).

DATES: Applicable May 18, 2021.

FOR FURTHER INFORMATION CONTACT:

Thomas Hanna, 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) 482–0835.

SUPPLEMENTARY INFORMATION:

Background

Commerce published the *Preliminary Results* of this review on August 14, 2018.¹ On September 21, 2018, Fufeng,² a mandatory respondent, and Tate and Lyle, a U.S. importer, filed case briefs.³

¹ See *Xanthan Gum from the People’s Republic of China: Preliminary Results of the Antidumping Duty Administrative Review, and Preliminary Determination of No Shipments; 2016–2017*, 83 FR 40229 (August 14, 2018) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

² Fufeng refers to the collapsed entity Neimenggu Fufeng Biotechnologies Co., Ltd. (aka Inner Mongolia Fufeng Biotechnologies Co., Ltd.) and Shandong Fufeng Fermentation Co., Ltd. (collectively, Fufeng).

³ See Fufeng’s Letter, “Fufeng Case Brief in the Fourth Administrative Review of Antidumping Duty Order on Xanthan Gum from the People’s Republic of China (A–570–985),” dated September 20, 2018; see also Tate and Lyle’s Letter, “Xanthan

Continued

No other interested parties filed comments on the *Preliminary Results* of review.

Pursuant to a series of remand orders and the Court of International Trade (CIT)'s final judgment regarding the underlying less-than-fair-value (LTFV) investigation, Commerce amended its final determination and prior amended final determination and *Order* and excluded merchandise produced and exported by Fufeng from the *Order*.⁴ Accordingly, on December 19, 2018, Commerce published the *Final Results* of this review, in which it discontinued the review of Fufeng during the pendency of the appeals process.⁵

On February 10, 2020, the Court of Appeals for the Federal Circuit (CAFC) reversed the CIT's decision that resulted in the exclusion of Fufeng from the *Order*.⁶ Accordingly, Commerce issued a third amended final determination in the LTFV investigation of xanthan gum from China, in which it found Fufeng subject to the *Order* and announced its intention to resume the instant review

of Fufeng.⁷ Commerce is now amending its final results of this administrative review by completing the administrative review with respect to Fufeng.

Scope of the Order

The scope of the *Order* covers dry xanthan gum, whether or not coated or blended with other products. Further, xanthan gum is included in the *Order* regardless of physical form, including, but not limited to, solutions, slurries, dry powders of any particle size, or unground fiber. Merchandise covered by the scope of the *Order* is classified in the Harmonized Tariff Schedule of the United States at subheading 3913.90.20. Although this tariff classification is provided for convenience and customs purposes, the written description of the scope remains dispositive.⁸

Analysis of Comments Received

All issues raised in Fufeng's case brief are addressed in the Issues and Decision Memorandum, which is hereby adopted by this notice. We have included a list

of sections in the Issues and Decision Memorandum in the 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 directly at <http://enforcement.trade.gov/frn/inidex.html>.

Changes Since the Preliminary Results

We corrected certain ministerial errors and made other changes to our preliminary dumping margin calculations.

Amended Final Results of Review

We are assigning the following calculated weighted-average dumping margin to the firm listed below for the period July 1, 2016, through June 30, 2017:

Producer or exporter	Weighted-average dumping margin (percent)
Neimenggu Fufeng Biotechnologies Co., Ltd. (a.k.a. Inner Mongolia Fufeng Biotechnologies Co., Ltd.)/Shandong Fufeng Fermentation Co., Ltd./Xinjiang Fufeng Biotechnologies Co., Ltd	0.00

Disclosure

Commerce intends to disclose to the parties to the proceeding the calculations that it performed for these amended final results of review within five days of the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), we intend to instruct U.S. Customs and Border Protection (CBP) to liquidate POR entries of subject merchandise from Fufeng without regard to antidumping duties. For entries that

were not reported in the U.S. sales database submitted by Fufeng, but that were entered under Fufeng's case number (*i.e.*, at Fufeng's cash deposit rate), Commerce will instruct CBP to liquidate such entries at the China-wide rate (*i.e.*, 154.07 percent).

Consistent with its recent notice,⁹ Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of these amended final results of this review in the **Federal Register**. If a timely summons is filed at the CIT, 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 for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of these amended final results of this review, as provided for by section 751(a)(2)(C) of the Act: (1) For Fufeng, the cash deposit rate will be the weighted-average dumping margin percentage that is listed in the table above; (2) for previously investigated or reviewed China and non-China

Gum from China—Tate and Lyle Case Brief," dated September 20, 2018.

⁴ See *Xanthan Gum from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 78 FR 43143 (July 19, 2013) (*Order*); see also *CP Kelco US, Inc. v. United States*, Ct. No. 13–00288, Slip Op. 15–27 (CIT March 31, 2015); *CP Kelco US, Inc. v. United States*, Ct. No. 13–00288, Slip Op. 16–36 (CIT April 8, 2016); *CP Kelco US, Inc. v. United States*, 211 F. Supp. 3d 1338 (CIT 2017); *CP Kelco US, Inc. v. United States*, Ct. No. 13–00288, Slip Op. 18–36 (CIT April 5, 2018); *CP Kelco US, Inc. v. United States*, Ct. No. 13–00288, Slip Op. 18–120 (CIT September 17, 2018); and *Xanthan Gum From the People's Republic of China: Notice*

of Court Decision Not in Harmony With Amended Final Determination in Less Than Fair Value Investigation; Notice of Amended Final Determination Pursuant to Court Decision; Notice of Revocation of Antidumping Duty Order in Part; and Discontinuation of Fourth and Fifth Antidumping Duty Administrative Reviews in Part, 83 FR 52205 (October 16, 2018).

⁵ See *Xanthan Gum from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; Final Determination of No Shipments, Partial Discontinuation of Antidumping Duty Administrative Review; 2016–2017*, 83 FR 65143 (December 19, 2018) (*Final Results*), and accompanying Issues and Decision Memorandum.

⁶ See *CP Kelco US, Inc. v. United States, Neimenggu Fufeng Biotechnologies Co., Ltd., Shandong Fufeng Fermentation Co., Ltd.*, 949 F.3d 1348 (Fed. Cir. 2020).

⁷ See *Xanthan Gum from the People's Republic of China: Notice of Third Amended Final Determination Pursuant to Court Decision*, 85 FR 40967 (July 8, 2020).

⁸ For the full text of the scope of the *Order*, see the accompanying Issues and Decision Memorandum.

⁹ See *Notice of Discontinuation of Policy to Issue Liquidation Instructions After 15 Days in Applicable Antidumping and Countervailing Duty Administrative Proceedings*, 86 FR 3995 (January 15, 2021).

exporters not listed in the table above that have a separate rate, the cash deposit rate will continue to be the existing exporter-specific rate published for the most recent period; (3) for all China exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the rate previously established for the China-wide entity, which is 154.07 percent; and (4) for all non-China exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the China exporter that supplied that non-China exporter. The cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers Regarding the Reimbursement of Duties

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

Notification Regarding Administrative Protective Orders (APOs)

This notice also serves as a reminder to parties subject to APOs of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written 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.

We are issuing and publishing this notice of amended final results of administrative review in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.221(b)(5).

Dated: May 10, 2021.

Christian Marsh,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix—List of Sections in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Changes Since the Preliminary Results of Review

V. Discussion of the Issues

- Comment 1: Ministerial Errors in the Margin Calculation
- Comment 2: Ministerial Errors in the Liquidation Instructions
- Comment 3: Surrogate Value for Sodium Hypochlorite
- Comment 4: Value Added Tax Deduction

VI. Recommendation

[FR Doc. 2021-10437 Filed 5-17-21; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

Request for Applicants for the Appointment to the United States-India CEO Forum

AGENCY: International Trade Administration, Department of Commerce.

ACTION: Notice.

SUMMARY: This notice announces membership opportunities for appointment, or reappointment, to the U.S. Section of the U.S.-India CEO Forum.

DATES: Applications should be received no later than 45 days after publication of this Notice.

ADDRESSES: Please send requests for consideration to Noor Sclafani at the Office of South Asia, U.S. Department of Commerce, by email at *noor.sclafani@trade.gov*.

FOR FURTHER INFORMATION CONTACT: Noor Sclafani, International Trade Specialist, Office of South Asia, U.S. Department of Commerce, telephone: (202) 823-1840.

SUPPLEMENTARY INFORMATION: Established in 2005, the U.S.-India CEO Forum brings together leaders of the respective business communities of the United States and India to discuss issues of mutual interest, particularly ways to strengthen the economic and commercial ties between the two countries, and to communicate their joint recommendations to the U.S. and Indian governments.

The Forum will have U.S. and Indian public and private sector co-chairs. The Secretary of Commerce will serve as the U.S. Government chair. Other senior U.S. Government officials may also participate in the Forum.

The Forum also includes U.S. and Indian private sector members, who will be divided into two sections. The U.S. Section will consist of up to 20 members representing the views and interests of the private sector business community in the United States. Each government will appoint the members

to its respective Section. The Secretary of Commerce will appoint the U.S. Section and the U.S. Section's private sector co-chair. The Forum will allow the private sector to develop and provide recommendations to the two governments that reflect private sector views, needs, concerns, and suggestions about the creation of an environment in which their respective private sectors can partner, thrive, and enhance bilateral commercial ties to expand trade and economic links between the United States and India. The Forum will work in tandem with, and provide input to, the government-to-government U.S.-India Commercial Dialogue.

Candidates are currently being sought for membership in the U.S. Section. Each candidate must be the Chief Executive Officer or President (or have a comparable level of responsibility) of a U.S.-owned or controlled company that is incorporated in and has its main headquarters located in the United States and is currently conducting business in both countries. Candidates must be U.S. citizens or otherwise legally authorized to work in the United States and be generally able to travel to India and locations in the United States to attend Forum meetings as well as U.S. Section meetings. Travel and in-person activities are contingent upon the safety and health conditions in the United States and India. Should safety or health conditions not be appropriate for travel and/or in-person activities, the meeting may be postponed or a virtual meeting may be scheduled instead. The candidate may not be a registered foreign agent under the Foreign Agents Registration Act of 1938, as amended.

Applications for membership in the U.S. Section by eligible individuals will be evaluated based on the following criteria:

- A demonstrated commitment by the individual's company to the Indian market either through exports or investment.
- A demonstrated strong interest in India and its economic development.
- The ability to offer a broad perspective and business experience to the discussions.
- The ability to address cross-cutting issues that affect the entire business community.
- The ability to initiate and be responsible for activities in which the Forum will be active.
- If applicable, prior work by the applicant on the U.S. Section of the Forum.

The evaluation of applications for membership in the U.S. Section will be undertaken by a committee of staff from multiple U.S. Government agencies. The