

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-570-026, C-570-027]

**Certain Corrosion-Resistant Steel Products From the People's Republic of China: Negative Final Determination of Circumvention Involving South Africa**

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

**SUMMARY:** The Department of Commerce (Commerce) determines that imports of certain corrosion-resistant steel products (CORE), completed in South Africa using carbon hot-rolled steel (HRS) and/or cold-rolled steel (CRS) flat products (substrate) sourced from the People's Republic of China (China) (merchandise subject to these inquiries), are not circumventing the antidumping duty (AD) and countervailing duty (CVD) orders on CORE from China at this time.

**DATES:** Applicable June 7, 2021.

**FOR FURTHER INFORMATION CONTACT:** Laura Griffith, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-6430.

**SUPPLEMENTARY INFORMATION:****Background**

On February 18, 2020, Commerce published in the *Federal Register* its preliminary determination<sup>1</sup> that imports of CORE completed in South Africa are not circumventing the *China CORE Orders* at this time.<sup>2</sup> A summary of events that occurred since Commerce published the *Preliminary Determination*, as well as a full discussion of the issues raised by parties for this final determination, may be found in the Issues and Decision Memorandum.<sup>3</sup> The Issues and Decision

<sup>1</sup> See *Certain Corrosion-Resistant Steel Products from the People's Republic of China: Negative Preliminary Determination of Circumvention Involving South Africa*, 85 FR 8844 (February 18, 2020) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum.

<sup>2</sup> See *Certain Corrosion-Resistant Steel Products from India, Italy, the People's Republic of China, the Republic of Korea and Taiwan: Amended Final Affirmative Antidumping Determination for India and Taiwan, and Antidumping Duty Orders*, 81 FR 48390 (July 25, 2016); see also *Certain Corrosion-Resistant Steel Products from India, Italy, Republic of Korea and the People's Republic of China: Countervailing Duty Order*, 81 FR 48387 (July 25, 2016) (collectively, *China CORE Orders*).

<sup>3</sup> See Memorandum, "Issues and Decision Memorandum for the Anti-Circumvention Inquiries Involving the Republic of South Africa of the Antidumping and Countervailing Duty Orders on

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 <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>.

**Scope of the Orders**

The products covered by these orders are certain flat-rolled steel products, either clad, plated, or coated with corrosion-resistant metals such as zinc, aluminum, or zinc-, aluminum-, nickel- or iron-based alloys, whether or not corrugated or painted, varnished, laminated, or coated with plastics or other non-metallic substances in addition to the metallic coating. For a complete description of the scope of the orders, see the Issues and Decision Memorandum.

**Scope of the Anti-Circumvention Inquiries**

These anti-circumvention inquiries cover CORE completed in South Africa from HRS and/or CRS substrate input manufactured in China and subsequently exported to the United States (merchandise subject to these inquiries).

**Methodology**

Commerce is conducting these anti-circumvention inquiries in accordance with section 781(b) of the Tariff Act of 1930, as amended (the Act). See Preliminary Decision Memorandum for a full description of the methodology.<sup>4</sup> We have continued to apply this methodology, and incorporate by reference this description of the methodology, for our final determination.<sup>5</sup>

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs by parties in these inquiries are addressed in the Issues and Decision Memorandum. A list of the issues raised is attached to this notice at the Appendix.

Based on our analysis of the comments received from interested parties, we made no revisions to the *Preliminary Determination*.

Certain Corrosion-Resistant Steel Products from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>4</sup> See Preliminary Decision Memorandum.

<sup>5</sup> See Issues and Decision Memorandum.

**Final Negative Determination of Circumvention**

We determine that imports of CORE completed in South Africa are not circumventing the *China CORE Orders* at this time.

**Notification Regarding Administrative Protective Order**

This notice will serve as the only reminder to all parties subject to administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

**Notification to Interested Parties**

This determination is issued and published in accordance with section 781(b) of the Act and 19 CFR 351.225(f).

Dated: June 1, 2021.

**Christian Marsh,**

*Acting 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 Orders
- IV. Scope of the Anti-Circumvention Inquiries
- V. Verification
- VI. Changes Since the Preliminary Determination
- VII. Statutory Framework
- VIII. Statutory Analysis
- IX. Discussion of the Issues
  - Comment: Whether Commerce Should Conduct an On-Site Verification of Duferco Steel Processing PTY Ltd.'s Questionnaire Responses
- X. Recommendation

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**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-475-059]

**Pressure Sensitive Plastic Tape From Italy: Final Results of Sunset Review and Revocation of Antidumping Duty Finding**

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

**SUMMARY:** On March 1, 2021, the Department of Commerce (Commerce)

initiated the fifth sunset review of the antidumping duty finding on pressure sensitive plastic tape (PS tape) from Italy. Because no domestic interested party filed a timely notice of intent to participate in this sunset review, Commerce is revoking this antidumping duty finding.

**DATES:** Applicable April 14, 2021.

**FOR FURTHER INFORMATION CONTACT:**

Jacob Garten, 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) 482-3342.

**SUPPLEMENTARY INFORMATION:**

**Background**

On October 21, 1977, the Department of Treasury issued an antidumping duty finding on PS tape from Italy.<sup>1</sup> Commerce conducted four previous sunset reviews of the *Finding*. Commerce published the final results of those sunset reviews on January 6, 1999;<sup>2</sup> May 11, 2004;<sup>3</sup> August 13, 2009;<sup>4</sup> and July 8, 2015.<sup>5</sup> On April 14, 2016, Commerce published a notice of continuation of the *Finding* following the fourth sunset review.<sup>6</sup> On March 1, 2021, Commerce initiated the fifth sunset review of this *Finding*.<sup>7</sup>

No domestic interested party submitted a notice of intent to participate in this sunset review by the

<sup>1</sup> See *Antidumping: Pressure Sensitive Plastic Tape Measuring Over One and Three-Eighths Inches in Width and Not Exceeding Four Millimeters in Thickness from Italy*, 42 FR 56110 (October 21, 1977) (*Finding*). Prior to the Trade Agreements Act of 1979 (1979 Act), Public Law 96-39, the Treasury Department issued antidumping “findings.” Section 106(a) of the 1979 Act expressly preserved the existing antidumping “findings” in the new law and provided that, after January 1, 1980, the Tariff Act of 1930 would be amended to require Commerce to issue antidumping “orders” instead of “findings.”

<sup>2</sup> See *Final Results of Expedited Sunset Review: Pressure Sensitive Plastic Tape from Italy*, 64 FR 853 (January 6, 1999).

<sup>3</sup> See *Pressure Sensitive Plastic Tape from Italy: Final Results of the Second Sunset Review of Antidumping Duty Finding*, 69 FR 26068 (May 11, 2004).

<sup>4</sup> See *Pressure Sensitive Plastic Tape from Italy: Final Results of Expedited Sunset Review*, 74 FR 40811 (August 13, 2009).

<sup>5</sup> See *Pressure Sensitive Plastic Tape from Italy: Final Results of Expedited Fourth Sunset Review of the Antidumping Duty Finding*, 80 FR 39054 (July 8, 2015).

<sup>6</sup> See *Pressure Sensitive Plastic Tape from Italy: Continuation of the Antidumping Duty Finding*, 81 FR 22048 (April 14, 2016) (2016 Continuation Notice).

<sup>7</sup> See *Initiation of Five-Year (Sunset) Reviews*, 86 FR 11928 (March 1, 2021).

applicable time limit of March 16, 2021, as required by 19 CFR 351.102(d)(1).<sup>8</sup> Pursuant to 19 CFR 351.218(e)(1)(i)(C)(2), on March 23, 2021, Commerce notified the International Trade Commission that it intended to issue a final determination revoking this antidumping duty finding.<sup>9</sup>

**Scope of the Finding**

The products covered by the *Finding* are shipments of PS tape measuring over one and three-eighths inches in width and not exceeding four mils in thickness. The above described PS tape is classified under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 3919.90.10.20 and 3919.90.50. The HTSUS subheadings are provided for convenience and for customs purposes. The written description remains dispositive.

**Determination to Revoke**

Pursuant to 19 CFR 351.218(d)(1)(iii)(B), if no domestic interested party files a notice of intent to participate under paragraph (d)(1) of that section, 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.<sup>10</sup> In turn, 19 CFR 351.218(d)(1)(i) establishes a time limit for domestic interested parties to file a notice of intent to participate in response to a notice of initiation, which is 15 days after the date of publication in the **Federal Register** of the notice of

<sup>8</sup> On March 17, 2021, domestic interested parties attempted to file an untimely notice of intent to participate. See Domestic Interested Parties’ Letter, “Pressure Sensitive Plastic Tape from Italy: Notice of Intent to Participate in Sunset Review,” dated March 17, 2021. On the same day, the domestic interested parties filed an untimely request for an extension of time to file their notice of intent to participate in this sunset review. See Domestic Interested Parties’ Letter, “Pressure Sensitive Plastic Tape from Italy: Request for Extension of Time to File Notice of Intent to Participate in Sunset Review,” dated March 17, 2021. Commerce found that the domestic interested parties failed to identify extraordinary circumstances warranting consideration of the untimely extension request and, thus, denied the untimely extension request and rejected the late submission of the notice of intent to participate. See Commerce’s Letter’s, “Five-Year (“Sunset”) Review of Pressure Sensitive Plastic Tape from Italy: Rejection of Request for Extension of Time to File Notice of Intent to Participate in Sunset Review,” dated March 25, 2021.

<sup>9</sup> See Commerce’s Letter, “Sunset Reviews [sic] Initiated on March 1, 2021,” dated March 23, 2021.

<sup>10</sup> See also section 751(c)(3)(A) of the Act and 19 CFR 351.222(i)(1)(i).

initiation. In this case, the notice of initiation was published in the **Federal Register** on March 1, 2021; therefore, the deadline to file an intent to participate was March 16, 2021. As noted above, Commerce did not receive a notice of intent to participate from any domestic interested party by March 16, 2021.

Because no domestic interested party timely filed a notice of intent to participate 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 Tariff Act of 1930, as amended (the Act).<sup>11</sup> Therefore, consistent with the section 751(c)(3)(A) of the Act, 19 CFR 351.218(d)(1)(ii)(B)(3), and 19 CFR 351.222(i)(1)(i), we are revoking the antidumping duty finding on PS tape from Italy.

**Effective Date of Revocation**

Pursuant to 19 CFR 351.222(i)(2)(i), the effective date of revocation is April 14, 2021, which is the fifth anniversary of the date of publication in the **Federal Register** of the most recent notice of continuation of this antidumping duty finding.<sup>12</sup> Therefore, pursuant to section 751(d)(3) of the Act, Commerce will instruct U.S. Customs and Border Protection to terminate the suspension of liquidation of the merchandise subject to this finding entered, or withdrawn from warehouse, on or after April 14, 2021. 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 finding 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(d)(1)(iii) and 19 CFR 351.222(i)(1)(i).

Dated: June 1, 2021.

**Christian Marsh,**

*Acting Assistant Secretary for Enforcement and Compliance.*

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<sup>11</sup> See 19 CFR 351.218(d)(1)(iii)(B)(1).

<sup>12</sup> See 2016 Continuation Notice.