

751(c) and 752(a) of the Act, that revocation of the *Order* would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.⁵

Scope of the Order

The merchandise covered by the *Order* is barium chloride, a chemical compound having the formulas BaCl₂ or BaCl₂·2H₂O, currently classifiable under subheading 2827.39.4500 of the Harmonized Tariff Schedule of the United States (HTSUS).⁶ Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of this *Order* is dispositive.

Continuation of the Order

As a result of the determinations by Commerce and the ITC that revocation of the *Order* would likely lead to a continuation or a recurrence of dumping, as well as material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act and 19 CFR 351.218(a), Commerce hereby orders the continuation of the *Order*.

U.S. Customs and Border Protection will continue to collect AD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of the continuation of the *Order* will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act and 19 CFR 351.218(c)(2), Commerce intends to initiate the next five-year sunset review of the *Order* not later than 30 days prior to the fifth anniversary of the effective date of continuation.

Notification to Interested Parties

This five-year sunset review and this notice are in accordance with sections 751(c) and 751(d)(2) of the Act and published in accordance with section 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: June 7, 2021.

Christian Marsh,

Acting Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2021-12314 Filed 6-10-21; 8:45 am]

BILLING CODE 3510-DS-P

⁵ See *Barium Chloride from China*, 86 FR 30332 (June 7, 2021).

⁶ The scope reflects the HTSUS subheading currently in effect.

DEPARTMENT OF COMMERCE

International Trade Administration

[A 533-810]

Stainless Steel Bar From India: Notice of Court Decision Not in Harmony With the Results of the Antidumping Duty Administrative Review; Notice of Amended Final Results

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

SUMMARY: On June 2, 2021, the U.S. Court of International Trade (the CIT) issued its final judgment in *Carpenter Technology Corporation, et al. v. United States*, Court No. 19-00200, sustaining the Department of Commerce (Commerce)'s remand results pertaining to the administrative review of the antidumping duty (AD) order on stainless steel bar (SSB) from India covering the period February 1, 2017 through January 31, 2018. Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's final results of the administrative review, and that Commerce is amending the final results with respect to the dumping margins assigned to Venus Wire Industries Pvt. Ltd. and its affiliates Precision Metals, Sieves Manufacturers (India) Pvt. Ltd., and Hindustan Inox Ltd. (collectively, the Venus Group), Jindal Stainless (Hisar) Limited (Jindal), and Laxcon Steels Limited (Laxcon).

DATES: Applicable June 12, 2021.

FOR FURTHER INFORMATION CONTACT:

Hermes Pinilla, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-3477.

SUPPLEMENTARY INFORMATION:

Background

On October 21, 2019, Commerce published its *Final Results* in the 2017-2018 AD administrative review of SSB from India.¹ In the *Final Results*, we determined that the Venus Group is not the manufacturer of the SSB that it purchased from unaffiliated suppliers and processed in India prior to exportation to the United States.² Because most of the unaffiliated suppliers did not provide their costs, we applied partial adverse facts available

¹ See *Stainless Steel Bar from India: Final Results of Administrative Review of the Antidumping Duty Order; 2017-2018*, 84 FR 56179 (October 21, 2019) (*Final Results*), and accompanying Issues and Decision Memorandum (IDM).

² See *Final Results* IDM at Comment 1.

(AFA) with respect to the Venus Group.³

The petitioners⁴ appealed Commerce's *Final Results*.⁵ On August 4, 2020, Commerce requested a voluntary remand to reconsider or further explain the application of its partial AFA methodology to address missing cost of production data from the Venus Group's unaffiliated suppliers, the change in the partial AFA methodology between the *Preliminary Results*⁶ and the *Final Results*, and, if appropriate, to reconsider the appropriate AD rates assigned to Jindal and Laxcon.⁷

On November 4, 2020, the CIT granted Commerce's motion for a voluntary remand finding that there was a compelling justification for the remand request, that the need to accurately calculate margins was not outweighed by the interest in finality, and that the scope of the requested remand was appropriate.⁸ Specifically, the CIT remanded the *Final Results* to Commerce to further explain or reconsider its partial AFA methodology in the *Final Results*.⁹

In its Remand Redetermination, issued in January 2021,¹⁰ Commerce further explained its revised partial AFA methodology, and made certain corrections in the Venus Group's margin program. Specifically, Commerce included all of the Venus Group's U.S. sales in its margin calculation; matched sales and costs by manufacturer; and made AFA adjustments not only to cost of production, but also other components of cost, including variable cost of manufacture and fixed and variable overhead.¹¹ Accordingly, Commerce made changes to the margin

³ *Id.*

⁴ The petitioners are: Carpenter Technology Corporation; Crucible Industries LLC; Electralloy, a Division of G.O. Carlson, Inc.; North American Stainless; Universal Stainless Alloy Product, Inc.; and Valbruna Slater Stainless, Inc.

⁵ See Plaintiff's Rule 56.2 Motion for Judgment upon the Agency Record, in *Carpenter Technology Corporation, et al. v. United States*, Court No. 19-00200 (filed May 5, 2020).

⁶ See *Stainless Steel Bar from India: Preliminary Results of the Antidumping Duty Administrative Review; 2017-2018*, 84 FR 15582 (April 16, 2019) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

⁷ See Government's Response to Plaintiffs' Motion for Judgment upon the Agency Record, in *Carpenter Technology Corporation, et al. v. United States*, Court No. 19-00200 (filed August 4, 2020).

⁸ See *Carpenter Technology Corporation, et al. v. United States*, 477 F. Supp. 3d 1356 (CIT 2020).

⁹ *Id.*

¹⁰ See Results of Redetermination Pursuant to Court Remand, *Carpenter Technology Corporation, et al. v. United States*, Court No. 19-00200, Slip Op. 20-158, dated January 27, 2021 (Remand Redetermination).

¹¹ *Id.* at 6 through 11.

calculations for the Venus Group.¹² Commerce also made changes to the rates assigned to Jindal and Laxcon.¹³ The CIT sustained Commerce's Remand Redetermination and also denied a motion to intervene that was filed by Laxcon.¹⁴

Timken Notice

In its decision in *Timken*,¹⁵ as clarified by *Diamond Sawblades*,¹⁶ the Court of Appeals for the Federal Circuit held that, pursuant to section 516A(c) of the Tariff Act of 1930, as amended (the Act), Commerce must publish a notice of court decision that is not "in harmony" with a Commerce determination and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's June 2, 2021, judgment constitutes a final decision of the CIT that is not in harmony with Commerce's *Final Results*. Thus, this notice is published in fulfillment of the publication requirements of *Timken*.

Amended Final Results

Because there is now a final court judgment, Commerce is amending the *Final Results* with respect to Venus Group, Jindal, and Laxcon as follows:¹⁷

Producer/exporter	Weighted-average dumping margin (percent)
Venus Wire Industries Pvt. Ltd. and its affiliates Precision Metals, Sieves Manufacturers (India) Pvt. Ltd., and Hindustan Inox Ltd	24.60
Jindal Stainless (Hisar) Limited ..	92.10
Laxcon Steels Limited	24.60

Cash Deposit Rates

Because the Venus Group has a superseding cash deposit rate, *i.e.*, there have been final results published in a subsequent administrative review, we will not issue revised cash deposit

¹² *Id.*

¹³ Jindal's total AFA rate was based on one of the Venus Group's highest transaction-specific margins. Because Commerce made changes to the computer programs for the Venus Group, this resulted in a change to the highest transaction-specific rate calculated for the Venus Group, which was assigned as the revised total AFA rate for Jindal. Laxcon, as a non-selected respondent, received the Venus Group's revised rate on remand. See Remand Redetermination at 11–13.

¹⁴ See *Carpenter Technology Corporation, et al. v. United States*, Court No. 19–00200, Slip Op. 21–68 (June 2, 2021).

¹⁵ See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

¹⁶ See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

¹⁷ See Final Remand Redetermination at 11–12.

instructions to U.S. Customs and Border Protection (CBP). This notice will not affect the current cash deposit rate for Venus Group. For Jindal and Laxcon, which do not have a superseding cash deposit rate, Commerce will issue revised cash deposit instructions to CBP.

Liquidation of Suspended Entries

At this time, Commerce remains enjoined by the CIT order from liquidating entries that: Were produced and/or exported by the Venus Group, Jindal, or Laxcon, and were entered, or withdrawn from warehouse, for consumption during the period February 1, 2017, through January 31, 2018. These entries will remain enjoined pursuant to the terms of the injunction during the pendency of any appeals process.

In the event the CIT's ruling is not appealed, or, if appealed, upheld by a final and conclusive court decision, Commerce intends to instruct CBP to assess antidumping duties on unliquidated entries of subject merchandise produced and/or exported by the Venus Group, Jindal, or Laxcon in accordance with 19 CFR 351.212(b). We will instruct CBP to apply the *ad valorem* assessment rates listed above to all entries of subject merchandise during the period of review which were produced and/or exported by Jindal and Laxcon. For the Venus Group, we will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific *ad valorem* assessment rate is not zero or *de minimis*. Where an import-specific *ad valorem* assessment rate is zero or *de minimis*,¹⁸ we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. For entries of subject merchandise during the period of review produced by the Venus Group for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(c) and (e), and 777(i)(1) of the Act.

Dated: June 7, 2021.

Christian Marsh,

Acting Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2021–12313 Filed 6–10–21; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

Initiation of Antidumping and Countervailing Duty Administrative Reviews

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

SUMMARY: The Department of Commerce (Commerce) has received requests to conduct administrative reviews of various antidumping duty (AD) and countervailing duty (CVD) orders and findings with April anniversary dates. In accordance with Commerce's regulations, we are initiating those administrative reviews.

DATES: Applicable June 11, 2021.

FOR FURTHER INFORMATION CONTACT:

Brenda E. Brown, 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.

SUPPLEMENTARY INFORMATION:

Background

Commerce has received timely requests, in accordance with 19 CFR 351.213(b), for administrative reviews of various AD and CVD orders and findings with April anniversary dates.

All deadlines for the submission of various types of information, certifications, or comments or actions by Commerce discussed below refer to the number of calendar days from the applicable starting time.

Notice of No Sales

If a producer or exporter named in this notice of initiation had no exports, sales, or entries during the period of review (POR), it must notify Commerce within 30 days of publication of this notice in the **Federal Register**. All submissions must be filed electronically at <https://access.trade.gov>, in accordance with 19 CFR 351.303.¹ Such submissions are subject to verification, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act).

¹ See *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011).

¹⁸ See 19 CFR 351.106(c)(2).