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[FR Doc. 2021–16840 Filed 8–5–21; 8:45 am]

BILLING CODE 3510–05–S

DEPARTMENT OF COMMERCE

International Trade Administration

[A–583–856]


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

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that producers/exporters subject to this review made sales of subject merchandise at less than normal value during the period of review (POR) July 1, 2019, through June 30, 2020. We further preliminarily determine that Synn Industrial Co., Ltd. (Synn) had no shipments during the POR. We are also resinding this review for three companies. We invite interested parties to comment on these preliminary results.

DATES: Applicable August 6, 2021.

FOR FURTHER INFORMATION CONTACT: Charles Doss or Kate Sliney, 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) 482–4474 and (202) 482–2437, respectively.

SUPPLEMENTARY INFORMATION:

Background

Commerce is conducting an administrative review of the antidumping duty (AD) order on certain corrosion-resistant steel products (CORE) from Taiwan,1 covering the following two respondents: (1) Prosperity Tiah Enterprise Co., Ltd. (Prosperity); and (2) the previously collapsed Yieh Phui Enterprise Co., Ltd. (YP) and Synn entity (collectively, YP/Synn).2 On March 25, 2021, we extended the preliminary results of this review to no later than July 30, 2021.3 For a complete description of the events that followed the initiation of this review, see the Preliminary Decision Memorandum.4 A list of topics included in the Preliminary Decision Memorandum is included as an appendix to this notice. The Preliminary 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 https://access.trade.gov. In addition, the complete Preliminary Decision Memorandum can be accessed directly at https://enforcement.trade.gov/frn/index.html.

Scope of the Order:5

The products covered by the Order are 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. The subject merchandise is currently classifiable under the Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 7210.30.0030, 7210.30.0060, 7210.41.0000, 7210.49.0030, 7210.49.0040, 7210.49.0045, 7210.49.0091, 7210.49.0095, 7210.61.0000, 7210.69.0000, 7210.70.6030, 7210.70.6060, 7210.70.6090, 7210.90.6000, 7210.90.9000, 7212.20.0000, 7212.30.1030, 7212.30.1090, 7212.30.3000, 7212.30.5000, 7212.40.1000, 7212.40.5000, 7212.50.0000, and 7212.60.0000. The products subject to the orders may also enter under the following HTSUS item numbers: 7210.90.1000, 7215.90.1000, 7215.90.3000, 7215.90.5000, 7217.20.1500, 7217.30.1530, 7217.30.1560, 7217.90.1000, 7217.90.3030, 7217.90.5060, 7217.90.5090, 7225.90.0000, 7225.90.0090, 7225.90.0100, 7225.90.9000, 7226.99.0110, 7226.99.0130, 7226.99.0180, 7228.60.6000, 7228.60.8000, and 7229.90.1000. The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the Order is dispositive.

Partial Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if a party who requested the review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review. On November 30, 2020, Great Grandeul Steel Co., Ltd., Great Fortune Steel Co., Ltd., and Great Grandeul Steel Company Limited (a.k.a. Great Grandeul Steel Company Limited Somoa and Great Grandeul Steel Company Limited (Somoa) timely withdrew their self-request for an administrative review. No other party requested a review of these companies. Accordingly, we are rescinding this review, in part, with respect to these companies, pursuant to 19 CFR 351.213(d)(1).

Preliminary Determination of No Shipments

On September 30, 2020, Synn submitted a letter certifying that it had no exports or sales of subject merchandise into the United States.
during the POR. Currently, the record contains no information which contradicts Synn’s claim, and we will revisit this issue following these preliminary results if we receive additional information from U.S. Customs and Border Protection (CBP). Therefore, pursuant to our preliminary determination to treat YP and Synn as distinct respondents for the purposes of this administrative review, as discussed immediately below, we preliminarily determine that Synn did not have any reviewable transactions during the POR. Consistent with Commerce’s practice, we will not resind the review with respect to Synn, but rather will complete the review and issue instructions to CBP based on the final results.7

Affiliation and Collapsing

As noted above, YP and Synn were collapsed and treated as a single entity for the purposes of the LTFV investigation and prior administrative reviews of this antidumping order. As a result, we selected the YP/Synn entity as a single combined respondent and treated it as such in the pre-preliminary phase of this review. Subsequently, in the immediately preceding administrative review of this case, we determined that YP and Synn should no longer be collapsed.8 As the instant record mirrors that of the preceding review with respect to this issue, and we have received no comments contesting the determination not to collapse the YP/Synn entity, we preliminarily determine that YP and Synn should not be collapsed in this review.9

Methodology

Commerce is conducting this review in accordance with section 751(a)(1) and (2) of Tariff Act of 1930, as amended (the Act). Export price and constructed export price were calculated in accordance with section 772 of the Act. Normal value is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum.

Preliminary Results of the Review

Commerce preliminarily determines the following weighted-average dumping margins exist for the period July 1, 2019, through June 30, 2020:

<table>
<thead>
<tr>
<th>Exporter/producer</th>
<th>Estimated weighted-average dumping margin (percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prosperity Tihoe Enterprise Co., Ltd.</td>
<td>3.63</td>
</tr>
<tr>
<td>Sheng Yu Steel Co., Ltd.</td>
<td>3.08</td>
</tr>
<tr>
<td>Yieh Phui Enterprise Co., Ltd.</td>
<td>1.97</td>
</tr>
</tbody>
</table>

Assessment Rates

Upon issuance of the final results, Commerce shall determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review. For any individually examined respondents whose weighted-average dumping margin is above de minimis (i.e., 0.50 percent), we will calculate importer-specific ad valorem AD assessment rates based on the ratio of the total amount of dumping calculated for the importer’s examined sales to the total entered value of those same sales in accordance with 19 CFR 351.22(b)(1).10 We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific assessment rate calculated in the final results of this review is above de minimis (i.e., 0.50 percent). Where either the respondent’s weighted-average dumping margin is zero or de minimis, or an importer-specific assessment rate is zero or de minimis, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review where applicable.

For the company which was not selected for individual review (i.e., Sheng Yu Steel Co., Ltd.), we will assign an assessment rate based on the weighted-average of the cash deposit rates calculated for the companies selected for mandatory review (i.e., Prosperity and YP), excluding any which are de minimis or determined entirely on adverse facts available. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.11

In accordance with Commerce’s “automatic assessment” practice, for entries of subject merchandise during the POR produced by each respondent for which they did not know that their merchandise was destined for the United States, we will instruct CBP to liquidate entries not reviewed at the all-respondent rate of 3.66 percent established in the LTFV investigation12 if there is no rate for the intermediate company(ies) involved in the transaction.13 We intend to issue assessment instructions to CBP no earlier than 35 days after 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 deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of CORE from Taiwan entered, or withdrawn from warehouse, for consumption on or after the date of publication provided by section 751(a)(2) of the Act: (1) The cash deposit rate, for each company listed above will be equal to the dumping margins established in the final results of this review except if the ultimate rates are de minimis within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rates will be zero; (2)
for merchandise exported by producers or exporters not covered in this proceeding are requested to submit with the argument: (1) A statement of the issue, (2) a summary of the argument, and (3) a table of authorities. All briefs must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety by Commerce’s electronic records system, ACCESS. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.

Interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, using Enforcement and Compliance’s ACCESS system within 30 days of publication of this notice. Requests should contain the party’s name, address, telephone number, the number of participants, and a list of the issues to be discussed. If a request for a hearing is made, we will inform parties of the scheduled date for the hearing at a time and location to be determined. Parties should confirm by telephone the date, time, and location of the hearing.

Unless the deadline is extended pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2), Commerce will issue the final results of this administrative review, including the results of our analysis of the issues raised by the parties in their case briefs, not later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(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

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

DEPARTMENT OF COMMERCE
International Trade Administration

A–570–051, C–570–052
Certain Hardwood Plywood Products From the People’s Republic of China: Notice of Court Decision Not in Harmony With Final Circumvention Determination and Notice of Amended Final Circumvention Determination Pursuant to Court Decision

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

SUMMARY: On July 21, 2021, the U.S. Court of International Trade (CIT) issued its final judgment in Shelter Forest International Acquisition Inc., et al. v. United States, Consol. Court no. 19–00212, sustaining the Department of Commerce (Commerce)’s first remand redetermination pertaining to the anti-circumvention determination for the antidumping and countervailing duty orders on certain hardwood plywood products (plywood) from the People’s Republic of China. In the underlying inquiry, Commerce originally found that plywood with face and back veneers of radiata and/or agathis pine that: (1) Has a Toxic Substances Control Act (TSCA) or California Air Resources Board (CARB) label certifying that it is compliant with TSCA/CARB requirements; and (2) is made with a resin, the majority of which is comprised of one or more of the following three product types—urea formaldehyde, polyvinyl acetate, and/or soy (inquiry merchandise) was circumventing the orders, and was, therefore, included in the scope of the orders. Commerce is notifying the