

“Schedule 1” facilities. Specifically, the CWCR:

(1) Prohibit the import of “Schedule 1” chemicals from States not Party to the Convention (15 CFR 712.2(b));

(2) Require annual declarations by certain facilities engaged in the production of “Schedule 1” chemicals in excess of 100 grams aggregate per calendar year (*i.e.*, declared “Schedule 1” facilities) for purposes not prohibited by the Convention (15 CFR 712.5(a)(1) and (a)(2));

(3) Provide for government approval of “declared Schedule 1” facilities (15 CFR 712.5(f));

(4) Require 200 days advance notification of the establishment of new “Schedule 1” production facilities producing greater than 100 grams aggregate of “Schedule 1” chemicals per calendar year (15 CFR 712.4);

(5) Provide that “declared Schedule 1” facilities are subject to initial and routine inspection by the OPCW (15 CFR 712.5(e) and 716.1(b)(1));

(6) Require advance notification and annual reporting of all imports and exports of “Schedule 1” chemicals to, or from, other States Parties to the Convention (15 CFR 712.6, 742.18(a)(1) and 745.1); and

(7) Prohibit the export of “Schedule 1” chemicals to States not Party to the Convention (15 CFR 742.18(a)(1) and (b)(1)(ii)).

For purposes of the CWCR (*see* the definition of “production” in 15 CFR 710.1), the phrase “production of a Schedule 1 chemical” means the formation of “Schedule 1” chemicals through chemical synthesis, as well as processing to extract and isolate “Schedule 1” chemicals. The phrase also encompasses the formation of a chemical through chemical reaction, including by a biochemical or biologically mediated reaction. “Production of a Schedule 1 chemical” is understood, for CWCR declaration purposes, to include intermediates, by-products, or waste products that are produced and consumed within a defined chemical manufacturing sequence, where such intermediates, by-products, or waste products are chemically stable and therefore exist for a sufficient time to make isolation from the manufacturing stream possible, but where, under normal or design operating conditions, isolation does not occur.

#### Request for Comments

In order to assist in determining whether the legitimate commercial activities and interests of chemical, biotechnology, and pharmaceutical firms in the United States are

significantly harmed by the limitations of the Convention on access to, and production of, “Schedule 1” chemicals as described in this notice, BIS is seeking public comments on any effects that implementation of the CWC, through the Chemical Weapons Convention Implementation Act of 1998 and the CWCR, has had on commercial activities involving “Schedule 1” chemicals during calendar year 2021. To allow BIS to properly evaluate the significance of any harm to commercial activities involving “Schedule 1” chemicals, public comments submitted in response to this notice of inquiry should include both a quantitative and qualitative assessment of the impact of the CWC on such activities.

#### Submission of Comments

All comments must be submitted to one of the addresses indicated in this notice and in accordance with the instructions provided herein. BIS will consider all comments received on or before January 3, 2022.

**Matthew S. Borman,**

*Deputy Assistant Secretary for Export Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review

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

#### FOR FURTHER INFORMATION CONTACT:

Brenda E. Brown, Office of 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.

#### Background

Each year during the anniversary month of the publication of an antidumping or countervailing duty order, finding, or suspended investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended (the Act), may request, in accordance with 19 CFR 351.213, that the Department of Commerce (Commerce) conduct an administrative review of that antidumping or countervailing duty

order, finding, or suspended investigation.

All deadlines for the submission of comments or actions by Commerce discussed below refer to the number of calendar days from the applicable starting date.

#### Respondent Selection

In the event Commerce limits the number of respondents for individual examination for administrative reviews initiated pursuant to requests made for the orders identified below, Commerce intends to select respondents based on U.S. Customs and Border Protection (CBP) data for U.S. imports during the period of review. We intend to release the CBP data under Administrative Protective Order (APO) to all parties having an APO within five days of publication of the initiation notice and to make our decision regarding respondent selection within 35 days of publication of the initiation **Federal Register** notice. Therefore, we encourage all parties interested in commenting on respondent selection to submit their APO applications on the date of publication of the initiation notice, or as soon thereafter as possible. Commerce invites comments regarding the CBP data and respondent selection within five days of placement of the CBP data on the record of the review.

In the event Commerce decides it is necessary to limit individual examination of respondents and conduct respondent selection under section 777A(c)(2) of the Act:

In general, Commerce finds that determinations concerning whether particular companies should be “collapsed” (*i.e.*, treated as a single entity for purposes of calculating antidumping duty rates) require a substantial amount of detailed information and analysis, which often require follow-up questions and analysis. Accordingly, Commerce will not conduct collapsing analyses at the respondent selection phase of a review and will not collapse companies at the respondent selection phase unless there has been a determination to collapse certain companies in a previous segment of this antidumping proceeding (*i.e.*, investigation, administrative review, new shipper review or changed circumstances review). For any company subject to a review, if Commerce determined, or continued to treat, that company as collapsed with others, Commerce will assume that such companies continue to operate in the same manner and will collapse them for respondent selection purposes. Otherwise, Commerce will not collapse companies for purposes of respondent

selection. Parties are requested to: (a) Identify which companies subject to review previously were collapsed; and (b) provide a citation to the proceeding in which they were collapsed. Further, if companies are requested to complete a Quantity and Value Questionnaire for purposes of respondent selection, in general each company must report volume and value data separately for itself. Parties should not include data for any other party, even if they believe they should be treated as a single entity with that other party. If a company was collapsed with another company or companies in the most recently completed segment of a proceeding where Commerce considered collapsing that entity, complete quantity and value data for that collapsed entity must be submitted.

**Deadline for Withdrawal of Request for Administrative Review**

Pursuant to 19 CFR 351.213(d)(1), a party that requests a review may withdraw that request within 90 days of the date of publication of the notice of

initiation of the requested review. The regulation provides that Commerce may extend this time if it is reasonable to do so. Determinations by Commerce to extend the 90-day deadline will be made on a case-by-case basis.

**Deadline for Particular Market Situation Allegation**

Section 504 of the Trade Preferences Extension Act of 2015 amended the Act by adding the concept of particular market situation (PMS) for purposes of constructed value under section 773(e) of the Act.<sup>1</sup> Section 773(e) of the Act states that “if a particular market situation exists such that the cost of materials and fabrication or other processing of any kind does not accurately reflect the cost of production in the ordinary course of trade, the administering authority may use another calculation methodology under this subtitle or any other calculation methodology.” When an interested party submits a PMS allegation pursuant to section 773(e) of the Act, Commerce will respond to such a submission

consistent with 19 CFR 351.301(c)(2)(v). If Commerce finds that a PMS exists under section 773(e) of the Act, then it will modify its dumping calculations appropriately.

Neither section 773(e) of the Act nor 19 CFR 351.301(c)(2)(v) set a deadline for the submission of PMS allegations and supporting factual information. However, in order to administer section 773(e) of the Act, Commerce must receive PMS allegations and supporting factual information with enough time to consider the submission. Thus, should an interested party wish to submit a PMS allegation and supporting new factual information pursuant to section 773(e) of the Act, it must do so no later than 20 days after submission of initial Section D responses.

*Opportunity to request a review:* Not later than the last day of December 2021,<sup>2</sup> interested parties may request administrative review of the following orders, findings, or suspended investigations, with anniversary dates in December for the following periods:

<b>Antidumping Duty Proceedings</b>	
Brazil: Carbon Steel Butt-Weld Pipe Fittings, A-351-602 .....	12/1/20-11/30/21
Chile: Certain Preserved Mushrooms, A-337-804 .....	12/1/20-11/30/21
Germany: Non-Oriented Electrical Steel, A-428-843 .....	12/1/20-11/30/21
India:	
Carbazole Violet Pigment 23, A-533-838 .....	12/1/20-11/30/21
Certain Hot-Rolled Carbon Steel Flat Products, A-533-820 .....	12/1/20-11/30/21
Commodity Matchbooks, A-533-848 .....	12/1/20-11/30/21
Forged Steel Fittings, A-533-891 .....	5/28/20-11/30/21
Stainless Steel Wire Rod, A-533-808 .....	12/1/20-11/30/21
Indonesia: Certain Hot-Rolled Carbon Steel Flat Products, A-560-812 .....	12/1/20-11/30/21
Japan:	
Prestressed Concrete Steel Wire Strand, A-588-068 .....	12/1/20-11/30/21
Non-Oriented Electrical Steel, A-588-872 .....	12/1/20-11/30/21
Welded Large Diameter Line Pipe, A-588-857 .....	12/1/20-11/30/21
Oman: Circular Welded Carbon-Quality Steel Pipe, A-523-812 .....	12/1/20-11/30/21
Pakistan: Circular Welded Carbon-Quality Steel Pipe, A-535-903 .....	12/1/20-11/30/21
Republic of Korea:	
Forged Steel Fittings, A-580-904 .....	5/28/20-11/30/21
Non-Oriented Electrical Steel, A-580-872 .....	12/1/20-11/30/21
Welded Astm A-312 Stainless Steel Pipe, A-580-810 .....	12/1/20-11/30/21
Welded Line Pipe, A-580-876 .....	12/1/20-11/30/21
Russia: Certain Hot-Rolled Flat-Rolled Carbon-Quality Steel Products, A-821-809 .....	12/1/20-11/30/21
Singapore: Acetone, A-559-808 .....	12/1/20-11/30/21
Socialist Republic of Vietnam: Uncovered Innerspring Units, A-552-803 .....	12/1/20-11/30/21
South Africa: Uncovered Innerspring Units, A-791-821 .....	12/1/20-11/30/21
Spain: Acetone, A-469-819 .....	12/1/20-11/30/21
Sweden: Non-Oriented Electrical Steel, A-401-809 .....	12/1/20-11/30/21
Taiwan:	
Carbon Steel Butt-Weld Pipe Fittings, A-583-605 .....	12/1/20-11/30/21
Non-Oriented Electrical Steel, A-583-851 .....	12/1/20-11/30/21
Steel Wire Garment Hangers, A-583-849 .....	12/1/20-11/30/21
Welded Astm A-312 Stainless Steel Pipe, A-583-815 .....	12/1/20-11/30/21
Thailand: Carbon and Alloy Steel Threaded Rod, A-549-840 .....	12/1/20-11/30/21
The People's Republic of China:	
Aluminum Wire and Cable, A-570-095 .....	12/1/20-11/30/21
Carbazole Violet Pigment 23, A-570-892 .....	12/1/20-11/30/21
Certain Cased Pencils, A-570-827 .....	12/1/20-11/30/21
Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, A-570-979 .....	12/1/20-11/30/21
Hand Trucks and Certain Parts Thereof, A-570-891 .....	12/1/20-11/30/21

<sup>1</sup> See Trade Preferences Extension Act of 2015, Public Law No. 114-27, 129 Stat. 362 (2015).

<sup>2</sup> Or the next business day, if the deadline falls on a weekend, federal holiday or any other day when Commerce is closed.

Honey, A-570-863 .....	12/1/20-11/30/21
Malleable Cast Iron Pipe Fittings, A-570-881 .....	12/1/20-11/30/21
Mattresses, A-570-092 .....	12/1/20-11/30/21
Melamine, A-570-020 .....	12/1/20-11/30/21
Multilayered Wood Flooring, A-570-970 .....	12/1/20-11/30/21
Non-Oriented Electrical Steel, A-570-996 .....	12/1/20-11/30/21
Porcelain-On-Steel Cooking Ware, <sup>3</sup> A-570-506 .....	12/1/20-8/10/21
Refillable Stainless Steel Kegs, A-570-093 .....	12/1/20-11/30/21
Silicomanganese, A-570-828 .....	12/1/20-11/30/21
Vertical Metal File Cabinets, A-570-110 .....	12/1/20-11/30/21
Turkey: Welded Line Pipe, A-489-822 .....	12/1/20-11/30/21
United Arab Emirates: Circular Welded Carbon-Quality Steel Pipe, A-520-807 .....	12/1/20-11/30/21
<b>Countervailing Duty Proceedings</b>	
India:	
Carbazole Violet Pigment 23, C-533-839 .....	1/1/20-12/31/20
Certain Hot-Rolled Carbon Steel Flat Products, C-533-821 .....	1/1/20-12/31/20
Commodity Matchbooks, C-533-849 .....	1/1/20-12/31/20
Forged Steel Fittings, C-533-892 .....	3/30/20-12/31/20
Indonesia: Certain Hot-Rolled Carbon Steel Flat Products, C-560-813 .....	1/1/20-12/31/20
Taiwan: Non-Oriented Electrical Steel, C-583-852 .....	1/1/20-12/31/20
Thailand: Certain Hot-Rolled Carbon Steel Flat Products, C-549-818 .....	1/1/20-12/31/20
The People's Republic of China:	
Aluminum Wire and Cable, C-570-096 .....	1/1/20-12/31/20
Crystalline Silicon Photovoltaic Cells, Whether Or Not Assembled Into Modules, C-570-980 .....	1/1/20-12/31/20
Melamine, C-570-021 .....	1/1/20-12/31/20
Non-Oriented Electrical Steel, C-570-997 .....	1/1/20-12/31/20
Multilayered Wood Flooring, C-570-971 .....	1/1/20-12/31/20
Refillable Stainless Steel Kegs, C-570-094 .....	1/1/20-12/31/20
Vertical Metal File Cabinets, C-570-111 .....	1/1/20-12/31/20
Turkey: Welded Line Pipe, C-489-823 .....	1/1/20-12/31/20
<b>Suspension Agreements</b>	
Mexico:	
Sugar, A-201-845 .....	12/1/20-11/30/21
Sugar, C-201-846 .....	1/1/21-12/31/21

In accordance with 19 CFR 351.213(b), an interested party as defined by section 771(9) of the Act may request in writing that the Secretary conduct an administrative review. For both antidumping and countervailing duty reviews, the interested party must specify the individual producers or exporters covered by an antidumping finding or an antidumping or countervailing duty order or suspension agreement for which it is requesting a review. In addition, a domestic interested party or an interested party described in section 771(9)(B) of the Act must state why it desires the Secretary to review those particular producers or exporters. If the interested party intends for the Secretary to review sales of merchandise by an exporter (or a producer if that producer also exports merchandise from other suppliers) which was produced in more than one country of origin and each country of origin is subject to a separate order, then the interested party must state specifically, on an order-by-order basis,

<sup>3</sup> This order was revoked, effective August 11, 2021. See *Porcelain-on-Steel Cooking Ware from the People's Republic of China: Final Results of Fifth Sunset Review and Revocation of Order*, 86 FR 56887 (October 13, 2021). Accordingly, this period of review only covers the period prior to revocation of the order in which entries could remain unliquidated.

which exporter(s) the request is intended to cover.

Note that, for any party Commerce was unable to locate in prior segments, Commerce will not accept a request for an administrative review of that party absent new information as to the party's location. Moreover, if the interested party who files a request for review is unable to locate the producer or exporter for which it requested the review, the interested party must provide an explanation of the attempts it made to locate the producer or exporter at the same time it files its request for review, in order for the Secretary to determine if the interested party's attempts were reasonable, pursuant to 19 CFR 351.303(f)(3)(ii).

As explained in *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003), and *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011), Commerce clarified its practice with respect to the collection of final antidumping duties on imports of merchandise where intermediate firms are involved. The public should be aware of this clarification in determining whether to request an administrative review of

merchandise subject to antidumping findings and orders.<sup>4</sup>

Commerce no longer considers the non-market economy (NME) entity as an exporter conditionally subject to an antidumping duty administrative reviews.<sup>5</sup> Accordingly, the NME entity will not be under review unless Commerce specifically receives a request for, or self-initiates, a review of the NME entity.<sup>6</sup> In administrative reviews of antidumping duty orders on merchandise from NME countries where a review of the NME entity has not been initiated, but where an individual exporter for which a review was initiated does not qualify for a separate rate, Commerce will issue a final decision indicating that the company in question is part of the NME entity. However, in that situation, because no review of the NME entity was

<sup>4</sup> See the Enforcement and Compliance web site at <https://www.trade.gov/us-antidumping-and-countervailing-duties>.

<sup>5</sup> See *Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings*, 78 FR 65963 (November 4, 2013).

<sup>6</sup> In accordance with 19 CFR 351.213(b)(1), parties should specify that they are requesting a review of entries from exporters comprising the entity, and to the extent possible, include the names of such exporters in their request.

conducted, the NME entity's entries were not subject to the review and the rate for the NME entity is not subject to change as a result of that review (although the rate for the individual exporter may change as a function of the finding that the exporter is part of the NME entity). Following initiation of an antidumping administrative review when there is no review requested of the NME entity, Commerce will instruct CBP to liquidate entries for all exporters not named in the initiation notice, including those that were suspended at the NME entity rate.

All requests must be filed electronically in Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) on Enforcement and Compliance's ACCESS website at <https://access.trade.gov>.<sup>7</sup> Further, in accordance with 19 CFR 351.303(f)(1)(i), a copy of each request must be served on the petitioner and each exporter or producer specified in the request. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.<sup>8</sup>

Commerce will publish in the **Federal Register** a notice of "Initiation of Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation" for requests received by the last day of

December 2021. If Commerce does not receive, by the last day of December 2021, a request for review of entries covered by an order, finding, or suspended investigation listed in this notice and for the period identified above, Commerce will instruct CBP to assess antidumping or countervailing duties on those entries at a rate equal to the cash deposit of estimated antidumping or countervailing duties required on those entries at the time of entry, or withdrawal from warehouse, for consumption and to continue to collect the cash deposit previously ordered.

For the first administrative review of any order, there will be no assessment of antidumping or countervailing duties on entries of subject merchandise entered, or withdrawn from warehouse, for consumption during the relevant provisional measures "gap" period of the order, if such a gap period is applicable to the period of review.

This notice is not required by statute but is published as a service to the international trading community.

Dated: November 16, 2021.

**James Maeder,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Advance Notification of Sunset Review**

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

**Background**

Every five years, pursuant to the Tariff Act of 1930, as amended (the Act), the Department of Commerce (Commerce) and the International Trade Commission automatically initiate and conduct reviews to determine whether revocation of a countervailing or antidumping duty order or termination of an investigation suspended under section 704 or 734 of the Act would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy (as the case may be) and of material injury.

**Upcoming Sunset Reviews for January 2022**

Pursuant to section 751(c) of the Act, the following Sunset Reviews are scheduled for initiation in January 2022 and will appear in that month's *Notice of Initiation of Five-Year Sunset Reviews* (Sunset Review).

	Department contact
<b>Antidumping Duty Proceedings</b>	
Large Residential Washers from China, A-570-033 (1st Review) .....	Jacky Arrowsmith, (202) 482-5255.
Glycine from China, A-570-836 (5th Review) .....	Mary Kolberg, (202) 482-1785.
Wooden Bedroom Furniture from China, A-570-890 (3rd Review) .....	Mary Kolberg, (202) 482-1785.
Polyester Staple Fiber from South Korea, A-580-839 (4th Review) .....	Thomas Martin, (202) 482-3936.
Polyester Staple Fiber from Taiwan, A-583-833 (4th Review) .....	Thomas Martin, (202) 482-3936.

**Countervailing Duty Proceedings**

No Sunset Review of countervailing duty orders is scheduled for initiation in January 2022.

**Suspended Investigations**

No Sunset Review of suspended investigations is scheduled for initiation in January 2022.

Commerce's procedures for the conduct of Sunset Review are set forth in 19 CFR 351.218. The *Notice of Initiation of Five-Year (Sunset) Review* provides further information regarding what is required of all parties to participate in Sunset Review.

Pursuant to 19 CFR 351.103(c), Commerce will maintain and make available a service list for these proceedings. To facilitate the timely preparation of the service list(s), it is requested that those seeking recognition as interested parties to a proceeding contact Commerce in writing within 10 days of the publication of the Notice of Initiation.

Please note that if Commerce receives a Notice of Intent to Participate from a member of the domestic industry within 15 days of the date of initiation, the review will continue.

Thereafter, any interested party wishing to participate in the Sunset

Review must provide substantive comments in response to the notice of initiation no later than 30 days after the date of initiation. Note that Commerce has modified certain of its requirements for serving documents containing business proprietary information, until further notice.<sup>1</sup>

This notice is not required by statute but is published as a service to the international trading community.

<sup>7</sup> See *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011).

<sup>8</sup> See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19*, 85 FR 41363 (July 10, 2020).

<sup>1</sup> See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020).