

Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise as described in the scope of the investigation section entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. Further, pursuant to 19 CFR 351.205(d), Commerce will instruct CBP to require a cash deposit equal to the rates indicated above.

#### Disclosure

Commerce intends to disclose its calculations and analysis performed in this preliminary determination to interested parties within five days of its public announcement, or if there is no public announcement, within five days of the date of this notice in accordance with 19 CFR 351.224(b).

#### Verification

As provided in section 782(i)(1) of the Act, Commerce intends to verify the information relied upon in making its final determination.

#### Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the last verification report is issued in this investigation. Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than seven days after the deadline date for case briefs.<sup>11</sup> Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.<sup>12</sup> Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case or rebuttal briefs in this investigation are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance within 30 days after the date of publication of this notice. Requests should contain the party's name, address, and telephone number, the number of participants, whether any participant is a foreign national, and a list of the issues to be discussed. If a

request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

#### U.S. International Trade Commission Notification

In accordance with section 703(f) of the Act, Commerce will notify the U.S. International Trade Commission (ITC) of its determination. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether imports of white grape juice concentrate from Argentina are materially injuring, or threaten material injury to, the U.S. industry.

#### Notification to Interested Parties

This determination is issued and published pursuant to sections 703(f) and 777(i) of the Act, and 19 CFR 351.205(c).

Dated: August 29, 2022.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

#### Appendix I

##### Scope of the Investigation

The scope of this investigation covers white grape juice concentrate with a Brix level of 65 to 68, whether in frozen or non-frozen forms. White grape juice concentrate is concentrated grape juice produced from grapes of the *Vitis vinifera* L. species with a white flesh, including fresh market table grapes and raisin grapes (*e.g.*, Thompson Seedless), as well as several varieties of wine grapes (*e.g.*, Chardonnay, Chenin Blanc, Sauvignon Blanc, Colombard, *etc.*). The scope of this investigation covers white grape juice concentrate regardless of whether it has been certified as kosher, organic, or organic kosher. The white grape juice concentrate subject to this investigation consists of 100 percent grape juice with no other types of juice intermixed and no additional sugars or additives included.

The scope does not cover white grape juice concentrate produced from grapes of the *Vitis labrusca* species (*e.g.*, Niagara).

The products covered by this investigation are currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 2009.69.0040 and 2009.69.0060. The HTSUS subheadings and specifications are provided for convenience and customs purposes; the written description of the scope is dispositive.

#### Appendix II

##### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background

- III. Injury Test
- IV. Scope Comments
- V. Scope of the Investigation
- VI. Subsidies Valuation
- VII. Analysis of Programs
- VIII. Recommendation

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

[A–580–895]

#### Low Melt Polyester Staple Fiber From the Republic of Korea: Preliminary Results of Antidumping Duty Administrative Review; 2020–2021

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily determines that the sole producer/exporter subject to this administrative review made sales of subject merchandise at less than normal value (NV) during the period of review (POR) August 1, 2020, through July 31, 2021. Interested parties are invited to comment on these preliminary results.

**DATES:** Applicable September 6, 2022.

#### FOR FURTHER INFORMATION CONTACT:

Alice Maldonado or Melissa Porpottage, 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) 482–4682 or (202) 482–1413, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 7, 2021, based on a timely request for review, in accordance with 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the antidumping duty (AD) order<sup>1</sup> on low melt polyester staple fiber (low melt PSF) from the Republic of Korea (Korea).<sup>2</sup> The review covers one producer/exporter of the subject merchandise, Toray Advanced Materials Korea, Inc. (TAK). On April 20, 2022, Commerce extended the preliminary results of this review by 120 days, until August 31, 2022.<sup>3</sup> For a complete

<sup>1</sup> See *Low Melt Polyester Staple Fiber from the Republic of Korea and Taiwan: Antidumping Duty Orders*, 83 FR 40752 (August 16, 2018) (*Order*).

<sup>2</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 86 FR 55811, 55814 (October 7, 2021).

<sup>3</sup> See Memorandum, “Extension of Deadline for Preliminary Results of 2020–2021 Antidumping Duty Administrative Review,” dated April 20, 2022.

<sup>11</sup> See 19 CFR 351.309; see also 19 CFR 351.303 (for general filing requirements).

<sup>12</sup> See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19: Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.<sup>4</sup>

### Scope of the Order

The merchandise subject to this *Order* is synthetic staple fibers, not carded or combed, specifically bi-component polyester fibers having a polyester fiber component that melts at a lower temperature than the other polyester fiber component (low melt PSF). The scope includes bi-component polyester staple fibers of any denier or cut length. The subject merchandise may be coated, usually with a finish or dye, or not coated.

Low melt PSF is classifiable under the Harmonized Tariff Schedule of the United States (HTSUS) subheading 5503.20.0015. Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of the *Order* is dispositive.

### Methodology

Commerce is conducting this review in accordance with sections 751(a)(1)(B) and (2) of the Tariff Act of 1930, as amended (the Act). Export price is calculated in accordance with section 772 of the Act. NV 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. A list of the topics discussed in the Preliminary Decision Memorandum is attached 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, a complete version of the Preliminary Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

### Preliminary Results of the Review

As a result of this review, we preliminarily determine that the following weighted-average dumping margin exists for TAK for the period August 1, 2020, through July 31, 2021:

Exporter/producer	Weighted-average dumping margin (percent)
Toray Advanced Materials Korea, Inc. ....	1.89

### Disclosure

Commerce intends to disclose the calculations performed in connection with these preliminary results to interested parties within five days after the date of publication of this notice.<sup>5</sup>

### Verification

As provided in section 782(i)(3)(A) and (B) of the Act, Commerce intends to verify the information relied upon for its final results.

### Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. A timeline for the submission of case briefs and written comments will be provided to interested parties at a later date.<sup>6</sup> Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than seven days after the time limit for filing case briefs.<sup>7</sup> Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.<sup>8</sup> Case and rebuttal briefs should be filed using ACCESS.<sup>9</sup>

Pursuant to 19 CFR 351.310(c), 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, filed electronically via ACCESS within 30 days after the date of publication of this notice.<sup>10</sup> Hearing requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to issues raised in the briefs. If a request for a hearing is made, parties will be notified of the date and time for the hearing.<sup>11</sup>

An electronically filed document must be received successfully in its

entirety by ACCESS by 5:00 p.m. Eastern Time on the established deadline. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.<sup>12</sup>

Commerce intends to issue the final results of this administrative review, including the results of its analysis of issues raised in any written briefs, not later than 120 days after the date of publication of this notice, unless otherwise extended.<sup>13</sup>

### Assessment Rates

Upon completion of the administrative review, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, ADs on all appropriate entries.<sup>14</sup>

Pursuant to 19 CFR 351.212(b)(1), where the respondent reported the entered value of its U.S. sales, we calculated importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of dumping calculated for the examined sales to the total entered value of the sales for which entered value was reported. Where the respondent did not report entered value, we calculated the entered value in order to calculate the assessment rate. Where either the respondent's weighted-average dumping margin is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), or an importer-specific rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to ADs.

The final results of this review shall be the basis for the assessment of ADs on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.

Commerce's "automatic assessment" will apply to entries of subject merchandise during the POR produced by TAK for which it did not know that the merchandise it sold to an intermediary (e.g., a reseller, trading company, or exporter) was destined for the United States. In such instances, 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.<sup>15</sup>

<sup>4</sup> See Memorandum, "Decision Memorandum for the Preliminary Results of the 2020–2021 Administrative Review of the Antidumping Duty Order on Low Melt Polyester Staple Fiber from the Republic of Korea," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>5</sup> See 19 CFR 351.224(b).

<sup>6</sup> See 19 CFR 351.309(c).

<sup>7</sup> Commerce is exercising its discretion, under 19 CFR 351.309(d)(1), to alter the time limit for filing of rebuttal briefs.

<sup>8</sup> See 19 CFR 351.309(c)(2) and (d)(2).

<sup>9</sup> See 19 CFR 351.303.

<sup>10</sup> See 19 CFR 351.310(c).

<sup>11</sup> See 19 CFR 351.310(d).

<sup>12</sup> See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

<sup>13</sup> See section 751(a)(3)(A) of the Act.

<sup>14</sup> See 19 CFR 351.212(b).

<sup>15</sup> For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the 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 for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for TAK will be equal to the weighted-average dumping margin established in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for companies not participating in this review, the cash deposit rate will continue to be the company-specific cash deposit rate published for the most recently completed segment; (3) if the exporter is not a firm covered in this review, or the original less-than-fair-value (LTFV) investigation, but the producer is, then the cash deposit rate will be the cash deposit rate established for the most recently completed segment for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 16.27 percent, the all-others rate established in the LTFV investigation.<sup>16</sup> These deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importers

This notice 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 ADs 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 ADs occurred and the subsequent assessment of double ADs.

<sup>16</sup> See *Order*.

### Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: August 30, 2022.

**Lisa W. Wang,**

*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. Discussion of the Methodology
- V. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–038, C–570–039]

### Certain Amorphous Silica Fabric From the People's Republic of China: Preliminary Affirmative Determinations of Circumvention

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily determines that amorphous silica fabric with 70–90 percent silica content (70–90 percent ASF) from the People's Republic of China (China) is circumventing the antidumping duty (AD) and countervailing duty (CVD) orders on certain amorphous silica fabric (ASF) from China.

**DATES:** Applicable September 6, 2022.

**FOR FURTHER INFORMATION CONTACT:** Tyler Weinhold, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1121.

### SUPPLEMENTARY INFORMATION:

#### Background

On March 27, 2017, Commerce published the AD and CVD orders on imports of ASF from China.<sup>1</sup> On August 20, 2021, Auburn Manufacturing, Inc., the petitioner in the AD and CVD investigations, requested that Commerce initiate circumvention inquiries with regard to 70–90 percent ASF that is

<sup>1</sup> See *Certain Amorphous Silica Fabric from the People's Republic of China: Antidumping Duty Order*, 82 FR 14314 (March 17, 2017); and *Certain Amorphous Silica Fabric from the People's Republic of China: Countervailing Duty Order*, 82 FR 14316 (March 17, 2017) (collectively, *Orders*).

exported to the United States from China.<sup>2</sup> In its allegation, Auburn Manufacturing, Inc. (the petitioner) alleged that 70–90 percent ASF constitutes merchandise altered in form or appearance in such minor respects that it should be included within the scope of the *Orders*, pursuant to section 781(c) of the Tariff Act of 1930, as amended, (the Act) and 19 CFR 351.225(i). In addition, the petitioner alleged that 70–90 percent ASF is later-developed merchandise and should be included within the scope of the *Orders*, pursuant to section 781(d) of the Act and 19 CFR 351.225(j). The petitioner requested that Commerce conduct these circumvention inquiries on an order-wide basis.<sup>3</sup>

On November 24, 2021, Commerce published in the **Federal Register** the notice of initiation of these circumvention inquiries.<sup>4</sup> In that notice, Commerce initiated the circumvention inquiries on the basis of the minor alterations allegation, pursuant to section 781(c) of the Act and 19 CFR 351.225(i).<sup>5</sup> However, Commerce declined to initiate the circumvention inquiries on the basis of the later-developed merchandise allegation, pursuant to section 781(d) of the Act and 19 CFR 351.225(j).<sup>6</sup> Commerce initiated the inquiries on a country-wide basis.

For a complete description of the events that followed the initiation of this investigation, see the Preliminary Decision Memorandum.<sup>7</sup> A list of topics

<sup>2</sup> See Petitioner's Letter, "Certain Amorphous Silica Fabric from the People's Republic of China: Request for Anti-Circumvention Inquiry," dated August 20, 2021 (Petitioner's Request).

<sup>3</sup> *Id.* at 2.

<sup>4</sup> See *Certain Amorphous Silica Fabric Between 70 and 90 Percent Silica, from the People's Republic of China: Initiation of Circumvention Inquiry of Antidumping and Countervailing Duty Orders—70–90 Percent Amorphous Silica Fabric*, 86 FR 67022 (November 24, 2021) (*Initiation Notice*), and accompanying Initiation Decision Memorandum. Although Commerce recently published revisions to its circumvention regulations, under 19 CFR 351.226, the new circumvention regulations apply to circumvention inquiries for which a circumvention request is filed on or after November 4, 2021. See *Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*, 86 FR 52300 (September 20, 2021) ("amendments to § 351.226 . . . apply to circumvention inquiries for which a circumvention request is filed . . . on or after November 4, 2021"). Because Auburn Manufacturing, Inc. (the petitioner) filed its request on August 20, 2021, before the effective date of the new regulations, these circumvention inquiries are being conducted according to the circumvention regulations, 19 CFR 351.226, in effect prior to November 4, 2021. *Id.*

<sup>5</sup> *Initiation Notice*, 86 FR at 67023.

<sup>6</sup> *Id.*

<sup>7</sup> See Memorandum, "Certain Amorphous Silica Fabric from the People's Republic of China: Preliminary Affirmative Determination of