

COMMISSION ON CIVIL RIGHTS**Notice of Public Meeting of the California Advisory Committee**

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the California Advisory Committee (Committee) will hold a meeting via a Webex platform on Wednesday, October 12, 2022, from 1:30 p.m. to 3 p.m., for the purpose of discussing their current project on the civil rights implications of AB5.

DATES: The meeting will take place on:

- Wednesday, October 12, 2022, from 1:30 p.m.–3 p.m. Pacific time.

Webex Registration Link: <https://tinyurl.com/3mwxm7m9>.

FOR FURTHER INFORMATION CONTACT:

Brooke Peery, Designated Federal Officer (DFO), at bpeery@usccr.gov or by phone at (202) 701–1376.

SUPPLEMENTARY INFORMATION: Members of the public may listen to the discussion. This meeting is available to the public through the public WebEx registration link listed above. An open comment period will be provided to allow members of the public to make a statement as time allows. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1–800–877–8339.

Members of the public are also entitled to submit written comments; the comments must be received in the Regional Programs Unit within 30 days following the meeting. Written comments may be emailed to Brooke Peery at bpeery@usccr.gov. Persons who desire additional information may contact the Regional Programs Unit Office/Advisory Committee Management Unit at (202) 701–1376.

Records generated from this meeting may be inspected and reproduced at the Regional Programs Unit Office, as they become available, both before and after the meeting. Records of the meeting will be available at: <https://www.facadatabase.gov/FACA/FACAPublicViewCommitteeDetails?id=a10t0000001gzkUAAQ>.

Please click on the “Meeting Details” and “Documents” links. Persons interested in the work of this Committee are also directed to the Commission’s website, <http://www.usccr.gov>, or may contact the Regional Programs Unit office at the above email address.

Agenda

- I. Welcome & Roll Call
- II. Committee Discussion
- III. Public Comment
- IV. Adjournment

Dated: September 12, 2022.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2022–19959 Filed 9–14–22; 8:45 am]

BILLING CODE P

Dated: September 9, 2022.

Elizabeth Whiteman,

Acting Executive Secretary.

[FR Doc. 2022–19897 Filed 9–14–22; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE**International Trade Administration**

[A–570–042, C–570–043]

Stainless Steel Sheet and Strip From the People’s Republic of China: Preliminary Scope Ruling and Preliminary Affirmative Determination of Circumvention for Exports From the Socialist Republic of Vietnam

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that certain stainless steel sheet and strip (SSSS) of Chinese-origin that has undergone further processing in the Socialist Republic of Vietnam (Vietnam) is merchandise covered by the scope of the antidumping duty (AD) and countervailing duty (CVD) orders on SSSS from the People’s Republic of China (China). Additionally, Commerce preliminarily determines that SSSS that is completed in Vietnam using certain non-subject stainless steel flat-rolled inputs sourced from China, is circumventing the AD/CVD orders on SSSS from China. As a result, SSSS of Chinese-origin that has undergone further processing or completion in Vietnam will be subject to suspension of liquidation effective May 15, 2020. We invite interested parties to comment on these preliminary determinations.

DATES: Applicable September 15, 2022.

FOR FURTHER INFORMATION CONTACT:

Blaine Wiltse, Office of the Deputy Assistant Secretary for AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–6345.

SUPPLEMENTARY INFORMATION:**Background**

On May 15, 2020, Commerce published in the **Federal Register** its self-initiation of country-wide circumvention and scope inquiries of the AD and CVD orders on SSSS from China¹ to determine if imports of SSSS

¹ See *Stainless Steel Sheet and Strip from the People’s Republic of China: Antidumping Duty Order*, 82 FR 16160 (April 3, 2017) (AD Order); see also *Stainless Steel Sheet and Strip from the*

DEPARTMENT OF COMMERCE**Foreign-Trade Zones Board**

[B–42–2022]

Foreign-Trade Zone (FTZ) 153—San Diego, California, Notification of Proposed Production Activity, Ajinomoto Bio-Pharma Services (Pharmaceutical Products), San Diego, California

The City of San Diego, grantee of FTZ 153, submitted a notification of proposed production activity to the FTZ Board (the Board) on behalf of Ajinomoto Bio-Pharma Services, located in San Diego, California under FTZ 153. The notification conforming to the requirements of the Board’s regulations (15 CFR 400.22) was received on September 7, 2022.

Pursuant to 15 CFR 400.14(b), FTZ production activity would be limited to the specific foreign-status material(s)/ component(s) and specific finished product(s) described in the submitted notification (summarized below) and subsequently authorized by the Board. The benefits that may stem from conducting production activity under FTZ procedures are explained in the background section of the Board’s website—accessible via www.trade.gov/ftz.

The proposed finished product is yusimry—(active pharmaceutical ingredient (API) substance and packaging into measured doses in vials and/or syringes) (duty-free).

The proposed foreign-status material and component is yusimry API substance (duty-free).

Public comment is invited from interested parties. Submissions shall be addressed to the Board’s Executive Secretary and sent to: ftz@trade.gov. The closing period for their receipt is October 25, 2022.

A copy of the notification will be available for public inspection in the “Online FTZ Information System” section of the Board’s website.

For further information, contact Christopher Wedderburn at Chris.Wedderburn@trade.gov.

completed in Vietnam using certain non-subject stainless steel flat-rolled inputs² manufactured in China are circumventing the *Orders*, and to determine whether SSSS that is produced in China and undergoes further processing in Vietnam before being exported to the United States is subject to the *Orders*, respectively.³ In the *Initiation Notice*, Commerce self-initiated the circumvention inquiry based on available information and an analysis pursuant to section 781(b) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.225(h). Additionally, Commerce self-initiated the scope inquiry in accordance with its authority as outlined in 19 CFR 351.225(b).

For a complete description of the events that followed the initiation of these inquiries, see the Preliminary Decision Memorandum.⁴ A list of topics included in the Preliminary Decision Memorandum is included as Appendix I 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 Preliminary Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

People's Republic of China: Countervailing Duty Order, 82 FR 16166 (April 3, 2017) (CVD Order) (collectively, *Orders*).

² The term “certain non-subject stainless steel flat-rolled inputs” refers to stainless steel flat-rolled products that are not further worked than hot-rolled and/or of a thickness greater than 4.75 millimeters.

³ See *Stainless Steel Sheet and Strip from the People's Republic of China: Initiation of Anti-Circumvention and Scope Inquiries on the Antidumping Duty and Countervailing Duty Orders*, 85 FR 29401 (May 15, 2020) (*Initiation Notice*). On September 20, 2021, Commerce significantly revised its regulations pertaining to circumvention and scope inquiries, with an effective date of November 4, 2021. See *Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*, 86 FR 52300 (September 20, 2021). The newly promulgated 19 CFR 351.226 applies to circumvention inquiries for which a circumvention request is filed, as well as any circumvention inquiry self-initiated by Commerce, on or after November 4, 2021. The amendments to 19 CFR 351.225 apply to scope inquiries for which a scope ruling application is filed, as well as any scope inquiry self-initiated by Commerce, on or after November 4, 2021. We note that these circumvention and scope inquiries were initiated prior to the effective date of the new regulations, and, thus, any reference to the regulations is to the prior version of the regulations.

⁴ See Memorandum, “Antidumping Duty and Countervailing Duty Orders on Stainless Steel Sheet and Strip from the People's Republic of China: Preliminary Decision Memorandum for Scope and Circumvention Inquiries Covering Exports from the Socialist Republic of Vietnam,” dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

access.trade.gov/public/FRNoticesListLayout.aspx.

Scope of the Orders

The product covered by the *Orders* is stainless steel sheet and strip. For a complete description of the scope of the *Orders*, see the Preliminary Decision Memorandum.

Merchandise Subject to the Circumvention Inquiry

This circumvention inquiry covers SSSS completed in Vietnam using certain non-subject stainless steel flat-rolled inputs of Chinese-origin that is subsequently exported from Vietnam to the United States.

Merchandise Subject to the Scope Inquiry

This scope inquiry covers SSSS of Chinese-origin that has undergone further processing in Vietnam (including but not limited to cold-rolling, annealing, tempering, polishing, aluminizing, coating, painting, varnishing, trimming, cutting, punching, and/or slitting, or any other processing that would not otherwise remove the merchandise from the scope of the *Orders*) that is subsequently exported to the United States.

Methodology

Commerce is conducting these scope and circumvention inquiries in accordance with section 781(b) of the Act. Because Vietnam and China⁵ are non-market economy countries, within the meaning of section 771(18) of the Act, Commerce has calculated the value of certain processing and merchandise using factors of production and market economy values, as discussed in section 773(c) of the Act. For a full description of the methodology underlying Commerce's preliminary determinations, see the Preliminary Decision Memorandum.

Preliminary Findings

As detailed in the Preliminary Decision Memorandum, we preliminarily determine, pursuant to 19 CFR 351.225(k)(1), that SSSS of

⁵ See *Antidumping Duty Investigation of Certain Aluminum Foil from the People's Republic of China: Affirmative Preliminary Determination of Sales at Less-Than-Fair Value and Postponement of Final Determination*, 82 FR 50858, 50861 (November 2, 2017) (citing Memorandum, “China's Status as Non-Market Economy,” dated October 26, 2017); see also *Certain Oil Country Tubular Goods from the Socialist Republic of Vietnam: Preliminary Results of Antidumping Duty Administrative Review*, 81 FR 24797 (October 14, 2016), unchanged in *Certain Oil Country Tubular Goods from the Socialist Republic of Vietnam: Final Results of Antidumping Duty Administrative Review; 2014–2015*, 82 FR 18611 (April 20, 2017).

Chinese-origin that has undergone further processing in Vietnam is covered by the scope of the *Orders*.

Additionally, pursuant to section 781(b) of the Act, we preliminarily determine that SSSS completed in Vietnam using certain non-subject stainless steel flat-rolled inputs of Chinese-origin is circumventing the *Orders*. In reaching these preliminary determinations, we relied on information placed on the record by a petitioner in the original investigation, Outokumpu Stainless USA LLC, and information placed on the record by POSCO VST Co., Ltd. (POSCO VST), POSCO Vietnam Processing Center Company Limited, and Silverwood (Hong Kong) Ltd.

Further, because Hoangyu Co., Ltd. and SK Networks Co., Ltd. did not cooperate to the best of their ability in responding to Commerce's requests for information, we have based parts of our preliminary determinations on the facts available, with adverse inferences, pursuant to sections 776(a) and (b) of the Act. For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum.

Suspension of Liquidation

As stated above, Commerce has made preliminary affirmative findings that SSSS of Chinese-origin that has undergone further processing in Vietnam is merchandise covered by the scope of the *Orders* and that SSSS completed in Vietnam using certain non-subject stainless steel flat-rolled inputs of Chinese-origin is merchandise circumventing the *Orders*. These affirmative in-scope and circumvention findings apply to SSSS that is subject to these determinations and produced and/or exported by any Vietnamese company. Therefore, in accordance with 19 CFR 351.225(l)(2), Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation and to require a cash deposit of estimated duties on unliquidated entries of SSSS produced in Vietnam from Chinese-sourced stainless steel flat-rolled inputs that were entered, or withdrawn from warehouse, for consumption on or after May 15, 2020, the date of publication of initiation of these circumvention and scope inquiries in the *Federal Register*.⁶

Where a Vietnamese company subject to these inquiries reports that the finished SSSS products that it has exported to the United States were produced by a specific Chinese supplier that has its own company-specific rate under the *Orders*, the cash deposit rate

⁶ See *Initiation Notice*.

will be the Chinese supplier's company-specific rate. Otherwise, Commerce will instruct CBP to require AD cash deposits equal to the current China-wide rate (*i.e.*, 58.04 percent) and CVD cash deposits equal to the current all-others rate (*i.e.*, 75.60 percent).⁷ The suspension of liquidation instructions will remain in effect until further notice.

SSSS that is further processed or completed in Vietnam from stainless steel flat-rolled inputs that are not of Chinese-origin is not subject to these inquiries. Therefore, cash deposits are not required for such merchandise subject to the following certification requirements.⁸

If an importer of SSSS from Vietnam claims that the SSSS was not produced using any stainless steel flat-rolled inputs of Chinese-origin, in order not to be subject to cash deposit requirements, the importer and exporter must meet the certification and documentation requirements described in Appendix II. An exporter of SSSS produced in Vietnam claiming that its SSSS was not produced using any stainless steel flat-rolled inputs of Chinese-origin must prepare and maintain an Exporter Certification and documentation supporting the Exporter Certification (*see* Appendix IV). In addition, importers of such SSSS must prepare and maintain an Importer Certification (*see* Appendix III) as well as documentation supporting the Importer Certification. In addition to the Importer Certification, the importer must also maintain a copy of the Exporter Certification (*see* Appendix IV) and relevant supporting documentation from its exporter of SSSS produced from stainless steel flat-rolled inputs that are not of Chinese-origin.

Verification

As provided in 19 CFR 351.307, Commerce intends to verify information relied upon in making its final determination.

Public Comment

Interested parties may submit case briefs to the Assistant Secretary for Enforcement and Compliance. Commerce will notify interested parties of the timeline for the submission of case briefs and written comments at a later date. Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than seven days after the

⁷ See AD Order, 82 FR at 16162; and CVD Order, 82 FR at 16176.

⁸ See Appendix II for the certification requirements, and Appendixes III and IV for the Importer and Exporter Certifications, respectively.

deadline for case briefs.⁹ Parties who submit case or rebuttal briefs in this proceeding are requested to submit with each brief: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.¹⁰ Executive summaries should be limited to five pages total, including footnotes.¹¹ All submissions, with limited exceptions, must be filed electronically using ACCESS.¹² Electronically filed comments must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5:00 p.m. Eastern Time on the due date. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.¹³

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, filed electronically and received successfully in its entirety via ACCESS by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice.¹⁴ 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 to be held.¹⁵ 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

Consistent with section 781(e) of the Act, Commerce is notifying the U.S. International Trade Commission (ITC) of this affirmative preliminary determination to include the merchandise subject to this circumvention inquiry within the *Orders*. Pursuant to section 781(e) of the Act, the ITC may request consultations concerning Commerce's proposed inclusion of the subject merchandise. These consultations must be concluded within 15 days after the date of the

⁹ See 19 CFR 351.309(d)(1); see also *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19*, 85 FR 17006 (March 26, 2020); and *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020) (collectively, *Temporary Rules*).

¹⁰ See 19 CFR 351.309(c)(2) and (d)(2).

¹¹ *Id.*

¹² See 19 CFR 351.303.

¹³ See *Temporary Rules*.

¹⁴ See 19 CFR 351.310(c).

¹⁵ *Id.*

request. If, after consultations, the ITC believes that a significant injury issue is presented by the proposed inclusion, it will have 60 days to provide written advice to Commerce.

Notification to Interested Parties

This notice is published in accordance with section 781(b) of the Act and 19 CFR 351.225(h).

Dated: September 9, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Orders*
- IV. Merchandise Subject to these Circumvention and Scope Inquiries
- V. Period of Inquiry
- VI. Use of Facts Available with an Adverse Inference
- VII. Statutory and Regulatory Framework for Scope Inquiry
- VIII. Preliminary Scope Analysis and Determination
- IX. Surrogate Countries and Methodology for Valuing Stainless Steel Flat-Rolled Inputs from China and Further Processing in Vietnam
- X. Statutory Framework for Circumvention Inquiry
- XI. Preliminary Circumvention Analysis and Determination
- XII. Country-Wide Determinations
- XIII. Certifications for Nonuse of Chinese-Origin Stainless Steel Flat-Rolled Inputs
- XIV. Recommendations

Appendix II

Certification Requirements

If a company imports stainless steel sheet and strip (SSSS) from Vietnam and claims that the entry was not produced from Chinese-sourced stainless steel flat-rolled inputs and, thus, is not subject to the antidumping duty (AD) and countervailing duty (CVD) *Orders*¹⁶ on SSSS from China, then the importer is required to complete and maintain the Importer Certification attached hereto as Appendix III and retain all supporting documentation. The importer is further required to maintain a copy of the Exporter Certification, attached as Appendix IV, and retain all supporting documentation. The Importer Certification must be completed, signed, and dated by the time of filing of the entry summary for the relevant importation. Where the importer uses a broker to facilitate the entry process, it should obtain the entry number from the broker. Agents of the importer, such as

¹⁶ See *Stainless Steel Sheet and Strip from the People's Republic of China: Antidumping Duty Order*, 82 FR 16160 (April 3, 2017); see also *Stainless Steel Sheet and Strip from the People's Republic of China: Countervailing Duty Order*, 82 FR 16166 (April 3, 2017) (collectively, *Orders*).

brokers, however, are not permitted to make this certification on behalf of the importer.

All importers of SSSS from Vietnam are eligible for the certification process detailed below, with the exception that entries of SSSS produced and/or exported by Hoangvu Co., Ltd. and SK Networks Co., Ltd. are ineligible for certification.

The exporter is required to complete and maintain the Exporter Certification, attached as Appendix IV, and is further required to provide the importer a copy of that certification and all supporting documentation (e.g., invoice, purchase order, production records, etc.). The Exporter Certification must be completed, signed, and dated by the time of shipment of the relevant entries (except as noted below). The Exporter Certification should be completed by the party selling the subject merchandise manufactured in Vietnam to the United States.

The importer will not be required to submit the certifications or supporting documentation to U.S. Customs and Border Protection (CBP) as part of the entry process. However, the importer and exporter will be required to present the certifications, and supporting documentation, to the U.S. Department of Commerce (Commerce) and/or CBP, as applicable, upon request by the respective agency. Additionally, the claims made in the certifications and any supporting documentation are subject to verification by Commerce and/or CBP. The importer and exporter are required to maintain the certifications and supporting documentation for the later of: (1) a period of five years from the date of entry; or (2) a period of three years after the conclusion of any litigation in United States courts regarding such entries.

For SSSS exported from Vietnam that was produced using Chinese-sourced stainless steel flat-rolled inputs subject to this inquiry that has been found to be circumventing the AD/CVD *Orders* on SSSS from China, Commerce has established the following third-country case numbers in the Automated Commercial Environment (ACE): A-552-042 and C-552-043. For SSSS exported from Vietnam that is merchandise covered by the scope of the AD/CVD *Orders* on SSSS from China, where the country of origin does not change for CBP's reporting purposes, importers should report such entries under the case numbers for the *Orders* on SSSS from China: A-570-042 and C-570-043. For SSSS exported from Vietnam that is merchandise covered by the scope of the AD/CVD *Orders* on SSSS from China, where the country-of-origin changes for CBP's reporting purposes, importers should report such entries under the following third-country case numbers: A-552-042 and C-552-043.

If it is determined that the certification and/or documentation requirements in a certification have not been met, Commerce intends to instruct CBP to suspend, under the appropriate case numbers, either those established for the AD/CVD *Orders* on SSSS from China, A-570-042/C-570-043, or the third country case numbers, A-552-042/C-552-043, all unliquidated entries for which these requirements were not met and require the importer to post applicable AD and CVD cash deposits equal to the rates as

determined by Commerce. Entries suspended under A-570-042/C-570-043/A-552-042/C-552-043 will be liquidated pursuant to applicable administrative reviews of the *Orders* or through the automatic liquidation process.

For shipments and/or entries suspended pursuant to the preliminary determinations of these scope and circumvention inquiries that were shipped and/or entered, or withdrawn from warehouse, for consumption during the period on or after May 15, 2020 (the date of initiation of these scope and circumvention inquiries) through the date of publication of the preliminary determination in the **Federal Register**, for which certifications are required, importers and exporters should complete the required certification, as soon as practicable but not later than 45 days after the publication of the preliminary determinations in the **Federal Register**. Accordingly, where appropriate, the relevant bullet in the certification should be edited to reflect that the certification was completed within this time frame. Specifically, exporters should complete the language in Paragraph G in the Exporter Certification that reads: "The shipments/products referenced herein shipped before mm/dd/yyyy, the date on which Commerce published notice of its preliminary scope and circumvention findings in the **Federal Register**. This certification was completed on mm/dd/yyyy, within 45 days of the **Federal Register** notice publication." For such entries/shipments, importers and exporters each have the option to complete a blanket certification covering multiple entries/shipments, individual certifications for each entry/shipment, or a combination thereof. The Exporter Certifications should be maintained by both the importer and exporter and provided to CBP or Commerce only upon request by the respective agency. The exporter must provide the importer a copy of the Exporter Certification within 45 days of the publication of the preliminary determination in the **Federal Register**.

For shipments and/or entries suspended pursuant to the preliminary determinations of these scope and circumvention inquiries that were shipped and/or entered, or withdrawn from warehouse, for consumption within 30 days of the date of publication of the preliminary determination in the **Federal Register**, for which certifications are required, importers and exporters should complete the required certification, as soon as practicable but not later than 45 days after the publication of the preliminary determination in the **Federal Register**. Accordingly, where appropriate, the relevant bullet in the certification should be edited to reflect that the certification was completed within this time frame. Specifically, exporters should complete the language in Paragraph G in the Exporter Certification that reads: "The shipments/products referenced herein shipped on mm/dd/yyyy. This certification was completed on mm/dd/yyyy, within 45 days of the date on which Commerce published its preliminary scope and circumvention findings in the **Federal Register**." For such entries/shipments, importers and exporters each have the option to complete a blanket certification covering

multiple entries/shipments, individual certifications for each entry/shipment, or a combination thereof. The Exporter Certifications should be maintained by both the importer and exporter and provided to CBP or Commerce only upon request by the respective agency. The exporter must provide the importer a copy of the Exporter Certification within 45 days of the publication of the preliminary determination in the **Federal Register**.

For shipments and/or entries after 30 days from the date of publication of the preliminary determination in the **Federal Register**, for which certifications are required, importers and exporters should complete the required certification at or prior to the date of entry summary and exporters should complete the required certification and provide it to the importer at or prior to the date of shipment. Specifically, exporters should complete the language in Paragraph G in the Exporter Certification that reads: "I understand that {EXPORTING COMPANY} must provide this Exporter Certification to the U.S. importer by the time of shipment."

For unliquidated entries (and entries for which liquidation has not become final) of merchandise entered as non-AD/CVD type entries (e.g., type 01) that were shipped and/or entered, or withdrawn from warehouse, for consumption in the United States during the period, May 15, 2020 (the date of initiation of these scope and circumvention inquiries) through the date of publication of the preliminary determination in the **Federal Register**, that is merchandise covered by the scope of the AD/CVD *Orders* or was produced using Chinese-sourced stainless steel flat-rolled inputs subject to this inquiry that have been found to be circumventing the AD/CVD *Orders*, importers should file a Post Summary Correction with CBP, in accordance with CBP's regulations, regarding conversion of such entries from non-AD/CVD type entries to AD/CVD type entries (e.g., type 01 to type 03). For such shipments, the Exporter Certifications should be completed as soon as practicable, but not later than 45 days after publication of the preliminary determination in the **Federal Register**.

Importers should report those AD/CVD type entries of merchandise that is covered by the scope of the AD/CVD *Orders*, under the case numbers for the *Orders* on SSSS from China, A-570-042/C-570-043, or A-552-042/C-552-043, as appropriate. Importers should report those AD/CVD type entries that were produced using Chinese-sourced stainless steel flat-rolled inputs subject to this inquiry that have been found to be circumventing the AD/CVD *Orders*, using the third-country case numbers, A-552-042/C-552-043. Similarly, the importer should pay cash deposits on those entries consistent with the regulations governing post summary corrections that require payment of additional duties.

Appendix III

Importer Certification

I hereby certify that:

A. My name is {IMPORTING COMPANY OFFICIAL'S NAME} and I am an official of {IMPORTING COMPANY}, located at {ADDRESS OF IMPORTING COMPANY};

B. I have direct personal knowledge of the facts regarding the importation into the Customs territory of the United States of the stainless steel sheet and strip (SSSS) produced in Vietnam that entered under entry summary number(s), identified below, and are covered by this certification. "Direct personal knowledge" refers to facts the certifying party is expected to have in its own records. For example, the importer should have "direct personal knowledge" of the importation of the product (e.g., the name of the exporter) in its records;

C. I have personal knowledge of the facts regarding the production of the imported products covered by this certification. "Personal knowledge" includes facts obtained from another party, (e.g., correspondence received by the importer (or exporter) from the producer regarding the source of the SSSS inputs used to produce the imported products);

D. This certification applies to the following entries (repeat this block as many times as necessary):

Entry Summary #:

Entry Summary Line Item #:

Foreign Seller:

Foreign Seller's Address:

Foreign Seller's Invoice #:

Foreign Seller's Invoice Line Item #:

Country of Origin of Stainless Steel Flat-Rolled Inputs:

If the importer is acting on behalf of the first U.S. customer, complete this paragraph:

E. The SSSS covered by this certification was imported by {IMPORTING COMPANY} on behalf of {U.S. CUSTOMER}, located at {ADDRESS OF U.S. CUSTOMER};

F. The SSSS covered by this certification does not contain stainless steel flat-rolled inputs produced in the People's Republic of China (China);

G. I understand that {IMPORTING COMPANY} is required to maintain a copy of this certification and sufficient documentation supporting this certification (*i.e.*, documents maintained in the normal course of business, or documents obtained by the certifying party, for example, certificates of origin, product data sheets, mill test reports, productions records, invoices, *etc.*) for the later of (1) a period of five years from the date of entry or (2) a period of three years after the conclusion of any litigation in the United States courts regarding such entries;

H. I understand that {IMPORTING COMPANY} is required to provide this certification and supporting records, upon request, to U.S. Customs and Border Protection (CBP) and/or the U.S. Department of Commerce (Commerce);

I. I understand that {IMPORTING COMPANY} is required to maintain a copy of the exporter's certification (attesting to the production and/or export of the imported merchandise identified above), and any supporting documentation provided by the exporter to the importer, for the later of (1) a period of five years from the date of entry or (2) a period of three years after the conclusion of any litigation in United States courts regarding such entries;

J. I understand that {IMPORTING COMPANY} is required to maintain and provide a copy of the exporter's certification

and supporting documentation provided by the exporter to the importer, upon request, to CBP and/or Commerce;

K. I understand that the claims made herein, and the substantiating documentation, are subject to verification by CBP and/or Commerce;

L. I understand that failure to maintain the required certification and supporting documentation and/or failure to substantiate the claims made herein and/or failure to allow CBP and/or Commerce to verify the claims made herein, may result in a *de facto* determination that all entries to which this certification applies are within the scope of the antidumping duty (AD) and countervailing duty (CVD) orders on SSSS from China. I understand that such finding will result in:

- suspension of liquidation of all unliquidated entries (and entries for which liquidation has not become final) for which these requirements were not met;
- the requirement that the importer post applicable AD and/or CVD cash deposits (as appropriate) equal to the rates determined by Commerce; and
- the revocation of {IMPORTING COMPANY}'s privilege to certify that future imports of SSSS were not produced using stainless steel flat-rolled inputs sourced from China subject to these certifications.

M. I understand that agents of the importer, such as brokers, are not permitted to make this certification;

N. This certification was completed by the time of filing the entry summary or within 45 days of the date on which Commerce published notice of its preliminary scope and circumvention findings in the **Federal Register**; and

O. I am aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. government.

Signature

{NAME OF COMPANY OFFICIAL}
{TITLE}
{DATE}

Appendix IV

Exporter Certification

I hereby certify that:

A. My name is {COMPANY OFFICIAL'S NAME} and I am an official of {NAME OF EXPORTING COMPANY}, located at {ADDRESS OF EXPORTING COMPANY};

B. I have direct personal knowledge of the facts regarding the production and exportation in the Customs territory of the United States of the stainless steel sheet and strip (SSSS) identified below. "Direct personal knowledge" refers to facts the certifying party is expected to have in its own books and records. For example, an exporter should have "direct personal knowledge" of the producer's identity and location;

C. The SSSS covered by this certification does not contain stainless steel flat-rolled inputs produced in the People's Republic of China (China);

D. This certification applies to the following sales to {NAME OF U.S. CUSTOMER}, located at {ADDRESS OF U.S.

CUSTOMER} (repeat this block as many times as necessary):

Foreign Seller's Invoice # to U.S. Customer:

Foreign Seller's Invoice to U.S. Customer Line item #:

Producer's Invoice # to Foreign Seller: (*If the foreign seller and the producer are the same party, put NA here.*)

Producer's Invoice # Foreign Seller: (*If the foreign seller and the producer are the same party, put NA here.*)

Producer of Stainless Steel Flat-Rolled Inputs' Name:

Location (Country) of Producer of Stainless Steel Flat-Rolled Inputs:

E. The SSSS products covered by this certification were shipped to {NAME OF U.S. PARTY TO WHOM MERCHANDISE WAS SHIPPED}, located at {U.S. ADDRESS TO WHICH MERCHANDISE WAS SHIPPED};

F. I understand that {EXPORTING COMPANY} is required to maintain a copy of this certification and sufficient documentation supporting this certification (*i.e.*, documents maintained in the normal course of business, or documents obtained by the certifying party, for example, product data sheets, mill test reports, productions records, invoices, *etc.*) for the later of: (1) a period of five years from the date of entry; or (2) a period of three years after the conclusion of any litigation in the United States courts regarding such entries;

G. The shipments/products referenced herein shipped before mm/dd/yyyy, the date on which Commerce published notice of its preliminary scope and circumvention findings in the **Federal Register**. This certification was completed on mm/dd/yyyy, within 45 days of the **Federal Register** notice publication.

{Or}

The shipments/products referenced herein shipped on mm/dd/yyyy. This certification was completed on mm/dd/yyyy, within 45 days of the date on which Commerce published its preliminary scope and circumvention findings in the **Federal Register**.

{Or}

I understand that {EXPORTING COMPANY} must provide this Exporter Certification to the U.S. importer by the time of shipment;

H. I understand that failure to maintain the required certification and supporting documentation, failure to substantiate the claims made herein, and/or failure to allow U.S. Customs and Border Protection (CBP) and/or the U.S. Department of Commerce (Commerce) to verify the claims made herein, may result in a *de facto* determination that all entries to which this certification applies are within the scope of the antidumping duty (AD) and countervailing duty (CVD) orders on SSSS from China. I understand that such a finding will result in:

- suspension of all unliquidated entries (and entries for which liquidation has not become final) for which these requirements were not met;

○ the requirement that the importer post applicable AD and/or CVD cash deposits (as appropriate) equal to the rates as determined by Commerce; and

○ the revocation of {EXPORTING COMPANY}'s privilege to certify that future imports of SSSS were not produced using stainless steel flat-rolled inputs sourced from China subject to these certifications.

I. This certification was completed at time of shipment or within 45 days of the date on which Commerce published notice of its preliminary scope and anti-circumvention findings in the **Federal Register**; and

J. I am aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. government.

Signature

{NAME OF COMPANY OFFICIAL}

{TITLE}

{DATE}

[FR Doc. 2022-19966 Filed 9-14-22; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-791-827]

Certain Lemon Juice From the Republic of South Africa: Postponement of Final Determination and Extension of Provisional Measures

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

SUMMARY: The U.S. Department of Commerce (Commerce) is postponing the deadline for issuing the final determination in the less-than-fair-value (LTFV) investigation of certain lemon juice (lemon juice) from the Republic of South Africa (South Africa) until December 19, 2022, and is extending the provisional measures from a four-month period to a period of not more than six months.

DATES: Applicable September 15, 2022.

FOR FURTHER INFORMATION CONTACT:

Elizabeth Bremer or Zachary Shaykin, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4987 or (202) 482-2638, respectively.

SUPPLEMENTARY INFORMATION:

Background

Commerce initiated this investigation on January 19, 2022.¹ The period of investigation is October 1, 2020, through September 30, 2021. On August 4, 2022,

¹ See *Lemon Juice from Brazil and South Africa: Initiation of Less-Than-Fair-Value Investigations*, 87 FR 3768 (January 25, 2022).

Commerce published its *Preliminary Determination*.²

Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.210(b)(2) provide that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters or producers who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by the petitioner. Further, 19 CFR 351.210(e)(2) requires that a request by exporters for postponement of the final determination be accompanied by a request for extension of provisional measures from a four-month period to a period not more than six months, in accordance with section 733(d) of the Act.

On September 1, 2022, pursuant to 19 CFR 351.210(e), mandatory respondents Cape Fruit Processors (Pty) Ltd. (Cape Fruit) and Granor Passi (Pty) Ltd. (Granor Passi) requested that Commerce postpone the deadline for the final determination until no later than 135 days from the publication of the *Preliminary Determination*, and that provisional measures be extended to a period not to exceed six months.³ In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because: (1) the *Preliminary Determination* is affirmative; (2) the requesting exporters account for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, Commerce is postponing the final determination until no later than 135 days after the date of the publication of the *Preliminary Determination*, and extending the provisional measures from a four-month period to a period not greater than six months. Accordingly, Commerce will issue its final determination no later than December 19, 2022.⁴

² See *Certain Lemon Juice From the Republic of South Africa: Preliminary Affirmative Determination of Sales at Less Than Fair Value*, 87 FR 47707 (August 4, 2022).

³ See Cape Fruit and Granor Passi's Letter, "Request for Postponement of the Final Antidumping Determination—Case Ref A-791-827," dated September 1, 2022.

⁴ The actual deadline falls on December 17, 2022, which is a Saturday. Commerce's practice dictates that where a deadline falls on a weekend or Federal holiday, the appropriate deadline is the next business day. See *Notice of Clarification*:

Notification to Interested Parties

This notice is issued and published in accordance with section 735(a)(2) of the Act and 19 CFR 351.210(g).

Dated: September 9, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2022-19967 Filed 9-14-22; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XC304]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Elkhorn Slough Tidal Marsh Restoration Project, Phase III in Monterey County, California

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; issuance of incidental harassment authorization.

SUMMARY: NMFS has received a request from the California Department of Fish and Wildlife (CDFW) for the re-issuance of a previously issued incidental harassment authorization (IHA) with the only change being effective dates. The initial IHA authorized take of Pacific harbor seals (*Phoca vitulina*), by Level B harassment only, incidental to the Elkhorn Slough Restoration Project, Phase III, at the Seal Bend Restoration Area in Monterey County, CA. The project has been delayed and none of the work covered in the initial IHA has been conducted. The initial IHA was effective from September 16, 2021, through September 15, 2022. CDFW has requested re-issuance with new effective dates of September 16, 2022, through September 15, 2023. The scope of the activities and anticipated effects remain the same, authorized take numbers are not changed, and the required mitigation, monitoring, and reporting remains the same as included in the initial IHA. NMFS is, therefore, issuing a second identical IHA to cover the incidental take analyzed and authorized in the initial IHA.

DATES: This authorization is effective from September 16, 2022, through September 15, 2023.

Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to Tariff Act of 1930, as Amended, 70 FR 24533 (May 10, 2005).