

The meeting will be open to the public and will be accessible to people with disabilities. All guests are required to register in advance by the deadline identified under the DATE caption. Requests for auxiliary aids must be submitted by the registration deadline. Last minute requests will be accepted but may not be possible to fill.

A limited amount of time before the close of the meeting will be available for oral comments from members of the public attending the meeting. Members of the public attending virtually who wish to speak during the public comment period must give the DFO advance notice in order to facilitate their access. To accommodate as many speakers as possible, the time for public comments will be limited to two to five minutes per person (depending on number of public participants). Individuals wishing to reserve speaking time during the meeting must contact Cora Dickson using the contact information above and submit a brief statement of the general nature of the comments, as well as the name and address of the proposed participant, by 5:00 p.m. EDT on Monday, September 18, 2023. If the number of registrants requesting to make statements is greater than can be reasonably accommodated during the meeting, the International Trade Administration may conduct a lottery to determine the speakers. Speakers are requested to submit a copy of their oral comments by email to Cora Dickson for distribution to the participants in advance of the meeting.

Any member of the public may submit written comments concerning the REEEAC's affairs at any time before or after the meeting. Comments may be submitted via email to the Renewable Energy and Energy Efficiency Advisory Committee, c/o: Cora Dickson, Designated Federal Officer, Office of Energy and Environmental Industries, U.S. Department of Commerce; [Cora.Dickson@trade.gov](mailto:Cora.Dickson@trade.gov). To be considered during the meeting, public comments must be transmitted to the REEEAC prior to the meeting. As such, written comments must be received no later than 5:00 p.m. EDT on Monday, September 18, 2023. Comments received after that date will be distributed to the members but may not be considered at the meeting.

Copies of REEEAC meeting minutes will be available within 30 days following the meeting.

**Man K. Cho,**

*Deputy Director, Office of Energy and Environmental Industries.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-469-817]

**Ripe Olives From Spain: Preliminary Results of Antidumping Duty Administrative Review, and Partial Rescission of Review; 2021-2022**

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily finds that producers/exporters subject to this administrative review made sales of subject merchandise at less than normal value during the period of review (POR), August 1, 2021, through July 31, 2022. In addition, we are rescinding the administrative review with respect to one company. We invite interested parties to comment on these preliminary results.

**DATES:** Applicable September 8, 2023.

**FOR FURTHER INFORMATION CONTACT:** Dusten Hom or Mary Kolberg, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-5075 or (202) 482-1785, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On August 1, 2018, Commerce published in the *Federal Register* the antidumping duty order on ripe olives (olives) from Spain.<sup>1</sup> On August 2, 2022, we published in the *Federal Register* a notice of opportunity to request an administrative review of the *Order*.<sup>2</sup> On October 11, 2022, based on timely requests for an administrative review, Commerce initiated the administrative review of seven companies.<sup>3</sup> On November 10, 2022, Commerce selected Agro Sevilla Aceitunas, S. Coop. And. (Agro Sevilla) and Angel Camacho Alimentacion, S.L. (Camacho) as the mandatory respondents in this administrative review.<sup>4</sup>

<sup>1</sup> See *Ripe Olives from Spain: Antidumping Duty Order*, 83 FR 37465 (August 1, 2018); see also *Ripe Olives from Spain: Notice of Correction to Antidumping Duty Order*, 83 FR 39691 (August 10, 2018).

<sup>2</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 87 FR 47187 (August 2, 2022).

<sup>3</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 87 FR 61278 (October 11, 2022) (*Initiation Notice*).

<sup>4</sup> See Memorandum, "Respondent Selection," dated November 10, 2022.

On April 11, 2023, Commerce extended the time limit for issuing the preliminary results of this review by 120 days, to no later than August 31, 2023.<sup>5</sup> For a complete description of the events between the initiation of this review and these preliminary results, see the Preliminary Decision Memorandum.<sup>6</sup>

A list of the topics discussed in the Preliminary Decision Memorandum is attached as the appendix to this notice. The Preliminary Decision Memorandum is a public document and is made available to the public 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 is available at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

**Scope of the Order**

The products covered by this *Order* are olives from Spain. For a full description of the scope of the *Order*, see the Preliminary Decision Memorandum.

**Methodology**

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

**Partial Rescission of Review**

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if the party that requested a review withdraws its request within 90 days of the date of publication of the notice of initiation. The request for an administrative review of Plasoliva, S.L. (Plasoliva) was withdrawn within 90 days of the date of publication of the *Initiation Notice*.<sup>7</sup> No other party requested an administrative review of Plasoliva. As a result, Commerce is rescinding this review with respect to

<sup>5</sup> See Memorandum, "Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review," dated April 11, 2023.

<sup>6</sup> See Memorandum, "Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review: Ripe Olives from Spain; 2021-2022," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>7</sup> See Plasoliva's Letter, "Withdrawal Request for Administrative Review," dated January 9, 2023.

this company, in accordance with 19 CFR 351.213(d)(1).

**Rate for Non-Selected Companies**

The statute and Commerce’s regulations do not address the establishment of a rate to be applied to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in a market economy

investigation, for guidance when calculating the rate for companies which were not selected for individual examination in an administrative review. Under section 735(c)(5)(A) of the Act, the all-others rate is normally “an amount equal to the weighted-average of the estimated weighted-average dumping margins established for exporters and producers individually investigated excluding any zero or *de minimis* margins, and any margins determined entirely {on the basis of facts available.” In this review, we preliminarily calculated dumping

margins for the two mandatory respondents, Agro Sevilla and Camacho, of 2.42 and 2.35 percent, respectively, and have assigned to the non-selected companies a rate of 2.39 percent, which is the weighted average dumping margins of Agro Sevilla and Camacho weighted by their publicly ranged U.S. sales values.<sup>8</sup>

**Preliminary Results of Review**

We preliminarily determine that the following estimated weighted-average dumping margins exist for the period August 1, 2021, through July 31, 2022:

Producer/exporter	Weighted-average dumping margin (percent)
Agro Sevilla Aceitunas, S. Coop. And .....	2.42
Angel Camacho Alimentacion, S.L .....	2.35
Aceitunas Guadalquivir, S.L.U .....	2.39
Aceitunera del Norte de Cáceres, S.Coop.Ltda. de 2 Grado .....	2.39
Alimentary Group DCOOP, S.Coop.And .....	2.39
Internacional Olivarera, S.A .....	2.39

**Disclosure**

We intend to disclose the calculations performed in connection with these preliminary results to interested parties within five days after public announcement of the preliminary results.<sup>9</sup>

**Public Comment**

Pursuant to 19 CFR 351.309(c), interested parties may submit case briefs to the Assistant Secretary for Enforcement and Compliance no later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than seven days after the date for filing case briefs.<sup>10</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>11</sup> Case and rebuttal briefs should be filed using ACCESS and must be served on interested parties.<sup>12</sup> Note that Commerce has temporarily modified

certain of its requirements for serving documents containing business proprietary information, until further notice.<sup>13</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, filed electronically via ACCESS. 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 those raised in the respective case briefs. An electronically filed hearing request must be received successfully in its entirety by Commerce’s electronic records system, ACCESS, by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice. 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.

**Assessment Rates**

Upon completion of the final results, Commerce shall determine, and the U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review.<sup>14</sup> If a respondent’s weighted-average dumping margin is not zero or *de minimis* (*i.e.*, less than 0.5 percent) in the final results of this review, we intend to calculate an importer-specific assessment rate based on the ratio of the total amount of dumping calculated for each importer’s examined sales and the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1).<sup>15</sup> If the respondent’s weighted-average dumping margin or an importer-specific assessment rate is zero or *de minimis* in the final results of this review, we intend to instruct CBP not to assess duties on any of its entries in accordance with the *Final Modification for Reviews*.<sup>16</sup> The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this

<sup>8</sup> With two respondents under examination, Commerce normally calculates (A) a weighted-average of the dumping margins calculated for the examined respondents; (B) a simple average of the dumping margins calculated for the examined respondents; and (C) a weighted-average of the dumping margins calculated for the examined respondent using each company’s publicly-ranged U.S. sales quantities for the merchandise under consideration. Commerce then compares (B) and (C) to (A) and selects the rate closest to (A) as the most appropriate rate for all other producers and exporters. *See, e.g., Ball Bearings and Parts thereof*

*from France, Germany, Italy, Japan, and the United Kingdom” Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part*, 75 FR 53661, 53663 (September 1, 2010).  
<sup>9</sup> See 19 CFR 351.224(b).  
<sup>10</sup> See 19 CFR 351.309(d).  
<sup>11</sup> See 19 CFR 351.309(c)(2) and (d)(2).  
<sup>12</sup> See 19 CFR 351.303.  
<sup>13</sup> See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

<sup>14</sup> See 19 CFR 351.212(b)(1).  
<sup>15</sup> In these preliminary results, Commerce applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101 (February 14, 2012) (*Final Modification for Reviews*).  
<sup>16</sup> See *Final Modification for Reviews*, 77 FR at 8103; *see also* 19 CFR 351.106(c)(2).

review and for future deposits of estimated duties, where applicable.<sup>17</sup>

For entries of subject merchandise during the POR produced by either of the individually examined respondents for which they did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate these entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.<sup>18</sup>

For the companies identified above that were not selected for individual examination, we will instruct CBP to liquidate entries at the rates established after the completion of the final results of review.

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 cash deposit requirements for estimated antidumping duties will be effective upon publication in the **Federal Register** of the notice of final results of this review for all shipments of olives from Spain entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2) of the Act: (1) the cash deposit rate for companies subject to this review will be equal to the weighted-average dumping margins established in the final results of the review; (2) for merchandise exported by companies not covered in this review but covered in a prior segment of this proceeding, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation but the producer is, then the cash deposit rate will be the rate established in the completed segment for the most recent period for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to

be 19.98 percent,<sup>19</sup> the all-others rate established in the LTFV investigation. These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Final Results of Review

Unless extended, Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, no later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

#### 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 antidumping and/or countervailing duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of double antidumping duties, and/or an increase in the amount of antidumping duties by the amount of countervailing duties.

#### Notification to Interested Parties

These preliminary results and notice are issued and published in accordance with sections 751(a)(1) and 777(i) of the Act, 19 CFR 351.213(d)(4), 19 CFR 351.213(h) and 19 CFR 351.221(b)(4).

Dated: August 31, 2023.

**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. Rescission of Review, In Part
- V. Rate for Non-Selected Companies
- VI. Discussion of the Methodology
- VII. Currency Conversion
- VIII. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–351–859, A–533–915, A–508–814, A–201–858, A–580–916, A–791–828]

#### Brass Rod From Brazil, India, Israel, Mexico, the Republic of Korea, and South Africa: Postponement of Preliminary Determinations in the Less-Than-Fair-Value Investigations

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

**DATES:** Applicable September 8, 2023.

#### FOR FURTHER INFORMATION CONTACT:

Claudia Cott (Brazil), Christopher Williams (India), Andrew Hart (Israel), Frank Schmitt (Mexico), Drew Jackson (the Republic of Korea (Korea)), Dmitry Vladimirov (South Africa), AD/CVD Operations, Offices I, II, IV, VI, and IX, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4270, (202) 482–5166, (202) 482–1058, (202) 482–4880, (202) 482–4406, (202) 482–0665), respectively.

#### SUPPLEMENTARY INFORMATION:

#### Background

On May 17, 2023, the U.S. Department of Commerce (Commerce) initiated less-than-fair-value (LTFV) investigations of imports of brass rod from Brazil, India, Israel, Mexico, Korea, and South Africa.<sup>1</sup> Currently, the preliminary determinations are due no later than October 4, 2023.

#### Postponement of Preliminary Determinations

Section 733(b)(1)(A) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in a LTFV investigation within 140 days after the date on which Commerce initiated the investigation. However, section 733(c)(1)(A)(b)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 190 days after the date on which Commerce initiated the investigation if: (A) the petitioner makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR

<sup>17</sup> See section 751(a)(2)(C) of the Act.

<sup>18</sup> For a full discussion of this practice, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

<sup>19</sup> See *Ripe Olives from Spain: Antidumping Duty Order*, 83 FR 37465 (August 1, 2018) (*Order*) at 37466.

<sup>1</sup> See *Brass Rod from Brazil, India, Israel, Mexico, the Republic of Korea, and South Africa: Initiation of Less-Than-Fair-Value Investigations*, 88 FR 33579 (May 24, 2023) (*Initiation Notice*).