

specific AD/CVD certifications. For years, Commerce has used certification requirements as a way for parties to support claims concerning the applicability of an AD/CVD order to merchandise that they are producing, exporting and/or importing.<sup>1</sup> More recently, on September 20, 2021, Commerce published amendments to its existing regulations at 19 CFR part 351 to strengthen and improve the administration and enforcement of the AD/CVD laws.<sup>2</sup> Included in this final rule is the new regulation at 19 CFR 351.228, which became applicable on October 20, 2021, that codifies and enhances Commerce's existing authority and practice to require certifications by importers and other interested parties as to whether merchandise is subject to an AD/CVD order. Pursuant to 19 CFR 351.228(a)(1)(i)–(iii), the Secretary of Commerce may determine in the context of an AD/CVD proceeding that an importer or other interested party shall “maintain a certification for entries of merchandise into the customs territory of the United States,” “provide a certification by electronic means at the time of entry or entry summary,” or “otherwise demonstrate compliance with a certification requirement as determined by the Secretary, in consultation with the Customs Service.”

Since the time we published this regulation, there is a new reporting functionality in ACE that will allow the importer to enter a specific importer's additional declaration type code, which will be transmitted through the Automated Broker Interface, and indicate that merchandise is being entered into the customs territory of the United States subject to an accompanying AD/CVD certification. ACE will then reflect the indication under the new Importer's Additional Declaration. In light of this new

functionality, when the Secretary determines in the context of an AD/CVD proceeding that a certification is required, the Secretary may determine, alone or in conjunction with other requirements, that the importer shall declare that its merchandise is being entered subject to a certification requirement using an additional declaration type code in ACE at the time of entry summary. This code will represent a claim that, for example, the entered merchandise is entitled to a specific company AD and/or CVD rate or, alternatively, a claim that the entered merchandise is not subject to AD and/or CVD order. Use of this increased visibility in ACE will strengthen Commerce's and CBP's enforcement of AD/CVD orders, enabling them to more easily identify merchandise that is being entered subject to an AD/CVD certification. Accordingly, as of the effective date identified above and as determined by the Secretary in a given AD/CVD proceeding, Commerce and CBP may require that importers entering merchandise into customs territory of the United States that is the subject of an AD/CVD certification identify their merchandise as such with the new importer's additional declaration type code submitted at the time of entry summary. The Cargo Systems Messaging Service (CSMS) message announcing this new functionality will provide additional instructions regarding the importer's additional declaration type code.

Dated: January 29, 2024.

**Abdelali Elouaradia,**

*Deputy Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–533–894]

#### **Forged Steel Fluid End Blocks From India: Preliminary Results of Countervailing Duty Administrative Review and Rescission of Administrative Review, in Part; 2022**

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily determines that countervailable subsidies were provided to Bharat Forge Limited, the sole producer and exporter of forged steel fluid end blocks (fluid end blocks) from India subject to this

administrative review, during the period of review (POR) January 1, 2022, through December 31, 2022. We invite interested parties to comment on these preliminary results.

**DATES:** Applicable February 2, 2024.

**FOR FURTHER INFORMATION CONTACT:** Suresh Maniam, 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) 482–1603.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On January 29, 2021, Commerce published in the **Federal Register** the countervailing duty order on fluid end blocks from India.<sup>1</sup> On January 3, 2023, we published in the **Federal Register** a notice of opportunity to request an administrative review of the *Order*.<sup>2</sup> On March 14, 2023, based on timely requests for an administrative review, Commerce published in the **Federal Register** the notice of initiation of an administrative review of the *Order*.<sup>3</sup> On May 5, 2023, Commerce selected Bharat Forge, Limited as the sole mandatory respondent in this review.<sup>4</sup> On September 19, 2023, Commerce extended the deadline for the preliminary results of this review until January 31, 2024.<sup>5</sup>

For a complete description of the events that followed the initiation of this investigation, see the Preliminary Decision Memorandum.<sup>6</sup> A list of topics discussed in the Preliminary Decision Memorandum is included in the 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

<sup>1</sup> See *Forged Steel Fluid End Blocks from India: Countervailing Duty Order*, 86 FR 7535 (January 29, 2021) (*Order*).

<sup>2</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation: Opportunity to Request Administrative Review and Join Annual Inquiry Service List*, 88 FR 45 (January 3, 2023).

<sup>3</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 88 FR 15642 (March 14, 2023).

<sup>4</sup> See Memorandum, “Respondent Selection Memorandum,” dated May 5, 2023.

<sup>5</sup> See Memorandum, “Extension of Deadline for Preliminary Results,” dated September 19, 2023.

<sup>6</sup> See Memorandum, “Decision Memorandum for the Preliminary Results of the Countervailing Duty Administrative Review and Rescission of Review in Part: Forged Steel Fluid End Blocks from India; 2022,” dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>1</sup> See, e.g., *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China: Preliminary Determination of Sales at Less Than Fair Value, Postponement of Final Determination and Affirmative Preliminary Determination of Critical Circumstances, in Part*, 77 FR 31309, 31323–24 (May 25, 2012), unchanged in *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Final Determination of Sales at Less Than Fair Value, and Affirmative Final Determination of Critical Circumstances, in Part*, 77 FR 63791 (October 17, 2012), and accompanying Issues and Decision Memorandum at note 33; *Certain Cold-Rolled Steel Flat Products from the People's Republic of China: Affirmative Final Determination of Circumvention of the Antidumping Duty and Countervailing Duty Orders*, 83 FR 23891, 23892 (May 23, 2018), and accompanying Issues and Decision Memorandum at Comment 4.

<sup>2</sup> See *Regulations To Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*, 86 FR 52300 (September 20, 2021).

version of the Preliminary Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

### Scope of the Order

The product covered by the *Order* is fluid end blocks from India. For a complete description of the scope of the *Order*, see the Preliminary Decision Memorandum.

### Methodology

Commerce is conducting this countervailing duty administrative review in accordance with section 751(a)(1) of the Tariff Act of 1930, as amended (the Act). For each subsidy program found countervailable, Commerce preliminarily determines that there is a subsidy, *i.e.*, a financial contribution by an “authority” that gives rise to a benefit to the recipient, and that the subsidy is specific.<sup>7</sup> For a full description of the methodology underlying our conclusions, including our reliance, in part, on facts otherwise available pursuant to sections 776(a) and (b) of the Act, see the Preliminary Decision Memorandum.

### Rescission of Administrative Review, in Part

Based on our analysis of U.S. Customs and Border Protection (CBP) data, we determine that the following companies had no entries of subject merchandise during the POR: (1) Bharat Forge Limited, India; (2) Echjay Industries Pvt. Ltd.; (3) Jaypee Forge Pvt. Ltd.; (4) MM Forgings Ltd. (a.k.a., M M Forgings Ltd.); (5) Mars Forge Pvt. Ltd.; (6) Pradeep Metals Ltd.; (7) Ramkrishna Forgings Ltd.; (8) Rolex Rings Ltd.; (9) Sunrise Exports International; (10) Western Heat and Forge Pvt. Ltd.; and (11) Western India Forgings Pvt. Ltd. On June 29, 2023, we notified parties of our intent to rescind the administrative review with respect to these 11 companies because there are no reviewable suspended entries.<sup>8</sup> No parties commented on the notification of intent to rescind the review, in part. Pursuant to 19 CFR 351.213(d)(3), we are rescinding the administrative review of these 11 companies. For additional information regarding this determination, see the Preliminary Decision Memorandum.

<sup>7</sup> See sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

<sup>8</sup> See Memorandum, “Intent to Rescind Review, in Part,” dated June 29, 2023 (Intent to Rescind Memo).

### Preliminary Results of Review

We preliminarily find that the net countervailable subsidy rate exists for the period January 1, 2022, through December 31, 2022:

Company	Subsidy rate (percent <i>ad valorem</i> )
Bharat Forge Limited <sup>9</sup> .....	3.76

### Disclosure and Public Comment

We intend to disclose the calculations performed for these preliminary results to interested parties within five days after the date of publication of this notice.<sup>10</sup> Pursuant to 19 CFR 351.309(c), interested parties may submit case briefs to Commerce no later than 30 days after the date of publication of these preliminary results of review.<sup>13</sup> Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.<sup>14</sup> Interested parties who submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.<sup>12</sup>

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their brief that should be limited to five pages total, including footnotes. In this review, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.<sup>13</sup> Further, we request that interested parties limit their executive summary of each issue to no more than 450 words, not including citations. We intend to use the executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final results in this administrative review. We request that interested parties include footnotes for relevant citations in the executive summary of each issue. Note that Commerce has amended certain of its

<sup>9</sup> Commerce preliminarily finds the following companies to be cross-owned with Bharat Forge, Limited: Bharat Forge Utilities Limited and Saarloha Advanced Materials Private Limited.

<sup>10</sup> See 19 CFR 351.224(b).

<sup>11</sup> See 19 CFR 351.309(d); see also *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069, 67077 (September 29, 2023) (APO and Final Service Rule).

<sup>12</sup> See 19 CFR 351.309(c)(2) and (d)(2).

<sup>13</sup> We use the term “issue” here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

requirements pertaining to the service of documents in 19 CFR 351.303(f).<sup>14</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 p.m. eastern time within 30 days after the date of publication of this notice.

Unless extended, we intend to issue the final results of this administrative review, which will include the results of our analysis of the issues raised in the case briefs, within 120 days of publication of these preliminary results in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

### Assessment Rates

In accordance with section 751(a)(2)(C) of the Act and 19 CFR 351.221(b)(4)(i), we preliminarily determined subsidy rates in the amounts shown above for the producer/exporters shown above. Upon issuance of the final results of the administrative review, consistent with section 751(a)(1) of the Act and 19 CFR 351.212(b)(2), Commerce shall determine, and CBP shall assess, countervailing duties on all appropriate entries covered by this review.

For the companies for which this review is rescinded with these preliminary results, we will instruct CBP to assess countervailing duties on all appropriate entries at a rate equal to the cash deposit of estimated countervailing duties required at the time of entry, or withdrawal from warehouse, for consumption, during the period January 1, 2022, through December 31, 2022, in accordance with 19 CFR 351.212(c)(1)(i). For the companies remaining in the review, we intend 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

<sup>14</sup> See APO and Final Service Rule.

statutory injunction has expired (*i.e.*, within 90 days of publication).

### Cash Deposit Requirements

In accordance with section 751(a)(2)(C) of the Act, Commerce also intends upon publication of the final results, to instruct CBP to collect cash deposits of the estimated countervailing duties in the amounts calculated in the final results of this review for the respective companies listed above with regard to shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review. If the rate calculated in the final results is zero or *de minimis*, no cash deposit will be required on shipments of the subject merchandise entered or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review.

For all non-reviewed firms, CBP will continue to collect cash deposits of estimated countervailing duties at the all-others rate or the most recent company-specific rate applicable to the company, as appropriate. These cash deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Interested Parties

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

Dated: January 26, 2024.

**Abdelali Elouaradia,**

*Deputy 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 Administrative Review, in Part
- V. Use of Facts Otherwise Available and Application of Adverse Inferences
- VI. Subsidies Valuation Information
- VII. Analysis of Programs
- VIII. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-072]

#### Sodium Gluconate, Gluconic Acid, and Derivative Products From the People's Republic of China: Final Results of the Expedited First Sunset Review of the Countervailing Duty Order

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) finds that revocation of the countervailing duty (CVD) order on sodium gluconate, gluconic acid, and derivative products (sodium gluconate) from the People's Republic of China (China) would be likely to lead to continuation or recurrence of countervailable subsidies at the levels indicated in the "Final Results of Sunset Review" section of this notice.

**DATES:** Applicable February 2, 2024.

**FOR FURTHER INFORMATION CONTACT:** Stephanie Trejo, 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) 482-4390.

#### SUPPLEMENTARY INFORMATION:

##### Background

On November 13, 2018, Commerce published the CVD order on sodium gluconate from China.<sup>1</sup> On October 2, 2023, Commerce published the notice of initiation of the first sunset review of the *Order*, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup> On October 12, 2023, Commerce received a timely notice of intent to participate from PMP Fermentation Products Inc. (the domestic interested party) within the 15-day deadline specified in 19 CFR 351.218(d)(1)(i).<sup>3</sup> The domestic interested party claimed interested party status under section 771(9)(C) of the Act and 19 CFR 351.102(b)(29)(v) as producers of the domestic like product.

On November 1, 2023, Commerce received an adequate substantive response to the *Initiation Notice* from

<sup>1</sup> See *Sodium Gluconate, Gluconic Acid and Derivative Products from the People's Republic of China: Antidumping and Countervailing Duty Orders*, 83 FR 56299 (November 13, 2018) (*Order*).

<sup>2</sup> See *Initiation of Five-Year (Sunset) Reviews*, 88 FR 67729 (October 2, 2023).

<sup>3</sup> See Domestic Interested Parties' Letter, "Sodium Gluconate, Gluconic Acid, and Derivative Products from the People's Republic of China—Domestic Interested Parties' Notice of Intent to Participate," dated October 12, 2023.

the domestic interested party within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).<sup>4</sup> We received no substantive responses from any other interested parties, and no interested party requested a hearing. On November 17, 2023, Commerce notified the U.S. International Trade Commission that it did not receive an adequate substantive response from respondent interested parties, and that Commerce would conduct an expedited (120-day) sunset review of the *Order*,<sup>5</sup> pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(B)–(C).

##### Scope of the Order

The product covered by the *Order* is sodium gluconate from China. For a complete description of the scope of the *Order*, see the Issues and Decision Memorandum.<sup>6</sup>

##### Analysis of Comments Received

A complete discussion of all issues raised in this sunset review, including the likelihood of the continuation or recurrence of subsidization in the event of revocation of the *Order* and the countervailable subsidy rates likely to prevail if the *Order* were to be revoked, is provided in the accompanying Issues and Decision Memorandum. A list of the topics discussed in the Issues and Decision Memorandum is attached as an appendix to this notice. The Issues and 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), which is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNotices/ListLayout.aspx>.

##### Final Results of Sunset Review

Pursuant to sections 751(c)(1) and 752(b) of the Act, we determine that revocation of the *Order* would be likely to lead to continuation or recurrence of countervailable subsidies at the

<sup>4</sup> See Domestic Interested Parties' Letter, "Sodium Gluconate, Gluconic Acid, and Derivative Products from the People's Republic of China—Domestic Interested Parties' Substantive Response," dated November 1, 2023.

<sup>5</sup> See Commerce's Letter, "Sunset Reviews Initiated on October 2, 2023," dated November 17, 2023.

<sup>6</sup> See Memorandum, "Decision Memorandum for the Final Results of the First Expedited Sunset Review of the Antidumping Duty Orders on Sodium Gluconate, Gluconic Acid and Derivative Products from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).