

last day of the most recently completed administrative review under the order.<sup>6</sup>

**Instructions to U.S. Customs and Border Protection**

As we stated in our *Initiation and Preliminary Results*, we will instruct U.S. Customs and Border Protection to end the suspension of liquidation for the merchandise covered by the revocation on the effective date of this notice of revocation, in part, and to release any cash deposit or bond, pursuant to 19 CFR 351.222(g)(4).

**Notification**

This notice serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.306. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

This notice is published in accordance with sections 751(b)(1) and 777(i)(1) of the Act and 19 CFR 351.216(e), 351.221(b)(5), and 351.222(g).

Dated: April 2, 2015.

**Paul Piquado**

*Assistant Secretary for Enforcement and Compliance.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-570-836]

**Glycine From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review and Preliminary Intent To Rescind, in Part; 2013-2014**

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

**SUMMARY:** The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on glycine from the People's Republic of China (the PRC) covering the period of review (POR) from March 1, 2013, through February 28, 2014. The administrative

review covers two mandatory respondents, Baoding Mantong Fine Chemistry Co. Ltd. (Baoding Mantong) and Evonik Rexim (Nanning) Pharmaceutical Co., Ltd. (Evonik). The Department preliminarily finds that Baoding Mantong sold subject merchandise in the United States at prices below the normal value (NV) during the POR. The Department preliminarily determines that Evonik's sales to the United States were not *bona fide* and is preliminarily rescinding the review with respect to Evonik. Interested parties are invited to comment on these preliminary results.

**DATES:** *Effective Date:* April 8, 2015.

**FOR FURTHER INFORMATION CONTACT:** Dena Crossland or Ericka Ukrow, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-3362 or (202) 482-0405, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On April 30, 2014, the Department initiated an administrative review of the antidumping duty *Order*<sup>1</sup> on glycine from the PRC.<sup>2</sup>

**Scope of the Order**

The product covered by the antidumping duty order is glycine, which is a free-flowing crystalline material, like salt or sugar.<sup>3</sup> The subject merchandise is currently classifiable under the Harmonized Tariff Schedule of the United States (HTSUS) subheading 2922.49.4020. The HTSUS subheading is provided for convenience and customs purposes only; the written product description of the scope of the order is dispositive.<sup>4</sup>

**Methodology**

The Department is conducting this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act). For a full

<sup>1</sup> See *Antidumping Duty Order: Glycine from the People's Republic of China*, 60 FR 16116 (March 29, 1995) (*Order*).

<sup>2</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 79 FR 24398 (April 30, 2014).

<sup>3</sup> See "Decision Memorandum for the Preliminary Results of Antidumping Duty Administrative Review: Glycine from the People's Republic of China; 2013-2014" from Gary Taverman, Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, dated concurrently with this notice (Preliminary Decision Memorandum), for a complete description of the scope of the order.

<sup>4</sup> See *Order*.

description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum. The list of topics discussed in the Preliminary Decision Memorandum is provided as an Appendix to the notice. This 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 <http://access.trade.gov> and in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the Internet at <http://www.trade.gov/enforcement/>. The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

**Bona Fides Analysis**

As discussed in Evonik's *Bona Fide* Memorandum, the Department preliminarily finds that the sales by Evonik are not *bona fide*, and that these sales, and absence of factors-of-production (FOP) data, do not provide a reasonable or reliable basis for calculating a dumping margin.<sup>5</sup> The Department reached this conclusion based on the totality of circumstances, namely: (a) The atypical nature of Evonik's price; and (b) the atypical circumstances surrounding its supplier's inability to provide FOP data. Because these non-*bona fide* sales were the only sales of subject merchandise that Evonik made during the POR, the Department is preliminarily rescinding its review of Evonik.

**Preliminary Results of Review**

The Department has preliminarily determined that the following dumping margin exists for the period March 1, 2013, through February 28, 2014:

Exporter	Dumping margin (percent)
Baoding Mantong Fine Chemistry Co. Ltd .....	784.48

<sup>5</sup> See Memorandum to Abdelali Elouaradia, Acting Director, Office VI, Antidumping and Countervailing Duty Operations, through Angelica Townshend, Program Manager, Office VI, Antidumping and Countervailing Duty Operations, from Ericka Ukrow, International Trade Compliance Analyst, Office VI, titled "Antidumping Duty Administrative Review of Glycine from the People's Republic of China; 2013-2014: *Bona Fide* Nature of Evonik Rexim (Nanning) Pharmaceutical Co., Ltd.'s Sales," dated concurrently and hereby adopted by this notice (Evonik's *Bona Fide* Memorandum).

<sup>6</sup> See *Hand Trucks and Certain Parts Thereof From the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2011-2012*, 79 FR 44008 (July 29, 2014).

## Disclosure and Public Comment

The Department intends to disclose calculations performed for these preliminary results to the parties within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). Interested parties may submit case briefs no later than 30 days after the date of publication of these preliminary results of review.<sup>6</sup> Rebuttal briefs, which must be limited to issues raised in the case briefs, must be filed within five days after the time limit for filing case briefs.<sup>7</sup> A table of contents, list of authorities used, and an executive summary of issues should accompany any briefs submitted to the Department. This summary should be limited to five pages total, including footnotes.

Any interested party may request a hearing within 30 days of the publication of this notice.<sup>8</sup> Hearing requests should contain the following information: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Oral argument presentations 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 at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW, Washington, DC 20230.<sup>9</sup>

The Department intends to issue the final results of this administrative review, which will include the results of our analysis of all issues raised in the briefs, within 120 days after the publication of these preliminary results in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act.

## Assessment Rates

Upon issuance of the final results of this review, the Department will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review.<sup>10</sup> The Department intends to issue assessment instructions to CBP 15 days after the publication date of the final results of this review. If we proceed to a final rescission of this administrative review, with respect to Evonik, then its entries will be assessed at the rate entered.<sup>11</sup> For each individually examined respondent in this review whose weighted-average dumping margin in the final results of review is above *de*

*minimis* (i.e., greater than or equal to 0.5 percent), the Department intends to calculate importer- (or customer)-specific assessment rates, in accordance with 19 CFR 351.212(b)(1).<sup>12</sup> Where the respondent reported reliable entered values, the Department intends to calculate importer- (or customer)-specific *ad valorem* rates by aggregating the dumping margins calculated for all U.S. sales to the importer (or customer) and dividing this amount by the total entered value of the sales to the importer (or customer).<sup>13</sup> Where the Department calculates an importer- (or customer)-specific weighted-average dumping margin by dividing the total amount of dumping for reviewed sales to the importer (or customer) by the total sales quantity associated with those transactions, the Department will direct CBP to assess importer- (or customer)-specific assessment rates based on the resulting per-unit rates.<sup>14</sup> Where an importer- (or customer)-specific *ad valorem* or per-unit rate is greater than *de minimis*, the Department will instruct CBP to collect the appropriate duties at the time of liquidation. Where either the respondent's weighted average dumping margin is zero or *de minimis*, or an importer- (or customer)-specific *ad valorem* or per-unit rate is zero or *de minimis*, the Department will instruct CBP to liquidate appropriate entries without regard to antidumping duties.<sup>15</sup>

On October 24, 2011, the Department announced a refinement to its assessment practice in non-market economy antidumping duty cases.<sup>16</sup> Pursuant to this refinement in practice, for entries that were not reported in the U.S. sales database submitted by an exporter individually examined during this review, the Department will instruct CBP to liquidate such entries at the PRC-wide rate. Additionally, pursuant to this refinement, if the Department determines that an exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (i.e., at that exporter's rate) will be liquidated at the PRC-wide rate.

In accordance with section 751(a)(2)(C) of the Act, the final results

<sup>12</sup> See *Antidumping Proceedings: Calculation of the Weighted Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification*, 77 FR 8101 (February 14, 2012) (*Final Modification*).

<sup>13</sup> See 19 CFR 351.212(b)(1).

<sup>14</sup> *Id.*

<sup>15</sup> See *Final Modification* at 8103.

<sup>16</sup> See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011), for a full discussion of this practice.

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

## Cash Deposit Requirements

The following cash deposit requirements, when imposed, will apply to all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) For the companies listed above that have a separate rate, the cash deposit rate will be that rate established in the final results of this administrative review (except, if the rate is zero or *de minimis*, then a zero cash deposit will be required); (2) for any previously reviewed or investigated PRC and non-PRC exporter not listed above that received a separate rate in a previous segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate published for the most recently completed period; (3) for all PRC exporters that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the PRC-wide entity (i.e., 453.79 percent);<sup>17 18</sup> and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter that supplied the non-PRC exporter. These cash deposit requirements, when imposed, shall remain in effect until further notice.

## Notification to Importers

This notice also 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 duties prior to liquidation of the relevant entries during this

<sup>17</sup> See *Glycine From the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2011–2012*, 78 FR 20891 (April 8, 2013).

<sup>18</sup> The Department's change in policy regarding conditional review of the PRC-wide entity applies to this administrative review. See *Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings*, 78 FR 65963 (November 4, 2013). Under this policy, the PRC-wide entity will not be under review unless a party specifically requests, or the Department self-initiates, a review of the entity. Because no party requested a review of the PRC-wide entity in this review, the entity is not under review and the entity's rate is not subject to change.

<sup>6</sup> See 19 CFR 351.309(c)(1)(ii).

<sup>7</sup> See 19 CFR 351.309(d)(1)–(2).

<sup>8</sup> See 19 CFR 351.310(c).

<sup>9</sup> See 19 CFR 351.310(d).

<sup>10</sup> See 19 CFR 351.212(b)(1).

<sup>11</sup> See 19 CFR 351.212(c)(2).

review period. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213.

Dated: March 31, 2015.

**Paul Piquado,**

*Assistant Secretary for Enforcement and Compliance.*

## Appendix I

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

1. Summary
2. Background
3. Scope of the Order
4. Discussion of the Methodology
5. *Bona Fides* Inquiry
6. Non-Market Economy Country Status
7. Separate Rates Determination
  - A. Absence of *De Jure* Control
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8. The PRC-Wide Entity
9. Surrogate Country
  - A. Economic Comparability
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10. Date of Sale
11. Fair Value Comparisons
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  - C. Normal Value
12. Factor Valuation Methodology
  - A. ME Prices
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13. Comparisons to Normal Value
  - A. Determination of Comparison Method
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14. Currency Conversion
15. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-909]

#### Certain Steel Nails from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2012-2013

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

**SUMMARY:** The Department of Commerce ("Department") published the *Preliminary Results* of the fifth administrative review of certain steel nails ("nails") from the People's Republic of China ("PRC") on

September 30, 2014.<sup>1</sup> We gave interested parties an opportunity to comment on the *Preliminary Results*. Based upon our analysis of the comments and information received, we made changes to the margin calculations for these final results. The final dumping margins are listed below in the "Final Results of the Administrative Review" section of this notice. The period of review ("POR") is August 1, 2012, through July 31, 2013.

**DATES:** *Effective Date:* April 8, 2015.

**FOR FURTHER INFORMATION CONTACT:** Matthew Renkey or Susan Pulongbarit, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone 202-482-2312 or 202-482-4031, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Department published the *Preliminary Results* on September 30, 2014.<sup>2</sup> On February 9, 2015, we released the sales and factors of production ("FOP") verification reports for Stanley.<sup>3</sup> Between February 12 and February 24, 2015, interested parties submitted case and rebuttal briefs. On January 20, 2015, the Department extended the deadline for the final results to March 30, 2015.<sup>4</sup>

##### Scope of the Order

The merchandise covered by the order includes certain steel nails having a shaft length up to 12 inches. Certain

<sup>1</sup> See *Certain Steel from the People's Republic of China: Preliminary Results of the Antidumping Duty Administrative Review; 2012-2013*, 79 FR 58744 (September 30, 2014) ("*Preliminary Results*"), and accompanying Preliminary Decision Memorandum.

<sup>2</sup> See *Preliminary Results*.

<sup>3</sup> The Stanley Works (Langfang) Fastening Systems Co., Ltd. and Stanley Black & Decker, Inc. (collectively "Stanley"); see the memoranda to the file "Verification of the Questionnaire Responses of Stanley Black & Decker, Inc. ("SBD") in the 2012-2013 Antidumping Duty Review of Certain Steel Nails from the People's Republic of China ("PRC"), and Verification of the Questionnaire Responses of The Stanley Works (Langfang) Fastening Systems Co., Ltd. ("Stanley Langfang") in the 2012-2013 Antidumping Duty Review of Certain Steel Nails from the People's Republic of China ("PRC"), both dated February 9, 2015.

<sup>4</sup> See Memorandum to Gary Taverman, Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, through James C. Doyle, Director, Office V, Antidumping and Countervailing Duty Operations from Matthew Renkey, Senior International Trade Compliance Analyst, Office V, Antidumping and Countervailing Duty Operations regarding Certain Steel Nails from the People's Republic of China: Extension of Deadline for Final Results of Antidumping Duty Administrative Review, dated January 20, 2015.

steel nails subject to the order are currently classified under the Harmonized Tariff Schedule of the United States ("HTSUS") subheadings 7317.00.55, 7317.00.65, 7317.00.75, and 7907.00.6000.<sup>5</sup> While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.<sup>6</sup>

#### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties in this review are addressed in the Issues and Decision Memorandum. A list of the issues which parties raised is attached to this notice as an appendix. The Issues and Decision Memorandum is a public document and is on file in the Central Records Unit ("CRU"), Room 7046 of the main Department of Commerce building, as well as electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System ("ACCESS").<sup>7</sup> ACCESS is available to registered users at <http://access.trade.gov> and in the CRU. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Internet at <http://enforcement.trade.gov/frn/index.html>. The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

#### Changes Since the Preliminary Results

Based on a review of the record and comments received from interested parties regarding our *Preliminary Results*, and for the reasons explained in the Issues and Decision Memorandum, we revised the margin calculation for Stanley. Accordingly, for the final results, the Department has updated the margin to be assigned to companies

<sup>5</sup> The Department recently added the Harmonized Tariff Schedule category 7907.00.6000, "Other articles of zinc: Other," to the language of the Order. See Memorandum to Gary Taverman, Senior Advisor for Antidumping and Countervailing Duty Operations, through James C. Doyle, Director, Office 9, Antidumping and Countervailing Duty Operations, regarding "Certain Steel Nails from the People's Republic of China: Cobra Anchors Co. Ltd. Final Scope Ruling," dated September 19, 2013.

<sup>6</sup> See "Certain Steel Nails from the People's Republic of China: Issues and Decision Memorandum for the Final Results of the Fifth Antidumping Duty Administrative Review," dated concurrently with and hereby adopted by this notice ("Issues and Decision Memorandum"), for a complete description of the Scope of the Order.

<sup>7</sup> On November 24, 2014, Enforcement and Compliance changed the name of its centralized electronic service system to ACCESS. The Web site location was changed from <http://iaaccess.trade.gov> to <http://access.trade.gov>. The Final Rule changing the references to the centralized electronic service system to ACCESS in the Department's regulations can be found at 79 FR 69046 (November 20, 2014).