

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 will be liquidated at the PRC-wide rate.

In accordance with section 751(a)(2)(C) of the Act, the final results 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 Department will instruct CBP to require a cash deposit equal to the weighted-average amount by which the normal value exceeds U.S. price. The following cash deposit requirements will be effective upon publication of the final results of this administrative review for shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date of this notice, as provided by section 751(a)(2)(C) of the Act: (1) For the exporters listed above, the cash deposit rate will be equal to the weighted-average dumping margin established in the final results of this review (except, if the rate is zero or *de minimis*, then the cash deposit rate will be zero for that exporter); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recently completed segment of this proceeding; (3) for all PRC exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the rate for the PRC-wide entity and (4) for all non-PRC exporters of subject merchandise that have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter. These 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 POR. 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: November 30, 2015.

**Christian Marsh,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Partial Rescission of Administrative Review
- V. Discussion of the Methodology
  - A. Non-Market Economy Country Status
  - B. Separate Rate
  - C. Surrogate Country
  - D. Date of Sale
  - E. Fair Value Comparisons
  - F. Determination of Comparison Method
  - G. Export Price
  - H. Constructed Export Price
  - I. Normal Value
  - J. Factor Valuations
  - K. Currency Conversion
- VI. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-955]

#### Certain Magnesia Carbon Bricks From the People's Republic of China: Final Results of Expedited First Sunset Review of the Countervailing Duty Order

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

**SUMMARY:** The Department of Commerce (Department) finds that revocation of the countervailing duty (CVD) order on certain magnesia carbon bricks (MCBs) from the People's Republic of China (PRC) would be likely to lead to continuation or recurrence of a countervailable subsidy at the levels indicated in the "Final Results of Sunset Review" section of this notice.

**DATES:** *Effective Date:* December 7, 2015.

**FOR FURTHER INFORMATION CONTACT:** Jacqueline Arrowsmith, Office VII, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone (202) 482-5255.

**SUPPLEMENTARY INFORMATION:**

## Background

On September 21, 2010, the Department published the *CVD Order* on MCBs from the PRC.<sup>1</sup> On August 3, 2015, the Department published a notice of initiation of the first sunset review of the *CVD Order* on MCBs from the PRC pursuant to section 751(c)(2) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup> On August 18, 2015, the Magnesia Carbon Bricks Fair Trade Committee (the Committee) filed a notice of intent to participate in the review.<sup>3</sup> The Committee claimed interested party status pursuant to section 771(9)(C) of the Act.

The Department received an adequate substantive response from the domestic industry within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i). The Department did not receive a response from the Government of the PRC (GOC) or any respondent interested party to the proceeding. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(B)(2) and (C)(2), the Department conducted an expedited review of this *CVD Order* on MCBs.

### Scope of the Order

The merchandise subject to this *CVD Order* includes certain chemically-bonded (resin or pitch), magnesia carbon bricks. Certain magnesia carbon bricks that are the subject of this order are currently classifiable under subheadings 6902.10.1000, 6902.10.5000, 6815.91.0000, 6815.99.2000 and 6815.99.4000 of the Harmonized Tariff Schedule of the United States (HTSUS). While HTSUS subheadings are provided for convenience and customs purposes, the written description is dispositive. The Issues and Decision Memorandum, which is hereby adopted by this notice, provides a full description of the scope of the order.<sup>4</sup>

<sup>1</sup> See *Certain Magnesia Carbon Bricks from the People's Republic of China: Countervailing Duty Order*, 75 FR 57442 (September 21, 2010) (*CVD Order*).

<sup>2</sup> See *Initiation of Five-Year "Sunset" Reviews*, 80 FR 45945 (August 3, 2015).

<sup>3</sup> See Letter to the Department, "First Five-Year ("Sunset") Review of Countervailing Duty Order on Magnesia Carbon Bricks From The People's Republic of China: Domestic Industry's Notice of Intent to Participate In Sunset Review," (August 18, 2015). The Committee is an *ad hoc* association of three U.S. producers of MCBs: Resco Products, Inc., Magnesita Refractories Company, and Harbison Walker International, Inc.

<sup>4</sup> See Department Memorandum, "Issues and Decision Memorandum for the Final Results of the Expedited First Sunset Review of the Countervailing Duty Order on Certain Magnesia Carbon Bricks from the People's Republic of China," dated concurrently with this notice.

**Analysis of Comments Received**

All issues raised in this review are addressed in the Issues and Decision Memorandum. 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). ACCESS is available to registered users at <http://access.trade.gov> and in the Central Records Unit, Room B8024 of

the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed at <http://enforcement.trade.gov/frn/>. The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content. The issues discussed in the Issues and Decision Memorandum include the likelihood of continuation or recurrence of a countervailable subsidy, the net countervailable subsidy

rate likely to prevail if the *CVD Order* were revoked, and the nature of the subsidies.

**Final Results of Sunset Review**

Pursuant to sections 752(b)(1) and (3) of the Act, we determine that revocation of the *CVD Order* on MCBs from the PRC would be likely to lead to continuation or recurrence of a net countervailable subsidy at the rates listed below:

Manufacturers/exporters/producers	Net countervailable subsidy (percent)
RHI Refractories Liaoning Co., Ltd. (RHIL), RHI Refractories (Dalian) Co., Ltd. (RHID) and Liaoning RHI Jinding Magnesia Co., Ltd. (RHJ) (collectively, RHI) .....	24.24
Liaoning Mayerton Refractories (LMR) and Dalian Mayerton Refractories Co. Ltd. (DMR) (collectively, Mayerton) .....	253.87
All Others .....	24.24

**Notification Regarding Administrative Protective Order**

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or destruction of APO materials or conversion to judicial protective orders is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

The Department is issuing and publishing these final results and this notice in accordance with sections 751(c), 752(b), and 777(i)(1) of the Act and 19 CFR 351.218.

Dated: December 1, 2015.

**Christian Marsh,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-570-831]

**Fresh Garlic From the People’s Republic of China: Preliminary Results, Preliminary Intent To Rescind, and Partial Rescission of the 20th Antidumping Duty Administrative Review; 2013–2014**

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

**SUMMARY:** The Department of Commerce (Department) is conducting the 20th administrative review of the antidumping duty order on fresh garlic from the People’s Republic of China (PRC) covering the period of review (POR) November 1, 2013, through October 31, 2014.<sup>1</sup> This review covers 161 manufacturers/exporters of subject merchandise.<sup>2</sup> We preliminarily find that mandatory respondent Shenzhen Xinboda Industrial Co., Ltd. (Xinboda) made sales of subject merchandise at less than normal value (NV). In addition, the Department preliminarily finds that the other mandatory respondents, Hebei Golden Bird Trading Co., Ltd. (Golden Bird) and Qingdao Tiantaixing Foods Co., Ltd. (QTF), are part of the PRC-wide entity. We invite interested parties to comment on these preliminary results.

**DATES:** *Effective date:* December 7, 2015.

**FOR FURTHER INFORMATION CONTACT:**

Jacqueline Arrowsmith or Alexander Cipolla, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-5255 or (202) 482-4956.

**Scope of the Order**

The merchandise covered by the order includes all grades of garlic, whole or separated into constituent cloves. Fresh garlic that are subject to the order are currently classified under the Harmonized Tariff Schedule of the

United States (HTSUS) 0703.20.0010, 0703.20.0020, and 0703.20.0090. Although the HTSUS numbers are provided for convenience and customs purposes, the written product description remains dispositive. For a full description of the scope of this order, please see “III. Scope of the Order” in the accompanying Preliminary Decision Memorandum.<sup>3</sup>

**Partial Rescission of Administrative Review and Preliminary Intent To Rescind the Review**

On December 23, 2014, the Department initiated a review of 161 companies in this proceeding.<sup>4</sup> Between January 16 and March 17, 2015, withdrawal requests were timely filed for 81 companies.<sup>5</sup> The Department is, therefore, partially rescinding this review with respect to the companies listed in Appendix I, in accordance with 19 CFR 351.213(d)(1). In addition, we

<sup>3</sup> See Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, “Decision Memorandum for the Preliminary Results of the 2013–2014 Antidumping Duty Administrative Review: Fresh Garlic from the People’s Republic of China” (dated concurrently with this notice) (Preliminary Decision Memorandum).

<sup>4</sup> *Id.*

<sup>5</sup> See letter from Petitioners, “20th Administrative Review of the Antidumping Duty Order on Fresh Garlic from the People’s Republic of China—Petitioners’ Withdrawal of Certain Requests for Administrative Review,” at 2–4 (January 16, 2015); letter from El Bosque Garlic Farm, “Fresh Garlic from the People’s Republic of China—Withdrawal of Review Request in 20th Administrative Review filed on behalf of El Bosque Garlic Farm,” at 1 (March 17, 2015); and letter from Zhengzhou Harmoni Spice Co., Ltd., “Harmoni Withdrawal of Review Request: Twentieth Administrative Review of the Antidumping Duty Order on Fresh Garlic from the People’s Republic of China (A-570-831),” at 1 (January 16, 2015).

<sup>1</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 79 FR 76956 (December 23, 2014) (*Initiation Notice*).

<sup>2</sup> *Id.* at 79 FR 76956, 76958–76961.