

information with regard to its export activities for the purpose of establishing its eligibility for a separate rate. The review will proceed if the responses provide sufficient indication that Zhengzhou Yudi is not subject to either *de jure* or *de facto* government control with respect to its exports of fresh garlic from the PRC.

On February 24, 2016, the President signed into law the “Trade Facilitation and Trade Enforcement Act of 2015,” H.R. 644, which made several amendments to section 751(a)(2)(B) of the Act. We will conduct this new shipper review in accordance with section 751(a)(2)(B) of the Act, as amended by the Trade Facilitation and Trade Enforcement Act of 2015.<sup>13</sup>

Interested parties requiring access to proprietary information in this proceeding should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).

Dated: December 27, 2016.

**Christian Marsh,**

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-009]

#### Calcium Hypochlorite From the People's Republic of China: Preliminary Intent To Rescind the New Shipper Review of Haixing Jingmei Chemical Products Sales Co., Ltd.

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

**SUMMARY:** In response to a November 20, 2015, request from Haixing Jingmei Chemical Products Sales Co., Ltd. (“Jingmei”), and the producer of its merchandise, Haixing Eno Chemical Co., Ltd. (“Eno”), the Department of Commerce (“Department”) is conducting a new shipper review of Jingmei, regarding the countervailing duty order on calcium hypochlorite from the People's Republic of China

(“PRC”). The period of review (“POR”) is May 27, 2014, through December 31, 2015. The Department preliminarily determines to rescind this review because we requested but were not provided sufficient information to determine whether, and conclude that, Jingmei's sale of subject merchandise to the United States was *bona fide*. Interested parties are invited to comment on this preliminary intent to rescind.

**DATES:** Effective January 3, 2017.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Lobaugh, 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) 482-7425.

#### SUPPLEMENTARY INFORMATION:

##### Background

On March 4, 2016, the Department published notice of initiation of a new shipper review of calcium hypochlorite from the PRC for the period May 27, 2014, through December 31, 2015.<sup>1</sup> On July 12, 2016, the Department extended the deadline for the preliminary results to December 27, 2016.<sup>2</sup>

##### Scope of the Order

The merchandise covered by the Order is calcium hypochlorite, regardless of form (*e.g.*, powder, tablet (compressed), crystalline (granular), or in liquid solution), whether or not blended with other materials, containing at least 10% available chlorine measured by actual weight. Calcium hypochlorite is currently classifiable under the subheading 2828.10.0000 of the Harmonized Tariff Schedule of the United States.<sup>3</sup>

<sup>1</sup> See *Calcium Hypochlorite from the People's Republic of China: Initiation of Countervailing Duty New Shipper Review; 2014-2015*, 81 FR 11516 (March 4, 2016) (“Initiation”).

<sup>2</sup> See Memorandum to the File through James C. Doyle, Director, Office V, to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations “Extension of Deadline for Preliminary Results of Countervailing Duty New Shipper Review; 2014-2015” (November 5, 2015).

<sup>3</sup> See Memorandum to Paul Piquado, Assistant Secretary for Enforcement and Compliance, from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations “Decision Memorandum for the Preliminary Results of the Countervailing Duty New Shipper Review of Calcium Hypochlorite from the People's Republic of China: Haixing Jingmei Chemical Products Sales Co., Ltd.” dated concurrently with and hereby adopted by this notice (“Preliminary Decision Memorandum”) for a complete description of the Scope of the Order.

#### Methodology

The Department is conducting this review in accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended (“the Act”) and 19 CFR 351.214. For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum.

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 <http://access.trade.gov> and in the Department's Central Records Unit, Room B8024 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://enforcement.trade.gov/frn/>. The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

#### Preliminary Intent To Rescind Jingmei New Shipper Review

Section 751(a)(2)(B)(iv) of the Act requires that a countervailing duty rate determined in a new shipper review be determined based solely on *bona fide* sales. For the reasons detailed in the Preliminary Decision Memorandum and the *Bona Fide* Sales Analysis Memorandum,<sup>4</sup> the Department preliminarily finds that, as a result of Jingmei's customers' failure to provide necessary information, we cannot determine whether, and conclude that, Jingmei's sale under review is *bona fide*. As a result, the Department preliminarily intends to rescind the new shipper review of Jingmei.

#### Public Comment

Interested parties may submit written comments by no later than 30 days after the date of publication of these preliminary results of review.<sup>5</sup> Rebuttals, limited to issues raised in the written comments, may be filed by no

<sup>4</sup> See Memorandum to James Doyle, Director, Office V, Antidumping and Countervailing Duty Operations, through Catherine Bertrand, Program Manager, Office V, Antidumping and Countervailing Duty Operations, from Elizabeth Lobaugh, International Trade Analyst, titled “*Bona Fide* Nature of the Sale in the Countervailing Duty New Shipper Review of Calcium Hypochlorite from the People's Republic of China: Haixing Jingmei Chemical Products Sales Co., Ltd.” dated concurrently with this notice.

<sup>5</sup> See 19 CFR 351.309(c).

<sup>13</sup> The Trade Facilitation and Trade Enforcement Act of 2015 removed from section 751(a)(2)(B) of the Act the provision directing the Department to instruct Customs and Border Protection to allow an importer the option of posting a bond or security in lieu of a cash deposit during the pendency of a new shipper review.

later than five days after the written comments are filed.<sup>6</sup>

Any interested party may request a hearing within 30 days of publication of this notice.<sup>7</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 presentations will be limited to issues raised in the briefs. If a request for a hearing is made, parties will be notified of the time and date for the hearing to be held at the U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230.<sup>8</sup>

The Department intends to issue the final results of this new shipper review, which will include the results of its analysis of issues raised in any such comments, not later than 90 days after the date these preliminary results of new shipper review are issued, pursuant to section 751(a)(2)(B)(iii) of the Act.

**Assessment Rates**

Upon completion of the final results, pursuant to 19 CFR 351.212(b), the Department will determine, and the U.S. Customs and Border Protection ("CBP") shall assess, countervailing duties on all appropriate entries. If we proceed to a final rescission of the new shipper review, the assessment rate to which Jingmei's entries will be subject will not be affected by this review. If we do not proceed to a final rescission of the new shipper review, pursuant to 19 CFR 351.212(b)(2), we will calculate a countervailing duty rate. We intend to instruct CBP to assess countervailing duties on all appropriate entries covered by this review if any countervailing duty rate calculated in the final results of this review is above *de minimis*.<sup>9</sup>

**Cash Deposit Requirements**

Effective upon publication of the final rescission or the final results of this new

shipper review, we will instruct CBP to discontinue the option of posting a bond or security in lieu of a cash deposit for entries of subject merchandise by Jingmei. If the Department proceeds to a final rescission of the new shipper review, the cash deposit rate will continue to be the all-others rate. If we issue final results of the new shipper review for Jingmei, we will instruct CBP to collect cash deposits, effective upon the publication of the final results, at the rates established therein.

The Department is issuing and publishing these results in accordance with sections 751(a)(2)(B) and 777(i)(1) of the Act, and 19 CFR 351.214 and 19 CFR 351.221(b)(4).

Dated: December 27, 2016.

**Paul Piquado,**

*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. Discussion of the Methodology
- V. Recommendation

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Initiation of Five-Year ("Sunset") Reviews**

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

**SUMMARY:** In accordance with section 751(c) of the Tariff Act of 1930, as amended ("the Act"), the Department of Commerce ("the Department") is automatically initiating the five-year reviews ("Sunset Reviews") of the

antidumping and countervailing duty ("AD/CVD") order(s) listed below. The International Trade Commission ("the Commission") is publishing concurrently with this notice its notice of *Institution of Five-Year Review* which covers the same order(s).

**DATES:** Effective January 1, 2017.

**FOR FURTHER INFORMATION CONTACT:** The Department official identified in the *Initiation of Review* section below at AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230. For information from the Commission contact Mary Messer, Office of Investigations, U.S. International Trade Commission at (202) 205-3193.

**SUPPLEMENTARY INFORMATION:**

**Background**

The Department's procedures for the conduct of Sunset Reviews are set forth in its *Procedures for Conducting Five-Year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders*, 63 FR 13516 (March 20, 1998) and 70 FR 62061 (October 28, 2005). Guidance on methodological or analytical issues relevant to the Department's conduct of Sunset Reviews is set forth 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).

**Initiation of Review**

In accordance with 19 CFR 351.218(c), we are initiating Sunset Reviews of the following antidumping and countervailing duty order(s):

<u>DOC Case No.</u>	<u>ITC Case No.</u>	<u>Country</u>	<u>Product</u>	<u>Department Contact</u>
A-570-835	731-TA-703	PRC	Furfuryl Alcohol (4 <sup>th</sup> Review)	David Goldberger (202) 482-4136
A-583-803	731-TA-410	Taiwan	Light-Walled Rectangular Welded Carbon Steel Pipe and Tube (4 <sup>th</sup> Review)	David Goldberger (202) 482-4136

<sup>6</sup> See 19 CFR 351.309(d).

<sup>7</sup> See 19 CFR 351.310(c).

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

<sup>9</sup> See 19 CFR 351.106(c)(2).