

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-351-842]

**Certain Uncoated Paper From Brazil: Final Results of Antidumping Duty Administrative Review; 2015–2017**

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

**SUMMARY:** The Department of Commerce (Commerce) determines that certain uncoated paper (uncoated paper) from Brazil is being sold at less than normal value during the period of review (POR), August 27, 2015, through February 28, 2017.

**DATES:** Applicable October 18, 2018.

**FOR FURTHER INFORMATION CONTACT:** Jerry Huang, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4047.

**SUPPLEMENTARY INFORMATION:****Background**

On April 10, 2018, Commerce published the preliminary results of the antidumping duty administrative review on uncoated paper from Brazil.<sup>1</sup> The review covers one producer/exporter of the subject merchandise, Suzano Papel e Celulose S.A. (Suzano). For a discussion of events since the *Preliminary Results* were published, see the accompanying Issues and Decision Memorandum.<sup>2</sup>

**Scope of the Order**

The product covered by this review is uncoated paper from Brazil. For a full description of the scope, see the Issues and Decision Memorandum dated concurrently with and hereby adopted by this notice.

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the Issues and Decision Memorandum.<sup>3</sup> A list of the issues that parties raised and to which we responded is attached to this notice as an Appendix. The

<sup>1</sup> See *Certain Uncoated Paper from Brazil: Preliminary Results of Antidumping Duty Administrative Review; 2015–2017*, 83 FR 15368 (April 10, 2018) (*Preliminary Results*).

<sup>2</sup> See Memorandum, “Certain Uncoated Paper from Brazil: Issues and Decision Memorandum for the Final Results of the Antidumping Duty Administrative Review; 2015–2017,” dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>3</sup> *Id.*

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 <https://access.trade.gov> and in the Central Records Unit (CRU), room B8024 of the main Commerce building. 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 versions 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, we have recalculated Suzano’s weighted-average dumping margin and, based on our findings at verification, we have made certain changes to Suzano’s margin calculation. For further discussion, see the Issues and Decision Memorandum.

**Final Results of the Administrative Review**

We determine that the following weighted-average dumping margin exists for the period August 27, 2015 through February 28, 2017.

Exporter/producer	Weighted-average margin (percent)
Suzano Papel e Celulose S.A ..	18.80

**Assessment Rate**

Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. For entries of subject merchandise during the period of review produced by Suzano for which they did not know their merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. We intend to issue liquidation instructions to CBP 15 days after publication of the final results of this review.

**Cash Deposit Requirements**

The following cash deposit requirements will be effective upon publication of the notice of final results of this review for all shipments of

uncoated paper from Brazil 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 for the most recent period; (3) if the exporter is not a firm covered in this review or the original investigation but the producer is, the cash deposit rate will be the rate established for the most recently completed segment for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 27.11 percent, the all-others rate established in the less-than-fair-value investigation.<sup>4</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

**Notification to Importers**

This notice also serves as a final 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 Secretary’s presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of doubled antidumping duties.

**Administrative Protective Order**

This notice also serves as a reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. 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 the terms of an APO is a sanctionable violation.

<sup>4</sup> See *Certain Uncoated Paper from Australia, Brazil, Indonesia, the People’s Republic of China, and Portugal: Amended Final Affirmative Antidumping Determinations for Brazil and Indonesia and Antidumping Duty Orders*, 81 FR 11173 (March 3, 2016).

Commerce is issuing and publishing these results in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.221(b)(5).

Dated: October 9, 2018.

**Gary Taverman,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties for the Assistant Secretary for Enforcement and Compliance.*

## Appendix

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

- I. Summary
- II. Background
- III. Scope of the Order
- IV. List of Comments
- V. Discussion of Comments
  - Comment 1: Treatment of Suzano's Sales to an U.S. Foreign Trade Zone (FTZ)
  - Comment 2: Treatment of Suzano's Credit Expenses
  - Comment 3: Treatment of INSS Taxes
  - Comment 4: Suzano's Liquidation Instructions
  - Comment 5: Programming Issue in Suzano's Margin Calculation
- VI. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-096]

#### Aluminum Wire and Cable From the People's Republic of China: Initiation of Countervailing Duty Investigation

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

**DATES:** Applicable October 11, 2018.

**FOR FURTHER INFORMATION CONTACT:** Nancy Decker at (202) 482-0196 or Mark Hoadley at (202) 482-3148, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

##### The Petition

On September 21, 2018, the U.S. Department of Commerce (Commerce) received a countervailing duty (CVD) Petition concerning imports of aluminum wire and cable from the People's Republic of China (China), filed in proper form on behalf of Encore Wire Corporation and Southwire Company, LLC (the petitioners), which are domestic producers of aluminum

wire and cable.<sup>1</sup> The CVD Petition was accompanied by an antidumping duty (AD) Petition concerning imports of aluminum wire and cable from China.

On September 25 and 26, 2018, Commerce requested supplemental information pertaining to certain aspects of the Petition in two separate supplemental questionnaires, one dealing with general issues with the Petition and the other with issues related to Volume III of the Petition (*i.e.*, the CVD allegation).<sup>2</sup> The petitioners filed their combined response to the supplemental questionnaires on September 28, 2018.<sup>3</sup>

In accordance with section 702(b)(1) of the Tariff Act of 1930, as amended (the Act), the petitioners allege that the Government of China (GOC) is providing countervailable subsidies, within the meaning of sections 701 and 771(5) of the Act, to producers of aluminum wire and cable in China and that imports of such products are materially injuring, or threatening material injury to, the domestic industry producing aluminum wire and cable in the United States. Consistent with section 702(b)(1) of the Act and 19 CFR 351.202(b), for those alleged programs on which we are initiating a CVD investigation, the Petition is accompanied by information reasonably available to the petitioners supporting their allegations.

Commerce finds that the petitioners filed the Petition on behalf of the domestic industry because the petitioners are an interested party as defined in section 771(9)(C) of the Act. Commerce also finds that the petitioners demonstrated sufficient industry support necessary for the initiation of the requested CVD investigation.<sup>4</sup>

#### Period of Investigation

Because the Petition was filed on September 28, 2018, the period of investigation is January 1, 2017, through December 31, 2017.

<sup>1</sup> See letter from the petitioners, "Aluminum Wire and Cable from China: Antidumping and Countervailing Duty Petitions," dated September 21, 2018 (the Petition).

<sup>2</sup> See letters from Commerce, "Petition for the Imposition of Countervailing Duties on Imports of Aluminum Wire and Cable from the People's Republic of China: Supplemental Questions" (CVD Deficiency Questionnaire), dated September 25, 2018, and "Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of Aluminum Wire and Cable from the People's Republic of China: Supplemental Questions" (General Issues Deficiency Questionnaire), dated September 26, 2018.

<sup>3</sup> See letter from the petitioners, "Aluminum Wire and Cable from China: Amendment of Petitions and Response to Commerce's Supplemental Questions" dated September 28, 2018 (Petition Supplement).

<sup>4</sup> See "Determination of Industry Support for the Petition" section, *infra*.

#### Scope of the Investigation

The product covered by this investigation is aluminum wire and cable from China. For a full description of the scope of this investigation, see the Appendix to this notice.

#### Scope Comments

During our review of the Petition, Commerce contacted the petitioners regarding the proposed scope language to ensure that the scope language in the Petition is an accurate reflection of the products for which the domestic industry is seeking relief.<sup>5</sup> As a result of the petitioners' submission, the scope of the Petition was modified to clarify the description of merchandise covered by the Petition. The description of the merchandise covered by this initiation, as described in the Appendix to this notice, reflects these clarifications.

As discussed in the *Preamble* to Commerce's regulations, we are setting aside a period for interested parties to raise issues regarding product coverage (scope).<sup>6</sup> Commerce will consider all comments received from interested parties and, if necessary, will consult with interested parties prior to the issuance of the preliminary determination. If scope comments include factual information,<sup>7</sup> all such factual information should be limited to public information. To facilitate preparation of its questionnaires, Commerce requests that all interested parties submit such comments by 5:00 p.m. Eastern Time (ET) on October 31, 2018, which is 20 calendar days from the signature date of this notice. Any rebuttal comments, which may include factual information, must be filed by 5:00 p.m. ET on November 13, 2018.<sup>8</sup>

Commerce requests that any factual information parties consider relevant to the scope of the investigation be submitted during this period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigation may be relevant, the party may contact Commerce and request

<sup>5</sup> See Supplemental Questionnaire Response at 7-8 and Exhibit I (Revised Scope).

<sup>6</sup> See *Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

<sup>7</sup> See 19 CFR 351.102(b)(21) (defining "factual information").

<sup>8</sup> See 19 CFR 351.303(b). Rebuttal comments are normally due 10 days after the comment deadline. In this case, 10 calendar days from the initial comments deadline falls on Saturday, November 10, 2018. Commerce's practice dictates that where a deadline falls on a weekend or federal holiday, the appropriate deadline is the next business day. See *Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005).