

determination in a CVD investigation within 65 days after the date on which Commerce initiated the investigation. However, if the petitioner makes a timely request for postponement, section 703(c)(1)(A) of the Act permits Commerce to postpone the preliminary determination until no later than 130 days after the date on which Commerce initiated the investigation. Under 19 CFR 351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. Commerce will grant the request unless it finds compelling reasons to deny the request.

On April 5, 2019, the petitioner<sup>2</sup> submitted a timely request that Commerce postpone the preliminary determinations in these CVD investigations.<sup>3</sup> The petitioner stated that it requests postponement of the preliminary determinations because Commerce recently issued questionnaires and additional time is required for Commerce to receive and analyze the questionnaire responses.<sup>4</sup> Furthermore, the petitioner stated that additional time will permit it to review and comment on the submitted data.<sup>5</sup>

In accordance with 19 CFR 351.205(e), the petitioner has stated the reasons for requesting postponement of the preliminary determinations, and Commerce finds no compelling reason to deny the request. Therefore, in accordance with section 703(c)(1)(A) of the Act, Commerce is postponing the deadline for the preliminary determinations to no later than 130 days after the date on which these investigations were initiated, *i.e.*, July 5, 2019. Pursuant to section 705(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determinations of these investigations will continue to be 75 days after the date of the preliminary determinations.

This notice is issued and published pursuant to section 703(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: April 10, 2019.

**Gary Taverman,**

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-810]

#### Stainless Steel Bar From India: Preliminary Results of Antidumping Duty Administrative Review; 2017-2018

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

**SUMMARY:** The Department of Commerce (Commerce) preliminarily determines that the producers/exporters subject to this review made sales of stainless steel bar (SS Bar) from India at less than normal value during the period of review (POR) February 1, 2017, through January 31, 2018. Interested parties are invited to comment on these preliminary results.

**DATES:** Applicable April 16, 2019.

**FOR FURTHER INFORMATION CONTACT:** Mark Kennedy or Hermes Pinilla, 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) 482-7883 or (202) 482-3477, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

This review covers four producers/exporter of the subject merchandise, Venus Wire Industries Pvt. Ltd., and its affiliates Hindustan Inox, Precision Metals and Sieves Manufacturers (India) Pvt. Ltd. (collectively, the Venus Group),<sup>1</sup> Jindal Stainless Hisar Ltd.

<sup>1</sup> Commerce has previously determined that Venus Wire Industries Pvt. Ltd., and its affiliates Hindustan Inox, Precision Metals and Sieves Manufacturers (India) Pvt. Ltd. constitute a single entity. See *Stainless Steel Bar From India: Preliminary Results of Changed Circumstances Review and Intent To Reinstate Certain Companies in the Antidumping Duty Order*, 82 FR 48483 (October 18, 2017) and accompanying Preliminary Decision Memorandum at 3-5, unchanged in *Final Results of Changed Circumstances Review and Reinstatement of Certain Companies in the Antidumping Duty Order*, 83 FR 17529 (April 20, 2018). We have received no information on the record of this review to dispute that finding.

(Jindal), Jindal Stainless Limited, and Laxcon Steels Limited.

#### Scope of the Order

The merchandise subject to the order is SS Bar. Imports of the product are currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 7222.11.00, 7222.19.00, 7222.20.00, 7222.30.00. While the HTSUS subheadings are provided for convenience and customs purposes, the written description is dispositive. A full description of the scope of the order is contained in the Preliminary Decision Memorandum.<sup>2</sup>

#### Preliminary Determination of No Reviewable Entries

Based on our review of the U.S. Customs and Border Protection (CBP) data, we found no evidence of reviewable entries made by Jindal Stainless Limited during the POR.<sup>3</sup> However, Jindal Stainless Limited did not file a letter on the record stating whether or not it had shipments during the POR. It is Commerce's long-standing practice to rely on both a company's timely filed no-shipment letter and CBP data corroborating such company's no-shipment claim to determine that the company made no shipments during the POR.<sup>4</sup> Consistent with this practice, we find that it is not appropriate to rescind the review with respect to Jindal Stainless Limited. Rather, we will complete the review with respect to Jindal Stainless Limited and issue appropriate instructions to CBP based on the final results.<sup>5</sup>

#### Methodology

Commerce is conducting this review in accordance with section 751(a)(2) of the Tariff Act of 1930, as amended (the Act). Export prices were calculated in accordance with section 772 of the Act.

<sup>2</sup> See Memorandum, "Decision Memorandum for the Preliminary Results of Antidumping Duty Administrative Review: Stainless Steel Bar from India: 2017-2018," dated concurrently with, and hereby adopted by this notice (Preliminary Decision Memorandum).

<sup>3</sup> See Memorandum to the File, "Antidumping Duty Administrative Review on Stainless Steel Bar from India: Release of Customs and Border Protection Data," dated May 1, 2018. See also Memorandum, "Re: Selection of respondents for Individual Examination," dated June 22, 2018.

<sup>4</sup> See *Certain Cut-to-Length Carbon-Quality Steel Plate Products from the Republic of Korea: Final Results of Antidumping Duty Administrative Review; 2012-2013*, 79 FR 54264 (September 11, 2014), and accompanying Issues and Decisions Memorandum at Comment 5.

<sup>5</sup> See, e.g., *Wooden Bedroom Furniture from the People's Republic of China: Final Results and Final Rescission, In Part, of Administrative Review and Final Results of New Shipper Review; 2013*, 80 FR 34619 (June 17, 2015).

<sup>2</sup> The petitioner is the Full Member Subgroup of the American Institute of Steel Construction, LLC.

<sup>3</sup> See the petitioner's Letter titled, "Certain Fabricated Structural Steel From Canada, Mexico, and the People's Republic of China: Request to Postpone Determination," dated April 5, 2019.

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

<sup>5</sup> *Id.*

Normal value was calculated in accordance with section 773 of the Act.

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 made available to the public *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 to all parties in Commerce's Central Records Unit, located at room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be found at <http://enforcement.trade.gov/frn/index.html>. A list of topics discussed in the Preliminary Decision Memorandum is attached at the Appendix to this notice.

#### Preliminary Results of Administrative Review

We preliminarily determine that the following weighted-average dumping margins exist for the respondents for the period February 1, 2017, through January 31, 2018:

Producer/exporter	Weighted-average dumping margin (percent)
Venus Group .....	77.49
Jindal Stainless (Hisar) Limited ..	95.21
Laxcon Steels Limited .....	77.49

#### Disclosure and Public Comment

With respect to the Venus Group, we intend to disclose the calculations performed for these preliminary results to the parties within five days after public announcement of the preliminary results in accordance with 19 CFR 351.224(b). Because we preliminarily determined an antidumping margin for Jindal in these preliminary results, based on the application of adverse facts available, in accordance with section 776 of the Act, there are no calculations to disclose.

Pursuant to 19 CFR 351.309(c), interested parties may submit case briefs not later than 30 days after the date of publication of this notice. 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>6</sup> Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue,

(2) a brief summary of the argument, and (3) a table of authorities.<sup>7</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. An electronically filed document must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice.<sup>8</sup> 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.

Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, not later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act, and 19 CFR 351.213(h)(1) and (2).

#### Assessment Rates

Upon issuance of the final results in this administrative review, Commerce shall determine and CBP shall assess antidumping duties on all appropriate entries covered by this POR. If the preliminary results are unchanged for the final results, we will instruct CBP to apply the *ad valorem* assessment rates listed above to all entries of subject merchandise during the POR which were exported by the companies named above.

For entries of subject merchandise during the POR produced by the Venus Group for which it did not know its 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 deposit requirements will be effective upon publication of the notice of final results of this review for all shipments of SS Bar from India 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 the rates established in the final results of the review; (2) for merchandise exported by producers or exporters not covered in this review but covered in a prior segment of the 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, a prior review, or the original investigation but the producer is, the cash deposit rate will be the rate established for the most recent period for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 12.45 percent, the all-others rate established in the less-than-fair-value investigation.<sup>9</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice 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 Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

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)(4).

Dated: April 9, 2019.

**Gary Taverman,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the 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. Cost of Production Analysis for the Venus Group
- V. Application of Facts Otherwise Available and Adverse Inferences
  - A. Application of AFA to the Venus Group
  - B. Application of AFA to JSHL
  - C. Selection of AFA Rate
- VI. Rate for Respondent Not Selected for Individual Examination
- VII. Discussion of the Methodology
  - (1) Comparisons to Normal Value
    - A. Determination of Comparison Method

<sup>9</sup> See *Notice of Final Determination of Sales at Less Than Fair Value: Stainless Steel Bar from India*, 59 FR 66915, 66921 (December 28, 1994).

<sup>7</sup> See 19 CFR 351.309(c)(2) and (d)(2).

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

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

- B. Results of the Differential Pricing Analysis
- VIII. Date of Sale
- IX. Product Comparisons
- X. Export Price and Constructed Export Price
- XI. Normal Value
  - A. Comparison Market Viability
  - B. Affiliated Party Transactions and Arm's-Length Test
  - C. Level of Trade
  - D. Cost of Production Analysis
    - 1. Calculation of Cost of Production
    - 2. Test of Comparison Market Sales Prices
    - 3. Results of the COP Test
  - E. Calculation of Normal Value Based on Comparison Market Prices
- XII. Currency Conversion
- XIII. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-910]

#### Circular Welded Carbon Quality Steel Pipe From the People's Republic of China: Final Results of the Expedited Second Sunset Review of the Antidumping Duty Order

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

**SUMMARY:** The Department of Commerce (Commerce) finds that revocation of the antidumping duty order on circular welded carbon quality steel pipe (CWP) from the People's Republic of China (China) would be likely to lead to continuation or recurrence of dumping, at the level indicated in the "Final Results of Sunset Review" section of this notice, *infra*.

**DATES:** Applicable April 16, 2019.

**FOR FURTHER INFORMATION CONTACT:** Jonathan Hill or Howard Smith, 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) 482-3518 or (202) 482-5193, respectively.

#### Background

On July 22, 2008, Commerce published in the **Federal Register** the antidumping duty order on CWP from China.<sup>1</sup> On November 1, 2018, Commerce published the notice of initiation of this sunset review of the *Order*, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the

Act).<sup>2</sup> From November 15, 2018, through November 16, 2018, pursuant to 19 CFR 351.218(d)(1), Commerce received timely and complete notices of intent to participate in the sunset review from Zekelman Industries (Zekelman), Bull Moose Tube Company (Bull), EXLTUBE (EXL), TMK IPSCO (TMK), Wheatland Tube (Wheatland), Independence Tube Corporation (Independence), and Southland Tube Incorporated (Southland) (collectively domestic interested parties) in which the domestic interested parties claimed interested party status, as domestic producers of CWP, under section 771(9)(C) of the Act.<sup>3</sup> This notice was filed within the time period specified in 19 CFR 351.218(d)(1)(i).<sup>4</sup> On November 29, 2018, pursuant to 19 CFR 351.218(d)(3)(i), domestic interested parties filed a timely and adequate substantive response.<sup>5</sup> Commerce did not receive a substantive response from any respondent interested party. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce conducted an expedited (120-day) sunset review of the *Order*.

#### Scope of the Order

The merchandise subject to the *Order* is certain welded carbon quality steel pipes and tubes, of circular cross-section, and with an outside diameter of 0.372 inches (9.45 mm) or more, but not more than 16 inches (406.4 mm), whether or not stenciled, regardless of wall thickness, surface finish (*e.g.*, black, galvanized, or painted), end finish (*e.g.*, plain end, beveled end, grooved, threaded, or threaded and coupled), or industry specification (*e.g.*, ASTM, proprietary, or other), generally known as standard pipe and structural pipe (they may also be referred to as circular, structural, or mechanical tubing).

The pipe products that are the subject of the *Order* are currently classifiable in HTSUS statistical reporting numbers 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, 7306.30.50.90, 7306.50.10.00, 7306.50.50.50, 7306.50.50.70, 7306.19.10.10, 7306.19.10.50, 7306.19.51.10, and 7306.19.51.50.

<sup>2</sup> See *Initiation of Five-Year (Sunset) Review*, 83 FR 54915 (November 1, 2018).

<sup>3</sup> See Zekelman's Letter of Intent dated November 16, 2018; see also Bull, EXL, and TMK's Letter of Intent dated November 16, 2018, see also Wheatland, Independence, and Southland's Letter of Intent dated November 16, 2018.

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

<sup>5</sup> See domestic interested parties Substantive Response dated November 29, 2018 (Substantive Response).

However, the product description, and not the Harmonized Tariff Schedule of the United States ("HTSUS") classification, is dispositive of whether merchandise imported into the United States falls within the scope of the *Order*.<sup>6</sup>

#### Analysis of Comments Received

A complete discussion of all issues raised in this sunset review, specifically the likelihood of continuation or recurrence of dumping and the magnitude of the margins likely to prevail if the *Order* were to be revoked, is provided in the accompanying Issues and Decision Memorandum, which is hereby adopted by this notice.<sup>7</sup> 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 to all parties 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.

#### Final Results of Sunset Review

Pursuant to sections 751(c)(1), 752(c)(1) and (3) of the Act, Commerce determines that revocation of the *Order* would likely lead to continuation or recurrence of dumping, and that the magnitude of the dumping margins likely to prevail would be weighted-average dumping margins up to 85.55 percent.

#### Notification Regarding Administrative Protective Orders

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

<sup>6</sup> For a complete description of the scope of the *Order*, see Commerce's Issues and Decision Memorandum for the Expedited Second Sunset Review of the Antidumping Duty Order on Circular Welded Carbon Quality Steel Pipe from the People's Republic of China (Issues and Decision Memorandum), dated concurrently with this notice.

<sup>7</sup> *Id.*

<sup>1</sup> See *Notice of Antidumping Duty Order: Circular Welded Carbon Quality Steel Pipe from the People's Republic of China*, 73 FR 42547 (July 22, 2008) (*Order*).