

Dated: May 14, 2019.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by the investigation is certain quartz surface products.¹⁶ Quartz surface products consist of slabs and other surfaces created from a mixture of materials that includes predominately silica (e.g., quartz, quartz powder, cristobalite) as well as a resin binder (e.g., an unsaturated polyester). The incorporation of other materials, including, but not limited to, pigments, cement, or other additives does not remove the merchandise from the scope of the investigation. However, the scope of the investigation only includes products where the silica content is greater than any other single material, by actual weight. Quartz surface products are typically sold as rectangular slabs with a total surface area of approximately 45 to 60 square feet and a nominal thickness of one, two, or three centimeters. However, the scope of this investigation includes surface products of all other sizes, thicknesses, and shapes. In addition to slabs, the scope of this investigation includes, but is not limited to, other surfaces such as countertops, backsplashes, vanity tops, bar tops, work tops, tabletops, flooring, wall facing, shower surrounds, fire place surrounds, mantels, and tiles. Certain quartz surface products are covered by the investigation whether polished or unpolished, cut or uncut, fabricated or not fabricated, cured or uncured, edged or not edged, finished or unfinished, thermoformed or not thermoformed, packaged or unpackaged, and regardless of the type of surface finish.

In addition, quartz surface products are covered by the investigation whether or not they are imported attached to, or in conjunction with, non-subject merchandise such as sinks, sink bowls, vanities, cabinets, and furniture. If quartz surface products are imported attached to, or in conjunction with, such non-subject merchandise, only the quartz surface product is covered by the scope.

Subject merchandise includes material matching the above description that has been finished, packaged, or otherwise fabricated in a third country, including by cutting, polishing, curing, edging, thermoforming, attaching to, or packaging with another product, or any other finishing, packaging, or fabrication that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the quartz surface products.

The scope of the investigation does not cover quarried stone surface products, such as granite, marble, soapstone, or quartzite. Specifically excluded from the scope of the investigation are crushed glass surface products. Crushed glass surface products

must meet each of the following criteria to qualify for this exclusion: (1) The crushed glass content is greater than any other single material, by actual weight; (2) there are pieces of crushed glass visible across the surface of the product; (3) at least some of the individual pieces of crushed glass that are visible across the surface are larger than one centimeter wide as measured at their widest cross-section (glass pieces); and (4) the distance between any single glass piece and the closest separate glass piece does not exceed three inches.

The products subject to the scope are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under the following subheading: 6810.99.0010. Subject merchandise may also enter under subheadings 6810.11.0010, 6810.11.0070, 6810.19.1200, 6810.19.1400, 6810.19.5000, 6810.91.0000, 6810.99.0080, 6815.99.4070, 2506.10.0010, 2506.10.0050, 2506.20.0010, 2506.20.0080, and 7016.90.10. The HTSUS subheadings set forth above are provided for convenience and U.S. Customs purposes only. The written description of the scope is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Final Determination of Critical Circumstances
- IV. Scope Comments
- V. Use of Adverse Facts Available
- VI. Subsidies Valuation Information
- VII. Analysis of Programs
- VIII. Analysis of Comments
 - Comment 1: Whether This Investigation Was Improperly Initiated
 - Comment 2: The Application of AFA to Hero Stone
 - Comment 3: The Application of AFA to Foshan Yixin's and Hero Stone's Unaffiliated Suppliers of Subject Merchandise
 - Comment 4: The Application of AFA to Input Market Distortion
 - Comment 5: The Application of AFA Regarding Whether Inputs Are Specific
 - Comment 6: Whether Commerce's Use of a Tier Two Benchmark Takes Into Account Prevailing Market Conditions in China
 - Comment 7: The Benchmark Used in the Calculation of the Provision of Polyester Resin for Less Than Adequate Remuneration (LTAR) Program
 - Comment 8: The Benchmark Used in the Calculation of the Provision of Quartz for LTAR Program
 - Comment 9: Whether Commerce Should Continue To Treat Quartz "Powder" as Crushed Quartz Sand
 - Comment 10: Whether Commerce's Preliminary Critical Circumstances Determination Was Lawful
- IX. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-900]

Diamond Sawblades and Parts Thereof From the People's Republic of China: Notice of Court Decision Not in Harmony With the Final Results of Review, Rescission of Administrative Review in Part, and Amended Final Results of the Antidumping Duty Administrative Review; 2013-2014

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

SUMMARY: On May 7, 2019, the United States Court of International Trade (CIT) sustained the final remand redetermination pertaining to the administrative review of the antidumping duty order on diamond sawblades and parts thereof from the People's Republic of China covering the period November 1, 2013, through October 31, 2014. The Department of Commerce (Commerce) is notifying the public that the CIT's final judgment in this case is not in harmony with the final results of the administrative review, that Commerce is rescinding the administrative review in part, and that Commerce is amending the final results with respect to the respondents eligible for separate rates.

DATES: Applicable May 17, 2019.

FOR FURTHER INFORMATION CONTACT: Yang Jin Chun or Minoo Hatten, 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) 482-5760 or (202) 482-1690, respectively.

SUPPLEMENTARY INFORMATION:

Background

On June 14, 2016, Commerce published the *Final Results*, in which we valued cores produced by Weihai Xiangguang Mechanical Industrial Co., Ltd. (Weihai) using a build-up methodology, and calculated surrogate truck freight distance using the average of the distances between industrial estates in Bangkok and the Port of Bangkok.¹ On March 22, 2018, the CIT remanded the *Final Results* to Commerce to re-examine: (1) The withdrawals of review requests with

¹ See *Diamond Sawblades and Parts Thereof from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2013-2014*, 81 FR 38673 (June 14, 2016) (*Final Results*) and accompanying Issues and Decision Memorandum at Comments 11 and 19.

¹⁶ Quartz surface products may also generally be referred to as engineered stone or quartz, artificial stone or quartz, agglomerated stone or quartz, synthetic stone or quartz, processed stone or quartz, manufactured stone or quartz, and Bretonstone®.

respect to Weihai in light of *Glycine & More, Inc. v. United States*, 880 F.3d 1335 (Fed. Cir. 2018) (*Glycine & More*); and (2) the surrogate truck freight distance used in the valuation of the truck freight expense. In addition, the CIT granted Commerce's request for a voluntary remand to address the issues concerning the valuation of Weihai's purchased cores and the rate for non-selected separate rate respondents.²

In the first final remand redetermination, we stated our intent to accept all withdrawals of review requests with respect to Weihai, rescind the administrative review with respect to Weihai, and revise the surrogate truck freight distance. Because we intended to rescind the administrative review in part with respect to Weihai, we treated the issue of the valuation of Weihai's cores as moot. We assigned the revised rate for the Jiangsu Fengtai Single Entity³ as the separate rate to eligible non-selected respondents.⁴

On February 1, 2019, the CIT remanded the *Final Results* to Commerce to reconsider Commerce's methodology in determining the separate rate for the non-selected respondents in this litigation. In addition, the CIT ordered that, if Commerce decides on remand to reinstate Weihai in the administrative review, Commerce must make appropriate adjustments in line with the CIT's previous remand order regarding the cores valuation and the revision to

the surrogate truck freight distance with respect to Weihai.⁵

In the second final remand redetermination, we continued to accept all withdrawals of review requests with respect to Weihai and stated our intent to rescind the administrative review, in part, with respect to Weihai. In response to the CIT's remand order, we relied on data for Weihai and the Jiangsu Fengtai Single Entity to recalculate the separate rate for the eligible non-selected respondents, with the adjustments to the cores valuation and the surrogate truck freight distance for Weihai.⁶ On May 7, 2019, the CIT sustained our second final remand redetermination in its entirety.⁷

Timken Notice

In its decision in *Timken Co. v. United States*, 893 F.2d 337, 341 (Fed. Cir. 1990) (*Timken*), as clarified by *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010), the United States Court of Appeals for the Federal Circuit held that, pursuant to section 516A(e) of the Tariff Act of 1930, as amended (the Act), Commerce must publish a notice of a court decision that is not "in harmony" with a Commerce determination and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's May 7, 2019, final judgment sustaining the second final remand redetermination constitutes the CIT's final decision which is not "in harmony" with the *Final Results*. This notice is published in fulfillment of the

publication requirements of *Timken*. Accordingly, Commerce will continue the suspension of liquidation of the subject merchandise pending expiration of the period to appeal or, if appealed, pending a final and conclusive court decision.

Rescission of Administrative Review in Part

In accordance with 19 CFR 351.213(d), Commerce will rescind an administrative review in part "if a party that requested a review withdraws the request within 90 days of the date of the publication of notice of initiation of the requested review. The Secretary may extend this time limit if the Secretary decides that it is reasonable to do so."⁸ Subsequent to the initiation of the review, the petitioner and Weihai timely withdrew their requests for review of Weihai.⁹ Robert Bosch Tools Corporation (Bosch) withdrew its request for review of Weihai after the regulatory 90-day period¹⁰ but we extended this time limit and accepted Bosch's withdrawal of its review request because we find it reasonable to do so under 19 CFR 351.213(d).¹¹ Because no other party requested a review of Weihai, we are rescinding the review in part with respect to Weihai in accordance with 19 CFR 351.213(d)(1).

Amended Final Results of Review

Because there is now a final court decision, Commerce is amending the *Final Results* with respect to the separate rate respondents as follows:

Exporter	Weighted-average dumping margin (percent)
Bosun Tools Co., Ltd	39.66
Chengdu Huifeng Diamond Tools Co., Ltd. ¹²	39.66
Danyang Huachang Diamond Tools Manufacturing Co., Ltd	39.66
Danyang NYCL Tools Manufacturing Co., Ltd	39.66
Danyang Weiwang Tools Manufacturing Co., Ltd	39.66
Guilin Tebon Superhard Material Co., Ltd	39.66
Hangzhou Deer King Industrial and Trading Co., Ltd	39.66
Hong Kong Hao Xin International Group Limited	39.66
Huzhou Gu's Import & Export Co., Ltd	39.66

² See *Diamond Sawblades Manufacturers' Coalition v. United States*, 301 F. Supp. 3d 1326 (CIT 2018).

³ The Jiangsu Fengtai Single Entity is comprised of Jiangsu Fengtai Diamond Tool Manufacture Co., Ltd., Jiangsu Fengtai Tools Co., Ltd., and Jiangsu Fengtai Sawing Industry Co., Ltd. See the Memorandum, "Diamond Sawblades and Parts Thereof from the People's Republic of China—Collapsing of Jiangsu Fengtai Diamond Tool Manufacture Co., Ltd. and Affiliated Producers," dated November 30, 2015.

⁴ See Final Remand Redetermination dated August 6, 2018, pursuant to *Diamond Sawblades Manufacturers' Coalition v. United States*, 301 F. Supp. 3d 1326 (CIT 2018), and available at <https://enforcement.trade.gov/remands/18-28.pdf>, *aff'd in part, remanded in part, Diamond Sawblades*

Manufacturers' Coalition v. United States, 359 F. Supp. 3d 1374 (CIT 2019).

⁵ See *Diamond Sawblades Manufacturers' Coalition v. United States*, 359 F. Supp. 3d 1374 (CIT 2019).

⁶ See Final Second Remand Redetermination dated March 29, 2019, pursuant to *Diamond Sawblades Manufacturers' Coalition v. United States*, 359 F. Supp. 3d 1374 (CIT 2019), and available at <https://enforcement.trade.gov/remands/19-17.pdf>.

⁷ See *Diamond Sawblades Manufacturers' Coalition v. United States*, Court No. 16-00124, Slip Op. 19-54 (CIT May 7, 2019).

⁸ See 19 CFR 351.213(d).

⁹ See the petitioner's and Weihai's withdrawals of review request dated March 23, 2015.

¹⁰ See Bosch's withdrawal of review request dated April 8, 2015.

¹¹ See Final Remand Redetermination dated August 6, 2018, pursuant to *Diamond Sawblades Manufacturers' Coalition v. United States*, 301 F. Supp. 3d 1326 (CIT 2018), and available at <https://enforcement.trade.gov/remands/18-28.pdf>, *aff'd, remanded on other grounds, Diamond Sawblades Manufacturers' Coalition v. United States*, 359 F. Supp. 3d 1374 (CIT 2019).

¹² Commerce determined that Chengdu Huifeng New Material Technology Co., Ltd., is the successor-in-interest to Chengdu Huifeng Diamond Tools Co., Ltd. See *Diamond Sawblades and Parts Thereof from the People's Republic of China: Final Results of Antidumping Duty Changed Circumstances Review*, 82 FR 60177 (December 19, 2017).

Exporter	Weighted-average dumping margin (percent)
Jiangsu Fengtai Single Entity	56.67
Jiangsu Huachang Tools Manufacturing Co., Ltd	39.66
Jiangsu Inter-China Group Corporation ¹³	39.66
Jiangsu Youhe Tool Manufacturer Co., Ltd	39.66
Orient Gain International Limited	39.66
Pantos Logistics (HK) Company Limited	39.66
Qingyuan Shangtai Diamond Tools Co., Ltd	39.66
Quanzhou Zhongzhi Diamond Tool Co., Ltd	39.66
Rizhao Hein Saw Co., Ltd	39.66
Saint-Gobain Abrasives (Shanghai) Co., Ltd	39.66
Shanghai Jingquan Industrial Trade Co., Ltd	39.66
Wuhan Wanbang Laser Diamond Tools Co ¹⁴	39.66
Xiamen ZL Diamond Technology Co., Ltd	39.66
Zhejiang Wanli Tools Group Co., Ltd	39.66

In the event the CIT's ruling is not appealed or, if appealed, upheld by a final and conclusive court decision, Commerce will instruct the U.S. Customs and Border Protection (CBP) to assess antidumping duties on unliquidated entries of subject merchandise based on the revised rates Commerce determined and listed above and, for Weihai, at the rate equal to the cash deposit of the estimated antidumping duty required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(2).

Cash Deposit Requirements

As the cash deposit rate for Jiangsu Huachang Tools Manufacturing Co., Ltd., has not been subject to subsequent administrative reviews, Commerce will issue revised cash deposit instructions to CBP adjusting the rate from 29.76 percent to 39.66 percent, effective May 17, 2019. For all other respondents listed above, because the cash deposit rates have been updated in subsequent administrative reviews,¹⁵ we will not

¹³ See *Diamond Sawblades and Parts Thereof from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2013–2014*, 80 FR 75854, 75855, n.15 (December 4, 2015), for the name variation of this company.

¹⁴ Commerce determined that Wuhan Wanbang Laser Diamond Tools Co., Ltd., is the successor-in-interest to Wuhan Wanbang Laser Diamond Tools Co. See *Diamond Sawblades and Parts Thereof from the People's Republic of China: Final Results of Antidumping Duty Changed Circumstances Review*, 81 FR 20618 (April 8, 2016).

¹⁵ See *Diamond Sawblades and Parts Thereof from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2015–2016*, 83 FR 17527, 17528 (April 20, 2018), for Bosun Tools Co., Ltd., Danyang NYCL Tools Manufacturing Co., Ltd., and Wuhan Wanbang Laser Diamond Tools Co., and *Diamond Sawblades and Parts Thereof from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2016–2017*, 83 FR 39673, 39674, n.10 (August 10, 2018), unchanged in *Diamond Sawblades and Parts Thereof from the People's Republic of China: Final Results of*

update their cash deposit rates as a result of these amended final results.

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(e)(1), 751(a)(1), and 777(i)(1) of the Act.

Dated: May 16, 2019.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–533–844]

Certain Lined Paper Products From India: Final Results of Countervailing Duty Administrative Review; 2016

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

SUMMARY: The Department of Commerce (Commerce) determines that countervailable subsidies are being provided to Goldenpalm Manufacturers Pvt. Limited (Goldenpalm), a producer/exporter of certain lined paper products (lined paper) from India for the period of review January 1, 2016, through December 31, 2016.

DATES: Applicable May 23, 2019.

FOR FURTHER INFORMATION CONTACT: John Conniff, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1009.

Antidumping Duty Administrative Review; 2016–2017, 83 FR 64331 (December 14, 2018), for all other respondents listed above for which the cash deposit rates will not be updated as a result of these amended final results.

Background

Commerce published the *Preliminary Results* of this administrative review on October 10, 2018.¹ Commerce exercised its discretion to toll all deadlines affected by the partial federal government closure from December 22, 2018, through the resumption of operations on January 29, 2019.² On March 5, 2019, we postponed the final results of review by 57 days, until May 15, 2019.³ Based on an analysis of the comments received, Commerce has made certain changes to the subsidy rate listed in the *Preliminary Results*. The final subsidy rate is listed in the “Final Results of Administrative Review” section below.

Scope of the Order

The products covered by the order are certain lined paper products from India. For a full description of the scope, see the Issues and Decision Memorandum.⁴

Analysis of Comments Received

The issues raised by the Government of India, Goldenpalm, and the

¹ See *Certain Lined Paper Products from India: Preliminary Results of Countervailing Duty Administrative Review; Calendar Year 2016*, 83 FR 50896 (October 10, 2018) (*Preliminary Results*) and accompanying Preliminary Decision Memorandum.

² See Memorandum to the Record from 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, “Deadlines Affected by the Partial Shutdown of the Federal Government,” dated January 28, 2019. All deadlines in this segment of the proceeding have been extended by 40 days.

³ See Memorandum, “Extension of Deadline for Final Results of Countervailing Duty Review,” dated March 5, 2019.

⁴ See Memorandum, “Decision Memorandum for the Final Results of Administrative Review; 2016: Certain Lined Paper Products from India,” dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).