

In accordance with section 736(b)(2) of the Act, Commerce will instruct CBP to release any bond or other security, and refund any cash deposit made, to secure the payment of antidumping duties with respect to entries of the merchandise entered, or withdrawn from warehouse, for consumption before the date of publication of the ITC's final affirmative determination under section 735(b) of the Act. Further, Commerce will instruct CBP to terminate the suspension of liquidation of, and to liquidate without regard to antidumping duties, entries of refillable stainless steel kegs from Mexico which are entered, or withdrawn from warehouse, for consumption prior to the date of publication of the ITC's affirmative determination under section 735(b) of the Act.

**Provisional Measures and Critical Circumstances**

Because the ITC determined, in accordance with section 735(d) of the Act, that the establishment of an industry in the United States is materially retarded within the meaning of section 735(b)(1)(B) of the Act by reason of imports of refillable stainless steel kegs from Mexico sold at LTFV, and further found that critical circumstances do not exist with respect to imports of subject merchandise from Mexico,<sup>3</sup> provisional measures are inapplicable. Similarly, because of the ITC's final negative determination of critical circumstances, pursuant to section 735(c)(3) of the Act, Commerce will instruct CBP to terminate any retroactive suspension of liquidation, release any bond or other security, and refund any cash deposit required to secure the payment of antidumping duties with respect to entries of refillable stainless steel kegs from Mexico entered, or withdrawn from warehouse, for consumption before the date of publication of the ITC's final affirmative determination under section 735(b) of the Act.

**Estimated Weighted-Average Dumping Margins**

The weighted-average dumping margins are as follows:

Producer/exporter	Weighted-average dumping margin (percent)
THIELMANN Mexico S.A. de C.V	18.48
Portinox Mexico S.A. de C.V .....	18.48
Geodis Wilson Mexico S.A. de C.V.	18.48

<sup>3</sup> See ITC Letter.

Producer/exporter	Weighted-average dumping margin (percent)
All Others .....	18.48

**Notification to Interested Parties**

This notice constitutes the antidumping duty order with respect to refillable stainless steel kegs from Mexico pursuant to section 736(a) of the Act. Interested parties can find a list of antidumping duty orders currently in effect at <http://enforcement.trade.gov/stats/iastats1.html>.

This order is issued and published in accordance with section 736(a) of the Act and 19 CFR 351.211(b).

Dated: October 4, 2019.

**Jeffery I. Kessler,**  
Assistant Secretary for Enforcement and Compliance.

**Appendix**

**Scope of the Order**

The merchandise covered by the order are kegs, vessels, or containers with bodies that are approximately cylindrical in shape, made from stainless steel (*i.e.*, steel containing at least 10.5 percent chromium by weight and less than 1.2 percent carbon by weight, with or without other elements), and that are compatible with a "D Sankey" extractor (refillable stainless steel kegs) with a nominal liquid volume capacity of 10 liters or more, regardless of the type of finish, gauge, thickness, or grade of stainless steel, and whether or not covered by or encased in other materials. Refillable stainless steel kegs may be imported assembled or unassembled, with or without all components (including spears, couplers or taps, necks, collars, and valves), and be filled or unfilled.

"Unassembled" or "unfinished" refillable stainless steel kegs include drawn stainless steel cylinders that have been welded to form the body of the keg and attached to an upper (top) chime and/or lower (bottom) chime. Unassembled refillable stainless steel kegs may or may not be welded to a neck, may or may not have a valve assembly attached, and may be otherwise complete except for testing, certification, and/or marking.

Subject merchandise also includes refillable stainless steel kegs that have been further processed in a third country, including but not limited to, attachment of necks, collars, spears or valves, heat treatment, pickling, passivation, painting, testing, certification or any other processing that would not otherwise remove the merchandise from the scope of the order if performed in the country of manufacture of the in-scope refillable stainless steel keg.

Specifically excluded are the following:

- (1) Vessels or containers that are not approximately cylindrical in nature (*e.g.*, box, "hopper" or "cone" shaped vessels);
- (2) stainless steel kegs, vessels, or containers that have either a "ball lock" valve system or a "pin lock" valve system

(commonly known as "Cornelius," "corny" or "ball lock" kegs);

(3) necks, spears, couplers or taps, collars, and valves that are not imported with the subject merchandise; and

(4) stainless steel kegs that are filled with beer, wine, or other liquid and that are designated by the Commissioner of Customs as Instruments of International Traffic within the meaning of section 332(a) of the *Tariff Act of 1930*, as amended.

The merchandise covered by the order are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 7310.10.0010, 7310.10.0050, 7310.29.0025, and 7310.29.0050.

These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of the order is dispositive.

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-570-827]

**Certain Cased Pencils From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review and Rescission of Review, in Part; 2017-2018**

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

**DATES:** Applicable October 10, 2019.

**SUMMARY:** The Department of Commerce (Commerce) is conducting an administrative review of certain cased pencils (pencils) from the People's Republic of China (China) for the period of review (POR) December 1, 2017 through November 30, 2018. We preliminarily determine that Fila Dixon Stationery (Kunshan) Co., Ltd. (Kunshan Dixon) is not eligible for a separate rate and, therefore, remains part of the China-wide entity. Additionally, we are rescinding the review with respect to six companies. If these preliminary results are adopted in the final results, Commerce will instruct U.S. Customs and Border Protection (CBP) to assess antidumping (AD) duties on all appropriate entries of subject merchandise. Interested parties are invited to comment on these preliminary results.

**FOR FURTHER INFORMATION CONTACT:** Sergio Balbontin or Brian Smith, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-6478 or (202) 482-1766, respectively.

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

Commerce published the notice of initiation of this administrative review on March 14, 2019.<sup>1</sup> For a complete description of the events of this review, see the Preliminary Decision Memorandum.<sup>2</sup> A list of topics included in the Preliminary Decision Memorandum is included as an appendix to this notice.

The Preliminary Decision Memorandum is a public document and is on file electronically via the 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 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 version of the Preliminary Decision Memorandum are identical in content.

**Scope of the Order**

The merchandise subject to the order includes certain cased pencils from China. The subject merchandise is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheading 9609.10.00. Although the HTSUS subheading is provided for convenience and customs purposes, the written product description is dispositive. A full description of the scope of the order is contained in the Preliminary Decision Memorandum.

**Partial Rescission of Review**

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, "in whole or in part, if a party that requested a review withdraws the request within 90 days of

the date of publication of notice of initiation of the requested review." All requests for review have been timely withdrawn except with respect to Kunshan Dixon. Therefore, we are rescinding the administrative review with respect to Shandong Rongxin Import & Export Co., Ltd., Wah Yuen Stationery Co. Ltd. and Shandong Wah Yuen Stationery Co. Ltd. (collectively, the Wah Yuen Companies), Tianjin Tonghe Stationery Co. Ltd., Ningbo Homey Union Co., Ltd., and Orient International Shanghai Foreign Trade Co., Ltd.

**Methodology**

Commerce is conducting this review in accordance with sections 751(a)(1)(B) and 751(a)(2)(A) of the Tariff Act of 1930, as amended (the Act). Kunshan Dixon did not respond to Commerce's AD questionnaire and, therefore, has not demonstrated its eligibility for a separate rate. Accordingly, we are preliminarily treating Kunshan Dixon as part of the China-wide entity.

Commerce's policy regarding conditional review of the China-wide entity applies to this administrative review.<sup>3</sup> Under this policy, the China-wide entity will not be under review unless a party specifically requests, or Commerce self-initiates, a review of the entity. Because no party requested a review of the China-wide entity in this review, the entity is not under review and the entity's current rate, *i.e.*, 114.90 percent,<sup>4</sup> is not subject to change.

For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum.

**Disclosure**

Normally, Commerce will disclose the calculations used in its analysis to parties in this review within five days of the public announcement or, if there is no public announcement, within five days of the date of publication of the notice of preliminary results, in accordance with 19 CFR 351.224(b). However, in this case, because Commerce did not calculate a weighted-

average dumping margin for any companies in this review, or the China-wide entity, there are no calculations to disclose.

**Public Comment**

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than 30 days after the publication of these preliminary results, unless the Secretary alters the time limit.<sup>5</sup> Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after case briefs are filed.<sup>6</sup> Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case or rebuttal briefs in this review are requested to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice. Requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. If a request for a hearing is made, Commerce intends to hold the hearing at the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, which will include the results of our analysis of the issues raised in the case briefs, within 120 days of publication of these preliminary results, pursuant to section 751(a)(3)(A) of the Act.

**Assessment Rates**

Upon issuance of the final results, Commerce will determine, and CBP shall assess, AD duties on all appropriate entries covered by this review.<sup>7</sup> Commerce intends to issue assessment instructions to CBP 15 days after the publication date of the final results of this review. If Commerce continues to find Kunshan Dixon to be part of the China-wide entity in the final

<sup>1</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 84 FR 9297 (March 14, 2019). Because Commerce inadvertently initiated an administrative review on Beijing Fila Dixon Stationery Co., Ltd. (aka Beijing Dixon Ticonderoga Stationery Co.) (Beijing Dixon) for which the order was revoked, Commerce published a correction initiation notice rescinding the administrative review of Beijing Dixon. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 84 FR 12200, 12206 n.9 (April 1, 2019).

<sup>2</sup> See Memorandum, "Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review and Partial Rescission: Certain Cased Pencils from the People's Republic of China; 2017–2018," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>3</sup> See *Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings*, 78 FR 65963, 65970 (November 4, 2013).

<sup>4</sup> See *Certain Cased Pencils from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review and Partial Rescission; 2014–2015*, 81 FR 83201 (November 21, 2016), unchanged in *Certain Cased Pencils from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2014–2015*, 82 FR 24675 (May 30, 2017), and accompanying Issues and Decision Memorandum.

<sup>5</sup> See 19 CFR 351.309(c)(1)(ii); see also 19 CFR 351.303 (for general filing requirements).

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

<sup>7</sup> See 19 CFR 351.212(b).

results, Commerce will instruct CBP to liquidate POR entries of subject merchandise from this firm at the China-wide rate of 114.90 percent. With respect to entries from companies for which Commerce is rescinding the review, AD duties shall be assessed at rates equal to the cash deposit of estimated AD duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i).

### Cash Deposit Requirements

The following cash deposit requirements for estimated AD duties, when imposed, will apply to all shipments of the subject merchandise from China entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) For any company that is granted a separate rate, the cash deposit rate will be that established in the final results of review (except, if the rate is zero or *de minimis*, then zero cash deposit will be required); (2) for previously investigated or reviewed Chinese and non-Chinese exporters that are not under review in this segment but that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all Chinese exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the China-wide entity (*i.e.*, 114.90 percent);<sup>8</sup> and (4) for all non-Chinese exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the Chinese exporter that supplied that non-Chinese 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 AD duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result Commerce's presumption that reimbursement of AD duties occurred and the subsequent assessment of double AD duties.

<sup>8</sup> See *Certain Cased Pencils from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2014–2015*, 82 FR 24675 (May 30, 2017).

### Notification to Interested Parties

We are issuing and publishing these preliminary results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213 and 351.221(b)(4).

Dated: October 3, 2019.

**Jeffrey I. Kessler,**

*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. Partial Rescission of Review
- V. Discussion of the Methodology
- VI. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–821–817]

#### Silicon Metal From the Russian Federation: Final Results of Expedited Third Sunset Review of the Antidumping Duty Order

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

**SUMMARY:** As a result of this sunset review, the Department of Commerce (Commerce) finds that revocation of the antidumping duty (AD) order on silicon metal from the Russian Federation (Russia) would be likely to lead to continuation or recurrence of dumping. The magnitude of the dumping margins likely to prevail are indicated in the “Final Results of Sunset Review” section of this notice.

**DATES:** Applicable October 10, 2019.

**FOR FURTHER INFORMATION CONTACT:** Mark Hoadley, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3148.

#### SUPPLEMENTARY INFORMATION:

##### Background

On March 26, 2003, Commerce issued an AD order on silicon metal from Russia.<sup>1</sup> On July 2, 2014, Commerce

<sup>1</sup> See *Antidumping Duty Order: Silicon Metal from Russia*, 68 FR 14578 (March 26, 2003) (*Antidumping Duty Order*), amended by *Silicon Metal From the Russian Federation; Notice of*

published the notice of continuation of the *Order* pursuant to the second sunset review.<sup>2</sup> On June 4, 2019, Commerce published the notice of initiation of the third sunset review of the *Order*.<sup>3</sup>

On June 7, 2019, Commerce received notice of intent to participate from Globe Metallurgical Inc. (Globe), within the deadline specified in 19 CFR 351.218(d)(1)(i).<sup>4</sup> On July 3, 2019, Commerce received adequate substantive responses from Globe within the 30-day period specified in 19 CFR 351.218(d)(3)(i).<sup>5</sup> Globe, a domestic producer of the subject merchandise, claimed interested party status under section 771(9)(C) of the Tariff Act of 1930, as amended (the Act).<sup>6</sup> We received no substantive responses from any respondent interested parties. 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 product covered by this *Order* is silicon metal, which generally contains at least 96.00 percent but less than 99.99 percent silicon by weight. The merchandise covered by the *Order* also includes silicon metal from Russia containing between 89.00 and 96.00 percent silicon by weight, but containing more aluminum than the silicon metal which contains at least 96.00 percent but less than 99.99 percent silicon by weight. Silicon metal currently is classifiable under subheadings 2804.69.10 and 2804.69.50 of the Harmonized Tariff Schedule of the United States (HTSUS). The *Order* covers all silicon metal meeting the above specification, regardless of tariff classification.

### Analysis of Comments Received

All issues raised for the final results of this sunset review are listed in the appendix to this notice and addressed in the Issues and Decision

*Amended Final Determination Pursuant to Court Decision*, 71 FR 8277 (February 16, 2006) (*Amended Final Determination*).

<sup>2</sup> See *Silicon Metal from the Russian Federation: Continuation of Antidumping Duty Order*, 79 FR 37718 (July 2, 2014).

<sup>3</sup> See *Initiation of Five-Year (Sunset) Reviews*, 84 FR 25741 (June 4, 2019).

<sup>4</sup> See Globe's Letter, “Silicon Metal from Russia; Third Sunset Review; Notice of Intent to Participate,” dated June 7, 2019.

<sup>5</sup> See Globe's Letter, “Silicon Metal from Russia; Third Sunset Review; Substantive Response of Globe Specialty Metals, Inc. to the Notice of Initiation,” dated July 3, 2019 (Globe's Substantive Response).

<sup>6</sup> *Id.*