

company. Therefore, for these final results, we continue to find that Ercros had no shipments of subject merchandise during the POR. Consistent with our practice, we will issue appropriate instructions to U.S. Customs and Border Protection (CBP) based on these final results.

#### Analysis of Comments Received

As noted above, we received no comments on the *Preliminary Determination*.

#### Changes Since the Preliminary Results

As no parties submitted comments on the *Preliminary Determination*, Commerce has not modified its analysis from that presented in the *Preliminary Determination*, and no decision memorandum accompanies this **Federal Register** notice.

#### Assessment Rates

We have not calculated any assessment rates in this administrative review. Pursuant to Commerce's assessment practice, because we have determined that Ercros had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (*i.e.*, at that exporter's rate) will be liquidated at the all-others rate.<sup>3</sup> Commerce intends to issue appropriate assessment instructions to CBP 15 days after the publication date of the final results of this administrative review.

#### Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the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) The cash deposit rate for Ercros will remain unchanged from the rate assigned to the company in the most recently completed review of that company; (2) for other manufacturers and exporters covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding in which that manufacturer or exporter participated; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation, but the manufacturer is, then the cash deposit rate will be the rate established for the most recently completed segment of this proceeding

<sup>3</sup> See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011).

for the manufacturer of subject merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 24.83 percent, the all-others rate established in the investigation.<sup>4</sup> These 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 review period. 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.

#### Administrative Protective Orders

This notice is the only reminder to parties subject to the administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under the 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 or 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.

We are issuing and publishing these final results and this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(h).

Dated: November 29, 2019.

**Jeffrey I. Kessler**,

*Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2019-26220 Filed 12-3-19; 8:45 am]

**BILLING CODE 3510-DS-P**

<sup>4</sup> See *Chlorinated Isocyanurates from Spain: Notice of Final Determination of Sales at Less Than Fair Value*, 70 FR 24506 (May 10, 2005).

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-115]

#### Certain Glass Containers From the People's Republic of China: Postponement of Preliminary Determination in the Countervailing Duty Investigation

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

**DATES:** Applicable December 4, 2019.

**FOR FURTHER INFORMATION CONTACT:** Stephen Bailey or Maliha Khan, 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) 482-0193 or (202) 482-0895, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 15, 2019, the Department of Commerce (Commerce) initiated a countervailing duty (CVD) investigation of imports of certain glass containers (glass containers) from the People's Republic of China.<sup>1</sup> Currently, the preliminary determination is due no later than December 19, 2019.

##### Postponement of Preliminary Determination

Section 703(b)(1) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in a CVD investigation within 65 days after the date on which Commerce initiated the investigation. However, section 703(c)(1) 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 if: (A) The petitioner<sup>2</sup> makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. 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

<sup>1</sup> See *Certain Glass Containers from the People's Republic of China: Initiation of Countervailing Duty Investigation*, 84 FR 56168 (October 21, 2019).

<sup>2</sup> The petitioner is the American Glass Packaging Coalition.

it finds compelling reasons to deny the request.

On November 19, 2019, the petitioner submitted a timely request that Commerce postpone the preliminary CVD determination.<sup>3</sup> The petitioner stated that it requests postponement because without the postponement Commerce will have insufficient time to select mandatory respondents, and Commerce, the petitioner, and interested parties will have insufficient time to analyze questionnaire responses.<sup>4</sup>

In accordance with 19 CFR 351.205(e), the petitioner has stated the reasons for requesting a postponement of the preliminary determination, 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 determination to no later than 130 days after the date on which this investigation was initiated, *i.e.*, February 24, 2020.<sup>5</sup> Pursuant to section 705(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determination of this investigation will continue to be 75 days after the date of the preliminary determination, unless postponed at a later date.

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

Dated: November 27, 2019.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2019-26179 Filed 12-3-19; 8:45 am]

**BILLING CODE 3510-DS-P**

<sup>3</sup> See Petitioner's Letter, "Certain Glass Containers from the People's Republic of China: Request to Postpone Preliminary Determination," dated November 19, 2019.

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

<sup>5</sup> Postponing the preliminary determination to 130 days after initiation would place the deadline on Saturday, February 22, 2020. 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).

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-932]

#### Certain Steel Threaded Rod From the People's Republic of China: Notice of Court Decision Not in Harmony With Final Results of Administrative Review and Notice of Amended Final Results of Antidumping Duty Administrative Review

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

**SUMMARY:** On November 20, 2019, the United States Court of International Trade (the Court) sustained the final results of redetermination pertaining to the antidumping duty (AD) administrative review of certain steel threaded rod (STR) from the People's Republic of China (China) covering the period April 1, 2013 through March 31, 2014. The Department of Commerce (Commerce) is notifying the public that the final judgment in this case is not in harmony with the final results of the administrative review and that Commerce is amending the final results with respect to the separate rate status assigned to Gem-Year Industrial Co., Ltd. (Gem-Year).

**DATES:** Applicable November 30, 2019.

**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 November 12, 2015, Commerce published its *Final Results* of the 2013-2014 AD administrative review of STR from China.<sup>1</sup> On February 27, 2019, the Court remanded the *Final Results* to Commerce to reconsider its decision to reject Gem-Year's application for separate rate status and resulting treatment of Gem-Year as part of the China-wide entity.<sup>2</sup> On remand, Commerce issued its final results of redetermination in accordance with the Court's order, determining that Gem-Year had established its eligibility for a separate rate, and that the use of adverse

<sup>1</sup> See *Certain Steel Threaded Rod from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2013-2014*, 80 FR 69938 (November 12, 2015) (*Final Results*) and accompanying Issues and Decision Memorandum (IDM).

<sup>2</sup> See *Hubbell Power Systems, Inc. v. United States*, Court No. 15-00312, Slip Op. 19-25 (CIT February 27, 2019) (*Remand Order*).

facts available was warranted in determining Gem-Year's weighted-average dumping margin.<sup>3</sup> On November 20, 2019, the Court sustained Commerce's Final Remand Redetermination.<sup>4</sup>

#### Timken Notice

In its decision in *Timken*,<sup>5</sup> as clarified by *Diamond Sawblades*,<sup>6</sup> the Court of Appeals for the Federal Circuit (CAFC) held that, pursuant to section 516A 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 Court's November 20, 2019 judgment sustaining the Final Remand Redetermination constitutes a final decision of the Court that is not in harmony with Commerce's *Final Results*. This notice is published in fulfillment of the publication requirements of *Timken*.

#### Amended Final Results

Because there is now a final court decision, Commerce is amending its *Final Results* with respect to Gem-Year. Commerce finds that for the period April 1, 2013 through March 31, 2014 Gem-Year has demonstrated its eligibility for a separate rate as follows:

Producer/exporter	Weighted-average dumping margin
Gem-Year Industrial Co., Ltd .....	206.00

Accordingly, Commerce will continue the suspension of liquidation of the subject merchandise pending the expiration of the period of appeal or, if appealed, pending a final and conclusive court decision. In the event the Court's ruling is not appealed or, if appealed, upheld by the CAFC, Commerce will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on unliquidated entries of subject merchandise exported by Gem-Year using the assessment rate assigned by Commerce, as listed above.

<sup>3</sup> See *Final Results of Redetermination Pursuant to Court Remand Hubbell Power Systems, Inc. v. United States*, Court No. 15-00312, Slip Op. 19-25 (CIT February 27, 2019), dated May 20, 2019 (Final Remand Redetermination).

<sup>4</sup> See *Hubbell Power Systems, Inc. v. United States*, Court No. 15-00312, Slip Op. 19-145 (CIT November 20, 2019).

<sup>5</sup> See *Timken Co., v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>6</sup> See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).