

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

[C-552-819]

**Certain Steel Nails From the Socialist Republic of Vietnam: Rescission of Countervailing Duty Administrative Review; 2019**

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

**SUMMARY:** The Department of Commerce (Commerce) is rescinding the administrative review of the countervailing duty (CVD) order on certain steel nails (steel nails) from the Socialist Republic of Vietnam (Vietnam) for the period January 1, 2019, through December 31, 2019 (POR), based on timely withdrawal of the request for review.

**DATES:** Applicable October 7, 2020.

**FOR FURTHER INFORMATION CONTACT:** Natasia Harrison, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-1240.

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

On July 1, 2020, Commerce published a notice of opportunity to request an administrative review of the CVD order on steel nails from Vietnam for the period January 1, 2019, through December 31, 2019.<sup>1</sup> On July 31, 2020, Commerce received a timely request, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), from Mid Continent Steel & Wire Inc. (the petitioner) to conduct an administrative review of this CVD order with respect to 23 companies.<sup>2</sup> Based upon this request, on September 3, 2020, in accordance with section 751(a) of the Act, Commerce published in the **Federal Register** a notice of initiation of administrative review for this CVD order.<sup>3</sup> On September 24, 2020, the petitioner timely withdrew its request for an administrative review for each of the 23 companies.<sup>4</sup>

<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 85 FR 39531 (July 1, 2020).

<sup>2</sup> See Petitioner's Letter, "Certain Steel Nails from SR of Vietnam—Request for Administrative Review," dated July 31, 2020.

<sup>3</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 85 FR 54983 (September 3, 2020) (*Initiation Notice*).

<sup>4</sup> See Petitioner's Letter, "Certain Steel Nails from Vietnam—Withdrawal of Request for Administrative Review," dated September 24, 2020.

**Rescission of Review**

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if a party who requested the review withdraws the request within 90 days of the date of publication of the notice of initiation of the requested review. As noted above, the petitioner withdrew its request for review by the 90-day deadline. No other party requested an administrative review. Accordingly, we are rescinding the administrative review of the CVD order on steel nails from Vietnam covering the period January 1, 2019, to December 31, 2019, in its entirety.

**Assessment**

Commerce will instruct U.S. Customs and Border Protection (CBP) to assess CVDs on all appropriate entries at a rate equal to the cash deposit of estimated CVDs required at the time of entry, or withdrawal from warehouse, for consumption, during the period January 1, 2019, to December 31, 2019, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue appropriate assessment instructions directly to CBP 15 days after publication of this notice in the **Federal Register**.

**Notification to Importers**

This notice serves as the only reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of CVDs prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the presumption that reimbursement of the CVDs occurred and the subsequent assessment of doubled CVDs.

**Notification Regarding Administrative Protective Order**

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 an APO in accordance with 19 CFR 351.305(a)(3). 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 terms of an APO is a violation which is subject to sanction. This notice is issued and published in accordance with sections 751 of the Act and 19 CFR 351.213(d)(4).

Dated: October 1, 2020.

**James Maeder,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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

[A-533-840]

**Certain Frozen Warmwater Shrimp From India: Notice of Initiation of Antidumping Duty Changed Circumstances Review**

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

**SUMMARY:** The Department of Commerce (Commerce) is initiating a changed circumstances review (CCR) to determine if LNSK Greenhouse Agro Products LLP (LNSK Greenhouse Agro) is the successor-in-interest to Green House Agro Products (Greenhouse Agro) in the context of the antidumping duty (AD) order on certain frozen warmwater shrimp (shrimp) from India.

**DATES:** Applicable October 7, 2020.

**FOR FURTHER INFORMATION CONTACT:** Adam Simons, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-6172.

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

On February 1, 2005, Commerce published in the **Federal Register** an AD order on shrimp from India.<sup>1</sup> On August 17, 2020, LNSK Greenhouse Agro requested that, pursuant to section 751(b) of the Tariff Act of 1930, as amended (the Act), 19 CFR 351.216, and 19 CFR 351.221(c)(3), Commerce conduct a CCR to determine that LNSK Greenhouse Agro is the successor-in-interest to Greenhouse Agro, and accordingly to assign it the cash deposit rate of Greenhouse Agro.<sup>2</sup> In its submission, LNSK Greenhouse Agro stated that Greenhouse Agro undertook a name change to LNSK Greenhouse Agro and changed its corporate

<sup>1</sup> See *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from India*, 70 FR 5147 (February 1, 2005) (*Order*).

<sup>2</sup> See LNSK Greenhouse Agro's Letter, "Request for Changed Circumstances Review: Certain Frozen Warm water Shrimp from India," dated August 17, 2020.

structure to become a limited liability partnership.<sup>3</sup>

### Scope of the Order

The merchandise subject to the order is certain frozen warmwater shrimp.<sup>4</sup> The product is currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) item numbers: 0306.17.00.03, 0306.17.00.06, 0306.17.00.09, 0306.17.00.12, 0306.17.00.15, 0306.17.00.18, 0306.17.00.21, 0306.17.00.24, 0306.17.00.27, 0306.17.00.40, 1605.21.10.30, and 1605.29.10.10. Although the HTSUS numbers are provided for convenience and customs purposes, the written product description remains dispositive.

### Initiation of CCR

Pursuant to section 751(b)(1)(A) of the Act and 19 CFR 351.216(d), Commerce conducts a CCR upon receipt of information concerning, or a request from, an interested party for a review of an AD order which shows changed circumstances sufficient to warrant a review of the order. The information submitted by LNSK Greenhouse Agro regarding its claim that it is the successor-in-interest to Greenhouse Agro demonstrates changed circumstances sufficient to warrant such a review.<sup>5</sup> Therefore, in accordance with section 751(b)(1)(A) of the Act and 19 CFR 351.216(d) and (e), we are initiating a CCR based upon the information contained in LNSK Greenhouse Agro's submission.

In making a successor-in-interest determination, Commerce examines several factors, including, but not limited to, changes in the following: (1) Management; (2) production facilities; (3) supplier relationships; and (4) customer base.<sup>6</sup> While no single factor or combination of factors necessarily provides a dispositive indication of a successor-in-interest relationship, generally Commerce considers the new company to be the successor to the previous company if the new company's

resulting operation is not materially dissimilar to that of its predecessor.<sup>7</sup> Thus, if the record evidence demonstrates that, with respect to the production and sale of the subject merchandise, the new company operates as the same business entity as the predecessor company, Commerce may assign the new company the cash deposit rate of its predecessor.<sup>8</sup>

In its CCR request, LNSK Greenhouse Agro has provided sufficient evidence to warrant a review to determine if LNSK Greenhouse Agro is the successor-in-interest to Greenhouse Agro for purposes of the AD order on shrimp from India. Commerce intends to publish in the **Federal Register** a notice of preliminary results of the CCR, in accordance with 19 CFR 351.221(b)(4) and 351.221(c)(3)(i), which will set forth Commerce's preliminary factual and legal conclusions. Pursuant to 19 CFR 351.221(b)(4)(ii), interested parties will have an opportunity to comment on the preliminary results. Commerce will issue its final results of the review in accordance with the time limits set forth in 19 CFR 351.216(e).

### Notification to Interested Parties

We are issuing this notice in accordance with sections 751(b)(1) and 777(i) of the Act and 19 CFR 351.216 and 351.221(b)(1).

Dated: October 1, 2020.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

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<sup>7</sup> See, e.g., *Shrimp from India Preliminary Results*, 81 FR at 75377, unchanged in *Shrimp from India Final Results*, 81 FR at 90774.

<sup>8</sup> *Id.*; see also *Notice of Final Results of Changed Circumstances Antidumping Duty Administrative Review: Polychloroprene Rubber from Japan*, 67 FR 58, 59 (January 2, 2002); *Ball Bearings and Parts Thereof from France: Final Results of Changed-Circumstances Review*, 75 FR 34688, 34689 (June 18, 2010); and *Circular Welded Non-Alloy Steel Pipe from the Republic of Korea: Preliminary Results of Antidumping Duty Changed Circumstances Review*, 63 FR 14679 (March 26, 1998), unchanged in *Circular Welded Non-Alloy Steel Pipe from Korea: Final Results of Antidumping Duty Changed Circumstances Review*, 63 FR 20572 (April 27, 1998), in which Commerce found that a company which only changed its name and did not change its operations is a successor-in-interest to the company before it changed its name.

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-881]

### Certain Cold-Rolled Steel Flat Products From the Republic of Korea: Partial Rescission of Antidumping Duty Administrative Review; 2018-2019

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

**SUMMARY:** The Department of Commerce (Commerce) is partially rescinding the administrative review of the antidumping duty order on certain cold-rolled steel flat products (cold-rolled steel) from the Republic of Korea (Korea) for the period of review (POR) September 1, 2018, through August 31, 2019.

**DATES:** Applicable October 7, 2020.

**FOR FURTHER INFORMATION CONTACT:** Michael J. Heaney or Marc Castillo, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4475 or (202) 482-0519, respectively.

### SUPPLEMENTARY INFORMATION:

#### Background

On September 3, 2019, Commerce published a notice of opportunity to request an administrative review of the antidumping duty order on cold-rolled steel from Korea.<sup>1</sup> On November 12, 2019, pursuant to requests from interested parties, Commerce published in the **Federal Register** the notice of initiation of an antidumping duty administrative review with respect to 38 companies, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup> On February 5, 2020, all requests for an administrative review of 32 companies were timely withdrawn.<sup>3</sup>

#### Partial Rescission of Administrative Review

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an

<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 84 FR 45949 (September 3, 2019).

<sup>2</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 84 FR 61011 (November 12, 2019) (*Initiation Notice*).

<sup>3</sup> See ArcelorMittal USA LLC's, AK Steel Corporation's, Nucor Corporation's, Steel Dynamics, Inc.'s, and United States Steel Corporation's Letter, "Cold-Rolled Steel Flat Products from the Republic of Korea: Petitioners' Partial Withdrawal of Request for Review," dated February 5, 2020.

<sup>3</sup> *Id.* at 8.

<sup>4</sup> For a complete description of the scope of the Order, see *Certain Frozen Warmwater Shrimp from India: Final Results of Antidumping Duty Administrative Review; 2017-2018*, 84 FR 57847 (October 29, 2019), and accompanying Issues and Decision Memorandum at "Scope of the Order" section.

<sup>5</sup> See 19 CFR 351.216(d).

<sup>6</sup> See, e.g., *Certain Frozen Warmwater Shrimp from India: Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review*, 81 FR 75376 (October 31, 2016) (*Shrimp from India Preliminary Results*), unchanged in *Certain Frozen Warmwater Shrimp from India: Notice of Final Results of Antidumping Duty Changed Circumstances Review*, 81 FR 90774 (December 15, 2016) (*Shrimp from India Final Results*).