

with displacements of this size generate gross power of between 6.7 kilowatts (kw) to 42 kw.

Engines covered by this scope normally must comply with and be certified under Environmental Protection Agency (EPA) air pollution controls title 40, chapter I, subchapter U, part 1054 of the Code of Federal Regulations standards for small non-road spark-ignition engines and equipment. Engines that otherwise meet the physical description of the scope but are not certified under 40 CFR part 1054 and are not certified under other parts of subchapter U of the EPA air pollution controls are not excluded from the scope of this proceeding. Engines that may be certified under both 40 CFR part 1054 as well as other parts of subchapter U remain subject to the scope of this proceeding.

For purposes of this investigation, an unfinished engine covers at a minimum a sub-assembly comprised of, but not limited to, the following components: Crankcase, crankshaft, camshaft, piston(s), and connecting rod(s). Importation of these components together, whether assembled or unassembled, and whether or not accompanied by additional components such as an oil pan, manifold, cylinder head(s), valve train, or valve cover(s), constitutes an unfinished engine for purposes of this investigation. The inclusion of other products such as spark plugs fitted into the cylinder head or electrical devices (e.g., ignition modules, ignition coils) for synchronizing with the motor to supply tension current does not remove the product from the scope. The inclusion of any other components not identified as comprising the unfinished engine subassembly in a thirdcountry does not remove the engine from the scope.

The engines subject to this investigation are typically classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheadings: 8407.90.1020, 8407.90.1060, and 8407.90.1080. The engine subassemblies that are subject to this investigation enter under HTSUS 8409.91.9990. Engines subject to this investigation may also enter under HTSUS 8407.90.9060 and 8407.90.9080. The HTSUS subheadings are provided for convenience and customs purposes only, and the written description of the merchandise under investigation is dispositive.

## Appendix II

### List of Topics Discussed in the Decision Memorandum

- I. Summary
- II. Background
- III. Final Negative Determination of Critical Circumstances
- IV. Scope Comments
- V. Scope of the Investigation
- VI. Subsidies Valuation
- VII. Analysis of Programs
  - General Issues
    - Comment 1: Export Buyer's Credit Program
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    - Comment 3: Electricity for LTAR Program
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    - Comment 5: Income Tax Deduction for R&D Expenses

- Comment 6: Uncreditworthiness Findings
- Comment 7: Benchmark for Unwrought Aluminum
- Comment 8: Inland Freight Rates for the Unwrought Aluminum Benchmark
- Comment 9: Critical Circumstances Issues Related to Zongshen
- Comment 10: Denominators and Attribution of Subsidies for Zongshen Affiliates
- Comment 11: Alleged Error in Zongshen's Policy Lending Calculations
- Comment 12: Zongshen Power's Electricity Calculations
- Comment 13: Minor Corrections for Export Seller's Credits and Policy Loans to the VSE Industry Programs
- Comment 14: Alleged Error in Zongshen's Export Seller's Credits Program
- Comment 15: Zongshen's Land-Use Rights for LTAR
- Comment 16: Zongshen's Consolidated Sales Denominators
- Issues Related to Loncin
- Comment 17: Income Tax Deduction for R&D Expenses Program
- Comment 18: Whether Loans Received by Loncin Group and Loncin Holdings are Policy Loans to the VSE Industry
- Comment 19: Loncin's Loan Calculations
- Comment 20: Loncin's Unwrought Aluminum Calculations
- Comment 21: Loncin's Other Subsidies
- Comment 22: Loncin's Policy Loans
- Comment 23: Loans from DBS Bank China
- Comment 24: Alleged Errors in Loncin's Electricity for LTAR Calculations
- Comment 25: Loncin's Sales Denominators
- Comment 26: Loncin's Land-Use Rights for LTAR Calculations

### VIII. Analysis of Comments

### IX. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-351-844]

### Cold-Rolled Steel Flat Products From Brazil: 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 its administrative review of the countervailing duty (CVD) order on cold-rolled steel flat products (CRS flat products) from Brazil for the period of review (POR) January 1, 2019, through December 31, 2019.

**DATES:** Applicable January 11, 2021.

**FOR FURTHER INFORMATION CONTACT:** Alex Wood, 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) 482-1959.

### SUPPLEMENTARY INFORMATION:

#### Background

On September 1, 2020, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the CVD order on CRS flat products from Brazil for the POR.<sup>1</sup> Commerce received a timely request from Nucor Corporation and United States Steel Corporation (the petitioners), in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(b) to conduct an administrative review of this CVD order with respect to ten companies.<sup>2</sup>

On October 30, 2020, Commerce published in the **Federal Register** a notice of initiation with respect to these companies.<sup>3</sup> On December 17, 2020, the petitioners timely withdrew their request for an administrative review with respect to all ten companies.<sup>4</sup>

#### Rescission of Administrative Review

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if the parties that requested a review withdraw the request within 90 days of the date of publication of the notice of initiation of the requested review. The petitioners withdrew their request for review before the 90-day deadline, and no other party requested an administrative review of this order. Therefore, we are rescinding the administrative review of the CVD order on CRS flat products from Brazil covering the period January 1, 2019, through December 31, 2019, in its entirety.

<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 85 FR 54350 (September 1, 2020).

<sup>2</sup> See Petitioners' Letter, "Cold-Rolled Steel Flat Products from Brazil: Errata to September 30, 2020 Request for Administrative Review of Countervailing Duty Order to Correct Case Number Typographical Error," dated October 1, 2020 (requesting for review of Aperam Inox America do Sul S.A.; ArcelorMittal Brasil S.A.; Armco do Brasil S.A.; Arvedi Metalfer do Brasil; Companhia Siderurgica Nacional; NVent do Brasil Eletrometalurgica; Signode Brasileira Ltda.; Usinas Siderurgicas de Minas Gerais (Usiminas); Villares Metals S.A.; Waelzholz Brasmatal Laminacao Ltda.); and Memorandum, "Acceptance of Review Request as Timely Filed," dated October 2, 2020.

<sup>3</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 85 FR 68845 (October 30, 2020).

<sup>4</sup> See Petitioners' Letter, "Cold-Rolled Steel Flat Products from Brazil: Withdrawal of Request for Administrative Review of Countervailing Duty Order," dated December 17, 2020.

## Assessment

Commerce will instruct U.S. Customs and Border Protection (CBP) to assess countervailing duties on all appropriate entries. Because Commerce is rescinding this administrative review in its entirety, the entries to which this administrative review pertained shall be assessed at rates equal to the cash deposit of estimated countervailing duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue appropriate assessment instructions directly to CBP 15 days after the date of publication of this notice in the **Federal Register**.

## Notification Regarding Administrative Protective Orders

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). 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.

## Notification to Interested Parties

This notice is published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(d)(4).

Dated: January 5, 2021.

### James Maeder,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-119]

## Certain Vertical Shaft Engines Between 225cc and 999cc, and Parts Thereof From the People's Republic of China: Final Affirmative Determination of Sales at Less Than Fair Value and Final Affirmative Critical Circumstances Determination

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

**SUMMARY:** The Department of Commerce (Commerce) determines that imports of certain vertical shaft engines between 225cc and 999cc, and parts thereof

(vertical shaft engines) from the People's Republic of China (China) are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation is July 1, 2019 through December 31, 2019.

**DATES:** Applicable January 11, 2021.

**FOR FURTHER INFORMATION CONTACT:** Leo Ayala and Jacqueline Arrowsmith, AD/CVD Operations, Office VII, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-3945 and (202) 482-5255, respectively.

### SUPPLEMENTARY INFORMATION:

#### Background

On August 19, 2020, Commerce published its *Preliminary Determination* of sales at LTFV of from China.<sup>1</sup> For a complete description of the events that followed the *Preliminary Determination*, see the Issues and Decision Memorandum.<sup>2</sup> A list of topics included in the Issues and Decision Memorandum is included as Appendix II to this notice. 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 <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>. The signed and the electronic versions of the Issues and Decision Memorandum are identical in content.

#### Scope Comments

On September 18, 2020, the Toro Company/Toro Purchasing Company (Toro) submitted scope comments.<sup>3</sup> On September 25, 2020, Kohler Co. (Kohler) filed rebuttal scope comments.<sup>4</sup>

<sup>1</sup> See *Certain Vertical Shaft Engines Between 225cc and 999cc, and Parts Thereof, from the People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Preliminary Affirmative Determination of Critical Circumstances, Postponement of Final Determination, and Extension of Provisional Measures*, 85 FR 51015 (August 19, 2020) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum.

<sup>2</sup> See Memorandum, "Certain Vertical Shaft Engines Between 225cc and 999cc, and Parts Thereof from the People's Republic of China: Decision Memorandum for the Final Affirmative Determination of Sales at Less Than Fair Value and Final Affirmative Critical Circumstances Determination," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>3</sup> See Toro's Letter, "Certain Vertical Shaft Engines from the People's Republic of China: Letter in Lieu of Brief on Scope Issues," dated September 18, 2020.

<sup>4</sup> See Kohler's Letter, "Certain Vertical Shaft Engines Between 225cc and 999cc from the People's

Commerce addressed these comments in its Final Scope Determination Memorandum.<sup>5</sup> We have not changed the scope of the investigation.

#### Scope of the Investigation

The products covered by this investigation are vertical shaft engines from China. For a complete description of the scope of the investigation, see Appendix I.

#### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties in this investigation are discussed in the Issues and Decision Memorandum. A list of the issues raised in the Issues and Decision Memorandum is attached to this notice as Appendix II.

#### Changes Since the Preliminary Determination

Based on our analysis of the comments received, we made certain changes to the margin calculations. For a discussion of these changes, see the Issues and Decision Memorandum.

#### Final Affirmative Determination of Critical Circumstances

We find that critical circumstances exist for imports of vertical shaft engines from China for Loncin Motor Co., Ltd. (Loncin), Chongqing Zongshen General Power Machine Co., Ltd. (Zongshen), all non-individually investigated companies, and the China-wide entity pursuant to sections 735(a)(3)(A) and (B) of the Act and 19 CFR 351.206.<sup>6</sup>

#### Separate Rate Companies

For this *Final Determination*, we determine that the evidence placed on the record of this investigation by Loncin, Zongshen, Chongqing Rato Technology Co., Ltd., Jialing-Honda Motors Co., Ltd., and Yamaha Motor Powered Products demonstrates an absence of *de jure* and *de facto* government control under the criteria identified in *Sparklers* and *Silicon Carbide*.<sup>7</sup> Accordingly, Commerce

Republic of China: Letter in Lieu of Scope Rebuttal Brief," dated September 25, 2020.

<sup>5</sup> See Memorandum, "Certain Vertical Shaft Engines Between 225cc and 999cc, and Parts Thereof, from China:

Final Scope Decision Memorandum," dated concurrently with this final determination.

<sup>6</sup> See Issues and Decision Memorandum at 7 and Comment 16.

<sup>7</sup> See *Final Determination of Sales at Less Than Fair Value: Sparklers from the People's Republic of China*, 56 FR 20588 (May 6, 1991) (*Sparklers*); see also *Notice of Final Determination of Sales at Less Than Fair Value: Silicon Carbide from the People's Republic of China*, 59 FR 22585 (May 2, 1994) (*Silicon Carbide*).