

subject merchandise, a cash deposit equal to the rates listed in the table below.

| Company  | Subsidy rate (percent) |
|--|------------------------|
| Qingdao CIMC Special Vehicles Co., Ltd. and Dongguan CIMC Vehicle Co., Ltd. <sup>9</sup> ..... | 44.32                  |
| All Others .....   | 44.32                  |

### Provisional Measures

Section 703(d) of the Act states that the suspension of liquidation pursuant to an affirmative preliminary determination may not remain in effect for more than four months. Commerce published the *Preliminary Determination* on January 4, 2021.<sup>10</sup>

The provisional measures period, beginning on the date of publication of the *Preliminary Determination*, ended on May 3, 2021. Therefore, in accordance with section 703(d) of the Act and our practice, Commerce will instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to countervailing duties, unliquidated entries of chassis from China entered, or withdrawn from warehouse, for consumption after May 3, 2021, the final day on which the provisional measures were in effect, until and through the day preceding the date of publication of the ITC's final affirmative injury determination in the **Federal Register**. Suspension of liquidation and the collection of cash deposits will resume on the date of publication of the ITC's final determination in the **Federal Register**.

### Notification to Interested Parties

This notice constitutes the CVD order with respect to chassis from China pursuant to section 706(a) of the Act. Interested parties can find a list of CVD orders currently in effect at <http://enforcement.trade.gov/stats/iastats1.html>.

This amended final determination and order is issued and published in

<sup>9</sup> Commerce finds the following companies to be cross-owned with Qingdao CIMC Special Vehicles Co., Ltd. and Dongguan CIMC Vehicle Co., Ltd.: CIMC Vehicles (Group) Co., Ltd.; Shenzhen CIMC Vehicle Co., Ltd.; Zhumadian CIMC Huajun Casting Co., Ltd.; China International Marine Containers (Group) Co., Ltd.; Liangshan CIMC Dongyue Vehicles Co., Ltd.; Shandong Wanshida Special Vehicle Manufacturing Co., Ltd.; Yangzhou CIMC Tonghua Special Vehicles Co., Ltd.; Zhumadian CIMC Huajun Vehicle Co., Ltd.; Gansu CIMC Huajun Vehicles Co., Ltd.; CIMC Vehicles (Liaoning) Co., Ltd.; and Zhumadian CIMC Wanjia Axle Co., Ltd.

<sup>10</sup> See *Preliminary Determination*.

accordance with sections 705(d) and 706(a) of the Act and 19 CFR 351.211(b) and 351.224(e).

Dated: May 4, 2021.

**Christian Marsh,**

*Acting Assistant Secretary for Enforcement and Compliance.*

### Appendix

#### Scope of the Order

The merchandise covered by this order is chassis and subassemblies thereof, whether finished or unfinished, whether assembled or unassembled, whether coated or uncoated, regardless of the number of axles, for carriage of containers, or other payloads (including self-supporting payloads) for road, marine roll-on/roll-off (RORO) and/or rail transport. Chassis are typically, but are not limited to, rectangular framed trailers with a suspension and axle system, wheels and tires, brakes, a lighting and electrical system, a coupling for towing behind a truck tractor, and a locking system or systems to secure the shipping container or containers to the chassis using twistlocks, slide pins or similar attachment devices to engage the corner fittings on the container or other payload.

Subject merchandise includes, but is not limited to, the following subassemblies:

- Chassis frames, or sections of chassis frames, including kingpin assemblies, bolsters consisting of transverse beams with locking or support mechanisms, goosenecks, drop assemblies, extension mechanisms and/or rear impact guards;
- Running gear assemblies or axle assemblies for connection to the chassis frame, whether fixed in nature or capable of sliding fore and aft or lifting up and lowering down, which may or may not include suspension(s) (mechanical or pneumatic), wheel end components, slack adjusters, axles, brake chambers, locking pins, and tires and wheels;
- Landing gear assemblies, for connection to the chassis frame, capable of supporting the chassis when it is not engaged to a tractor; and
- Assemblies that connect to the chassis frame or a section of the chassis frame, such as, but not limited to, pintle hooks or B-trains (which include a fifth wheel), which are capable of connecting a chassis to a converter dolly or another chassis.

Importation of any of these subassemblies, whether assembled or unassembled, constitutes an unfinished chassis for purposes of this order.

Subject merchandise also includes chassis, whether finished or unfinished, entered with or for further assembly with components such as, but not limited to: Hub and drum assemblies, brake assemblies (either drum or disc), axles, brake chambers, suspensions and suspension components, wheel end components, landing gear legs, spoke or disc wheels, tires, brake control systems, electrical harnesses and lighting systems.

Processing of finished and unfinished chassis and components such as trimming, cutting, grinding, notching, punching, drilling, painting, coating, staining, finishing, assembly, or any other processing either in

the country of manufacture of the in-scope product or in a third country does not remove the product from the scope. Inclusion of other components not identified as comprising the finished or unfinished chassis does not remove the product from the scope.

Individual components entered and sold by themselves are not subject to the order, but components entered with or for further assembly with a finished or unfinished chassis are subject merchandise. A finished chassis is ultimately comprised of several different types of subassemblies. Within each subassembly there are numerous components that comprise a given subassembly.

This scope excludes dry van trailers, refrigerated van trailers and flatbed trailers. Dry van trailers are trailers with a wholly enclosed cargo space comprised of fixed sides, nose, floor and roof, with articulated panels (doors) across the rear and occasionally at selected places on the sides, with the cargo space being permanently incorporated in the trailer itself. Refrigerated van trailers are trailers with a wholly enclosed cargo space comprised of fixed sides, nose, floor and roof, with articulated panels (doors) across the rear and occasionally at selected places on the sides, with the cargo space being permanently incorporated in the trailer and being insulated, possessing specific thermal properties intended for use with self-contained refrigeration systems. Flatbed (or platform) trailers consist of load-carrying main frames and a solid, flat or stepped loading deck or floor permanently incorporated with and supported by frame rails and cross members.

The finished and unfinished chassis subject to this order are typically classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheadings: 8716.39.0090 and 8716.90.5060. Imports of finished and unfinished chassis may also enter under HTSUS subheading 8716.90.5010. While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under order is dispositive.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-475-818]

### Certain Pasta From Italy: Final Results of Changed Circumstances Review

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

**SUMMARY:** On November 9, 2020, the Department of Commerce (Commerce) published the preliminary results of the changed circumstances review (CCR) of the antidumping duty (AD) order on certain pasta from Italy and preliminarily determined that Newlat Food S.p.A. (Newlat) is not the successor-in-interest to Delverde

Industrie Alimentari S.p.A. (Delverde). Based on our analysis for the final results, Commerce continues to find that Newlat is not the successor-in-interest to Delverde.

**DATES:** Applicable May 10, 2021.

**FOR FURTHER INFORMATION CONTACT:** John Hoffner, 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) 482-3315.

**SUPPLEMENTARY INFORMATION:**

**Background**

On July 14, 1996, Commerce published in the **Federal Register** an AD order on certain pasta from Italy.<sup>1</sup> On July 30, 2020, Newlat requested that, pursuant to section 751(b) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.216(b), Commerce initiate and conduct a CCR of the *Order* to determine if Newlat is the successor-in-interest to Delverde. Newlat also requested that Commerce issue the preliminary results of this CCR in conjunction with the notice of initiation, as permitted under 19 CFR 315.221(c)(3)(ii).<sup>2</sup> The domestic industry filed no comments in response to the request for a CCR.

On November 9, 2020, Commerce initiated the CCR and preliminarily determined that Newlat is not the successor-in-interest to Delverde.<sup>3</sup> On December 11, 2020, Newlat and the petitioners submitted case briefs regarding the *Preliminary Results*.<sup>4</sup> No party submitted rebuttal briefs. On January 13, 2021, Commerce held a video conference with counsel to Newlat in lieu of the hearing requested on December 9, 2020, the request for which had been withdrawn on December 22, 2020.<sup>5</sup> Commerce

<sup>1</sup> See *Notice of Antidumping Duty Order and Amended Final Determination of Sales at Less Than Fair Value: Certain Pasta from Italy*, 61 FR 38544 (July 24, 1996) (*Order*); see also *Notice of Second Amendment to the Final Determination and Antidumping Duty Order: Certain Pasta from Italy*, 61 FR 42231 (August 14, 1996) (*Order*).

<sup>2</sup> See Newlat's Letter, "Certain Pasta from Italy—Request for Changed Circumstances Review," dated July 30, 2020.

<sup>3</sup> See *Certain Pasta from Italy: Initiation and Preliminary Results of Changed Circumstances Review*, 85 FR 71315 (November 9, 2020) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

<sup>4</sup> See Newlat's Letter, "Certain Pasta from Italy—Changed Circumstances Review—Case Brief," dated December 11, 2020; see also Petitioner's Letter, "Certain Pasta from Italy—Case Brief," dated December 11, 2020.

<sup>5</sup> See Commerce's Letter, "Changed Circumstances Review of Certain Pasta from Italy: Ex Parte Meeting with Counsel to Newlat," dated January 13, 2021; see also Newlat's Letter, "Certain

received no requests from the petitioner for a hearing.

**Scope of the Order**

Imports covered by this *Order* are shipments of certain non-egg dry pasta. The merchandise subject to this *Order* is currently classifiable under subheadings 1901.90.9095 and 1902.19.20 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to the *Order* is dispositive. For the full description of the scope of the *Order*, see the Issues and Decision Memorandum.<sup>6</sup>

**Final Results of Changed Circumstances Review**

All issues raised in the case briefs are addressed in the Issues and Decision Memorandum. A list of topics included in the Issues and Decision Memorandum is included as an Appendix 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/>.

For the reasons set forth in the *Preliminary Results* and Commerce's analysis of the comments received, Commerce continues to find that Newlat has not provided sufficient evidence to demonstrate that the management, production facilities, supplier relationships, and customer base of Newlat, after the acquisition of Delverde, are materially similar to those of Delverde before Newlat's acquisition with respect to the production and sale of subject merchandise. Thus, Commerce continues to find that Newlat is not the successor-in-interest to Delverde. For the complete successor-in-interest analysis, refer to the Preliminary Decision Memorandum.<sup>7</sup>

**Cash Deposit Requirements**

As a result of this CCR, Newlat may not receive the company-specific weighted-average dumping margin

Pasta from Italy—Changed Circumstances Review—Request for Public Hearing," dated December 9, 2020; see also Newlat's Letter, "Certain Pasta from Italy—Withdrawal of Hearing Request," dated December 22, 2020.

<sup>6</sup> See accompanying Issues and Decision Memorandum.

<sup>7</sup> *Id.*

previously determined for Delverde, but instead shall continue to be subject to the cash deposit rate currently in effect for Newlat, which is the all-others rate, 15.45 percent, as determined in the *Section 129 Final*.<sup>8</sup> Further, as of the date of publication of these final results in the **Federal Register**, entries of the merchandise produced at the Delverde factory shall be treated as entries attributable to Newlat that are subject to the cash deposit rate in effect for Newlat.

**Administrative Protective Order**

This notice serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.306. Timely written notification of the 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 sanctionable violation.

**Notification to Interested Parties**

We are issuing this determination and publishing these final results in accordance with sections 751(b)(1) and 777(i)(1) of the Act and 19 CFR 351.216(b), 351.221(b) and 351.221(c)(3).

Dated: May 4, 2021.

**Christian Marsh,**

*Acting Assistant Secretary for Enforcement and Compliance.*

**Appendix**

**List of Topics Discussed in the Issues and Decision Memorandum**

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Discussion of Interested Parties
  - Comments
    - Comment 1: Whether Newlat Has Met Commerce's Successor-In-Interest Criteria
    - Comment 2: Relationship Between Delverde and Newlat
    - Comment 3: Evidence Supports Commerce's Successor-In-Interest Finding
- V. Recommendation

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<sup>8</sup> See *Implementation of the Findings of the WTO Panel in US—Zeroing (EC): Notice of Determinations Under Section 129 of the Uruguay Round Agreements Act and Revocations and Partial Revocations of Certain Antidumping Duty Orders*, 86 FR 25261 (May 4, 2007) (*Section 129 Final*).