

accordance with section 751(a) of the Act and 19 CFR 351.224(b).

### Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b), Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review.<sup>6</sup> In accordance with 19 CFR 351.212(b)(1), Commerce calculated an importer-specific *ad valorem* antidumping assessment rate for POSCO that is not zero or *de minimis*, and will instruct CBP to assess antidumping duties on all appropriate entries covered by this review.

Consistent with Commerce's assessment practice, for entries of subject merchandise during the POR produced by POSCO for which it did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.<sup>7</sup>

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

### Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the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 POSCO is equal to the weighted-average dumping margin established in the final results of this review; (2) for previously investigated companies not participating in this review, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter was not

covered in this review or the investigation, but the producer was covered, the cash deposit rate will be the rate established in the most recently completed segment of this proceeding for the producer of subject merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 41.10 percent, the all-others rate established in the original less-than-fair-value investigation.<sup>8</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importers

This notice 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 the presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

### Administrative Protective Order

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the destruction 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 terms of an APO is a sanctionable violation.

### Notification to Interested Parties

We are issuing and publishing these final results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(h) and 351.221(b)(5).

Dated: January 27, 2022.

**Lisa W. Wang,**

*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. Change Since the Preliminary Results
- V. Discussion of Issues
  - Comment 1: Whether a Constructed Export Price (CEP) Offset is Warranted
  - Comment 2: Whether the POR is the Correct Reporting Period for Cost of Production

<sup>8</sup> See *Order*.

Comment 3: Whether Cost Adjustments for Purchases of Inputs from Affiliated Suppliers are Warranted

Comment 4: Whether Commerce Should Exclude Four Items from POSCO's General and Administrative Expenses (G&A) Ratio

VI. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-979]

#### Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2018-2019; Correction

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

**ACTION:** Notice; correction.

**SUMMARY:** The Department of Commerce (Commerce) published a notice in the **Federal Register** of October 25, 2021, in which Commerce announced the final results of the 2018-2019 administrative review of the antidumping duty (AD) order on certain crystalline silicon photovoltaic cells, whether or not assembled into modules, from the People's Republic of China (China). This notice inadvertently omitted Wuxi Suntech Power Co., Ltd/Luoyang Suntech Power Co., Ltd. from the list of companies with no shipments of subject merchandise to the United States during the period of review (POR).

**FOR FURTHER INFORMATION CONTACT:** Jeff Pedersen, 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) 482-2769.

#### SUPPLEMENTARY INFORMATION:

#### Correction

In the **Federal Register** of October 25, 2021, in FR Doc 2021-23181, on page 58872, in the first column, correct the sentence under the caption "Final Determination of No Shipments" by replacing the portion of the sentence after the last semicolon, which currently reads: "and (3) Shanghai BYD Co., Ltd" with "(3) Shanghai BYD Co., Ltd.; and (4) Wuxi Suntech Power Co., Ltd/Luoyang Suntech Power Co., Ltd."

<sup>6</sup> See *Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101 (February 14, 2012).

<sup>7</sup> See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

## Background

On October 25, 2021, Commerce published in the **Federal Register** the final results of the 2018–2019 administrative review of the AD order on certain crystalline silicon photovoltaic cells, whether or not assembled into modules, from China.<sup>1</sup> Commerce inadvertently omitted Wuxi Suntech Power Co., Ltd/Luoyang Suntech Power Co., Ltd. from the list of companies that did not ship subject merchandise to the United States during the POR.<sup>2</sup> We hereby notify the public that in the final results of 2018–2019 administrative review of the AD order on certain crystalline silicon photovoltaic cells, whether or not assembled into modules from China, Commerce continued to find that, during the POR, there were no entries of subject merchandise into the United States from, or exports or sales of subject merchandise to the United States by, Wuxi Suntech Power Co., Ltd/Luoyang Suntech Power Co., Ltd.<sup>3</sup> Therefore, Wuxi Suntech Power Co., Ltd/Luoyang Suntech Power Co., Ltd. should be included in the list of companies that did not ship subject merchandise to the United States during the POR.

## Notification to Interested Parties

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.221(b)(5).

Dated: January 27, 2022.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–557–816]

### Certain Steel Nails From Malaysia: Final Results of Antidumping Duty Administrative Review; 2019–2020

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

**SUMMARY:** The Department of Commerce (Commerce) determines that certain steel nails from Malaysia were not sold at less than normal value during the period of review (POR), July 1, 2019, through June 30, 2020.

**DATES:** Applicable February 2, 2022.

**FOR FURTHER INFORMATION CONTACT:** Preston Cox, 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) 482–5041.

### SUPPLEMENTARY INFORMATION:

#### Background

On August 3, 2021, Commerce published the *Preliminary Results* of the 2019–2020 administrative review of the antidumping duty order on certain steel nails from Malaysia.<sup>1</sup> We invited interested parties to comment on the *Preliminary Results*.<sup>2</sup> On November 22, 2021, we extended the deadline for these final results until January 28, 2022.<sup>3</sup> This review covers one mandatory respondent: Region.<sup>4</sup> The producers/exporters not selected for individual examination are listed in the “Final Results of the Administrative Review” section of this notice. For a complete description of the events that followed the *Preliminary Results*, see the Issues and Decision Memorandum.<sup>5</sup> Commerce conducted this administrative review in accordance

with section 751 of the Tariff Act of 1930, as amended (the Act).

#### Scope of the Order

The products covered by the scope of the order are certain steel nails from Malaysia. For a complete description of the scope of this administrative review, see the Issues and Decision Memorandum.<sup>6</sup>

#### Analysis of Comments Received

All issues raised in the case and rebuttal briefs filed by interested parties in this review are discussed in the Issues and Decision Memorandum. The Issues and Decision Memorandum is a public document and is made available to the public 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 found at <https://access.trade.gov/public/FRNoticesListLayout.aspx>. A list of the topics included in the Issues and Decision Memorandum is attached as an appendix to this notice.

#### Changes Since the Preliminary Results

Based on the comments received from interested parties regarding our *Preliminary Results*, and for the reasons explained in the Issues and Decision memorandum, we made no changes to the margin calculation methodology used in the *Preliminary Results*; however, we have changed the margin for these final results of review, as discussed in the Issues and Decision Memorandum.

#### Rates for Non-Selected Respondents

The statute and Commerce’s regulations do not address the establishment of a rate to be applied to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in a market economy investigation, for guidance when calculating the rate for companies which were not selected for individual examination in an administrative review. Under section 735(c)(5)(A) of the Act, the all-others rate is normally “an amount equal to the weighted average of the estimated weighted average dumping margins established for exporters and producers

<sup>1</sup> See *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People’s Republic of China: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2018–2019*, 86 FR 58871 (October 25, 2021).

<sup>2</sup> See *Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People’s Republic of China: Preliminary Results of Antidumping Duty Administrative Review, Partial Rescission of Antidumping Administrative Review, and Preliminary Determination of No Shipments; 2018–2019*, 86 FR 21277 (April 22, 2021), and accompanying Preliminary Decision Memorandum at 5.

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

<sup>1</sup> See *Certain Steel Nails from Malaysia: Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review; 2019–2020*, 86 FR 41813 (August 3, 2021) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

<sup>2</sup> See *Preliminary Results*, 86 FR at 41814.

<sup>3</sup> See Memorandum, “Certain Steel Nails from Malaysia: Extension of Deadline for Final Results of Antidumping Duty Administrative Review; 2019–2020,” dated November 22, 2021.

<sup>4</sup> Commerce continues to treat affiliates Region International Co. Ltd. and Region System Sdn. Bhd. (collectively, Region) as a collapsed single entity for the final results of this review. See *Preliminary Results* PDM at 5–6.

<sup>5</sup> See Memorandum, “Decision Memorandum for the Final Results of the 2019–2020 Administrative Review of the Antidumping Duty Order on Certain Steel Nails from Malaysia,” dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>6</sup> See Issues and Decision Memorandum at 2–4.