

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

[A-570-967]

**Aluminum Extrusions From the People's Republic of China: 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 sales of aluminum extrusions from the People's Republic of China (China) were made at less than normal value (NV) during the period of review (POR) May 1, 2019, through April 30, 2020.

**DATES:** Applicable February 8, 2022.

**FOR FURTHER INFORMATION CONTACT:** Mark Flessner, 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) 482-6312.

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

On August 6, 2021, Commerce published the *Preliminary Results* and invited interested parties to comment.<sup>1</sup> These final results cover 87 companies for which an administrative review was initiated and not rescinded. On September 7, 2021, the following parties submitted case briefs: (1) Kingtom Aluminio S.R.L. (Kingtom);<sup>2</sup> (2) Global Aluminum Distributor, LLC;<sup>3</sup> and (3) JL Trading Corp., Puertas Y Ventanas JM Inc., and Industrias Feliciano Al Inc.<sup>4</sup> Additionally, on September 7, 2021, Hialeah Aluminum Supply, Inc. and Classic Metals Suppliers Corp. filed a letter in lieu of a case brief.<sup>5</sup> On September 16, 2021, the Aluminum Extrusions Fair Trade Committee (the

<sup>1</sup> See *Aluminum Extrusions from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review and Rescission of Review, in Part; 2019–2020*, 86 FR 43168 (August 6, 2021) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

<sup>2</sup> See Kingtom's Letter, "Case Brief of Kingtom Aluminio S.R.L.," dated September 7, 2021.

<sup>3</sup> See Global Aluminum Distributor, LLC's Letter, "Aluminum Extrusions from the People's Republic of China: A-570-967; Case Brief," dated September 7, 2021.

<sup>4</sup> See JL Trading Corp., Puertas Y Ventanas JM Inc., and Industrias Feliciano Al Inc.'s Letter, "Aluminum Extrusions from the People's Republic of China: Case Brief," dated September 7, 2021.

<sup>5</sup> See Hialeah Aluminum Supply, Inc. and Classic Metals Suppliers Corp.'s Letter, "Aluminum Extrusions from China; Letter in Lieu of Case Brief," dated September 7, 2021.

petitioner) submitted a rebuttal brief.<sup>6</sup> On November 17, 2021, Commerce extended the deadline for these final results until February 2, 2022.<sup>7</sup> Commerce conducted this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

A complete summary of the events that occurred since publication of the *Preliminary Results*, as well as a full discussion of the issues raised by parties for these final results, may be found in the Issues and Decision Memorandum.<sup>8</sup> 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 at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

**Scope of the Order**<sup>9</sup>

The merchandise covered by the *Order* is aluminum extrusions, which are shapes and forms, produced by an extrusion process, made from aluminum alloys having metallic elements corresponding to the alloy series designations published by The Aluminum Association commencing with the numbers 1, 3, and 6 (or proprietary equivalents or other certifying body equivalents). A full description of the scope of the *Order* is contained in the Issues and Decision Memorandum.

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs filed by parties in this review are addressed in the Issues and Decision Memorandum. A list of the issues that parties raised and that we addressed in the Issues and Decision Memorandum follows as an appendix to this notice.

<sup>6</sup> See Petitioner's Letter, "Aluminum Extrusions from the People's Republic of China: Rebuttal Brief," dated September 16, 2021.

<sup>7</sup> See Memorandum, "Aluminum Extrusions from the People's Republic of China, 2019–2020: Extension of Deadline for Final Results of Antidumping Duty Administrative Review," dated November 17, 2021.

<sup>8</sup> See Memorandum, "Issues and Decisions Memorandum for the Final Results of the Antidumping Duty Administrative Review: Aluminum Extrusions from the People's Republic of China; 2019–2020," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>9</sup> See *Aluminum Extrusions from the People's Republic of China: Antidumping Duty Order*, 76 FR 30650 (May 26, 2011) (*Order*).

**Changes Since the Preliminary Results**

Based on a review of the record and comments received from interested parties regarding our *Preliminary Results*, we made no changes for these final results.

**Separate Rates**

In the *Preliminary Results*, we determined that none of the companies for which an administrative review was requested, and not withdrawn, was entitled to a separate rate. We therefore preliminarily determined that 85 companies listed in Appendix III of the *Preliminary Results* were not eligible for a separate rate in this administrative review.<sup>10</sup> For these final results of review, we have made no changes to our preliminary separate rate analysis<sup>11</sup> and continue to find that the 85 companies listed in Appendix II of this notice are not eligible for a separate rate in this administrative review.

**China-Wide Entity**

We continue to determine for these final results that the 85 companies listed in Appendix II are part of the China-wide entity in this administrative review.<sup>12</sup>

Commerce's policy regarding conditional review of the China-wide entity applies to this administrative review.<sup>13</sup> Under this policy, the China-wide entity will not be under review unless a party specifically requests, or Commerce self-initiates, a review of the entity. Because no party requested a review of the China-wide entity in the instant review, and because Commerce did not self-initiate such a review, the entity is not under review, and the entity's current rate (*i.e.*, 86.01 percent)<sup>14</sup> is not subject to change.

**Final Determination of No Shipments**

In the *Preliminary Results*, Commerce determined that Anderson International and Sunvast Trade Shanghai did not have shipments of subject merchandise to the United States during the POR.<sup>15</sup> As we received no information to contradict our preliminary determination of no shipments with

<sup>10</sup> See *Preliminary Results*, 86 FR 43171, and PDM at 15–17.

<sup>11</sup> *Id.*

<sup>12</sup> See Issues and Decision Memorandum.

<sup>13</sup> See *Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings*, 78 FR 65963, 65970 (November 4, 2013).

<sup>14</sup> See *Aluminum Extrusions from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2017–2018*, 84 FR 56164, 56165 (October 21, 2019).

<sup>15</sup> See *Preliminary Results* PDM at 11.

respect to these two companies, we continue to find that they made no shipments of subject merchandise to the United States during the POR.

Accordingly, we will issue appropriate instructions for these two companies that are consistent with our “automatic assessment” clarification.<sup>16</sup>

### Adjustments for Countervailable Subsidies

Because no company established eligibility for an adjustment under section 777A(f) of the Act for countervailable domestic subsidies, for these final results, Commerce did not make an adjustment pursuant to section 777A(f) of the Act for countervailable domestic subsidies for separate-rate recipients. Furthermore, because the China-wide entity is not under review, we made no adjustment for countervailable export subsidies for the China-wide entity pursuant to section 772(c)(1)(C) of the Act.

### Assessment

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b), Commerce will 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. Consistent with its recent notice,<sup>17</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). These final results of review shall be the basis for the assessment of antidumping duties on entries of merchandise under review and for future deposits of estimated duties, where applicable. Consistent with Commerce’s assessment practice in non-market economy cases, where we have determined that an exporter under review had no shipments of subject merchandise, any suspended entries that entered under the exporter’s case number (*i.e.*, at that

exporter’s rate) will be liquidated at the China-wide rate.<sup>18</sup>

### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise from China entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) For previously investigated or reviewed Chinese and non-Chinese exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the exporter-specific rate published for the most-recently completed segment of this proceeding in which the exporter was reviewed; (2) for all Chinese exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be that established for the China-wide entity (3) for all non-Chinese exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the Chinese exporter that supplied that non-Chinese exporter (or, if unidentified, that of the China-wide entity); and (4) for the China-wide entity, the cash deposit rate will be 86.01 percent. These 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 POR. 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 Order

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the destruction or return of proprietary information disclosed under 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 destruction or return

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 this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: February 2, 2022.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

### Appendix I—List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Discussion of the Issues
  - Comment 1: Enforce and Protect Act (EAPA) Determinations and Due Process
  - Comment 2: Separate Rate
- V. Recommendation

### Appendix II—Companies Not Entitled to a Separate Rate

1. Allpower Display Co., Ltd
2. Amidi Zhuhai
3. Beauty Sky Technology Co. Ltd
4. Changshu Changsheng Aluminum Products Co., Ltd
5. Chenming Industry and Commerce Shouguang Co., Ltd.
6. China International Freight Co. Ltd
7. China State Decoration Group Co., Ltd.
8. CRRC Changzhou Auto Parts Co. Ltd \*
9. Custom Accessories Asia Ltd.
10. Everfoison Industry Ltd.
11. Foshan City Fangyuan Ceramic
12. Foshan City Nanhai Yongfeng Aluminum
13. Foshan City Top Deal Import and Export Co., Ltd.
14. Foshan Gold Bridge Import and Export Co. Ltd.
15. Foshan Golden Promise Import and Export Co., Ltd.
16. Foshan Guangshou Import and Export Co., Ltd.
17. Foshan Xingtao Aluminum Profile Co., Ltd.
18. Fujian Minfa Aluminum Inc.
19. Fujian Minfa Aluminum Co., Ltd.
20. Fuzhou Ruifuchang Trading Co., Ltd.
21. Fuzhou Sunmodo New Energy Equipment Co., Ltd.
22. Gebruder Weiss
23. Gold Bridge International
24. Grupo Emb
25. Grupo Europeo La Optica
26. Grupo Pe No Mato In
27. Guangdong Gaoming Guangtai Shicai
28. Guangdong Gaoxin Communication Equipment Industrial Co., Ltd.
29. Guangdong Golden China Economy
30. Guangdong Maoming Foreign Trade Enterprise Development Co.
31. Guangdong Taiming Metal Products Co., LTD.
32. Guangdong Victor Aluminum Co., Ltd.
33. Guangzhou Jintao Trade Company
34. Hangzhou Evernew Machinery &

<sup>16</sup> See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011) (*Assessment Notice*); see also “Assessment” section, below.

<sup>17</sup> See *Notice of Discontinuation of Policy to Issue Liquidation Instructions After 15 Days in Applicable Antidumping and Countervailing Duty Administrative Proceedings*, 86 FR 3995 (January 15, 2021).

<sup>18</sup> See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011).

- Equipment Co., Ltd.  
 35. Hangzhou Tonny Electric and Tools Co., Ltd.  
 36. Hefei Sylux Imp. & Exp. Co., Ltd.  
 37. Hong Kong Dayo Company, Ltd.  
 38. Huazhijie Plastic Products  
 39. Huiqiao International Shanghai  
 40. Ilshim Almax  
 41. Jer Education Technology  
 42. Jiangsu Weatherford Hongda Petroleum Equipment Co., Ltd.  
 43. Jiangsu Yizheng Haitian Aluminum Industrial  
 44. Jiang Yin Ming Ding Aluminum & Plastic Products Co., Ltd  
 45. Jilin Qixing Aluminum Industries Co., Ltd.  
 46. Jin Lingfeng Plastic Electrical Appliance  
 47. Kanal Precision Aluminum Product Co. Ltd.  
 48. Kingtom Aluminio SRL  
 49. Larkcop International Co Ltd  
 50. Ledluz Co Ltd  
 51. Liansu Group Co. Ltd  
 52. Links Relocations Beijing  
 53. Marshall International  
 54. Ningbo Deye Inverter Technology  
 55. Ningbo Hightech Development  
 56. Ningbo Winjoy International Trading  
 57. Orient Express Container  
 58. Ou Chuang Plastic Building Material (Zhejiang) Co., Ltd.  
 59. Pentagon Freight Service  
 60. Pro Fixture Hong Kong  
 61. Qingdao Sea Nova Building  
 62. Qingdao Yahe Imports and Exports  
 63. Sewon  
 64. Shandong Huajian Aluminum Industry  
 65. Shanghai EverSkill M&E Co., Ltd.  
 66. Shanghai Jingxin Logistics  
 67. Shanghai Ouma Crafts Co, Ltd.  
 68. Shanghai Phidix Trading  
 69. Sinogar Aluminum  
 70. Transwell Logistics Co., Ltd.  
 71. United Aluminum  
 72. Wanhui Industrial China  
 73. Wenzhou Yongtai Electric Co., Ltd.  
 74. Winstar Power Technology Limited  
 75. Wisechain Trading Ltd.  
 76. Wuxi Lotus Essence  
 77. Wuxi Rapid Scaffolding Engineering  
 78. Wuxi Zontai Int'l Corporation Ltd.  
 79. Xuancheng Huilv Aluminum Industry Co., Ltd.  
 80. Yekalon Industry Inc  
 81. Yonn Yuu Enterprise Co., Ltd.  
 82. Yuyao Royal Industrial  
 83. Zhejiang Guoyao Aluminum Co., Ltd.  
 84. Zhongshan Broad Windows and Doors and Curtain  
 85. ZL Trade Shanghai

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-908]

#### Barium Chloride From India: Initiation of Less-Than-Fair-Value Investigation

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

**DATES:** Applicable February 1, 2022.

**FOR FURTHER INFORMATION CONTACT:** Fred Baker or 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) 482-2924 or (202) 482-5041, respectively.

#### SUPPLEMENTARY INFORMATION:

##### The Petition

On January 12, 2022, the Department of Commerce (Commerce) received an antidumping duty (AD) petition concerning imports of barium chloride from India, filed in proper form on behalf of Chemical Products Corporation (the petitioner), a domestic producer of barium chloride.<sup>1</sup> The Petition was accompanied by a countervailing duty (CVD) petition concerning imports of barium chloride from India.<sup>2</sup>

On January 14 and 24, 2022, Commerce requested supplemental information pertaining to certain aspects of the Petition.<sup>3</sup> The petitioner filed responses to these requests on January 19, 20, and 25, 2022.<sup>4</sup>

<sup>1</sup> See Petitioner's Letter, "Petitions for the Imposition of Antidumping and Countervailing Duties on Barium Chloride from India," dated January 12, 2022 (the Petition).

<sup>2</sup> *Id.*

<sup>3</sup> See Commerce's Letters, "Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of Barium Chloride from India: Supplemental Questions," dated January 14, 2022; and "Petition for the Imposition of Antidumping Duties on Imports of Barium Chloride from India: Supplemental Questions," dated January 14, 2022; see also Commerce's Memoranda, "Petition for the Imposition of Antidumping Duties on Imports of Barium Chloride from India: Phone Call with Counsel to the Petitioner," dated January 24, 2022; and "Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of Barium Chloride from India: Phone Call with Counsel to the Petitioner," dated January 24, 2022.

<sup>4</sup> See Petitioner's Letters, "Barium Chloride from India: Response to Supplemental Questionnaire on Volume I of Petition (General Issues and Injury Information)," dated January 19, 2022 (General Issues Supplement); "Barium Chloride from India: Response to Supplemental Questionnaire on Volume II (AD) of Petition," dated January 20, 2022 (India AD Supplement); "Barium Chloride from India: Response to Supplemental Question on Volume I of Petition (General Issues and Injury

Information)," dated January 25, 2022 (Revised Exhibit I-4); and "Barium Chloride from India: Response to Supplemental Question on Volume II of Petition (Antidumping Duties)," dated January 25, 2022 (Second India AD Supplement).

<sup>5</sup> See *infra*, section on "Determination of Industry Support for the Petition."

<sup>6</sup> See *Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

<sup>7</sup> See 19 CFR 351.102(b)(21) (defining "factual information").

In accordance with section 732(b) of the Tariff Act of 1930, as amended (the Act), the petitioner alleges that imports of barium chloride from India are being, or are likely to be, sold in the United States at less than fair value (LTFV) within the meaning of section 731 of the Act, and that imports of such products are materially injuring, or threatening material injury to, the barium chloride industry in the United States. Consistent with section 732(b)(1) of the Act, the Petition is accompanied by information reasonably available to the petitioner supporting its allegations.

Commerce finds that the petitioner filed the Petition on behalf of the domestic industry, because the petitioner is an interested party, as defined in section 771(9)(C) of the Act. Commerce also finds that the petitioner demonstrated sufficient industry support for the initiation of the requested AD investigation.<sup>5</sup>

##### Period of Investigation

Because the Petition was filed on January 12, 2022, the period of investigation (POI) for this AD investigation is January 1, 2021, through December 31, 2021, pursuant to 19 CFR 351.204(b)(1).

##### Scope of the Investigation

The product covered by this investigation is barium chloride from India. For a full description of the scope of this investigation, see the appendix to this notice.

##### Comments on the Scope of the Investigation

As discussed in the *Preamble* to Commerce's regulations, we are setting aside a period for interested parties to raise issues regarding product coverage (*i.e.*, scope).<sup>6</sup> Commerce will consider all comments received from interested parties and, if necessary, will consult with interested parties prior to the issuance of the preliminary determination. If scope comments include factual information,<sup>7</sup> all such factual information should be limited to public information. To facilitate preparation of its questionnaire, Commerce requests that all interested parties submit scope comments by 5:00

Information), dated January 25, 2022 (Revised Exhibit I-4); and "Barium Chloride from India: Response to Supplemental Question on Volume II of Petition (Antidumping Duties)," dated January 25, 2022 (Second India AD Supplement).

<sup>5</sup> See *infra*, section on "Determination of Industry Support for the Petition."

<sup>6</sup> See *Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

<sup>7</sup> See 19 CFR 351.102(b)(21) (defining "factual information").