

rates for the 15 companies in Appendix II will remain unchanged from the rates assigned to them in the most recently-completed segment for each company, as applicable; (2) for previously investigated or reviewed Vietnamese and non-Vietnamese exporters that maintain their eligibility for a separate rate, the cash deposit rate will continue to be the exporter-specific rate published for the most recently-completed segment of this proceeding; (3) for all Vietnamese exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be \$2.39 per kilogram, the rate established for the Vietnam-wide entity; and (4) for all non-Vietnamese exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the Vietnamese exporters that supplied that non-Vietnamese exporter. These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice also 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 doubled antidumping duties.

#### Administrative Protective Order

This notice also serves as a reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return or 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 violation which is subject to sanction.

#### Notification to Interested Parties

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

Dated: September 7, 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 Issue
- Comment: Commerce Should Ensure that All Subject Merchandise Is Subject to the Appropriate Duties
- V. Recommendation

#### Appendix II

##### Companies With No Shipments During the POR

1. C.P. Vietnam Corporation
2. CAFATEX Corporation (also known as Cafatex)
3. Dai Thanh Seafoods Company Limited (also known as DATHACO, Dai Thanh Seafoods or Dai Thanh Seafoods Co., Ltd.)
4. Fatifish Company Limited (also known as FATIFISH or FATIFISHCO)
5. GODACO Seafood Joint Stock Company (also known as GODACO, GODACO Seafood, GODACO SEAFOOD, GODACO SEAFOOD, or GODACO Seafood J.S.C.)
6. Golden Quality Seafood Corporation (also known as Golden Quality, GoldenQuality, GOLDENQUALITY, or GoldenQuality Seafood Corporation)
7. Green Farms Seafood Joint Stock Company (also known as Green Farms, Green Farms Seafood JSC, GreenFarm SeaFoods Joint Stock Company, or Green Farms Seafoods Joint Stock Company)
8. Hai Huong Seafood Joint Stock Company (also known as HHFish, HH Fish, or Hai Huong Seafood)
9. Hung Vuong Group<sup>12</sup>
  10. Nam Viet Corporation (also known as NAVICO)
  11. QVD Food Company Ltd. (aka QVD, QVD Food Co., Ltd., or QVD Aquaculture)<sup>13</sup>
  12. Southern Fishery Industries Company, Ltd. (also known as South Vina, South Vina Co., Ltd., Southern Fishery Industries Co.,

<sup>12</sup> Hung Vuong Group is a single entity comprised of the following individual companies: (1) An Giang Fisheries Import and Export Joint Stock Company (also known as Agifish, AnGiang Fisheries Import and Export, An Giang Fisheries Import & Export Joint Stock Company); (2) Asia Pangasius Company Limited (also known as ASIA); (3) Hung Vuong Ben Tre Seafood Processing Company Limited (also known as Ben Tre, HVBT, or HVBT Seafood Processing VBT, or HVBT Seafood Processing); (4) Europe Joint Stock Company (also known as Europe JSC or EJS CO.); (5) Hung Vuong Corporation (also known as HVC, HV Corp. or Hung Vuong Joint Stock Company); (6) Hung Vuong-Sa Dec Co., Ltd. (also known as Hung Vuong Sa Dec Company Limited); (7) Hung Vuong-Vinh Long Co. Ltd. (also known as Hung Vuong Vinh Long Company Limited); and (8) Hung Vuong Mascato Company Limited.

<sup>13</sup> QVD is a single entity that also includes QVD Dong Thap Food Co., Ltd. (also known as Dong Thap or QVD DT) and Thuan Hung Co., Ltd. (also known as THUFICO).

Ltd., Southern Fisheries Industries Company, Ltd., or Southern Fisheries Industries Company Limited)

13. To Chau Joint Stock Company (also known as TOCHAU, TOCHAU JSC, or TOCHAU Joint Stock Company)

14. Viet Hai Seafood Company Limited (also known as Viet Hai, Viet Hai Seafood Co., Ltd., Viet Hai Seafood Co., Vietnam Fish-One Co., Ltd., or Fish One)

15. Vinh Quang Fisheries Corporation (also known as Vinh Quang, Vinh Quang Fisheries Corp., Vinh Quang Fisheries Joint Stock Company, or Vinh Quang Fisheries Co., Ltd.)

[FR Doc. 2022–19773 Filed 9–12–22; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–427–833]

#### Certain Preserved Mushrooms From France: Preliminary Affirmative Determination of Sales at Less Than Fair Value

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily determines that certain preserved mushrooms (preserved mushrooms) from France are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation is January 1, 2021, through December 31, 2021. Interested parties are invited to comment on this preliminary determination.

**DATES:** Applicable September 13, 2022.

**FOR FURTHER INFORMATION CONTACT:** Christopher Williams, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–5166.

#### SUPPLEMENTARY INFORMATION:

##### Background

Commerce initiated this investigation on April 20, 2022.<sup>1</sup> Bonduelle Europe Long Life (Bonduelle) and France Champignon are the mandatory respondents in this investigation. For a complete description of the events that followed the initiation of this investigation, see the Preliminary Decision Memorandum.<sup>2</sup> A list of topics

<sup>1</sup> See *Certain Preserved Mushrooms from France, the Netherlands, Poland, and Spain: Initiation of Less-Than-Fair-Value Investigations*, 87 FR 24941 (April 27, 2022) (*Initiation Notice*).

<sup>2</sup> See Memorandum, “Decision Memorandum for the Preliminary Affirmative Determination in the

Continued

included in the Preliminary Decision Memorandum is included as Appendix II to this notice. The Preliminary 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 Preliminary Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

### Scope of the Investigation

The products covered by this investigation are preserved mushrooms from France. For a full description of the scope of this investigation, see Appendix I.

### Scope Comments

In accordance with the *Preamble* to Commerce's regulations,<sup>3</sup> we set aside a period of time, as stated in the *Initiation Notice*, for parties to raise issues regarding product coverage (*i.e.*, scope).<sup>4</sup> No interested party commented on the scope of the investigation as it appeared in the *Initiation Notice*. Commerce is not modifying the scope language as it appeared in the *Initiation Notice*. See the complete description of the scope in Appendix I to this notice.

### Methodology

Commerce is conducting this investigation in accordance with section 731 of the Tariff Act of 1930, as amended (the Act). Pursuant to section 776(a) of the Act, Commerce has preliminarily relied upon facts otherwise available to assign estimated weighted-average dumping margins to the mandatory respondents in this investigation because neither of the respondents submitted a response to Commerce's antidumping duty questionnaire. Further, Commerce preliminarily determines that these mandatory respondents failed to cooperate by not acting to the best of their abilities to comply with a request for information and is using an adverse inference in selecting from among the facts otherwise available (*i.e.*, applying adverse facts available (AFA)) to these respondents, in accordance with section 776(b) of the Act. For a full description of the methodology underlying our

Less-Than-Fair-Value Investigation of Certain Preserved Mushrooms from France," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>3</sup> See *Antidumping Duties; Countervailing Duties*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

<sup>4</sup> See *Initiation Notice*, 87 FR at 24942.

preliminary determination, see the Preliminary Decision Memorandum.

### All-Others Rate

Section 733(d)(1)(ii) of the Act provides that, in the preliminary determination, Commerce shall determine an estimated all-others rate for all exporters and producers not individually investigated in accordance with section 735(c)(5) of the Act. Section 735(c)(5)(A) of the Act states that generally the estimated rate for all others shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act. The estimated weighted-average dumping margins in this preliminary determination were calculated entirely under section 776 of the Act. In cases where no weighted-average dumping margins other than zero, *de minimis*, or those determined entirely under section 776 of the Act have been established for individually examined entities, in accordance with section 735(c)(5)(B) of the Act, Commerce typically calculates a simple average of the margins alleged in the petition and applies the results to all other entities not individually examined.<sup>5</sup>

In the Petitions,<sup>6</sup> Giorgio Goods, Inc. (the petitioner) calculated three estimated dumping margins, 124.41 percent, 188.75 percent and 360.88 percent. Therefore, consistent with our practice, for the all-others rate in this investigation, we preliminarily assigned a simple average of the dumping margins alleged in the Petitions, which is 224.68 percent.<sup>7</sup>

### Preliminary Determination

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist during

<sup>5</sup> See, *e.g.*, *Thermal Paper from Spain: Final Determination of Sales at Less Than Fair Value*, 86 FR 54162, 54163 (September 30, 2021), and accompanying Issues and Decision Memorandum.

<sup>6</sup> See Petitioner's Letter, "Certain Preserved Mushrooms from France, the Netherlands, Poland, and Spain—Petition for the Imposition of Antidumping Duties," dated March 31, 2022 (Petitions), at Volume II; see also Checklist, "AD Investigation Initiation Checklist: Certain Preserved Mushrooms from France," dated April 20, 2022 (Initiation Checklist); and Petitioner's Letter, "Certain Preserved Mushrooms from France, Netherlands, Poland, and Spain—Petitioner's Supplement to Volume II Relating to Request for the Imposition of Antidumping Duties on imports from France," dated April 8, 2022 (Petition Supplemental).

<sup>7</sup> See Petitions at Volume II; see also Initiation Checklist; and Petition Supplemental.

the period January 1, 2021, through December 31, 2021:

Exporter/producer	Weighted-average dumping margin (percent)
Bonduelle Europe Long Life .....	360.88
France Champignon .....	360.88
All Others .....	224.68

### Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of all entries of preserved mushrooms from France, as described in the "Scope of the Investigation" in Appendix I, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**.

We will also instruct CBP, pursuant to section 733(d)(1)(B) of the Act and 19 CFR 351.205(d), to require a cash deposit equal to the margins indicated in the chart above. These suspension of liquidation instructions will remain in effect until further notice.

### Verification

Because the mandatory respondents in this investigation did not act to the best of their abilities to provide information requested by Commerce, and Commerce preliminarily determines each of the mandatory respondents to be uncooperative, we will not conduct verifications.

### Disclosure

Normally, Commerce discloses to interested parties the calculations performed in connection with a preliminary determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of the notice of preliminary determination in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because Commerce preliminarily applied AFA to each of the mandatory respondents in this investigation, and applied an AFA rate based on the Petitions, there are no calculations to disclose.

### Public Comment

Interested parties are invited to comment on this preliminary determination no later than 30 days after the date of publication of this preliminary determination.<sup>8</sup> Rebuttal

<sup>8</sup> See 19 CFR 351.309(c)(1)(i); see also 19 CFR 351.303 (for general filing requirements).

briefs, limited to issues raised in case briefs, may be submitted no later than seven days after the deadline date for case briefs.<sup>9</sup> Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities. Commerce has modified certain of its requirements for serving documents containing business proprietary information until further notice.<sup>10</sup>

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice in the **Federal Register**. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants and whether any participant is a foreign national; and (3) a list of the issues to be discussed. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

### Final Determination

Section 735(a)(1) of the Act and 19 CFR 351.210(b)(1) provide that Commerce will issue the final determination within 75 days after the date of its preliminary determination. Accordingly, Commerce will make its final determination no later than 75 days after the signature date of this preliminary determination.

### U.S. International Trade Commission Notification

In accordance with section 733(f) of the Act, Commerce will notify the U.S. International Trade Commission (ITC) of our affirmative preliminary determination. If our final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after our final determination whether these imports are materially injuring, or threaten material injury to, the U.S. industry.

<sup>9</sup> See 19 CFR 351.309(d); see also 19 CFR 351.303 (for general filing requirements).

<sup>10</sup> See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

### Notification to Interested Parties

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act, and 19 CFR 351.205(c).

Dated: September 7, 2022.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

### Appendix I—Scope of the Investigation

The merchandise covered by this investigation is certain preserved mushrooms, whether imported whole, sliced, diced, or as stems and pieces. The preserved mushrooms covered under this investigation are the genus *Agaricus*. “Preserved mushrooms” refer to mushrooms that have been prepared or preserved by cleaning, blanching, and sometimes slicing or cutting. These mushrooms are then packed and heat sterilized in containers each holding a net drained weight of not more than 12 ounces (340.2 grams), including but not limited to cans or glass jars, in a suitable liquid medium, including but not limited to water, brine, butter, or butter sauce. Preserved mushrooms may be imported whole, sliced, diced, or as stems and pieces.

Excluded from the scope are “marinated,” “acidified,” or “pickled” mushrooms, which are prepared or preserved by means of vinegar or acetic acid, but may contain oil or other additives. To be prepared or preserved by means of vinegar or acetic acid, the merchandise must be a minimum 0.5 percent by weight acetic acid.

The merchandise subject to this investigation is classifiable under subheadings 2003.10.0127, 2003.10.0131, and 2003.10.0137 of the Harmonized Tariff Schedule of the United States (HTSUS). The subject merchandise may also be classified under HTSUS subheadings 2003.10.0143, 2003.10.0147, and 2003.10.0153. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.

### Appendix II—List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Period of Investigation
- IV. Application of Facts Available, Use of Adverse Inference, and Calculation of All-Others Rate
- V. Recommendation

[FR Doc. 2022–19769 Filed 9–12–22; 8:45 am]

**BILLING CODE 3510–DS–P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–475–818]

### Certain Pasta From Italy: Amended Rescission of Antidumping Duty Administrative Review, in Part; 2020–2021

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) published a notice in the **Federal Register** on August 2, 2022, for the preliminary results and partial rescission of the 2020–2021 administrative review of the antidumping duty order on certain pasta (pasta) from Italy. Commerce is amending its partial rescission due to an incorrect name.

**DATES:** Applicable September 13, 2022.

#### FOR FURTHER INFORMATION CONTACT:

Jonathan Hall-Eastman, 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) 482–1468.

#### SUPPLEMENTARY INFORMATION:

#### Background

On September 7, 2021, based on timely requests for an administrative review, Commerce initiated an administrative review of the *Order*.<sup>1</sup> On August 2, 2022, in accordance with 19 CFR 351.213(d), we published together with the preliminary results of review a notice of rescission, in part, with respect to the administrative review of the antidumping duty order on pasta from Italy for the period July 1, 2020, through June 30, 2021.<sup>2</sup>

#### Amended Rescission of Review in Part

In the *Preliminary Results and Partial Rescission*, Commerce stated that the review was rescinded with respect to the companies “listed in Appendix II.” One of the companies listed in Appendix II is “Pastificio Liguori dal 1870 SpA.” This is not the correct name of the company on which we intended to rescind the review. We are amending the *Preliminary Results and Partial Rescission* to replace that incorrect name with *Liguori Pastificio dal 1820 S.p.A.*

<sup>1</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 86 FR 50034 (September 7, 2021).

<sup>2</sup> See *Certain Pasta from Italy: Preliminary Results of Antidumping Duty Administrative Review and Partial Rescission of Review; 2020–2021*, 87 FR 47185 (August 2, 2022) (*Preliminary Results and Partial Rescission*).