

**Background**

Every five years, pursuant to the Tariff Act of 1930, as amended (the Act), the Department of Commerce (Commerce) and the International Trade Commission automatically initiate and conduct reviews to determine whether revocation of a countervailing or

antidumping duty order or termination of an investigation suspended under section 704 or 734 of the Act would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy (as the case may be) and of material injury.

**Upcoming Sunset Reviews for January 2023**

Pursuant to section 751(c) of the Act, the following Sunset Reviews are scheduled for initiation in January 2023 and will appear in that month's *Notice of Initiation of Five-Year Sunset Reviews* (Sunset Review).

	Department contact
<b>Antidumping Duty Proceedings</b>	
Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan A-583-008 (5th Review) .....	Jacky Arrowsmith (202) 482-5255.
Certain Welded Carbon Steel Pipes and Tubes from India A-533-502 (5th Review) .....	Mary Kolberg (202) 482-1785.
Certain Welded Carbon Steel Pipes and Tubes from Thailand A-549-502 (5th Review) .....	Mary Kolberg (202) 482-1785.
Certain Welded Carbon Steel Pipes and Tubes from Turkey A-489-501 (5th Review) .....	Mary Kolberg (202) 482-1785.
Circular Welded Non-Alloy Steel Pipe from South Korea A-580-809 (5th Review) .....	Jacky Arrowsmith (202) 482-5255.
Circular Welded Non-Alloy Steel Pipe from Mexico A-201-805 (5th Review) .....	Jacky Arrowsmith (202) 482-5255.
Circular Welded Non-Alloy Steel Pipe from Taiwan A-583-814 (5th Review) .....	Jacky Arrowsmith (202) 482-5255.
Circular Welded Non-Alloy Steel Pipe from Brazil A-351-809 (5th Review) .....	Jacky Arrowsmith (202) 482-5255.
Cold-Drawn Mechanical Tubing from China A-570-058 (1st Review) .....	Mary Kolberg (202) 482-1785.
Cold-Drawn Mechanical Tubing from Germany A-428-845 (1st Review) .....	Mary Kolberg (202) 482-1785.
Cold-Drawn Mechanical Tubing from India A-533-873 (1st Review) .....	Mary Kolberg (202) 482-1785.
Cold-Drawn Mechanical Tubing from Italy A-475-838 (1st Review) .....	Mary Kolberg (202) 482-1785.
Cold-Drawn Mechanical Tubing from South Korea A-580-892 (1st Review) .....	Mary Kolberg(202) 482-1785.
Cold-Drawn Mechanical Tubing from Switzerland A-441-801 (1st Review) .....	Mary Kolberg (202) 482-1785.
Seamless Line and Pressure Pipe from Germany A-428-820 (1st Review) .....	Jacky Arrowsmith (202) 482-5255.
<b>Countervailing Duty Proceedings</b>	
Circular Welded Carbon Steel Pipes and Tubes from Turkey C-489-502 (5th Review) .....	Mary Kolberg(202) 482-1785.
Cold-Drawn Mechanical Tubing from China C-570-059 (1st Review) .....	Mary Kolberg (202) 482-1785.
Cold-Drawn Mechanical Tubing from India C-533-874 (1st Review) .....	Thomas Martin(202) 482-3936.

**Suspended Investigations**

No Sunset Review of suspended investigations is scheduled for initiation in January 2023.

Commerce's procedures for the conduct of Sunset Review are set forth in 19 CFR 351.218. The *Notice of Initiation of Five-Year (Sunset) Review* provides further information regarding what is required of all parties to participate in Sunset Review.

Pursuant to 19 CFR 351.103(c), Commerce will maintain and make available a service list for these proceedings. To facilitate the timely preparation of the service list(s), it is requested that those seeking recognition as interested parties to a proceeding contact Commerce in writing within 10 days of the publication of the Notice of Initiation.

Please note that if Commerce receives a Notice of Intent to Participate from a member of the domestic industry within 15 days of the date of initiation, the review will continue.

Thereafter, any interested party wishing to participate in the Sunset Review must provide substantive comments in response to the notice of initiation no later than 30 days after the date of initiation. Note that Commerce has modified certain of its requirements for serving documents containing

business proprietary information, until further notice.<sup>1</sup>

This notice is not required by statute but is published as a service to the international trading community.

Dated: November 25, 2022.

**James Maeder,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**[A-570-045, C-570-046]**

**1-Hydroxyethylidene-1,1-Diphosphonic Acid From the People's Republic of China: Continuation of Antidumping Duty Order and Countervailing Duty Order**

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

**SUMMARY:** As a result of the determinations by the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC) that revocation of the antidumping duty (AD) and countervailing duty (CVD)

<sup>1</sup> See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

orders on 1-Hydroxyethylidene-1,1-Diphosphonic Acid (HEDP) from the People's Republic of China (China) would likely lead to continuation or recurrence of dumping, countervailable subsidies, and material injury to an industry in the United States, Commerce is publishing a notice of continuation of the AD and CVD orders. **DATES:** Applicable December 1, 2022.

**FOR FURTHER INFORMATION CONTACT:** Rachel Jennings (AD) or Benito Ballesteros (CVD), AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-1110 or (202) 482-7425, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On May 18, 2017, Commerce published in the **Federal Register** the AD and CVD orders on HEDP from China.<sup>1</sup> On April 1, 2022, the ITC instituted, and Commerce initiated, the first sunset review of the *Orders*, pursuant to section 751(c) of the Tariff

<sup>1</sup> See *1-Hydroxyethylidene-1,1-Diphosphonic Acid from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order*, 82 FR 22807 (May 18, 2017); and *1-Hydroxyethylidene-1,1-Diphosphonic Acid from the People's Republic of China: Countervailing Duty Order*, 82 FR 22809 (May 18, 2017) (collectively, *Orders*).

Act of 1930, as amended (the Act).<sup>2</sup> As a result of its review, Commerce determined that revocation of the *Orders* would likely lead to continuation or recurrence of dumping and countervailable subsidies and, therefore, notified the ITC of the magnitude of the margins and net countervailable subsidy rates likely to prevail should the *Orders* be revoked.<sup>3</sup>

On November 25, 2022, the ITC published its determination, pursuant to sections 751(c) and 752(a) of the Act, that revocation of the *Orders* would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.<sup>4</sup>

**Scope of the Orders**

The merchandise covered by the *Orders* includes all grades of aqueous acidic (non-neutralized) concentrations of HEDP, also referred to as hydroxyethylidenediphosphonic acid, hydroxyethanediphosphonic acid, acetodiphosphonic acid, and etidronic acid. The Chemical Abstract Service (CAS) registry number for HEDP is 2809-21-4.

The merchandise subject to the *Orders* is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheading 2931.90.9043. It may also enter under HTSUS subheadings 2811.19.6090, 2931.90.9041, 2931.90.9051, 2811.19.6190, and 2931.39.0018.<sup>5</sup> While HTSUS subheadings and the CAS registry number are provided for convenience and customs purposes only, the written description of the scope of the *Orders* is dispositive.

**Continuation of the Orders**

As a result of the determinations by Commerce and the ITC that revocation of the *Orders* would likely lead to a continuation or a recurrence of dumping and countervailable subsidies, as well as material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, Commerce hereby orders the continuation of the *Orders*. CBP will continue to collect AD and

CVD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise.

The effective date of the continuation of the *Orders* will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, Commerce intends to initiate the next five-year reviews of the *Orders* not later than 30 days prior to the fifth anniversary of the effective date of continuation.

**Administrative Protective Order**

This notice serves as the only reminder to parties subject to an 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), which continues to govern business proprietary information in this segment of the proceeding. Timely notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of the APO is a sanctionable violation.

**Notification to Interested Parties**

These five-year sunset reviews and this notice are in accordance with section 751(c) of the Act and published in accordance with section 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: November 25, 2022.

**Abdelali Elouaradia,**

*Deputy Assistant Secretary for Enforcement and Compliance.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Initiation of Five-Year (Sunset) Reviews**

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

**SUMMARY:** In accordance with the Tariff Act of 1930, as amended (the Act), the Department of Commerce (Commerce) is automatically initiating the five-year reviews (Sunset Reviews) of the antidumping and countervailing duty (AD/CVD) order(s) and suspended investigation(s) listed below. The International Trade Commission (the ITC) is publishing concurrently with this notice its notice of *Institution of Five-Year Reviews* which covers the same order(s) and suspended investigation(s).

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

**FOR FURTHER INFORMATION CONTACT:** Commerce official identified in the *Initiation of Review* section below at AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230. For information from the ITC, contact Mary Messer, Office of Investigations, U.S. International Trade Commission at (202) 205-3193.

**SUPPLEMENTARY INFORMATION:**

**Background**

Commerce’s procedures for the conduct of Sunset Reviews are set forth in its *Procedures for Conducting Five-Year (Sunset) Reviews of Antidumping and Countervailing Duty Orders*, 63 FR 13516 (March 20, 1998) and 70 FR 62061 (October 28, 2005). Guidance on methodological or analytical issues relevant to Commerce’s conduct of Sunset Reviews is set forth in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101 (February 14, 2012).

**Initiation of Review**

In accordance with section 751(c) of the Act and 19 CFR 351.218(c), we are initiating the Sunset Reviews of the following antidumping and countervailing duty order(s) and suspended investigation(s):

DOC case No.	ITC case No.	Country	Product	Commerce contact
A-357-820 ...	731-TA-1347	Argentina .....	Biodiesel (1st Review) .....	Jacky Arrowsmith (202) 482-5255.

<sup>2</sup> See *1-Hydroxyethylidene-1,1-Diphosphonic Acid (HEDP) from China; Institution of Five-Year Reviews*, 87 FR 19125 (April 1, 2022); and *Initiation of Five-Year (Sunset) Reviews*, 87 FR 19069 (April 1, 2022).

<sup>3</sup> See *1-Hydroxyethylidene-1,1-Diphosphonic Acid from the People’s Republic of China: Final Results of the Expedited First Sunset Review of the Antidumping Duty Order*, 87 FR 42705 (July 18, 2022) (*AD Sunset Final*); and *1-Hydroxyethylidene-*

*1,1-Diphosphonic Acid from the People’s Republic of China: Final Results of the Expedited First Sunset Review of the Countervailing Duty Order*, 87 FR 42707 (July 18, 2022) (*CVD Sunset Final*).

<sup>4</sup> See *1-Hydroxyethylidene-1,1-Diphosphonic Acid (HEDP) from China*, 87 FR 72510 (November 25, 2022); see also *1-Hydroxyethylidene-1,1-Diphosphonic Acid (HEDP) from China*, Inv. Nos. 701-TA-558 and 731-TA-1316 (Review), USITC Pub. 5386 (November 2022).

<sup>5</sup> On September 24, 2020, U.S. Customs and Border Protection (CBP) notified Commerce of additional HTSUS subheadings under which subject merchandise can be entered. Accordingly, the scope of the *Orders* now reflects those additional HTSUS subheadings. See *AD Sunset Final*, 87 FR at 42706; and *CVD Sunset Final*, 87 FR at 42707.