
SUPPLEMENTARY INFORMATION:

Background

On October 12, 2022, the U.S. Department of Commerce (Commerce) initiated a countervailing duty (CVD) investigation of imports of paper file folders from India. Currently, the preliminary determination is due no later than January 5, 2023.

Postponement of Preliminary Determination

Section 703(h)(1) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in a CVD investigation within 65 days after the date on which Commerce initiated the investigation. However, section 703(c)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 130 days after the date on which Commerce initiated the investigation if: (A) the petitioner makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR 351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. Commerce will grant the request unless it finds compelling reasons to deny it.

On December 9, 2022, the Coalition of Domestic Folder Manufacturers (the petitioner) timely filed a request for Commerce to postpone the preliminary CVD determination so that Commerce may review all questionnaire responses and new factual information to permit a thorough investigation and the calculation of accurate subsidy rates. In accordance with 19 CFR 351.205(e), the petitioner has stated the reasons for requesting a postponement of the preliminary determination, and Commerce finds no compelling reason to deny the request. Therefore, in accordance with section 703(c)(1)(A) of the Act, Commerce is postponing the deadline for the preliminary determination to no later than the next business day after 130 days after the date on which this investigation was initiated, i.e., March 13, 2023. Pursuant to section 705(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determination of this investigation will continue to be 75 days after the date of the preliminary determination.

Notification to Interested Parties

This notice is issued and published pursuant to section 703(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: December 21, 2022.

Lisa W. Wang,
Assistant Secretary for Enforcement and Compliance.

DEPARTMENT OF COMMERCE

International Trade Administration


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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that Zhejiang Fuerjia Wooden Co., Ltd. (Fuerjia) did not make sales of subject merchandise at less than normal value (NV), that certain companies had no shipments of subject merchandise during the period of review (POR) December 1, 2020, through November 30, 2021, that Arte Mundi Group Co., Ltd. (Arte Mundi Group) is the successor-in-interest to Arte Mundi (Shanghai) Aesthetic Home Furnishings Co., Ltd. (Arte Mundi Shanghai), and that Metropolitan Hardwood Floors, Inc. (Metropolitan) is part of the China-wide entity. Finally, we are rescinding the review with respect to certain companies. Interested parties are invited to comment on these preliminary results.


FOR FURTHER INFORMATION CONTACT: Alexis Cherry or Max Goldman, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–6478 or (202) 482–0224, respectively.

SUPPLEMENTARY INFORMATION:

Background

Commerce is conducting an administrative review of the antidumping duty order on multilayered wood flooring (MLWF) from the People’s Republic of China (China). The review covers 49 companies, including mandatory respondents Fuerjia and Metropolitan.

For events that occurred since the Initiation Notice and the analysis behind our preliminary results herein, see the Preliminary Decision Memorandum. The Preliminary 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 Preliminary Decision Memorandum can be accessed directly at https://access.trade.gov/public/FRNoticesListLayout.aspx. A list of topics discussed in the Preliminary Decision Memorandum is included as Appendix I to this notice.

Scope of the Order

The product covered by the Order is MLWF from China. For a complete

2 See Petitioner’s Letter, “Paper File Folders from India—Petitioner’s Request For Extension of Preliminary Determination Deadline,” dated December 9, 2022. The petitioner is the Coalition of Domestic Folder Manufacturers, the members of which are Smeal Manufacturing Company, Inc. and TOPS Products LLC.
3 The extended date for the preliminary determination falls on March 11, 2023, which is a Saturday. Commerce’s practice dictates that, when a deadline falls on a weekend or federal holiday, the appropriate deadline is the next business day. See Notice of Clarification: Application of “Next Business Day” Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended, 70 FR 24533 (May 10, 2005).
description of the scope of the Order, see the Preliminary Decision Memorandum.

Partial Rescission of Review

On February 7, 2022, Zhejiang Yuhua Timber Co. Ltd. (Zhejiang Yuhua) and A-Timber Flooring Company Limited (A-Timber) withdrew their requests for review.4 On April 13, 2022, the American Manufacturers of Multilayered Wood Flooring (the petitioner) withdrew its request for an administrative review with respect to Jiangsu Senmao Bamboo and Wood Industry Co., Ltd. (Senmao),5 and on April 14, 2022, Senmao withdrew its request for review of itself.6 Finally, on April 25, 2022, Kingman Floors Co., Ltd. (Kingman Floors) withdrew its request for review of itself.7 No other parties requested a review of these four companies. Accordingly, Commerce is rescinding the administrative review with respect to Zhejiang Yuhua, A-Timber, Kingman Floors, and Senmao.

Jiashan HuiJiaLe Decoration Material Co., Ltd. (Jiashan HuiJiaLe) also withdrew its request for an administrative review of itself.8 However, the petitioner also requested a review of Jiashan HuiJiaLe and did not withdraw its request.9 Accordingly, we are not rescinding the administrative review with respect to Jiashan HuiJiaLe.

Preliminary Determination of No Shipments

Based on an analysis of information from U.S. Customs and Border Protection (CBP), no-shipment certifications, and other record information, we preliminarily determine that 34 companies had no shipments of subject merchandise during the POR.10 Consistent with our practice in non-market economy (NME) cases, we are not rescinding this review with respect to these companies but, rather, we intend to complete the review and issue appropriate instructions to CBP based on the final results of the review.11

Separate Rates

We preliminarily determine that, in addition to Fuerjia, four companies not individually-examined are eligible for separate rates in this administrative review.12 The Tariff Act of 1930, as amended (the Act), and Commerce’s regulations do not address the establishment of a separate 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 an investigation, for guidance when determining the rate for separate-rate respondents that are not individually examined in an administrative review. Section 735(c)(5)(A) of the Act states that the all-others rate should be calculated by averaging the weighted-average dumping margins for individually examined respondents, excluding dumping margins that are zero, de minimis, or based entirely on facts available. Where the dumping margins for individually examined respondents are all zero, de minimis, or based entirely on facts available, section 735(c)(5)(B) of the Act provides that Commerce may use “any reasonable method” to establish the estimated all others rate.

For the preliminary results of this review, Commerce has determined the estimated dumping margin for Fuerjia to be zero. Consistent with the guidance of section 735(c)(5)(B) of the Act, and for the reasons explained in the Preliminary Decision Memorandum, we are assigning this rate to the non-examined respondents which qualify for a separate rate in this review.

The China-Wide Entity

Commerce’s policy regarding conditional review of the China-wide entity applies to this administrative review.13 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, the entity is not under review, and the entity’s rate, i.e., 85.13 percent, is not subject to change.14 Commerce selected Metropolitan as one of two mandatory respondents in this administrative review.15 Metropolitan then notified Commerce that it did not intend to participate in the review.16 Because Metropolitan did not respond to the questionnaire, it has not established its eligibility for a separate rate despite submitting a timely separate rate certification.17 Therefore, Commerce considers Metropolitan to be part of the China-wide entity. See the Preliminary Decision Memorandum for further discussion.

Aside from the companies for which we preliminarily find had no shipments and the companies for which the review is being rescinded, Commerce considers all other companies for which a review was requested and did not demonstrate separate rate eligibility to be part of the China-wide entity.18 For the preliminary results of this review, we consider six companies, including Metropolitan, to be part of the China-wide entity.

Preliminary Results of Successor-in-Interest Analysis

Arte Mundi Group reported that during the POR, it changed its English name from Arte Mundi Shanghai to Arte Mundi Group.19 Based on our analysis of the information on the record regarding any changes with respect to corporate structure, manufacturing facilities, customers, and suppliers, we

8 See 19 CFR 351.213(d)(1).
11 See Appendix II for a list of these companies.
13 See Appendix II for a list of these companies.
18 See Metropolitan’s Letter, “Submission of Separate Rate Certification,” dated March 4, 2022; see also Initiation Notice (“Furthermore, exporters and producers who submit a Separate Rate Application or Certification and subsequently are selected as mandatory respondents will no longer be eligible for separate rate status unless they respond to all parts of the questionnaire as mandatory respondents.”)
19 See Initiation Notice, 87 FR at 6489 (“All firms listed below that wish to qualify for separate rate status in the administrative review involving NME countries must complete, as appropriate, either a separate rate application or certification, as described below.”). Companies that are subject to this administrative review that are considered to be part of the China-wide entity are listed in Appendix II.
preliminarily determine that Arte Mundi Group is the successor-in-interest to Arte Mundi Shanghai and, as a result, should be accorded the same treatment previously accorded to Arte Mundi Shanghai for cash deposit purposes. See the Preliminary Decision Memorandum for further information. Should our final results of review remain the same as these preliminary results of review, effective the date of publication of the final results of review, we will instruct CBP to apply Arte Mundi Shanghai’s cash deposit rate to Arte Mundi Group.

Methodology

We are conducting this administrative review in accordance with sections 751(a)(1)(B) of the Act and 19 CFR 351.213. We calculated export prices for Fuerjia in accordance with section 772(a) of the Act. Because China is an NME within the meaning of section 771(18) of the Act, we calculated NV in accordance with section 773(c) of the Act.

Preliminary Results of Review

We preliminarily determine that the following weighted-average dumping margins exist for the POR December 1, 2020, through November 30, 2021:

<table>
<thead>
<tr>
<th>Exporters</th>
<th>Weighted-average dumping margin (percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zhejiang Fuerjia Wooden Co., Ltd.</td>
<td>0.00</td>
</tr>
<tr>
<td>Non-Selected Companies Under Review Receiving a Separate Rate</td>
<td>0.00</td>
</tr>
</tbody>
</table>

Disclosure and Public Comment

We intend to disclose to interested parties the calculations performed for these preliminary results in accordance with 19 CFR 351.224(b). Interested parties may submit case briefs no later than seven days after the date of publication of the preliminary results of review.22 Rebuttal briefs, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, via ACCESS, E&C intends to schedule the due date for all rebuttal briefs to be 7 days after case briefs are filed. Case and rebuttal briefs should be filed using ACCESS and must be served on interested parties.25 Note that Commerce has modified certain of its requirements for serving documents containing business proprietary information, until further notice.26 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, within 120 days of publication of these preliminary results in the Federal Register, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h).

Assessment Rates

Upon issuance of the final results, Commerce will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review, in accordance with 19 CFR 351.212(b)(1). Commerce intends to issue assessment instructions to CBP 35 days after the publication of the final results of this review. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP 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).

If Fuerjia’s ad valorem weighted-average dumping margin is not zero or de minimis (i.e., less than 0.50 percent) in the final results of this review, Commerce will calculate importer-specific assessment rates with which to assess whether the per-unit assessment rate is de minimis. We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific ad valorem assessment rate calculated in the final results of this review is not zero or de minimis.

For the respondents that were not selected for individual examination in this administrative review that qualified for a separate rate, the assessment rate will be the separate rate established in the final results of this administrative review.

If, in the final results, Fuerjia’s weighted-average dumping margin continues to be zero or de minimis (i.e., less than 0.5 percent), Commerce will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.30 For entries that were not reported in the U.S. sales databases submitted by Fuerjia during this review, and for the companies that do not qualify for a separate rate, Commerce will instruct CBP to liquidate such entries at the China-wide rate (i.e., 85.13 percent).31 In addition, if in the final results we continue to find no shipments of subject merchandise for the 34 companies for which we preliminarily find no such shipments during the POR,32 any suspended entries of subject merchandise associated with those companies will be liquidated at the China-wide rate.33
For the companies for which the administrative review is rescinded, antidumping duties shall be assessed at a rate equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). We intend to issue appropriate assessment instructions to CBP with respect to the companies for which this administrative review is rescinded 35 days after the publication of the preliminary results in the Federal Register.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this 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 the companies that have a separate rate, the cash deposit rate will be that rate established in the final results of this review (except, if the rate is de minimis, then a cash deposit rate of zero will be required); (2) for previously investigated or reviewed Chinese and non-Chinese exporters for which a review was not requested and that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all Chinese exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the rate for the China-wide entity (i.e., 85.13 percent); and (4) for all non-Chinese exporters of subject merchandise that 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. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce’s presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of double antidumping duties, and/or an increase in the amount of antidumping duties by the amount of the countervailing duties.

Notification to Interested Parties

We are issuing and publishing the preliminary results of this review in accordance with sections 751(a)(l) and 777(i)(l) of the Act, 19 CFR 351.213(d)(4), and 19 CFR 351.221(b)(4).

Dated: December 21, 2022.

Lisa W. Wang,
Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Period of Review
IV. Scope of the Order
V. Selection of Respondents
VI. Preliminary Determination of No Shipments
VII. Preliminary Successor-in-Interest Determination
VIII. Discussion of the Methodology
IX. Recommendation

Appendix II

No Shipments


China-Wide Entity


Rescissions


Non-Selected Companies Under Review

Receiving a Separate Rate


[FR Doc. 2022–28273 Filed 12–27–22; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–520–8807]

Circular Welded Carbon-Quality Steel Pipe From the United Arab Emirates: Preliminary Results of Antidumping Duty Administrative Review; 2020–2021

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that the producers/exporters subject to this administrative review made sales of subject merchandise at less than normal value during the period of review (POR), December 1, 2020, through November 30, 2021. Interested parties are invited to comment on these preliminary results.


FOR FURTHER INFORMATION CONTACT: Benjamin A. Luberda or Alice Maldonado, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2185 or (202) 482–4682, respectively.

SUPPLEMENTARY INFORMATION:

Background

On February 4, 2022, based on timely requests for review, in accordance with