

the merchandise; and (4) the cash deposit rate for all other producers or exporters is 2.40 percent.<sup>14</sup> 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 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 duties occurred and the subsequent assessment of double antidumping duties.

#### Notification to Interested Parties

We are issuing and publishing these preliminary results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(4).

Dated: June 20, 2023.

**James Maeder,**

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

#### Appendix

##### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Preliminary Determination of No Shipments
- V. Comparisons to Normal Value
- VI. Date of Sale
- VII. Export Price
- VIII. Normal Value
- IX. Currency Conversion
- X. Recommendation

[FR Doc. 2023-13520 Filed 6-23-23; 8:45 am]

**BILLING CODE 3510-DS-P**

#### DEPARTMENT OF COMMERCE

##### International Trade Administration

[C-533-918; C-570-153]

#### Certain Paper Shopping Bags From India and the People's Republic of China: Initiation of Countervailing Duty Investigations

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

**DATES:** Applicable June 20, 2023.

**FOR FURTHER INFORMATION CONTACT:** Paul Kebker (India) and Seth Brown (the People's Republic of China (China)),

AD/CVD Operations, Offices IV and IX, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2254 or (202) 482-0029, respectively.

#### SUPPLEMENTARY INFORMATION:

##### The Petitions

On May 31, 2023, the U.S. Department of Commerce (Commerce) received countervailing duty (CVD) petitions concerning imports of certain paper shopping bags (paper bags) from China and India filed in proper form on behalf of the Coalition for Fair Trade in Shopping Bags (the petitioner).<sup>1</sup> The CVD petitions were accompanied by antidumping duty (AD) petitions concerning imports of paper bags from Cambodia, China, Colombia, India, Malaysia, Portugal, Taiwan, the Republic of Turkey, and the Socialist Republic of Vietnam.<sup>2</sup>

On June 2, 5, 6, and 13, 2023, Commerce requested supplemental information pertaining to certain aspects of the Petitions.<sup>3</sup> On June 8, 9, and 15, 2023, the petitioner filed timely responses to these requests for additional information.<sup>4</sup>

<sup>1</sup> See Petitioner's Letter, "Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of Certain Paper Shopping Bags from Cambodia, China, Colombia, India, Malaysia, Portugal, Taiwan, Turkey, and Vietnam," dated May 31, 2023 (Petitions). The members of the Coalition for Fair Trade in Shopping Bags include Novolex Holdings, LLC (Novolex) and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (USW) (collectively, the petitioner).

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

<sup>3</sup> See Commerce's Letters, "Petition for the Imposition of Antidumping and Countervailing Duties on Imports of Certain Paper Shopping Bags from Cambodia, the People's Republic of China, Colombia, India, Malaysia, Portugal, Taiwan, the Republic of Turkey, and the Socialist Republic of Vietnam: Supplemental Questions," dated June 2, 2023 (General Issues Questionnaire); "Petition for the Imposition of Countervailing Duties on Imports of Certain Paper Shopping Bags from the People's Republic of China: Supplemental Questions," dated June 5, 2023; and "Petition for the Imposition of Countervailing Duties on Imports of Certain Paper Shopping Bags from India: Supplemental Questions," dated June 6, 2023; *see also* Memorandum, "Phone Call with Counsel to the Petitioner," dated June 13, 2023 (June 13, 2023, Memorandum).

<sup>4</sup> See Petitioner's Letters, "Certain Paper Shopping Bags from Cambodia, China, Colombia, India, Malaysia, Portugal, Taiwan, Turkey, and Vietnam: Response of Petitioner to Volume I Supplemental Questionnaire," dated June 8, 2023 (First General Issues Supplement); "Countervailing Duties on Imports of Certain Paper Shopping Bags from China: Response of Petitioner to Volume XI Supplemental Questionnaire," dated June 9, 2023; "Countervailing Duties on Imports of Certain Paper Shopping Bags from India: Response of Petitioner to Volume XII Supplemental Questionnaire," dated June 9, 2023; and "Certain Paper Shopping Bags

In accordance with section 702(b)(1) of the Tariff Act of 1930, as amended (the Act), the petitioner alleges that the Government of China (GOC) and the Government of India (GOI) are providing countervailable subsidies, within the meaning of sections 701 and 771(5) of the Act, to producers of paper bags in China and India, and that such imports are materially injuring, or threatening material injury to, the domestic industry producing in the United States. Consistent with section 702(b)(1) of the Act and 19 CFR 351.202(b), for those alleged programs on which we are initiating CVD investigations, the Petitions are supported by information reasonably available to the petitioner.

Commerce finds that the petitioner filed the Petitions on behalf of the domestic industry because the petitioner is an interested party as defined in section 771(9)(F) of the Act.<sup>5</sup> Commerce also finds that the petitioner demonstrated sufficient industry support with respect to the initiation of the requested CVD investigations.<sup>6</sup>

#### Periods of Investigation

Because the Petitions were filed on May 31, 2023, the periods of investigation (POI) for China and India are January 1, 2022, through December 31, 2022.<sup>7</sup>

#### Scope of the Investigations

The product covered by these investigations is paper bags from China and India. For a full description of the scope of these investigations, *see* the appendix to this notice.

#### Comments on Scope of the Investigations

On June 2 and 13, 2023, Commerce requested information from the petitioner regarding the proposed scope to ensure that the scope language in the Petitions is an accurate reflection of the products for which the domestic industry is seeking relief.<sup>8</sup> On June 8 and 15, 2023, the petitioner provided

from Cambodia, China, Colombia, India, Malaysia, Portugal, Taiwan, Turkey, and Vietnam: Response of Petitioner to Commerce's Second Supplemental Questions Concerning Volumes I, VI, IX, and X," dated June 15, 2023 (Second General Issue Supplement).

<sup>5</sup> See Petitions at Volume I (pages 2-3). The members of the Coalition for Fair Trade in Shopping Bags (Novolex and the USW) are interested parties, as defined in sections 771(9)(C) and (D) of the Act, respectively.

<sup>6</sup> See "Determination of Industry Support for the Petitions" section, *infra*.

<sup>7</sup> See 19 CFR 351.204(b)(2).

<sup>8</sup> See General Issues Questionnaire; *see also* June 13, 2023, Memorandum at 2.

<sup>14</sup> See Order.

clarifications and revised the scope.<sup>9</sup> The description of merchandise covered by these investigations, as described in the appendix to this notice, reflects these clarifications.

As discussed in the *Preamble* to Commerce's regulations, we are setting aside a period for parties to raise issues regarding product coverage (*i.e.*, scope).<sup>10</sup> Commerce will consider all scope comments received from interested parties and, if necessary, will consult with interested parties prior to the issuance of the preliminary determinations. If scope comments include factual information, all such factual information should be limited to public information.<sup>11</sup> To facilitate preparation of its questionnaires, Commerce requests that scope comments be submitted by 5:00 p.m. Eastern Time (ET) on July 10, 2023, which is 20 calendar days from the signature date of this notice. Any rebuttal comments, which may include factual information, must be filed by 5:00 p.m. ET on July 20, 2023, which is ten calendar days from the initial comment deadline.

Commerce requests that any factual information that the parties consider relevant to the scope of the investigations be submitted during that time period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigations may be relevant, the party may contact Commerce and request permission to submit the additional information. All scope comments must also be filed on the record of each of the concurrent AD and CVD investigations.

### Filing Requirements

All submissions to Commerce must be filed electronically via Enforcement and Compliance's (E&C) Antidumping Duty and Countervailing Duty Centralized Electronic Service System (ACCESS), unless an exception applies.<sup>12</sup> An

<sup>9</sup> See First General Issues Supplement at 2–7 and Exhibit I–S5; see also Second General Issues Supplement at 1 and Exhibit I–2S1.

<sup>10</sup> See *Antidumping Duties; Countervailing Duties*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*); see also 19 CFR 351.312.

<sup>11</sup> See 19 CFR 351.102(b)(21) (defining “factual information”).

<sup>12</sup> See *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011); see also *Enforcement and Compliance: Change of Electronic Filing System Name*, 79 FR 69046 (November 20, 2014), for details of Commerce's electronic filing requirements, effective August 5, 2011. Information on using ACCESS can be found at <https://access.trade.gov/help.aspx> and a handbook can be found at [https://access.trade.gov/help/Handbook\\_on\\_Electronic\\_Filing\\_Procedures.pdf](https://access.trade.gov/help/Handbook_on_Electronic_Filing_Procedures.pdf).

electronically filed document must be received successfully in its entirety by the time and date it is due.

### Consultations

Pursuant to sections 702(b)(4)(A)(i) and (ii) of the Act, Commerce notified the GOC and the GOI of the receipt of the Petitions and provided each an opportunity for consultations with respect to the Petitions.<sup>13</sup> Commerce held consultations with the GOI on June 9, 2023.<sup>14</sup> The GOC did not request consultations.

### Determination of Industry Support for the Petitions

Section 702(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 702(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (i) at least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 702(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, Commerce shall: (i) poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) determine industry support using a statistically valid sampling method to poll the “industry.”

Section 771(4)(A) of the Act defines the “industry” as the producers as a whole of a domestic like product. Thus, to determine whether a petition has the requisite industry support, the statute directs Commerce to look to producers and workers who produce the domestic like product. The International Trade Commission (ITC), which is responsible for determining whether “the domestic industry” has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both Commerce and the ITC must apply the same statutory definition regarding the domestic like product,<sup>15</sup> they do so for different

<sup>13</sup> See Commerce's Letters, “Invitation for Consultations on the China CVD Petition,” dated June 1, 2023; and “Countervailing Duty Petition on Certain Paper Shopping Bags from India: Invitation for Consultations to Discuss the Countervailing Duty Petition,” dated June 2, 2023.

<sup>14</sup> See Memorandum, “Consultations with Officials from the Government of India,” dated June 9, 2023.

<sup>15</sup> See section 771(10) of the Act.

purposes and pursuant to a separate and distinct authority. In addition, Commerce's determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to law.<sup>16</sup>

Section 771(10) of the Act defines the domestic like product as “a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title.” Thus, the reference point from which the domestic like product analysis begins is “the article subject to an investigation” (*i.e.*, the class or kind of merchandise to be investigated, which normally will be the scope as defined in the petition).

With regard to the domestic like product, the petitioner does not offer a definition of the domestic like product distinct from the scope of the investigations.<sup>17</sup> Based on our analysis of the information submitted on the record, we have determined that paper bags, as defined in the scope, constitute a single domestic like product, and we have analyzed industry support in terms of that domestic like product.<sup>18</sup>

In determining whether the petitioner has standing under section 702(c)(4)(A) of the Act, we considered the industry support data contained in the Petitions with reference to the domestic like product as defined in the “Scope of the Investigations,” in the appendix to this notice. To establish industry support, the petitioner provided the 2022 production of paper bags for the U.S. producers that support the Petitions and compared this to the estimated total 2022 production of paper bags by the U.S. industry.<sup>19</sup> We relied on data

<sup>16</sup> See *USEC, Inc. v. United States*, 132 F. Supp. 2d 1, 8 (CIT 2001) (citing *Algoma Steel Corp., Ltd. v. United States*, 688 F. Supp. 639, 644 (CIT 1988), *aff'd* 865 F.2d 240 (Fed. Cir. 1989)).

<sup>17</sup> See Petitions at Volume I (pages 10–15 and Exhibits I–10 through I–12); see also First General Issues Supplement at 10.

<sup>18</sup> For a discussion of the domestic like product analysis as applied to these cases and information regarding industry support, see Commerce's Initiation Checklists, “Certain Paper Shopping Bags from the People's Republic of China” and “Certain Paper Shopping Bags from India,” dated concurrently with this notice (Country-Specific CVD Initiation Checklists), at Attachment II (Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Certain Paper Shopping Bags from Cambodia, the People's Republic of China, Colombia, India, Malaysia, Portugal, Taiwan, the Republic of Turkey, and the Socialist Republic of Vietnam). These checklists are on file electronically via ACCESS.

<sup>19</sup> See Petitions at Volume I (pages 4–5 and Exhibits I–2 through I–4); see also First General Issues Supplement at 7–9 and Exhibits I–S6 through I–S8.

provided by the petitioner for purposes of measuring industry support.<sup>20</sup>

Our review of the data provided in the Petitions, the First General Issues Supplement, the Industry Support Supplement, the Second General Issues Supplement, and other information readily available to Commerce indicates that the petitioner has established industry support for the Petitions.<sup>21</sup> First, the Petitions established support from domestic producers (or workers) accounting for more than 50 percent of the total production of the domestic like product and, as such, Commerce is not required to take further action in order to evaluate industry support (*e.g.*, polling).<sup>22</sup> Second, the domestic producers (or workers) have met the statutory criteria for industry support under section 702(c)(4)(A)(i) of the Act because the domestic producers (or workers) who support the Petitions account for at least 25 percent of the total production of the domestic like product.<sup>23</sup> Finally, the domestic producers (or workers) have met the statutory criteria for industry support under section 702(c)(4)(A)(ii) of the Act because the domestic producers (or workers) who support the Petitions account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the Petitions.<sup>24</sup> Accordingly, Commerce determines that the Petitions were filed on behalf of the domestic industry within the meaning of section 702(b)(1) of the Act.<sup>25</sup>

### Injury Test

Because China and India are “Subsidies Agreement Countries”

<sup>20</sup> See Petitions at Volume I (pages 2–5 and Exhibits I–2 through I–4); see also First General Issues Supplement at 7–9 and Exhibits I–S6 through I–S8; Petitioner’s Letter, “Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of Certain Paper Shopping Bags from Cambodia, China, Colombia, India, Malaysia, Portugal, Taiwan, Turkey, and Vietnam—Industry Support Calculation Revision,” dated June 9, 2023 (Industry Support Supplement), at Attachments A and B; and Second General Issues Supplement at 2–3 and Exhibits I–2S2 through I–2S4. For further discussion, see Attachment II of the Country-Specific CVD Initiation Checklists.

<sup>21</sup> See Petitions at Volume I (pages 2–5 and Exhibits I–1 through I–4); see also First General Issues Supplement at 7–9 and Exhibits I–S6 through I–S8; Industry Support Supplement at 1–2 and Attachments A and B; and Second General Issues Supplement at 2–3 and Exhibits I–2S2 through I–2S4. For further discussion, see Attachment II of the Country-Specific CVD Initiation Checklists.

<sup>22</sup> See Attachment II of the Country-Specific CVD Initiation Checklists; see also section 702(c)(4)(D) of the Act.

<sup>23</sup> See Attachment II of the Country-Specific CVD Initiation Checklists.

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

within the meaning of section 701(b) of the Act, section 701(a)(2) of the Act applies to these investigations.

Accordingly, the ITC must determine whether imports of the subject merchandise from China and/or India materially injure, or threaten material injury to, a U.S. industry.

### Allegations and Evidence of Material Injury and Causation

The petitioner alleges that imports of the subject merchandise are benefitting from countervailable subsidies and that such imports are causing, or threaten to cause, material injury to the U.S. industry producing the domestic like product. In addition, the petitioner alleges that subject imports from China and India exceed the negligibility threshold provided for under section 771(24)(A) of the Act.<sup>26</sup>

The petitioner contends that the industry’s injured condition is illustrated by a significant and increasing volume of subject imports; reduced market share; underselling and price depression and/or suppression; lost sales and revenues; decline in the domestic industry’s production, capacity utilization, and U.S. commercial shipments; and adverse impact on the domestic industry’s profitability and financial performance.<sup>27</sup> We assessed the allegations and supporting evidence regarding material injury, threat of material injury, causation, as well as negligibility, and we have determined that these allegations are properly supported by adequate evidence, and meet the statutory requirements for initiation.<sup>28</sup>

### Initiation of CVD Investigations

Based upon the examination of the Petitions and supplemental responses, we find that they meet the requirements of section 702 of the Act. Therefore, we are initiating CVD investigations to determine whether imports of paper bags from China and India benefit from countervailable subsidies conferred by the GOC and GOI. In accordance with section 703(b)(1) of the Act and 19 CFR 351.205(b)(1), unless postponed, we will

<sup>26</sup> See Petitions at Volume I (pages 18–19 and Exhibit I–15).

<sup>27</sup> *Id.* at 16–31 and Exhibits I–6 and I–13 through I–18; see also First General Issues Supplement at 10–12 and Exhibit I–S9.

<sup>28</sup> See Country-Specific CVD Initiation Checklists at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping and Countervailing Duty Petitions Covering Certain Paper Shopping Bags from Cambodia, the People’s Republic of China, Colombia, India, Malaysia, Portugal, Taiwan, the Republic of Turkey, and the Socialist Republic of Vietnam.

make our preliminary determinations no later than 65 days after the date of these initiations.

### China

Based on our review of the Petitions, we find that there is sufficient information to initiate a CVD investigation on 17 of 18 programs alleged by the petitioner. For a full discussion of the basis for our decision to initiate an investigation of each program, see the China CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

### India

Based on our review of the Petitions, we find that there is sufficient information to initiate a CVD investigation on 12 of the 13 programs alleged by the petitioner. For a full discussion of the basis for our decision to initiate an investigation of each program, see the India CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

### Respondent Selection

The petitioner identified 26 companies in China and 18 companies in India as producers and/or exporters of paper bags.<sup>29</sup> Commerce intends to follow its standard practice in CVD investigations and calculate company-specific subsidy rates in these investigations. In the event that Commerce determines that the number of companies is large, and it cannot individually examine each company based upon Commerce’s resources, Commerce intends to select mandatory respondents based on quantity and value (Q&V) questionnaires issued to the potential respondents. Commerce normally selects mandatory respondents in CVD investigations using U.S. Customs and Border Protection (CBP) entry data for U.S. imports under the appropriate Harmonized Tariff Schedule of the United States (HTSUS) subheadings listed in the scope of the investigations. However, for these investigations, the main HTSUS subheadings under which the subject merchandise would enter (4819.30.0040 and 4819.40.0040) are basket categories under which non-subject merchandise may enter. Therefore, we cannot rely on CBP entry data in selecting respondents. Instead, we intend to issue Q&V questionnaires to each potential

<sup>29</sup> See Petitions at Volume I (Exhibit I–7); see also First General Issues Supplement at Exhibit I–S2.

respondent for which the petitioner has provided a complete address.

Exporters/producers of paper bags from China and India that do not receive Q&V questionnaires by mail may still submit a response to the Q&V questionnaire and can obtain the Q&V questionnaire from E&C's website at <https://www.trade.gov/ec-adcvd-case-announcements>. Responses to the Q&V questionnaire must be submitted by the relevant Indian and Chinese producers/exporters no later than 5:00 p.m. ET on July 5, 2023, which is the next business day after two weeks from the signature date of this notice.<sup>30</sup> All Q&V responses must be filed electronically via ACCESS. An electronically filed document must be received successfully, in its entirety, by ACCESS no later than 5:00 p.m. ET on the deadline noted above. Commerce intends to finalize its decision regarding respondent selection within 20 days of publication of this notice.

#### Distribution of Copies of the Petitions

In accordance with section 702(b)(4)(A) of the Act and 19 CFR 351.202(f), a copy of the public version of the Petitions has been provided to the GOC and GOI via ACCESS. Furthermore, to the extent practicable, Commerce will attempt to provide a copy of the public version of the Petitions to each exporter named in the Petitions, as provided under 19 CFR 351.203(c)(2).

#### ITC Notification

Commerce will notify the ITC of its initiation, as required by section 702(d) of the Act.

#### Preliminary Determination by the ITC

The ITC will preliminarily determine, within 45 days after the date on which the Petitions were filed, whether there is a reasonable indication that imports of paper bags from China and/or India are materially injuring, or threatening material injury to, a U.S. industry.<sup>31</sup> A negative ITC determination for either country will result in the investigation being terminated with respect to that country.<sup>32</sup> Otherwise, these CVD investigations will proceed according to statutory and regulatory time limits.

<sup>30</sup> See 19 CFR 351.303(b)(1) ("For both electronically filed and manually filed documents, if the applicable due date falls on a non-business day, the Secretary will accept documents that are filed on the next business day."). Two weeks from the initiation of these investigation is July 4, 2023, which is a Federal holiday.

<sup>31</sup> See section 703(a)(1) of the Act.

<sup>32</sup> *Id.*

#### Submission of Factual Information

Factual information is defined in 19 CFR 351.102(b)(21) as: (i) evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by Commerce; and (v) evidence other than factual information described in (i)–(iv). Section 351.301(b) of Commerce's regulations requires any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted<sup>33</sup> and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct.<sup>34</sup> Time limits for the submission of factual information are addressed in 19 CFR 351.301, which provides specific time limits based on the type of factual information being submitted. Interested parties should review the regulations prior to submitting factual information in these investigations.

#### Extensions of Time Limits

Parties may request an extension of time limits before the expiration of a time limit established under 19 CFR 351.301, or as otherwise specified by Commerce. In general, an extension request will be considered untimely if it is filed after the expiration of the time limit established under 19 CFR 351.301.<sup>35</sup> For submissions that are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. ET on the due date. Under certain circumstances, Commerce may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, Commerce will inform parties in a letter or memorandum of the deadline (including a specified time) by which extension requests must be filed to be considered timely. An extension request must be made in a separate, stand-alone submission; Commerce will grant untimely filed requests for the extension of time limits only in limited cases where we determine, based on 19 CFR 351.302, that extraordinary circumstances exist. Parties should

<sup>33</sup> See 19 CFR 351.301(b).

<sup>34</sup> See 19 CFR 351.301(b)(2).

<sup>35</sup> See 19 CFR 351.302.

review Commerce's regulations concerning factual information prior to submitting factual information in these investigations.<sup>36</sup>

#### Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.<sup>37</sup> Parties must use the certification formats provided in 19 CFR 351.303(g).<sup>38</sup> Commerce intends to reject factual submissions if the submitting party does not comply with the applicable certification requirements.

#### Notification to Interested Parties

Interested parties must submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305. Parties wishing to participate in these investigations should ensure that they meet the requirements of 19 CFR 351.103(d) (e.g., by filing the required letters of appearance). Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.<sup>39</sup>

This notice is issued and published pursuant to sections 702 and 777(i) of the Act, and 19 CFR 351.203(c).

Dated: June 20, 2023.

**James Maeder,**

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

#### Appendix

##### Scope of the Investigations

The products within the scope of these investigations are paper shopping bags with handles of any type, regardless of whether there is any printing, regardless of how the top edges are finished (e.g., folded, serrated, or otherwise finished), regardless of color, and regardless of whether the top edges contain adhesive or other material for sealing closed. Subject paper shopping bags have a width of at least 4.5 inches and depth of at least 2.5 inches.

Paper shopping bags typically are made of kraft paper but can be made from any type

<sup>36</sup> See 19 CFR 301; see also *Extension of Time Limits; Final Rule*, 78 FR 57790 (September 20, 2013), available at <https://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm>.

<sup>37</sup> See section 782(b) of the Act.

<sup>38</sup> See *Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings*, 78 FR 42678 (July 17, 2013) (*Final Rule*); see also frequently asked questions regarding the *Final Rule*, available at [https://enforcement.trade.gov/lei/notices/factual\\_info\\_final\\_rule\\_FAQ\\_07172013.pdf](https://enforcement.trade.gov/lei/notices/factual_info_final_rule_FAQ_07172013.pdf).

<sup>39</sup> See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

of cellulose fiber, paperboard, or pressboard with a basis weight less than 300 grams per square meter (GSM).

A non-exhaustive illustrative list of the types of handles on shopping bags covered by the scope include handles made from any materials such as twisted paper, flat paper, yarn, ribbon, rope, string, or plastic, as well as die-cut handles (whether the punchout is fully removed or partially attached as a flap).

Excluded from the scope are:

- Paper sacks or bags that are of a 1/6 or 1/7 barrel size (*i.e.*, 11.5–12.5 inches in width, 6.5–7.5 inches in depth, and 13.5–17.5 inches in height) with flat paper handles or die-cut handles;

- Paper sacks or bags with die-cut handles, a grams per square meter paper weight of less than 86 GSM, and a height of less than 11.5 inches; and

- Shopping bags (i) with non-paper handles made wholly of woven ribbon or other similar woven fabric and (ii) that are finished with folded tops or for which tied knots or t-bar aglets (made of wood, metal, or plastic) are used to secure the handles to the bags.

The above-referenced dimensions are provided for paper bags in the opened position. The height of the bag is the distance from the bottom fold edge to the top edge (*i.e.*, excluding the height of handles that extend above the top edge). The depth of the bag is the distance from the front of the bag edge to the back of the bag edge (typically measured at the bottom of the bag). The width of the bag is measured from the left to the right edges of the front and back panels (upon which the handles typically are located).

The merchandise is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 4819.30.0040 and 4819.40.0040. The HTSUS subheadings are provided for convenience and customs purposes only; the written description of the scope is dispositive.

[FR Doc. 2023–13521 Filed 6–23–23; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–533–873]

#### Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel From India: Final Results of Antidumping Duty Administrative Reviews of Goodluck India Limited; 2017–2019 and 2019–2020

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that Goodluck India Limited (Goodluck) made sales of certain cold-drawn mechanical tubing of carbon and alloy steel (CDMT) from India in the United States at prices below normal value

(NV) during the periods of review (PORs) of November 22, 2017, through May 31, 2019 (AR1) and June 1, 2019, through May 31, 2020 (AR2).

**DATES:** Applicable June 26, 2023.

**FOR FURTHER INFORMATION CONTACT:**

Javier Barrientos 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) 482–2243.

**SUPPLEMENTARY INFORMATION:**

#### Background

On December 20, 2022, Commerce published the *Preliminary Results* of these reviews in the **Federal Register**.<sup>1</sup> We invited interested parties to comment on the *Preliminary Results*. Between January 26, 2023, and February 9, 2023, Commerce received timely-filed briefs and rebuttal briefs from Goodluck and from ArcelorMittal Tubular Products LLC, Michigan Seamless Tube, LLC, Plymouth Tube, PTC Alliance Corp., Webco Industries, Inc., and Zekelman Industries (collectively, the petitioners).<sup>2</sup>

On April 12, 2023, we extended the deadline for the final results, in accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(h)(2)<sup>3</sup> until June 16, 2023. On May 24, 2023, Commerce held a hearing during which parties presented arguments in their case briefs.<sup>4</sup>

<sup>1</sup> See *Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from India: Preliminary Results of Antidumping Duty Administrative Reviews of Goodluck India Limited; 2017–2019 and 2019–2020*; 87 FR 77793 (December 20, 2022) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum; see also *Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from India: Notice of Second Amended Final Determination; Notice of Amended Order; Notice of Resumption of First and Reinitiation of Second Antidumping Duty Administrative Reviews; Notice of Opportunity for Withdrawal; and Notice of Assessment in Third Antidumping Duty Administrative Review*, 86 FR 74069 (December 29, 2021) (*AR1 Resumption and AR2 Reinitiation Notice*).

<sup>2</sup> See Petitioners' Letters, "Petitioners' Case Brief for Goodluck India Limited," dated January 26, 2023; "Petitioners' Case Brief for Goodluck India Limited," dated January 26, 2023; and Goodluck's Letters, "Goodluck Administrative Case Brief," dated January 26, 2023; "Goodluck Administrative Case Brief," dated January 26, 2023. See also Petitioners' Letters, "Petitioners' Rebuttal Brief for Goodluck India Limited," dated February 9, 2023; "Petitioners' Rebuttal Brief for Goodluck India Limited," dated February 9, 2023; and Goodluck's Letters, "Goodluck Administrative Rebuttal Brief," dated February 9, 2023; "Goodluck Administrative Rebuttal Brief," dated February 9, 2023.

<sup>3</sup> See Memorandum, "Extension of Deadline for Final Results of 2017–2019 and 2019–2020 Antidumping Duty Administrative Reviews for Goodluck India Limited," dated April 12, 2023.

<sup>4</sup> See Hearing Transcript, "Public Hearing in the Matter of the Administrative Review of the

Based on an analysis of the comments received, we did not make changes to the weighted-average dumping margins calculated for Goodluck. The weighted-average dumping margins are listed in the "Final Results of Review" section, below. Commerce conducted these reviews in accordance with section 751(a) of the Act.

#### Scope of the Order<sup>5</sup>

The merchandise covered by the Order is CDMT from India. For a complete description of the scope of the Order, see the Issues and Decision Memorandum.<sup>6</sup>

#### Analysis of Comments Received

We addressed all issues raised in the case and rebuttal briefs in the Issues and Decision Memorandum, which is hereby adopted by this notice. The issues are identified in the appendix to this notice. 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 directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

#### Changes Since the Preliminary Results

Based on our review and analysis of the comments received from parties, we did not make changes to Goodluck's margin calculations. See the Issues and Decision Memorandum.

#### Final Results of Reviews

We are assigning the following weighted-average dumping margin to Goodluck for the period November 22, 2017, through May 31, 2019:

Antidumping Duty Order on Cold-Drawn Mechanical Tubing from India," dated May 24, 2023.

<sup>5</sup> See *Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from the People's Republic of China, the Federal Republic of Germany, India, Italy, the Republic of Korea, and Switzerland: Antidumping Duty Orders; and Amended Final Determinations of Sales at Less Than Fair Value for the People's Republic of China and Switzerland*, 83 FR 26962 (June 11, 2018) (*Order*).

<sup>6</sup> See Memorandum, "Issues and Decision Memorandum for the Final Results of the Antidumping Duty Administrative Reviews of Goodluck India Limited: Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from India 2017–2019 & 2019–2020," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).