

certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during the POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

#### Administrative Protective Order

This notice also serves as a reminder to parties subject to 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), which continues to govern business proprietary information in this segment of the proceeding. 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 the terms of an APO is a sanctionable violation.

#### Notification to Interested Parties

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

Dated: June 29, 2023.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

#### Appendix

##### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Changes Since the *Preliminary Results*
- V. Discussion of the Issues
  - Comment 1: Whether Commerce Appropriately Limited Its Comparison Market Analysis
  - Comment 2: Whether Commerce Should Weight Average and Match Home Market Sales to U.S. Sales by Month Instead of Quarter
- VI. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-475-838]

#### Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel From Italy: Preliminary Results of Antidumping Duty Administrative Review; 2021-2022

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) is conducting an administrative review of the antidumping duty (AD) order on certain cold-drawn mechanical tubing of carbon and alloy steel (cold-drawn mechanical tubing) from Italy with respect to one exporter/producer of subject merchandise. The period of review (POR) is June 1, 2021, through May 31, 2022. Commerce preliminarily finds that sales of cold-drawn mechanical tubing from Italy were made at less than normal value (NV) during the POR. We invite interested parties to comment on these preliminary results.

**DATES:** Applicable July 7, 2023.

**FOR FURTHER INFORMATION CONTACT:** Whitley Herndon, 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) 482-6274.

#### SUPPLEMENTARY INFORMATION:

##### Background

On June 11, 2018, Commerce published the AD order on cold-drawn mechanical tubing from Italy.<sup>1</sup> On August 9, 2022, Commerce initiated an administrative review of the *Order*, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup> This administrative review covers one producer/exporter of the subject merchandise, Dalmine S.p.A. (Dalmine).<sup>3</sup>

On February 2, 2023, Commerce extended the deadline for the preliminary results until June 30, 2023.<sup>4</sup>

<sup>1</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>2</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 87 FR 48459 (August 9, 2022).

<sup>3</sup> *Id.*

<sup>4</sup> See Memorandum, "Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review," dated February 2, 2023.

For a complete description of the events that followed the initiation of this review, see the Preliminary Decision Memorandum.<sup>5</sup>

#### Scope of the Order

The products covered by this *Order* are certain cold-drawn mechanical tubing of carbon and alloy steel from Italy. For a full description of the scope, see the Preliminary Decision Memorandum.

#### Methodology

Commerce is conducting this review in accordance with section 751(a) of the Act. Export price is calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act.

For a full description of the methodology underlying these preliminary results, see the Preliminary Decision Memorandum. A list of topics included in the Preliminary Decision Memorandum is included as an appendix 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 is available at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

#### Preliminary Results of the Review

We preliminarily determine that the following weighted-average dumping margin exists for the period June 1, 2021, through May 31, 2022:

Exporter/producer	Weighted-average dumping margin (percent)
Dalmine S.p.A .....	2.00

#### Assessment Rates

Upon completion of the final results, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. Pursuant to 19 CFR 351.212(b)(1), if Dalmine's weighted-average dumping margin is not zero or *de minimis* (i.e., less than 0.5 percent)

<sup>5</sup> See Memorandum, "Decision Memorandum for the Preliminary Results of the Administrative Review of the Antidumping Duty Order on Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from Italy; 2021-2022," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

in the final results of this review, we will calculate importer-specific assessment rates based on the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of those same sales. If Dalmine's weighted-average dumping margin is zero or *de minimis*, or if an importer-specific assessment rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by this review and for future deposits of estimated duties, where applicable.<sup>6</sup>

In accordance with Commerce's "automatic assessment" practice, for entries of subject merchandise during the POR produced by Dalmine for which it did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate those entries at the all-others rate established in the original less-than-fair value (LTFV) investigation (*i.e.*, 47.87 percent)<sup>7</sup> if there is no rate for the intermediate company(ies) involved in the transaction.<sup>8</sup>

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

### Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for Dalmine in the final results of review will be equal to the weighted-average dumping margin established in the final results of this administrative review except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for merchandise exported by a company not

covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment in which it was reviewed; (3) if the exporter is not a firm covered in this review or the original LTFV investigation, but the producer is, then the cash deposit rate will be the rate established for the most recently-completed segment of this proceeding for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 47.87 percent,<sup>9</sup> the all-others rate established in the LTFV investigation. These cash deposit requirements, when imposed, shall remain in effect until further notice.

### Disclosure and Public Comment

We intend to disclose the calculations performed to parties within five days after public announcement of the preliminary results or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this review. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than seven days after the date for filing case briefs.<sup>10</sup> 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.<sup>11</sup> Case and rebuttal briefs should be filed using ACCESS<sup>12</sup> and must be served on interested parties.<sup>13</sup> Executive summaries should be limited to five pages total, including footnotes. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.<sup>14</sup>

Interested parties who wish to request a hearing must do so within 30 days of publication of these preliminary results by submitting a written request to the Assistant Secretary, filed electronically

via ACCESS.<sup>15</sup> Requests should contain the party's name, address, and telephone number, the number of participants, whether any participant is a foreign national, and a list of the issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs.<sup>16</sup> 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 the date and time of the hearing two days before the scheduled date. Parties are reminded that all briefs and hearing requests must be filed electronically using ACCESS and received successfully in their entirety by 5:00 p.m. Eastern Time on the due date.

### Verification

As provided in section 782(i)(3) of the Act, on June 8–9, 2023, Commerce verified the information reported by Dalmine's U.S. affiliate, Tenaris Global Services USA, at its offices in Houston, TX.<sup>17</sup> Commerce intends to verify Dalmine's remaining U.S. and home market sales information in Italy prior to the final results of this review.

### Final Results of Review

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, not later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

### 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 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.

### Notification to Interested Parties

This administrative review and notice are issued and published in accordance

<sup>6</sup> See section 751(a)(2)(C) of the Act.

<sup>7</sup> See Order.

<sup>8</sup> For a full discussion of this practice, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

<sup>9</sup> See Order.

<sup>10</sup> See 19 CFR 351.309(c)(1)(ii) and 351.309(d)(1); see also *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020) (*Temporary Rule*).

<sup>11</sup> See 19 CFR 351.309(c)(2) and (d)(2).

<sup>12</sup> See, generally, 19 CFR 351.303.

<sup>13</sup> See 19 CFR 351.303(f).

<sup>14</sup> See *Temporary Rule*.

<sup>15</sup> See 19 CFR 351.310(c).

<sup>16</sup> See 19 CFR 351.310.

<sup>17</sup> See Memorandum, "Verification of the Questionnaire Response of Tenaris Global Services (U.S.A.) Corporation in the Administrative Review of Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from Italy," dated June 16, 2023.

with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: June 30, 2023.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

## Appendix

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

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Discussion of the Methodology
- V. Currency Conversion
- VI. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Notice of Scope Ruling Applications Filed in Antidumping and Countervailing Duty Proceedings

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) received scope ruling applications, requesting that scope inquiries be conducted to determine whether identified products are covered by the scope of antidumping duty (AD) and/or countervailing duty (CVD) orders and that Commerce issue scope rulings pursuant to those inquiries. In accordance with Commerce's regulations, we are notifying the public of the filing of the scope ruling applications listed below in the month of May 2023.

**DATES:** Applicable July 7, 2023.

**FOR FURTHER INFORMATION CONTACT:** Terri Monroe, AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, telephone: (202) 482-1384.

#### SUPPLEMENTARY INFORMATION:

#### Notice of Scope Ruling Applications

In accordance with 19 CFR 351.225(d)(3), we are notifying the public of the following scope ruling applications related to AD and CVD orders and findings filed in or around the month of May 2023. This notification includes, for each scope application: (1) identification of the AD and/or CVD orders at issue (19 CFR 351.225(c)(1)); (2) concise public descriptions of the products at issue, including the physical characteristics

(including chemical, dimensional and technical characteristics) of the products (19 CFR 351.225(c)(2)(ii)); (3) the countries where the products are produced and the countries from where the products are exported (19 CFR 351.225(c)(2)(i)(B)); (4) the full names of the applicants; and (5) the dates that the scope applications were filed with Commerce and the name of the ACCESS scope segment where the scope applications can be found.<sup>1</sup> This notice does not include applications which have been rejected and not properly resubmitted. The scope ruling applications listed below are available on Commerce's online e-filing and document management system, Antidumping and Countervailing Duty Electronic Service System (ACCESS), at <https://access.trade.gov>.

#### Scope Ruling Applications

Certain Vertical Shaft Engines Between 99cc and Up to 225cc and Parts Thereof from the People's Republic of China (China) (A-570-124/C-570-125); Ducar DVO 150 Engine;<sup>2</sup> produced in and exported from China; submitted by Seago, Inc.; May 10, 2023; ACCESS scope segment "Ducar DVO150."

Certain Quartz Surface Products from China (A-570-084/C-570-085); Mineral Based Surface Products;<sup>3</sup> produced in and exported from China; submitted by Vanguard Trading Company; May 12, 2023; ACCESS scope segment "Mineral-based surface products."

Certain Cold-Rolled Steel Flat Products from India (A-533-865/C-570-866); End Module Side Cover and Cable Tray Connection Bracket;<sup>4</sup>

<sup>1</sup> See *Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*, 86 FR 52300, 52316 (September 20, 2021) (*Final Rule*) ("It is our expectation that the **Federal Register** list will include, where appropriate, for each scope application the following data: (1) identification of the AD and/or CVD orders at issue; (2) a concise public summary of the product's description, including the physical characteristics (including chemical, dimensional and technical characteristics) of the product; (3) the country(ies) where the product is produced and the country from where the product is exported; (4) the full name of the applicant; and (5) the date that the scope application was filed with Commerce.")

<sup>2</sup> The product is a 150cc engine with a seven-point mounting bracket, with integrated cable guide, built into the aluminum crankcase. It has integrated fuel pump and the capability for sustained operation at 45-degree slope. The HTSUS code is 8407.90.9040.

<sup>3</sup> The product is Fritch, a waste mineral-based surface product produced from silicate materials where Silicon Dioxide/Silica is not the material of chief weight. The slab is produced in large slabs with dimensions of approximately 63" by 126". Finished slab is either 20mm or 30mm thick and mimics the feel and appearance of natural stone such as marble.

<sup>4</sup> The two products are components of a modular battery storage assembly. The first product is described as an end module side cover, which is

produced in and exported from India; submitted by SIGMA Corp.; May 19, 2023; ACCESS scope segment "Side Cover & Cable Tray Bracket."

Certain Hot-Rolled Carbon Steel Flat Products from China (A-570-865); Front Foot and Front Foot Caster Assembly for Exercise Equipment;<sup>5</sup> produced in and exported from China; submitted by Concept2, Inc. (Concept2); May 25, 2023; ACCESS scope segment "Concept2 Front Foot and Caster Assembly."

Fresh Garlic from China (A-570-831); whole garlic cloves in brine;<sup>6</sup> produced in and exported from China; submitted by Marcatus QED, Inc.; May 26, 2023; ACCESS scope segment "Marcatus."

#### Notification to Interested Parties

This list of scope ruling applications is not an identification of scope inquiries that have been initiated. In accordance with 19 CFR 351.225(d)(1), if Commerce has not rejected a scope ruling application nor initiated the scope inquiry within 30 days after the filing of the application, the application will be deemed accepted and a scope inquiry will be deemed initiated the following day—day 31.<sup>7</sup> Commerce's

made by bending cold-rolled flat ASTM A1008 grade steel into shape. Prior to bending the cold-rolled flat steel into shape, the product is hole-punched or laser cut. Three clinched nuts are also attached to the bent plate after forming. The product is powder coated with paint. The second product is described as a cable tray connection bracket, which is made by bending cold-rolled flat ASTM A1008 grade steel into shape. The cable tray is bent into two right-angle brackets that, once adjoined, form a rectangle. Prior to bending the cold-rolled flat steel into shape, the product is hole punched or laser cut. The product is powder coated with paint. The final product includes accompanying size 18-8 stainless steel washers and passivated size 18-8 stainless steel, M4 x 0.70 mm threaded 16mm screws.

<sup>5</sup> The products are two component parts of a stationary exercise bicycle. Part 7165 BikeErg Front Foot is made of 13GA, 2.278 mm thick hot-rolled pickled and oiled steel sheet, bent along its width four times to form a C shape with rounded corners. The finished part has punched hex holes and a powder coat finish. This component is 23.63 inches in length, 2.50 inches in width and 1.50 inches in height. Part 2465 Front Foot with Large Caster Assembly is an assembly comprising Part 7165, two casters, and fasteners. The foot caster assemblies each include a foot caster housing made of 10% glass-filled polypropylene, and a large hard rubber wheel, held together with a stainless steel retaining clip and clevis pin. These foot caster assemblies are installed on the ends of Part 7165 BikeErg Front Foot to form the completed Part 2465 Front Foot with Large Caster Assembly, which will be imported in assembled condition.

<sup>6</sup> The product is processed whole garlic cloves preserved in brine that are blanched in boiling water and preserved in brine consisting of 20-25 percent salinity. Citric acid is added to the finished product as a preservative.

<sup>7</sup> In accordance with 19 CFR 351.225(d)(2), within 30 days after the filing of a scope ruling application, if Commerce determines that it intends to address

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