

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>6</sup> Commerce's practice generally dictates that where a deadline falls on a weekend, Federal holiday, or other non-business day, the appropriate deadline is the next business day.<sup>7</sup> Accordingly, if the 30th day after the filing of the application falls on a non-business day, the next business day will be considered the "updated" 30th day, and if the application is not rejected or a scope inquiry initiated by or on that particular business day, the application will be deemed accepted and a scope inquiry will be deemed initiated on the next business day which follows the "updated" 30th day.<sup>8</sup>

In accordance with 19 CFR 351.225(m)(2), if there are companion AD and CVD orders covering the same merchandise from the same country of origin, the scope inquiry will be conducted on the record of the AD proceeding. Further, please note that pursuant to 19 CFR 351.225(m)(1), Commerce may either apply a scope ruling to all products from the same country with the same relevant physical characteristics, (including chemical, dimensional, and technical characteristics) as the product at issue, on a country-wide basis, regardless of the producer, exporter, or importer of those products, or on a company-specific basis.

For further information on procedures for filing information with Commerce through ACCESS and participating in scope inquiries, please refer to the Filing Instructions section of the Scope Ruling Application Guide, at [https://access.trade.gov/help/Scope\\_Ruling\\_Guidance.pdf](https://access.trade.gov/help/Scope_Ruling_Guidance.pdf). Interested parties, apart from the scope ruling applicant, who wish to participate in a scope inquiry

and be added to the public service list for that segment of the proceeding must file an entry of appearance in accordance with 19 CFR 351.103(d)(1) and 19 CFR 351.225(n)(4). Interested parties are advised to refer to the case segment in ACCESS as well as 19 CFR 351.225(f) for further information on the scope inquiry procedures, including the timelines for the submission of comments.

Please note that this notice of scope ruling applications filed in AD and CVD proceedings may be published before any potential initiation, or after the initiation, of a given scope inquiry based on a scope ruling application identified in this notice. Therefore, please refer to the case segment on ACCESS to determine whether a scope ruling application has been accepted or rejected and whether a scope inquiry has been initiated.

Interested parties who wish to be served scope ruling applications for a particular AD or CVD order may file a request to be included on the annual inquiry service list during the anniversary month of the publication of the AD or CVD order in accordance with 19 CFR 351.225(n) and Commerce's procedures.<sup>9</sup>

Interested parties are invited to comment on the completeness of this monthly list of scope ruling applications received by Commerce. Any comments should be submitted to James Maeder, Deputy Assistant Secretary for AD/CVD Operations, Enforcement and Compliance, International Trade Administration, via email to [CommerceCLU@trade.gov](mailto:CommerceCLU@trade.gov).

This notice of scope ruling applications filed in AD and CVD proceedings is published in accordance with 19 CFR 351.225(d)(3).

Dated: October 3, 2023.

**James Maeder,**

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-122]

#### **Certain Corrosion Inhibitors From the People's Republic of China: Final Results of Antidumping Duty Administrative Review, 2020-2022**

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that companies in the People's Republic of China (China) made sales of subject merchandise at less than normal value (NV) during the period of review (POR) September 10, 2020, through February 28, 2022.

**DATES:** Applicable October 10, 2023.

**FOR FURTHER INFORMATION CONTACT:** Hermes Pinilla or Dusten Hom, AD/CVD Operations, Office I, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-3477 and (202) 482-5075, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On April 6, 2023, Commerce published the preliminary results of this review in the **Federal Register** and invited interested parties to comment on those results.<sup>1</sup> For a complete description of the events that occurred since the *Preliminary Results*, see the Issues and Decision Memorandum.<sup>2</sup> Commerce conducted this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

##### **Scope of the Order**<sup>3</sup>

The products covered by the *Order* are certain corrosion inhibitors from China. A complete description of the scope of the *Order* is contained in the Issues and Decision Memorandum.

<sup>1</sup> See *Certain Corrosion Inhibitors from the People's Republic of China: Preliminary Results and Partial Rescission of the Antidumping Duty Administrative Review; 2020-2022*, 88 FR 20488 (April 6, 2023) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

<sup>2</sup> See Memorandum, "Issues and Decision Memorandum for the Final Results of the 2020-2022 Administrative Review of the Antidumping Duty Order on Certain Corrosion Inhibitors from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>3</sup> See *Certain Corrosion Inhibitors from the People's Republic of China: Antidumping Duty and Countervailing Duty Orders*, 86 FR 14869 (March 19, 2021) (*Order*).

<sup>6</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 the scope issue raised in the application in another segment of the proceeding (such as a circumvention inquiry under 19 CFR 351.226 or a covered merchandise inquiry under 19 CFR 351.227), it will notify the applicant that it will not initiate a scope inquiry, but will instead determine if the product is covered by the scope at issue in that alternative segment.

<sup>7</sup> 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).

<sup>8</sup> This structure maintains the intent of the applicable regulation, 19 CFR 351.225(d)(1), to allow day 30 and day 31 to be separate business days.

<sup>9</sup> See *Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*, 86 FR 53205 (September 27, 2021).

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs by parties in this administrative review are addressed in the Issues and Decision Memorandum and are listed 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 the comments received, we made no changes to the *Preliminary*

*Results*.<sup>4</sup> For a more detailed discussion of the issues raised by parties, *see* the Issues and Decision Memorandum.

**Rate for Non-Examined Separate Rate Respondents**

The statute and our regulations do not address the establishment of a rate to be assigned to respondents not selected for individual examination when we limit our examination of companies subject to the administrative review pursuant to section 777A(c)(2)(B) of the Act. Generally, we look to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in an investigation, for guidance when calculating the rate for respondents not individually examined in an administrative review. Under section 735(c)(5)(A) of the Act, the all-others rate is normally “an amount equal to the weighted average of the estimated

weighted average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely {on the basis of facts available}.” Accordingly, in the final results of review, we are assigning to the non-selected separate rate respondents an estimated weighted-average dumping margin based on the average of Anhui Trust Chem Co., Ltd.’s, and its affiliates (collectively Anhui), and Nantong Botao Chemical Co., Ltd’s (Botao) rates weighted by their publicly available ranged U.S. sales values.

**Final Results of the Review**

Commerce determines that the following estimated weighted-average dumping margins exist for the period September 10, 2020, through February 28, 2022:

Exporter	Weighted-average dumping margin (percent)
Anhui Trust Chem Co., Ltd .....	6.12
Nantong Botao Chemical Co., Ltd .....	14.66
Review-Specific Average Rate Applicable to the Following Companies:	
Gold Chemical Limited .....	9.95
Jiangyin Delian Chemical Co., Ltd .....	9.95
Kanghua Chemical Co., Ltd .....	9.95

**Disclosure**

Because we have not modified our analysis to the *Preliminary Results*, we are adopting the *Preliminary Results* as the final results of this review. Consequently, there are no new calculations to disclose in accordance with 19 CFR 351.224(b) for the final results of review.

**Assessment Rates**

Pursuant to section 751(a)(2)(A) of the Act, and 19 CFR 351.212(b)(1), Commerce intends to determine, and U.S. Customs and Border Protections (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. Pursuant to 19 CFR 351.212(b)(1), for Anhui and Botao, we calculated importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of dumping calculated for each importer’s examined sales and the total entered value of the sales in accordance with 19 CFR 351.212(b)(1). Where an importer-specific assessment rate is *de minimis* (*i.e.*, less than 0.5 percent), the entries by that importer will be liquidated without regard to antidumping duties.

For all non-selected separate rate applicants subject to this review, we will instruct CBP to liquidate all entries of subject merchandise that entered the United States during the POR at the average of the rates calculated for Anhui and Botao as listed above. For entries of subject merchandise during the POR produced by Anhui and Botao for which they did not know their merchandise was destined for the United States, we intend to instruct CBP to liquidate such entries at the China-wide rate if there is no rate for the intermediate company or companies involved in the transaction.

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 the companies subject to this review will be the rate established in these final results of the review; (2) for previously investigated or reviewed Chinese and non-Chinese exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recently completed segment of this proceeding in which they were reviewed; (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 equal to the weighted-average dumping margin for the China-wide entity (*i.e.*, 241.02 percent); and (4) for all non-Chinese exporters of subject merchandise which have not received their own separate rate, the cash deposit rate will be the rate applicable to the Chinese exporter(s) that supplied that non-Chinese exporter.<sup>5</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

<sup>4</sup> See *Preliminary Results*.

<sup>5</sup> See *Order*, 86 FR at 14871.

## Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing 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 and/or countervailing duties has occurred and the subsequent assessment of double antidumping duties, and/or an increase in the amount of antidumping duties by the amount of countervailing duties.

## Administrative Protective Order

This notice also serves as a final 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

This determination is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: October 3, 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. Change Since the *Preliminary Results*
- V. Discussion of the Issues
  - Comment 1: Whether Commerce Incorrectly Valued Overhead Materials as Direct Materials
  - Comment 2: Whether Commerce Should Use the Initial Factors of Production (FOP) Database to Calculate Surrogate Values (SV)
  - Comment 3: Use of Financial Statements (FS) to Value Factory Overhead, Selling, General, and Administrative Expenses, and Profit
  - Comment 4: Whether Commerce Should Continue to Assign Separate Rate Status to Kanghua Chemical Co., Ltd. (Chuzhou Kanghua)
  - Comment 5: Whether Commerce Should Value Air Freight Based on International

- Air Transport Association (IATA) or Malaysian Investment Development Authority (MIDA) Data
- Commerce 6: Whether Commerce Should Value Labor Rates Based on Malaysian International Labor Organization (ILOSTAT) Data Instead of European Union Statistics Service (EUROSTAT) Labor Data
- Commerce 7: Whether Commerce Should Offset Botao's AD Margin by the Double Remedy Pass Through Subsidies Calculated in the Companion Countervailing Duty (CVD) Proceeding
- Commerce 8: Whether Commerce's Application of the Cohen's *d* Test to Botao's U.S. Sales Is Supported by Law
- VI. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-201-848]

#### Emulsion Styrene-Butadiene Rubber From Mexico: Preliminary Results of Antidumping Duty Administrative Review, Preliminary Determination of No Shipments, and Notice of Intent To Rescind, in Part; 2021-2022

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily finds that producers/exporters of emulsion styrene-butadiene rubber (ESB rubber) from Mexico did not make sales at prices below normal value during the period of review (POR) September 1, 2021, through August 31, 2022. We also preliminarily find that Dynasol Elastomeros S.A. de C.V. (Dynasol Elastomeros) had no shipments during the POR. We invite interested parties to comment on these preliminary results.

**DATES:** Applicable October 10, 2023.

**FOR FURTHER INFORMATION CONTACT:** Christopher Maciuba, 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) 482-0413.

#### SUPPLEMENTARY INFORMATION:

#### Background

On September 12, 2017, Commerce published in the **Federal Register** the antidumping duty order on ESB rubber from Mexico.<sup>1</sup> On November 3, 2022,

<sup>1</sup> See *Emulsion Styrene-Butadiene Rubber from Brazil, the Republic of Korea, Mexico, and Poland: Antidumping Duty Orders*, 82 FR 42790 (September 12, 2017) (*Order*).

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> We selected Negromex as the sole mandatory respondent in this review.<sup>3</sup>

On May 18, 2023, Commerce extended the deadline for issuance of the preliminary results until September 29, 2023.<sup>4</sup> For a complete description of the events that followed the initiation of the review, see the Preliminary Decision Memorandum.<sup>5</sup>

#### Scope of the Order

The merchandise subject to the *Order* is ESB rubber from Mexico. For a complete description of the scope, see the Preliminary Decision Memorandum.

#### Preliminary Determination of No Shipments

On November 4, 2022, we received a letter from Dynasol Elastomeros notifying Commerce that it had no exports, sales, or entries of subject merchandise during the POR.<sup>6</sup> This certification was consistent with entry data obtained by Commerce.<sup>7</sup> Therefore, we preliminarily determine that Dynasol Elastomeros had no shipments of subject merchandise to the United States during the POR. Consistent with Commerce's practice,<sup>8</sup> we find that it is not appropriate to rescind the review with respect to Dynasol Elastomeros, but rather to complete the review and

<sup>2</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 87 FR 66275 (November 3, 2022) (*Initiation Notice*). The *Initiation Notice* references the six companies for which the petitioner requested review: Continental Tires de Mexico S.A. de C.V. (Continental Tires); Dynasol Elastomeros; Dynasol LLC (Dynasol); Hyundai Glovis Mexico S. de R.L. de C.V. (Hyundai Glovis); Negromex; and Pirelli Neumaticos, S.A. de C.V. (Pirelli Neumaticos).

<sup>3</sup> See Memorandum, "Respondent Selection," December 6, 2022.

<sup>4</sup> See Memorandum, "Extension of Deadline for Preliminary Results of the 2021-2022 Antidumping Duty Administrative Review," dated May 18, 2023.

<sup>5</sup> See Memorandum, "Decision Memorandum for the Preliminary Results of the Administrative Review of the Antidumping Duty Order: Emulsion Styrene-Butadiene Rubber from Mexico; 2021-2022," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>6</sup> See Dynasol Elastomeros's Letter, "Notification of No Shipments," dated November 4, 2022.

<sup>7</sup> Additionally, Commerce issued a no-shipment inquiry to U.S. Customs and Border Protection (CBP), which is pending at this time.

<sup>8</sup> See, e.g., *Welded Line Pipe from the Republic of Korea: Preliminary Results of Antidumping Duty Administrative Review and Preliminary Determination of No Shipments; 2016-2017*, 84 FR 4046, 4047 (February 14, 2019), unchanged in *Welded Line Pipe from the Republic of Korea: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2016-2017*, 84 FR 27762 (June 14, 2019).