

ACCESS. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. An electronically-filed hearing request must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5 p.m. Eastern Time within 30 days after the date of publication of this notice.

#### Assessment Rate

Upon issuance of the final results, Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review.<sup>12</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**. The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise under review and for future deposits of estimated duties, where applicable. 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).

Pursuant to 19 CFR 351.212(b)(1), where an examined respondent's weighted-average dumping margin is not zero or *de minimis* (*i.e.*, less than 0.5 percent), we will calculate an importer-specific *ad valorem* duty assessment rate based on the ratio of the total amount of dumping calculated for the U.S. sales for a given importer to the total entered value of those sales. Where either the respondent's weighted-average dumping margin is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), or an importer-specific assessment rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

For entries of subject merchandise during the POR produced by CBA for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate

company(ies) involved in the transaction.<sup>13</sup>

#### Cash Deposit Requirements

The following deposit requirements for estimated antidumping duties will be effective upon publication of the notice of final results of this review for all shipments of aluminum foil from Brazil entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2) of the Act: (1) the cash deposit rate for the companies under review will be the rate established in the final results of the review (except, if the rate is zero or *de minimis*, no cash deposit will be required); (2) for merchandise exported by producers or exporters 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 recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation but the producer is, the cash deposit rate will be the rate established for the most recent period for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 13.93 percent,<sup>14</sup> the all-others rate established in the less-than-fair-value investigation. These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice 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 double antidumping duties.

#### Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply

<sup>13</sup> See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

<sup>14</sup> See *Order*, 86 FR 62791.

with the regulations and the terms of an APO is a sanctionable violation.

#### Notification to Interested Parties

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

Dated: November 30, 2023.

**Abdelali Elouaradia,**

*Deputy 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

[A-570-073, C-570-074]

#### Common Alloy Aluminum Sheet From the People's Republic of China: Rescission of Circumvention Inquiry on the Antidumping Duty and Countervailing Duty Orders

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

**SUMMARY:** Based on a withdrawal of the circumvention inquiry request, the U.S. Department of Commerce (Commerce) is rescinding this circumvention inquiry that was initiated to determine whether imports of common alloy aluminum sheet (CAAS) produced in the Republic of Korea (Korea) by Gwangyang Aluminum Industries Co., Ltd. (Gwangyang Aluminum), completed or assembled using non-subject flat rolled aluminum having a thickness greater than 6.3 millimeters (mm) produced by Henan Mingtai Aluminum Industry Co., Ltd. (Henan Mingtai) or Zhengzhou Mingtai Industry Co., Ltd. (Zhengzhou Mingtai) in the People's Republic of China (China), is circumventing the antidumping duty (AD) and countervailing duty (CVD) orders on CAAS from China.

**DATES:** Applicable December 12, 2023.

**FOR FURTHER INFORMATION CONTACT:** Frank Schmitt, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4880.

<sup>12</sup> See 19 CFR 351.212(b)(1).

**SUPPLEMENTARY INFORMATION:****Background**

On February 6 and 8, 2019, respectively, Commerce published the CVD and AD orders on imports of CAAS from China.<sup>1</sup> On May 23, 2023, the Aluminum Association Common Alloy Aluminum Sheet Trade Enforcement Working Group and its individual members (the domestic industry)<sup>2</sup> filed a circumvention inquiry request alleging that imports of CAAS produced in Korea by Gwangyang Aluminum, assembled or completed using flat rolled aluminum having a thickness greater than 6.3 mm (aluminum plate) produced by Henan Mingtai<sup>3</sup> in China, is circumventing the *Orders*.<sup>4</sup> On July 13, 2023, Commerce initiated a circumvention inquiry regarding the above-referenced merchandise.<sup>5</sup> On November 2, 2023, the domestic industry withdrew its circumvention inquiry request.<sup>6</sup>

**Scope of the Orders**

The merchandise covered by the *Orders* is common alloy aluminum

<sup>1</sup> See *Common Alloy Aluminum Sheet from the People's Republic of China: Countervailing Duty Order*, 84 FR 2157 (February 6, 2019); and *Common Alloy Aluminum Sheet from the People's Republic of China: Antidumping Duty Order*, 84 FR 2813 (February 8, 2019) (collectively, *Orders*).

<sup>2</sup> The individual members of the Aluminum Association Common Alloy Aluminum Sheet Trade Enforcement Working Group are: Arconic Corporation; Commonwealth Rolled Products, Inc.; Constellium Rolled Products Ravenswood, LLC; Jupiter Aluminum Corporation; JW Aluminum Company; and Novelis Corporation.

<sup>3</sup> Commerce previously determined that Henan Mingtai and Zhengzhou Mingtai are a single entity. See *Antidumping Duty Investigation of Common Alloy Aluminum Sheet from the People's Republic of China: Affirmative Preliminary Determination of Sales at Less-Than-Fair Value, Preliminary Affirmative Determination of Critical Circumstances, and Postponement of Final Determination*, 83 FR 29088 (June 2022, 2018), and accompanying Preliminary Decision Memorandum at 19, unchanged at *Antidumping Duty Investigation of Common Alloy Aluminum Sheet from the People's Republic of China: Affirmative Final Determination of Sales at Less-Than-Fair Value*, 83 FR 57421 (November 15, 2018). Accordingly, for the purposes of this circumvention inquiry, we considered aluminum plate produced by Henan Mingtai and Zhengzhou Mingtai (collectively, Mingtai) rather than aluminum plate produced by only Henan Mingtai.

<sup>4</sup> See Domestic Industry's Letter, "Domestic Industry Request for Circumvention Ruling Pursuant to Section 781(b) of the Tariff Act of 1930, As Amended and Scope Ruling Pursuant to 19 CFR 351.225," dated May 23, 2023.

<sup>5</sup> See *Common Alloy Aluminum Sheet from the People's Republic of China: Initiation of Circumvention Inquiry of the Antidumping and Countervailing Duty Orders; Aluminum Sheet Further Processed in the Republic of Korea*, 88 FR 44779 (July 13, 2023) (*Initiation Notice*).

<sup>6</sup> See Domestic Industry's Letter, "Domestic Industry's Withdrawal of Request for Circumvention Ruling Pursuant to Section 781(b) of the Tariff Act of 1930," dated November 2, 2023 (Withdrawal Request).

sheet from China. For a complete description of the scope of the *Orders*, see the Initiation Checklist.<sup>7</sup>

**Merchandise Subject to the Circumvention Inquiry**

The circumvention inquiry covers CAAS produced by Gwangyang Aluminum in Korea, assembled or completed using flat rolled aluminum having a thickness greater than 6.3 mm produced by Mingtai in China, and exported to the United States.

**Rescission of Circumvention Inquiry**

As noted above, the domestic industry has withdrawn its request for a circumvention inquiry on CAAS produced by Gwangyang Aluminum in Korea, assembled or completed using flat rolled aluminum having a thickness greater than 6.3 mm produced by Mingtai in China, and exported to the United States.<sup>8</sup> Therefore, in accordance with 19 CFR 351.226(f)(6)(i), Commerce finds that it is appropriate to rescind this circumvention inquiry in its entirety.

**Suspension of Liquidation**

Pursuant to 19 CFR 351.226(l)(1), Commerce notified U.S. Customs and Border Protection (CBP) of the initiation of this circumvention inquiry and directed CBP to continue the suspension of liquidation of entries of products subject to the circumvention inquiry that were already subject to the suspension of liquidation under the *Orders* and to apply the cash deposit rate that would be applicable if the products were determined to be covered by the scope of the *Orders*.<sup>9</sup> Upon publication of this rescission notice, Commerce will inform CBP that Commerce has rescinded this inquiry and that CBP should continue to suspend entries of common alloy aluminum sheet from China that are subject to the *Orders* at the applicable rate(s) in effect on the date of entry until specific liquidation instructions are issued.

**Administrative Protective Order**

This notice 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

<sup>7</sup> See *Initiation Notice* and accompanying Checklist, "Circumvention Initiation Checklist," dated July 7, 2023, at Attachment 1.

<sup>8</sup> See Withdrawal Request.

<sup>9</sup> See CBP Message 3201402, "Initiation of Circumvention Inquiry—Antidumping and Countervailing Duty Orders on Common Alloy Aluminum Sheet from the People's Republic of China (A-570-073, C-570-074)," dated July 20, 2023.

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 the APO materials or conversion to judicial protective order is hereby requested. Failure to comply with regulations and terms of an APO is a violation, which is subject to sanction.

**Notification to Interested Parties**

This notice is issued and published in accordance with section 781 of the Tariff Act of 1930, as amended, and 19 CFR 351.226(f)(6).

Dated: December 5, 2023.

**Abdelali Elouaradia,**

*Deputy Assistant Secretary for Enforcement and Compliance.*

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**DEPARTMENT OF COMMERCE****International Trade Administration**

[C-570-094]

**Refillable Stainless Steel Kegs From the People's Republic of China: Preliminary Results of Countervailing Duty Administrative Review and Rescission of Administrative Review, in Part; 2021**

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily determines that subsidies are being provided to producers and exporters of refillable stainless steel kegs (kegs) from the People's Republic of China (China) during the period of review (POR) from January 1, 2021, through December 31, 2021. In addition, we are rescinding the review with respect to 40 companies. Interested parties are invited to comment on these preliminary results.

**DATES:** Applicable December 12, 2023.

**FOR FURTHER INFORMATION CONTACT:** Theodore Pearson or Jacob Keller, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2631 or (202) 482-4849, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

On December 16, 2019, Commerce published in the **Federal Register** the countervailing duty order on kegs from