

## Opportunity for Public Comment and Submission of Factual Information

As part of this inquiry to review Armenia's NME country status, Commerce invites public comments on Armenia's economy on the following factors enumerated by section 771(18)(B) of the Act, which Commerce must consider in making ME/NME determinations:

(i) the extent to which the currency of the foreign country is convertible into the currency of other countries;

(ii) the extent to which wage rates in the foreign country are determined by free bargaining between labor and management;

(iii) the extent to which joint ventures or other investments by firms of other foreign countries are permitted in the foreign country;

(iv) the extent of government ownership or control over the means of production;

(v) the extent of government control over allocation of resources and over price and output decisions of enterprises; and

(vi) such factors as the administering authority considers appropriate.

The deadline for the submission of comments is not later than 30 days after the date of publication of this notice. Rebuttal comments, limited to issues raised in parties' affirmative comments, may be filed not later than 14 days after the date for filing affirmative comments. Interested parties must submit comments and factual information at the Federal eRulemaking Portal: <https://www.Regulations.gov>. The identification number is ITA-2024-0001. An electronically filed document must be received successfully in its entirety by 5:00 p.m. Eastern Time on the due date set forth in this notice.<sup>5</sup>

Parties may request a hearing in their comments. If Commerce determines that a hearing is warranted, parties will be notified of the date and time for the hearing, in accordance with 19 CFR 351.310(d).

Unless extended, consistent with 19 CFR 351.216(e), we will issue the final results of this CCR no later than 270 days after the date on which this review was initiated.

## Notification to Interested Parties

This notice is issued and published in accordance with sections 771(b)(1) and 777(i) of the Act, and 19 CFR 351.221(b) and (c)(3).

<sup>5</sup> See *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069, 67077 (September 29, 2023).

Dated: February 5, 2024.

Ryan Majerus,

*Deputy Assistant Secretary for Policy and Negotiations, Performing the Non-exclusive Functions and Duties of the Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2024-02928 Filed 2-12-24; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-201-848]

#### Emulsion Styrene-Butadiene Rubber from Mexico: Final Results of Antidumping Duty Administrative Review, Final Determination of No Shipments, and Partial Rescission; 2021-2022

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that Industrias Negromex S.A. de C.V. (Negromex) did not make sales of emulsion styrene-butadiene rubber (ESB rubber) from Mexico at less than normal value during the period of review (POR), September 1, 2021, through August 31, 2022. Commerce also determines that Dynasol Elastomeros, S.A. de C.V. (Dynasol Elastomeros) had no shipments during the POR. Additionally, we are rescinding this review with respect to Dynasol LLC (Dynasol).

**DATES:** Applicable February 13, 2024.

**FOR FURTHER INFORMATION CONTACT:** Christopher Maciuba, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0413.

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 10, 2023, Commerce published the *Preliminary Results* and invited interested parties to comment.<sup>1</sup> No interested party submitted comments on the *Preliminary Results*. Accordingly, the final results remain unchanged from the *Preliminary Results*. Commerce conducted this review in accordance with section 751

<sup>1</sup> See *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*, 88 FR 69907 (October 10, 2023) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

of the Tariff Act of 1930, as amended (the Act).

#### Scope of the Order<sup>2</sup>

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

#### Rate for Companies Not Selected for Individual Examination

The Act and Commerce's regulations do not address the establishment of a rate to be applied to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in an investigation, for guidance when calculating the rate for companies which were not selected for individual examination 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 or *de minimis* margins, and any margins determined entirely {on the basis of facts available}."

However, pursuant to section 735(c)(5)(B) of the Act, if the estimated weighted-average dumping margins established for all exporters and producers individually examined are zero, *de minimis*, or determined based entirely on facts otherwise available, Commerce may use any reasonable method to establish the estimated weighted-average dumping margin for all other producers or exporters.

For these final results, we continue to determine that the weighted-average dumping margin for Negromex is zero percent. Therefore, we are applying a rate of zero percent to the companies not selected for individual examination in accordance with section 735(c)(5)(B) of the Act.

#### Final Determination of No Shipments

In the *Preliminary Results*, Commerce determined that Dynasol Elastomeros did not have suspended entries of subject merchandise during the POR.<sup>3</sup> No parties commented on Commerce's preliminary no-shipment determination. Therefore, for these final results, we

<sup>2</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*).

<sup>3</sup> See *Preliminary Results*, 88 FR at 69907-08.

continue to determine that Dynasol Elastomeros had no shipments of subject merchandise during the POR.

**Partial Rescission**

In the *Preliminary Results*, we notified parties of our intent to rescind this administrative review for Dynasol, as it is a U.S. importer and is, therefore, not eligible for review.<sup>4</sup> Because we continue to find that Dynasol is not eligible for review, we are rescinding this review with respect to Dynasol.

**Final Results of the Review**

We determine that the following weighted-average dumping margins exist for the POR, September 1, 2021, through August 31, 2022:

Exporter/producer	Weighted-average dumping margin (percent)
Industrias Negromex S.A. de C.V .....	0.00
Continental Tire de Mexico S.A. de C.V .....	0.00
Hyundai Glovis Mexico, S. de R.L. de C.V .....	0.00
Pirelli Neumaticos, S.A. de C.V	0.00

**Disclosure**

Because Commerce received no comments on the *Preliminary Results*, we have not modified our analysis and no decision memorandum accompanies this **Federal Register** notice. 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 these final results.

**Assessment Rates**

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. For Negromex, because its weighted-average dumping margin is zero, we will instruct CBP to liquidate entries reported in this review without regard to antidumping duties. Consistent with Commerce’s assessment practice, for entries of subject merchandise during the POR produced by Negromex 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>5</sup>

For the companies which were not selected for individual examination, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. Further, because we continue to find that Dynasol Elastomeros had no shipments of subject merchandise during the POR, we will instruct CBP to liquidate any suspended entries of subject merchandise associated with Dynasol Elastomeros at the all-others rate. For Dynasol, for which this administrative review is rescinded, antidumping duties shall be assessed at a rate equal to the cash deposit of antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i).

Commerce intends to issue assessment instructions to CBP no earlier than 41 days after the date of publication of the final results of this review in the **Federal Register**, in accordance with 19 CFR 356.8(a).

**Cash Deposit Requirements**

The following cash deposit requirements for estimated antidumping duties will be effective for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review in the **Federal Register**, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies under review will be zero; (2) for merchandise exported by a producer or exporter not covered in this review but covered in a prior completed segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment of this proceeding; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation, but the producer has been covered in a completed segment of this proceeding, the cash deposit rate will be the company-specific 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 19.52 percent,<sup>6</sup> the all-others rate established in the LTFV investigation. These cash deposit requirements, when imposed,

<sup>5</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>6</sup> See *Order*, 82 FR at 42791.

shall remain in effect until further notice.

**Notification to Importers**

This notice also 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 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 Order**

This notice also serves as a final reminder to parties subject to an 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 with the regulations and 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) of the Act, and 19 CFR 351.221(b)(5) and 19 CFR 351.213(h)(1).

Dated: February 6, 2024.

**Ryan Majerus,**

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A–570–154]

**Certain Pea Protein From the People’s Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Preliminary Affirmative Determination of Critical Circumstances, Postponement of Final Determination, and Extension of Provisional Measures**

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily determines that certain pea protein (pea

<sup>4</sup> *Id.*, 88 FR at 69908.