

CFR 400.36(f)), the application to establish Subzone 262F was approved on June 10, 2024, subject to the FTZ Act and the Board's regulations, including section 400.13, and further subject to FTZ 262's 2,000-acre activation limit.

Dated: June 10, 2024.

Elizabeth Whiteman,
Executive Secretary.

[FR Doc. 2024-13043 Filed 6-12-24; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-831]

Fresh Garlic From the People's Republic of China: Affirmative Final Determination of Circumvention of the Antidumping Duty Order

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that small and large garlic chunks produced in the People's Republic of China (China) and exported to the United States constitute merchandise altered in form or appearance in such minor respects that they should be included within the scope of the antidumping duty (AD) order on fresh garlic from China. As a result, small and large garlic chunks will be subject to suspension of liquidation effective June 8, 2023.

DATES: Applicable June 13, 2024.

FOR FURTHER INFORMATION CONTACT: Thomas Cloyd, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-1246.

SUPPLEMENTARY INFORMATION:

Background

On November 14, 2023, Commerce published the *Preliminary Determination* of the circumvention inquiry of the AD order on fresh garlic from China, in which Commerce determined that imports of small and large garlic chunks from China are circumventing the *Order*.¹ We invited parties to comment on the *Preliminary*

¹ See *Antidumping Duty Order: Fresh Garlic from the People's Republic of China*, 59 FR 59209 (November 16, 1994) (*Order*); see also *Fresh Garlic from the People's Republic of China: Preliminary Affirmative Determination of Circumvention*, 88 FR 77959 (November 14, 2023) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

Determination and received timely filed comments and rebuttal comments from interested parties.² On April 2, 2024, Commerce extended the deadline for the final determination until June 7, 2024.³

For a complete description of events that followed the *Preliminary Determination*, as well as a full discussion of the issues raised by parties for consideration in the final determination, see the Issues and Decision Memorandum.⁴ 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>.

Scope of the Order

The merchandise covered by the *Order* is fresh garlic from China. The subject garlic is currently classifiable under subheadings 0703.20.0005, 0703.20.0010, 0703.20.0015, 0703.20.0020, 0703.20.0000, 0703.20.0090, 0710.80.7060, 0710.80.97500, 0711.90.6000, 0711.90.6500, 2005.90.9500, 2005.90.9700, and 2005.99.9700 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of the *Order* is dispositive. For a complete description of the scope of the *Order*, see the Issues and Decision Memorandum.

² See Green Garden Produce, LLC's Letter, "Green Garden Produce, LLC's Comments on Commerce's Preliminary Affirmative Determination of the Circumvention for Small and Large Garlic Chunks," dated December 5, 2023; see also the Fresh Garlic Producers Association and its individual members' Letter, "Petitioners' Rebuttal to Green Garden's Comments on Preliminary Affirmative Determination of Circumvention," dated December 19, 2023; see also I Love Produce, LLC's Letter, "Rebuttal Comments to Green Garden's Comments on DOC's Preliminary Affirmative Circumvention Determination," dated December 19, 2023.

³ See Memorandum, "Extension of Deadline for Final Results of Circumvention Inquiry," dated April 2, 2024.

⁴ See Memorandum, "Issues and Decision Memorandum for the Final Affirmative Circumvention Determination of the Antidumping Duty Order on Fresh Garlic from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

Merchandise Subject to the Circumvention Inquiry

This circumvention inquiry covers small and large garlic chunks produced in China and exported to the United States. A complete description of the merchandise subject to the circumvention inquiry is contained in the Issues and Decision Memorandum.

Methodology

Commerce is conducting this circumvention inquiry pursuant to section 781(c) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.226(j). For a complete description of the methodology underlying the final determination, see the Issues and Decision Memorandum. A list of topics discussed in the Issues and Decision Memorandum is attached as an appendix to this notice.

Changes Since the Preliminary Determination

All issues raised in the case and rebuttal briefs by parties in these inquiries are addressed in the Issues and Decision Memorandum. Based on our analysis of the comments received from interested parties, we made no change to the *Preliminary Determination*.

Final Circumvention Determination

As detailed in the Issues and Decision Memorandum, we determine that small and large garlic chunks produced in China and exported to the United States constitute merchandise altered in form or appearance in such minor respects that they should be included within the scope of the *Order*, pursuant to section 781(c) of the Act and 19 CFR 351.226(j). We also determine that this affirmative circumvention finding should be applied on a country-wide basis. For a detailed explanation of our determinations with respect to small and large garlic chunks, see the *Preliminary Determination* PDM and the Issues and Decision Memorandum.

Suspension of Liquidation and Cash Deposit Requirements

In accordance with 19 CFR 351.226(l)(3), based on this affirmative final determination, Commerce will direct U.S. Customs and Border Protection (CBP) to continue the suspension of liquidation of previously suspended entries and to suspend liquidation and require a cash deposit of estimated duties on unliquidated entries of small and large garlic chunks produced in and exported from China that are entered, or withdrawn from warehouse, for consumption on or after June 8, 2023 (*i.e.*, the date of the

publication of the *Initiation Notice*⁵). Pursuant to 19 CFR 351.226(l)(3), we will also instruct CBP to require AD cash deposit rates in effect for fresh garlic for each unliquidated entry of small and large garlic chunks produced in and exported from China that have been entered, or withdrawn from warehouse, for consumption on or after June 8, 2023 (*i.e.*, the date of the initiation of this inquiry).⁶ The suspension of liquidation instructions and cash deposit requirements will remain in effect until further notice.

Opportunity To Request an Administrative Review

Each year during the anniversary month of the publication of an AD or countervailing duty (CVD) order, finding, or suspended investigation, an interested party, as defined in section 771(9) of the Act, may request, in accordance with 19 CFR 351.213, that Commerce conduct an administrative review of that AD or CVD order, finding, or suspended investigation. An interested party who would like Commerce to conduct an administrative review should wait until Commerce announces via the **Federal Register** the next opportunity during the anniversary month of the publication of the *Order* to submit such requests. The anniversary month for this *Order* is November.

Administrative Protective Order

This notice will serve as the only reminder to all parties subject to an administrative protective order (APO) of their responsibility concerning the destruction 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

This determination is issued and published in accordance with section 781(c) of the Act and 19 CFR 351.226(g)(2).

⁵ See *Fresh Garlic from the People's Republic of China: Initiation of Circumvention Inquiry on the Antidumping Duty Order*, 88 FR 37510 (June 8, 2023) (*Initiation Notice*).

⁶ See *Order*.

Dated: June 7, 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.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Merchandise Subject to the Circumvention Inquiry
- V. Period of the Circumvention Inquiry
- VI. Discussion of the Issues
 - Comment 1: Whether the Inquiry Merchandise Is Excluded from the *Order* Due to Preservation by the Addition of Other Ingredients
 - Comment 2: Whether the Inquiry Merchandise Is Excluded from the *Order* by being "Further Processed"
 - Comment 3: Whether the Inquiry Merchandise Has Undergone Minor Alteration
- VII. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-912, C-533-913]

Certain Non-Refillable Steel Cylinders From India: Antidumping Duty and Countervailing Duty Orders

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

SUMMARY: Based on affirmative final determinations by the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC), Commerce is issuing antidumping duty (AD) and countervailing duty (CVD) orders on certain non-refillable steel cylinders (steel cylinders) from India.

DATES: Applicable June 13, 2024.

FOR FURTHER INFORMATION CONTACT:

Shane Subler (CVD), Rachel Accorsi (CVD), Benito Ballesteros (AD), or Samuel Evans (AD), AD/CVD Operations, Offices VIII and IX, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-6241, (202) 482-3149, (202) 482-7425, or (202) 482-2420, respectively.

SUPPLEMENTARY INFORMATION:

Background

In accordance with section 705(d) of the Tariff Act of 1930, as amended (the Act), on April 22, 2024, Commerce published its affirmative final determination that countervailable subsidies are being provided to producers and exporters of steel cylinders from India.¹ Also on April 22, 2024, in accordance with section 735(d) of the Act, Commerce published its affirmative final determination in the less-than-fair-value (LTFV) investigation of steel cylinders from India.²

On June 6, 2024, pursuant to sections 705(d) and 735(d) of the Act, the ITC notified Commerce of its final affirmative determinations that an industry in the United States is materially injured by reason of subsidized imports of steel cylinders from India within the meaning of section 705(b)(1)(A)(i) of the Act and LTFV imports of steel cylinders from India within the meaning of section 735(b)(1)(A)(i) of the Act.³

Scope of the Orders

The products covered by these orders are steel cylinders from India. For a complete description of the scope of the orders, see the appendix to this notice.

AD Order

On June 6, 2024, in accordance with section 735(d) of the Act, the ITC notified Commerce of its final determination that an industry in the United States is materially injured within the meaning of section 735(b)(1)(A)(i) of the Act by reason of imports of steel cylinders from India that are sold in the United States at LTFV.⁴ Therefore, in accordance with sections 735(c)(2) and 736 of the Act, Commerce is issuing this AD order. Moreover, because the ITC determined that imports of steel cylinders from India are materially injuring a U.S. industry, unliquidated entries of such merchandise from India entered or withdrawn from warehouse for consumption are subject to the assessment of ADs.

¹ See *Certain Non-Refillable Steel Cylinders from India: Final Affirmative Countervailing Duty Determination*, 89 FR 29296 (April 22, 2024) (*CVD Final Determination*), and accompanying Issues and Decision Memorandum (IDM).

² See *Final Affirmative Determination in the Less-Than-Fair-Value Investigation of Certain Non-Refillable Steel Cylinders from India*, 89 FR 29294 (April 22, 2024), and accompanying IDM.

³ See ITC's Letter, "Notification of ITC Final Determinations," dated June 6, 2024 (ITC Notification Letter).

⁴ *Id.*