

under subheadings 3703.10.60, 4811.59.20, 4811.90.8040, 4811.90.9090, 4820.10.20, 4823.40.00, 4811.90.8030, 4811.90.8050, 4811.90.9030, and 4811.90.9050.<sup>7,8</sup> Although HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this Order is dispositive.

### Final Results of Review

Because we received no comments, we made no changes from the *Preliminary Results*. We continue to find that: (1) Guangdong Guanbao High-Tech (Guangdong Guanbao); (2) Guangdong Polygon New Materials (Guangdong Polygon); (3) and Henan Jianghe Paper (Henan Jianghe) did not file separate rate applications or certifications and, thus, did not demonstrate their eligibility for separate rate status and, therefore, are part of the China-wide entity. As stated in the *Preliminary Results*, no party requested a review of the China-wide entity.<sup>9</sup> Moreover, we did not self-initiate a review of the China-wide entity. Because no review of the China-wide entity is being conducted, the China-wide entity's entries are not subject to the review, and the weighted-average dumping margin for the China-wide entity (*i.e.*, 115.29 percent) is not subject to change.<sup>10</sup>

### Disclosure

Normally, Commerce discloses to interested parties the calculations of the final results of an administrative review within five days of a public announcement or, if there is no public announcement, within five days of the date of publication of the notice of final results in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because we have made no changes from the *Preliminary Results*, there are no calculations to disclose.

<sup>7</sup> HTSUS subheading 4811.90.8000 was a classification used for LWTP until January 1, 2007. Effective that date, subheading 4811.90.8000 was replaced with 4811.90.8020 (for gift wrap, a non-subject product) and 4811.90.8040 (for "other" including LWTP). HTSUS subheading 4811.90.9000 was a classification for LWTP until July 1, 2005. Effective that date, subheading 4811.90.9000 was replaced with 4811.90.9010 (for tissue paper, a non-subject product) and 4811.90.9090 (for "other," including LWTP).

<sup>8</sup> As of January 1, 2009, the ITC deleted HTSUS subheadings 4811.90.8040 and 4811.90.9090 and added HTSUS subheadings 4811.90.8030, 4811.90.8050, 4811.90.9030, and 4811.90.9050 to the HTSUS (2009). See Harmonized Tariff Schedule of the United States (2009), available at <https://www.usitc.gov>. These HTSUS subheadings were added to the scope of the order in lightweight thermal paper's LTFV investigation.

<sup>9</sup> See *Preliminary Results*, 89 FR at 51500.

<sup>10</sup> See *Order*, 73 FR at 70959.

### Assessment

Consistent with section 751(a)(2)(C) of the Act and 19 CFR 351.212(b), upon completion of the administrative review, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise covered this review. Because Commerce finds the three companies subject to this review, Guangdong Guanbao, Guangdong Polygon, and Henan Jianghe are part of the China-wide entity in the final results, Commerce will instruct CBP to liquidate entries containing subject merchandise exported by the companies under review at the China-wide entity rate of 115.29 percent.

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 date of publication as provided for by section 751(a)(2)(C) of the Act: (1) for previously investigated or reviewed Chinese and non-Chinese exporters for which a review was not requested and that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (2) 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 the rate for the China-wide entity (115.29 percent);<sup>11</sup> and (3) for all non-Chinese exporters of subject merchandise that have not received their own rate, the cash deposit rate will be the rate applicable to the Chinese exporter that supplied that non-Chinese exporter. These cash deposit requirements, when imposed, shall remain in effect until further notice.

### 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 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.

### Notification to Interested Parties

Commerce is issuing and publishing the final results of this review in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: October 8, 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. 2024-23696 Filed 10-11-24; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-887]

### Carbon and Alloy Steel Threaded Rod From India: Final Results of Antidumping Duty Administrative Review, and Partial Rescission; 2022-2023

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that carbon and alloy steel threaded rod (steel threaded rod) from India was sold in the United States at below normal value during the period of review (POR), April 1, 2022, through March 31, 2023. Further, we are rescinding this review with respect to 83 companies.

**DATES:** Applicable October 15, 2024.

**FOR FURTHER INFORMATION CONTACT:** Kabir Archuletta or Samuel Frost, 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) 482-2593 or (202) 482-8180, respectively.

### SUPPLEMENTARY INFORMATION:

#### Background

This administrative review covers 29 companies.<sup>1</sup> Commerce selected two

<sup>1</sup> We initiated this administrative review with respect to 112 companies. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 88 FR 38021 (June 12, 2023). However, we are rescinding this review for 83 companies that did not have reviewable entries

<sup>11</sup> See *Order*, 73 FR at 70959.

respondents for individual examination, Mangal Steel Enterprises Limited (Mangal) and Shree Luxmi Fasteners/The Emerging Impex (SLF/TEI).<sup>2</sup>

On May 6, 2024, Commerce published the *Preliminary Results* of this administrative review and invited interested parties to comment on the *Preliminary Results*.<sup>3</sup> On June 5, 2024, we received a timely-filed case brief from Sigma Piping Products (2019), LLC (Sigma), a U.S. importer of subject merchandise,<sup>4</sup> and on June 10, 2024, we received a timely-filed rebuttal brief from Vulcan Threaded Products, Inc. (the petitioner).<sup>5</sup>

On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.<sup>6</sup> Thereafter, Commerce partially extended the deadline for issuing the final results until October 8, 2024.<sup>7</sup> For a complete description of the events that followed the *Preliminary Results*, see the Issues and Decision Memorandum.<sup>8</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>9</sup>

The merchandise covered by the scope of this *Order* is carbon and alloy

of subject merchandise during the POR. See “Rescission of Administrative Review, in Part” section below.

<sup>2</sup> See Memorandum, “Respondent Selection,” dated June 28, 2023. Commerce preliminarily determined to treat Shree Luxmi Fasteners (SLF) and its affiliate The Emerging Impex (TEI) as a single entity for purposes of this review. Because no parties commented on this preliminary decision, for these final results Commerce continues to treat these companies as a single entity. See *Carbon and Alloy Steel Threaded Rod from India: Preliminary Results and Preliminary Rescission of Antidumping Duty Administrative Review, in Part, 2022–2023*, 89 FR 37174 (May 6, 2024) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

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

<sup>4</sup> See Sigma’s Letter, “Sigma Comments on Preliminary Results,” dated June 5, 2024 (Sigma’s Case Brief).

<sup>5</sup> See Petitioner’s Letter, “Rebuttal Brief,” dated June 10, 2024 (Petitioner’s Rebuttal Brief).

<sup>6</sup> See Memorandum, “Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,” dated July 22, 2024.

<sup>7</sup> See Memoranda, “Extension of Deadline for Final Results of Antidumping Duty Administrative Review; 2022–23,” dated August 14, 2024; and “Extension of Deadline for Final Results of Antidumping Duty Administrative Review; 2022–2023,” dated October 1, 2024.

<sup>8</sup> See Memorandum, “Issues and Decision Memorandum for the Final Results of the Antidumping Duty Administrative Review of Carbon and Alloy Steel Threaded Rod from India; 2022–2023,” dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>9</sup> See *Carbon and Alloy Steel Threaded Rod from India: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 85 FR 19925 (April 9, 2020) (*Order*).

steel threaded rod from India. A complete description of the scope of the *Order* is provided in the Issues and Decision Memorandum.<sup>10</sup>

**Rescission of Administrative Review, in Part**

Pursuant to 19 CFR 351.213(d)(3), when there are no reviewable entries of subject merchandise during the POR subject to the antidumping duty order for which liquidation is suspended, Commerce may rescind an administrative review, in whole or only with respect to a particular exporter or producer.<sup>11</sup> At the end of the administrative review, any suspended entries are liquidated at the assessment rate computed for the review period.<sup>12</sup> Therefore, for an administrative review to be conducted, there must be a reviewable, suspended entry to be liquidated at the newly calculated assessment rate. In the *Preliminary Results*, Commerce preliminarily rescinded this review with respect to 83 companies because those companies had no reviewable, suspended entries of subject merchandise and invited parties to comment.<sup>13</sup> We received no comments on our preliminary rescission of the review with respect to these companies. Accordingly, in the absence of suspended entries of subject merchandise during the POR for these 83 companies for which this review was initiated, we are hereby rescinding this administrative review, in part, with respect to these companies, in accordance with 19 CFR 351.213(d)(3).<sup>14</sup>

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs are addressed in the Issues and Decision Memorandum. A list of the issues that parties raised and to which we responded in the Issues and Decision Memorandum is attached to this notice at Appendix I. The Issues and 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

<sup>10</sup> See Issues and Decision Memorandum at “Scope of the Order.”

<sup>11</sup> See, e.g., *Forged Steel Fittings from Taiwan: Rescission of Antidumping Duty Administrative Review; 2018–2019*, 85 FR 71317, 71318 (November 9, 2020); see also *Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Rescission of Antidumping Duty Administrative Review; 2016–2017*, 83 FR 54084 (October 26, 2018).

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

<sup>13</sup> See *Preliminary Results*, 89 FR at 37175–76.

<sup>14</sup> Appendix III identifies all companies for which we have rescinded this review.

at <http://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 a review of the record, we made certain changes to the margin calculations for these final results. For a discussion of these changes, see the Issues and Decision Memorandum.

**Rate for Non-Examined Companies**

The Act and Commerce’s regulations do not address the establishment of a rate to be applied to companies not selected for 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 a market economy 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 and *de minimis* margins, and any margins determined entirely {on the basis of facts available}.”

In this review, we have calculated weighted-average dumping margins of zero percent for Mangal and 10.94 percent for SLF/TEI. Therefore, in accordance with section 735(c)(5)(A) of the Act, we are applying SLF/TEI’s weighted average dumping margin of 10.94 percent to the non-examined companies, because this is the only rate that is not zero, *de minimis*, or based entirely on facts available.

**Final Results of the Review**

Commerce determines that the following estimated weighted-average dumping margins exist during the period April 1, 2022, through March 31, 2023:

Exporter/producer	Weighted-average dumping margin (percent)
Mangal Steel Enterprises Limited	0.00
Shree Luxmi Fasteners/The Emerging Impex	10.94
Companies Not Selected for Individual Review <sup>15</sup>	10.94

## Disclosure

Commerce intends to disclose the calculations performed in connection with these final results to interested parties within five days of any public announcement or, if there is no public announcement, within five days of the date publication of the notice of final results in the **Federal Register**.<sup>16</sup>

## Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(1), Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. Because the weighted-average dumping margin for Mangal has been determined to be zero percent, we intend to instruct CBP to liquidate Mangal's entries without regard to antidumping duties, in accordance with 19 CFR 351.106(c)(2).

SLF/TEI's weighted average dumping margin is not zero or *de minimis* (*i.e.*, less than 0.5 percent). Therefore, we calculated importer-specific assessment rates based on the ratio of the total dumping calculated for the examined sales to the total entered value of the sales. Where an importer-specific assessment rate for SLF/TEI is either zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

In accordance with Commerce's "automatic assessment" practice, for entries of subject merchandise during the POR produced by Mangal or SLF/TEI for which these companies 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 of 0.00 percent,<sup>17</sup> if there is no rate for the intermediate company(ies) involved in the transaction.<sup>18</sup> For the companies that were not selected for individual examination, we will instruct CBP to liquidate entries at the rate established in these final results of review.

For the companies for which this review is rescinded with these final results (*see* Appendix III), we will instruct CBP to assess antidumping duties on any suspended at a rate equal to the cash deposit of estimated antidumping duties required at the time

of entry, or withdrawal from warehouse, for consumption, during the POR, in accordance with 19 CFR 351.212(c)(1)(i).

We intend to issue instructions to CBP no earlier than 35 days after the publication date 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 these final results of review in the **Federal Register**, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies listed in these final results will be equal to the weighted-average dumping margin established in the final results of this administrative review; (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 recently-completed segment of this proceeding in which they were reviewed; (3) if the exporter is not a firm covered in this review, a prior review, or the original 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; and (4) the cash deposit rate for all other producers or exporters will continue to be 0.00 percent, the all-others rate established in the LTFV investigation, adjusted for the export-subsidy rate in the companion countervailing duty investigation.<sup>19</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

## 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 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 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

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(h) and 351.221(b)(5).

Dated: October 8, 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 I—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 Should Redetermine the Cash Deposit Rate for Kanika Exports (Kanika)
  - Comment 2: Whether Commerce Should Use a Different Methodology To Determine Kanika's Dumping Margin
- VI. Recommendation

## Appendix II—List of Companies Not Individually Examined

1. Aadi Shree Fastener Industries
2. Babu Exports
3. Bhansali Inc.
4. Chirag International
5. Everest Industrial Corporation
6. Fence Fixings
7. Fine Thread Form Industries
8. Ganpati Fastners Pvt., Ltd.
9. GDPA Fasteners
10. Goodgood Manufacturers
11. Idea Fasteners Pvt., Ltd.
12. Kanika Exp.
13. Kapson India
14. Kapurthala Industrial Corporation
15. Kova Fasteners Pvt., Ltd.
16. Maharaja International
17. Maya Enterprises
18. Nishant Steel Industries
19. Nuovo Fastenings Pvt., Ltd.
20. R A Exp
21. R K Fasteners (India)
22. Rods & Fixing Fasteners
23. S K Overseas

<sup>15</sup> See Appendix II for a full list of these companies.

<sup>16</sup> See 19 CFR 351.224(b).

<sup>17</sup> See *Order*, 85 FR at 19926.

<sup>18</sup> See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

<sup>19</sup> See *Order*, 85 FR at 19926.

24. Singhania International Ltd.
25. The Technocrats Co.
26. Viraj Profiles Ltd.
27. Yogendra International

### Appendix III—List of Companies for Which We Are Rescinding the Administrative Review

1. A H Enterprises
2. Aanjaney Micro Engy Pvt., Ltd.
3. Accurate Steel Forgings (I) Ltd.
4. Alps Industries Ltd.
5. Apex Thermocon Pvt., Ltd.
6. Ash Hammer Union
7. Astrotech Steels Pvt., Ltd.
8. Atlantic Container Line Pvt., Ltd.
9. Ats Exp. 07
10. Atz Shipping Trade & Transport Pvt.
11. BA Metal Processing
12. Boston Exp. & Engineering Co.
13. C.H.Robinson International (India)
14. C.P.World Lines Pvt., Ltd.
15. Century Distribution Systems Inc.
16. Charu Enterprises
17. Daksh Fasteners
18. Dedicated Imp. & Exp. Co.
19. Dhiraj Alloy & Stainless Steel
20. Dsv Air and Sea Pvt., Ltd.
21. Eastman Industries Ltd.
22. Eos Precision
23. ESL Steel Ltd
24. Everest Exp.
25. Farmparts Company
26. Galorekart Marketplace Pvt., Ltd.
27. Ganga Acrowools Ltd.
28. Gateway Engineering Solution
29. Gee Pee Overseas
30. Geodis India Pvt., Ltd. (Indel)
31. Jindal Steel And Power Ltd.
32. JSW Steel Ltd.
33. Kanchan Trading Co.
34. Kanhaiya Lal Tandoor (P) Ltd.
35. Karna International
36. Kei Industries Ltd.
37. King Exports
38. Linit Exp. Pvt., Ltd.
39. Mahajan Brothers
40. Meenakshi India, Ltd.
41. Metalink
42. MKA Engineers And Exporters Pvt., Ltd.
43. National Cutting Tools
44. NJ Sourcing
45. Noahs Ark International Exp.
46. Oia Global India Pvt., Ltd.
47. Otsusa India Pvt., Ltd.
48. Paloma Turning Co. Pvt., Ltd.
49. Patton International Ltd.
50. Perfect Tools & Forgings
51. Permali Wallace Pvt., Ltd.
52. Polycab India Ltd.
53. Pommada Hindustan Pvt., Ltd.
54. Poona Forge Pvt., Ltd.
55. Raajratna Ventures Ltd.
56. Raashika Industries Pvt., Ltd.
57. Rajpan Group
58. Rambal Ltd.
59. Randack Fasteners India Pvt., Ltd.
60. Ratnveer Metals Ltd.
61. Rimjhim Ispat Ltd.
62. S.M Forgings & Engineering
63. Sandip Brass Industries
64. Sandiya Exp. Pvt., Ltd.
65. Sansera Engineering Pvt., Ltd.
66. Silverline Metal Engineering Pvt. Lt
67. Sri Satya Sai Enterprises
68. Steampulse Global Llp

69. Steel Authority Of India Ltd.
  70. Suchi Fasteners Pvt., Ltd.
  71. Supercon Metals Pvt., Ltd.
  72. Tekstar Pvt., Ltd.
  73. Tijiya Exp. Pvt., Ltd.
  74. Tijiya Steel Pvt., Ltd.
  75. Tong Heer Fasteners
  76. Trans Tool Pvt., Ltd.
  77. Universal Engineering and Fabricat
  78. V.J Industries Pvt., Ltd.
  79. Vidushi Wires Pvt., Ltd.
  80. Vrl Automation
  81. VV Marine Pvt., Ltd.
  82. Zenith Precision Pvt., Ltd.
  83. Zenith Steel Pipes And Industries L
- [FR Doc. 2024–23774 Filed 10–11–24; 8:45 am]
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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–124, C–570–125]

#### Certain Vertical Shaft Engines Between 99cc and Up to 225cc and Parts Thereof From the People’s Republic of China: Notice of Court Decision Not in Harmony With Final Scope Ruling and Notice of Amended Final Scope Ruling Pursuant to Court Decision

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

**SUMMARY:** On October 2, 2024, the U.S. Court of International Trade (CIT) issued its final judgment in *Zhejiang Amerisun Technology Co., Ltd. v. United States*, Court No. 23–00011, sustaining the U.S. Department of Commerce’s (Commerce) remand redetermination pertaining to the scope ruling for the antidumping and countervailing duty orders on certain vertical shaft engines between 99cc and up to 225cc and parts thereof from the People’s Republic of China finding modified vertical shaft engines, such as the modified R210–S engine manufactured by Chongqing Rato Technology Co., Ltd. (Chongqing Rato) to be excluded from the orders. Commerce is notifying the public that the CIT’s final judgment is not in harmony with Commerce’s scope ruling, and that Commerce is amending the scope ruling to find that certain engines, such as Chongqing Rato’s R210–S engine, manufactured by Chongqing Rato is excluded from the orders.

**DATES:** Applicable October 12, 2024.

**FOR FURTHER INFORMATION CONTACT:** Ajay K. Menon, AD/CVD Operations, Office IX, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0208.

**SUPPLEMENTARY INFORMATION:**

## Background

On December 22, 2022, Commerce found that modified vertical shaft engines, such as the R210–S engine manufactured by Chongqing Rato, were included in the scope of the orders.<sup>1</sup>

Zhejiang Amerisun Technology, Co., Ltd. appealed Commerce’s Final Scope Ruling. On February 20, 2024, the CIT remanded the Final Scope Ruling to Commerce, holding that: (1) because the scope does not specify that a right-angle gearbox connected to the horizontal crankshaft may be part of the engine, Commerce’s finding that the scope did not contain an exhaustive list of components that may comprise an engine was unsupported by substantial evidence and not in accordance with law; (2) the Wikipedia articles submitted by Briggs & Stratton Corporation (the petitioner) on which Commerce relied to support its factual conclusions were unreliable and irrelevant; and (3) an academic article submitted by the petitioner on which Commerce also relied to support its factual conclusions was irrelevant because it did not specifically address walk-behind lawn mowers or discuss secondary drive shafts.<sup>2</sup>

In its final remand redetermination, issued in April 2024, Commerce found that certain engines, such as Chongqing Rato’s R210–S engine at issue in the Final Scope Ruling to be excluded from the scope of the orders.<sup>3</sup> The CIT sustained Commerce’s final redetermination.<sup>4</sup>

## Timken Notice

In its decision in *Timken*,<sup>5</sup> as clarified by *Diamond Sawblades*,<sup>6</sup> the U.S. Court of Appeals for the Federal Circuit held that, pursuant to section 516A(c) and (e) of the Tariff Act of 1930, as amended (the Act), Commerce must publish a notice of court decision that is not “in harmony” with a Commerce determination and must suspend liquidation of entries pending a

<sup>1</sup> See Memorandum, “Scope Ruling on Modified Vertical Shaft Engines,” dated December 22, 2022 (Final Scope Ruling).

<sup>2</sup> See *Zhejiang Amerisun Technology Co., Ltd. v. United States*, 687 F. Supp. 3d 1282 (CIT 2024).

<sup>3</sup> See *Final Results of Redetermination Pursuant to Court Remand, Zhejiang Amerisun Technology Co., Ltd. v. United States*, Consol. Court No. 23–00011, Slip Op. 24–20 (CIT February 20, 2024), dated April 11, 2024, available at <https://access.trade.gov/public/FinalRemandRedetermination.aspx>.

<sup>4</sup> See *Zhejiang Amerisun Technology Co., Ltd. v. United States*, Court No. 23–00011, Slip. Op. 24–104 (CIT October 2, 2024).

<sup>5</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>6</sup> See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).