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Thermoformed molded fiber products remain covered by the scope of these investigations whether the subject product is encased by exterior packaging or whether the subject product forms the outer packaging for non-subject products. They also remain covered by the scope of these investigations whether imported alone, or in any combination of subject and non-subject merchandise (e.g., a lid or cover of any type packaged with a molded fiber bowl, addition of any items to make the thermoformed molded fiber packaging suitable for end-use such as absorbent pads). When thermoformed molded fiber products are imported in combination with non-subject merchandise, only the thermoformed molded fiber products are subject merchandise.

Excluded from the scope of these investigations are thermoformed molded fiber products imported as packaging material that enclose and/or surround non-subject merchandise prepackaged for final sale upon importation into the United States (e.g., molded fiber packaging surrounding a cellular phone).

Thermoformed molded fiber products include thermoformed molded fiber products matching the above description that have been finished, packaged, or otherwise processed in a third country by performing finishing, packaging, or processing that would not otherwise remove the merchandise from the scope of the investigations if performed in the country of manufacture of the thermoformed molded fiber products. Examples of finishing, packaging, or other processing in a third country that would not otherwise remove the merchandise from the scope of the investigations if performed in the country of manufacture of the thermoformed molded fiber products include, but are not limited to, hot or after pressing, die-cutting, punching, trimming, padding, perforating, printing, labeling, dyeing, coloring, coating, laminating, embossing, debossing, repacking, or denesting.

Thermoformed molded fiber products are classified under subheadings 7823.70.0020 and 4823.70.0040, Harmonized Tariff Schedule of the United States (HTSUS). Imports may also be classified under subheadings 4823.61.0020, 4823.61.0040, 4823.69.0020, 4823.69.0040, 4823.90.1000, HTSUS. References to the HTSUS classification are provided for convenience and customs purposes, and the written description of the merchandise under investigation is dispositive.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-183, C-552-846]

#### Thermoformed Molded Fiber Products From the People's Republic of China and the Socialist Republic of Vietnam: Initiation of Countervailing Duty Investigations

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

**DATES:** Applicable October 28, 2024.

**FOR FURTHER INFORMATION CONTACT:** Ashley Cossaart at (202) 482-0462 (the People's Republic of China (China)) and Zachary Shaykin at (202) 482-2638 (the Socialist Republic of Vietnam (Vietnam)), AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

##### The Petitions

On October 8, 2024, the U.S. Department of Commerce (Commerce) received countervailing duty (CVD) petitions concerning imports of thermoformed molded fiber products (molded fiber products) from China and Vietnam filed in proper form on behalf of Genera, Tellus Products, LLC, and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO (the USW), collectively, the American Molded Fiber Products Coalition (the petitioners), domestic producers of molded fiber products and a certified union, which represents workers engaged in the production of molded fiber products in the United States.<sup>1</sup> The CVD Petitions were accompanied by antidumping duty (AD) petitions concerning imports of molded fiber products from China and Vietnam.<sup>2</sup>

Between October 11 and 22, 2024, Commerce requested supplemental information pertaining to certain aspects of the Petitions.<sup>3</sup> Between October 16 and 24, 2024, the petitioners filed

<sup>1</sup> See Petitioner's Letter, "Petitions for the Imposition of Antidumping and Countervailing Duties," dated October 8, 2024 (Petitions).

<sup>2</sup> *Id.*

<sup>3</sup> See Commerce's Letters, "Supplemental Questions," dated October 11, 2024 (First General Issues Questionnaire), *see also* Country-Specific CVD Supplemental Questionnaires: China Supplemental and Vietnam Supplemental, dated October 11, 2024; and Memorandum, "Phone Call," dated October 22, 2024 (October 22, 2024, Memorandum).

timely responses to these requests for additional information.<sup>4</sup>

In accordance with section 702(b)(1) of the Tariff Act of 1930, as amended (the Act), the petitioners allege that the Government of China (GOC) and the Government of Vietnam (GOV) (collectively, Governments) are providing countervailable subsidies, within the meaning of sections 701 and 771(5) of the Act, to producers of molded fiber products from China and Vietnam, and that such imports are materially injuring, or threatening material injury to, the domestic industry producing molded fiber products in the United States. Consistent with section 702(b)(1) of the Act and 19 CFR 351.202(b), for those alleged programs on which we are initiating CVD investigations, the Petitions were accompanied by information reasonably available to the petitioners supporting their allegations.

Commerce finds that the petitioners filed the Petitions on behalf of the domestic industry, because the petitioners are interested parties, as defined in sections 771(9)(C) and (D) of the Act.<sup>5</sup> Commerce also finds that the petitioners demonstrated sufficient industry support with respect to the initiation of the requested CVD investigations.<sup>6</sup>

##### Periods of Investigation

Because the Petitions were filed on October 8, 2024, the periods of investigation for the China and Vietnam CVD investigations are January 1, 2023, through December 31, 2023.<sup>7</sup>

##### Scope of the Investigations

The products covered by these investigations are molded fiber products from China and Vietnam. For a full description of the scope of these investigations, *see* the appendix to this notice.

##### Comments on the Scope of the Investigations

On October 11 and 22, 2024, Commerce requested information and

<sup>4</sup> See Petitioners' Letters, "Responses to Antidumping and Countervailing Duty Petition Supplemental Questionnaire," dated October 16, 2024 (First General Issues Supplement); *see also* Country-Specific CVD Supplemental Responses: China CVD Supplement and India CVD Supplement, dated October 16, 2024; and Petitioners' Letter, "Responses to Second Supplemental Questionnaire," dated October 23, 2024 (Second General Issues Supplement).

<sup>5</sup> Genera and Tellus Products, LLC are interested parties under section 771(9)(C) of the Act, while the USW is an interested party under section 771(9)(D) of the Act.

<sup>6</sup> See section on "Determination of Industry Support for the Petitions," *infra*.

<sup>7</sup> See 19 CFR 351.204(b)(2).

clarification from the petitioners regarding the proposed scope to ensure that the scope language in the Petitions is an accurate reflection of the products for which the domestic industry is seeking relief.<sup>8</sup> On October 16 and 24, 2024, the petitioners provided clarifications and revised the scope.<sup>9</sup> The description of merchandise covered by these investigations, as described in the appendix to this notice, reflects these clarifications.

As discussed in the *Preamble* to Commerce's regulations, we are setting aside a period for interested parties to raise issues regarding product coverage (*i.e.*, scope).<sup>10</sup> Commerce will consider all comments received from interested parties and, if necessary, will consult with interested parties prior to the issuance of the preliminary determinations. If scope comments include factual information, all such factual information should be limited to public information.<sup>11</sup> To facilitate preparation of its questionnaires, Commerce requests that scope comments be submitted by 5:00 p.m. Eastern Time (ET) on November 18, 2024, which is the next business day after 20 calendar days from the signature date of this notice.<sup>12</sup> Any rebuttal comments, which may include factual information, must be filed by 5:00 p.m. ET on November 29, 2024, which is the next business day after 10 calendar days from the initial comment deadline.<sup>13</sup>

Commerce requests that any factual information that parties consider relevant to the scope of the investigations be submitted during that time period. However, if a party subsequently finds that additional factual information pertaining to the

scope of the investigations may be relevant, the party must contact Commerce and request permission to submit the additional information. All scope comments must be filed simultaneously on the records of the concurrent AD and CVD investigations.

### Filing Requirements

All submissions to Commerce must be filed electronically via Enforcement and Compliance's Antidumping Duty and Countervailing Duty Centralized Electronic Service System (ACCESS), unless an exception applies.<sup>14</sup> An electronically filed document must be received successfully in its entirety by the time and date it is due.

### Consultations

Pursuant to sections 702(b)(4)(A)(i) and (ii) of the Act, Commerce notified the Governments of the receipt of the Petitions and provided an opportunity for consultations with respect to the Petitions.<sup>15</sup> Commerce held consultations with the GOC on October 16, 2024,<sup>16</sup> and the GOV on October 25, 2024.<sup>17</sup>

### Determination of Industry Support for the Petitions

Section 702(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 702(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (i) at least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 702(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product,

Commerce shall: (i) poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) determine industry support using a statistically valid sampling method to poll the "industry."

Section 771(4)(A) of the Act defines the "industry" as the producers as a whole of a domestic like product. Thus, to determine whether a petition has the requisite industry support, the statute directs Commerce to look to producers and workers who produce the domestic like product. The U.S. International Trade Commission (ITC), which is responsible for determining whether "the domestic industry" has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both Commerce and the ITC apply the same statutory definition regarding the domestic like product,<sup>18</sup> they do so for different purposes and pursuant to a separate and distinct authority. In addition, Commerce's determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to law.<sup>19</sup>

Section 771(10) of the Act defines the domestic like product as "a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title." Thus, the reference point from which the domestic like product analysis begins is "the article subject to an investigation" (*i.e.*, the class or kind of merchandise to be investigated, which normally will be the scope as defined in the petition).

With regard to the domestic like product, the petitioners do not offer a definition of the domestic like product distinct from the scope of the investigations.<sup>20</sup> Based on our analysis

<sup>8</sup> See First General Issues Questionnaire; *see also* October 22, 2024, Memorandum.

<sup>9</sup> See First General Issues Supplement at 2–4; *see also* Second General Issues Supplement at 2–4.

<sup>10</sup> See *Antidumping Duties; Countervailing Duties; Final Rule*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

<sup>11</sup> See 19 CFR 351.102(b)(21) (defining "factual information").

<sup>12</sup> See 19 CFR 351.303(b)(1). The deadline for scope comments falls on November 17, 2024, which is a Sunday. In accordance with 19 CFR 351.303(b)(1), Commerce will accept comments filed by 5:00 p.m. ET on November 18, 2024 ("For both electronically filed and manually filed documents, if the applicable due date falls on a non-business day, the Secretary will accept documents that are filed on the next business day.").

<sup>13</sup> See 19 CFR 351.303(b)(1). The deadline for rebuttal scope comments falls on November 28, 2024, which is a federal holiday. In accordance with 19 CFR 351.303(b)(1), Commerce will accept comments filed by 5:00 p.m. ET on November 29, 2024 ("For both electronically filed and manually filed documents, if the applicable due date falls on a non-business day, the Secretary will accept documents that are filed on the next business day.")

<sup>14</sup> See *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011); *see also Enforcement and Compliance; Change of Electronic Filing System Name*, 79 FR 69046 (November 20, 2014), for details of Commerce's electronic filing requirements, effective August 5, 2011. Information on using ACCESS can be found at <https://access.trade.gov/help.aspx> and a handbook can be found at [https://access.trade.gov/help/Handbook\\_on\\_Electronic\\_Filing\\_Procedures.pdf](https://access.trade.gov/help/Handbook_on_Electronic_Filing_Procedures.pdf).

<sup>15</sup> See Commerce's Letters, "Invitation for Consultation to Discuss the Countervailing Duty Petition," dated October 8, 2024.

<sup>16</sup> See Memorandum, "Consultations with the Government of the People's Republic of China," dated October 16, 2024.

<sup>17</sup> See Memorandum, "Consultations with the Government of the Socialist Republic of Vietnam," dated October 25, 2024.

<sup>18</sup> See section 771(10) of the Act.

<sup>19</sup> See *USEC, Inc. v. United States*, 132 F. Supp. 2d 1, 8 (CIT 2001) (citing *Algoma Steel Corp., Ltd. v. United States*, 688 F. Supp. 639, 644 (CIT 1988), *aff'd Algoma Steel Corp., Ltd. v. United States*, 865 F.2d 240 (Fed. Cir. 1989)).

<sup>20</sup> For a discussion of the domestic like product analysis as applied to these cases and information regarding industry support, *see* Checklists, "Countervailing Duty Investigation Initiation Checklists: Thermoformed Molded Fiber Products from the People's Republic of China and the Socialist Republic of Vietnam," dated concurrently with, and hereby adopted by, this notice (Country-Specific CVD Initiation Checklists), at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Thermoformed Molded Fiber Products from the People's Republic of China and the Socialist Republic of Vietnam (Attachment II).

of the information submitted on the record, we have determined that molded fiber products, as defined in the scope, constitute a single domestic like product, and we have analyzed industry support in terms of that domestic like product.<sup>21</sup>

In determining whether the petitioners have standing under section 702(c)(4)(A) of the Act, we considered the industry support data contained in the Petitions with reference to the domestic like product as defined in the “Scope of the Investigations,” in the appendix to this notice. To establish industry support, the petitioners provided the 2023 total production of the domestic like product for the U.S. producers and workers that support the Petitions and compared this to the estimated total U.S. production of the domestic like product for the entire U.S. molded fiber products industry.<sup>22</sup> We relied on data provided by the petitioners for purposes of measuring industry support.<sup>23</sup>

On October 21, 2024, we received timely filed comments on industry support from Eco-Products, PBC, a U.S. importer of molded fiber products.<sup>24</sup> On October 23, 2024, the petitioners responded to the comments from Eco-Products, PBC in a timely filed rebuttal submission.<sup>25</sup>

Our review of the data provided in the Petitions, the First General Issues Supplement, Petitioners’ Rebuttal, the Second General Issues Supplement, and other information readily available to Commerce indicates that the petitioners have established industry support for the Petitions.<sup>26</sup> First, the Petitions established support from domestic producers (or workers) accounting for more than 50 percent of the total production of the domestic like product and, as such, Commerce is not required to take further action in order to evaluate industry support (e.g., polling).<sup>27</sup> Second, the domestic producers (or workers) have met the statutory criteria for industry support under section 702(c)(4)(A)(i) of the Act because the domestic producers (or

workers) who support the Petitions account for at least 25 percent of the total production of the domestic like product.<sup>28</sup> Finally, the domestic producers (or workers) have met the statutory criteria for industry support under section 702(c)(4)(A)(ii) of the Act because the domestic producers (or workers) who support the Petitions account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the Petitions.<sup>29</sup> Accordingly, Commerce determines that the Petitions were filed on behalf of the domestic industry within the meaning of section 702(b)(1) of the Act.<sup>30</sup>

### Injury Test

Because China and Vietnam are “Subsidies Agreement Countries” within the meaning of section 701(b) of the Act, section 701(a)(2) of the Act applies to these investigations. Accordingly, the ITC must determine whether imports of the subject merchandise from China and/or Vietnam materially injure, or threaten material injury to, a U.S. industry.

### Allegations and Evidence of Material Injury and Causation

The petitioners allege that imports of the subject merchandise are benefiting from countervailable subsidies and that such imports are causing, or threaten to cause, material injury to the U.S. industry producing the domestic like product. In addition, the petitioners allege that subject imports from China and Vietnam individually exceed the negligibility threshold provided for under section 771(24)(A) of the Act.<sup>31</sup>

The petitioners contend that the industry’s injured condition is illustrated by the significant and increasing volume and market share of subject imports; underselling and price depression and/or suppression; lost sales and revenues; and adverse impact on the domestic industry’s production, capacity utilization, employment variables, and financial performance.<sup>32</sup> We assessed the allegations and supporting evidence regarding material

injury, threat of material injury, causation, cumulation, as well as negligibility, and we have determined that these allegations are properly supported by adequate evidence and meet the statutory requirements for initiation.<sup>33</sup>

### Initiation of CVD Investigations

Based upon the examination of the Petitions and supplemental responses, we find that they meet the requirements of section 702 of the Act. Therefore, we are initiating CVD investigations to determine whether imports of molded fiber products from China and Vietnam benefit from countervailable subsidies conferred by the GOC and GOV, respectively. In accordance with section 703(b)(1) of the Act and 19 CFR 351.205(b)(1), unless postponed, we will make our preliminary determinations no later than 65 days after the date of these initiations.

### China

Based on our review of the Petitions, we find that there is sufficient information to initiate a CVD investigation on 29 of the 30 programs alleged by the petitioners. For a full discussion of the basis for our decision to initiate on each program, see the China CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

### Vietnam

Based on our review of the Petitions, we find that there is sufficient information to initiate a CVD investigation on all 26 programs alleged by the petitioners. For a full discussion of the basis for our decision to initiate on each program, see the Vietnam CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

### Respondent Selection

In the Petitions, the petitioners identified 63 companies in China and eight companies in Vietnam as producers and/or exporters of molded fiber products.<sup>34</sup> Commerce intends to follow its standard practice in CVD investigations and calculate company-specific subsidy rates in these investigations. In the event that Commerce determines that the number of companies is large and it cannot individually examine each company based on Commerce’s resources, Commerce normally selects mandatory

These checklists are on file electronically via ACCESS.

<sup>21</sup> See Attachment II of the Country-Specific CVD Initiation Checklists.

<sup>22</sup> *Id.*

<sup>23</sup> For further discussion, see Attachment II of the Country-Specific CVD Initiation Checklists.

<sup>24</sup> See Eco-Products’ Letter, “Comments on Domestic Industry Support,” dated October 21, 2024.

<sup>25</sup> See Petitioners’ Letter, “Rebuttal Comments on Domestic Industry Support,” dated October 23, 2024 (Petitioners’ Rebuttal).

<sup>26</sup> For further discussion, see Attachment II of the Country-Specific CVD Initiation Checklists.

<sup>27</sup> *Id.*; see also section 702(c)(4)(D) of the Act.

<sup>28</sup> See Attachment II of the Country-Specific CVD Initiation Checklists.

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> For further information regarding negligibility and the injury allegation, see Country-Specific CVD Initiation Checklists at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping and Countervailing Duty Petitions Covering Thermoformed Molded Fiber Products from the People’s Republic of China and the Socialist Republic of Vietnam (Attachment III).

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

<sup>34</sup> See Petitions at Volume I (page 15 and Exhibit I–15).

respondents in CVD investigations using U.S. Customs and Border Protection (CBP) entry data for U.S. imports under the appropriate Harmonized Tariff Schedule of the United States (HTSUS) subheading(s) listed in the “Scope of the Investigations” in the appendix.

However, for these investigations, the main HTSUS subheadings under which the subject merchandise would enter (4823.70.0020 and 4823.70.0040) are not limited to subject merchandise and therefore may also cover non-subject merchandise. Therefore, we cannot rely on CBP entry data in selecting respondents. Notwithstanding the decision to rely on quantity and value (Q&V) questionnaires for respondent selection, due to the number of Chinese producers and/or exporters identified in the Petitions, Commerce has determined to limit the number of Q&V questionnaires that it will issue to Chinese producers and/or exporters based on CBP data for molded fiber products from China during the POI under the appropriate HTSUS subheadings listed in the “Scope of the Investigations,” in the appendix.<sup>35</sup> Accordingly, for China, Commerce will issue Q&V questionnaires to the largest producers and/or exporters that are identified in the CBP entry data for which there is complete address information on the record. For Vietnam, because there are eight companies identified, Commerce will issue Q&V questionnaires to each producer and/or exporter in Vietnam for which there is complete address information on the record.

Commerce will also post the Q&V questionnaire along with filing instructions on Commerce’s website at <https://www.trade.gov/ec-adcvd-case-announcements>. Producers/exporters of molded fiber products from China and Vietnam that do not receive Q&V questionnaires may still submit a response to the Q&V questionnaire and can obtain a copy of the Q&V questionnaire from Commerce’s website. Responses to the Q&V questionnaire must be submitted by the relevant Chinese and Vietnamese producers/exporters no later than 5:00 p.m. ET on November 12, 2024, which is the next business day after two weeks from the signature date of this notice.<sup>36</sup> All Q&V

questionnaire responses must be filed electronically via ACCESS. An electronically filed document must be received successfully, in its entirety, by ACCESS no later than 5:00 p.m. ET on the deadline noted above.

Interested parties must submit applications for disclosure under administrative protective order (APO) in accordance with 19 CFR 351.305(b). Instructions for filing such applications may be found on Commerce’s website at <https://www.trade.gov/administrative-protective-orders>.

#### Distribution of Copies of the Petitions

In accordance with section 702(b)(4)(A) of the Act and 19 CFR 351.202(f), a copy of the public version of the Petitions has been provided to the Governments via ACCESS. To the extent practicable, we will attempt to provide a copy of the public version of the Petitions to each exporter named in the Petitions, as provided under 19 CFR 351.203(c)(2).

#### ITC Notification

Commerce will notify the ITC of its initiation, as required by section 702(d) of the Act.

#### Preliminary Determinations by the ITC

The ITC will preliminarily determine, within 45 days after the date on which the Petitions were filed, whether there is a reasonable indication that imports of molded fiber products from China and/or Vietnam are materially injuring, or threatening material injury to, a U.S. industry.<sup>37</sup> A negative ITC determination for any country will result in the investigation being terminated with respect to that country.<sup>38</sup> Otherwise, these CVD investigations will proceed according to statutory and regulatory time limits.

#### Submission of Factual Information

Factual information is defined in 19 CFR 351.102(b)(21) as: (i) evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors of production under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by Commerce; and (v) evidence other than factual information described in (i)–(iv). Section 351.301(b) of Commerce’s regulations requires any party, when submitting factual

if the applicable due date falls on a non-business day, the Secretary will accept documents that are filed on the next business day.”)

<sup>37</sup> See section 703(a)(1) of the Act.

<sup>38</sup> *Id.*

information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted<sup>39</sup> and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct.<sup>40</sup> Time limits for the submission of factual information are addressed in 19 CFR 351.301, which provides specific time limits based on the type of factual information being submitted. Interested parties should review the regulations prior to submitting factual information in these investigations.

#### Extensions of Time Limits

Parties may request an extension of time limits before the expiration of a time limit established under 19 CFR 351.301, or as otherwise specified by Commerce. In general, an extension request will be considered untimely if it is filed after the expiration of the time limit established under 19 CFR 351.301, or as otherwise specified by Commerce.<sup>41</sup> For submissions that are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. ET on the due date. Under certain circumstances, Commerce may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, we will inform parties in a letter or memorandum of the deadline (including a specified time) by which extension requests must be filed to be considered timely. An extension request must be made in a separate, standalone submission; under limited circumstances we will grant untimely filed requests for the extension of time limits, where we determine, based on 19 CFR 351.302, that extraordinary circumstances exist. Parties should review Commerce’s regulations concerning the extension of time limits and the *Time Limits Final Rule* prior to submitting factual information in these investigations.<sup>42</sup>

#### Certification Requirements

Any party submitting factual information in an AD or CVD

<sup>39</sup> See 19 CFR 351.301(b).

<sup>40</sup> See 19 CFR 351.301(b)(2).

<sup>41</sup> See 19 CFR 351.302.

<sup>42</sup> See 19 CFR 351.301; see also *Extension of Time Limits; Final Rule*, 78 FR 57790 (September 20, 2013) (*Time Limits Final Rule*), available at <https://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm>.

<sup>35</sup> See Memorandum, “Release of U.S. Customs and Border Protection Entry Data,” dated October 25, 2024.

<sup>36</sup> See 19 CFR 351.303(b)(1). The deadline for Q&V questionnaire responses falls on November 11, 2024, which is a federal holiday. In accordance with 19 CFR 351.303(b)(1), Commerce will accept responses to the Q&V questionnaire filed by 5:00 p.m. ET on November 12, 2024 (“For both electronically filed and manually filed documents,

proceeding must certify to the accuracy and completeness of that information.<sup>43</sup> Parties must use the certification formats provided in 19 CFR 351.303(g).<sup>44</sup> Commerce intends to reject factual submissions if the submitting party does not comply with the applicable certification requirements.

#### Notification to Interested Parties

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305. Parties wishing to participate in these investigations should ensure that they meet the requirements of 19 CFR 351.103(d) (e.g., by filing the required letters of appearance). Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).<sup>45</sup>

This notice is issued and published pursuant to sections 702 and 777(i) of the Act, and 19 CFR 351.203(c).

Dated: October 28, 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

##### Scope of the Investigations

The merchandise subject to these investigations consists of thermoformed molded fiber products regardless of shape, form, function, fiber source, or finish. Thermoformed molded fiber products are formed with cellulose fibers, thermoformed using one or more heated molds, and dried/cured in the mold.

Thermoformed molded fiber products include, but are not limited to, plates, bowls, clamshells, trays, lids, food or foodservice contact packaging, and consumer or other product packaging.

Thermoformed molded fiber products are relatively dense, with a typical fiber density above 0.5 grams per cubic centimeter, and are generally characterized by relatively smooth surfaces. They may be derived from any virgin or recycled cellulose fiber source (including, but not limited to, those sourced from wood, woody crops, agricultural crops/byproducts/residue, and agricultural/industrial/other waste). They may have any weight, shape, dimensionality, design, or size, and may be bleached, unbleached, dyed, colored, or printed. They may include

ingredients, additives, or chemistries to enhance functionality including, but not limited to, anti-microbial, anti-fungal, anti-bacterial, heat/flame resistant, hydrophobic, oleophobic, absorbent, or adsorbent. Thermoformed molded fiber products may also be subject to other processing or treatments, including, but not limited to, hot or after pressing, die-cutting, punching, trimming, padding, perforating, printing, labeling, dyeing, coloring, coating, laminating, embossing, debossing, repacking, or denesting. Thermoformed molded fiber products subject to these investigations may also have additional design features, including, but not limited to, tab closures, venting, channeling, or stiffening.

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Excluded from the scope of these investigations are thermoformed molded fiber products imported as packaging material that enclose and/or surround non-subject merchandise prepackaged for final sale upon importation into the United States (e.g., molded fiber packaging surrounding a cellular phone).

Thermoformed molded fiber products include thermoformed molded fiber products matching the above description that have been finished, packaged, or otherwise processed in a third country by performing finishing, packaging, or processing that would not otherwise remove the merchandise from the scope of the investigations if performed in the country of manufacture of the thermoformed molded fiber products. Examples of finishing, packaging, or other processing in a third country that would not otherwise remove the merchandise from the scope of the investigations if performed in the country of manufacture of the thermoformed molded fiber products include, but are not limited to, hot or after pressing, die-cutting, punching, trimming, padding, perforating, printing, labeling, dyeing, coloring, coating, laminating, embossing, debossing, repacking, or denesting.

Thermoformed molded fiber products are classified under subheadings 7823.70.0020 and 4823.70.0040, Harmonized Tariff Schedule of the United States (HTSUS). Imports may also be classified under subheadings 4823.61.0020, 4823.61.0040, 4823.69.0020, 4823.69.0040, 4823.90.1000, HTSUS. References to the HTSUS classification are provided for convenience and customs purposes, and the written

description of the merchandise under investigation is dispositive.

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

[C–570–181, C–533–933]

#### Hexamethylenetetramine From the People's Republic of China and India: Initiation of Countervailing Duty Investigations

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

**DATES:** Applicable October 21, 2024.

**FOR FURTHER INFORMATION CONTACT:** Eliza Delong at 202–482–3878 (the People's Republic of China (China)), and Nicholas Czajkowski at 202–482–1395 (India), AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

##### The Petitions

On September 30, 2024, the U.S. Department of Commerce (Commerce) received countervailing duty (CVD) petitions concerning imports of hexamethylenetetramine (hexamine) from China and India filed in proper form on behalf of Bakelite LLC (the petitioner).<sup>1</sup> The CVD Petitions were accompanied by antidumping duty (AD) petitions concerning imports of hexamine from China, Germany, India, and Saudi Arabia.<sup>2</sup>

Between October 2 and 11, Commerce requested supplemental information pertaining to certain aspects of the Petitions.<sup>3</sup> Between October 7 and 18, 2024, the petitioner filed timely responses to these requests for additional information.<sup>4</sup>

<sup>1</sup> See Petitioner's Letter, "Petitions for the Imposition of Antidumping and Countervailing Duties," dated September 30, 2024 (Petitions).

<sup>2</sup> *Id.*

<sup>3</sup> See Commerce's Letters, "Supplemental Questions," dated October 2, 2024 (First General Issues Questionnaire), *see also* Country-Specific CVD Supplemental Questionnaires: China Supplemental and India Supplemental, dated October 2, 2024; Commerce's Letter, "Second Supplemental Questions," dated October 11, 2024 (Second General Issues Questionnaire); and Memorandum, "Phone Call," dated October 15, 2024 (October 15, 2024, Memorandum).

<sup>4</sup> See Petitioner's Letters, "Response to Supplemental Questions," dated October 7, 2024 (First General Issues Supplement); *see also* Country-Specific CVD Supplemental Responses:

<sup>43</sup> See section 782(b) of the Act.

<sup>44</sup> See *Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings*, 78 FR 42678 (July 17, 2013) (*Final Rule*); *see also* frequently asked questions regarding the *Final Rule*, available at [https://enforcement.trade.gov/lei/notices/factual\\_info\\_final\\_rule\\_FAQ\\_07172013.pdf](https://enforcement.trade.gov/lei/notices/factual_info_final_rule_FAQ_07172013.pdf).

<sup>45</sup> See *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069 (September 29, 2023).