

directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Final Results of Expedited Sunset Review

Pursuant to sections 751(c)(1), and 752(c)(1) and (3) of the Act, Commerce determines that revocation of the *Order* would likely lead to continuation or recurrence of dumping, and that the magnitude of the dumping margins likely to prevail are up to 119.02 percent.

Administrative Protective Order (APO)

This notice serves as the only reminder to parties subject to APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a). Timely 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 violation which is subject to sanction.

Notification to Interested Parties

We are issuing, and publishing notice of, the results of this sunset review in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act, and 19 CFR 351.218(e)(1)(ii)(C)(2) and 351.221(c)(5)(ii).

Dated: November 4, 2024.

Abdelali Elouaradia,

Deputy 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. History of the *Order*
- V. Legal Framework
- VI. Discussion of the Issues
 1. Likelihood of Continuation or Recurrence of Dumping
 2. Magnitude of the Margins of Dumping Likely to Prevail
- VII. Final Results of Sunset Review
- VIII. Recommendation

[FR Doc. 2024–26024 Filed 11–7–24; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–560–838]

Polyester Textured Yarn From Indonesia: Notice of Court Decision Not in Harmony With the Final Determination of Antidumping Investigation; Notice of Amended Final Determination; Notice of Amended Order

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

SUMMARY: On October 11, 2024, the U.S. Court of International Trade (CIT) issued its final judgment in *PT. Asia Pacific Fibers Tbk. v. United States and Unifi Manufacturing, Inc. and Nan Ya Plastics Corporation*, Court no. 22–00007, sustaining the U.S. Department of Commerce’s (Commerce) remand determination pertaining to the less-than-fair-value (LTFV) investigation on Polyester Textured Yarn from Indonesia covering the period October 1, 2019, through September 30, 2020. Commerce is notifying the public that the CIT’s final judgment is not in harmony with Commerce’s final determination in the investigation, and Commerce is amending the final determination and the resulting AD order with respect to the dumping margins assigned to PT. Asia Pacific Fibers Tbk (Asia Pacific) and all other producers and exporters of subject merchandise.

DATES: Applicable October 21, 2024.

FOR FURTHER INFORMATION CONTACT: Peter Shaw, 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) 482–0697.

SUPPLEMENTARY INFORMATION:

Background

On October 25, 2021, Commerce published its *Final Determination* in the LTFV investigation of Polyester Textured Yarn from Indonesia.¹ Commerce concluded that Asia Pacific failed to cooperate to the best of its ability and thus determined the use of an adverse inference in selecting from among the facts available (AFA) was warranted in determining the rate for Asia Pacific. Commerce subsequently published in the **Federal Register** the

¹ See *Polyester Textured Yarn from Indonesia: Final Affirmative Determination of Sales at Less Than Fair Value*, 86 FR 58875 (October 25, 2021) (*Final Determination*), and accompanying Issues and Decision Memorandum.

AD order on polyester textured yarn from Indonesia.²

Asia Pacific appealed Commerce’s *Final Determination*. On December 12, 2023, the CIT remanded the *Final Determination*.³ Specifically, the CIT remanded to Commerce to prepare a verification report and to provide Asia Pacific a reasonable opportunity to place information on the record addressing any deficiencies found by Commerce in the respondent’s verification questionnaire responses and all parties the opportunity to file case briefs.⁴

In its final remand redetermination, issued August 8, 2024, Commerce reconsidered its *Final Determination*, determining that AFA was no longer warranted for Asia Pacific and recalculated the estimated weighted-average dumping margin for Asia Pacific.⁵ The CIT sustained Commerce’s final redetermination.⁶ Asia Pacific’s dumping margin is now 9.20 percent. Consequently, the dumping margin applicable to all other companies has changed and is now 8.72 percent.

Timken Notice

In its decision in *Timken*,⁷ as clarified by *Diamond Sawblades*,⁸ 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 “conclusive” court decision. The CIT’s October 11, 2024, judgment constitutes a final decision of the CIT that is not in harmony with Commerce’s *Final Determination* and *Order*. Thus, this notice is published in fulfillment of the publication requirements of *Timken*.

² See *Polyester Textured Yarn from Indonesia, Malaysia, Thailand, and the Socialist Republic of Vietnam: Antidumping Duty Orders*, 86 FR 71031 (December 14, 2021) (*Order*).

³ See *PT. Asia Pac. Fibers TBK v. United States*, 673 F. Supp. 3d 1320 (CIT 2023).

⁴ *Id.*, 673 F. Supp. 3d at 1333.

⁵ See *Final Results of Redetermination Pursuant to Court Remand, PT. Asia Pacific Fibers TBK v. United States*, 673 F. Supp. 3d 1320 (CIT 2023), dated August 8, 2024 (*Final Remand*), at 6, available at <https://access.trade.gov/public/FinalRemandRedetermination.aspx>.

⁶ See *PT. Asia Pac. Fibers TBK v. United States*, No. 22–00007, Slip Op. 24–113 (CIT October 11, 2024).

⁷ See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

⁸ See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

Amended Final Determination and Order

Because there is now a final court judgment, Commerce is amending its *Final Determination and Order* to revise the dumping margins assigned to Asia Pacific and all other producers and exporters of subject merchandise, as follows:

Producer or exporter	Weighted-average dumping margin (percent)
PT. Asia Pacific Fibers Tbk ..	9.20
All Others	8.72

Cash Deposit Requirements

Because Asia Pacific does not have a superseding cash deposit rate, *i.e.*, there have been no final results published in a subsequent review of Asia Pacific, and because of the change to the rate assigned to all other producers and exporters of subject merchandise, Commerce will issue revised cash deposit instructions to U.S. Customs and Border Protection (CBP).

Liquidation of Suspended Entries

At this time, Commerce remains enjoined by CIT order from liquidating entries that were produced or exported by Asia Pacific, that were subject of Commerce's *Final Determination*, and subject to the *Order*, and that were entered, or withdrawn from warehouse, for consumption during the periods of June 3, 2021 through November 29, 2021 and December 13, 2021 through November 30, 2022. These entries will remain enjoined pursuant to the terms of the injunction during the pendency of any appeals process.

In the event the CIT's ruling is not appealed, or, if appealed, upheld by a final and conclusive court decision, Commerce intends to instruct CBP to assess antidumping duties on unliquidated entries of subject merchandise produced by or exported by Asia Pacific in accordance with 19 CFR 351.212(b). We will instruct CBP to assess antidumping duties on all appropriate entries covered by this investigation when the importer-specific *ad valorem* assessment rate is not zero or *de minimis*. Where an importer-specific *ad valorem* assessment rate is zero or *de minimis*,⁹ we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

⁹ See 19 CFR 351.106(c)(2).

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(c) and (e) and 777(i)(1) of the Act.

Dated: November 4, 2024.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2024-25963 Filed 11-7-24; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-916]

Laminated Woven Sacks From the People's Republic of China: Final Results of the Expedited Third Sunset Review of the Antidumping Duty Order

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

SUMMARY: As a result of this expedited sunset review, the U.S. Department of Commerce (Commerce) finds that revocation of the antidumping duty (AD) order on laminated woven sacks (LWS) from the People's Republic of China (China) would be likely to lead to continuation or recurrence of dumping at the levels indicated in the "Final Results of Sunset Review" section of this notice.

DATES: Applicable November 8, 2024.

FOR FURTHER INFORMATION CONTACT: Kabir Archuleta, 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) 482-2953.

SUPPLEMENTARY INFORMATION:

Background

On August 7, 2008, Commerce published the AD order on LWS from China.¹ On July 1, 2024, Commerce published the notice of initiation of the five-year sunset review of the *Order*, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).² On July 12, 2024, Commerce received a notice of intent to participate in this review from the Laminated Woven Sacks Fair Trade Coalition and its individual members, Polytex Fibers LLC and ProAmpac Holdings Inc. (collectively, domestic interested parties), within the deadline specified

¹ See *Notice of Antidumping Order: Laminated Woven Sacks from the People's Republic of China*, 73 FR 14772 (August 7, 2008) (*Order*).

² See *Initiation of Five-Year (Sunset) Reviews*, 89 FR 54435 (July 1, 2024).

in 19 CFR 351.218(d)(1)(i).³ The domestic interested parties claimed interested party status under section 771(9)(C) of the Act as manufacturers of domestic like product in the United States, and under sections 771(9)(E) and (F) of the Act as a trade association, a majority of whose members are producers of a domestic like product in the United States. On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.⁴ The deadline for these final results is November 5, 2024.

On July 31, 2024, the domestic interested parties provided a timely substantive response for this review within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).⁵ We received no substantive responses from any other interested parties, nor was a hearing requested. On August 21, 2024, Commerce notified the U.S. International Trade Commission (ITC) that it did not receive an adequate substantive response from respondent interested parties.⁶ As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce conducted an expedited (120-day) sunset review of this *Order*.

Scope of the Order

The merchandise subject to this *Order* is LWS. For a complete description of the scope of the *Order*, see the Issues and Decision Memorandum.⁷

Analysis of Comments Received

All issues raised in this review, including the likelihood of continuation or recurrence of dumping in the event of revocation and the magnitude of the margins likely to prevail if the order were revoked, are addressed in the accompanying Issues and Decision Memorandum. A list of topics discussed in the Issues and Decision Memorandum is included as an appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty

³ See Domestic Interested Parties' Letter, "Notice of Intent to Participate," dated July 12, 2024.

⁴ See Memorandum, "Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings," dated July 22, 2024.

⁵ See Petitioner's Letter, "Domestic Interested Parties Substantive Response," dated July 31, 2024 (Substantive Response).

⁶ See Commerce's Letter, "Sunset Reviews for July 2024," dated August 21, 2024.

⁷ See Memorandum, "Issues and Decision Memorandum for the Expedited Second Sunset Review of the Antidumping Duty Order on Laminated Woven Sacks from the People's Republic of China" (Issues and Decision Memorandum), dated concurrently with these results and hereby adopted by this notice.