

Sanayi ve Ticaret A.S. (Borusan Boru) is the successor-in-interest to Borusan Mannesmann Boru Sanayi ve Ticaret A.S. (BMB).

DATES: Applicable December 4, 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 September 10, 2024, Commerce published the *Preliminary Results* of these CCRs, determining that Borusan Boru is the successor-in-interest to BMB and provided interested parties with an opportunity to comment.¹ On October 10, 2024, Borusan Boru filed comments regarding the effective date of Commerce's successor-in-interest determinations.² For a summary of the events that occurred since the *Preliminary Results*, see the Issues and Decision Memorandum.³

Scope of the Orders⁴

The merchandise covered by these *Orders* is standard pipe, WLP, OCTG, and LDWP from Türkiye. For a complete description of the scope of each of these orders, see the *Preliminary Results*.⁵

Analysis of Comments Received

We addressed the comments received in these CCRs in the Issues and Decision

¹ See *Circular Welded Carbon Steel Standard Pipe and Tube Products from the Republic of Türkiye; Welded Line Pipe from the Republic of Türkiye; Certain Oil Tubular Goods from the Republic of Türkiye; and Large Diameter Welded Pipe from the Republic of Türkiye: Preliminary Results of Countervailing Duty Changed Circumstances Reviews*, 89 FR 73361 (September 10, 2024).

² See Borusan Boru's Letter, "Case Brief," dated October 10, 2024.

³ See Memorandum, "Issues and Decision Memorandum for the Final Results of the Countervailing Duty Changed Circumstances Reviews of Circular Welded Carbon Steel Standard Pipe and Tube Products from the Republic of Türkiye; Welded Line Pipe from the Republic of Türkiye; Certain Oil Tubular Goods from the Republic of Türkiye; and Large Diameter Welded Pipe from the Republic of Türkiye," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

⁴ See *Countervailing Duty Order: Certain Welded Carbon Steel Pipe and Tube Products from Turkey*, 51 FR 7984 (March 7, 1986) (*Standard Pipe CVD Order*); *Welded Line Pipe from the Republic of Turkey: Countervailing Duty Order*, 80 FR 75054 (December 1, 2015) (*Welded Line Pipe CVD Order*); *Certain Oil Country Tubular Goods from India and the Republic of Turkey: Countervailing Duty Orders and Amended Affirmative Final Countervailing Duty Determination for India*, 79 FR 53688 (September 10, 2014) (*OCTG CVD Order*); and *Large Diameter Welded Pipe from the Republic of Turkey: Countervailing Duty Order*, 84 FR 18771 (May 2, 2019) (*LDWP CVD Order*) (collectively, the *Orders*).

⁵ See *Preliminary Results*, 89 FR 73363-73364.

Memorandum. A list of the issues addressed in the Issues and Decision Memorandum is included in the Appendix. 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>.

Changes Since the Preliminary Results

Based on our analysis of the comments received, we revised the effective date of these CCRs. For further discussion, see the Issues and Decision Memorandum.

Final Results of Changed Circumstances Reviews

For the reasons stated in the *Preliminary Results*, we continue to find that Borusan Boru is the successor-in-interest to BMB. As a result, we determine that Borusan Boru is entitled to receive the cash deposit rate previously assigned to Borusan Mannesmann for merchandise subject to the *Standard Pipe CVD Order*, *Welded Line Pipe CVD Order*, and *OCTG CVD Order*. Consequently, will Commerce instruct U.S. Customs and Border Protection (CBP) to collect cash deposits and suspend liquidation of all shipments of merchandise subject to the *Standard Pipe CVD Order*, *Welded Line Pipe CVD Order*, and *OCTG CVD Order* produced and/or exported by Borusan Boru and entered, or withdrawn from warehouse, for consumption on or after November 13, 2023, at the rate assigned to BMB.⁶ Further, Commerce will instruct CBP that Borusan Boru is entitled to its predecessor's exclusion from the *LDWP CVD Order* for entries of subject merchandise produced and exported by Borusan Boru. Lastly, these

⁶ The current rate for BMB under the *Standard Pipe CVD Order* is 0.83 percent. See *Circular Welded Carbon Steel Pipes and Tubes from the Republic of Turkey: Final Results and Rescission, in Part, of Countervailing Duty Administrative Review; Calendar Year 2019*, 86 FR 67681, 67682 (November 29, 2021). The current rate for BMB under the *Welded Line Pipe CVD Order* 0.78 percent. See *Welded Line Pipe from the Republic of Turkey: Final Results of Countervailing Duty Administrative Review; 2015*, 83 FR 34113, 34114 (July 19, 2018). The current rate for BMB under the *OCTG CVD Order* is 0.38 percent (*de minimis*). See *Oil Country Tubular Goods from the Republic of Turkey: Final Results and Partial Rescission of Countervailing Duty Administrative Review; 2018*, 86 FR 24842 (May 10, 2021).

cash deposit requirements shall remain in effect until further notice.

Notification to Interested Parties

We are issuing this determination and publishing these final results and notice in accordance with sections 751(b)(1) and 777(i)(1) and (2) of the Act and 19 CFR 351.216(e), 351.221(b), and 351.221(c)(3).

Dated: November 26, 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. Discussion of the Issue
 - Comment: Whether Commerce Should Make the Effective Date of the CCRs Retroactive to the Date of Publication of the *Orders*
- IV. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-201-820]

Fresh Tomatoes From Mexico: Final Results of the Expedited Sunset Review of Suspended Investigation

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

SUMMARY: As a result of this sunset review, the U.S. Department of Commerce (Commerce) finds that termination of the 2019 Agreement Suspending the Antidumping Duty Investigation on Fresh Tomatoes from Mexico would be likely to lead to continuation or recurrence of dumping at the levels indicated in the "Final Results of Review" section of this notice.

DATES: Applicable December 4, 2024.

FOR FURTHER INFORMATION CONTACT: Sally C. Gannon or Walter Schaub, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0162 or (202) 482-0907, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 1, 2024, Commerce initiated the sunset review of the suspended antidumping duty

investigation on fresh tomatoes from Mexico, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).¹ Commerce received notices of intent to participate in this sunset review from the Florida Tomato Exchange (FTE) on August 15, 2024, and from NS Brands, Ltd. and NatureSweet Invernaderos S. de R.L. de C.V./ NatureSweet Comercializadora, S. de R.L. de C.V. (collectively, NatureSweet) on August 16, 2024, within the applicable deadline specified in section 351.218(d)(1)(i) of Commerce's regulations.

Commerce received an adequate substantive response from FTE within the 30-day deadline specified in Commerce's regulations under section 351.218(d)(3)(i). In its submission, FTE claimed interested party status under section 771(9)(E) of the Act as a trade or business association a majority of whose members manufacture, produce, or wholesale a domestic like product in the United States. NatureSweet also filed a response in which it claimed interested party status under sections 771(9)(C) and 771(9)(A) of the Act, *i.e.*, both as a domestic and foreign producer of subject merchandise, respectively; however, the response did not meet the requirements of 19 CFR 351.218(d)(3)(iii) and 351.218(e)(1)(ii). Thus, Commerce did not receive an adequate substantive response from any respondent interested party. As a result, Commerce conducted an expedited (120-day) sunset review, in accordance with 19 CFR 351.218(e)(1)(ii)(C)(2).

Scope of the Suspension Agreement²

The merchandise subject to the suspension agreement is all fresh or chilled tomatoes (fresh tomatoes) which have Mexico as their origin, except for those tomatoes which are for processing. For purposes of this suspension agreement, processing is defined to include preserving by any commercial process, such as canning, dehydrating, drying, or the addition of chemical substances, or converting the tomato product into juices, sauces, or purees. In Appendix F of this *2019 Agreement*, Commerce has outlined the procedure that Signatories must follow for selling subject merchandise for processing. Fresh tomatoes that are imported for cutting up, not further processing (*e.g.*, tomatoes used in the preparation of fresh salsa or salad bars), are covered by this suspension agreement.

Commercially grown tomatoes, both for the fresh market and for processing, are classified as *Lycopersicon esculentum*. Important commercial varieties of fresh tomatoes include common round, cherry, grape, plum, greenhouse, and pear tomatoes, all of which are covered by this suspension agreement. Tomatoes imported from Mexico covered by this suspension agreement are classified under the following subheading of the Harmonized Tariff Schedules of the United States (HTSUS), according to the season of importation: 0702. Although this HTSUS number is provided for convenience and customs purposes, the written description of the scope of this Agreement is dispositive.

A full description of the scope of the *2019 Agreement* is also contained in the Issues and Decision Memorandum.³

Analysis of Comments Received

All issues raised in this sunset review, including the likelihood of continuation or recurrence of dumping and the magnitude of the margin of dumping likely to prevail if the *2019 Agreement* is terminated, are addressed in the Issues and Decision Memorandum. A list of topics included in the Issues and Decision Memorandum is included in the 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 Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. A list of topics discussed in the Issues and Decision Memorandum is included as an appendix to this notice. A complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Final Results of Review

Pursuant to section 752(c) of the Act, we determine that the termination of the *2019 Agreement* would likely lead to continuation or recurrence of dumping at weighted-average margins up to 30.48 percent.

Administrative Protective Order (APO)

This notice also serves as the only reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary

information disclosed under APO in accordance with 19 CFR 351.305. 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

Commerce is issuing and publishing these final results and notice 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 27, 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 Suspension Agreement
- IV. History of the Proceeding
- V. Legal Framework
- VI. Discussion of the Issues
 1. Likelihood of Continuation or Recurrence of Dumping
 2. Magnitude of the Margin Likely To Prevail
- VII. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–549–851]

Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From Thailand: Preliminary Affirmative Determination of Sales at Less-Than-Fair-Value, Affirmative Determination of Critical Circumstances, Postponement of Final Determination, and Extension of Provisional Measures

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that crystalline silicon photovoltaic cells, whether or not assembled into modules (solar cells), from Thailand are being, or are likely to be, sold in the United States at less-than-fair-value (LTFV). The period of investigation (POI) is April 1, 2023, through March 31, 2024. Interested

¹ See *Initiation of Five-Year (Sunset) Reviews*, 89 FR 62717 (August 1, 2024).

² See *Fresh Tomatoes From Mexico: Suspension of Antidumping Duty Investigation*, 84 FR 49987 (September 24, 2019) (*2019 Agreement*).

³ See Memorandum, “Issues and Decision Memorandum for the Final Results of the Expedited Fifth Sunset Review of the Suspended Investigation of Fresh Tomatoes from Mexico,” dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).