

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-274-810]

**Melamine From Trinidad and Tobago: Final Affirmative Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances, in Part**

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that melamine from Trinidad and Tobago is being, or is likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is January 1, 2023, through December 31, 2023.

**DATES:** Applicable December 9, 2024.

**FOR FURTHER INFORMATION CONTACT:** Brittany Bauer, 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) 482-3860.

**SUPPLEMENTARY INFORMATION:****Background**

On September 24, 2024, Commerce published in the **Federal Register** its preliminary determination in the LTFV investigation of melamine from Trinidad and Tobago and invited interested parties to comment.<sup>1</sup> No interested party submitted comments. Accordingly, the final determination remains unchanged from the *Preliminary Determination* and no decision memoranda accompany this notice. The *Preliminary Determination* is hereby adopted in this final determination. Commerce conducted this LTFV investigation in accordance with section 735 of the Tariff Act of 1930, as amended (the Act).

**Scope of the Investigation**

The product covered by this investigation is melamine from Trinidad and Tobago. For a complete description of the scope of this investigation, see the appendix to this notice.

**Scope Comments**

We received no comments from interested parties on the scope of the investigation as it appeared in the

*Preliminary Determination*. Therefore, we made no changes to the scope of the investigation.

**Verification**

As stated in the *Preliminary Determination*, after being selected as the sole mandatory respondent, Methanol Holdings (Trinidad) Limited (MHTL) discontinued its participation in this investigation. Accordingly, Commerce based the *Preliminary Determination* entirely on the application of facts available with adverse inferences (AFA), and did not conduct verification under section 782(i) of the Act.

**Final Affirmative Determination of Critical Circumstances, in Part**

We continue to find that critical circumstances exist for imports of melamine from Trinidad and Tobago for the mandatory respondent MHTL but do not exist for all other producers and exporters pursuant to sections 735(a)(3)(A) and (B) of the Act and 19 CFR 351.206.<sup>2</sup>

**Use of Adverse Facts Available**

As discussed in the *Preliminary Determination*, we assigned MHTL an estimated weighted-average dumping margin based entirely on AFA, pursuant to sections 776(a) and (b) of Act.<sup>3</sup> There is no new information on the record that would cause us to revisit our decision in the *Preliminary Determination*. Accordingly, for this final determination, we continue to find that the application of AFA pursuant to sections 776(a) and (b) of the Act is warranted with respect to MHTL.

**All-Others Rate**

Section 735(c)(5)(A) of the Act provides that the estimated weighted-average dumping margin for all other producers and exporters not individually investigated shall be equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated excluding rates that are zero, *de minimis*, or determined entirely under section 776 of the Act.

In the *Preliminary Determination*, we assigned a dumping margin of 98.32 percent as the all-others rate based on a simple average of the calculated rates in the petition, pursuant to section 735(c)(5)(B) of the Act.<sup>4</sup> As noted above, we received no comments on our *Preliminary Determination*; thus, we

continue to assign a dumping margin of 98.32 percent as the all-others rate for this final determination.

**Final Determination**

The final estimated weighted-average dumping margins are as follows:

| Exporter/Producer                          | Weighted-average dumping margin (percent) * |
|--|---|
| Methanol Holdings (Trinidad) Limited ..... | ** 146.85                                   |
| All Others .....                           | 98.32                                       |

\* Consistent with the *Preliminary Determination*, because the companion countervailing duty investigation found no export subsidies, we have not offset the weighted-average dumping margins.

\*\* Rate based on facts available with adverse inferences.

**Disclosure**

Normally, Commerce will disclose to the parties in a proceeding the calculations performed in connection with a final determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of the notice of final determination in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because Commerce received no comments on the *Preliminary Determination*, it is adopting the *Preliminary Determination* as the final determination in this investigation. Consequently, there are no new calculations to disclose.

**Suspension of Liquidation**

In accordance with section 735(c)(4) of the Act, Commerce will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of subject merchandise, as described in the appendix to this notice, entered, or withdrawn from warehouse, for consumption, on or after June 26, 2024, which is 90 days prior to the date of publication of the affirmative *Preliminary Determination* in the **Federal Register**.

Pursuant to section 735(c)(1)(B)(ii) of the Act and 19 CFR 351.210(d), where appropriate, Commerce will instruct CBP to require a cash deposit equal to the estimated weighted-average dumping margin or the estimated all-others rate as follows: (1) the cash deposit rate for the respondent listed above will be equal to the company-specific estimated weighted-average dumping margins determined in this final determination; (2) if the exporter is not a respondent identified above, but the producer is, then the cash deposit

<sup>1</sup> See *Melamine from Trinidad and Tobago: Preliminary Affirmative Determination of Sales at Less Than Fair Value and Affirmative Determination of Critical Circumstances, In Part*, 89 FR 77814 (September 24, 2024) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

<sup>2</sup> See *Preliminary Determination* PDM at 9-13.

<sup>3</sup> See *Preliminary Determination*, 89 FR 77815.

<sup>4</sup> *Id.*

rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all-others estimated weighted-average dumping margin. These suspension of liquidation instructions will remain in effect until further notice.

### U.S. International Trade Commission (ITC) Notification

In accordance with section 735(d) of the Act, we will notify the ITC of the final affirmative determination of sales at LTFV. Because Commerce's final determination is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports or sales (or the likelihood of sales) for importation of melamine from Trinidad and Tobago no later than 45 days after this final determination. If the ITC determines that such injury does not exist, this proceeding will be terminated, and all cash deposits will be refunded, and suspension of liquidation will be lifted. If the ITC determines that material injury, or the threat of material injury, exists, Commerce will issue an antidumping duty order directing CBP to assess, upon further instruction by Commerce, antidumping duties on all imports of the subject merchandise, entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed above in the "Suspension of Liquidation" section.

### Administrative Protective Order (APO)

This notice serves as the only reminder to parties subject to an APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

### Notification to Interested Parties

This determination and this notice are issued and published pursuant to sections 735(d) and 777(i)(1) of the Act, and 19 CFR 351.210(c).

Dated: December 2, 2024.

**Abdelali Elouaradia,**

*Deputy Assistant Secretary for Enforcement and Compliance.*

### Appendix

#### Scope of the Investigation

The merchandise subject to this investigation is melamine (Chemical Abstracts Service (CAS) registry number 108-78-01, molecular formula C<sub>3</sub>H<sub>6</sub>N<sub>6</sub>). Melamine is also known as 2,4,6-triamino-triazine; 1,3,5-Triazine-2,4,6-triazine; Cyanurotriamide; Cyanurotriamine; Cyanuramide; and by various brand names. Melamine is a crystalline powder or granule. All melamine is covered by the scope of this investigation irrespective of purity, particle size, or physical form. Melamine that has been blended with other products is included within this scope when such blends include constituent parts that have been intermingled, but that have not been chemically reacted with each other to produce a different product. For such blends, only the melamine component of the mixture is covered by the scope of this investigation. Melamine that is otherwise subject to this investigation is not excluded when commingled with melamine from sources not subject to this investigation. Only the subject component of such commingled products is covered by the scope of this investigation.

The subject merchandise is provided for in subheading 2933.61.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheading and CAS registry number are provided for convenience and customs purposes, the written description of the scope is dispositive.

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**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-274-811]

### Melamine From Trinidad and Tobago: Final Affirmative Determination in the Countervailing Duty Investigation

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of melamine from Trinidad & Tobago. The period of investigation is January 1, 2023, through December 31, 2023.

**DATES:** Applicable December 9, 2024.

**FOR FURTHER INFORMATION CONTACT:** Megan Goins, 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) 482-0884.

## SUPPLEMENTARY INFORMATION:

### Background

On July 22, 2024, Commerce published its *Preliminary Determination* in the **Federal Register** and invited interested parties to comment.<sup>1</sup> Also on July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.<sup>2</sup> The deadline for the final determination is now December 2, 2024.

A summary of the events that occurred since Commerce published the *Preliminary Determination*, as well as a full discussion of the issues raised by parties for this final determination, may be found in the Issues and Decision Memorandum.<sup>3</sup> 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 at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

### Scope of the Investigation

The product covered by this investigation is melamine from Trinidad and Tobago. For a complete description of the scope of this investigation, see Appendix I.

### Scope Comments

We received no comments from interested parties on the scope of the investigation as it appeared in the *Preliminary Determination*. Therefore, we made no changes to the scope of the investigation.

### Analysis of Subsidy Programs and Comments Received

The subsidy programs under investigation, and the issues raised in the case brief that was submitted by a party in this investigation, are discussed in the Issues and Decision

<sup>1</sup> See *Melamine from Trinidad and Tobago: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination With Final Antidumping Duty Determination*, 89 FR 59057 (July 22, 2024) (*Preliminary Determination*), and accompanying Preliminary Determination Memorandum (PDM).

<sup>2</sup> See Memorandum, "Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings," dated July 22, 2024.

<sup>3</sup> See Memorandum, "Issues and Decision Memorandum for the Final Affirmative Determination in the Countervailing Duty Investigation of Melamine from Trinidad and Tobago," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).