

DEPARTMENT OF COMMERCE

International Trade Administration

[A-583-873]

Mattresses From Taiwan: Amended Preliminary Determination of Critical Circumstances for All Other Producers and/or Exporters

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

SUMMARY: The U.S. Department of Commerce (Commerce) is amending its preliminary determination in the less-than-fair-value investigation of mattresses from Taiwan to correct a significant ministerial error with respect to our preliminary determination of critical circumstances for all other producers and/or exporters. The period of investigation is July 1, 2022, through June 30, 2023.

DATES: Applicable March 21, 2024.

FOR FURTHER INFORMATION CONTACT: Ajay 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 February 24, 2024, Commerce issued its *Preliminary Determination*, which subsequently published in the **Federal Register** on March 1, 2024.¹ On February 28, 2024, we received a timely-filed ministerial error allegation from Cozy Comfort LLC (Cozy Comfort), alleging that Commerce made a significant ministerial error in the *Preliminary Determination*.² After reviewing the allegation, we determine that we made a significant ministerial error with respect to our preliminary critical circumstances determination. Therefore, we are amending the *Preliminary Determination* to find that critical circumstances do not exist for all other producers and/or exporters. This amended determination does not affect our preliminary affirmative critical circumstances determination for Fuyue Mattress Industry Co., Ltd.; Star Seeds Co., Ltd.; and Yong Yi Cheng Co., Ltd.

Scope of the Investigation

The products covered by this investigation are mattresses from Taiwan. For a complete description of the scope of the investigation, see the *Preliminary Determination*.³

Analysis of Ministerial Error Allegation

Pursuant to 19 CFR 351.224, and as explained further in the Ministerial Error Memorandum,⁴ we determine that we made an error in our preliminary critical circumstances calculation for all other producers and/or exporters in the *Preliminary Determination*. Specifically, in determining whether there were massive imports over a relatively short period for all other producers and/or exporters, pursuant to section 733(e)(1)(B) of the Tariff Act of 1930, as amended (the Act), using data from the Global Trade Atlas, imports between the base and comparison periods did not meet the 15 percent threshold necessary to determine that such imports were massive.⁵ Correcting this error results in a preliminary determination that imports were not massive for all other producers and/or exporters, resulting in a change to the preliminary affirmative critical circumstances determination for all other producers and/or exporters.⁶ Commerce considers this ministerial error to be significant, warranting an amendment of the *Preliminary Determination*.⁷ As a result, we are amending our preliminary determination to find that imports for other producers and/or exporters were not massive, pursuant to 733(e)(1)(B) of the Act and 19 CFR 351.206(c)(2)(1). Accordingly, we find that critical circumstances do not exist with respect to all other producers and/or exporters.

Suspension of Liquidation

The collection of cash deposits and suspension of liquidation will be revised, in accordance with section 733(e) of the Act. We will instruct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise from all other producers and/or exporters, entered, or withdrawn from warehouse, for consumption on or after March 1, 2024, the date of publication of the *Preliminary Determination*.

We will also instruct CBP to require a cash deposit for all other producers

and/or exporters at the estimated all-others rate listed in the *Preliminary Determination*. These suspension of liquidation instructions will remain in effect until further notice.

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

In accordance with section 733(f) of the Act, we will notify the ITC of our amended preliminary determination.

Notification to Interested Parties

This determination is issued and published pursuant to sections 733(f) and 777(i)(1) of the Act, and 19 CFR 351.224(e).

Dated: March 15, 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.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-549-835, A-570-069, C-570-070]

Rubber Bands From the People's Republic of China and Thailand: Final Results of Sunset Reviews and Revocation of Antidumping Duty and Countervailing Duty Orders

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

SUMMARY: On January 2, 2024, the U.S. Department of Commerce (Commerce) initiated the first sunset reviews of the antidumping duty (AD) and countervailing duty (CVD) orders on rubber bands from the People's Republic of China (China) and the AD order on rubber bands from Thailand. Because no domestic interested party filed a timely notice of intent to participate in these sunset reviews, Commerce is revoking the AD and CVD orders on rubber bands from the China and the AD order on rubber bands from Thailand.

DATES: Applicable February 19, 2024 (China AD/CVD) and April 26, 2024 (Thailand).

FOR FURTHER INFORMATION CONTACT: Brendan Quinn, AD/CVD Operations Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-5848.

SUPPLEMENTARY INFORMATION:

¹ See *Mattresses from Taiwan: Preliminary Affirmative Determination of Sales at Less Than Fair Value and Preliminary Affirmative Determination of Critical Circumstances*, 89 FR 15129 (March 1, 2024) (*Preliminary Determination*).

² See Cozy Comfort's Letter, "Ministerial Error Allegation," dated February 28, 2024.

³ *Id.*, 89 FR at 15131.

⁴ See Memorandum, "Less-Than-Fair-Value Investigation of Mattresses from Taiwan: Allegation of Ministerial Errors in Preliminary Determination," dated concurrently with this notice (Ministerial Error Memorandum).

⁵ See Ministerial Error Memorandum at 2 to 3.

⁶ *Id.*

⁷ *Id.*

Background

On February 19, 2019, Commerce published AD and CVD orders on rubber bands from China.¹ On April 26, 2019, Commerce published an AD order on rubber bands from Thailand.² On January 2, 2024, Commerce initiated the current sunset reviews pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.218(c).³

We did not receive a timely notice to participate in these sunset reviews from any domestic interested party within fifteen days of the publication of the *Initiation Notice* in the **Federal Register**, in accordance with 19 CFR 351.218(d)(1)(i). As a result, consistent with 19 CFR 351.218(d)(1)(iii)(A)(1), Commerce has determined that no domestic interested party intends to participate in these sunset reviews. On January 23, 2024, in accordance with 19 CFR 351.218(d)(1)(iii)(B)(2), Commerce notified the U.S. International Trade Commission (ITC) in writing that we intended to revoke the AD and CVD orders (collectively, *Orders*) on rubber bands from China and the AD order on rubber bands from Thailand.⁴

Scope of the Orders

The scope of the *Orders* covers bands made of vulcanized rubber, with a flat length, as actually measured end-to-end by the band lying flat, no less than 1/2 inch and no greater than 10 inches; with a width, which measures the dimension perpendicular to the length, actually of at least 3/64 inch and no greater than 2 inches; and a wall thickness actually from 0.020 inch to 0.125 inch. Vulcanized rubber has been chemically processed into a more durable material by the addition of sulfur or other equivalent curatives or accelerators. Subject products are included regardless of color or inclusion of printed material on the rubber band's surface, including but not limited to, rubber bands with printing on them, such as a product name, advertising, or slogan, and printed material (e.g., a tag) fastened to the rubber band by an adhesive or another temporary type of connection. The scope includes vulcanized rubber bands which are contained or otherwise

exist in various forms and packages, such as, without limitation, vulcanized rubber bands included within a desk accessory set or other type of set or package, and vulcanized rubber band balls. The scope excludes products that consist of an elastomer loop and durable tag all-in-one, and bands that are being used at the time of import to fasten an imported product.

Excluded from the scope of the *Orders* are vulcanized rubber bands of various sizes with arrow shaped rubber protrusions from the outer diameter that exceeds at the anchor point a wall thickness of 0.125 inches and where the protrusion is used to loop around, secure and lock in place.

Excluded from the scope of the *Orders* are yarn/fabric-covered vulcanized rubber hair bands, regardless of size.

Merchandise covered by the *Orders* is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheading 4016.99.3510. Merchandise covered by the scope may also enter under HTSUS subheading 4016.99.6050. While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the *Orders* is dispositive.

Revocation

Pursuant to section 751(c)(3)(A) of the Act and 19 CFR 351.218(d)(1)(iii)(B)(3), if no domestic interested parties respond to a notice of initiation, Commerce shall, within 90 days after the initiation of the review, revoke the order. Because no domestic interested party filed a notice of intent to participate in these sunset reviews, we are revoking the AD and CVD orders on rubber bands from China and the AD order on rubber bands from Thailand.

Effective Date of Revocation

Pursuant to sections 751(c)(3)(A) and 751(c)(6)(A)(iii) of the Act, and 19 CFR 351.222(i)(2)(i), where Commerce revokes an order, the revocation will be effective on or after the fifth anniversary of the date of publication in the **Federal Register** of the order. Therefore, Commerce intends instruct U.S. Customs and Border Protection to terminate the suspension of liquidation of merchandise entered, or withdrawn from warehouse, on or after: February 19, 2024, for merchandise subject to the *China AD and CVD Orders*, and April 26, 2024, for merchandise subject to the *Thailand AD Order*.

Entries of subject merchandise prior to the effective date of revocation will continue to be subject to suspension of liquidation and antidumping duty and countervailing duty deposit

requirements. Commerce will complete any pending reviews of these orders and will conduct administrative reviews of subject merchandise entered prior to the effective date of revocation in response to appropriately filed requests for review.

Notification to Interested Parties

These five-year (sunset) reviews, the revocation of the *Orders*, and this notice are issued and published in accordance with sections 751(c) and 777(i)(1) of the Act and 19 CFR 351.218(f)(4) and 351.222(i)(1)(i).

Dated: March 14, 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.

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–201–846]

Agreement Suspending the Countervailing Duty Investigation on Sugar From Mexico: Final Results of the 2022 Administrative Review

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that the Government of Mexico (GOM) and the respondent companies selected for individual examination, *Compañía Industrial Azucarera S.A. de C.V.* and its affiliates and *Ingenio Presidente Benito Juárez S.A. de C.V.* (collectively, respondents), were in compliance with the terms of the Agreement Suspending the Countervailing Duty Investigation on Sugar from Mexico, as amended (CVD Agreement), during the period of review (POR) from January 1, 2022, through December 31, 2022. Commerce also determines that the CVD Agreement met the statutory requirements during the POR.

DATES: Applicable March 21, 2024.

FOR FURTHER INFORMATION CONTACT:

Sally C. Gannon or Jill Buckles, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0162 or (202) 482–6230, respectively.

SUPPLEMENTARY INFORMATION:

¹ See *Rubber Bands from the People's Republic of China: Antidumping Duty and Countervailing Duty Orders*, 84 FR 4774 (February 19, 2019) (*China AD and CVD Orders*).

² See *Rubber Bands from Thailand: Antidumping Duty Order*, 84 FR 17779 (April 26, 2019) (*Thailand AD Order*).

³ See *Initiation of Five-Year (Sunset) Reviews*, 89 FR 66 (January 2, 2024) (*Initiation Notice*).

⁴ See Commerce's Letter, "Sunset Reviews Initiated on January 2, 2024," dated January 23, 2024.