

DEPARTMENT OF COMMERCE

International Trade Administration

[A-469-814]

Chlorinated Isocyanurates From Spain: Final Results of Antidumping Duty Administrative Review; 2022–2023

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

SUMMARY: The U.S. Department of Commerce (Commerce) determines that sales of chlorinated isocyanurates (chlorinated isos) from Spain were not sold in the United States at less than normal value during the period of review (POR), June 1, 2022, through May 31, 2023.

DATES: Applicable February 4, 2025.

FOR FURTHER INFORMATION CONTACT: Mark Hoadley, 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) 482-3148.

SUPPLEMENTARY INFORMATION:**Background**

On July 9, 2024, Commerce published in the **Federal Register** the *Preliminary Results of the 2022–2023 administrative review of the antidumping duty order on chlorinated isos from Spain*.¹ On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.² On October 31, 2024, Commerce extended the deadline for the final results of review until January 10, 2025.³ Additionally, on December 9, 2024, Commerce tolled the deadline to issue the final results in this administrative review by 90 days.⁴ Accordingly, the deadline for these final results is now April 10, 2025.

We invited interested parties to comment on the *Preliminary Results*;⁵ however, no interested party submitted comments. Accordingly, the final results remain unchanged from the *Preliminary*

Results, and thus, there are no decision memoranda accompanying this notice. Commerce conducted this administrative review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order⁶

The products covered by the *Order* are chlorinated isos from China.⁷

Final Results of Review

In the *Preliminary Results*, we calculated weighted-average dumping margins for

Ercros S.A. (Ercros) and Electroquímica de Hernani, S.A. (EHER) that are zero, and we did not calculate any margins which are not zero, *de minimis*, or determined entirely on the basis of facts available. Therefore, consistent with section 735(c)(5)(B) of the Act, in the *Preliminary Results* we applied to Industrias Químicas Tamar S.L. (Industrias Químicas Tamar), the company not selected for individual examination in this review, a margin of zero percent. We received no comments with respect to our preliminary finding. Therefore, for these final results, we continue to determine the following weighted-average dumping margins for the period June 1, 2022, through May 31, 2023:

Manufacturer/exporter	Weighted-average dumping margin (percent)
Ercros S.A	0.00
Electroquímica de Hernani, S.A	0.00
Industrias Químicas Tamar S.L ..	0.00

Disclosure

Normally, Commerce will disclose to the parties in a proceeding the calculations performed in connection with the final results 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 results in the **Federal Register**, in accordance with 19 CFR 351.224(b). Because Commerce received no comments and therefore, has not modified its analysis or calculations from the *Preliminary Results*,⁸ there are no new calculations to disclose for these final results of review in accordance with 19 CFR 351.224(b).

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(1), Commerce has determined in these final results of this review, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise during the POR.

Pursuant to 19 CFR 351.212(b)(1), we calculated importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of dumping calculated for examined sales to each importer to the total entered value of those sales. Where an importer-specific assessment rate is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

In accordance with Commerce's "automatic assessment" practice, for entries of subject merchandise that entered the United States during the POR that were produced by each respondent for which it did not know that its merchandise was destined to the United States, Commerce will instruct CBP to liquidate unreviewed entries at the all-others rate (*i.e.*, 24.83 percent),⁹ if there is no rate for the intermediate company(ies) involved in the transaction.¹⁰

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of these final results of review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of chlorinated isos from Spain entered, or withdrawn from warehouse, for consumption on or after the publication date of this notice in the **Federal Register**, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies under review will be equal to the weighted-average dumping margin listed in the "Final Results of Review" section above (except, if the rate is zero or *de minimis*, no cash deposit will be required); (2) for merchandise that was exported by a

¹ See *Chlorinated Isocyanurates from Spain: Preliminary Results of Antidumping Duty Administrative Review; 2022–2023*, 89 FR 56295 (July 9, 2024) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

² See Memorandum, "Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings," dated July 22, 2024 (barcode ACCESS code 4605486-01, dated July 29, 2024).

³ See Memorandum, "Extension of Deadline for Final Results of Antidumping Duty Administrative Review," dated October 31, 2024.

⁴ See Memorandum, "Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings," dated December 9, 2024.

⁵ See *Preliminary Results*, 89 FR at 56296.

⁶ See *Chlorinated Isocyanurates from Spain: Notice of Antidumping Duty Order*, 70 FR 36562 (June 24, 2005) (*Order*).

⁷ For a complete description of the scope of the *Order*, see *Preliminary Results* PDM at 2.

⁸ See *Preliminary Results*.

⁹ See *Order*.

¹⁰ For a full discussion of this practice, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

company that is not under review and the company has a company-specific cash deposit rate from a completed segment of this proceeding, the cash deposit rate will continue to be the company-specific cash deposit rate from a completed segment of the proceeding that is currently applicable to the company; (3) if the exporter of the subject merchandise was not covered by this review or a previously completed segment of this proceeding, but the producer of the subject merchandise was covered, then the cash deposit rate will be equal to the company-specific cash deposit rate from a completed segment of this proceeding that is currently applicable to the producer of the subject merchandise; and, (4) if neither the exporter nor the producer of the subject merchandise was covered by this review or a previously completed segment of this proceeding, then the cash deposit rate will be 24.83 percent *ad valorem*, the all-others rate established in the less than fair value investigation.¹¹ These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during the POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Administrative Protective Order

This notice also serves as a reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. 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 violation subject to sanction.

Notification to Interested Parties

We are issuing and publishing these final results of administrative review in accordance with sections 751(a)(1) and

777(i) of the Act, and 19 CFR 351.221(b)(5).

Dated: January 28, 2025.

Abdelali Elouaradia,

Acting Assistant Secretary for Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-580-809]

Circular Welded Non-Alloy Steel Pipe From the Republic of Korea: Notice of Court Decision Not in Harmony With the Results of Antidumping Administrative Review; Notice of Amended Final Results

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

SUMMARY: On January 15, 2025, the U.S. Court of International Trade (CIT) issued its final judgment in *Wheatland Tube v. United States*, Court no. 22-00160, sustaining the U.S. Department of Commerce (Commerce)'s first remand results pertaining to the administrative review of the antidumping duty (AD) order on circular welded non-alloy steel pipe (CWP) from the Republic of Korea (Korea) covering the period November 1, 2019 through October 31, 2020. Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's final results of the administrative review, and that Commerce is amending the final results with respect to the dumping margin assigned to Husteel Co., Ltd. (Husteel), Hyundai Steel Company (Hyundai), and the companies not selected for individual examination.

DATES: Applicable January 24, 2025.

FOR FURTHER INFORMATION CONTACT: Dusten Hom, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-5075.

SUPPLEMENTARY INFORMATION:

Background

On May 4, 2022, Commerce published its *Final Results* in the 2019-2020 AD administrative review of CWP from Korea. Commerce granted a constructed export price (CEP) offset to both Hyundai and Husteel (collectively, the mandatory respondents). The calculated weighted-average dumping margins for Hyundai and Husteel were 4.07 percent and 1.97 percent, respectively.

Furthermore, the review specific rate assigned to companies not selected for individual examination was 3.21 percent.¹

Wheatland Tube appealed Commerce's *Final Results*. On August 3, 2023, the CIT remanded the *Final Results* to Commerce to: (1) provide the mandatory respondents with notice of deficiency in their respective submissions supporting their claims that home market sales during the period of review were at a more advanced level of trade (LOT) than the CEP level of trade; and (2) provide, to the extent practicable, an opportunity to remedy or explain the deficiencies identified in the *Final Results*.² Commerce subsequently issued a supplemental questionnaire on remand to each of the mandatory respondents identifying deficiencies and requesting information regarding their respective LOT analyses. In its *Final Redetermination*, issued in November 2023, Commerce denied a CEP offset to both of the mandatory respondents and recalculated the weighted-average dumping margins for both Hyundai and Husteel without a CEP offset, and revised the review specific rate assigned to companies not selected for individual examination.³ The CIT sustained Commerce's *Final Redetermination*.⁴

Timken Notice

In its decision in *Timken*,⁵ as clarified by *Diamond Sawblades*,⁶ 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 January 15, 2025, judgment constitutes a final decision of the CIT that is not in harmony with Commerce's *Final Results*. Thus, this notice is published

¹ See *Circular Welded Non-Alloy Steel Pipe from the Republic of Korea: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2019-2020*, 87 FR 26343 (May 4, 2022) (*Final Results*).

² See *Wheatland Tube v. United States*, 650 F. Supp. 3d 1379, 1383 (CIT 2023).

³ See *Final Results of Redetermination Pursuant to Court Remand, Wheatland Tube v. United States*, Court No. 22-00160, Slip Op. 23-112 (CIT June 9, 2023), dated November 1, 2023 (*Final Redetermination*).

⁴ See *Wheatland Tube v. United States*, Court No. 22-00160, Slip Op. 25-5 (CIT January 15, 2025).

⁵ See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

⁶ See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

¹¹ See *Order*.