

any litigation in the United States courts regarding such entries;

- I understand that {NAME OF IMPORTING COMPANY} is required to provide this certification and supporting records, upon request, to U.S. Customs and Border Protection (CBP) and/or the Department of Commerce (Commerce);
- I understand that {NAME OF IMPORTING COMPANY} is required to maintain a copy of the exporter's certification (attesting to the production and/or export of the imported merchandise identified above), and any supporting records provided by the exporter to the importer, for the later of (1) a period of five years from the date of entry or (2) a period of three years after the conclusion of any litigation in United States courts regarding such entries;

- I understand that {NAME OF IMPORTING COMPANY} is required to maintain and, upon request, provide a copy of the exporter's certification and any supporting records provided by the exporter to the importer, to CBP and/or Commerce;
- I understand that the claims made herein, and the substantiating documentation, are subject to verification by CBP and/or Commerce;

- I understand that failure to maintain the required certifications, and/or failure to substantiate the claims made herein, and/or failure to allow CBP and/or Commerce to verify the claims made herein, may result in a de facto determination that all entries to which this certification applies are within the scope of the antidumping/countervailing duty order on corrosion resistant steel products from China. I understand that such finding will result in:

- Suspension of liquidation of all unliquidated entries (and entries for which liquidation has not become final) for which these requirements were not met; and;
- the requirement that the importer post applicable antidumping duty and/or countervailing duty cash deposits (as appropriate) equal to the rates determined by Commerce;

the revocation of {NAME OF IMPORTING COMPANY}'s privilege to certify future imports of corrosion resistant steel products

from Malaysia as not manufactured using hot-rolled steel and/or cold-rolled steel substrate from China.

- I understand that agents of the importer, such as brokers, are not permitted to make this certification;
- This certification was completed at or prior to the time of Entry; and
- I am aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make materially false statements to the U.S. government.

Signature

NAME OF COMPANY OFFICIAL

TITLE

DATE

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Quarterly Update to Annual Listing of Foreign Government Subsidies on Articles of Cheese Subject to an In-Quota Rate of Duty

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

**DATES:** Applicable February 18, 2020.

**FOR FURTHER INFORMATION CONTACT:** Stephanie Moore, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Ave. NW, Washington, DC 20230, telephone: (202) 482-3692.

**SUPPLEMENTARY INFORMATION:** On November 5, 2019, the Department of Commerce (Commerce), pursuant to section 702(h) of the Trade Agreements Act of 1979 (as amended) (the Act), published the quarterly update to the annual listing of foreign government

subsidies on articles of cheese subject to an in-quota rate of duty covering the period April 1, 2019 through June 30, 2019.<sup>1</sup> In the *Second Quarter 2019 Update*, we requested that any party that has information on foreign government subsidy programs that benefit articles of cheese subject to an in-quota rate of duty submit such information to Commerce.<sup>2</sup> We received no comments, information, or requests for consultation from any party.

Pursuant to section 702(h) of the Act, we hereby provide Commerce's update of subsidies on articles of cheese that were imported during the period July 1, 2019 through September 30, 2019. The appendix to this notice lists the country, the subsidy program or programs, and the gross and net amounts of each subsidy for which information is currently available.

Commerce will incorporate additional programs which are found to constitute subsidies, and additional information on the subsidy programs listed, as the information is developed. Commerce encourages any person having information on foreign government subsidy programs which benefit articles of cheese subject to an in-quota rate of duty to submit such information in writing to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, 1401 Constitution Ave. NW, Washington, DC 20230.

This determination and notice are in accordance with section 702(a) of the Act.

Dated: February 7, 2020.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

### Appendix

#### SUBSIDY PROGRAMS ON CHEESE SUBJECT TO AN IN-QUOTA RATE OF DUTY

Country	Program(s)	Gross <sup>3</sup> subsidy (\$/lb)	Net <sup>4</sup> subsidy (\$/lb)
28 European Union Member States <sup>5</sup> .....	European Union Restitution Payments .....	0.00	0.00
Canada .....	Export Assistance on Certain Types of Cheese ....	0.46	0.46
Norway .....	Indirect (Milk) Subsidy .....	0.00	0.00
	Consumer Subsidy .....	0.00	0.00
Total .....		0.00	0.00
Switzerland .....	Deficiency Payments .....	0.00	0.00

<sup>1</sup> See *Quarterly Update to Annual Listing of Foreign Government Subsidies on Articles of Cheese Subject to an In-Quota Rate of Duty*, 84 FR 59615 (November 5, 2019) (*Second Quarter 2019 Update*).

<sup>2</sup> *Id.*

<sup>3</sup> Defined in 19 U.S.C. 1677(5).

<sup>4</sup> Defined in 19 U.S.C. 1677(6).

<sup>5</sup> The 28 member states of the European Union during the July 1 through September 30, 2019 quarter were: Austria, Belgium, Bulgaria, Croatia,

Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and the United Kingdom.

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**DEPARTMENT OF COMMERCE****International Trade Administration****[C-533-888]****Carbon and Alloy Steel Threaded Rod From India: Final Affirmative Countervailing Duty Determination****AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.**SUMMARY:** The Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of carbon and alloy steel threaded rod (steel threaded rod) from India during the period of investigation (POI) January 1, 2018 through December 31, 2018. The final estimated subsidy rates are shown in the "Final Determination" section of this notice.**DATES:** Applicable February 18, 2020.**FOR FURTHER INFORMATION CONTACT:**

Genevieve Coen or Hannah Falvey, 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) 482-3251 or (202) 482-4889, respectively.

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

On July 29, 2019, Commerce published the *Preliminary Determination* of this investigation, in which we found that countervailable subsidies are being provided to producers and exporters of steel threaded rod from India.<sup>1</sup> On October 16, 2019, we issued a Post-Preliminary Analysis Memorandum.<sup>2</sup> We invited interested parties to comment on the *Preliminary Determination* and the Post-Preliminary Analysis Memorandum. We received no comments from interested parties.

**Period of Investigation**

The POI is January 1, 2018 through December 31, 2018.

<sup>1</sup> See *Carbon and Alloy Steel Threaded Rod from India: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination with Final Antidumping Duty Determination*, 84 FR 36570 (July 29, 2019) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

<sup>2</sup> See Memorandum, "Post-Preliminary Analysis Memorandum in the Countervailing Duty Investigation of Carbon and Alloy Steel Threaded Rod from India," dated October 16, 2019 (Post-Preliminary Analysis Memorandum).

**Scope of the Investigation**

The product covered by this investigation is steel threaded rod from India. For a complete description of the scope of this investigation, see the appendix to this notice.

**Scope Comments**

On July 22, 2019, we issued a Preliminary Scope Memorandum.<sup>3</sup> The scope case briefs were due on August 28, 2019.<sup>4</sup> We received no scope case briefs from interested parties. Therefore, Commerce has made no changes to the scope of this investigation since the *Preliminary Determination*.

**Verification**

Commerce conducted verification of the questionnaire responses provided by Mangal Steel Enterprises Limited (Mangal) between October 21 and October 24, 2019.<sup>5</sup> Because the second mandatory respondent in this investigation, Daksh Fasteners (Daksh), did not provide the information requested, Commerce did not conduct verification of Daksh.<sup>6</sup>

**Analysis of Comments Received**

As noted above, we received no comments in response to the *Preliminary Determination* or Post-Preliminary Analysis Memorandum. However, Commerce is revising its decision regarding the application of adverse facts available (AFA) to the Government of India (GOI) regarding the duty drawback (DDB) program.<sup>7</sup> Consistent with other proceedings, which we referenced in the *Preliminary Determination*,<sup>8</sup> for this final determination, we find that the GOI's responses regarding the DDB program did not warrant the application of AFA, but instead, the GOI's responses were insufficient to establish that the GOI has a system in place for this program that is reasonable or effective for the

<sup>3</sup> See Memorandum, "Carbon and Alloy Steel Threaded Rod from India, Taiwan, Thailand, and the People's Republic of China: Scope Comments Decision Memorandum for the Preliminary Determinations," dated July 22, 2019 (Preliminary Scope Memorandum).

<sup>4</sup> The scope case briefs were due 30 days after the publication of the *Preliminary Determination*. See Preliminary Scope Memorandum at 3. The deadline for scope rebuttal briefs was Monday, September 2, 2019.

<sup>5</sup> See Memorandum, "Verification of the Questionnaire Responses of Mangal Steel Enterprises Limited," dated November 8, 2019.

<sup>6</sup> See *Preliminary Determination* PDM at 6-7.

<sup>7</sup> *Id.* at 7-8.

<sup>8</sup> *Id.* at 20 (citing *Certain Frozen Warmwater Shrimp from India: Final Affirmative Countervailing Duty Determination*, 78 FR 50385 (August 19, 2013) (*Shrimp from India Final Determination*), and accompanying Issues and Decision Memorandum (IDM) at "Duty Drawback").

purposes intended.<sup>9</sup> Therefore, we find that this program is countervailable.<sup>10</sup> Because we continue to find this program countervailable, our calculations regarding this program remain unchanged for this final determination.

**Methodology**

We continue to find, as stated in the *Preliminary Determination*, that mandatory respondent Daksh withheld requested information, failed to provide information by the specified deadlines, and significantly impeded the proceeding, pursuant to section 776(a) of the Tariff Act of 1930, as amended (the Act). Further, we continue to find that Daksh failed to cooperate to the best of its ability to comply with our requests for information, and, accordingly, we continue to apply an adverse inference when selecting from among the facts otherwise available to determine the relevant countervailable subsidy rate, in accordance with section 776(b) of the Act. We continue to find, using AFA, that Daksh used all the programs on which Commerce initiated, and continue to apply AFA rates for each program as discussed in the *Preliminary Determination* and the Post-Preliminary Analysis Memorandum.<sup>11</sup>

**All-Others Rate**

We continue to assign the countervailable subsidy rate calculated for Mangal as the all-others rate applicable to all exporters and/or producers not individually examined.<sup>12</sup>

**Final Determination**

Commerce determines that the following estimated countervailable subsidy rates exist:

Exporter/producer	Net subsidy rate (percent)
Daksh Fasteners .....	211.72
Mangal Steel Enterprises Limited .....	6.07
All Others .....	6.07

<sup>9</sup> See *Shrimp from India Final Determination* IDM at 12 ("If such a system does not exist, or if it is not applied effectively, and the government in question does not carry out an examination of actual inputs involved to confirm which inputs are consumed in the production of the exported product, the entire amount of any exemption, deferral, remission or drawback is countervailable.").

<sup>10</sup> *Id.*

<sup>11</sup> *Id.* at 11-15; see also Post-Preliminary Analysis Memorandum at 2-3.

<sup>12</sup> See *Preliminary Determination*, 84 FR at 36571.