

6. Linshu Meibang Furniture Co., Ltd.
7. Shanghai Zifeng Industries Development Co., Ltd.
8. Shenzhen Pengchengzhirong Trade Co., Ltd.
9. Weihai Jarlin Cabinetry Manufacture Co., Ltd.
10. Xiamen Got Cheer Co., Ltd.
11. Yindu Kitchen Equipment Co., Ltd.
12. Zaozhuang New Sharp Import & Export Trading Co., Ltd.
13. ZBOM Cabinets Co., Ltd.
14. Zhongshan KM Cabinetry Co., Ltd.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-107]

#### Wooden Cabinets and Vanities and Components Thereof From the People's Republic of China: Final Results and Partial Rescission of Countervailing Duty Administrative Review; 2021

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that countervailable subsidies were provided to certain producers and exporters of wooden cabinets and vanities and components thereof (wooden cabinets) from the People's Republic of China (China) during the period of review (POR) January 1, 2021, through December 31, 2021. Commerce is also rescinding the review with respect to five companies.

**DATES:** Applicable November 7, 2023.

**FOR FURTHER INFORMATION CONTACT:** Michael Romani or Richard Roberts, 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) 482-0198 or (202) 482-3464, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

Commerce published the *Preliminary Results* of this administrative review in the **Federal Register** on May 5, 2023, and invited interested parties to comment.<sup>1</sup> For a complete description

<sup>1</sup> See *Wooden Cabinets and Vanities and Components Thereof from the People's Republic of China: Preliminary Results of Countervailing Duty Administrative Review, Rescission of Administrative Review in Part, and Intent To Rescind in Part; 2021*, 88 FR 29084 (May 5, 2023) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

of the events that occurred subsequent to the *Preliminary Results*, see the Issues and Decision Memorandum.<sup>2</sup>

#### Scope of the Order<sup>3</sup>

The products covered by the scope of the *Order* are wooden cabinets from China. A full description of the scope of the *Order* is contained in the Issues and Decision Memorandum.

#### Analysis of Comments Received

All issues raised by the interested parties in their case and rebuttal briefs are addressed in the Issues and Decision Memorandum. A list of topics discussed in the Issues and Decision Memorandum is provided 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>. 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 comments from interested parties and the evidence on the record, we revised the calculation of the net countervailable subsidy rates for Fujian Dushi Wooden Industry Co. (Dushi) and Jiangsu Sunwell Cabinetry Co., Ltd. (Sunwell). For a discussion of the issues, see the Issues and Decision Memorandum.

#### Methodology

Commerce conducted this administrative review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found to be countervailable, we find that there is a subsidy, *i.e.*, a government-provided financial contribution that gives rise to a benefit to the recipient, and that the subsidy is specific.<sup>4</sup> For a complete description of the methodology underlying all of Commerce's

<sup>2</sup> See Memorandum, "Issues and Decision Memorandum for the Final Results of the Countervailing Duty Administrative Review of Wooden Cabinets and Vanities and Components Thereof from the People's Republic of China; 2021," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>3</sup> See *Certain Corrosion Inhibitors from the People's Republic of China: Antidumping Duty and Countervailing Duty Orders*, 86 FR 14869 (March 19, 2021) (*Order*).

<sup>4</sup> See sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

conclusions, including our reliance, in part, on facts otherwise available, including adverse facts available, pursuant to sections 776(a) and (b) of the Act, see the Issues and Decision Memorandum.

#### Partial Rescission of Review

Commerce's practice is to rescind an administrative review of a countervailing duty order, pursuant to 19 CFR 351.213(d)(3), when there are no reviewable entries of subject merchandise during the POR for which liquidation is suspended.<sup>5</sup> Normally, upon completion of an administrative review, the suspended entries are liquidated at the countervailing duty assessment rate calculated for the review period.<sup>6</sup> Therefore, for an administrative review of a company to be conducted, there must be a reviewable, suspended entry that Commerce can instruct U.S. Customs and Border Protection (CBP) to liquidate at the calculated countervailing duty assessment rate calculated for the review period.<sup>7</sup>

We find five companies subject to this review: (1) Shouguang Fushi Wood Co., Ltd.; (2) Taizhou Overseas Int'l Ltd.; (3) Yixing Pengjia Technology Co., Ltd.; (4) Zaozhuang New Sharp Import & Export Trading Co., Ltd.; and (5) Zhoushan For-strong Wood Co., Ltd. did not have reviewable entries of subject merchandise for which liquidation is suspended. Because there is no evidence on the record that these five companies had entries, exports, or sales of subject merchandise during the POR, we are rescinding this review with respect to these five companies consistent with 19 CFR 351.213(d)(3).

#### Companies Not Selected for Individual Review

The statute and Commerce's regulations do not address the establishment of a rate to be applied to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(e)(2) of the Act. However, Commerce normally determines the rates for non-selected companies in reviews in a manner that is consistent with section 705(c)(5) of the Act, which provides the basis for calculating the all-others rate in an

<sup>5</sup> See, *e.g.*, *Lightweight Thermal Paper from the People's Republic of China: Notice of Rescission of Countervailing Duty Administrative Review; 2015*, 82 FR 14349 (March 20, 2017); and *Circular Welded Carbon Quality Steel Pipe from the People's Republic of China: Rescission of Countervailing Duty Administrative Review; 2017*, 84 FR 14650 (April 11, 2019).

<sup>6</sup> See 19 CFR 351.212(b)(2).

<sup>7</sup> See 19 CFR 351.213(d)(3).

investigation. Section 705(c)(5)(A)(i) of the Act instructs Commerce, as a general rule, to calculate the all-others rate equal to the weighted average of the countervailable subsidy rates established for exporters and producers individually investigated, excluding any zero or *de minimis* countervailable subsidy rates, and any rates determined entirely on the basis of facts available.

There are eight companies for which a review was requested and not rescinded, and which were not selected as mandatory respondents or found to be cross-owned with a mandatory respondent. In this review, the rates for Dushi and Sunwell were above *de minimis* and not based entirely on facts available. Therefore, we are applying to the non-selected companies the average of the net subsidy rates calculated for Dushi and Sunwell, which we calculated using publicly-ranged sales data submitted by Dushi and Sunwell.<sup>8</sup>

This is the same methodology Commerce applied in the *Preliminary Results* for determining a rate for companies not selected for individual examination. However, due to changes in the subsidy rate calculations for Dushi and Sunwell, we revised the non-selected rate accordingly. Consequently, for the eight non-selected companies for which a review was requested and not rescinded, we are applying an *ad valorem* subsidy rate of 13.63 percent for 2021.

**Final Results of Review**

We determine the following net countervailable subsidy rates exist for the period January 1, 2021, through December 31, 2021:

Company	Subsidy rate—2021 (percent ad valorem)
Fujian Dushi Wooden Industry Co .....	16.13
Jiangsu Sunwell Cabinetry Co., Ltd <sup>9</sup> .....	7.54

<sup>8</sup> With two respondents under examination, Commerce normally calculates: (A) a weighted-average of the estimated subsidy rates calculated for the examined respondents; (B) a simple average of the estimated subsidy rates calculated for the examined respondents; and (C) a weighted average of the estimated subsidy rates calculated for the examined respondents using each company's publicly-ranged U.S. sale quantities for the merchandise under consideration. Commerce then compares (B) and (C) to (A) and selects the rate closest to (A) as the most appropriate rate for all other producers and exporters. See, e.g., *Ball Bearings and Parts Thereof from France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part*, 75 FR 53661, 53663 (September 1, 2010).

Company	Subsidy rate—2021 (percent ad valorem)
<b>Review-Specific Average Rate Applicable to the Following Companies<sup>10</sup></b>	
KM Cabinetry Co, Ltd .....	13.63
Nantong Aershin Cabinet Co., Ltd .....	13.63
Shanghai Zifeng International Trading Co., Ltd <sup>11</sup> .....	13.63
Sheen Lead International Trading (Shanghai) Co., Ltd <sup>12</sup> .....	13.63
Taishan Oversea Trading Company Ltd .....	13.63
Weifang Fuxing Wood Co., Ltd .....	13.63
Xiamen Adler Cabinetry Co., Ltd .....	13.63
Yixing Pengjia Cabinetry Co., Ltd .....	13.63

**Disclosure**

Commerce intends to disclose calculations and analysis performed for the final results of review within five days after the date of publication of this notice in the **Federal Register** in accordance with 19 CFR 351.224(b).

**Assessment Requirements**

In accordance with section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(2), Commerce has determined, and CBP shall assess, countervailing duties on all appropriate entries covered by this review, for the above-listed companies at the applicable *ad valorem* assessment rates listed for the corresponding time periods (*i.e.*, January 1, 2021, to December 31, 2021). Commerce intends to issue assessment instructions to CBP no earlier than 35 days after publication of the final results of this 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**

In accordance with section 751(a)(1) of the Act, Commerce also intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts shown above for the above-

<sup>9</sup> Commerce finds the following companies to be cross-owned with Sunwell: Shanghai Beautystar Cabinetry Co., Ltd.

<sup>10</sup> This rate is based on the rate for the respondent that was selected for individual review, excluding rates that are zero, *de minimis*, or based entirely on facts available. See section 735(c)(5)(A) of the Act.

<sup>11</sup> See Issues and Decision Memorandum at Comment 1.

<sup>12</sup> *Id.*

listed companies with regard to shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of these final results of review. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the all-others rate or the most recent company-specific rate applicable to the company, as appropriate. These cash deposit requirements, effective upon publication of these final results, shall remain in effect until further notice.

**Administrative Protective Order**

This notice also serves as a final reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the disposition 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 sanctionable violation.

**Notification to Interested Parties**

The final results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, 19 CFR 351.213(d)(3), and 19 CFR 351.221(b)(5).

Dated: November 1, 2023.

**Lisa W. Wang,**  
*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 Order
- IV. Partial Rescission of Administrative Review
- V. Non-Selected Rate
- VI. Subsidies Valuation
- VII. Interest Rate Benchmarks, Input, Electricity, and Land Benchmarks
- VIII. Use of Facts Otherwise Available and Application of Adverse Inferences
- IX. Analysis of Programs
- X. Discussion of the Issues
  - Comment 1: Whether Commerce Should Rescind the Review for Sheen Lead International Trading (Shanghai) Co., Ltd. (Sheen Lead) or Shanghai Zifeng International Trading Co., Ltd. (Shanghai Zifeng)
  - Comment 2: Whether Commerce Should Apply Adverse Facts Available (AFA) to the Export Buyer's Credit (EBC) Program

Comment 3: Whether Commerce Should Include Petitioner's Density Benchmark Data to Measure the Adequacy of Remuneration for the Provision of Sawm Wood and Fiberboard

Comment 4: Whether Commerce Should Apply AFA to the Provision of Electricity for Less Than Adequate Remuneration (LTAR)

Comment 5: Whether Commerce Should Continue to Countervail the Provision of Certain Inputs for LTAR Based on AFA

Comment 6: Whether Commerce Should Use a Free-On-Board (FOB) Sales Denominator

Comment 7: Whether Commerce Should Change Benchmarks Used to Measure the Benefit for Certain Policy Loans Received by Fujian Dushi Wooden Industry Company (Dushi)

Comment 8: Whether Commerce Should Calculate All Benefits under the Provision of Electricity for LTAR

Comment 9: Whether Commerce Should Adjust Certain Sales Denominators to Conduct the 0.5% Test for "Other Subsidies" Received by Dushi

Comment 10: Whether Commerce Should Correct Errors in the Calculations Used to Measure the Adequacy of Remuneration from the Provision of Certain Inputs

Comment 11: Whether Commerce Should Adjust the Calculation of Benchmark Interest Applied to Jiangsu Sunwell Cabinetry Co., Ltd.'s (Sunwell) Loans

Comment 12: Whether Commerce Should Adjust the Benefit Calculation for the Provision of Electricity for LTAR Program for Sunwell

#### XI. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-053]

#### Certain Aluminum Foil From People's Republic of China: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2021-2022

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that certain companies under review sold certain aluminum foil (aluminum foil) from the People's Republic of China (China) at less than normal value during the period of review (POR) April 1, 2021, through March 31, 2022.

**DATES:** Applicable November 7, 2023.

**FOR FURTHER INFORMATION CONTACT:** Michael J. Heaney, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration,

U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4475.

#### SUPPLEMENTARY INFORMATION:

##### Background

On May 5, 2023, Commerce published the *Preliminary Results* and invited interested parties to comment.<sup>1</sup> On August 28, 2023, we extended the deadline for these final results until November 1, 2023.<sup>2</sup> For a full summary of the events that occurred since Commerce published the *Preliminary Results*, see the Issues and Decision Memorandum.<sup>3</sup> Commerce conducted this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

##### Scope of the Order<sup>4</sup>

The merchandise covered by the *Order* is certain aluminum foil from China. For a complete description of the scope of the *Order*, see the Issues and Decision Memorandum.

##### Analysis of Comments Received

All issues raised in the case and rebuttal briefs are addressed in the Issues and Decision Memorandum and are listed in the appendix to this notice.<sup>5</sup> 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 found at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

##### Changes From the Preliminary Results

Based on our analysis of the comments received from interested parties, we made certain changes to the

<sup>1</sup> See *Certain Aluminum Foil from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review, Partial Rescission of Antidumping Administrative Review, and Preliminary Determination of No Shipments; 2021-2022*, 88 FR 29092 (May 5, 2023) (*Preliminary Results*) and accompanying Preliminary Decision Memorandum (PDM).

<sup>2</sup> See Memorandum, "Extension of Deadline for Final Results of 2021-2022 Antidumping Duty Administrative Review," dated August 28, 2023.

<sup>3</sup> See Memorandum, "Issues and Decision Memorandum for the Final Results of the 2021-2022 Antidumping Duty Administrative Review of Certain Aluminum Foil from the People's Republic of China;" dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>4</sup> See *Certain Aluminum Foil from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 83 FR 17362 (April 19, 2018) (*Order*).

<sup>5</sup> See appendix.

margin calculations for Jiangsu Dingsheng New Materials Joint-Stock Co., Ltd.; Dingsheng Aluminium Industries (Hong Kong) Trading Co., Limited (Dingsheng Aluminium Industries (Hong Kong) Trading Co., Ltd.); Hangzhou Dingsheng Import & Export Co., Ltd. (Hangzhou Dingsheng Import and Export Co., Ltd.); Hangzhou Five Star Aluminium Co., Ltd.; Hangzhou Teemful Aluminium Co., Ltd.; Inner Mongolia Liansheng New Energy Material Co., Ltd.; and Inner Mongolia Xinxing New Energy Material Co., Ltd. (collectively, Dingsheng).<sup>6</sup> For a discussion of these changes, see the Issues and Decision Memorandum.

##### Final Determination of No Shipments

In the *Preliminary Results*, we preliminarily determined that Shanghai Shenyang Packaging Materials Joint-Stock Co., Ltd. (Shanghai Shenyang) had no shipments of subject merchandise during the POR. We received no information to contradict this determination.<sup>7</sup> Therefore, we continue to find that Shanghai Shenyang had no shipments of subject merchandise during the POR and will issue appropriate liquidation instructions that are consistent with our "automatic assessment" clarification for these final results.<sup>8</sup>

##### Separate Rates

In the *Preliminary Results*, we determined that the Dingsheng single entity<sup>9</sup> was eligible for a separate rate,

<sup>6</sup> In the *Preliminary Results* we inadvertently omitted identifying Jiangsu Dingsheng New Materials Joint-Stock Co., Ltd. as part of the Dingsheng entity, which we have corrected for these final results. See *Preliminary Results*, 88 FR at 29092-93.

<sup>7</sup> *Id.*, 88 FR at 29093.

<sup>8</sup> See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011) (*Assessment Practice Refinement*).

<sup>9</sup> Consistent with a prior segment of this proceeding, we have continued to find that Jiangsu Dingsheng New Materials Joint-Stock Co., Ltd.; Dingsheng Aluminium Industries (Hong Kong) Trading Co., Limited (Dingsheng Aluminium Industries (Hong Kong) Trading Co., Ltd.); Hangzhou Dingsheng Import & Export Co., Ltd. (Hangzhou Dingsheng Import and Export Co., Ltd.); Hangzhou Five Star Aluminium Co., Ltd.; Hangzhou Teemful Aluminium Co., Ltd.; Inner Mongolia Liansheng New Energy Material Co.; and Inner Mongolia Xinxing New Energy Material Co., Ltd. are affiliated entities, pursuant to sections 771(33)(E), (F), and (G) of the Act, and that they should be treated as a single entity pursuant to 19 CFR 351.401(f)(1)-(2). See *Antidumping Duty Investigation of Certain Aluminum Foil from the People's Republic of China: Affirmative Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination and Accompanying Preliminary Decision Memorandum*, 82 FR 50858 (November 2, 2017), and accompanying PDM at 16-18, unchanged in *Certain Aluminum Foil from the People's Republic of*