

China.<sup>1</sup> On November 3, 2020, Commerce published the notice of initiation of the first sunset review of the *Orders*, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup> On November 10, 2020, Commerce received notices of intent to participate from Cornerstone Chemical Company (Cornerstone, or domestic interested party), within the deadline specified in 19 CFR 351.218(d)(1)(i).<sup>3</sup> Cornerstone claimed interested party status under section 771(9)(C) of the Act, as a domestic producer engaged in the production of melamine in the United States.

On November 25, 2020, Commerce received substantive responses from the domestic interested party within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).<sup>4</sup> We received no substantive responses from any other domestic or interested parties and no hearing was requested.

On December 23, 2020, Commerce notified the ITC that it did not receive adequate substantive responses from respondent interested parties.<sup>5</sup> As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce conducted expedited (120-day) sunset reviews of these *Orders*.

As a result of its reviews, Commerce determined that revocation of the AD and CVD orders on melamine from China would likely lead to continuation or recurrence of dumping and subsidization. Therefore, Commerce notified the ITC of the magnitude of the margins likely to prevail should the orders be revoked, pursuant to sections 751(c)(1) and 752(b) and (c) of the Act.<sup>6</sup>

<sup>1</sup> See *Melamine from the People's Republic of China: Antidumping Duty and Countervailing Duty Orders*, 80 FR 80751 (December 28, 2015) (*Orders*).

<sup>2</sup> See *Initiation of Five-Year ("Sunset") Reviews*, 85 FR 69585 (November 3, 2020).

<sup>3</sup> See Cornerstone's Letter, "Five-Year ('Sunset') Review Of Countervailing Duty Order On Melamine from the People's Republic Of China: Domestic Interested Party Notice of Intent to Participate," dated November 10, 2020; see also Cornerstone's Letter, "Five-Year ('Sunset') Review Of Antidumping Duty Order On Melamine from the People's Republic Of China: Domestic Interested Party Notice of Intent to Participate," dated November 10, 2020.

<sup>4</sup> See Cornerstone's Letter, "Five-Year ('Sunset') Review Of Countervailing Duty Order On Melamine from the People's Republic Of China: Domestic Interested Party Substantive Response," dated November 25, 2020; see also Cornerstone's Letter, "Five-Year ('Sunset') Review Of Antidumping Duty Order On Melamine from the People's Republic Of China: Domestic Interested Party Substantive Response," dated November 25, 2020.

<sup>5</sup> See Commerce's Letter, "Sunset Reviews for November 2020," dated December 23, 2020.

<sup>6</sup> See *Melamine from the People's Republic of China: Final Results of the Expedited Five-Year Sunset Review of the Countervailing Duty Order*, 86 FR 11501 (February 25, 2021); see also *Melamine*

On July 6, 2021, the ITC published its determinations, pursuant to sections 751(c) and 752(a) of the Act, that revocation of the *Orders* would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.<sup>7</sup>

### Scope of the Orders

The merchandise subject to the *Orders* 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>).<sup>8</sup> Melamine is a crystalline powder or granule typically (but not exclusively) used to manufacture melamine formaldehyde resins. All melamine is covered by the scope of these *Orders* 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 these *Orders*. Melamine that is otherwise subject to these orders is not excluded when commingled with melamine from sources not subject to these *Orders*. Only the subject component of such commingled products is covered by the scope of these *Orders*.

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.

### Continuation of the Orders

As a result of the determinations by Commerce and the ITC that revocation of the *Orders* would likely lead to continuation or recurrence of dumping, countervailable subsidies, and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act and 19 CFR 351.218(a), Commerce hereby orders the continuation of the AD and CVD orders on melamine from China. U.S. Customs and Border Protection will continue to collect AD and CVD cash deposits at the

from the People's Republic of China: *Final Results of the Expedited Five-Year Sunset Review of the Antidumping Duty Order*, 86 FR 13528 (March 9, 2021).

<sup>7</sup> See *Melamine from China*, 86 FR 35531 (July 6, 2021).

<sup>8</sup> Melamine is also known as 2,4,6-triamino-s-triazine; 1,3,5-Triazine-2,4,6-triamine; Cyanurotriame; Cyanurotriamine; Cyanuramide; and by various brand names.

rates in effect at the time of entry for all imports of subject merchandise.

The effective date of continuation of these *Orders* will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, Commerce intends to initiate the next five-year reviews of the *Orders* not later than 30 days prior to the fifth anniversary of the effective date of continuation.

### Notification to Interested Parties

These five-year (sunset) reviews and this notice are in accordance with sections 751(c) and 751(d)(2) of the Act and published in accordance with section 777(i) of the Act, and 19 CFR 351.218(f)(4).

Dated: July 6, 2021.

**James Maeder,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–898]

### Chlorinated Isocyanurates From the People's Republic of China: Final Determination of No Shipments; 2019–2020 Administrative Review

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

**SUMMARY:** The Department of Commerce (Commerce) finds that Heze Huayi Chemical Co., Ltd. (Heze Huayi) and Juancheng Kangtai Chemical Co., Ltd. (Kangtai) did not have any shipments of subject merchandise during the period of review (POR) June 1, 2019, through May 31, 2020.

**DATES:** Applicable July 9, 2021.

**FOR FURTHER INFORMATION CONTACT:** Sean Carey, 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) 482–3964.

### SUPPLEMENTARY INFORMATION:

#### Background

On March 8, 2021, Commerce published its *Preliminary Results* of the administrative review of the antidumping duty order on chlorinated isocyanurates (chlorinated isos) from China covering the period June 1, 2019,

through May 31, 2020.<sup>1</sup> The petitioners in this investigation are Bio-lab, Inc., Clearon Corp., and Occidental Chemical Corp. (collectively, the petitioners). The mandatory respondents in this administrative review are Heze Huayi and Kangtai. No case or rebuttal briefs for this review were submitted by the parties.

On September 8, 2020, Heze Huayi and Kangtai both certified that their respective companies had no entries of subject merchandise during the POR.<sup>2</sup> On November 17, 2020, our review of U.S. Customs and Border Protection (CBP) data indicated that Heze Huayi and Kangtai had no entries of subject merchandise originating from China, that were subject to antidumping duties during the POR.<sup>3</sup> On May 19, 2021, Commerce issued a no shipment inquiry to CBP with respect to Heze Huayi and Kangtai.<sup>4</sup> On May 24, 2021, CBP responded that it has no record of any subject entries for this inquiry.<sup>5</sup>

### Scope of the Order

The products covered by the order are chlorinated isos, which are derivatives of cyanuric acid, described as chlorinated s-triazine triones. For a full description of the scope of the order, see Preliminary Decision Memorandum.<sup>6</sup>

### Methodology

Commerce is conducting this administrative review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213.

### Final Determination of No Shipments

In the *Preliminary Results*, we found that Heze Huayi and Kangtai had no entries of subject merchandise during the POR.<sup>7</sup> No parties commented on, nor did we receive information that contradicts this preliminary

determination. Therefore, for the final results, we continue to find that Heze Huayi and Kangtai had no reviewable entries during the POR. Consistent with our assessment practice in non-market economy administrative reviews, Commerce did not rescind this review for Heze Huayi and Kangtai but completed the review and will issue appropriate instructions to CBP based on these final results.<sup>8</sup>

### China-Wide Entity

Pursuant to Commerce's policy, the China-wide entity will not be under review unless a party specifically requests, or Commerce self-initiates, a review of the entity.<sup>9</sup> Because no party requested a review of the China-wide entity, we did not review the entity in this segment of the proceeding. Thus, the China-wide entity's rate (*i.e.*, 285.63 percent) did not change.

### Assessment Rates

Pursuant to Commerce's assessment practice, if Commerce determines that an exporter had no shipments of the subject merchandise, we intend to issue liquidation instructions for any suspended entries that entered under that exporter's case number (*i.e.*, at that exporter's rate) and to liquidate at the China-wide entity rate.<sup>10</sup>

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b), Commerce has determined, and CBP shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. Consistent with its recent notice,<sup>11</sup> Commerce intends to issue appropriate assessment instructions directly to CBP no earlier than 35 days after the date of 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

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for shipments of the subject merchandise from China entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For Heze Huayi and Kangtai, the cash deposit rate will continue to be the existing producer/exporter-specific rate published for the most recent period; (2) for previously investigated or reviewed Chinese and non-Chinese exporters not listed above that have separate rates, the cash deposit rate will continue to be the existing producer/exporter-specific rate published for the most recent period; (3) for all Chinese exporters of subject merchandise that have not been found to be eligible for a separate rate, the cash deposit rate will be the China-wide rate of 285.63 percent; and (4) for all non-Chinese exporters of subject merchandise that have not received their own rate, the cash deposit rate will be the rate applicable to the Chinese exporter(s) that supplied that non-Chinese exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importers Regarding the Reimbursement of Duties

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

### Notification Regarding Administrative Protective Orders

This notice also serves as the only reminder to parties subject to 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

<sup>1</sup> See *Chlorinated Isocyanurates from the People's Republic of China: Preliminary Determination of No Shipments; 2019–2020*, 86 FR 13291 (March 8, 2021) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

<sup>2</sup> See Heze Huayi's Letter, "Chlorinated Isocyanurates from the People's Republic of China: No Sales Certification," dated September 8, 2020; see also Kangtai's Letter, "Chlorinated Isocyanurates from the People's Republic of China: No Sales Certification," dated September 8, 2020.

<sup>3</sup> See Memorandum, "U.S. Customs and Border Protection (CBP) Data for Heze Huayi Chemical Co., Ltd. and Juancheng Kangtai Chemical Co., Ltd.," dated November 17, 2020.

<sup>4</sup> CBP message 1139404, dated May 19, 2021.

<sup>5</sup> See Memorandum, "Chlorinated Isocyanurates from the People's Republic of China: No Shipment Inquiry for Heze Huayi Chemical Co., Ltd. and Juancheng Kangtai Chemical Co., Ltd. during the period 06/01/2019 through 05/31/2020," dated May 25, 2021.

<sup>6</sup> See *Preliminary Results* PDM at 2.

<sup>7</sup> See *Preliminary Results*, 86 FR 13291–13292.

<sup>8</sup> See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694, 65694–95 (October 24, 2011); see also the "Assessment Rates" section, below.

<sup>9</sup> See *Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings*, 78 FR 65963 (November 4, 2013).

<sup>10</sup> See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011). For an explanation on the derivation of the China-wide rate, see *Notice of Final Determination of Sales at Less Than Fair Value: Chlorinated Isocyanurates from the People's Republic of China*, 70 FR 24502, 24505 (May 10, 2005).

<sup>11</sup> See *Notice of Discontinuation of Policy to Issue Liquidation Instructions After 15 Days in Applicable Antidumping and Countervailing Duty Administrative Proceedings*, 86 FR 3995 (January 15, 2021).

judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is 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)(1) of the Act, and 19 CFR 351.213(h).

Dated: July 2, 2021.

**Christian Marsh,**

*Acting Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-896]

#### Magnesium Metal From the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2019-2020

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

**SUMMARY:** The Department of Commerce (Commerce) continues to find that Tianjin Magnesium International, Co., Ltd. (TMI) and Tianjin Magnesium Metal, Co., Ltd. (TMM) had no shipments of subject merchandise covered by the antidumping duty order on magnesium metal from the People's Republic of China (China) for the period of review (POR) April 1, 2019, through May 31, 2020.

**DATES:** Applicable July 9, 2021.

**FOR FURTHER INFORMATION CONTACT:** Kyle Clahane, 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) 482-5449.

#### SUPPLEMENTARY INFORMATION:

#### Background

On March 4, 2021, Commerce published the *Preliminary Results* of this administrative review in the **Federal Register**.<sup>1</sup> No interested party submitted comments concerning the *Preliminary Results* or requested a hearing in this administrative review. Commerce conducted this administrative review in accordance with section 751 of the Tariff Act of

1930, as amended (the Act). The current deadline for these final results is July 2, 2021.

#### Scope of the Order<sup>2</sup>

The product covered by the *Order* is magnesium metal from China, which includes primary and secondary alloy magnesium metal, regardless of chemistry, raw material source, form, shape, or size. Magnesium is a metal or alloy containing by weight primarily the element magnesium. Primary magnesium is produced by decomposing raw materials into magnesium metal. Secondary magnesium is produced by recycling magnesium-based scrap into magnesium metal. The magnesium covered by the *Order* includes blends of primary and secondary magnesium. The subject merchandise includes the following alloy magnesium metal products made from primary and/or secondary magnesium including, without limitation, magnesium cast into ingots, slabs, rounds, billets, and other shapes; magnesium ground, chipped, crushed, or machined into rasping, granules, turnings, chips, powder, briquettes, and other shapes; and products that contain 50 percent or greater, but less than 99.8 percent, magnesium, by weight, and that have been entered into the United States as conforming to an "ASTM Specification for Magnesium Alloy"<sup>3</sup> and are thus outside the scope of the existing antidumping orders on magnesium from China (generally referred to as "alloy" magnesium).

The scope of the *Order* excludes: (1) All forms of pure magnesium, including chemical combinations of magnesium and other material(s) in which the pure magnesium content is 50 percent or greater, but less than 99.8 percent, by weight, that do not conform to an "ASTM Specification for Magnesium Alloy;"<sup>4</sup> (2) magnesium that is in liquid or molten form; and (3) mixtures containing 90 percent or less magnesium in granular or powder form by weight and one or more of certain

non-magnesium granular materials to make magnesium-based reagent mixtures, including lime, calcium metal, calcium silicon, calcium carbide, calcium carbonate, carbon, slag coagulants, fluorspar, nepheline syenite, feldspar, alumina (Al<sub>2</sub>O<sub>3</sub>), calcium aluminate, soda ash, hydrocarbons, graphite, coke, silicon, rare earth metals/mischmetal, cryolite, silica/fly ash, magnesium oxide, periclase, ferroalloys, dolomite lime, and colemanite.<sup>5</sup> The merchandise subject to this *Order* is classifiable under items 8104.19.00, and 8104.30.00 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

#### Final Determination of No Shipments

In the *Preliminary Results*, Commerce determined TMI and TMM had no shipments of subject merchandise to the United States during the POR.<sup>6</sup> As noted in the *Preliminary Results*, we received no-shipment statements from TMI and TMM, and the statements were consistent with the information we received from U.S. Customs and Border Protection (CBP).<sup>7</sup> Because Commerce did not receive any comments on its preliminary finding, Commerce continues to find that TMI and TMM did not have any shipments of subject merchandise during the POR.

#### Assessment Rates

We have not calculated any assessment rates in this administrative review. Based on record evidence, we have determined that TMI and TMM

<sup>5</sup> This third exclusion for magnesium-based reagent mixtures is based on the exclusion for reagent mixtures in the 2000-2001 investigations of magnesium from China, Israel, and Russia. See *Final Determination of Sales at Less Than Fair Value: Pure Magnesium in Granular Form from the People's Republic of China*, 66 FR 49345 (September 27, 2001); see also *Final Determination of Sales at Less Than Fair Value: Pure Magnesium from Israel*, 66 FR 49349 (September 27, 2001); and *Final Determination of Sales at Not Less Than Fair Value: Pure Magnesium from the Russian Federation*, 66 FR 49347 (September 27, 2001).

These mixtures are not magnesium alloys, because they are not combined in liquid form and cast into the same ingot.

<sup>6</sup> See *Preliminary Results*, 86 FR at 12622.

<sup>7</sup> See Memorandum, "Correction of February 2, 2021 Memorandum Placing CBP Data on the Record," dated February 3, 2021; see also Memorandum, "Magnesium Metal from China; No Shipment Inquiry for Tianjin Magnesium International Co., Ltd and Tianjin Magnesium Metal Co., Ltd. during the period 04/01/2019 through 03/31/2020," dated February 24, 2021. On February 5, 2021, Commerce issued a no shipment inquiry to CBP with respect to TMI and TMM. On February 18, 2021, CBP responded that it had no evidence of shipments of magnesium metal from China exported by TMI and TMM during the POR.

<sup>1</sup> See *Magnesium Metal from the People's Republic of China: Preliminary Results of Antidumping Administrative Review; 2019-20*, 86 FR 12621 (March 4, 2021) (*Preliminary Results*).

<sup>2</sup> See *Notice of Antidumping Duty Order: Magnesium Metal from the People's Republic of China*, 70 FR 19928 (April 15, 2005) (*Order*).

<sup>3</sup> The meaning of this term is the same as that used by the American Society for Testing and Materials in its Annual Book for ASTM Standards: Volume 01.02 Aluminum and Magnesium Alloys.

<sup>4</sup> The material is already covered by existing antidumping orders. See *Notice of Antidumping Duty Orders: Pure Magnesium from the People's Republic of China, the Russian Federation and Ukraine; Notice of Amended Final Determination of Sales at Less Than Fair Value: Antidumping Duty Investigation of Pure Magnesium from the Russian Federation*, 60 FR 25691 (May 12, 1995); and *Antidumping Duty Order: Pure Magnesium in Granular Form from the People's Republic of China*, 66 FR 57936 (November 19, 2001).