

set forth herein are intended for inclusion within the definition of subject merchandise.

All multilayered wood flooring is included within the definition of subject merchandise, without regard to: Dimension (overall thickness, thickness of face ply, thickness of back ply, thickness of core, and thickness of inner plies; width; and length); wood species used for the face, back, and inner veneers; core composition; and face grade. Multilayered wood flooring included within the definition of subject merchandise may be unfinished (*i.e.*, without a finally finished surface to protect the face veneer from wear and tear) or “prefinished” (*i.e.*, a coating applied to the face veneer, including, but not exclusively, oil or oil-modified or water-based polyurethanes, ultraviolet light cured polyurethanes, wax, epoxy-ester finishes, moisture-cured urethanes and acid-curing formaldehyde finishes). The veneers may be also soaked in an acrylic-impregnated finish. All multilayered wood flooring is included within the definition of subject merchandise regardless of whether the face (or back) of the product is smooth, wire brushed, distressed by any method or multiple methods, or hand-scraped. In addition, all multilayered wood flooring is included within the definition of subject merchandise regardless of whether or not it is manufactured with any interlocking or connecting mechanism (for example, tongue-and-groove construction or locking joints). All multilayered wood flooring is included within the definition of the subject merchandise regardless of whether the product meets a particular industry or similar standard.

The core of multilayered wood flooring may be composed of a range of materials, including but not limited to hardwood or softwood veneer, particleboard, medium-density fiberboard, high-density fiberboard (HDF), stone and/or plastic composite, or strips of lumber placed edge-to-edge.

Multilayered wood flooring products generally, but not exclusively, may be in the form of a strip, plank, or other geometrical patterns (*e.g.*, circular, hexagonal). All multilayered wood flooring products are included within this definition regardless of the actual or nominal dimensions or form of the product. Specifically excluded from the scope are cork flooring and bamboo flooring, regardless of whether any of the sub-surface layers of either flooring are made from wood. Also excluded is laminate flooring. Laminate flooring consists of a top wear layer sheet not made of wood, a decorative paper layer,

a core-layer of HDF, and a stabilizing bottom layer.

Imports of the subject merchandise are provided for under the following subheadings of the Harmonized Tariff Schedule of the United States (HTSUS):

4412.31.0520; 4412.31.0540;  
4412.31.0560; 4412.31.2510;  
4412.31.2520; 4412.31.4040;  
4412.31.4050; 4412.31.4060;  
4412.31.4070; 4412.31.4075;  
4412.31.4080; 4412.31.5125;  
4412.31.5135; 4412.31.5155;  
4412.31.5165; 4412.31.6000;  
4412.31.9100; 4412.32.0520;  
4412.32.0540; 4412.32.0560;  
4412.32.0565; 4412.32.0570;  
4412.32.2510; 4412.32.2520;  
4412.32.2525; 4412.32.2530;  
4412.32.3125; 4412.32.3135;  
4412.32.3155; 4412.32.3165;  
4412.32.3175; 4412.32.3185;  
4412.32.5600; 4412.39.1000;  
4412.39.3000; 4412.39.4011;  
4412.39.4012; 4412.39.4019;  
4412.39.4031; 4412.39.4032;  
4412.39.4039; 4412.39.4051;  
4412.39.4052; 4412.39.4059;  
4412.39.4061; 4412.39.4062;  
4412.39.4069; 4412.39.5010;  
4412.39.5030; 4412.39.5050;  
4412.94.1030; 4412.94.1050;  
4412.94.3105; 4412.94.3111;  
4412.94.3121; 4412.94.3131;  
4412.94.3141; 4412.94.3160;  
4412.94.3171; 4412.94.4100;  
4412.94.5100; 4412.94.6000;  
4412.94.7000; 4412.94.8000;  
4412.94.9000; 4412.94.9500;  
4412.99.0600; 4412.99.1020;  
4412.99.1030; 4412.99.1040;  
4412.99.3110; 4412.99.3120;  
4412.99.3130; 4412.99.3140;  
4412.99.3150; 4412.99.3160;  
4412.99.3170; 4412.99.4100;  
4412.99.5100; 4412.99.5105;  
4412.99.5115; 4412.99.5710;  
4412.99.6000; 4412.99.7000;  
4412.99.8000; 4412.99.9000;  
4412.99.9500; 4418.71.2000;  
4418.71.9000; 4418.72.2000;  
4418.72.9500; and 9801.00.2500.

While HTSUS subheadings are provided for convenience and customs purposes, the written description of the subject merchandise 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 a continuation or recurrence of dumping and 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 these *Orders* on multilayered wood flooring from China.

U.S. Customs and Border Protection will continue to collect AD and CVD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise.

The effective date of the 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 review of these *Orders* not later than 30 days prior to the fifth anniversary of the effective date of continuation.

These five-year sunset reviews and this notice are in accordance with section 751(c) of the Act and published pursuant to section 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: December 21, 2017.

**Gary Taverman,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2017–28202 Filed 1–2–18; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–441–801]

#### **Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel From Switzerland: Amended Preliminary Determination of Sales at Less Than Fair Value**

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

**SUMMARY:** The Department of Commerce (Commerce) is amending the preliminary determination of sales at less than fair value (LTFV) in the antidumping duty investigation of certain cold-drawn mechanical tubing of carbon and alloy steel (cold-drawn mechanical tubing) from Switzerland to correct significant ministerial errors alleged by each of the mandatory respondents in this proceeding.

**DATES:** Applicable January 3, 2018.

**FOR FURTHER INFORMATION CONTACT:** Laurel LaCivita, AD/CVD Operations, Office III, and Amanda Brings, 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) 482–4243 or (202) 482–3927, respectively.

**SUPPLEMENTARY INFORMATION:**

## Background

On November 22, 2017, Commerce published in the **Federal Register** the *Preliminary Determination* that cold-drawn mechanical tubing from Switzerland is being, or is likely to be, sold in the United States at LTFV, as provided in section 733 of the Tariff Act of 1930, as amended (Act).<sup>1</sup> On November 22, 2017, and December 7, 2017, Benteler Rothrist AG (Benteler Rothrist) and Mubea Präzisionsstahlrohr AG and Mubea Inc. (collectively, Mubea), respectively, alleged that Commerce made significant ministerial errors in the *Preliminary Determination*.<sup>2</sup>

## Period of Investigation

The period of investigation (POI) is April 1, 2016, through March 31, 2017.

## Scope of Investigation

The product covered by this investigation is cold-drawn mechanical tubing from Switzerland. Since the publication of the *Preliminary Determination*, Commerce has evaluated relevant comments on the scope of the investigation and issued its Final Scope Determination.<sup>3</sup> For a complete description of the final scope of this investigation, see Appendix.

## Analysis of Significant Ministerial Error Allegations

Commerce will analyze any comments received and, if appropriate, correct any significant ministerial error by amending the preliminary determination according to 19 CFR 351.351.224(e). A ministerial error is defined in 19 CFR 351.224(f) as “an error in addition, subtraction, or other arithmetic function, clerical error resulting from inaccurate copying, duplication, or the like, and any other

similar type of unintentional error which the Secretary considers ministerial.”<sup>4</sup> A significant ministerial error is defined as a ministerial error, the correction of which, singly or in combination with other errors, would result in: (1) A change of at least five absolute percentage points in, but not less than 25 percent of, the weighted-average dumping margin calculated in the original (erroneous) preliminary determination; or (2) a difference between a weighted-average dumping margin of zero or *de minimis* and a weighted-average dumping margin of greater than *de minimis* or vice versa.<sup>5</sup> As a result of this amended preliminary determination, we have revised the margins applicable to Benteler Rothrist, Mubea and all others.<sup>6</sup>

Commerce reviewed the record with respect to the respondents’ claims.<sup>7</sup> Though we determine that Benteler Rothrist’s allegation regarding the inclusion of sample sales in the U.S. and third country databases represents a methodological disagreement rather than a clerical error, we agree that all other alleged errors constitute unintentional errors consistent with the definition of ministerial errors in 19 CFR 351.224(f).<sup>8</sup> Pursuant to 19 CFR 351.224(g)(2), these errors are significant because their correction results in a change of at least five absolute percentage points in, but not less than 25 percent of, the weighted-average dumping margin calculated in the original preliminary determination (*i.e.*, a decrease in the weighted-average dumping margin from 34.15 percent to 23.33 percent for Benteler Rothrist, and from 68.59 percent to 36.48 percent for Mubea, and a decrease in the all-others rate from 36.17 to 24.10 percent).<sup>9</sup>

<sup>4</sup> See section 735(e) of the Act.

<sup>5</sup> See 19 CFR 351.224(g).

<sup>6</sup> See the “Amended Preliminary Determination” section below.

<sup>7</sup> See the Commerce’s memorandum, “Antidumping Duty Investigation of Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from Switzerland: Ministerial Error Allegations in the Preliminary Determination,” dated concurrently with this notice.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.* See also memorandum to the file, “Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from Switzerland: Calculation of the All-Others Rate in the Amended Preliminary Determination,” dated concurrently with this notice; memorandum to the file, “Analysis Memorandum for the Amended Preliminary Determination of the Antidumping Duty Investigation of Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel (Cold-Drawn Mechanical Tubing) from Switzerland: Benteler Rothrist AG,” dated concurrently with this memorandum; and memorandum to the file, “Analysis Memorandum for the Amended Preliminary Determination of the Antidumping Duty Investigation of Certain Cold-Drawn

Therefore, we are correcting these errors and amending our preliminary determination accordingly.

## Amended Preliminary Determination

As a result of this amended preliminary determination, we have revised the preliminary estimated weighted-average dumping margins as follows:

Exporter/producer	Estimated weighted-average dumping margins (percent)
Benteler Rothrist AG (Benteler Rothrist) .....	23.33
Mubea Präzisionsstahlrohr AG (MPST) .....	36.48
All Others .....	24.10

## Amended Cash Deposits and Suspension of Liquidation

The collection of cash deposits and suspension of liquidation will be revised to the rates established in this amended preliminary determination, in accordance with section 733(d) and (f) of the Act and 19 CFR 351.224. Because the corrected margins are lower than the rates issued in the *Preliminary Determination*, the amended cash deposit rates will be effective retroactively to November 22, 2017, the date of publication of the *Preliminary Determination*.

## Disclosure

We intend to disclose the calculations performed to parties in this proceeding within five days after publication of the notice of amended preliminary determination in the **Federal Register** in accordance with 19 CFR 351.224(b).

## International Trade Commission Notification

In accordance with section 733(f) of the Act, we notified the International Trade Commission of our amended preliminary determination.

This amended preliminary determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act and 19 CFR 351.224(e).

Mechanical Tubing of Carbon and Alloy Steel (Cold-Drawn Mechanical Tubing) from Switzerland: Mubea Präzisionsstahlrohr AG (MPST) and Mubea Inc. (collectively, Mubea),” dated concurrently with this memorandum.

<sup>1</sup> See *Cold-Drawn Mechanical Tubing from Switzerland: Preliminary Affirmative Determination of Sales at Less Than Fair Value and Postponement of Final Determination, and Extension of Provisional Measures*, 82 FR 55571 (November 22, 2017) (*Preliminary Determination*).

<sup>2</sup> See Benteler Rothrist’s letter, “Antidumping Duty Investigation of Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from Switzerland: Ministerial Error Comments for the Preliminary Determination,” dated November 22, 2017 (“Benteler Rothrist’s Ministerial Error Allegation”); and Mubea’s letter, “Antidumping Investigation of Certain Cold-Drawn Mechanical Tubing from Switzerland: Resubmitted Ministerial Error Comments for the Preliminary Determination,” December 7, 2017 (Mubea’s Ministerial Error Allegation).

<sup>3</sup> See Commerce’s Memorandum, “Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from the Federal Republic of Germany, India, Italy, the Republic of Korea, the People’s Republic of China, and Switzerland: Scope Comments Decision Memorandum for the Final Determinations,” dated December 4, 2017.

Dated: December 21, 2017.

**Gary Taverman,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

**Appendix**

**Scope of the Investigation**

The scope of this investigation covers cold-drawn mechanical tubing of carbon and alloy steel (cold-drawn mechanical tubing) of circular cross-section, 304.8 mm or more in length, in actual outside diameters less than 331mm, and regardless of wall thickness, surface finish, end finish or industry specification. The subject cold-drawn mechanical tubing is a tubular product with a circular cross-sectional shape that has been cold-drawn or otherwise cold-finished after the initial tube formation in a manner that involves a change in the diameter or wall thickness of the tubing, or both. The subject cold-drawn mechanical tubing may be produced from either welded (e.g., electric resistance welded, continuous welded, etc.) or seamless (e.g., pierced, pilgered or extruded, etc.) carbon or alloy steel tubular products. It may also be heat treated after cold working. Such heat treatments may include, but are not limited to, annealing, normalizing, quenching and tempering, stress relieving or finish annealing. Typical cold-drawing methods for subject merchandise include, but are not limited to, drawing over mandrel, rod drawing, plug drawing, sink drawing and similar processes that involve reducing the outside diameter of the tubing with a die or similar device, whether or not controlling the inside diameter of the tubing with an internal support device such as a mandrel, rod, plug or similar device. Other cold-finishing operations that may be used to produce subject merchandise include cold-rolling and cold-sizing the tubing.

Subject cold-drawn mechanical tubing is typically certified to meet industry specifications for cold-drawn tubing including but not limited to:

(1) American Society for Testing and Materials (ASTM) or American Society of Mechanical Engineers (ASME) specifications ASTM A-512, ASTM A-513 Type 3 (ASME SA513 Type 3), ASTM A-513 Type 4 (ASME SA513 Type 4), ASTM A-513 Type 5 (ASME SA513 Type 5), ASTM A-513 Type 6 (ASME SA513 Type 6), ASTM A-519 (cold-finished);

(2) SAE International (Society of Automotive Engineers) specifications SAE J524, SAE J525, SAE J2833, SAE J2614, SAE J2467, SAE J2435, SAE J2613;

(3) Aerospace Material Specification (AMS) AMS T-6736 (AMS 6736), AMS 6371, AMS 5050, AMS 5075, AMS 5062, AMS 6360, AMS 6361, AMS 6362, AMS 6371, AMS 6372, AMS 6374, AMS 6381, AMS 6415;

(4) United States Military Standards (MIL) MIL-T-5066 and MIL-T-6736;

(5) foreign standards equivalent to one of the previously listed ASTM, ASME, SAE, AMS or MIL specifications including but not limited to:

(a) German Institute for Standardization (DIN) specifications DIN 2391-2, DIN 2393-2, DIN 2394-2;

(b) European Standards (EN) EN 10305-1, EN 10305-2, EN 10305-4, EN 10305-6 and European national variations on those standards (e.g., British Standard (BS EN), Irish Standard (IS EN) and German Standard (DIN EN) variations, etc.);

(c) Japanese Industrial Standard (JIS) JIS G 3441 and JIS G 3445; and

(6) proprietary standards that are based on one of the above-listed standards.

The subject cold-drawn mechanical tubing may also be dual or multiple certified to more than one standard. Pipe that is multiple certified as cold-drawn mechanical tubing and to other specifications not covered by this scope, is also covered by the scope of this investigation when it meets the physical description set forth above.

Steel products included in the scope of this investigation are products in which: (1) Iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is 2 percent or less by weight.

For purposes of this scope, the place of cold-drawing determines the country of origin of the subject merchandise. Subject merchandise that is subject to minor working in a third country that occurs after drawing in one of the subject countries including, but not limited to, heat treatment, cutting to length, straightening, nondestructive testing, deburring or chamfering, remains within the scope of this investigation.

All products that meet the written physical description are within the scope of this investigation unless specifically excluded or covered by the scope of an existing order. Merchandise that meets the physical description of cold-drawn mechanical tubing above is within the scope of the investigation even if it is also dual or multiple certified to an otherwise excluded specification listed below. The following products are outside of, and/or specifically excluded from, the scope of this investigation:

(1) Cold-drawn stainless steel tubing, containing 10.5 percent or more of chromium by weight and not more than 1.2 percent of carbon by weight;

(2) products certified to one or more of the ASTM, ASME or American Petroleum Institute (API) specifications listed below:

- ASTM A-53;
- ASTM A-106;
- ASTM A-179 (ASME SA 179);
- ASTM A-192 (ASME SA 192);
- ASTM A-209 (ASME SA 209);
- ASTM A-210 (ASME SA 210);
- ASTM A-213 (ASME SA 213);
- ASTM A-334 (ASME SA 334);
- ASTM A-423 (ASME SA 423);
- ASTM A-498;
- ASTM A-496 (ASME SA 496);
- ASTM A-199;
- ASTM A-500;
- ASTM A-556;
- ASTM A-565;
- API 5L; and
- API 5CT

except that any cold-drawn tubing product certified to one of the above excluded specifications will not be excluded from the scope if it is also dual- or multiple-certified to any other specification that otherwise would fall within the scope of this investigation.

The products subject to the investigation are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7304.31.3000, 7304.31.6050, 7304.51.1000, 7304.51.5005, 7304.51.5060, 7306.30.5015, 7306.30.5020, 7306.50.5030. Subject merchandise may also enter under numbers 7306.30.1000 and 7306.50.1000. The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[C-122-858]

**Certain Softwood Lumber Products From Canada: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order**

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

**SUMMARY:** Based on affirmative final determinations by the Department of Commerce (Commerce) and the International Trade Commission (ITC), Commerce is issuing a countervailing duty order on Certain Softwood Lumber Products (Softwood Lumber) from Canada. Also, Commerce is amending its final countervailing duty determination with respect to Softwood Lumber from Canada, to correct ministerial errors.

**DATES:** January 3, 2018.

**FOR FURTHER INFORMATION CONTACT:** Nicholas Czajkowski and Kristen Johnson, AD/CVD Operations, Offices I and III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: 202-482-1395 and (202) 482-4793, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

In accordance with sections 705(a), 705(d), and 777(i)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.210(c), on November 8, 2017, Commerce published an affirmative final determination in the countervailing duty investigation of Softwood Lumber from Canada.<sup>1</sup>

<sup>1</sup> See *Certain Softwood Lumber Products From Canada: Final Affirmative Countervailing Duty Determination, and Final Negative Determination of Critical Circumstances*, 82 FR 51814 (November 8, 2017) (*Final Determination*).