

Enforcement and Compliance, U.S. Department of Commerce, filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety by the Department's ACCESS by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice.¹⁶ Hearing requests should contain (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. Unless extended, the Department intends to issue the final results of this review, including the results of its analysis of issues raised by parties in their comments, within 120 days after the publication of these preliminary results, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

Assessment Rates

Upon issuing the final results of review, the Department will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review.¹⁷ If a respondent's weighted-average dumping margin is above *de minimis* (*i.e.*, 0.5 percent) in the final results of this review, we will calculate an importer-specific assessment rate on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales and the total entered value of those sales in accordance with 19 CFR 351.212(b)(1). Specifically, the Department will apply the assessment rate calculation method adopted in *Final Modification for Reviews*.¹⁸ Where an importer- (or customer-) specific *ad valorem* rate is zero or *de minimis*, we will instruct CBP to liquidate appropriate entries without regard to antidumping duties.¹⁹

For entries that were not reported in the U.S. sales databases submitted by exporters individually examined during this review, the Department will instruct CBP to liquidate such entries at the PRC-wide rate. In addition, if the Department determines that an exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (*i.e.*, at that exporter's rate) will be liquidated at the

PRC-wide rate.²⁰ The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of the final results of review.

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 the PRC 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 subject merchandise exported by the companies listed above that have separate rates, the cash deposit rate will be that established in the final results of review (except, if the rate is zero or *de minimis*, then zero cash deposit will be required); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the PRC-wide entity; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary 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 this POR. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213.

Dated: December 5, 2016.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–201–805]

Certain Circular Welded Non-Alloy Steel Pipe From Mexico; Preliminary Results, Preliminary Determination of No Shipments, and Partial Rescission of Antidumping Duty Administrative Review; 2014–2015

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

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on certain circular welded non-alloy steel pipe from Mexico. The period of review (POR) is November 1, 2014, through October 31, 2015. This review covers eight producers/exporters of the subject merchandise, including two respondents selected for individual examination: Maquilacero, S.A. de C.V. (Maquilacero) and Regiomontana de Perfiles y Tubos, S.A. de C.V. (Regiopytsa). We preliminarily determine that Maquilacero and Regiopytsa made sales of subject merchandise at less than normal value during the POR. Additionally, we preliminarily determine that Lamina y Placa Comercial, S.A. de C.V. (Lamina y Placa) and Mueller Comercial de Mexico, S. de R.L. de C.V. (Mueller) had no shipments during the POR. Whirlpool Corporation (Whirlpool) timely withdrew its request for review of Burner Systems International (BSI); consequently, we rescind the administrative review with regard to

¹⁶ See 19 CFR 351.310(c).

¹⁷ See 19 CFR 351.212(b)(1).

¹⁸ See *Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8103 (February 14, 2012) (*Final Modification for Reviews*).

¹⁹ See 19 CFR 351.106(c)(2).

²⁰ *Id.*

BSI. Interested parties are invited to comment on these preliminary results.

DATES: Effective December 9, 2016.

FOR FURTHER INFORMATION CONTACT:

Mark Flessner or Erin Kearney, 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) 482-6312 or (202) 482-0167, respectively.

SUPPLEMENTARY INFORMATION:

Background

On January 7, 2016, the Department published a notice of initiation of an administrative review of the antidumping duty order¹ on certain circular welded non-alloy steel pipe from Mexico.² This administrative review covers eight producers/exporters of the subject merchandise.³ As explained in the memorandum from the Acting Assistant Secretary for Enforcement & Compliance, the Department has exercised its discretion to toll all administrative deadlines due to the recent closure of the Federal Government.⁴ All deadlines in this segment of the proceeding have been extended by four business days. On July 26, 2016, and October 20, 2016, the Department extended the deadline for the preliminary results.⁵ The revised

deadline for the preliminary results of this review is now December 5, 2016.

Scope of the Order

The products covered by the order are circular welded non-alloy steel pipes and tubes. The merchandise covered by the order and subject to this review is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheadings: 7306.30.1000, 7306.30.5025, 7306.30.5032, 7306.30.5040, 7306.30.5055, 7306.30.5085, and 7306.30.5090.

Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive. A full description of the scope of the order is contained in the Preliminary Decision Memorandum,⁶ which is hereby adopted by this notice and incorporated herein by reference. The Preliminary 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> and available to all parties in the Central Records Unit, Room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the Internet at <http://enforcement.trade.gov/frn>. The signed Preliminary Decision Memorandum and electronic versions of the Preliminary Decision Memorandum are identical in content.

Partial Rescission of Administrative Review

On November 3, 2015, the Department published in the **Federal Register** a notice of opportunity to request an administrative review of the antidumping order on certain circular welded non-alloy steel pipe from Mexico.⁷ The Department received multiple timely requests for an administrative review of the AD order on certain circular welded non-alloy steel pipe from Mexico and, on January 7, 2016, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), the Department

initiated a review of nine companies in this proceeding.⁸ In response to a timely-filed withdrawal request by Whirlpool, we are rescinding this administrative review with respect to BSI pursuant to 19 CFR 351.213(d)(1).⁹ Accordingly, the companies subject to the instant review are: Conduit, Lamina y Placa, Maquilacero, Mueller, Prolamsa, PYTCO, Regiopytsa, and Ternium, of which the Department has selected Maquilacero and Regiopytsa as the mandatory respondents.¹⁰

Preliminary Determination of No Shipments

Lamina y Placa and Mueller reported that they made no sales of subject merchandise during the POR.¹¹ On November 28, 2016, we issued a no-shipment inquiry to CBP to confirm the claims of no shipments by Lamina y Placa and Mueller. We have not yet received CBP's response to our inquiry. Therefore, based on the claims of no shipments by Lamina y Placa and Mueller, and because the record currently contains no information to the contrary, we preliminarily determine that Lamina y Placa and Mueller had no shipments of subject merchandise and, therefore, no reviewable transactions during the POR. However, we intend to consider information received from CBP in response to our no-shipment inquiry for the final results of this review. Moreover, consistent with our practice, we are not preliminarily rescinding the review with respect to Lamina y Placa and Mueller but, rather, we will complete the review with respect to these companies and issue appropriate instructions to CBP based on the final results of this review.¹²

⁸ See *Initiation Notice*.

⁹ See the Preliminary Decision Memorandum at the section entitled, "Partial Rescission."

¹⁰ See Memorandum from Mark Flessner to Scot Fullerton, Director, Antidumping and Countervailing Duty Operations Office VI, entitled, "Respondent Selection for the Administrative Review Circular Welded Non-Alloy Steel Pipe from Mexico, 2014–2015," dated March 21, 2016 (Respondent Selection Memorandum).

¹¹ See Letter from Lamina y Placa to the Secretary of Commerce entitled, "Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Notice of No Sales," dated January 19, 2016. See also Letter from Mueller to the Secretary of Commerce entitled, "Certain Circular Welded Non-Alloy Steel Pipe from Mexico: Certification of No Shipments," dated February 9, 2016.

¹² See, e.g., *Certain Frozen Warmwater Shrimp From Thailand: Preliminary Results of Antidumping Duty Administrative Review, Partial Rescission of Review, Preliminary Determination of No Shipments; 2012–2013*, 79 FR 15951, 15952 (March 24, 2014), unchanged in *Certain Frozen Warmwater Shrimp From Thailand: Final Results of Antidumping Duty Administrative Review, Final Determination of No Shipments, and Partial Rescission of Review; 2012–2013*, 79 FR at 51306 (August 28, 2014).

¹ See *Notice of Antidumping Duty Orders: Certain Circular Welded Non-Alloy Steel Pipe from Brazil, the Republic of Korea (Korea), Mexico, and Venezuela and Amendment to Final Determination of Sales at Less Than Fair Value: Certain Welded Non-Alloy Steel Pipe from Korea*, 57 FR 49453 (November 2, 1992) (the Order).

² See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 81 FR 736 (January 7, 2016) (Initiation Notice).

³ Those eight companies are: (1) Conduit, S.A. de C.V. (Conduit), (2) Lamina y Placa, (3) Maquilacero, (4) Mueller, (5) Productos Laminados de Monterrey, S.A. de C.V. (Prolamsa), (6) PYTCO, S.A. de C.V. (PYTCO), (7) Regiopytsa, and (8) Ternium Mexico, S.A. de C.V. (Ternium). In addition, a review was requested by Whirlpool for BSI; however, all review requests for BSI were timely withdrawn; see the section entitled "Partial Rescission of Administrative Review," below.

⁴ See Memorandum to the Record from Ron Lorentzen, Acting A/S for Enforcement & Compliance, regarding "Tolling of Administrative Deadlines As a Result of the Government Closure During Snowstorm Jonas," dated January 27, 2016.

⁵ See Memorandum from Mark Flessner to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, entitled, "Certain Circular Welded Non-Alloy Steel Pipe From Mexico: Extension of Time Limit for Preliminary Results of Antidumping Duty Administrative Review," dated July 26, 2016; see also Memorandum from Mark Flessner to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, entitled, "Certain Circular Welded Non-Alloy Steel Pipe From Mexico: Extension of Time Limit for Preliminary Results of Antidumping Duty Administrative Review," dated October 20, 2016.

⁶ See Memorandum to Paul Piquado, Assistant Secretary for Enforcement and Compliance, entitled, "Preliminary Decision Memorandum for the Preliminary Results of the Antidumping Duty Administrative Review: Certain Circular Welded Non-Alloy Steel Pipe from Mexico; 2014–2015" (Preliminary Decision Memorandum).

⁷ See *Antidumping or Countervailing Duty Order, Finding, or Suspension Agreement; Opportunity to Request Administrative Review*, 80 FR 67706 (November 3, 2015).

Methodology

The Department is conducting this review in accordance with section 751(a)(2) of the Act. Export price (EP) is calculated in accordance with section 772 of the Act. Normal value (NV) is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum. A list of topics discussed in the Preliminary Decision Memorandum is included as an appendix to this notice.

Preliminary Results of the Review

As a result of this review, we preliminarily determine the following weighted-average dumping margins for the POR:

Exporter or producer	Weighted-average dumping margin (%)
Maquilacero, S.A. de C.V.	7.32
Regiomontana de Perfiles y Tubos, S.A. de C.V. and PYTCO, S.A. de C.V. ¹³	2.14
Conduit, S.A. de C.V.	3.30
Productos Laminados de Monterrey, S.A. de C.V.	3.30
Ternium Mexico, S.A. de C.V.	3.30

For the rate for non-selected respondents in an administrative review, generally, the Department looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in a market economy investigation. Under section 735(c)(5)(A) of the Act, the all-others rate is normally “an amount equal to the weighted-average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero or *de minimis* margins, and any margins determined entirely {on the basis of facts available}.” Because applying our normal methodology of calculating a weighted-average dumping margin in this case could indirectly disclose business proprietary information, we have instead calculated a weighted-average margin for the non-selected respondents using the publicly available, ranged total U.S. sales values of the selected respondents.¹⁴ Accordingly, we have applied a rate of 3.30 percent to the non-selected

companies, as set forth in the chart above.

Assessment Rates

Upon completion of the administrative review, the Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries.¹⁵ For any individually examined respondent whose weighted-average dumping margin is above *de minimis* (i.e., 0.50 percent), we will calculate importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1). Where either a respondent's weighted-average dumping margin is zero or *de minimis*, or an importer-specific assessment rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. For entries of subject merchandise during the POR produced by each respondent for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate un-reviewed entries at the all-others rate if there is no rate for the intermediate company involved in the transaction.¹⁶

We intend to issue instructions to CBP 15 days after publication of the final results of this review.

Cash Deposit Requirements

The following deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of certain circular welded non-alloy steel pipe from Mexico entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2) of the Act: (1) The cash deposit rates for Conduit, Maquilacero, Prolamsa, Regiopytsa, and Ternium will be the weighted-average dumping margins established in the final results of this administrative review except if the rates are *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rates will be zero; (2) for merchandise exported by manufacturers or exporters not covered in this review

but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding in which the manufacturer or exporter participated; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value investigation but the manufacturer is, the cash deposit rate will be the rate established for the most recently completed segment of the proceeding for the manufacturer of the merchandise; (4) the cash deposit rate for all other manufacturers or exporters will continue to be 32.62 percent *ad valorem*, the all-others rate established in the original less-than-fair-value investigation.¹⁷ These cash deposit requirements, when imposed, shall remain in effect until further notice.

Disclosure and Public Comment

The Department intends to disclose to interested parties the calculations performed in connection with these preliminary results within five days of the date of publication of this notice.¹⁸ Pursuant to 19 CFR 351.309(c), interested parties may submit cases briefs no later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than five days after the date for filing case briefs.¹⁹ Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.²⁰ Case and rebuttal briefs should be filed using ACCESS.²¹

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. An electronically filed document must be received successfully in its entirety by the Department's electronic records system, ACCESS, by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice.²² Requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the

¹³ The Department has preliminarily determined to treat Regiomontana de Perfiles y Tubos, S.A. de C.V., and PYTCO, S.A. de C.V., as a single entity. See Preliminary Decision Memorandum.

¹⁴ For further discussion, see the Preliminary Decision Memorandum.

¹⁵ In these preliminary results, the Department applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings*; Final Modification, 77 FR 8101 (February 14, 2012).

¹⁶ See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

¹⁷ See *Final Determination of Sales at Less Than Fair Value: Circular Welded Non-Alloy Steel Pipe From Mexico*, 57 FR 42953 (September 17, 1992).

¹⁸ See 19 CFR 351.224(b).

¹⁹ See 19 CFR 351.309(d).

²⁰ See 19 CFR 351.309(c)(2) and (d)(2).

²¹ See 19 CFR 351.303.

²² See 19 CFR 351.310(c).

respective case briefs. If a request for a hearing is made, parties will be notified of the date and time of the hearing to be held at the U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230.

Unless the deadline is extended pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2), the Department intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in all written case briefs, within 120 days after the issuance of these preliminary results.

Notification to Importers

This notice also serves as a preliminary 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 this review period. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(h)(1).

Dated: December 5, 2016.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in the Preliminary Decision Memorandum

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-831]

Fresh Garlic From the People's Republic of China: Preliminary Results and Partial Rescission of the 21st Antidumping Duty Administrative Review; 2014–2015

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

SUMMARY: The Department of Commerce (Department) is conducting the 21st administrative review of the antidumping duty order on fresh garlic from the People's Republic of China (PRC), covering the period of review (POR) November 1, 2014, through October 31, 2015. This review covers 42 manufacturers/exporters of subject merchandise. We preliminarily find that the mandatory respondents Zhengzhou Harmoni Spice Co., Ltd (Harmoni) and Qingdao Tiantaixing Foods Co., Ltd. (QTF) each failed to cooperate to the best of its ability. As a result, we preliminarily find that Harmoni has not rebutted the presumption that it is part of the PRC-wide entity, and we preliminarily base QTF's dumping margin on adverse facts available. In addition, we preliminarily find that voluntary respondent Shenzhen Xinboda Industrial Co., Ltd. (Xinboda) made sales of subject merchandise at less than normal value (NV). We invite interested parties to comment on these preliminary results.

DATES: Effective December 9, 2016.

FOR FURTHER INFORMATION CONTACT: Kathryn Wallace or Alexander Cipolla, 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) 482-6251 or (202) 482-4956.

Scope of the Order

The merchandise covered by the order includes all grades of garlic, whole or separated into constituent cloves. Fresh garlic that are subject to the order are currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) 0703.20.0010, 0703.20.0020, and 0703.20.0090. Although the HTSUS numbers are provided for convenience and customs purposes, the written product description remains dispositive. For a full description of the scope of this order, please see "III. Scope of the

Order" in the accompanying Preliminary Decision Memorandum.¹

Partial Rescission of Administrative Review

On January 7, 2016, the Department initiated a review of 42 companies in this proceeding.² On March 11, 2016, withdrawal requests were timely filed for 14 companies.³ The Department is, therefore, partially rescinding this review with respect to the companies listed in Appendix I, in accordance with 19 CFR 351.213(d)(1).

Affiliation

For the reasons set forth in the Preliminary Decision Memorandum and in accordance with 19 CFR 351.401(f), and the Department's practice, we are treating QTF, Qingdao Tianhefeng Foods Co., Ltd. (QTHF), Qingdao Beixing Trading Co., Ltd. (QBT), Qingdao Lianghe International Trade Co., Ltd. (Lianghe), and Qingdao Xintianfeng Foods Co., Ltd (QXF) as a single entity, for the purposes of this preliminary determination.⁴

Methodology

The Department is conducting this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act). Export prices were calculated in accordance with section 772(a) of the Act. Because the PRC is a non-market economy (NME) within the meaning of section 771(18) of the Act, NV has been calculated in accordance with section 773(c) of the Act. We relied, in part, on the facts available, with adverse inferences, for our preliminary determination, in accordance with section 776 of the Act.

For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum, which is hereby adopted by this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's

¹ See Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, "Decision Memorandum for the Preliminary Results of the 2014–2015 Antidumping Duty Administrative Review: Fresh Garlic From the People's Republic of China" (December 5, 2016) (Preliminary Decision Memorandum).

² See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 81 FR 736 (January 7, 2016) (*Initiation Notice*). For a list of the 42 companies, see *id.* at 81 FR 738–739.

³ See Letter from Petitioners, "21st Administrative Review of the Antidumping Duty Order on Fresh Garlic From the People's Republic of China—Petitioners' Withdrawal of Certain Requests for Administrative Review," (March 11, 2016).

⁴ See Preliminary Decision Memorandum "Affiliations" section.