

Vietnam (Vietnam). There was a typographical error in the Harmonized Tariff Schedule of the United States (HTSUS) subheadings included in the scope of the investigations.

**FOR FURTHER INFORMATION CONTACT:**

Ashley Cossart (China) and Zachary Shaykin (Vietnam), AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0462 and (202) 482-2638, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On November 4, 2024, Commerce published in the **Federal Register** the initiation notice of the CVD investigations on molded fiber products from China and Vietnam.<sup>1</sup> In that notice, there was a typographical error in the HTSUS subheadings included in the scope of the investigations.

**Correction**

In the **Federal Register** of November 4, 2024, in FR Doc 2024-25561,<sup>2</sup> on page 87560, in the second column, correct the first sentence of the last paragraph in this column to read as follows:

“Thermoformed molded fiber products are classified under subheadings 4823.70.0020 and 4823.70.0040, Harmonized Tariff Schedule of the United States (HTSUS).”

For a full description of the scope of these investigations, revised to reflect the correction specified above, see the appendix to this notice.

**Notice to Interested Parties**

This notice is issued and published in accordance with sections 702 and 777(i) of the Tariff Act of 1930, as amended, and 19 CFR 351.203(c).

Dated: November 13, 2024.

**Abdelali Elouaradia,**

*Deputy Assistant Secretary for Enforcement and Compliance.*

**Appendix**

**Scope of the Investigations**

The merchandise subject to these investigations consists of thermoformed molded fiber products regardless of shape, form, function, fiber source, or finish. Thermoformed molded fiber products are formed with cellulose fibers, thermoformed

using one or more heated molds, and dried/cured in the mold.

Thermoformed molded fiber products include, but are not limited to, plates, bowls, clamshells, trays, lids, food or foodservice contact packaging, and consumer or other product packaging.

Thermoformed molded fiber products are relatively dense, with a typical fiber density above 0.5 grams per cubic centimeter, and are generally characterized by relatively smooth surfaces. They may be derived from any virgin or recycled cellulose fiber source (including, but not limited to, those sourced from wood, woody crops, agricultural crops/byproducts/residue, and agricultural/industrial/other waste). They may have any weight, shape, dimensionality, design, or size, and may be bleached, unbleached, dyed, colored, or printed. They may include ingredients, additives, or chemistries to enhance functionality including, but not limited to, anti-microbial, antifungal, anti-bacterial, heat/flame resistant, hydrophobic, oleophobic, absorbent, or adsorbent.

Thermoformed molded fiber products may also be subject to other processing or treatments, including, but not limited to, hot or after pressing, die-cutting, punching, trimming, padding, perforating, printing, labeling, dyeing, coloring, coating, laminating, embossing, debossing, repacking, or denesting. Thermoformed molded fiber products subject to these investigations may also have additional design features, including, but not limited to, tab closures, venting, channeling, or stiffening.

Thermoformed molded fiber products remain covered by the scope of these investigations whether the subject product is encased by exterior packaging or whether the subject product forms the outer packaging for non-subject products. They also remain covered by the scope of these investigations whether imported alone, or in any combination of subject and non-subject merchandise (e.g., a lid or cover of any type packaged with a molded fiber bowl, addition of any items to make the thermoformed molded fiber packaging suitable for end-use such as absorbent pads). When thermoformed molded fiber products are imported in combination with non-subject merchandise, only the thermoformed molded fiber products are subject merchandise.

Excluded from the scope of these investigations are thermoformed molded fiber products imported as packaging material that enclose and/or surround non-subject merchandise prepackaged for final sale upon importation into the United States (e.g., molded fiber packaging surrounding a cellular phone).

Thermoformed molded fiber products include thermoformed molded fiber products matching the above description that have been finished, packaged, or otherwise processed in a third country by performing finishing, packaging, or processing that would not otherwise remove the merchandise from the scope of the investigations if performed in the country of manufacture of the thermoformed molded fiber products. Examples of finishing, packaging, or other processing in a third country that would not otherwise remove the

merchandise from the scope of the investigations if performed in the country of manufacture of the thermoformed molded fiber products include, but are not limited to, hot or after pressing, die-cutting, punching, trimming, padding, perforating, printing, labeling, dyeing, coloring, coating, laminating, embossing, debossing, repacking, or denesting.

Thermoformed molded fiber products are classified under subheadings 4823.70.0020 and 4823.70.0040, Harmonized Tariff Schedule of the United States (HTSUS). Imports may also be classified under subheadings 4823.61.0020, 4823.61.0040, 4823.69.0020, 4823.69.0040, 4823.90.1000, HTSUS. References to the HTSUS classification are provided for convenience and customs purposes, and the written description of the merchandise under investigation is dispositive.

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-555-005, A-542-806]

**Paper File Folders From Cambodia and Sri Lanka: Initiation of Less-Than-Fair-Value Investigations**

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

**DATES:** Applicable November 12, 2024.

**FOR FURTHER INFORMATION CONTACT:** Kelsie Hohenberger (Cambodia) and Rachel Jennings (Sri Lanka), AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2517 and (202) 482-1110, respectively.

**SUPPLEMENTARY INFORMATION:**

**The Petitions**

On October 21, 2024, the U.S. Department of Commerce (Commerce) received antidumping duty (AD) petitions concerning imports of paper file folders from Cambodia and Sri Lanka filed in proper form on behalf of the Coalition of Domestic Folder Manufacturers (the petitioner),<sup>1</sup> the members of which are domestic producers of paper file folders.<sup>2</sup> The AD Petitions were accompanied by a countervailing duty (CVD) petition

<sup>1</sup> The members of the Coalition of Domestic Folder Manufacturers (the Coalition) are: Smead Manufacturing Company, Inc. (Smead) and TOPS Products LLC (TOPS).

<sup>2</sup> See Petitioners' Letter, "Petitions for the Imposition of Antidumping and Countervailing Duties," dated October 21, 2024 (Petitions).

<sup>1</sup> See *Thermoformed Molded Fiber Products from the People's Republic of China and the Socialist Republic of Vietnam: Initiation Countervailing Duty Investigations*, 89 FR 87556 (November 4, 2024).

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

concerning imports of paper file folders from Cambodia.<sup>3</sup>

Between October 25 and 28, 2024, Commerce requested supplemental information pertaining to certain aspects of the Petitions in supplemental questionnaires.<sup>4</sup> The petitioner responded to Commerce's supplemental questionnaires on October 29 and 30, 2024.<sup>5</sup>

In accordance with section 732(b) of the Tariff Act of 1930, as amended (the Act), the petitioner alleges that imports of paper file folders from Cambodia and Sri Lanka are being, or are likely to be, sold in the United States at less than fair value (LTFV) within the meaning of section 731 of the Act, and that imports of such products are materially injuring, or threatening material injury to, the paper file folders industry in the United States. Consistent with section 732(b)(1) of the Act, the Petitions were accompanied by information reasonably available to the petitioner supporting its allegations.

Commerce finds that the petitioner filed the Petitions on behalf of the domestic industry, because the petitioner is an interested party, as defined in section 771(9)(F) of the Act.<sup>6</sup> Commerce also finds that the petitioner demonstrated sufficient industry support for the initiation of the requested LTFV investigations.<sup>7</sup>

### Periods of Investigation

Because the Petitions were filed on October 21, 2024, pursuant to 19 CFR 351.204(b)(1), the period of investigation (POI) for the Cambodia and Sri Lanka LTFV investigations is October 1, 2023, through September 30, 2024.

### Scope of the Investigations

The products covered by these investigations are paper file folders from Cambodia and Sri Lanka. For a full description of the scope of these investigations, *see* the appendix to this notice.

<sup>3</sup> *Id.*

<sup>4</sup> *See* Commerce's Letters, "Supplemental Questions," dated October 25, 2024 (General Issues Questionnaire); *see also* Country-Specific AD Supplemental Questionnaires: Cambodia Supplemental and Sri Lanka Supplemental, dated October 25 and 26, 2024, respectively.

<sup>5</sup> *See* Petitioner's Letters, "Response of Petitioner to Volume I Supplemental Questionnaire," dated October 29, 2024 (General Issues Supplement); *see also* Country-Specific AD Supplemental Responses: Cambodia AD Supplement and Sri Lanka AD Supplement, dated October 30, 2024.

<sup>6</sup> Smead and TOPS are interested parties under section 771(9)(C) of the Act, while the Coalition is an interested party under section 771(9)(F) of the Act.

<sup>7</sup> *See* section on "Determination of Industry Support for the Petitions," *infra*.

### Comments on the Scope of the Investigations

As discussed in the *Preamble* to Commerce's regulations, we are setting aside a period for interested parties to raise issues regarding product coverage (*i.e.*, scope).<sup>8</sup> Commerce will consider all scope comments received from interested parties and, if necessary, will consult with interested parties prior to the issuance of the preliminary determinations. If scope comments include factual information,<sup>9</sup> all such factual information should be limited to public information. To facilitate preparation of its questionnaires, Commerce requests that scope comments be submitted by 5:00 p.m. Eastern Time (ET) on December 2, 2024, which is 20 calendar days from the signature date of this notice. Any rebuttal comments, which may include factual information, and should also be limited to public information, must be filed by 5:00 p.m. ET on December 12, 2024, which is 10 calendar days from the initial comment deadline.

Commerce requests that any factual information that parties consider relevant to the scope of these investigations be submitted during that period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigations may be relevant, the party must contact Commerce and request permission to submit the additional information. All scope comments must be filed simultaneously on the records of the concurrent LTFV and CVD investigations.

### Filing Requirements

All submissions to Commerce must be filed electronically via Enforcement and Compliance's Antidumping Duty and Countervailing Duty Centralized Electronic Service System (ACCESS), unless an exception applies.<sup>10</sup> An electronically filed document must be received successfully in its entirety by the time and date it is due.

<sup>8</sup> *See Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*); *see also* 19 CFR 351.312.

<sup>9</sup> *See* 19 CFR 351.102(b)(21) (defining "factual information").

<sup>10</sup> *See Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011); *see also Enforcement and Compliance: Change of Electronic Filing System Name*, 79 FR 69046 (November 20, 2014) for details of Commerce's electronic filing requirements, effective August 5, 2011. Information on using ACCESS can be found at <https://access.trade.gov/help.aspx> and a handbook can be found at [https://access.trade.gov/help/Handbook\\_on\\_Electronic\\_Filing\\_Procedures.pdf](https://access.trade.gov/help/Handbook_on_Electronic_Filing_Procedures.pdf).

### Comments on Product Characteristics

Commerce is providing interested parties an opportunity to comment on the appropriate physical characteristics of paper file folders to be reported in response to Commerce's AD questionnaires. This information will be used to identify the key physical characteristics of the subject merchandise in order to report the relevant cost of production (COP) accurately, as well as to develop appropriate product comparison criteria.

Interested parties may provide any information or comments that they feel are relevant to the development of an accurate list of physical characteristics. Specifically, they may provide comments as to which characteristics are appropriate to use as: (1) general product characteristics; and (2) product comparison criteria. We note that it is not always appropriate to use all product characteristics as product comparison criteria. We base product comparison criteria on meaningful commercial differences among products. In other words, although there may be some physical product characteristics utilized by manufacturers to describe paper file folders, it may be that only a select few product characteristics take into account commercially meaningful physical characteristics. In addition, interested parties may comment on the order in which the physical characteristics should be used in matching products. Generally, Commerce attempts to list the most important physical characteristics first and the least important characteristics last.

In order to consider the suggestions of interested parties in developing and issuing the AD questionnaires, all product characteristics comments must be filed by 5:00 p.m. ET on December 2, 2024, which is 20 calendar days from the signature date of this notice. Any rebuttal comments must be filed by 5:00 p.m. ET on December 12, 2024, which is 10 calendar days from the initial comment deadline. All comments and submissions to Commerce must be filed electronically using ACCESS, as explained above, on the record of each of the LTFV investigations.

### Determination of Industry Support for the Petitions

Section 732(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 732(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (i) at least 25

percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 732(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, Commerce shall: (i) poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) determine industry support using a statistically valid sampling method to poll the “industry.”

Section 771(4)(A) of the Act defines the “industry” as the producers as a whole of a domestic like product. Thus, to determine whether a petition has the requisite industry support, the statute directs Commerce to look to producers and workers who produce the domestic like product. The U.S. International Trade Commission (ITC), which is responsible for determining whether “the domestic industry” has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both Commerce and the ITC apply the same statutory definition regarding the domestic like product,<sup>11</sup> they do so for different purposes and pursuant to a separate and distinct authority. In addition, Commerce’s determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to law.<sup>12</sup>

Section 771(10) of the Act defines the domestic like product as “a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title.” Thus, the reference point from which the domestic like product analysis begins is “the article subject to an investigation” (i.e., the class or kind of merchandise to be investigated, which normally will be the scope as defined in the petition).

With regard to the domestic like product, the petitioner does not offer a definition of the domestic like product distinct from the scope of the

investigations.<sup>13</sup> Based on our analysis of the information submitted on the record, we have determined that paper file folders, as defined in the scope, constitute a single domestic like product, and we have analyzed industry support in terms of that domestic like product.<sup>14</sup>

In determining whether the petitioner has standing under section 732(c)(4)(A) of the Act, we considered the industry support data contained in the Petitions with reference to the domestic like product as defined in the “Scope of the Investigations,” in the appendix to this notice. To establish industry support, the petitioner provided the 2023 total shipment values of the domestic like product for U.S. producers that support the Petitions and compared this to the estimated total shipment values of the domestic like product for the entire domestic industry.<sup>15</sup> Because total industry production data for the domestic like product for 2023 are not reasonably available to the petitioner, and the petitioner has established that shipments are a reasonable proxy for production data,<sup>16</sup> we relied on the data provided by the petitioner for purposes of measuring industry support.<sup>17</sup>

Our review of the data provided in the Petitions, the General Issues Supplement, and other information readily available to Commerce indicates that the petitioner has established industry support for the Petitions.<sup>18</sup> First, the Petitions established support from domestic producers (or workers) accounting for more than 50 percent of the total production of the domestic like product and, as such, Commerce is not required to take further action in order to evaluate industry support (e.g., polling).<sup>19</sup> Second, the domestic producers (or workers) have met the statutory criteria for industry support under section 732(c)(4)(A)(i) of the Act because the domestic producers (or

workers) who support the Petitions account for at least 25 percent of the total production of the domestic like product.<sup>20</sup> Finally, the domestic producers (or workers) have met the statutory criteria for industry support under section 732(c)(4)(A)(ii) of the Act because the domestic producers (or workers) who support the Petitions account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the Petitions.<sup>21</sup> Accordingly, Commerce determines that the Petitions were filed on behalf of the domestic industry within the meaning of section 732(b)(1) of the Act.<sup>22</sup>

### Allegations and Evidence of Material Injury and Causation

The petitioner alleges that the U.S. industry producing the domestic like product is being materially injured, or is threatened with material injury, by reason of the imports of the subject merchandise sold at LTFV. In addition, the petitioner alleges that subject imports from Cambodia exceed the negligibility threshold provided for under section 771(24)(A) of the Act.<sup>23</sup> With respect to Sri Lanka, while the allegedly dumped imports do not exceed the statutory requirements for negligibility,<sup>24</sup> the petitioner alleges and provides supporting evidence that: (1) there is a reasonable indication that the data obtained in the ITC’s investigation will establish that imports exceed the negligibility threshold;<sup>25</sup> and (2) there is the potential that imports from Sri Lanka will imminently exceed the negligibility threshold and, therefore, are not negligible for purposes of a threat determination.<sup>26</sup> The petitioner’s arguments regarding the limitations of publicly available import data and the collection of scope-specific import data in the ITC’s investigation are consistent with the SAA. Furthermore, the petitioner’s arguments regarding the potential for imports from Sri Lanka to

<sup>13</sup> For a discussion of the domestic like product analysis as applied to these cases and information regarding industry support, see Checklists, “Antidumping Duty Investigation Initiation Checklists: Paper File Folders from Cambodia and Sri Lanka,” dated concurrently with, and hereby adopted by, this notice (Country-Specific AD Initiation Checklists), at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Paper File Folders from Cambodia and Sri Lanka (Attachment II). These checklists are on file electronically via ACCESS.

<sup>14</sup> See Attachment II of the Country-Specific AD Initiation Checklists.

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> For further discussion, see Attachment II of the Country-Specific AD Initiation Checklists.

<sup>18</sup> See Attachment II of the Country-Specific AD Initiation Checklists.

<sup>19</sup> *Id.*; see also section 732(c)(4)(D) of the Act.

<sup>20</sup> See Attachment II of the Country-Specific AD Initiation Checklists.

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> For further information regarding negligibility and the injury allegation, see Country-Specific AD Initiation Checklists at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping and Countervailing Duty Petitions Covering Paper File Folders from Cambodia and Sri Lanka (Attachment III).

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*; see also *Statement of Administrative Action Accompanying the Uruguay Round Agreements Act*, H.R. Doc 103–316, Vol. 1 (1994) (SAA).

<sup>26</sup> See Attachment III of the Country-Specific AD Initiation Checklists; see also section 771(24)(A)(iv) of the Act.

<sup>11</sup> See section 771(10) of the Act.

<sup>12</sup> See *USEC, Inc. v. United States*, 132 F. Supp. 2d 1, 8 (CIT 2001) (citing *Algoma Steel Corp., Ltd. v. United States*, 688 F. Supp. 639, 644 (CIT 1988), *aff’d Algoma Steel Corp., Ltd. v. United States*, 865 F.2d 240 (Fed. Cir. 1989)).

imminently exceed the negligibility threshold are consistent with the statutory criteria for “negligibility in threat analysis” under section 771(24)(A)(iv) of the Act, which provides that imports shall not be treated as negligible if there is a potential that subject imports from a country will imminently exceed the statutory requirements for negligibility.

The petitioner contends that the industry’s injured condition is illustrated by the significant and increasing volume of subject imports; reduced market share; underselling and price depression and/or suppression; lost sales and revenues; and declines in the domestic industry’s production, U.S. shipments, net sales, and financial performance.<sup>27</sup> We assessed the allegations and supporting evidence regarding material injury, threat of material injury, causation, cumulation, as well as negligibility, and we have determined that these allegations are properly supported by adequate evidence and meet the statutory requirements for initiation.<sup>28</sup>

#### Allegations of Sales at LTFV

The following is a description of the allegations of sales at LTFV upon which Commerce based its decision to initiate LTFV investigations of imports of paper file folders from Cambodia and Sri Lanka. The sources of data for the deductions and adjustments relating to U.S. price and normal value (NV) are discussed in greater detail in the Country-Specific AD Initiation Checklists.

#### U.S. Price

For Cambodia, the petitioner based export price (EP) on pricing information for paper file folders produced in Cambodia and sold or offered for sale in the U.S. market during the POI.<sup>29</sup> For Sri Lanka, the petitioner based EP on the POI average unit value derived from official import statistics for imports of paper file folders from Sri Lanka.<sup>30</sup> For each country, the petitioner made certain adjustments to U.S. price to calculate a net ex-factory U.S. price, where applicable.<sup>31</sup>

#### Normal Value<sup>32</sup>

For Cambodia and Sri Lanka, the petitioner stated that it was unable to

obtain home market or third-country prices for paper file folders in the respective countries to use as a basis for NV.<sup>33</sup> Therefore, for both countries, the petitioner calculated NV based on CV. For further discussion of CV, *see* the section “Normal Value Based on Constructed Value.”

#### Normal Value Based on Constructed Value

As noted above, for Cambodia and Sri Lanka, the petitioner stated it was unable to obtain home market or third-country prices for paper file folders to use as a basis for NV. Therefore, for both countries, the petitioner calculated NV based on CV.

Pursuant to section 773(e) of the Act, the petitioner calculated CV as the sum of the cost of manufacturing, selling, general and administrative (SG&A) expenses, financial expenses, and profit.<sup>34</sup> For both countries, in calculating the cost of manufacturing, the petitioner relied on the production experience and input consumption rates of a U.S. producer of paper file folders, valued using publicly available information applicable to the respective countries, where applicable.<sup>35</sup> In calculating SG&A expenses, financial expenses, and profit ratios, the petitioner relied on the fiscal year 2023 financial statements of producers of comparable merchandise domiciled in each country, respectively.<sup>36</sup>

#### Fair Value Comparisons

Based on the data provided by the petitioner, there is reason to believe that imports of paper file folders from Cambodia and Sri Lanka are being, or are likely to be, sold in the United States at LTFV. Based on comparisons of EP to NV in accordance with sections 772 and 773 of the Act, the estimated dumping margins for paper file folders for each of the countries covered by this initiation are as follows: (1) Cambodia—127.58 to 288.36 percent; and (2) Sri Lanka—23.57 to 91.28 percent.<sup>37</sup>

#### Initiation of LTFV Investigations

Based upon the examination of the Petitions and supplemental responses, we find that they meet the requirements of section 732 of the Act. Therefore, we are initiating LTFV investigations to determine whether imports of paper file

folders from Cambodia and Sri Lanka are being, or are likely to be, sold in the United States at LTFV. In accordance with section 733(b)(1)(A) of the Act and 19 CFR 351.205(b)(1), unless postponed, we will make our preliminary determinations no later than 140 days after the date of these initiations.

#### Respondent Selection

In the Petitions, the petitioner identified four companies in Cambodia and five companies in Sri Lanka as producers and/or exporters of paper file folders.<sup>38</sup> Following standard practice in LTFV investigations involving market economy countries, in the event Commerce determines that the number of companies is large, and it cannot individually examine each company based upon Commerce’s resources, where appropriate, Commerce intends to select mandatory respondents based on U.S. Customs and Border Protection (CBP) data for imports under the appropriate Harmonized Tariff Schedule of the United States (HTSUS) subheading(s) listed in the “Scope of the Investigations,” in the appendix.

On November 7, 2024, Commerce released CBP data on imports of paper file folders from Cambodia and Sri Lanka under administrative protective order (APO) to all parties with access to information protected by APO and indicated that interested parties wishing to comment on CBP data and/or respondent selection must do so within three business days of the publication date of the notice of initiation of these investigations.<sup>39</sup> Comments must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety via ACCESS by 5:00 p.m. ET on the specified deadline. Commerce will not accept rebuttal comments regarding the CBP data or respondent selection.

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305(b). Instructions for filing such applications may be found on Commerce’s website at <https://www.trade.gov/administrative-protective-orders>.

#### Distribution of Copies of the Petitions

In accordance with section 732(b)(3)(A) of the Act and 19 CFR 351.202(f), copies of the public version of the Petitions have been provided to the governments of Cambodia and Sri Lanka via ACCESS. To the extent

<sup>27</sup> See Attachment III of the Country-Specific AD Initiation Checklists.

<sup>28</sup> *Id.*

<sup>29</sup> See Cambodia AD Initiation Checklist.

<sup>30</sup> See Sri Lanka AD Initiation Checklist.

<sup>31</sup> See Country-Specific AD Initiation Checklists.

<sup>32</sup> In accordance with section 773(b)(2) of the Act, for these investigations, Commerce will request information necessary to calculate the constructed

value (CV) and COP to determine whether there are reasonable grounds to believe or suspect that sales of the foreign like product have been made at prices that represent less than the COP of the product.

<sup>33</sup> See Country-Specific AD Initiation Checklists.

<sup>34</sup> *Id.*

<sup>35</sup> *Id.*

<sup>36</sup> *Id.*

<sup>37</sup> *Id.*

<sup>38</sup> See Petitions at Volume I (page 18 and Exhibit I–18); *see also* General Issues Supplement at 1–2 and Exhibit I–S1.

<sup>39</sup> See Country-Specific Memoranda, “Release of U.S. Customs and Border Protection Entry Data,” dated November 7, 2024.

practicable, we will attempt to provide a copy of the public version of the Petitions to each exporter named in the Petitions, as provided under 19 CFR 351.203(c)(2).

### ITC Notification

Commerce will notify the ITC of our initiation, as required by section 732(d) of the Act.

### Preliminary Determinations by the ITC

The ITC will preliminarily determine, within 45 days after the date on which the Petitions were filed, whether there is a reasonable indication that imports of paper file folders from Cambodia and/or Sri Lanka are materially injuring, or threatening material injury to, a U.S. industry.<sup>40</sup> A negative ITC determination for any country will result in the investigation being terminated with respect to that country.<sup>41</sup> Otherwise, these LTFV investigations will proceed according to statutory and regulatory time limits.

### Submission of Factual Information

Factual information is defined in 19 CFR 351.102(b)(21) as: (i) evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by Commerce; and (v) evidence other than factual information described in (i)–(iv). Section 351.301(b) of Commerce's regulations requires any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted<sup>42</sup> and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct.<sup>43</sup> Time limits for the submission of factual information are addressed in 19 CFR 351.301, which provides specific time limits based on the type of factual information being submitted. Interested parties should review the regulations prior to submitting factual information in these investigations.

### Particular Market Situation Allegation

Section 773(e) of the Act addresses the concept of particular market

situation (PMS) for purposes of CV, stating that “if a particular market situation exists such that the cost of materials and fabrication or other processing of any kind does not accurately reflect the cost of production in the ordinary course of trade, the administering authority may use another calculation methodology under this subtitle or any other calculation methodology.” When an interested party submits a PMS allegation pursuant to section 773(e) of the Act (*i.e.*, a cost-based PMS allegation), the submission must be filed in accordance with the requirements of 19 CFR 351.416(b), and Commerce will respond to such a submission consistent with 19 CFR 351.301(c)(2)(v). If Commerce finds that a cost-based PMS exists under section 773(e) of the Act, then it will modify its dumping calculations appropriately.

Neither section 773(e) of the Act, nor 19 CFR 351.301(c)(2)(v), sets a deadline for the submission of cost-based PMS allegations and supporting factual information. However, in order to administer section 773(e) of the Act, Commerce must receive PMS allegations and supporting factual information with enough time to consider the submission. Thus, should an interested party wish to submit a cost-based PMS allegation and supporting new factual information pursuant to section 773(e) of the Act, it must do so no later than 20 days after submission of a respondent's initial section D questionnaire response.

We note that a PMS allegation filed pursuant to sections 773(a)(1)(B)(ii)(III) or 773(a)(1)(C)(iii) of the Act (*i.e.*, a sales-based PMS allegation) must be filed within 10 days of submission of a respondent's initial section B questionnaire response, in accordance with 19 CFR 351.301(c)(2)(i) and 351.404(c)(2).

### Extensions of Time Limits

Parties may request an extension of time limits before the expiration of a time limit established under 19 CFR 351.301, or as otherwise specified by Commerce. In general, an extension request will be considered untimely if it is filed after the expiration of the time limit established under 19 CFR 351.301, or as otherwise specified by Commerce.<sup>44</sup> For submissions that are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. ET on the due date.

Under certain circumstances, Commerce

may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, we will inform parties in a letter or memorandum of the deadline (including a specified time) by which extension requests must be filed to be considered timely. An extension request must be made in a separate, standalone submission; under limited circumstances we will grant untimely filed requests for the extension of time limits, where we determine, based on 19 CFR 351.302, that extraordinary circumstances exist. Parties should review Commerce's regulations concerning the extension of time limits and the *Time Limits Final Rule* prior to submitting factual information in these investigations.<sup>45</sup>

### Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.<sup>46</sup> Parties must use the certification formats provided in 19 CFR 351.303(g).<sup>47</sup> Commerce intends to reject factual submissions if the submitting party does not comply with the applicable certification requirements.

### Notification to Interested Parties

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305. Parties wishing to participate in these investigations should ensure that they meet the requirements of 19 CFR 351.103(d) (*e.g.*, by filing the required letter of appearance). Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).<sup>48</sup>

This notice is issued and published pursuant to sections 732(c)(2) and 777(i) of the Act, and 19 CFR 351.203(c).

<sup>45</sup> See 19 CFR 351.302; see also, *e.g.*, *Time Limits Final Rule*.

<sup>46</sup> See section 782(b) of the Act.

<sup>47</sup> See *Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings*, 78 FR 42678 (July 17, 2013) (*Final Rule*). Additional information regarding the *Final Rule* is available at <https://access.trade.gov/Resources/filing/index.html>.

<sup>48</sup> See *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069 (September 29, 2023).

<sup>40</sup> See section 733(a) of the Act.

<sup>41</sup> *Id.*

<sup>42</sup> See 19 CFR 351.301(b).

<sup>43</sup> See 19 CFR 351.301(b)(2).

<sup>44</sup> See 19 CFR 351.301; see also *Extension of Time Limits; Final Rule*, 78 FR 57790 (September 20, 2013) (*Time Limits Final Rule*), available at <https://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm>.

Dated: November 12, 2024.

**Abdelali Elouaradia,**

*Deputy Assistant Secretary for Enforcement and Compliance.*

## Appendix

### Scope of the Investigations

The products within the scope of these investigations are file folders consisting primarily of paper, paperboard, pressboard, or other cellulose material, whether coated or uncoated, that has been folded (or creased in preparation to be folded), glued, taped, bound, or otherwise assembled to be suitable for holding documents. The scope includes all such folders, regardless of color, whether or not expanding, whether or not laminated, and with or without tabs, fasteners, closures, hooks, rods, hangers, pockets, gussets, or internal dividers. The term “primarily” as used in the first sentence of this scope means 50 percent or more of the total product weight, exclusive of the weight of fasteners, closures, hooks, rods, hangers, removable tabs, and similar accessories, and exclusive of the weight of the packaging.

Subject folders have the following dimensions in their folded and closed position: lengths and widths of at least 8 inches and no greater than 17 inches, regardless of depth.

The scope covers all varieties of folders, including but not limited to manila folders, hanging folders, fastener folders, classification folders, expanding folders, pockets, jackets, and wallets.

Excluded from the scope are:

- mailing envelopes with a flap bearing one or more adhesive strips that can be used permanently to seal the entire length of a side such that, when sealed, the folder is closed on all four sides;
- binders, with two or more rings to hold documents in place, made of paperboard or pressboard encased entirely in plastic;
- binders consisting of a front cover, back cover, and spine, with or without a flap; to be excluded, a mechanism with two or more metal rings must be included on or adjacent to the interior spine;
- non-expanding folders with a depth exceeding 2.5 inches and that are closed or closeable on the top, bottom, and all four sides (e.g., boxes or cartons);
- expanding folders that have: (1) 13 or more pockets; (2) a flap covering the top; (3) a latching mechanism made of plastic and/or metal to close the flap; and (4) an affixed plastic or metal carry handle;
- folders that have an outer surface (other than the gusset, handles, and/or closing mechanisms, if any) that is covered entirely with fabric, leather, and/or faux leather;
- fashion folders, which are defined as folders with all of the following characteristics: (1) plastic lamination covering the entire exterior of the folder; (2) printing, foil stamping, embossing (*i.e.*, raised relief patterns that are recessed on the opposite side), and/or debossing (*i.e.*, recessed relief patterns that are raised on the opposite side), covering the entire exterior surface area of the folder; (3) at least two visible and printed or foil stamped colors (other than the color of the base paper), each

of which separately covers no less than 10 percent of the entire exterior surface area; and (4) patterns, pictures, designs, or artwork covering no less than thirty percent of the exterior surface area of the folder;

- portfolios, which are folders having: (1) a width of at least 16 inches when open flat; (2) no tabs or dividers; and (3) one or more pockets that are suitable for holding letter size documents and that cover at least 15 percent of the surface area of the relevant interior side or sides; and
- report covers, which are folders having: (1) no tabs, dividers, or pockets; and (2) one or more fasteners or clips, each of which is permanently affixed to the center fold, to hold papers securely in place.

Imports of the subject merchandise are provided for under Harmonized Tariff Schedule of the United States (HTSUS) category 4820.30.0040. Subject imports may also enter under other HTSUS classifications. While the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of these investigations is dispositive.

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**BILLING CODE 3510–DS–P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–910, C–570–911]

#### Circular Welded Carbon Quality Steel Pipe From the People’s Republic of China: Initiation of Circumvention Inquiry on the Antidumping and Countervailing Duty Orders

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

**SUMMARY:** In response to requests from Bull Moose Tube Company, Maruichi American Corporation, Wheatland Tube Company, and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL–CIO, CLC (collectively, the domestic interested parties), the U.S. Department of Commerce (Commerce) is initiating a country-wide circumvention inquiry to determine whether circular welded carbon quality steel pipe (CWP) from the People’s Republic of China (China), which is completed in the Sultanate of Oman (Oman) from hot-rolled steel (HRS) produced in China, is circumventing the antidumping duty (AD) and countervailing duty (CVD) orders on CWP from China.

**DATES:** Applicable November 19, 2024.

**FOR FURTHER INFORMATION CONTACT:** Krisha Hill, AD/CVD Operations, Office IV Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401

Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4037.

### SUPPLEMENTARY INFORMATION:

#### Background

On July 9, 2024, pursuant to section 781(b) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.226(i), the domestic interested parties filed circumvention inquiry requests alleging that CWP completed in Oman using HRS manufactured in China is circumventing the AD and CVD Orders<sup>1</sup> on CWP from China and, accordingly, should be included within the scope of the Orders.<sup>2</sup> On July 19, 2024, Al Jazeera Steel Products Co. SAOG (Al Jazeera), an Omani producer of CWP, filed comments in opposition to the domestic interested parties’ request.<sup>3</sup> On July 29, 2024, the domestic interested parties filed rebuttal comments to Al Jazeera’s July 19, 2024 comments.<sup>4</sup>

On August 12, 2024, we extended the deadline to initiate this circumvention inquiry by 30 days, in accordance with 19 CFR 351.226(d)(1).<sup>5</sup>

On August 28, 2024, we issued a request for information questionnaire to the domestic interested parties.<sup>6</sup> In the Request for Information, we clarified that we issued the request because we had found that the request to conduct the circumvention inquiry was insufficient for purposes of initiation, in accordance with 19 CFR 351.226(d)(1). Additionally, we clarified that 30-day time period for Commerce to consider

<sup>1</sup> See *Notice of Antidumping Duty Order: Circular Welded Carbon Quality Steel Pipe from the People’s Republic of China*, 73 FR 42547 (July 22, 2008); see also *Circular Welded Carbon Quality Steel Pipe from the People’s Republic of China: Notice of Amended Final Affirmative Countervailing Duty Determination and Notice of Countervailing Duty Order*, 73 FR 42545 (July 22, 2008) (collectively, *Orders*).

<sup>2</sup> See Domestic Interested Parties’ Letter, “Circular Welded Carbon Quality Steel Pipe from the People’s Republic of China—Request for Circumvention Inquiry,” dated July 9, 2024.

<sup>3</sup> See Al Jazeera’s Letter, “Circular Welded Carbon-Quality Steel Pipe from the People’s Republic of China: Al Jazeera comments on petitioners’ request for anti-circumvention inquiry,” dated July 19, 2024.

<sup>4</sup> See Domestic Interested Parties’ Letter, “Circular Welded Carbon Quality Steel Pipe from the People’s Republic of China—Response and Rebuttal Factual Information Regarding Comments on Request for Circumvention Inquiry,” dated July 29, 2024.

<sup>5</sup> See Memorandum, “Circular Welded Carbon Quality Steel Pipe from the People’s Republic of China (A–570–910 and C–570–911): Extension of Time to Determine Whether to Initiate Circumvention Inquiry,” dated August 12, 2024.

<sup>6</sup> See Commerce’s Letter, “Circumvention Request with Respect to the Antidumping Order and Countervailing Duty Order on Circular Welded Carbon Quality Steel Pipe from the People’s Republic of China: Request for Information,” dated August 28, 2024 (Request for Information).