

751(a)(1) and 777(i) of the Act, and 19 CFR 351.221(b)(5).

Dated: April 1, 2020.

**Jeffrey I. Kessler,**

*Assistant Secretary for Enforcement and Compliance.*

## Appendix

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-122-853]

### Citric Acid and Certain Citrate Salts from Canada: Final Results of Antidumping Duty Administrative Review; 2018–2019

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

**SUMMARY:** The Department of Commerce (Commerce) determines that Jungbunzlauer Canada, Inc. (JBL Canada), a producer/exporter of citric acid and certain citrate salts (citric acid) from Canada, did not sell subject merchandise at prices below normal value (NV) during the period of review

(POR) May 1, 2018 through April 30, 2019.

**DATES:** Applicable April 7, 2020.

#### FOR FURTHER INFORMATION CONTACT:

Joseph Dowling or George Ayache, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-1646 or (202) 482-2623, respectively.

#### SUPPLEMENTARY INFORMATION:

#### Background

On January 22, 2020, Commerce published in the **Federal Register** the *Preliminary Results* of the administrative review of the antidumping duty order on citric acid from Canada.<sup>1</sup> This review covers one producer/exporter of the subject merchandise, JBL Canada. We invited parties to comment on the *Preliminary Results*.<sup>2</sup> No interested party submitted comments.<sup>3</sup> On February 11, 2020, JBL Canada submitted a request to participate in a hearing in the event that Commerce held a hearing.<sup>4</sup> No other party submitted a request for a hearing in the instant review; therefore, Commerce did not hold a hearing. Commerce conducted this administrative review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

#### Scope of the Order

The merchandise subject to the *Order* is citric acid from Canada.<sup>5</sup> The product is currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) subheadings 2918.14.0000, 2918.15.1000, 2918.15.5000, and 3824.90.9290. Although the HTSUS numbers are provided for convenience and customs purposes, the written product

<sup>1</sup> See *Citric Acid and Certain Citrate Salts from Canada: Preliminary Results of Antidumping Duty Administrative Review; 2018–2019*, 85 FR 3611 (January 22, 2020) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

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

<sup>3</sup> JBL Canada submitted a case brief stating: “Respondent JBL has no comments on Commerce’s *Preliminary Results*. JBL reserves the right to submit a rebuttal brief in response to any issue(s) which may be raised by Petitioners in their case brief.” See JBL Canada’s Letter, “Tenth Administrative Review of the Antidumping Order on Citric Acid and Certain Citrate Sales from Canada—Case Brief on Behalf of JBL Canada,” dated February 11, 2020.

<sup>4</sup> See JBL Canada’s Letter, “Tenth Administrative Review of the Antidumping Order on Citric Acid and Certain Citrate Sales from Canada—JBL Canada’s Comments regarding Hearing,” dated February 11, 2020.

<sup>5</sup> See *Citric Acid and Citrate Salts from Canada and the People’s Republic of China: Antidumping Duty Orders*, 74 FR 25703 (May 29, 2009) (*Order*).

description, available in the Preliminary Decision Memorandum, remains dispositive.<sup>6</sup>

#### Changes Since the Preliminary Results

As no parties submitted comments on the margin calculation methodology used in the *Preliminary Results*, Commerce made no adjustments to that methodology in the final results of this review.

#### Final Results of the Review

As a result of this review, Commerce determines that a weighted-average dumping margin of 0.00 percent exists for entries of subject merchandise that were produced and/or exported by JBL Canada during the POR.

#### Assessment Rates

Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review, pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b). Because we calculated a zero margin for JBL Canada in the final results of this review, we intend to instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Commerce intends to issue the appropriate assessment instructions to CBP 41 days after the date of publication of these final results of review, in accordance with 19 CFR 356.8(a).

#### Cash Deposit Requirements

The following deposit requirements will be effective upon publication of the notice of these final results for all shipments of citric acid from Canada entered, or withdrawn from warehouse, for consumption on or after the publication date as provided by section 751(a)(2) of the Act: (1) The cash deposit rate for JBL Canada will be zero; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in a completed prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation but the manufacturer is, the cash deposit rate will be the rate established for the most recently completed segment for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers

<sup>6</sup> For a complete description of the scope of the *Order*, see Preliminary Decision Memorandum at 3.

or exporters will continue to be 23.21 percent, the all-others rate established in the *Order*. These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice also serves as a final 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 Commerce's presumption that reimbursement of antidumping duties has occurred and the subsequent assessment of double antidumping duties.

#### Administrative Protective Order (APO)

In accordance with 19 CFR 351.305(a)(3), this notice also serves as a reminder to parties subject to APO of their responsibility concerning the return or destruction of proprietary information disclosed under the APO, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation subject to sanction.

#### Notification to Interested Parties

We intend to issue and publish these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(h) and 351.221(b)(5).

Dated: April 1, 2020.

Jeffrey I. Kessler,

Assistant Secretary for Enforcement and Compliance.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-876]

#### Welded Line Pipe From the Republic of Korea: Notice of Court Decision Not in Harmony With the Amended Final Determination in the Less-Than-Fair-Value Investigation, and Notice of Amended Final Determination and Amended Antidumping Duty Order

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

**SUMMARY:** On March 24, 2020, the U.S. Court of International Trade (CIT)

sustained the Department of Commerce's (Commerce's) second remand redetermination pertaining to the less-than-fair-value (LTFV) investigation of welded line pipe (WLP) from the Republic of Korea (Korea). Commerce is notifying the public that the final judgment in this case is not in harmony with Commerce's amended final determination in the LTFV investigation of WLP from Korea and that Commerce is amending the amended final determination and antidumping duty order with respect to the weighted-average dumping margin for Hyundai HYSCO Co. Ltd. (Hyundai HYSCO).

**DATES:** Applicable April 3, 2020.

#### FOR FURTHER INFORMATION CONTACT:

David Goldberger or Joshua Tucker, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4136 and (202) 482-2044, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 13, 2015, Commerce published its *Final Determination* in the LTFV investigation of WLP from Korea.<sup>1</sup> Subsequently, on November 10, 2015, Commerce published its *Amended Final Determination*.<sup>2</sup> On December 1, 2015, Commerce published the *Order* resulting from the investigation.<sup>3</sup> As reflected in Commerce's *Amended Final Determination* and *Order*, Commerce calculated weighted-average dumping margins of 6.23 percent for Hyundai HYSCO, 2.53 percent for SeAH Steel Corporation (SeAH), the other mandatory respondent in the investigation, and 4.38 percent for all others.<sup>4</sup>

Hyundai HYSCO, SeAH, and the petitioners<sup>5</sup> appealed Commerce's *Final Determination*, as amended by the *Amended Final Determination*, and

resulting *Order* to the CIT. On January 8, 2019, the CIT remanded for Commerce to explain or reconsider its decision to include certain "local sales" in Hyundai HYSCO's home market sales database.<sup>6</sup> Separately, the CIT held that Commerce's rejection of Maverick's September 8, 2015 supplemental case brief constituted an abuse of discretion, and remanded for Commerce to review and determine which portions should be retained on the record.<sup>7</sup> On May 2, 2019, Commerce issued the *First Remand Results*, in which it determined that Hyundai HYSCO knew, or should have known, that certain "local sales" included in its home market database would be exported without further processing in Korea.<sup>8</sup> Accordingly, Commerce reclassified these sales and excluded them from the calculation of normal value (NV), which resulted in a recalculated weighted-average dumping margin of 6.22 percent for Hyundai HYSCO.<sup>9</sup> In addition, Commerce reopened the administrative record to permit Maverick to place its September 8, 2015 supplemental case brief on the record in its entirety, and to permit other interested parties to submit rebuttal briefs in response to Maverick's supplemental case brief. Consistent with its practice to determine home market viability early in a proceeding, Commerce did not reconsider Hyundai HYSCO's home market viability.<sup>10</sup>

The CIT, however, subsequently held that, by refusing to reassess the viability of HYSCO's home market, "Commerce failed to comply with its statutory and regulatory mandate to ensure the sufficiency of the home market as a basis for normal value."<sup>11</sup> On that basis, it remanded to Commerce to further explain or reconsider Hyundai HYSCO's home market viability.<sup>12</sup>

On January 14, 2020, Commerce issued the *Second Remand Results* in accordance with the CIT's order.<sup>13</sup> On remand, Commerce provided further explanation regarding Hyundai HYSCO's home market viability. Specifically, Commerce explained that Hyundai HYSCO's home market sales quantity was sufficient to permit Commerce to make a proper comparison

<sup>1</sup> See *Welded Line Pipe from the Republic of Korea: Final Determination of Sales at Less Than Fair Value*, 80 FR 61366 (October 13, 2015) (*Final Determination*), and accompanying Issues and Decision Memorandum (IDM).

<sup>2</sup> See *Welded Line Pipe from the Republic of Korea: Amended Final Determination of Sales at Less Than Fair Value*, 80 FR 69637 (November 10, 2015) (*Amended Final Determination*).

<sup>3</sup> See *Welded Line Pipe from the Republic of Korea and the Republic of Turkey: Antidumping Duty Orders*, 80 FR 75056 (December 1, 2015) (*Order*).

<sup>4</sup> See *Amended Final Determination*, 80 FR at 69638; see also *Order*, 80 FR at 75057.

<sup>5</sup> The petitioners are: Stupp Corporation, a division of Stupp Bros., Inc., TMK IPSCO, Welspun Tubular LLC USA, and Maverick Tube Corporation (Maverick).

<sup>6</sup> See *Stupp Corporation et al. v. United States*, 359 F. Supp. 3d 1293, 1309-1312 (CIT 2019).

<sup>7</sup> *Id.*, 359 F. Supp. 3d, at 1311-12.

<sup>8</sup> See *Final Results of Redetermination Pursuant to Court Remand*, Consol. Court No. 15-00334, dated May 2, 2019 (*First Remand Results*).

<sup>9</sup> *Id.* at 13.

<sup>10</sup> *Id.*

<sup>11</sup> See *Stupp Corporation et al. v. United States*, 413 F. Supp. 3d 1326, 1332 (CIT 2019).

<sup>12</sup> *Id.*, 413 F. Supp. 3d at 1333.

<sup>13</sup> See *Final Results of Redetermination Pursuant to Second Court Remand*, Consol. Court No. 15-00334 (January 14, 2020) (*Second Remand Results*).