

Dated: November 30, 2023.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

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- III. Period of Review
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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-093]

Refillable Stainless Steel Kegs From the People's Republic of China: Preliminary Results of the Antidumping Duty Administrative Review; 2021-2022

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that certain producers and/or exporters made sales of refillable stainless steel kegs (kegs) at less than normal value during the period of review (POR) April 1, 2021, through March 31, 2022. Interested parties are invited to comment on the preliminary results of this review.

DATES: Applicable December 7, 2023.

FOR FURTHER INFORMATION CONTACT: Aleksandras Nakutis and Jacob Keller, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-3147 and (202) 482-4849, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 16, 2019, Commerce published in the **Federal Register** the AD order on kegs from China.¹ On December 1, 2022, Commerce published a notice of opportunity to request an administrative review of the Order, covering the POR, pursuant to section

751(a)(1) of the Tariff Act of 1930, as amended (the Act).² On February 2, 2023, based on timely requests for review, Commerce initiated an administrative review of the Order covering the POR.³ On March 6, 2023, Guangzhou Ulix Industrial & Trading Co., Ltd., (Ulix) and Guangzhou Jingye Machinery Co., Ltd., (Jingye) each timely filed a no-shipment certification (NSC) and a separate rate certification.⁴ This administrative review covers 41 companies.⁵

Scope of the Order

The merchandise covered by this Order are kegs, vessels, or containers with bodies that are approximately cylindrical in shape, made from stainless steel (*i.e.*, steel containing at least 10.5 percent chromium by weight and less than 1.2 percent carbon by weight, with or without other elements), and that are compatible with a “D Sankey” extractor (refillable stainless steel kegs) with a nominal liquid volume capacity of 10 liters or more, regardless of the type of finish, gauge, thickness, or grade of stainless steel, and whether or not covered by or encased in other materials. The merchandise covered by the orders are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 7310.10.0010, 7310.10.0050, 7310.29.0025, and 7310.29.0050. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of the orders is dispositive. A full description of the scope of the Order is provided in the Preliminary Decision Memorandum.⁶

Preliminary Results and Referral to U.S. Customs and Border Protection

Based on record information, Commerce preliminarily determine that all 41 companies subject to this administrative review are a part of the

² See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List*, 87 FR 73752 (December 1, 2022).

³ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 88 FR 7060 (February 2, 2023) (*Initiation Notice*).

⁴ See Ulix's Letter, “Separate Rate Certification,” dated March 6, 2023; see also Jingye's Letter, “No Sales & Separate Rate Certification,” dated March 6, 2023.

⁵ See Memorandum, “Respondent Selection,” dated September 14, 2022.

⁶ See Memorandum, “Decision Memorandum for the Preliminary Results of the Antidumping Duty Administrative Review of Refillable Stainless Steel Kegs from the People's Republic of China; 2021-2022,” dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

China-wide entity.⁷ Regarding Jingye and Ulix's NSCs, we preliminarily determine these responses to be unreliable and that use of facts otherwise available with an adverse inference is warranted, pursuant to sections 776(a)-(b) of the Act, to determine that Jingye and Ulix have not substantiated their NSCs. Moreover, for reasons discussed in the Preliminary Decision Memorandum, Commerce is preliminarily treating Jingye and Ulix as part of the China-wide entity and Commerce is referring its preliminary findings to U.S. Customs and Border Protection (CBP) to investigate evasion of the Order.

China-Wide Entity

Under Commerce's policy regarding the conditional review of the China-wide entity,⁸ the China-wide entity will not be under review unless a party specifically requests, or Commerce self-initiates, a review of the entity. Because no party requested a review of the China-wide entity in this review, the entity is not under review, and the entity's rate (*i.e.*, 77.13 percent) is not subject to change.⁹ Commerce considers the 41 companies for which a review was requested (which did not file a separate rate application or did not demonstrate separate rate eligibility) listed in Appendix II to this notice, to be part of the China-wide entity.¹⁰

Methodology

Commerce is conducting this review in accordance with section 751(a)(1)(B) 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 Appendix I to this notice. 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>. In addition, a complete

⁷ See Appendix II.

⁸ See *Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings*, 78 FR 65963 (November 4, 2013).

⁹ See Order.

¹⁰ See *Initiation Notice* (“All firms listed below that wish to qualify for separate rate status in the administrative reviews involving NME countries must complete, as appropriate, either a separate rate application or certification, as described below.”); see also Appendix II for the list of companies that are subject to this administrative review that are considered to be part of the China-wide entity.

¹ See *Refillable Stainless Steel Kegs from the Federal Republic of Germany and the People's Republic of China: Antidumping Duty Orders*, 84 FR 68405 (December 16, 2019) (*Order*).

version of the Preliminary Decision Memorandum can be found at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Public Comment

Pursuant to 19 CFR 351.309(c), interested parties may submit case 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 not later than five days after the date for filing case briefs.¹¹ Interested parties who submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.¹²

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their brief that should be limited to five pages total, including footnotes. In this review, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.¹³ Further, we request that interested parties limit their executive summary of each issue to no more than 450 words, not including citations. We intend to use the executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final determination in this review. We request that interested parties include footnotes for relevant citations in the executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).¹⁴

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the publication of this notice. Requests should contain the party's name, address, telephone number, the number of participants, whether any participant is a foreign national, and a list of the issues to be discussed. If a request for a hearing is made, Commerce intends to

hold the hearing at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Unless the deadline is extended, Commerce intends to issue the final results of this review, including the results of its analysis of the issues raised in any written briefs, no later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h).

Assessment Rates

Upon issuing the final results, Commerce will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review.¹⁵ If the preliminary results are unchanged for the final results, we will instruct CBP to apply an *ad valorem* assessment rate of 77.13 percent to all entries of subject merchandise during the POR which were exported by the companies considered to be a part of the China-wide entity listed in Appendix II of this notice.

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this review for shipments of the subject merchandise from China entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) for all Chinese 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 China-wide entity; and (2) for all non-Chinese exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the Chinese exporter that supplied that non-Chinese 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 and/or countervailing duties prior to liquidation of the relevant entries during the POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of double antidumping duties, and/or an increase in the amount of antidumping duties by the amount of the countervailing duties.

Notification to Interested Parties

Commerce is issuing and publishing the preliminary results of this review in accordance with sections 751(a)(1)(B), 751(a)(3) and 777(i) of the Act, and 19 CFR 351.213(d)(4) and 351.221(b)(4).

Dated: November 30, 2023.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. No-Shipments Certifications and Referral to CBP of Evasion
- V. Discussion of the Methodology
- VI. Recommendation

Appendix II

Companies Considered To Be Part of the China-Wide Entity

1. Dalian Yonghseng Metal Structure Co., Ltd. d/b/a DYM Brewing Solutions
2. Equipmentimes (Dalian) E-Commerce Co., Ltd.
3. Guangzhou Jingye Machinery Co., Ltd.
4. Guangzhou Ulix Industrial & Trading Co., Ltd.
5. Jinan Chenji International Trade Co., Ltd.
6. Jinan Chenji Machinery Equipment Co., Ltd.
7. Jinan HaoLu Machinery Equipment Co., Ltd.
8. Jinjiang Jiaying Import and Export Co., Ltd.
9. NDL Keg Qingdao Inc.
10. Ningbo All In Brew Technology Co.
11. Ningbo BestFriends Beverage Containers Industry Co., Ltd.
12. Ningbo Chance International Trade Co., Ltd.
13. Ningbo Direct Import & Export Co., Ltd.
14. Ningbo Haishu Direct Import and Export Trade Co., Ltd.
15. Ningbo Haishu Xiangsheng Metal Factory
16. Ningbo Hefeng Container Manufacturer Co., Ltd.
17. Ningbo Hefeng Kitchen Utensils Manufacture Co., Ltd.
18. Ningbo HGM Food Machinery Co., Ltd.
19. Ningbo Jiangbei Bei Fu Industry and Trade Co., Ltd.
20. Ningbo Kegco International Trade Co., Ltd.

¹¹ See 19 CFR 351.309(d); see also *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069, 67077 (September 29, 2023) (*APO and Service Final Rule*).

¹² See 19 CFR 351.309(c)(2) and (d)(2).

¹³ We use the term "issue" here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

¹⁴ See *APO and Service Final Rule*.

¹⁵ See 19 CFR 351.212(b)(1).

21. Ningbo Kegstorm Stainless Steel Co., Ltd.
22. Ningbo Minke Import & Export Co., Ltd.
23. Ningbo Sanfino Import & Export Co., Ltd.
24. Ningbo Shimaotong International Co., Ltd.
25. Ningbo Sunburst International Trading Co., Ltd.
26. Orient Equipment (Taizhou) Co., Ltd.
27. Penglai Jinfu Stainless Steel Products.
28. Pera Industry Shanghai Co., Ltd.
29. Qingdao Henka Precision Technology Co., Ltd.
30. Qingdao Xinhe Precision Manufacturing Co., Ltd.
31. Rain Star International Trading Dalian Co., Ltd.
32. Shandong Meto Beer Equipment Co., Ltd.
33. Shandong Tiantai Beer Equipment Co., Ltd.
34. Shandong Tonsen Equipment Co., Ltd.
35. Shandong Yuesheng Beer Equipment Co., Ltd.
36. Shenzhen Wellbom Technology Co., Ltd.
37. Sino Dragon Group, Ltd.
38. Wenzhou Deli Machinery Equipment Co.
39. Wuxi Taihu Lamps and Lanterns Co., Ltd.
40. Yantai Toptech Ltd.
41. Yantai Trano New Material Co., Ltd., d/b/a Trano Keg, d/b/a SS Keg.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-588-845, A-580-834, A-583-831, C-580-835]

Stainless Steel Sheet and Strip in Coils From Japan, the Republic of Korea, and Taiwan: Continuation of Antidumping Duty Orders and Countervailing Duty Order

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

SUMMARY: As a result of the determinations by the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC) that revocation of the antidumping duty (AD) orders on stainless steel sheet and strip in coils (SSSSC) from Japan, the Republic of Korea (Korea), and Taiwan and the countervailing duty (CVD) order on SSSSC from Korea would likely lead to the continuation or recurrence of dumping, countervailable subsidies, and material injury to an industry in the United States, Commerce is publishing a notice of continuation of these AD and CVD orders.

DATES: Applicable October 24, 2023.

FOR FURTHER INFORMATION CONTACT: Andrew Hart, 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) 482-1058.

SUPPLEMENTARY INFORMATION:

Background

On July 27, 1999, Commerce published in the *Federal Register* the AD orders on SSSSC from Japan, Korea, and Taiwan, and, on August 6, 1999, Commerce published the CVD order on SSSSC from Korea.¹ On September 1, 2022, the ITC instituted,² and Commerce initiated,³ the fourth sunset review of the *Orders*, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act). As a result of its reviews, Commerce determined that revocation of the *Orders* would likely lead to the continuation or recurrence of dumping and countervailable subsidies and, therefore, notified the ITC of the magnitude of the margins of dumping and subsidy rates likely to prevail should the *Orders* be revoked.⁴

On October 24, 2023, the ITC published its determination, pursuant to sections 751(c) and 752(a) of the Act, that revocation of the *Orders* would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.⁵

Scope of the Orders

The merchandise under review is certain stainless steel sheet and strip in coils. Stainless steel is an alloy steel containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. The subject sheet and strip is a flat-rolled product in coils that is greater than 9.5 mm in width and less than 4.75 mm in thickness, and that is annealed or otherwise heat treated and

pickled or otherwise descaled. The subject sheet and strip may also be further processed (e.g., cold-rolled, polished, aluminized, coated, etc.) provided that it maintains the specific dimensions of sheet and strip following such processing.

The merchandise subject to this review is classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheadings: 7219.13.00.31, 7219.13.00.51, 7219.13.00.71, 7219.13.00.81, 7219.14.00.30, 7219.14.00.65, 7219.14.00.90, 7219.32.00.05, 7219.32.00.20, 7219.32.00.25, 7219.32.00.35, 7219.32.00.36, 7219.32.00.38, 7219.32.00.42, 7219.32.00.44, 7219.33.00.05, 7219.33.00.20, 7219.33.00.25, 7219.33.00.35, 7219.33.00.36, 7219.33.00.38, 7219.33.00.42, 7219.33.00.44, 7219.34.00.05, 7219.34.00.20, 7219.34.00.25, 7219.34.00.30, 7219.34.00.35, 7219.35.00.05, 7219.35.00.15, 7219.35.00.30, 7219.35.00.35, 7219.90.00.10, 7219.90.00.20, 7219.90.00.25, 7219.90.00.60, 7219.90.00.80, 7220.12.10.00, 7220.12.50.00, 7220.20.10.10, 7220.20.10.15, 7220.20.10.60, 7220.20.10.80, 7220.20.60.05, 7220.20.60.10, 7220.20.60.15, 7220.20.60.60, 7220.20.60.80, 7220.20.70.05, 7220.20.70.10, 7220.20.70.15, 7220.20.70.60, 7220.20.70.80, 7220.20.80.00, 7220.20.90.30, 7220.20.90.60, 7220.90.00.10, 7220.90.00.15, 7220.90.00.60, and 7220.90.00.80. Although the HTSUS subheadings are provided for convenience and Customs purposes, Commerce's written description of the merchandise under review is dispositive.

Excluded from the scope of this review are the following: (1) sheet and strip that is not annealed or otherwise heat treated and pickled or otherwise descaled, (2) sheet and strip that is cut to length, (3) plate (i.e., flat-rolled stainless steel products of a thickness of 4.75 mm or more), (4) flat wire (i.e., cold-rolled sections, with a prepared edge, rectangular in shape, of a width of not more than 9.5 mm), and (5) razor blade steel. Razor blade steel is a flat-rolled product of stainless steel, not further worked than cold-rolled (cold-reduced), in coils, of a width of not more than 23 mm and a thickness of 0.266 mm or less, containing, by weight, 12.5 to 14.5 percent chromium, and certified at the time of entry to be used in the manufacture of razor blades. See Chapter 72 of the HTSUS, "Additional U.S. Note" 1(d).

¹ See *Notice of Antidumping Duty Order: Stainless Steel Sheet and Strip in Coils from United Kingdom, Taiwan, and South Korea*, 64 FR 40555 (July 27, 1999); *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Stainless Steel Sheet and Strip in Coils from Japan*, 64 FR 40565 (July 27, 1999); and *Amended Final Determination: Stainless Steel Sheet and Strip in Coils from the Republic of Korea; and Notice of Countervailing Duty Orders: Stainless Steel Sheet and Strip in Coils from France, Italy, and the Republic of Korea*, 64 FR 42923 (August 6, 1999) (collectively, *Orders*).

² See *Stainless Steel Sheet and Strip from Japan, Korea, and Taiwan; Institution of Five-Year Review*, 87 FR 53780 (September 1, 2022).

³ See *Initiation of Five-Year ("Sunset") Review*, 87 FR 53727 (September 1, 2022).

⁴ See *Stainless Steel Sheet and Strip in Coils from Japan, the Republic of Korea, and Taiwan: Final Results of the Expedited Fourth Sunset Review of the Antidumping Duty Orders*, 87 FR 74133 (December 2, 2022), and accompanying Issues and Decision Memorandum (IDM); and *Stainless Steel Sheet and Strip in Coils from the Republic of Korea: Final Results of Expedited Sunset Review of the Countervailing Duty Order*, 87 FR 74130 (December 2, 2022), and accompanying IDM.

⁵ See *Stainless Steel Sheet and Strip from Japan, South Korea, and Taiwan Determinations*, 88 FR 73043 (October 24, 2023) (ITC Final Determination).