

review and for future deposits of estimated duties, where applicable.<sup>17</sup>

For entries of subject merchandise during the POR produced by either of the individually examined respondents for which they did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate these entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.<sup>18</sup>

For the companies identified above that were not selected for individual examination, we will instruct CBP to liquidate entries at the rates established after the completion of the final results of review.

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 for estimated antidumping duties will be effective upon publication in the **Federal Register** of the notice of final results of this review for all shipments of olives from Spain entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2) of the Act: (1) the cash deposit rate for companies subject to this review will be equal to the weighted-average dumping margins established in the final results of the review; (2) for merchandise exported by companies not covered in this review but covered in a prior segment of this proceeding, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation but the producer is, then the cash deposit rate will be the rate established in the completed segment for the most recent period for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to

be 19.98 percent,<sup>19</sup> the all-others rate established in the LTFV investigation. These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Final Results of Review

Unless extended, Commerce intends to issue the final results of this administrative 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)(1).

#### 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 this 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 countervailing duties.

#### Notification to Interested Parties

These preliminary results and notice are issued and published in accordance with sections 751(a)(1) and 777(i) of the Act, 19 CFR 351.213(d)(4), 19 CFR 351.213(h) and 19 CFR 351.221(b)(4).

Dated: August 31, 2023.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

#### Appendix—List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Rescission of Review, In Part
- V. Rate for Non-Selected Companies
- VI. Discussion of the Methodology
- VII. Currency Conversion
- VIII. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–351–859, A–533–915, A–508–814, A–201–858, A–580–916, A–791–828]

#### Brass Rod From Brazil, India, Israel, Mexico, the Republic of Korea, and South Africa: Postponement of Preliminary Determinations in the Less-Than-Fair-Value Investigations

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

**DATES:** Applicable September 8, 2023.

#### FOR FURTHER INFORMATION CONTACT:

Claudia Cott (Brazil), Christopher Williams (India), Andrew Hart (Israel), Frank Schmitt (Mexico), Drew Jackson (the Republic of Korea (Korea)), Dmitry Vladimirov (South Africa), AD/CVD Operations, Offices I, II, IV, VI, and IX, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4270, (202) 482–5166, (202) 482–1058, (202) 482–4880, (202) 482–4406, (202) 482–0665), respectively.

#### SUPPLEMENTARY INFORMATION:

#### Background

On May 17, 2023, the U.S. Department of Commerce (Commerce) initiated less-than-fair-value (LTFV) investigations of imports of brass rod from Brazil, India, Israel, Mexico, Korea, and South Africa.<sup>1</sup> Currently, the preliminary determinations are due no later than October 4, 2023.

#### Postponement of Preliminary Determinations

Section 733(b)(1)(A) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in a LTFV investigation within 140 days after the date on which Commerce initiated the investigation. However, section 733(c)(1)(A)(b)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 190 days after the date on which Commerce initiated the investigation if: (A) the petitioner makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR

<sup>17</sup> See section 751(a)(2)(C) of the Act.

<sup>18</sup> For a full discussion of this practice, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

<sup>19</sup> See *Ripe Olives from Spain: Antidumping Duty Order*, 83 FR 37465 (August 1, 2018) (*Order*) at 37466.

<sup>1</sup> See *Brass Rod from Brazil, India, Israel, Mexico, the Republic of Korea, and South Africa: Initiation of Less-Than-Fair-Value Investigations*, 88 FR 33579 (May 24, 2023) (*Initiation Notice*).

351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request.

Commerce will grant the request unless it finds compelling reasons to deny the request.

On August 23, 2023, the petitioners<sup>2</sup> submitted a timely request that Commerce postpone the preliminary determinations in these LTFV investigations to 190 days after the date of initiation of the investigations.<sup>3</sup> The petitioners stated that they request postponement due to the size and complexity of the investigations, the extensions of time already granted by Commerce to respondents, and the amount of time that will be needed for Commerce to conduct complete and thorough analyses in these investigations, including the issuance and review of additional supplemental questionnaires.<sup>4</sup>

For the reasons stated above and because there are no compelling reasons to deny the request for postponement, Commerce, in accordance with section 733(c)(1)(A) of the Act, is postponing the deadline for the preliminary determinations by 50 days (*i.e.*, 190 days after the date on which these investigations were initiated). As a result, Commerce will issue its preliminary determinations no later than November 24, 2023.<sup>5</sup> In accordance with section 735(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determinations of these investigations will continue to be 75 days after the date of the preliminary determinations, unless postponed.

This notice is issued and published pursuant to section 733(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: September 1, 2023.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

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<sup>2</sup> The petitioners are the American Brass Rod Fair Trade Coalition and its constituent members, Mueller Brass Co. and Wieland Chase LLC, U.S.

<sup>3</sup> See Petitioners' Letter, "Request to Extend Antidumping Preliminary Determinations," dated August 23, 2023.

<sup>4</sup> *Id.*

<sup>5</sup> Because the extended deadline for these preliminary determinations falls on a Federal holiday (*i.e.*, November 23, 2023), the deadline becomes the next business day. See *Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005).

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### United States-Mexico-Canada Agreement (USMCA), Article 10.12: Binational Panel Review: Notice of Request for Panel Review

**AGENCY:** United States Section, USMCA Secretariat, International Trade Administration, Department of Commerce.

**ACTION:** Notice of USMCA request for panel review.

**SUMMARY:** A Request for Panel Review was filed in the matter of Certain Softwood Lumber from Canada: Final Results of a Final Rescission, in Part, of the Countervailing Duty Administrative Review; 2021 with the U.S. Section of the USMCA Secretariat on August 31, 2023, pursuant to USMCA Article 10.12. The final results of the administrative review were published in the **Federal Register** on August 1, 2023. The USMCA Secretariat has assigned case number USA–CDA–2023–10.12–01 to this request.

**FOR FURTHER INFORMATION CONTACT:** Vidya Desai, United States Secretary, USMCA Secretariat, Room 2061, 1401 Constitution Avenue NW, Washington, DC 20230, 202–482–5438.

**SUPPLEMENTARY INFORMATION:** Article 10.12 of chapter 10 of USMCA provides a dispute settlement mechanism involving trade remedy determinations issued by the Government of the United States, the Government of Canada, and the Government of Mexico. Following a Request for Panel Review, a Binational Panel is composed to review the trade remedy determination being challenged and issue a binding Panel Decision. There are established USMCA *Rules of Procedure for Article 10.12 (Binational Panel Reviews)*, which were adopted by the three governments for panels requested pursuant to article 10.12(2) of USMCA which requires Requests for Panel Review to be published in accordance with Rule 40. For the complete Rules, please see [https://can-mex-usa-sec.org/secretariat/agreement-accord-acuerdo/usmca-aceum-tmec/rules-regles-reglas/article-article-articulo\\_10\\_12.aspx?lang=eng](https://can-mex-usa-sec.org/secretariat/agreement-accord-acuerdo/usmca-aceum-tmec/rules-regles-reglas/article-article-articulo_10_12.aspx?lang=eng).

The Rules provide that:

(a) A Party or interested person may challenge the final determination in whole or in part by filing a Complaint in accordance with Rule 44 no later than 30 days after the filing of the first Request for Panel Review (the deadline for filing a Complaint is October 2, 2023);

(b) A Party, an investigating authority or other interested person who does not file a Complaint but who intends to participate in the panel review shall file a Notice of Appearance in accordance with Rule 45 no later than 45 days after the filing of the first Request for Panel Review (the deadline for filing a Notice of Appearance is October 16, 2023);

(c) The panel review will be limited to the allegations of error of fact or law, including challenges to the jurisdiction of the investigating authority, that are set out in the Complaints filed in the panel review and to the procedural and substantive defenses raised in the panel review.

Dated: September 5, 2023.

**Vidya Desai,**

*U.S. Secretary, USMCA Secretariat.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–570–155]

#### Certain Pea Protein From the People's Republic of China: Postponement of Preliminary Determination in the Countervailing Duty Investigation

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

**DATES:** Applicable September 8, 2023.

**FOR FURTHER INFORMATION CONTACT:** Kristen Johnson and Laura Griffith, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4793 and (202) 482–6430, respectively.

**SUPPLEMENTARY INFORMATION:**

#### Background

On August 1, 2023, the U.S. Department of Commerce (Commerce) initiated a countervailing duty (CVD) investigation of imports of certain pea protein from the People's Republic of China.<sup>1</sup> Currently, the preliminary determination is due no later than October 5, 2023.

#### Postponement of Preliminary Determination

Section 703(b)(1) of the Tariff Act of 1930, as amended (the Act), requires

<sup>1</sup> See *Certain Pea Protein from the People's Republic of China: Initiation of Countervailing Duty Investigation*, 88 FR 52116 (August 7, 2023) (*Initiation Notice*).