



BILLING CODE: 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-890]

Wooden Bedroom Furniture from the People's Republic of China: Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review and Preliminary Determination of No Shipments in Part; 2016

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

SUMMARY: In response to requests from interested parties, the Department of Commerce (the Department) is conducting the twelfth administrative review (AR) of the antidumping duty order on wooden bedroom furniture (WBF) from the People's Republic of China (PRC). The period of review (POR) is January 1, 2016, through December 31, 2016. This AR covers 13 companies, including one mandatory respondent, Decca Furniture Ltd. (Decca). The Department has preliminarily determined that four of the 13 companies, including Decca, have not established their entitlement to a separate rate and are part of the PRC-wide entity. The Department has also preliminarily determined that eight companies had no reviewable transactions during the POR. The Department has also rescinded the review for Nanhai Jiantai Woodwork Co., Ltd., Fortune Glory Industrial, Ltd. (HK Ltd.) (collectively, Fortune Glory), for whom all review requests have been withdrawn. We invite interested parties to comment on these preliminary results.

DATES: Applicable [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

FOR FURTHER INFORMATION CONTACT: Patrick O'Connor, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0989.

SUPPLEMENTARY INFORMATION:

Background

After initiating this review with respect to 80 companies or company groupings,¹ interested parties withdrew all review requests for 67 of the 80 companies. Thus, the Department rescinded this review with respect to those companies.² On June 22, 2017, the Department issued an antidumping duty questionnaire to Decca, the only company under review that filed a separate rate application. Decca did not respond to the questionnaire. For a complete description of the events that followed the initiation of this administrative review, see the Preliminary Decision Memorandum which is hereby adopted by this notice.³

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 <http://access.trade.gov> and in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>. The signed Preliminary Decision Memorandum and the electronic version of the Preliminary Decision Memorandum are identical in content.

¹ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 82 FR 13795 (March 15, 2017) (*Initiation Notice*).

² See *Wooden Bedroom Furniture, From the People's Republic of China; Partial Rescission of Antidumping Duty Administrative Review*, 82 FR 35929 (August 2, 2017).

³ See "Decision Memorandum for the Preliminary Results of the Antidumping Duty Administrative Review: Wooden Bedroom Furniture from the People's Republic of China," from James Maeder, Senior Director, performing the duties of Deputy Assistant Secretary for Antidumping Duty and Countervailing Duty Operations, to Gary Taverman, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance (Preliminary Decision Memorandum), dated concurrently with this notice.

Scope of the Order

The product covered by the *Order* is wooden bedroom furniture, subject to certain exceptions.⁴ On August 29, 2017, the petitioners filed comments addressing a U.S. Customs and Border Protection (CBP) ruling indicating that CBP would no longer use certain harmonized tariff schedule subheadings to classify items within the scope of the *Order*.⁵ In light of the petitioners' comments, we have preliminarily revised the scope to include the harmonized tariff schedule numbers under which subject merchandise is entered. Under the revised scope, imports of subject merchandise are classified under the Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 9403.90.7005, 9403.90.7080, 9403.50.9041, 9403.60.8081, 9403.20.0018, 9403.90.8041, 7009.92.1000 or 7009.92.5000. Although the HTSUS subheadings are provided for convenience and customs purposes, the written product description in the *Order* remains dispositive. Barring any changes to this revised language between the issuance of the preliminary and final results, this revision will be effective as of the final results of this review. For a complete description of the scope of the *Order* and discussion of the revisions to the harmonized tariff schedule numbers in the scope, please *see* the Preliminary Decision Memorandum.

Methodology

The Department is conducting this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.213. For a full description of the methodology underlying our preliminary results of review, *see* the Preliminary Decision Memorandum. A list of topics discussed in the Preliminary Decision Memorandum is provided in the Appendix to this notice.

Preliminary Determination of No Shipments

⁴ *See Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Wooden Bedroom Furniture from the People's Republic of China*, 70 FR 329 (January 4, 2005) (*Order*).

⁵ *See* letter from the petitioners, re: "Wooden Bedroom Furniture From China: Petitioners' Comments Regarding The Upcoming Preliminary Results," dated August 29, 2017.

Because CBP did not provide any information contradicting the claims of the eight companies under review which claimed to have made no shipments, the Department preliminarily determines that these eight companies did not have any reviewable transactions during the POR.⁶ For additional information regarding this determination, *see* the Preliminary Decision Memorandum. Consistent with the Department's practice in non-market economy (NME) cases, the Department is not rescinding this AR, in part, with respect to these eight companies, but intends to complete the review with respect to the companies for which it has preliminarily found no shipments and issue appropriate instructions to CBP based on the final results of the review.⁷

Separate Rates

Because Decca was the only company under review that submitted a separate rate application, the Department selected Decca as the sole mandatory respondent in this review. As noted above, Decca did not respond to the Department's antidumping duty questionnaire. Therefore, the Department preliminarily determines that Decca Furniture did not establish its eligibility for separate rate status. In addition, three other companies for which a review was requested failed to provide separate rate applications or certifications.⁸ Therefore, the Department preliminarily determines that these four companies are part of the PRC-wide entity. Because no party requested a review of the PRC-wide entity, the entity is not under review, and

⁶ The eight companies/company groupings are: (1) Dongguan Sunrise Furniture Co., Taicang Sunrise Wood Industry, Co., Ltd., Shanghai Sunrise Furniture Co., Ltd., Fairmont Designs; (2) Dongguan Sunrise Furniture Co., Taicang Sunrise Wood Industry, Co., Ltd., Taicang Fairmont Designs Furniture Co., Ltd., Meizhou Sunrise Furniture Co., Ltd.; (3) Eurosa (Kunshan) Co., Ltd.; Eurosa Furniture Co., (PTE) Ltd.; (4) Golden Well International (HK) Limited; Zhangzhou Xym Furniture Product Co., Ltd.; (5) RiZhao Sanmu Woodworking Co., Ltd.; (6) Shenyang Shining Dongxing Furniture Co., Ltd.; (7) Woodworth Wooden Industries (Dong Guan) Co., Ltd.; and (8) Yeh Brothers World Trade Inc.

⁷ *See Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694, 65694-95 (October 24, 2011) and the "Assessment Rates" section, below.

⁸ The three companies are: (1) Changshu HTC Import & Export Co., Ltd.; (2) Starwood Industries Ltd.; and (3) U-Rich Furniture (Zhangzhou) Co., Ltd.; U-Rich Furniture Ltd.

the entity's rate of 216.01 percent is not subject to change.⁹ For additional information regarding this determination, *see* the Preliminary Decision Memorandum.

Partial Rescission of Administrative Review

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review, in whole or in part, if the party or parties that requested a review withdraws the request within 90 days of the publication date of the notice of initiation of the requested review. As noted above, the petitioners withdrew their request for an administrative review with respect to Fortune Glory within 90 days of the publication date of the notice of initiation. No other parties requested an administrative review of the order with respect to Fortune Glory. Therefore, in accordance with 19 CFR 351.213(d)(1), the Department is rescinding this review of the AD order on wooden bedroom furniture from the PRC with respect to Fortune Glory.

Public Comment

Interested parties are invited to comment on the preliminary results and may submit case briefs and/or written comments, filed electronically using ACCESS, within 30 days of the date of publication of this notice, pursuant to 19 CFR 351.309(c)(1)(ii). Rebuttal briefs, limited to issues raised in the case briefs, will be due five days after the due date for case briefs, pursuant to 19 CFR 351.309(d). Parties who submit case or rebuttal briefs in this review are requested to submit with each argument a statement of the issue, a summary of the argument not to exceed five pages, and a table of statutes, regulations, and cases cited, in accordance with 19 CFR 351.309(c)(2).

Any interested party may request a hearing within 30 days of publication of this notice.¹⁰ Hearing requests should contain the following information: (1) the party's name, address, and

⁹ *See Second Amended Final Results of Antidumping Duty Administrative Review: Wooden Bedroom Furniture from the People's Republic of China*, 72 FR 62834 (November 7, 2007).

telephone number; (2) the number of participants; and (3) a list of the issues to be discussed.

Oral presentations at the hearing will be limited to issues raised in the case briefs. If a request for a hearing is made, parties will be notified of the time and date of the hearing to be held at the U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230.¹¹

Unless extended, the Department intends to issue the final results of this AR, which will include the results of its analysis of issues raised in any briefs received, within 120 days of publication of these preliminary results, pursuant to section 751(a)(3)(A) of the Act.

Assessment Rates

The Department will instruct CBP to assess antidumping duties on all appropriate entries. For Fortune Glory, for which this review is rescinded, antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions with respect to Fortune Glory to CBP 15 days after publication of this notice.

Upon issuing the final results of this review, the Department will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review.¹² The Department intends to issue assessment instructions to CBP 15 days after the publication date of the final results of this review. We intend to instruct CBP to liquidate entries of subject merchandise exported by the PRC-wide entity, including Decca and the other three companies noted above which did not qualify for separate rate status, at the PRC-wide rate. Additionally, pursuant to the Department's practice in NME cases, if we continue to determine that the eight companies noted above had no shipments of subject merchandise, any suspended entries of

¹⁰ See 19 CFR 351.310(c).

¹¹ See 19 CFR 351.310(d).

¹² See 19 CFR 351.212(b).

subject merchandise during the POR under their case numbers will be liquidated at the PRC-wide rate.¹³

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this review for shipments of subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by sections 751(a)(2)(C) of the Act: (1) for previously investigated or reviewed PRC and non-PRC exporters that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (2) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the rate for the PRC-wide entity, which is 216.01 percent; and (3) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter.

These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping

¹³ For a full discussion of this practice, see *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011).

duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties. We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213.

Dated: October 2, 2017.

Gary Taverman,
Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations,
performing the non-exclusive functions and duties of the
Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

- 1) Summary
- 2) Background
- 3) Revisions to Harmonized Tariff Schedule Numbers in the Scope
- 4) Scope of the Order
- 5) DISCUSSION OF THE METHODOLOGY

- a. NME Country Status
 - b. Separate Rates
 - c. Preliminary Determination of No Shipments
 - d. Partial Rescission
- 6) Conclusion

[FR Doc. 2017-21877 Filed: 10/10/2017 8:45 am; Publication Date: 10/11/2017]