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DEPARTMENT OF COMMERCE

International Trade Administration

[A-475-818]

Certain Pasta from Italy: Notice of Partial Rescission of Antidumping Duty Administrative Review

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

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

FOR FURTHER INFORMATION CONTACT: Joy Zhang or George McMahon, 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) 482-1168 or (202) 482-1167, respectively.

SUPPLEMENTARY INFORMATION

Background

On July 3, 2017, the Department of Commerce (Commerce) published a notice of opportunity to request an administrative review of the antidumping duty order on certain pasta from Italy.¹ Pursuant to requests from interested parties,² Commerce published in the *Federal Register* the notice of initiation of this antidumping duty administrative review with respect to the following companies for the period July 1, 2016, through June 30, 2017:

¹ See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 82 FR 30833 (July 3, 2017).

² The petitioners are Dakota Growers Pasta Company, Riviana Foods (formerly New World Pasta Company) and Treehouse Foods (formerly American Italian Pasta Company). The petitioners requested a review of Industria Alimentare Colavita S.p.A., Ghigi Industria Agroalimentare in San Clemente S.r.l. and its affiliate Pasta Zara S.p.A., and Agritalia S.r.l. See Letter from the petitioners to Commerce, “Request for 2016-2017 Administrative Reviews of the Antidumping Duty Order on Certain Pasta from Italy,” dated July 31, 2017.

Agritalia S.r.L. (Agritalia), Alessio Panarese Soceieta Agricola (Alessio), Antico Pastificio Morelli 1860 S.r.l. (Antico), Colussi SpA (Colussi), Francesco Tamma S.p.A. (Tamma), Ghigi 1870 S.p.A. (Ghigi), Ghigi Industria Agroalimentare in San Clemente S.r.l.,³ G.R.A.M.M. S.r.l. (G.R.A.M.M.), Industria Alimentare Colavita S.p.A. (Indalco), La Molisana S.p.A. (La Molisana), Liguori Pastificio dal 1820 S.p.A. (Liguori), Pasta Zara S.p.A. (Zara), Pastificio Andalini S.p.A. (Andalini), Pastificio Fratelli DeLuca S.r.l. (DeLuca), Pastificio Menucci SpA (Menucci), Pastificio Zaffiri S.r.l. (Zaffiri), and Tesa SrL (Tesa).⁴

On September 18, 2017, La Molisana timely withdrew its request for a review.⁵ On November 13, 2017, Tamma timely withdrew its request for a review.⁶ On December 12, 2017, Andalini, DeLuca, G.R.A.M.M., and Zaffiri timely withdrew their respective requests for an administrative review.⁷ No other party requested an administrative review of these particular companies.

Partial Rescission of the 2016 - 2017 Administrative Review

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if the parties that requested a review withdraw the request within 90 days of the date of publication of the notice of initiation of the requested review. All of the aforementioned withdrawal requests were timely submitted and no other interested party requested an administrative review of these particular companies. Therefore, in accordance with 19 CFR

³ In the 2015-16 antidumping duty review of Certain Pasta from Italy, Commerce determined that Ghigi 1870 S.p.A. was formerly known as Ghigi Industria Agroalimentare in San Clemente S.r.l. See Memorandum titled “2015-2016 Antidumping Duty Administrative Review of Certain Pasta from Italy: Ghigi and Zara Collapsing Memorandum,” dated July 31, 2017.

⁴ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 82 FR 42974 (September 13, 2017) (*Initiation Notice*).

⁵ See Letter from Tamma to Commerce, “Certain Pasta from Italy: Withdrawal of Antidumping Duty Administrative Review Request,” dated November 13, 2017.

⁶ See Letter from La Molisana to Commerce, “Certain Dry Pasta from Italy, A-475-818; Withdraw Request for Review,” dated September 18, 2017.

⁷ See Letter from DeLuca, G.R.A.M.M., Andalini, and Zaffiri to Commerce, “Certain Dry Pasta from Italy, A-475-818; Withdraw Request for Review,” dated December 12, 2017.

351.213(d)(1), and consistent with our practice,⁸ we are rescinding this review of the antidumping duty order on certain pasta from Italy, in part, with respect to Andalini, DeLuca, GR.A.M.M., La Molisana, Tamma, and Zaffiri.

Assessment

Commerce will instruct Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries. For the companies for which this review is rescinded, Andalini, DeLuca, GR.A.M.M., La Molisana, Tamma, and Zaffiri, 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, during the period July 1, 2016, through June 30, 2017, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue appropriate assessment instructions directly to CBP 15 days after publication of this notice.

Notification to Importers

This notice serves as a 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 review period. 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 doubled antidumping duties.

Notification Regarding Administrative Protective Order

This notice serves as a final reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed

⁸ See, e.g., *Certain Lined Paper Products from India: Notice of Partial Rescission of Antidumping Duty Administrative Review and Extension of Time Limit for the Preliminary Results of Antidumping Duty Administrative Review*, 74 FR 21781 (May 11, 2009); see also *Carbon Steel Butt-Weld Pipe Fittings from Thailand: Rescission of Antidumping Duty Administrative Review*, 74 FR 7218 (February 13, 2009).

under an APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/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 which is subject to sanction.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: January 12, 2018.

James Maeder,
Senior Director
performing the duties of Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations.

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