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DEPARTMENT OF COMMERCE

International Trade Administration

[A-583-859]

Steel Concrete Reinforcing Bar from Taiwan: Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review; 2017-2018

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

SUMMARY: The Department of Commerce (Commerce) preliminarily finds that Power Steel Co., Ltd. (Power Steel), an exporter of steel concrete reinforcing bar (rebar) from Taiwan, sold subject merchandise in the United States at prices below normal value during the period of review (POR) March 7, 2017 through September 30, 2018. We invite all interested parties to comment on these preliminary results.

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

FOR FURTHER INFORMATION CONTACT: Kathryn Wallace and Leo Ayala, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-6251 and (202) 482-3945, respectively.

SUPPLEMENTARY INFORMATION:

Background

Commerce is conducting an administrative review of the antidumping duty order on rebar from Taiwan in accordance with section 751(a)(1)(B) of Tariff Act of 1930, as amended (the

Act).<sup>1</sup> On December 11, 2018, in accordance with 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the *Order* covering two companies.<sup>2</sup> On December 18, 2019, we issued the standard antidumping duty questionnaire to Power Steel and Lo-Toun Steel and Iron Works Co., Ltd (Lo-Toun Steel).<sup>3</sup> On February 15, 2019, Lo-Toun Steel withdrew its self-request for administrative review.<sup>4</sup> Commerce exercised its discretion to toll all deadlines affected by the partial federal government closure from December 22, 2018 through the resumption of operations on January 28, 2019.<sup>5</sup> On August 7 and October 8, 2019, Commerce postponed the preliminary results of this review.<sup>6</sup> Accordingly, the deadline for these preliminary results is December 10, 2019.

#### Scope of the *Order*

The product covered by the *Order* is steel concrete reinforcing bar from Taiwan. For a full description of the scope, *see* the Preliminary Decision Memorandum.<sup>7</sup>

#### Partial Rescission of Administrative Review

Commerce initiated a review of two companies in this proceeding: Power Steel and Lo-Toun Steel.<sup>8</sup> We are rescinding this administrative review with respect to Lo-Toun Steel, pursuant to 19 CFR 351.213(d)(1), because the sole review request for Lo-Toun Steel was timely

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<sup>1</sup> *See Steel Concrete Reinforcing Bar from Taiwan: Antidumping Duty Order*, 82 FR 45809 (October 2, 2017) (*Order*).

<sup>2</sup> *See Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 83 FR 63615 (December 11, 2018) (*Initiation Notice*).

<sup>3</sup> *See* Commerce's Letter, "Antidumping Duty Questionnaire," dated December 18, 2019.

<sup>4</sup> *See* Lo-Toun Steel's Letter, "Withdrawal of Request for Administrative Review on behalf of Lo-Toun," dated February 15, 2019 (Lo-Toun Steel's Withdrawal).

<sup>5</sup> *See* Memorandum, "Deadlines Affected by the Partial Shutdown of the Federal Government," dated January 28, 2019. All deadlines in this segment of the proceeding have been extended by 40 days.

<sup>6</sup> *See* Memorandum, "Steel Concrete Reinforcing Bar from Taiwan: Extension of Deadline for the Preliminary Results of the Review," dated August 7, 2019; and Memorandum, "Steel Concrete Reinforcing Bar from Taiwan: Second Extension of Deadline for the Preliminary Results of the Review," dated October 8, 2019.

<sup>7</sup> *See* Memorandum, "Decision Memorandum for Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review: Steel Concrete Reinforcing Bar from Taiwan; 2017-2018" dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>8</sup> *See Initiation Notice*.

withdrawn.<sup>9</sup> Accordingly, Power Steel is the only remaining company subject to this administrative review.

### Methodology

Commerce is conducting this review in accordance with section 751 of the Act. Export price is calculated in accordance with section 772 of the Act. Normal value is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying the preliminary results, *see* the Preliminary Decision Memorandum. A list of topics discussed in the Preliminary Decision Memorandum is attached as an appendix 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>, and to all parties in the Central Records Unit, room B8024 of the main Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>. The signed and electronic versions of the Preliminary Decision Memorandum are identical in content.

### Preliminary Results

We preliminarily determine that the following weighted-average dumping margin exists for the period of March 7, 2017 through September 30, 2018:

<b>Exporter/Producer</b>	<b>Estimated Weighted-Average Dumping Margin</b>
Power Steel Co., Ltd.	4.01 percent

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<sup>9</sup> *See* Lo-Toun Steel's Withdrawal.

### Assessment Rates

Upon issuance of the final results, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. If Power Steel's weighted-average dumping margin is above *de minimis* (i.e., 0.50 percent), we will calculate an importer-specific *ad valorem* duty assessment rate based on the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1).<sup>10</sup> We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific assessment rate calculated in the final results of this review is not zero or *de minimis*. If Power Steel's weighted-average dumping margin is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by this review where applicable.

In accordance with Commerce's "automatic assessment" practice, for entries of subject merchandise during the POR produced by Power Steel for which the company did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate those entries at the all-others rate if there is no rate for the intermediate company involved in the transaction. We intend to issue instructions to CBP 15 days after the publication date of the final results of this review.

### Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication

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<sup>10</sup> In these preliminary results, Commerce applied the assessment rate calculation methodology adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification*, 77 FR 8101 (February 14, 2012).

date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for Power Steel will be the rate established in the final results of this review (except, if the *ad valorem* rate is *de minimis*, then the cash deposit rate will be zero); (2) for previously reviewed or investigated companies not covered in this review, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment of this proceeding in which the company was reviewed; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation, but the producer is, then the cash deposit rate will be the rate established for the most recently-completed segment of this proceeding for the producer of subject merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 3.50 percent, the all-others rate established in the investigation.<sup>11</sup>

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

#### Disclosure and Public Comment

Commerce intends to disclose its calculations and analysis performed within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). Pursuant to 19 CFR 351.309(c)(1)(ii), interested parties will have the opportunity to comment on the preliminary results and may submit case briefs and/or written comments 30 days following the publication of the preliminary results. Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after the deadline date for case briefs.<sup>12</sup> Pursuant to 19 CFR 351.309(c)(2) and (d)(2), parties who submit case briefs or rebuttal briefs in this review are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of

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<sup>11</sup> See *Order*, 82 FR at 45810.

<sup>12</sup> See 19 CFR 351.309; see also 19 CFR 351.303 (for general filing requirements).

the argument; and (3) a table of authorities. Case and rebuttal briefs should be filed using ACCESS.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. An electronically-filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; (3) whether any participant is a foreign national; and (4) a list of issues parties intend to discuss. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs.<sup>13</sup> If a request for a hearing is made, Commerce intends to hold the hearing at the U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230, at a time and date to be determined.<sup>14</sup> Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

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

#### 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 duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement

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<sup>13</sup> See 19 CFR 351.310(c).

<sup>14</sup> See 19 CFR 351.310(c).

could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

Notification to Interested Parties

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

Dated: December 10, 2019.

Jeffrey I. Kessler,  
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. Partial Rescission of Administrative Review
- V. Comparisons to Normal Value
- VI. Date of Sale
- VII. Export Price
- VIII. Normal Value
- IX. Currency Conversion
- X. Recommendation

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