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DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-502]

Certain Welded Carbon Steel Standard Pipes and Tubes from India: Preliminary Results of Antidumping Duty Administrative Review; 2018-2019

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

SUMMARY: The Department of Commerce (Commerce) preliminarily finds that the sole producer/exporter subject to this administrative review made sales of subject merchandise at less than normal value during the period of review (POR) May 1, 2018 through April 30, 2019. We invite interested parties to comment on these preliminary results.

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

FOR FURTHER INFORMATION CONTACT: Yang Jin Chun, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-5760.

SUPPLEMENTARY INFORMATION:

Background

Commerce is conducting an administrative review of the antidumping duty order on certain welded carbon steel standard pipes and tubes (pipes and tubes) from India. Commerce extended the time limit for the preliminary results of this review to May 29, 2020, in accordance with section 751(a)(3)(A) of The Tariff Act of 1930, as amended (the Act).<sup>1</sup> Commerce tolled

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<sup>1</sup> See Memorandum, “Certain Welded Carbon Steel Standard Pipes and Tubes from India: Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,” dated January 13, 2020.

all deadlines in administrative reviews by 50 days, thereby extending the deadline for the preliminary results of this administrative review to July 20, 2020.<sup>2</sup>

We initiated this administrative review with respect to 29 companies.<sup>3</sup> On December 31, 2019, we rescinded this administrative review with respect to 28 companies.<sup>4</sup> Garg Tube is the sole remaining respondent in this administrative review.<sup>5</sup>

### Scope of the Order

The merchandise subject to the order is pipe and tube. The pipe and tube subject to the order is currently classifiable under subheadings 7306.30.1000, 7306.30.5025, 7306.30.5032, 7306.30.5040, 7306.30.5055, 7306.30.5085, 7306.30.5090 of the Harmonized Tariff Schedule of the United States (HTSUS). While the HTSUS subheadings are provided for convenience and customs purposes, the written description is dispositive. A full description of the scope of the order is contained in the Preliminary Decision Memorandum.

### Methodology

Commerce conducted this review in accordance with section 751(a)(2) 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 our conclusions, *see* Preliminary Decision Memorandum. The Preliminary Decision

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<sup>2</sup> *See* Memorandum “Tolling of Deadlines for Antidumping and Countervailing Duty Administrative Reviews in Response to Operational Adjustments Due to COVID-19,” dated April 24, 2020.

<sup>3</sup> *See Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 84 FR 33739, 33741 (July 15, 2019).

<sup>4</sup> *See Welded Carbon Steel Standard Pipes and Tubes from India: Rescission of Antidumping Duty Administrative Review, in Part; 2018-2019*, 84 FR 72298 (December 31, 2019).

<sup>5</sup> Consistent with the last administrative review, we continue to treat Garg Tube Export LLP and Garg Tube Limited as a single collapsed entity and refer to this single entity as Garg Tube. *See* Memorandum, “Certain Welded Carbon Steel Standard Pipes and Tubes from India: Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review; 2018-2019,” dated concurrently with and hereby adopted by this notice (Preliminary Decision Memorandum) at 2, n.6.

Memorandum is a public document and is made available to the public 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>. In addition, a complete version of the Preliminary Decision Memorandum can be found at <http://enforcement.trade.gov/frn/index.html>. The signed and electronic versions of the Preliminary Decision Memorandum are identical in content. A list of the topics discussed in the Preliminary Decision Memorandum is attached as an appendix to this notice.

#### Preliminary Results of Review

We preliminarily determine that the following weighted-average dumping margin exists for the period May 1, 2018 through April 30, 2019.

<b>Producer or Exporter</b>	<b>Weighted-Average Dumping Margin (percent)</b>
Garg Tube Export LLP and Garg Tube Limited (collectively Garg Tube)	8.42

#### Disclosure and Public Comment

We intend to disclose the calculations performed to parties in this administrative review within five days after public announcement of the preliminary results in accordance with 19 CFR 351.224(b).

Pursuant to 19 CFR 351.309(c), interested parties may submit case briefs not 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 seven days after the date for filing case briefs.<sup>6</sup>

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<sup>6</sup> See 19 CFR 351.309(d); see also *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19*, 85 FR 17006, 17007 (March 26, 2020) ("To provide adequate time for release of case briefs via ACCESS, E&C intends to schedule the due date for all rebuttal briefs to be 7 days after case briefs are filed (while these modifications remain in effect).").

Commerce has modified certain of its requirements for serving documents containing business proprietary information until further notice.<sup>7</sup> Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.<sup>8</sup>

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. Requests should contain: (1) the party's name, address and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. An electronically filed hearing request must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice.<sup>9</sup> If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined.

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, not later than 120 days after the date of publication of this notice, unless extended, pursuant to section 751(a)(3)(A) of the Act.

#### Assessment Rates

Upon completion of the final results, Commerce shall determine and U.S. Customs and Border Protection (CBP) shall assess antidumping duties on all appropriate entries. If a respondent's weighted-average dumping margin is not zero or *de minimis* in the final results of

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<sup>7</sup> See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

<sup>8</sup> See 19 CFR 351.303 (for general filing requirements).

<sup>9</sup> See 19 CFR 351.310(c).

this review, then we will calculate importer-specific antidumping duty assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of such sales in accordance with 19 CFR 351.212(b)(1).<sup>10</sup> If Garg Tube's weighted-average dumping margin is zero or *de minimis* in the final results of review, or if an importer-specific antidumping duty assessment rate is zero or *de minimis*, we will instruct CBP to liquidate appropriate entries without regards to antidumping duties.<sup>11</sup>

For entries of subject merchandise during the POR produced by Garg Tube for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries.<sup>12</sup>

We intend to issue liquidation instructions to CBP 15 days after publication of the final results of this review. The final results of this administrative review shall be the basis for the assessment of antidumping duties on entries of merchandise under review and for future cash deposits of estimated antidumping duties, where applicable.

#### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication in the *Federal Register* of the notice of final results of administrative review for all shipments of pipes and tubes from India 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 company-specific weighted-average dumping margin established in the final results of the review; (2) for merchandise exported by a company not

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<sup>10</sup> See *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification*, 77 FR 8101, 8103 (February 14, 2012).

<sup>11</sup> *Id.* at 8102-03; see also 19 CFR 351.106(c)(2).

<sup>12</sup> See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

covered in this review but covered in a prior segment of the 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 investigation but the producer is, the cash deposit rate will be the rate established in the completed segment for the most recent period for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will be the all-others rate established in the less-than-fair-value investigation for this proceeding, 7.08 percent.<sup>13</sup> These cash 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 duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

#### Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221.

Dated: July 20, 2020.

**Jeffrey I. Kessler,**  
*Assistant Secretary for Enforcement and Compliance.*

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<sup>13</sup> See *Antidumping Duty Order; Certain Welded Carbon Steel Standard Pipes and Tubes from India*, 51 FR 17384, 17385 (May 12, 1986).

## **Appendix**

### **List of Topics Discussed in the Preliminary Decision Memorandum**

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Discussion of the Methodology
- V. Currency Conversion
- VI. Recommendation

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