



DEPARTMENT OF COMMERCE

International Trade Administration

[A-351-842]

Certain Uncoated Paper from Brazil: Final Results of Antidumping Duty Administrative Review; 2018-2019

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

SUMMARY: The Department of Commerce (Commerce) determines that certain uncoated paper (uncoated paper) from Brazil was sold in the United States at less than normal value during the period of review (POR), March 1, 2018 through February 28, 2019.

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

FOR FURTHER INFORMATION CONTACT: Justin Neuman or Jerry Huang, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0486 and (202) 482-4047, respectively.

SUPPLEMENTARY INFORMATION:

Background

On April 2, 2020, Commerce published the *Preliminary Results*.¹ On April 24, 2020, Commerce tolled all deadlines in administrative reviews by 50 days.² On July 21, 2020, Commerce tolled all deadlines in administrative reviews by an additional 60 days.³ Commerce extended the deadline for the final results further by 60 days on November 9, 2020.⁴ The

¹ See *Certain Uncoated Paper from Brazil: Preliminary Results of Administrative Review of the Antidumping Duty Order; 2018-2019*, 85 FR 18550 (April 2, 2020) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

² 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.

³ See Memorandum, “Tolling of Deadlines for Antidumping and Countervailing Duty Administrative Reviews,” dated July 21, 2020.

⁴ See Memorandum, “Certain Uncoated Paper from Brazil: Extension of Deadline for Final Results of Antidumping Duty Administrative Review, 2018-2019,” dated November 9, 2020.

deadline for the final results of this review is now January 19, 2021. For a complete description of the events that occurred since the *Preliminary Results*, see the Issues and Decision Memorandum.⁵

Scope of the Order

The products covered by this order are certain uncoated paper products from Brazil. For a full description of the scope, see the Issues and Decision Memorandum.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs are addressed in the Issues and Decision Memorandum. A list of the issues that parties raised and to which we responded in the Issues and Decision Memorandum is attached to this notice as an Appendix. The Issues and 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>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/index.html/>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

Changes Since the *Preliminary Results*

Based on our review of the record and comments received from interested parties, we made the following changes to the *Preliminary Results*:

- We adjusted the programming language for Suzano Papel e Celulose S.A. (Suzano) using a corrected manufacturer code.⁶

⁵ See Memorandum, "Issues and Decision Memorandum for the Final Results of the 2018-2019 Administrative Review of the Antidumping Duty Order on Certain Uncoated Paper from Brazil," dated concurrently with and hereby adopted by, this notice (Issues and Decision Memorandum).

⁶ See Issues and Decision Memorandum at Comment 2.

- We included certain sales by International Paper do Brasil Ltda./International Paper Exportadora Ltda. (collectively, International Paper) to a downstream customer located in a free trade zone in the margin calculation.⁷
- We adjusted the programming language for International Paper to eliminate the double counting of certain taxes deducted from home market gross unit price.⁸

Final Results of Review

Commerce determines that the following weighted-average dumping margin exists for the period of March 1, 2018 through February 28, 2019:

Exporter/Producer	Weighted-Average Dumping Margin (percent)
Suzano Papel e Celulose S.A.	32.31
International Paper do Brasil Ltda. and International Paper Exportadora Ltda.	20.80

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.212(b)(1), Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review.

Because International Paper's and Suzano's weighted-average dumping margins are not zero or *de minimis* (i.e., less than 0.5 percent), Commerce has calculated importer-specific antidumping duty assessment rates. International Paper did not report actual entered value for all of its U.S. sales; therefore, we calculated importer-specific per-unit duty assessment rates by aggregating the total amount of antidumping duties calculated for the examined sales and dividing this amount by the total quantity of those sales. Because Suzano reported the entered value of its U.S. sales, we calculated importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of dumping calculated for the examined sales to the total entered

⁷ *Id.* at Comment 3.

⁸ *Id.* at Comment 4.

value of the sales. Where either the respondent's weighted-average dumping margin is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), or an importer-specific assessment rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

For entries of subject merchandise during the period of review produced by International Paper or Suzano for which they did not know their merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.⁹

Consistent with its recent notice,¹⁰ 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).

⁹ For a full discussion of this practice, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

¹⁰ See *Notice of Discontinuation of Policy to Issue Liquidation Instructions After 15 Days in Applicable Antidumping and Countervailing Duty Administrative Proceedings*, 86 FR 3995 (January 15, 2021).

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication 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 each specific company listed above will be that established in the final results of this review; (2) for merchandise exported by producers or exporters not covered in this administrative review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (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, the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the producer of the subject merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 26.95 percent, the all-others rate established in the LTFV investigation.¹¹ These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final 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 the POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

¹¹ See *Certain Uncoated Paper from Brazil: Final Determination of Sales at Less Than Fair Value*, 81 FR 3115 (January 20, 2016).

Administrative Protective Order

This notice also serves as a final reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under 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 the terms of an APO is a sanctionable violation.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: January 19, 2021.

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

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Changes Since the *Preliminary Results*
- V. Discussion of the Issues
 - Comment 1: Calculation for Suzano's Financial Expenses
 - Comment 2: Programming Issue in Suzano's Margin Calculation
 - Comment 3: Treatment of International Paper's FTZ Sales
 - Comment 4: Programming Issue in International Paper's Margin Calculation
- VI. Recommendation

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