



## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-053]

#### **Certain Aluminum Foil from the People's Republic of China: Final Results of the Expedited First Sunset Review of the Antidumping Duty Order**

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

**SUMMARY:** As a result of this expedited sunset review, the U.S. Department of Commerce (Commerce) finds that revocation of the antidumping duty (AD) order on certain aluminum foil (aluminum foil) from the People's Republic of China (China) would be likely to lead to continuation or recurrence of dumping at the levels indicated in the "Final Results of Sunset Review" section of this notice.

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

**FOR FURTHER INFORMATION CONTACT:** Erin Kearney, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0167.

#### **SUPPLEMENTARY INFORMATION:**

##### Background

On March 1, 2023, Commerce published the notice of initiation of the first sunset review of the AD order on aluminum foil from China,<sup>1</sup> pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup> On March 9, 2023, Commerce received a notice of intent to participate in the sunset review from the Aluminum Association Trade Enforcement Working

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<sup>1</sup> See *Certain Aluminum Foil from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 83 FR 17362 (April 19, 2018) (*Order*).

<sup>2</sup> See *Initiation of Five-Year (Sunset) Reviews*, 88 FR 12915 (March 1, 2023).

Group and its individual members, Gränges Americas Inc., JW Aluminum Company, Novelis Corporation, and Reynolds Consumer Products, LLC (collectively, the domestic interested parties), within the deadline specified in 19 CFR 351.218(d)(1)(i).<sup>3</sup> The domestic interested parties claimed interested party status under section 771(9)(C) of the Act as U.S. producers of aluminum foil, and under section 771(9)(E) of the Act as a business association, a majority of whose members are U.S. producers of the domestic like product.

On March 31, 2023, the domestic interested parties filed an adequate substantive response within the deadline specified in 19 CFR 351.218(d)(3)(i).<sup>4</sup> Commerce did not receive a substantive response from any respondent interested party. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce conducted an expedited (120-day) sunset review of the *Order*.

#### Scope of the *Order*

The product covered by this *Order* is aluminum foil. For a complete description of the scope of the *Order*, see the Issues and Decision Memorandum.<sup>5</sup>

#### Analysis of Comments Received

A complete discussion of all issues raised in this sunset review is provided in the Issues and Decision Memorandum.<sup>6</sup> A list of the topics discussed in the Issues and Decision Memorandum is attached as an appendix to this notice. 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 Services System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete

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<sup>3</sup> See Domestic Interested Parties' Letter, "Domestic Interested Parties' Notice of Intent To Participate," dated March 9, 2023.

<sup>4</sup> See Domestic Interested Parties' Letter, "Domestic Interested Parties' Substantive Response," dated March 31, 2023.

<sup>5</sup> See Memorandum, "Decision Memorandum for the Final Results of the Expedited First Sunset Review of the Antidumping Duty Order on Certain Aluminum Foil from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>6</sup> *Id.*

version of the Issues and Decision Memorandum can be accessed directly at

<https://access.trade.gov/public/FRNoticesListLayout.aspx>.

### Final Results of Sunset Review

Pursuant to sections 751(c)(1) and 752(b) of the Act, Commerce determines that revocation of the *Order* would be likely to lead to the continuation or recurrence of dumping, and that the magnitude of the dumping margin likely to prevail would be weighted-average margins of up to 105.80 percent.

### Administrative Protective Order (APO)

This notice serves as the only reminder to parties subject to an APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or 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.

### Notification to Interested Parties

We are issuing and publishing these final results and notice in accordance with sections 751(c), 752(b), and 777(i)(1) of the Act.

**Dated:** June 23, 2023.

**James Maeder,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

## Appendix

### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. History of the *Order*
- V. Legal Framework
- VI. Discussion of the Issues
  1. Likelihood of Continuation or Recurrence of Dumping
  2. Magnitude of Margin of Dumping Likely to Prevail
- VII. Recommendation

[FR Doc. 2023-13954 Filed: 6/29/2023 8:45 am; Publication Date: 6/30/2023]