



## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-896]

### Magnesium Metal from the People's Republic of China: Rescission of Antidumping Duty Administrative Review; 2022-2023

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) is rescinding the administrative review of the antidumping duty (AD) order on magnesium metal from the People's Republic of China (China) for the period of review (POR) April 1, 2022, through March 31, 2023.

**DATES:** Applicable [Insert date of publication in the *Federal Register*].

**FOR FURTHER INFORMATION CONTACT:** John Conniff, 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) 482-1009.

### SUPPLEMENTARY INFORMATION:

#### Background

On April 4, 2023, Commerce published in the *Federal Register* a notice of opportunity to request an administrative review of the AD order on magnesium metal from China.<sup>1</sup> On April 25, 2023, US Magnesium LLC (the petitioner) submitted a timely request that Commerce conduct an administrative review.<sup>2</sup>

On June 12, 2023, Commerce published in the *Federal Register* a notice of initiation of administrative review with respect to imports of magnesium metal exported and/or produced by

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<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review and Join Annual Inquiry Service List*, 88 FR 19916 (April 4, 2023).

<sup>2</sup> See Petitioner's Letter, "Request for Administrative Review," dated April 25, 2023.

Tianjin Magnesium International Co., Ltd. and Tianjin Magnesium Metal Co., Ltd, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.221(c)(1)(i).<sup>3</sup> On July 18, 2023, we placed on the record U.S. Customs and Border Protection (CBP) data for entries of magnesium metal from China during the POR, showing no reviewable POR entries and invited interested parties to comment.<sup>4</sup> No interested party submitted comments to Commerce.

Additionally, on August 10, 2023, Commerce notified all interested parties of its intent to rescind the instant review in whole because there were no reviewable, suspended entries of subject merchandise by any of the companies subject to this review during the POR and invited interested parties to comment.<sup>5</sup> No interested party submitted comments to Commerce.

#### Rescission of Review

Pursuant to 19 CFR 351.213(d)(3), it is Commerce's practice to rescind an administrative review of an AD order when there are no reviewable entries of subject merchandise during the POR for which liquidation is suspended.<sup>6</sup> Normally, upon completion of an administrative review, the suspended entries are liquidated at the AD assessment rate calculated for the review period.<sup>7</sup> Therefore, for an administrative review to be conducted, there must be at least one reviewable, suspended entry that Commerce can instruct CBP to liquidate at the AD assessment rate calculated for the review period.<sup>8</sup> As noted above, there were no entries of subject merchandise for any of the companies subject to this review during the POR. Accordingly, in the absence of suspended entries of subject merchandise during the POR, we are hereby rescinding this administrative review, in its entirety, in accordance with 19 CFR 351.213(d)(3).

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<sup>3</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 88 FR 38021 (June 12, 2023).

<sup>4</sup> See Memorandum, "Release of Customs and Border Protection Data," dated July 18, 2023.

<sup>5</sup> See Commerce's Letter, "Notice of Intent to Rescind Review," dated August 10, 2023.

<sup>6</sup> See, e.g., *Dioctyl Terephthalate from the Republic of Korea: Rescission of Antidumping Administrative Review; 2021–2022*, 88 FR 24758 (April 24, 2023); see also *Certain Carbon and Alloy Steel Cut- to Length Plate from the Federal Republic of Germany: Rescission of Antidumping Administrative Review; 2020–2021*, 88 FR 4157 (January 24, 2023).

<sup>7</sup> See 19 CFR 351.212(b)(1).

<sup>8</sup> See 19 CFR 351.213(d)(3).

## Assessment

Commerce will instruct CBP to assess antidumping duties on all appropriate entries. 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, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of this rescission notice in the *Federal Register*.

## Notification Regarding Administrative Protective Order

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written 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 sanctionable violation.

## Notification to Interested Parties

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

Dated: August 31, 2023.

James Maeder,  
Deputy Assistant Secretary  
for Antidumping and Countervailing Duty Operations.

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