



DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-871]

Finished Carbon Steel Flanges from India: Preliminary Results of Antidumping Duty Administrative Review; 2021-2022

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily finds that producers and/or exporters subject to this administrative review made sales of subject merchandise at less than normal value (NV) during the period of review (POR) August 1, 2021, through July 31, 2022. Interested parties are invited to comment on these preliminary results.

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

FOR FURTHER INFORMATION CONTACT: Fred Baker or Preston Cox, 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) 482-2924 or (202) 482-5041, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 24, 2017, Commerce published in the *Federal Register* the antidumping duty order on finished carbon steel flanges from India.¹ On August 2, 2022, Commerce published a notice of opportunity to request an administrative review of the *Order*.² On October 11, 2022, based on timely requests for review, in accordance with 19 CFR

¹ See *Finished Carbon Steel Flanges from India and Italy: Antidumping Duty Orders*, 82 FR 40136 (August 24, 2017) (*Order*).

² See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List*, 87 FR 47187, 47188 (August 2, 2022).

351.221(c)(1)(i), we initiated an administrative review of the *Order* with respect to 42 companies.³ On November 3, 2022, Commerce selected Norma Group⁴ and R. N. Gupta & Company Limited (RNG) as mandatory respondents in this administrative review.⁵ On April 25, 2023 and August 16, 2023, in accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(h)(2), Commerce extended the time period for issuing these preliminary results until no later than August 31, 2023.⁶

For a complete description of the events that followed the initiation of this review, see the Preliminary Decision Memorandum.⁷ A list of topics included in the Preliminary Decision Memorandum is included as Appendix I 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>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Scope of the *Order*

The merchandise covered by the *Order* is finished carbon steel flanges. For a complete description of the scope of the *Order*, see the Preliminary Decision Memorandum.

Methodology

³ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 87 FR 61278 (October 11, 2022).

⁴ In prior segments of this proceeding, we determined that Norma (India) Limited, USK Exports Private Limited, Uma Shanker Khandelwal & Co., and Bansidhar Chiranjilal were affiliated and should be treated as a single entity (Norma Group). In this review, Norma (India) Limited and its affiliated entities have affirmed that the factual basis on which Commerce made its prior determinations has not changed. Therefore, Commerce continues to treat these four companies as a single entity. See Norma Group's Letter, "Supplemental Response to Section A, B, C and D of Anti-Dumping duty Original Questionnaire," dated May 4, 2023 at S2-6; see also, e.g., *Finished Carbon Steel Flanges from India: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 82 FR 9719 (February 8, 2017), and accompanying Preliminary Decision Memorandum, at 4-5, unchanged in *Finished Carbon Steel Flanges from India: Final Determination of Sales at Less Than Fair Value*, 82 FR 29483 (June 29, 2017).

⁵ See Memorandum, "Respondent Selection," dated November 3, 2022.

⁶ See Memorandum, "Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review," dated August 16, 2023; see also Memorandum, "Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review," dated April 25, 2023.

⁷ See Memorandum, "Decision Memorandum for the Preliminary Results of Antidumping Duty Administrative Review: Finished Carbon Steel Flanges from India; 2021-2022," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

Commerce is conducting this review in accordance with sections 751(a)(1)(B) and (2) of the Act. Export price is calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum.

Rate for Non-Selected Companies

The Act and Commerce’s regulations do not address the establishment of a rate to be applied to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in a market economy investigation, for guidance when calculating the rate for companies which were not selected for individual examination in an administrative review. Under section 735(c)(5)(A) of the Act, the all-others rate is normally “an amount equal to the weighted average of the estimated weighted average dumping margins established for exporters and producers individually investigated, excluding any zero or *de minimis* margins, and any margins determined entirely {on the basis of facts available}.”

In this administrative review, we preliminarily calculated weighted-average dumping margins for Norma Group and RNG that are not zero, *de minimis* (*i.e.*, less than 0.5 percent), or determined entirely on the basis of facts available. Accordingly, consistent with guidance in section 735(c)(5)(A) of the Act, Commerce is preliminarily assigning to the companies not individually examined a margin of 1.00 percent, which is the weighted average of Norma Group’s margin and RNG’s margin based on publicly ranged U.S. sales values.⁸ The companies not selected for individual examination are listed in Appendix II.

Preliminary Results of Review

⁸ *See* Memorandum, “Calculation of Margin for Respondents Not Selected for Individual Examination,” dated concurrently with this notice.

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist for the period August 1, 2021, through July 31, 2022:

Producer/Exporter	Weighted-Average Dumping Margin (percent)
R. N. Gupta & Company Limited	1.15
Norma (India) Limited/USK Exports Private Limited/Uma Shanker Khandelwal & Co./Bansidhar Chiranjilal	0.70
Non-Selected Companies ⁹	1.00

Disclosure and Public Comment

Commerce intends to disclose to interested parties the calculations performed for these preliminary results within five days of the date of publication of this notice.¹⁰ Interested parties may submit case briefs no later than 30 days after the date of publication of this notice.¹¹ Rebuttal briefs, limited to issues raised in case briefs, may be filed no later than seven days after the date for filing case briefs.¹² 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.¹³

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, U.S. Department of Commerce, filed electronically via ACCESS, 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 the issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs.¹⁴ If a request for a hearing is made,

⁹ See Appendix II for a list of companies not selected for individual examination.

¹⁰ See 19 CFR 351.224(b).

¹¹ See 19 CFR 351.309(c)(1)(ii).

¹² See 19 CFR 351.309(d)(1) and (2); see also *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020) (*Temporary Rule*).

¹³ See 19 CFR 351.309(c)(2) and (d)(2).

¹⁴ See 19 CFR 351.310(c).

Commerce intends to hold the hearing at a date and time to be determined. Parties should confirm the date and time of the hearing two days before the scheduled date.

All briefs and hearing requests must be filed electronically using ACCESS and received successfully in their entirety by 5 p.m. Eastern Time on the due date. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.¹⁵

Unless the deadline is extended pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2), Commerce intends to issue the final results of this administrative review, including the results of our analysis of the issues raised by the parties in any written briefs, no later than 120 days after the date of publication of these preliminary results.

Verification

On October 14, 2022, Weldbend Corporation, a domestic interested party, requested that Commerce conduct verification of Norma Group's and RNG's responses.¹⁶ Accordingly, as provided in section 782(i)(3) of the Act, we verified information relied upon for the preliminary results of this review.¹⁷

Assessment Rates

Upon completion of this administrative review, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. If the weighted-average dumping margin for a mandatory respondent is not zero or *de minimis* in the final results of this review, we will calculate an importer-specific assessment rate 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

¹⁵ See *Temporary Rule*.

¹⁶ See Weldbend Corporation's Letter, "Request for In-Person Verification," dated October 14, 2022.

¹⁷ See Memorandum, "Sales Verification Report for Norma (India) Limited; USK Exports Private Limited; Uma Shanker Khandelwal & Co., Ltd.; Bansidhar Chiranjilal," dated concurrently with this notice; *see also* Memorandum, "Sales Verification Report for R.N. Gupta & Company Limited," dated concurrently with this notice.

with 19 CFR 351.212(b)(1).¹⁸ If the weighted-average dumping margin is zero or *de minimis* in the final results of review, or if an importer-specific assessment rate is zero or *de minimis*, Commerce will instruct CBP to liquidate appropriate entries without regard to antidumping duties.¹⁹ For entries of subject merchandise during the period of review produced by the respondents for which they did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries pursuant to the reseller policy, *i.e.*, the assessment rate for such entries will be the all-others rate established in the investigation if there is no rate for the intermediate company(ies) involved in the transaction.²⁰

For the companies which were not selected for individual examination, we intend to assign an antidumping duty assessment rate equal to the weighted-average dumping margin determined for the non-examined companies in the final results of review.

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). The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future cash deposits of estimated antidumping duties, where applicable.²¹

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication in the *Federal Register* of the final results of this administrative review for all shipments of the subject

¹⁸ 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).

¹⁹ *Id.*, 77 FR at 8102-03; see also 19 CFR 351.106(c)(2).

²⁰ See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

²¹ See section 751(a)(2)(C) of the Act.

merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(2)(C) 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 this administrative review; (2) for merchandise exported by a company not 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 less-than-fair-value investigation, but the producer is, then the cash deposit rate will be the rate established in the most recently completed segment of the proceeding for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 8.91 percent, the all-others rate established in the less-than-fair-value investigation.²² These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also 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 Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double 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: August 31, 2023.

Lisa W. Wang,
Assistant Secretary
for Enforcement and Compliance.

²² See *Order*, 82 FR at 40138.

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Rates for Non-Examined Companies
- V. Discussion of the Methodology
- VI. Currency Conversion
- VII. Recommendation

Appendix II

List of Companies Not Selected for Individual Examination

1. Adinath International
2. Allena Group
3. Alloyed Steel
4. Balkrishna Steel Forge Pvt. Ltd.
5. Bebitz Flanges Works Private Limited
6. BFN Forgings Private Limited
7. C.D. Industries
8. Cetus Engineering Private Limited
9. CHW Forge
10. CHW Forge Pvt. Ltd.
11. Citizen Metal Depot
12. Corum Flange
13. DN Forge Industries
14. Echjay Forgings Limited
15. Falcon Valves and Flanges Private Limited
16. Heubach International
17. Hindon Forge Pvt. Ltd.
18. Jai Auto Private Limited
19. Kinnari Steel Corporation
20. M F Rings and Bearing Races Ltd.
21. Mascot Metal Manufactures
22. Munish Forge Private Limited
23. OM Exports
24. Punjab Steel Works (PSW)
25. R. D. Forge
26. Raaj Sagar Steel
27. Ravi Ratan Metal Industries
28. Rolex Fittings India Pvt. Ltd.
29. Rollwell Forge Engineering Components and Flanges
30. Rollwell Forge Pvt. Ltd.
31. SHM (ShinHeung Machinery)
32. Siddhagiri Metal & Tubes
33. Sizer India
34. Steel Shape India
35. Sudhir Forgings Pvt. Ltd.
36. Tirupati Forge
37. Umashanker Khandelwal Forging Limited

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