



DEPARTMENT OF COMMERCE

International Trade Administration

[A-489-829]

Steel Concrete Reinforcing Bar from the Republic of Turkey: Final Results of the Antidumping Duty Administrative Review; 2021-2022

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

SUMMARY: The U.S. Department of Commerce (Commerce) finds that certain producers/exporters subject to this administrative review made sales of subject merchandise at less than normal value during the period of review (POR) July 1, 2021, through June 30, 2022.

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

FOR FURTHER INFORMATION CONTACT: Benito Ballesteros or Seth Brown, AD/CVD Operations, Office IX, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-7425 or (202) 482-0029, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 1, 2023, Commerce published the *Preliminary Results* in the *Federal Register*.¹ On November 6, 2023, Commerce extended the time period for issuing the final results of this review until December 21, 2023.² For a complete description of the events that occurred since the *Preliminary Results*, see the Issues and Decision Memorandum.³ Commerce

¹ See *Steel Concrete Reinforcing Bar from the Republic of Turkey: Preliminary Results of Antidumping Duty Administrative Review; 2021-2022*, 88 FR 50100 (August 1, 2023) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

² See Memorandum, “Extension of Deadline for Final Results of Antidumping Duty Administrative Review; 2021-2022,” dated November 6, 2023.

³ See Memorandum, “Steel Concrete Reinforcing Bar from the Republic of Turkey: Issues and Decision Memorandum for the Final Results of the Antidumping Duty Administrative Review; 2021-2022,” dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

conducted this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Scope of the Order⁴

The merchandise subject to the *Order* is steel concrete reinforcing bar imported in either straight length or coil form (rebar) regardless of metallurgy, length, diameter, or grade or lack thereof.⁵

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

Changes Since the Preliminary Results

Based on a review of the record and comments received from interested parties regarding our *Preliminary Results*, we made certain changes to the margin calculations for Kaptan Demir Celik Endustrisi Ve Ticaret A.S. /Kaptan Metal Dis Ticaret Ve Nakliyat A.S. (collectively, Kaptan).⁶

Final Results of Review

⁴ See *Steel Concrete Reinforcing Bar from the Republic of Turkey and Japan: Amended Final Affirmative Antidumping Duty Determination for the Republic of Turkey and Antidumping Duty Orders*, 82 FR 32532 (July 14, 2017), as amended by *Notice of Court Decision Not in Harmony with the Amended Final Determination in the Less-Than-Fair-Value Investigation; Notice of Amended Final Determination*, 87 FR 934 (January 22, 2022) (collectively, *Order*).

⁵ For a complete description of the scope of the *Order*, see *Preliminary Results* PDM.

⁶ For a full description of changes, see *Issues and Decision Memorandum*.

As a result of this review, we determine the following estimated weighted-average dumping margins for the period July 1, 2021, through June 30, 2022:

Producer or Exporter	Weighted-Average Dumping Margin (percent)
Colakoglu Metalurji A.S./Colakoglu Dis Ticaret A.S.	0.00
Kaptan Demir Celik Endustrisi Ve Ticaret A.S. / Kaptan Metal Dis Ticaret Ve Nakliyat A.S.	25.86
Companies Not Selected for Individual Review ⁷	25.86

Disclosure

Commerce intends to disclose the calculations performed for Kaptan in connection with these final results to interested parties within five days of the date of publication of this notice, in accordance with 19 CFR 351.224(b).

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act, and 19 CFR 351.212(b)(1), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review.

Pursuant to 19 CFR 351.212(b)(1), because both Colakoglu Metalurji A.S./Colakoglu Dis Ticaret A.S. (collectively, Colakoglu) and Kaptan reported the entered value for their U.S. sales, we calculated importer-specific *ad valorem* antidumping duty assessment rates based on the ratio of the total amount of antidumping duties calculated for the examined sales to the total entered value of those same sales. Where either a 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 the companies identified in Appendix II that were not selected for individual examination, we will instruct CBP to liquidate entries at the rate established in these final results of review.

⁷ The exporters or producers not selected for individual review are listed in Appendix II.

Commerce's "automatic assessment" practice will apply to entries of subject merchandise during the POR produced by Colakoglu or Kaptan for which the producer did not know that the merchandise it sold to the intermediary (*e.g.*, a reseller, trading company, or exporter) was destined for the United States. In such instances, 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.⁸

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).

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 the companies under review will be equal to the weighted-average dumping margin that is established in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for previously investigated or reviewed companies not covered in this review, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, or the less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the cash deposit rate established for the most recently completed segment for the producer of the subject

⁸ See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 3.90 percent, the all-others rate established in the LTFV investigation.⁹ 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 and/or countervailing 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 and/or countervailing duties occurred and the subsequent assessment of double antidumping duties, and/or increase in the amount of antidumping duties by the amount of the countervailing duties.

Administrative Protective Order (APO)

This notice serves as the only reminder to parties subject to APO of their responsibility concerning the disposition 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 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

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: December 20, 2023.

James Maeder,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

⁹ See Order, 87 FR at 935.

Appendix I

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Changes Since the *Preliminary Results*
- IV. Discussion of the Issues
 - Comment 1: Whether to Modify the Universe of Sales for Kaptan's U.S. Sales
 - Comment 2: Whether the U.S. Department of Commerce (Commerce) Should Use Invoice Date as the U.S. Date of Sale for Kaptan
 - Comment 3: Whether Commerce Correctly Calculated the Difference-in-Merchandise (DIFMER) Adjustment for Kaptan
 - Comment 4: Whether to Correct Errors in Colakoglu's and Kaptan's Margin Calculations
- V. Recommendation

Appendix II

List of Companies Not Selected for Individual Examination

1. Diler Dis Ticaret A.S.
2. Ekinciler Demir ve Celik Sanayi A.S.
3. Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S.
4. Icdas Celik Enerji Tersane ve Ulasim Sanayi A.S.
5. Sami Soybas Demir Sanayi ve Ticaret A.S.

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