



DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-146]

Certain Freight Rail Couplers and Parts Thereof from the People's Republic of China: Rescission of Countervailing Duty Administrative Review; 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 countervailing duty (CVD) order on certain freight rail couplers and parts thereof
(freight rail couplers) from the People's Republic of China (China). The period of review (POR)
is March 3, 2023, through December 31, 2023.

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

FOR FURTHER INFORMATION CONTACT: Whitley Herndon, AD/CVD Operations, Office
IX, Enforcement and Compliance, International Trade Administration, U.S. Department of
Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: 202-482-6274.

SUPPLEMENTARY INFORMATION:

Background

On July 1, 2024, Commerce published in the *Federal Register* a notice of opportunity to
request an administrative review of the CVD order on freight rail couplers from China.¹

Commerce received a timely request for review of the CVD order from the Coalition of Freight
Coupler Producers (the petitioner) for certain producers/exporters of subject merchandise.²

On August 10, 2024, Commerce published the initiation notice in the *Federal Register*
for thirteen companies, in accordance with section 751(a) of the Tariff Act of 1930, as amended

¹ See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request
Administrative Review and Join Annual Inquiry Service List*, 89 FR 54437 (July 1, 2024).

² See Petitioner's Letter, "Request for Administrative Review," dated July 24, 2024.

(the Act).³ On September 23, 2024, we notified interested parties that information from U.S. Customs and Border Protection (CBP) indicated that there were no POR entries of the subject merchandise.⁴ On September 30, 2024, the petitioner submitted comments on the lack of entries in the CBP data, stating that there may be entries of subject merchandise that entered as a product other than an entry for consumption (such as entries of subject merchandise that entered mounted to railcars), or under harmonized tariff schedule subheadings listed in the scope of the CVD order.⁵ On January 8, 2025, we referred the petitioner's concerns to CBP for further investigation.⁶ We did not receive any additional comments in this administrative review.

Rescission of Review

Pursuant to 19 CFR 351.213(d)(3), it is Commerce's practice to rescind an administrative review of a CVD order where it concludes that there were there are no entries of subject merchandise during the POR for which liquidation is suspended.⁷ Normally, upon completion of an administrative review, the suspended entries are liquidated at the CVD rates calculated for the review period.⁸ Therefore, for an administrative review to be conducted, there must be a reviewable, suspended entry that Commerce can instruct CBP to liquidate at the calculated CVD rates for the review period.⁹ As noted above, there were no suspended entries of subject merchandise for any companies subject to this review during the POR. Accordingly, in the absence of reviewable, 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).

Assessment

³ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 89 FR 66035 (August 10, 2024).

⁴ See Memorandum, "Release of Customs Entry Data from U.S. Customs and Border Protection (CBP)," dated September 23, 2024.

⁵ See Petitioner's Letter, "Comments on CBP Release of Data," dated September 30, 2024.

⁶ See Commerce's Letter, "Evasion Allegation Cover Letter," dated January 7, 2025.

⁷ See, e.g., *Welded Line Pipe from the Republic of Turkey: Rescission of the Antidumping Duty Administrative Review; 2019-2020*, 87 FR 27988 (May 10, 2022); see also, e.g., *Certain Softwood Lumber Products from Canada: Final Results and Final Rescission, in Part, of the Countervailing Duty Administrative Review, 2020*, 87 FR 48455 (August 9, 2022); and *Certain Non-Refillable Steel Cylinders from the People's Republic of China: Rescission of Countervailing Duty Administrative Review; 2020-2021*, 87 FR 64008 (October 21, 2022).

⁸ See 19 CFR 351.212(b)(2).

⁹ See 19 CFR 351.212(d)(3).

Commerce will instruct CBP to assess countervailing duties on all appropriate entries. Countervailing duties shall be assessed at rates equal to the cash deposit rate of estimated countervailing 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 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, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of the APO materials or conversion to judicial protective order is hereby requested. Failure to comply with regulations and terms of an APO is a violation, which is subject to sanction.

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: April 7, 2025.

Scot Fullerton,
Acting Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations.

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