



## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-138]

#### **Pentafluoroethane (R-125) from the People's Republic of China: Preliminary Results of Countervailing Duty Administrative Review; 2023**

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily finds that countervailable subsidies were provided to producers and exporters of pentafluoroethane (R-125) from the People's Republic of China (China). The period of review (POR) is January 01, 2023, through December 31, 2023. We invite interested parties to comment on these preliminary results of review.

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

FOR FURTHER INFORMATION CONTACT: 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- 0029.

#### SUPPLEMENTARY INFORMATION:

##### Background

On March 3, 2022, Commerce published in the *Federal Register* the countervailing duty order on R-125 from China.<sup>1</sup> On March 1, 2024, Commerce published a notice of opportunity to request an administrative review of the Order, pursuant to section 751(a)(1) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup> On May 8, 2024, based on timely requests for review, Commerce

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<sup>1</sup> See *Pentafluoroethane (R-125) from the People's Republic of China: Antidumping and Countervailing Duty Orders*, 87 FR 12081 (March 3, 2022) (*Order*)

<sup>2</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List*, 89 FR 15157 (March 1, 2024).

initiated an administrative review of the *Order*.<sup>3</sup> On June 11, 2024, Commerce issued the questionnaire to the Government of China to forward to Zhejiang Sanmei Chemical Ind. Co., Ltd. (Sanmei) and Zhejiang Yonghe Refrigerant Co., Ltd. (Yonghe), the only two respondents under review.<sup>4</sup> On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.<sup>5</sup> On November 14, 2024, Commerce extended the deadline for these preliminary results to April 7, 2024.<sup>6</sup> On December 9, 2024, Commerce tolled the deadline to issue the preliminary results in this administrative review by 90 days.<sup>7</sup> The deadline for the preliminary results is now July 7, 2025.

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.<sup>8</sup> A list of topics included in the Preliminary Decision Memorandum is provided as the appendix 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 product covered by the *Order* is R-125 from China. For a complete description of the scope of the *Order*, *see* the Preliminary Decision Memorandum.

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<sup>3</sup> *See Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 89 FR 38867 (May 8, 2024) (*Initiation Notice*); *see also Pentafluoroethane (R-125) from the People's Republic of China: Antidumping and Countervailing Duty Orders*, 87 FR 12081 (March 3, 2022) (*Order*).

<sup>4</sup> *See* Commerce's Letter, "Countervailing Duty Questionnaire," dated June 11, 2024.

<sup>5</sup> *See* Memorandum, "Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings," dated July 22, 2024.

<sup>6</sup> *See* Memorandum, "Extension of Deadline for Preliminary Results of 2023 Countervailing Duty Administrative Review," dated November 14, 2024.

<sup>7</sup> *See* Memorandum, "Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings," dated December 9, 2024.

<sup>8</sup> *See* Memorandum, "Decision Memorandum for the Preliminary Results of the 2023 Administrative Review of the Countervailing Duty Order on Pentafluoroethane (R-125) from the People's Republic of China," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

## Methodology

Commerce is conducting this administrative review in accordance with 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found countervailable, Commerce preliminarily determines that there is a subsidy, *i.e.*, a financial contribution by an “authority” that gives rise to a benefit to the recipient, and that the subsidy is specific.<sup>9</sup> For a full description of the methodology underlying our conclusions, including our reliance, in part, on facts otherwise available with adverse inferences pursuant to sections 776(a) and (b) of the Act, *see* the Preliminary Decision Memorandum.

## Preliminary Results of Review

Commerce preliminarily determines that the following net countervailable subsidy rates exist for the period January 1, 2023, through December 31, 2023:

<b>Company</b>	<b>Subsidy Rate (percent <i>ad valorem</i>)</b>
Zhejiang Sanmei Chemical Ind. Co., Ltd. <sup>10</sup>	3.02
Zhejiang Yonghe Refrigerant Co., Ltd. <sup>11</sup>	182.51

## Disclosure

Commerce intends to disclose its calculations and analysis performed to interested parties for these preliminary results within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

## Public Comment

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<sup>9</sup> *See* sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

<sup>10</sup> As discussed in the Preliminary Decision Memorandum, Commerce has found the following company to be cross-owned with Sanmei: Fujian Qingliu Dongying Chemical Ind. Co., Ltd.

<sup>11</sup> As discussed in the Preliminary Decision Memorandum, Commerce has found the following companies to be cross-owned with Yonghe: Inner Mongolia Yonghe Fluorochemical Co., Ltd.; Jinhua Yonghe Fluorine Chemical Co., Ltd.; Inner Mongolia Huasheng Hydrohuonc Alid Co., Ltd.; Shaowu Yonghe Jintang New Material Co., Ltd.; Jiangxi Shilei Fluorine Chemical Co., Ltd.; and Zhejiang Binglong Environmental Protection Co., Ltd.

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance. Pursuant to 19 CFR 351.309(c)(1)(ii), we have modified the deadline for interested parties to submit case briefs to Commerce to no later than 21 days after the date of the publication of this notice.<sup>12</sup> Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.<sup>13</sup> Interested parties who submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.<sup>14</sup> All briefs must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety in ACCESS by 5:00 p.m. Eastern Time on the established deadline.

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their briefs that should be limited to five pages total, including footnotes. In this review, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.<sup>15</sup> Further, we request that interested parties limit their executive summary of each issue to no more than 450 words, not including citations. We intend to use the executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final results in this administrative review. We request that interested parties include footnotes for relevant citations in the executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).<sup>16</sup>

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, filed

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<sup>12</sup> See 19 CFR 351.309.

<sup>13</sup> See 19 CFR 351.309(d); see also *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069, 67077 (September 29, 2023) (*APO and Service Procedures*).

<sup>14</sup> See 19 CFR 351.309(c)(2) and (d)(2).

<sup>15</sup> We use the term “issue” here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

<sup>16</sup> See *APO and Service Procedures*.

electronically via ACCESS by 5:00 p.m. Eastern Time 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; and (3) a list of issues to be discussed. Oral presentations at the hearing will be limited to issues raised in the briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a date and time to be determined.<sup>17</sup>

#### Assessment Rates

Consistent with section 751(a)(1) of the Act and 19 CFR 351.212(b)(2), upon issuance of the final results, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, countervailing duties on all appropriate entries covered by this 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).

#### Cash Deposit Requirements

Pursuant to section 751(a)(2)(C) of the Act, Commerce intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amount indicated above with regard to shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the most recent company-specific or all-others rate applicable to the company, as appropriate. These cash deposit instructions, when imposed, shall remain in effect until further notice.

#### Final Results of Review

Unless the deadline is extended, Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised by interested

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<sup>17</sup> See 19 CFR 351.310(d).

parties in the written comments, within 120 days after the date of publication of these preliminary results in the *Federal Register*.

Notification to Interested Parties

We are issuing and publishing these preliminary results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: July 7, 2025.

**Christopher Abbott,**  
*Deputy Assistant Secretary  
for Policy and Negotiations,  
performing the non-exclusive functions and duties  
of the Assistant Secretary for Enforcement and Compliance.*

## Appendix

### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Period of Review
- IV. Scope of the *Order*
- V. Diversification of China's Economy
- VI. Use of Facts Otherwise Available and Application of Adverse Inferences
- VII. Subsidies Valuation
- VIII. Benchmarks and Interest Rates
- IX. Analysis of Programs
- X. Recommendation

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