



DEPARTMENT OF COMMERCE

International Trade Administration

[C-533-937]

Overhead Door Counterbalance Torsion Springs from India: Preliminary Affirmative Determination of Critical Circumstances in the Countervailing Duty Investigation

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that critical circumstances exist with respect to imports of overhead door counterbalance torsion springs (overhead door springs) from producers and exporters from India.

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

FOR FURTHER INFORMATION CONTACT: Zachary Shaykin, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-2638.

SUPPLEMENTARY INFORMATION:

Background

On October 29, 2024, Commerce received a countervailing duty (CVD) petition concerning imports of overhead door springs from India filed in proper form on behalf of the petitioners, IDC Group Inc., Iowa Spring Manufacturing, Inc., and Service Spring Corp (collectively, the petitioners).¹ On November 25, 2024, Commerce published the notice of the

¹ See Petitioners' Letter, "Petitions for the Imposition of Antidumping and Countervailing Duties," dated October 29, 2024 (Petitions).

initiation of this investigation² and, on April 3, 2025, Commerce published its *Preliminary Determination*.³

Commerce selected Alcomex Springs Pvt Ltd. (Alcomex) as the sole individually-examined respondent in this investigation.⁴ On May 19, 2025, Alcomex withdrew its participation from this investigation.⁵

On June 24, 2025, the petitioners alleged that critical circumstances exist with respect to imports of overhead door springs from India, pursuant to section 703(e)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 531.206.⁶

In accordance with section 703(e)(1) of the Act and 19 CFR 351.206(c)(1), because the petitioners submitted the critical circumstances allegation more than 30 days before the scheduled date of the final determination,⁷ Commerce will make a preliminary finding as to whether there is a reasonable basis to believe or suspect that critical circumstances exist. Commerce is issuing its preliminary finding of critical circumstances within 30 days after the petitioners submitted the allegation.⁸

Period of Investigation (POI)

The POI is January 1, 2023, through December 31, 2023.

Critical Circumstances Allegation

The petitioners allege that there were a massive increase of imports of overhead door springs from India and provided monthly import data for the period of June 2024 through March

² See *Overhead Door Counterbalance Torsion Springs from the People's Republic of China and India: Initiation of Countervailing Duty Investigations*, 89 FR 92901 (November 25, 2024).

³ See *Overhead Door Counterbalance Torsion Springs from India: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination with Final Antidumping Duty Determination*, 90 FR 14602 (April 3, 2025) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

⁴ See Memorandum, "Respondent Selection," dated December 18, 2024.

⁵ See Alcomex's Letter, "Overhead Door Counterbalance Torsion Springs from India; Alcomex's Withdrawal of Participation from Investigation," dated May 19, 2025 (Letter of Withdrawal of Participation).

⁶ See Petitioners' Letter, "Overhead Door Counterbalance Torsion Springs from India – Petitioners' Allegation of Critical Circumstances," dated June 24, 2025 (Critical Circumstances Allegation).

⁷ The final determination for this CVD investigation is currently due no later than August 11, 2025. See Preliminary Determination, 90 FR at 14631

⁸ See 19 CFR 351.206(c)(2)(ii). In this case, 30 days after the petitioners submitted the allegation would place the deadline on Thursday, July 24, 2025.

2025.⁹ The petitioners state that a comparison of total imports, by quantity (in pounds), for the base period of June 2024 through October 2024 to the comparison period November 2024 through March 2025, shows that imports of overhead door springs from India increased by 117.32 percent,¹⁰ which is considered “massive” under 19 CFR 351.206(h)(2). The petitioners also allege that there is a reasonable basis to believe that there are subsidies in this investigation which are inconsistent with the Subsidies and Countervailing Measures Agreement of the World Trade Organization (SCM Agreement).¹¹

Critical Circumstances Analysis

Section 703(e)(1) of the Act provides that Commerce will preliminarily determine that critical circumstances exist in a CVD investigation if there is a reasonable basis to believe or suspect that: (A) the alleged countervailable subsidy is inconsistent with the SCM Agreement;¹¹ and (B) there have been massive imports of the subject merchandise over a relatively short period.

In determining whether there are “massive imports” over a “relatively short period,” pursuant to section 703(e)(1)(B) of the Act and 19 CFR 351.206(h) and (i), Commerce normally compares the import volumes of the subject merchandise for at least three months immediately preceding the filing of the petition (*i.e.*, the base period) to a comparable period of at least three months following the filing of the petition (*i.e.*, the comparison period). However, the regulations also provide that if Commerce finds that importers, or exporters or producers, had reason to believe, at some time prior to the beginning of the proceeding, that a proceeding was likely, Commerce may consider a period of not less than three months from the earlier time.¹² Imports normally will be considered massive when imports during the comparison period have increased by 15 percent or more compared to imports during the base period.¹³

⁹ See Critical Circumstances Allegation at 7 and Attachment.

¹⁰ *Id.* at 7.

¹¹ *Id.* at 4 and 5.

¹² See 19 CFR 351.206(i).

¹³ See 19 CFR 351.206(h)(2).

Alleged Countervailable Subsidies Are Inconsistent with the SCM Agreement

Alcomex

In the *Preliminary Determination*, we found that Alcomex, pursuant to section 776(b) of the Act, received countervailable subsidies inconsistent with the SCM Agreement under section 703(e)(1)(A) of the Act.¹⁴ Such programs are the Advanced Authorization Program (AAP), the Duty Drawback (DDB), and the Remission of Duties and Taxes on Export Products (RoDTEP) programs, which were found to be export contingent in the *Preliminary Determination*.¹⁵ Thus, because we preliminarily found that these programs are export contingent, we preliminarily find that the criterion under section 703(e)(1)(A) of the Act has been met.¹⁶

Non-Responsive Companies

As explained in the *Preliminary Determination*, we preliminarily applied total adverse facts available (AFA) to Asha Spring and Engineering Company, Balaji Springs Pvt. Ltd., Modern Engineering & Spring Company, and Reliable Springs Ltd. (collectively, non-responsive companies), pursuant to section 776(b) of the Act.¹⁷ In applying total AFA to these four companies, we preliminarily determined that each benefited from the AAP, the DDB, and RoDTEP programs.¹⁸ Because we found that these programs are export contingent and therefore inconsistent with the SCM Agreement in the *Preliminary Determination*, we now preliminarily find, pursuant to section 776(b) of the Act, that the four non-responsive companies meet the criterion delineated by section 703(e)(1)(A) of the Act.

Massive Imports

As stated above, Alcomex withdrew its participation from this investigation and,¹⁹ thus, did not provide import company-specific shipment data needed for the critical circumstance analysis. Therefore, in accordance with section 703(e)(1), and sections 776(a) and (b) of the Act,

¹⁴ See *Preliminary Determination* PDM at 14-21.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.* PDM at 7.

¹⁸ *Id.* at 7 and Appendix.

¹⁹ See Letter of Withdrawal of Participation.

Commerce preliminarily determines that critical circumstances exist with respect to imports of overhead door springs from India for Alcomex and the non-responsive companies.

To determine whether imports are massive within the meaning of 19 CFR 351.206(h) for all other exporters or producers, Commerce's normal practice is to subtract shipments reported by the cooperating mandatory respondents from the shipment data of subject merchandise. However, as stated above, there are no cooperative respondents under investigation. Therefore, for all other exporters and/or producers, we compared the monthly shipment data using import data from Trade Data Monitor (TDM) for a base and a comparison period. We determined to use the TDM data because the Panjiva data supplied by the petitioner did not report the U.S. Harmonized Tariff Schedule (HTSUS) codes for all entries reported.²⁰

When determining whether massive shipments occurred, Commerce's practice is to include the month the petition was filed in the base period if the petition was filed during the last half of the month.²¹ Further, Commerce's practice is to use the longest period for which information is available through the month in which provisional measures were applied or the month prior to provisional measures being applied if the preliminary determination published in the first half of the month.²² The Petition was filed during the second half of October 2024, and the *Preliminary Determination* published during the first half of April 2025. Thus, to determine whether there was a massive surge in imports, Commerce utilized a five-month base period comprised of the total volume of shipments during the period June 2024 through October 2024 and a five-month comparison period comprised of the volume of shipments during the period November 2024 through March 2025.²³ The quantity of shipments recorded in the TDM data for

²⁰ See Critical Circumstances Allegation at Attachment.

²¹ See, e.g., *Circular Welded Carbon Quality Steel Pipe from the People's Republic of China: Final Affirmative Countervailing Duty Determination and Final Affirmative Determination of Critical Circumstances*, 73 FR 31966 (June 5, 2008) and accompanying Decision Memorandum (IDM) at 91-92.

²² See, e.g., *Certain Quartz Surface Products from the Republic of Turkey: Final Affirmative Countervailing Duty Determination and Final Affirmative Determination of Critical Circumstances, In Part*, 85 FR 25400 (May 1, 2020) and accompanying IDM at 2-3.

²³ See Memorandum, "Preliminary Critical Circumstances Analysis," dated concurrently with this memorandum (Critical Circumstances Analysis Memorandum), at Attachment.

the HTSUS codes 7320.20.5020, 7320.20.5045, and 7320.20.5060 during the comparison period exceeded the quantity of shipments recorded for the base period by 15 percent.²⁴ Therefore, we determine that the record supports a determination that there is a massive surge in imports between the base and comparison periods for all other exporters and producers of overhead door springs from India.²⁵

Final Determination

We will make a final determination concerning critical circumstances in the final determination of this investigation, which is currently scheduled for October 15, 2025.

Public Comment

Case briefs or other written comments limited to Commerce's preliminary critical circumstances determination may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which this notice is published in the *Federal Register*. 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.²⁶ 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.²⁷

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 brief that should be limited to five pages total, including footnotes. In this investigation, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.²⁸ 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

²⁴ *Id.*

²⁵ *Id.*

²⁶ 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 Final Rule*).

²⁷ See 19 CFR 351.309(c)(2) and (d)(2).

²⁸ See We use the term "issue" here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final determination in this investigation. 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).²⁹

Suspension of Liquidation

In accordance with section 703(e)(2)(A) of the Act, for Alcomex, the non-responsive companies, and all other producers or exporters of overhead door springs from India, we intend to direct U.S. Customs and Border Protection (CBP) to suspend liquidation of any unliquidated entries of subject merchandise from India entered, or withdrawn from warehouse for consumption, on or after January 3, 2025, which is 90 days prior to the date of publication of the *Preliminary Determination* in the *Federal Register*. For such entries, CBP shall require a cash deposit equal to the estimated preliminary subsidy rates established in the *Preliminary Determination*. This suspension of liquidation will remain in effect until further notice.

U.S. International Trade Commission (ITC) Notification

In accordance with section 703(f) of the Act, Commerce intends to notify the ITC of this preliminary determination of critical circumstances.

Notification to Interested Parties

This determination is issued and published pursuant to sections 703(f) and 771(i) of the Act, and 19 CFR 351.205(c).

Dated: July 24, 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.

²⁹ See *APO and Service Final Rule*.

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