

Dated: November 19, 2021.

Ryan Majerus,

Deputy Assistant Secretary for Policy and Negotiations, Performing the Non-Exclusive Functions and Duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-894]

Certain Tissue Paper Products From the People's Republic of China: Continuation of the Antidumping Duty Order

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

SUMMARY: As a result of the determinations by the Department of Commerce (Commerce) and the International Trade Commission (ITC) in their five year (sunset) review that revocation of the antidumping duty (AD) order on certain tissue paper products (tissue paper) from the People's Republic of China (China) would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, Commerce is publishing a notice of continuation of the AD order on tissue paper from China.

DATES: Applicable November 26, 2021.

FOR FURTHER INFORMATION CONTACT: Brian Smith, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-1766.

SUPPLEMENTARY INFORMATION:

Background

On March 30, 2005, Commerce published the AD order on tissue paper from China.¹ On June 1, 2021, the ITC

¹ See *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Tissue Paper Products from the People's Republic of China*, 70 FR 16223 (March 30, 2005).

instituted² and Commerce initiated³ a five-year (sunset) review of the AD order on tissue paper from China, pursuant to sections 751(c) and 752 of the Tariff Act of 1930, as amended (the Act). As a result of its review, Commerce determined that revocation of the AD order on tissue paper from China would likely lead to a continuation or recurrence of dumping. Therefore, Commerce notified the ITC of the magnitude of the margin of dumping likely to prevail were the order to be revoked.⁴

On November 18, 2021, the ITC published its determination, pursuant to sections 751(c) and 752(a) of the Act, that revocation of the AD order on tissue paper from China would likely lead to a continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.⁵

Scope of the Order

The products covered by the order are cut-to-length sheets of tissue paper having a basis weight not exceeding 29 grams per square meter. Tissue paper products subject to this order may or may not be bleached, dye-colored, surface-colored, glazed, surface decorated or printed, sequined, crinkled, embossed, and/or die cut. The tissue paper subject to this order is in the form of cut-to-length sheets of tissue paper with a width equal to or greater than one-half (0.5) inch. Subject tissue paper may be flat or folded, and may be packaged by banding or wrapping with paper or film, by placing in plastic or film bags, and/or by placing in boxes for distribution and use by the ultimate consumer. Packages of tissue paper subject to this order may consist solely of tissue paper of one color and/or style, or may contain multiple colors and/or styles.

The merchandise subject to this order does not have specific classification numbers assigned to them under the Harmonized Tariff Schedule of the United States (HTSUS). Subject merchandise may be under one or more of several different subheadings, including: 4802.30, 4802.54, 4802.61, 4802.62, 4802.69, 4804.31.1000, 4804.31.2000, 4804.31.4020, 4804.31.4040, 4804.31.6000, 4804.39,

² See *Certain Tissue Paper Products from the People's Republic of China: Institution of a Five-Year Review*, 86 FR 29289 (June 1, 2021).

³ See *Initiation of Five-Year (Sunset) Reviews*, 86 FR 29239 (June 1, 2021).

⁴ See *Certain Tissue Paper Products from the People's Republic of China: Final Results of Expedited Sunset Review of Antidumping Duty Order*, 86 FR 52444 (September 21, 2021).

⁵ See *Certain Tissue Paper Products from China; Determination*, 86 FR 64527 (November 18, 2021).

4805.91.1090, 4805.91.5000, 4805.91.7000, 4806.40, 4808.30, 4808.90, 4811.90, 4823.90, 4802.50.00, 4802.90.00, 4805.91.90, 9505.90.40. Although the HTSUS tariff classifications are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.⁶

Excluded from the scope of this order are the following tissue paper products: (1) Tissue paper products that are coated in wax, paraffin, or polymers, of a kind used in floral and food service applications; (2) tissue paper products that have been perforated, embossed, or die-cut to the shape of a toilet seat, *i.e.*, disposable sanitary covers for toilet seats; and (3) toilet or facial tissue stock towel or napkin stock, paper of a kind used for household or sanitary purposes, cellulose wadding, and webs of cellulose fibers (HTSUS 4803.00.20.00 and 4803.00.40.00).

Continuation of the AD Order

As a result of the determinations by Commerce and the ITC that revocation of the AD order on tissue paper from China would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to sections 751(c) and 751(d)(2) of the Act, Commerce hereby orders the continuation of the AD order on tissue paper from China. U.S. Customs and Border Protection will continue to collect AD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of the continuation of the order will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, Commerce intends to initiate the next five-year review of this order not later than 30 days prior to the fifth anniversary of the effective date of continuation.

Administrative Protective Order

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return/destruction or conversion to judicial protective order of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Failure to comply is a violation of the APO which may be subject to sanctions.

⁶ On January 30, 2007 at the direction of CBP, Commerce added the following HTSUS classifications to the AD/CVD module for tissue paper: 4802.54.3100, 4802.54.6100, and 4823.90.6700. However, we note that the six digit classifications for these numbers were already listed in the scope.

This five-year (sunset) review and notice are in accordance with sections 751(c) and (d)(2), and 777(i) the Act, and 19 CFR 351.218(f)(4).

Dated: November 19, 2021.

Ryan Majerus,

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

[FR Doc. 2021–25772 Filed 11–24–21; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–351–842]

Certain Uncoated Paper From Brazil: Notice of Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review

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

SUMMARY: The Department of Commerce (Commerce) is initiating a changed circumstances review (CCR) of the antidumping duty (AD) order on certain uncoated paper (uncoated paper) from Brazil. Further, Commerce preliminarily determines that Sylvamo do Brasil Ltda. (SVBR) is the successor-in-interest to International Paper do Brasil Ltda. (IP) and that Sylvamo Exports Ltda. (SVEX) is the successor-in-interest to International Paper Exportadora Ltda. (IPEX). Interested parties are invited to comment on these preliminary results.

DATES: Applicable November 26, 2021.

FOR FURTHER INFORMATION CONTACT:

Christopher Maciuba, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–5831.

SUPPLEMENTARY INFORMATION:

Background

On March 3, 2016, Commerce published in the **Federal Register** an AD order on uncoated paper from Brazil.¹ We assigned IP and IPEX (collectively, International Paper) a cash deposit rate of 41.39 percent.² International Paper last received a calculated rate, in the third administrative review of this

¹ See *Certain Uncoated Paper from Australia, Brazil, Indonesia, the People's Republic of China, and Portugal: Amended Final Affirmative Antidumping Determinations for Brazil and Indonesia and Antidumping Duty Orders*, 81 FR 11174 (March 3, 2016) (*Order*).

² *Id.*, 81 FR at 11176.

proceeding, of 20.80 percent.³ On October 4, 2021, Commerce received a request on behalf of SVBR and SVEX (collectively, Sylvamo) for an expedited CCR to establish SVBR and SVEX as the successors-in-interest to IP and IPEX, respectively.⁴ Sylvamo asked that it be subject to International Paper's AD margin for uncoated paper from Brazil. No interested parties filed comments opposing the CCR request.

Scope of the Order

The merchandise covered by the *Order* is uncoated paper. For a complete description of the scope of the *Order*, see the Preliminary Decision Memorandum.

Methodology

We are conducting this CCR in accordance with section 751(b)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.216. For a full description of the methodology underlying our preliminary conclusions, see the Preliminary Decision Memorandum.⁵ A list of the topics discussed in the Preliminary Decision Memorandum is included as an appendix to this notice. The Preliminary Decision Memorandum is a public document and is made available to the public 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 is available at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Initiation and Preliminary Results of CCR

Pursuant to section 751(b)(1) of the Act and 19 CFR 351.216(d), Commerce will conduct a CCR upon receipt of information concerning, or a request from an interested party for a review of, an AD order which shows changed circumstances sufficient to warrant a review of the order.

We find that the information regarding IP and IPEX's name changes to SVBR and SVEX, respectively, demonstrates changed circumstances

³ See *Certain Uncoated Paper from Brazil: Final Results of Antidumping Duty Administrative Review: 2018–2019*, 86 FR 7254 (January 27, 2021).

⁴ See Sylvamo's Letter, "Request for Changed Circumstances Review and Successor-in-Interest Determination," dated October 4, 2021.

⁵ See Memorandum, "Decision Memorandum for the Initiation and Preliminary Results of the Changed Circumstances Review of the Antidumping Duty Order on Certain Uncoated Paper from Brazil," dated concurrently with this notice.

sufficient to warrant a CCR with respect to the *Order*. Therefore, we are initiating a CCR to determine whether SVBR and SVEX are the successors-in-interest to IP and IPEX, respectively, for purposes of the *Order*.

Pursuant to 19 CFR 351.221(c)(3)(ii), Commerce may combine the notice of initiation of a CCR and the notice of preliminary results of a CCR into a single notice if Commerce concludes that expedited action is warranted. We have on the record the information necessary to make a preliminary finding and, therefore, we find that expedited action is warranted. Consequently, we are combining the initiation of the CCR described above and our preliminary results.

In determining whether one company is the successor to another for AD purposes, Commerce examines a number of factors including, but not limited to, changes in: (1) Management; (2) production facilities; (3) suppliers; and (4) customer base.⁶ While no single factor or combination of factors will necessarily provide a dispositive indication of a successor-in-interest relationship, Commerce will generally consider one company to be the successor to a previous company if its resulting operations are not materially dissimilar to those of its predecessor.⁷ Thus, if the evidence demonstrates that, with respect to the production and sale of the subject merchandise, the company, in its current form, operates as essentially the same business entity as the prior company, Commerce will assign the new company the cash deposit rate of its predecessor.⁸

Sylvamo provided evidence that: (1) IP and IPEX's names changed to SVBR and SVEX, respectively, in August 2021, and the companies were transferred from their ultimate parent company, the International Paper Company, to a new parent company, Sylvamo Corp., in October 2021;⁹ and (2) there were no significant changes to management,¹⁰

⁶ See *Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review: Multilayered Wood Flooring from the People's Republic of China*, 79 FR 48117 (August 15, 2014), unchanged in *Multilayered Wood Flooring from the People's Republic of China: Final Results of Changed Circumstances Review*, 79 FR 58740 (September 30, 2014).

⁷ *Id.*

⁸ See, e.g., *Certain Preserved Mushrooms from India: Initiation and Preliminary Results of Changed-Circumstances Review*, 67 FR 78416 (December 24, 2002), unchanged in *Certain Preserved Mushrooms from India: Final Results of Changed-Circumstances Review*, 68 FR 6884 (February 11, 2003); and *Fresh and Chilled Atlantic Salmon from Norway: Final Results of Changed Circumstances Antidumping Administrative Review*, 64 FR 9979, 9980 (March 1, 1999).

⁹ See CCR Letter at 2.

¹⁰ *Id.* at Attachments 9, 10, 12, and 13.