

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 2121]

Reorganization of Foreign-Trade Zone 252 Under Alternative Site Framework, Amarillo, Texas

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, the Foreign-Trade Zones (FTZ) Act provides for “. . . the establishment . . . of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes,” and authorizes the Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs and Border Protection ports of entry;

Whereas, the Board adopted the alternative site framework (ASF) (15 CFR Sec. 400.2(c)) as an option for the establishment or reorganization of zones;

Whereas, the City of Amarillo, grantee of Foreign-Trade Zone 252, submitted an application to the Board (FTZ Docket B–47–2021, docketed June 22, 2021) for authority to reorganize under the ASF with a service area of Armstrong, Oldham, Potter and Randall Counties, Texas, in and adjacent to the Amarillo U.S. Customs and Border Protection port of entry, and FTZ 252’s existing Sites 1 through 10 would be categorized as magnet sites;

Whereas, notice inviting public comment was given in the **Federal Register** (86 FR 34200–34201, June 29, 2021) and the application has been processed pursuant to the FTZ Act and the Board’s regulations; and,

Whereas, the Board adopts the findings and recommendations of the examiners’ report, and finds that the requirements of the FTZ Act and the Board’s regulations are satisfied;

Now, therefore, the Board hereby orders:

The application to reorganize FTZ 252 under the ASF is approved, subject to the FTZ Act and the Board’s regulations, including Section 400.13, to the Board’s standard 2,000-acre activation limit for the zone, and to an ASF sunset provision for magnet sites that would terminate authority for Sites 2 through 10 if not activated within five years from the month of approval.

Dated: December 13, 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, Alternate Chairman, Foreign-Trade Zones Board.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–351–857]

Raw Honey From Brazil: Amended Preliminary Determination of Sales at Less Than Fair Value

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

SUMMARY: On November 23, 2021, the Department of Commerce (Commerce) published its preliminary determination in the less-than-fair-value (LTFV) investigation of raw honey from Brazil in the **Federal Register**. Commerce is amending this preliminary determination to correct a significant ministerial error.

DATES: Applicable December 17, 2021.

FOR FURTHER INFORMATION CONTACT:

Justin M. Neuman or Genevieve Coen, 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) 482–0486 or (202) 482–3251, respectively.

SUPPLEMENTARY INFORMATION:**Background**

On November 23, 2021, Commerce published in the **Federal Register** the preliminary determination in the LTFV investigation of raw honey from Brazil.¹ Also on this same date, one of the mandatory respondents in the case, Supermel,² filed a timely ministerial

¹ See *Raw Honey from Brazil: Preliminary Affirmative Determination of Sales at Less-Than-Fair-Value Investigation, Postponement of Final Determination, and Extension of Provisional Measures*, 86 FR 66533 (November 23, 2021) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

² Supermel is comprised of two entities: Apiário Diamante Comercial Exportadora Ltda and Apiário Diamante Produção e Comercial de Mel Ltda. See Memorandum, “Less-Than-Fair-Value Investigation of Raw Honey from Brazil: Preliminary Affiliation and Single Entity Memorandum for Apiário Diamante Comercial Exportadora Ltda and Apiário Diamante Produção e Comercial de Mel Ltda.” (Single Entity Memorandum) dated November 17, 2021.

error allegation concerning the *Preliminary Determination*.³

Period of Investigation

The period of investigation is April 1, 2020, through March 31, 2021.

Scope of the Investigation

The product covered by this investigation is raw honey from Brazil. For a complete description of the scope of this investigation, *see* the appendix.

Significant Ministerial Error

In accordance with 19 CFR 351.224(e), Commerce “will analyze any comments received and, if appropriate, correct any significant ministerial error by amending the preliminary determination. . . .” A ministerial error is defined in 19 CFR 351.224(f) as “an error in addition, subtraction, or other arithmetic function clerical error resulting from inaccurate copying, duplication, or the like, and any other similar type of unintentional error which the Secretary considers ministerial.” A significant ministerial error is defined as a ministerial error, the correction of which, singly or in combination with other errors, would result in: (1) A change of at least five absolute percentage points in, but not less than 25 percent of, the weighted-average dumping margin calculated in the original preliminary determination; or (2) a difference between a weighted-average dumping margin of zero or *de minimis* and a weighted-average dumping margin of greater than *de minimis* or vice versa.⁴

Ministerial Error Allegations

Supermel timely alleged that Commerce made a ministerial error involving the calculation of Supermel’s general and administrative (G&A) expenses and interest expenses. Supermel alleged that Commerce, in calculating these expenses, treated the company’s reported per-kilogram figures as expense ratios, rather than as absolute amounts, and then it used the resulting expenses in its sales-below-cost test and constructed value calculations; Supermel alleges that this inflated the preliminary weighted-average dumping margin calculation for Supermel.⁵ After analyzing this allegation, we determine that we made a significant ministerial error in the *Preliminary Determination* with respect

³ See Supermel’s Letter, “Anti-Dumping Duty Investigation of Raw Honey from Brazil: Supermel’s Ministerial Error Comments,” dated November 23, 2021 (Supermel’s Ministerial Error Allegations).

⁴ See 19 CFR 351.224(g)(1) and (2).

⁵ See Supermel’s Ministerial Error Allegations at 2–3.