

calculation of the net countervailable subsidy rates for Bharat Forge. For a discussion of the issues, see the Issues and Decision Memorandum.

**Methodology**

Commerce conducted this administrative review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For

each of the subsidy programs found to be countervailable, we find that there is a subsidy, *i.e.*, a government-provided financial contribution that gives rise to a benefit to the recipient, and that the subsidy is specific.<sup>9</sup> For a complete description of the methodology underlying all of Commerce’s conclusions, including our reliance, in part, on facts otherwise available,

including adverse facts available, pursuant to sections 776(a) and (b) of the Act, see the Issues and Decision Memorandum.

**Final Results of Administrative Review**

We determine that the net countervailable subsidy rate for the period May 26, 2020, through December 31, 2021, to be as follows:

Company	Subsidy rate (percent <i>ad valorem</i> ) 2020	Subsidy rate (percent <i>ad valorem</i> ) 2021
Bharat Forge .....	2.78	3.95

**Cash Deposit Requirements**

In accordance with section 751(a)(1) of the Act, Commerce also intends to instruct U.S. Customs and Border Protection (CBP) to collect cash deposits of estimated countervailing duties in the amounts shown above for the above-listed companies with regard to shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of these final results of review. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the all-others rate or the most recent company-specific rate applicable to the company, as appropriate. These cash deposit requirements, effective upon publication of these final results, shall remain in effect until further notice.

**Assessment Requirements**

In accordance with section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(2), Commerce has determined, and CBP shall assess, countervailing duties on all appropriate entries covered by this review, for the above-listed companies at the applicable *ad valorem* assessment rates listed. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after 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).

**Disclosure**

Commerce intends to disclose calculations and analysis performed for the final results of review within five

days after the date of publication of this notice in the **Federal Register** in accordance with 19 CFR 351.224(b).

**Administrative Protective Order**

This notice also serves as a final reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

**Notification to Interested Parties**

The final results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: July 20, 2023.  
**Lisa W. Wang**,  
*Assistant Secretary for Enforcement and Compliance.*

**Appendix**

**List of Topics Discussed in the Issues and Decision Memorandum**

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Subsidies Valuation Information
- V. Use of Facts Otherwise Available and Application of Adverse Inferences
- VI. Analysis of Programs
- VII. Discussion of the Issues
  - Comment 1: Whether the Duty Drawback (DDB) Scheme Is Countervailable
  - Comment 2: Whether Commerce Should Revise Its DDB Benefit Calculation
  - Comment 3: Whether the Remission of Duties and Taxes on Export Products (RODTEP) Program Is Countervailable
  - Comment 4: Whether Bharat Forge’s Export Promotion of Capital Goods Scheme

(EPCGS) Information Submitted to Commerce Is Complete and Accurate  
 Comment 5: Whether Bharat Forge Benefitted from the Interest Equalization Scheme (IES) during the POR  
 VIII. Recommendation  
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**BILLING CODE 3510–DS–P**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A–570–073, C–570–074]

**Common Alloy Aluminum Sheet From the People’s Republic of China: Affirmative Final Determination of Circumvention of the Antidumping and Countervailing Duty Orders; 4017 Aluminum Sheet**

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that imports of aluminum sheet produced from aluminum alloy 4017 (4017 aluminum sheet) produced in the People’s Republic of China (China) and exported to the United States constitutes merchandise altered in form or appearance in such minor respects that it should be included within the scope of the antidumping duty (AD) and countervailing duty (CVD) orders on common alloy aluminum sheet (CAAS) from China. As a result, 4017 aluminum sheet will be subject to suspension of liquidation effective August 26, 2022.

**DATES:** Applicable July 27, 2023.

**FOR FURTHER INFORMATION CONTACT:** Frank Schmitt, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401

<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.

Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4880.

#### SUPPLEMENTARY INFORMATION:

##### Background

On April 12, 2023, Commerce published the *Preliminary Determination* of the circumvention inquiry of the AD and CVD orders on CAAS from China<sup>1</sup> with respect to 4017 aluminum sheet, produced in China and exported to the United States.<sup>2</sup> Although we invited parties to comment on the *Preliminary Determination* of this inquiry, we received no comments. We notified the U.S. International Trade Commission (ITC) of our preliminary determination and did not receive a request for consultation from the ITC.<sup>3</sup> Commerce conducted this circumvention inquiry pursuant to section 781© of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.226(j).

##### Scope of the Orders

The merchandise covered by the *Orders* is aluminum common alloy sheet (common alloy sheet), which is a flat-rolled aluminum product having a thickness of 6.3 mm or less, but greater than 0.2 mm, in coils or cut-to-length, regardless of width. Common alloy sheet within the scope of the *Orders* includes both not clad aluminum sheet, as well as multi-alloy, clad aluminum sheet. With respect to not clad aluminum sheet, common alloy sheet is manufactured from a 1XXX-, 3XXX-, or 5XXX-series alloy as designated by the Aluminum Association. With respect to multi-alloy, clad aluminum sheet, common alloy sheet is produced from a 3XXX-series core, to which cladding layers are applied to either one or both sides of the core.

Common alloy sheet may be made to ASTM specification B209-14, but can also be made to other specifications. Regardless of specification, however, all common alloy sheet meeting the scope description is included in the scope. Subject merchandise includes common

alloy sheet that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching, and/or slitting, or any other processing that would not otherwise remove the merchandise from the scope of the *Orders* if performed in the country of manufacture of the common alloy sheet.

Excluded from the scope of the *Orders* is aluminum can stock, which is suitable for use in the manufacture of aluminum beverage cans, lids of such cans, or tabs used to open such cans. Aluminum can stock is produced to gauges that range from 0.200 mm to 0.292 mm, and has an H-19, H-41, H-48, or H-391 temper. In addition, aluminum can stock has a lubricant applied to the flat surfaces of the can stock to facilitate its movement through machines used in the manufacture of beverage cans. Aluminum can stock is properly classified under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7606.12.3045 and 7606.12.3055.

Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set for the above.

Common alloy sheet is currently classifiable under HTSUS subheadings 7606.11.3060, 7606.11.6000, 7606.12.3090, 7606.12.6000, 7606.91.3090, 7606.91.6080, 7606.92.3090, and 7606.92.6080. Further, merchandise that falls within the scope of the *Orders* may also be entered into the United States under HTSUS subheadings 7606.11.3030, 7606.12.3030, 7606.91.3060, 7606.91.6040, 7606.92.3060, 7606.92.6040, 7607.11.9090. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the *Orders* is dispositive.

##### Merchandise Subject to the Circumvention Inquiry

This circumvention inquiry covers aluminum sheet produced in China from aluminum alloy 4017 and exported to the United States. A complete description of the merchandise subject to the circumvention inquiry is contained in the Preliminary Decision Memorandum.<sup>4</sup>

##### Methodology

We conducted this circumvention inquiry pursuant to section 781(c) of the Act and 19 CFR 351.226(j). For a

complete description of the methodology underlying the preliminary determination, see the Preliminary Decision Memorandum. 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>.

##### Affirmative Final Determination of Circumvention

As detailed in the *Preliminary Determination*,<sup>5</sup> we determine, on the basis of facts available with an adverse inference, that 4017 aluminum sheet produced in China and exported to the United States constitutes merchandise altered in form or appearance in such minor respects that it should be included within the scope of the *Orders*, pursuant to section 781(c) of the Act and 19 CFR 351.226(j). Commerce continues to apply this affirmative circumvention finding on a country-wide basis. Because we received no comments regarding our *Preliminary Determination*, our final determination remains unchanged from our *Preliminary Determination*. Therefore, we determine that it is appropriate to include this merchandise within the scope of the *Orders* and to instruct U.S. Customs and Border Protection (CBP) to continue to suspend any entries of 4017 aluminum sheet produced in China and exported to the United States.

##### Suspension of Liquidation

In accordance with 19 CFR 351.226(l)(3), based on this final determination in this circumvention inquiry, Commerce will direct CBP to begin or continue to suspend liquidation and to require cash deposits of estimated duties equal to the AD and CVD rates in effect for CAAS from China for each unliquidated entry of 4017 aluminum sheet produced in China and exported to the United States that has been entered, or withdrawn from warehouse, for consumption on or after August 26, 2022.<sup>6</sup> The suspension of liquidation and cash deposit

<sup>5</sup> *Id.*

<sup>6</sup> See *Common Alloy Aluminum Sheet from the People's Republic of China: Initiation of Circumvention Inquiry of the Antidumping and Countervailing Duty Orders—4017 Aluminum Sheet*, 87 FR 52509 (August 26, 2022).

<sup>1</sup> See *Common Alloy Aluminum Sheet from the People's Republic of China: Countervailing Duty Order*, 84 FR 2157 (February 6, 2019); and *Common Alloy Aluminum Sheet from the People's Republic of China: Antidumping Duty Order*, 84 FR 2813 (February 8, 2019) (collectively, *Orders*).

<sup>2</sup> See *Common Alloy Aluminum Sheet from the People's Republic of China: Preliminary Affirmative Determination of Circumvention*, 88 FR 21998 (April 12, 2023) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

<sup>3</sup> See Commerce's Letter, "Common Alloy Aluminum Sheet from the People's Republic of China: Preliminary Affirmative Determination of Circumvention for 4017 Aluminum Sheet of the Antidumping and Countervailing Duty Orders," dated April 7, 2023.

<sup>4</sup> See *Preliminary Determination*, PDM.

requirements will remain in effect until further notice.

### Administrative Protective Order

This notice will serve as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

### Notification to Interested Parties

This determination is published in accordance with section 781(c) of the Act and 19 CFR 351.226(g)(2).

Dated: July 21, 2023.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

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**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-122-858]

### Certain Softwood Lumber From Canada: Notice of Initiation of Changed Circumstances Review

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

**SUMMARY:** Based on a request from the Committee Overseeing Action for Lumber International Trade Investigations or Negotiations (the petitioner), the U.S. Department of Commerce (Commerce) is initiating a changed circumstances review (CCR) of the countervailing duty (CVD) order on certain softwood lumber from Canada.

**DATES:** Applicable July 27, 2023.

**FOR FURTHER INFORMATION CONTACT:** Samuel Brummitt, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-7851.

### SUPPLEMENTARY INFORMATION:

#### Background

On January 3, 2018, Commerce published the CVD order on certain softwood lumber from Canada.<sup>1</sup> On May

11, 2023, the petitioner requested that Commerce initiate a CCR of the *Order*, pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (the Act), 19 CFR 351.216, and 19 CFR 251.221(c)(3).<sup>2</sup> Specifically, the petitioner requests that Commerce determine that Interfor Corporation, EACOM Timber Corporation, Chaleur Forest Products Inc., and Chaleur Forest Products LP are cross-owned entities.<sup>3</sup>

#### Scope of the Order

The merchandise covered by this *Order* is softwood lumber, siding, flooring and certain other coniferous wood (softwood lumber products). The scope includes:

- Coniferous wood, sawn, or chipped lengthwise, sliced or peeled, whether or not planed, whether or not sanded, or whether or not finger-jointed, of an actual thickness exceeding six millimeters.
- Coniferous wood siding, flooring, and other coniferous wood (other than moldings and dowel rods), including strips and friezes for parquet flooring, that is continuously shaped (including, but not limited to, tongued, grooved, rebated, chamfered, V-jointed, beaded, molded, rounded) along any of its edges, ends, or faces, whether or not planed, whether or not sanded, or whether or not end-jointed.
- Coniferous drilled and notched lumber and angle cut lumber.
- Coniferous lumber stacked on edge and fastened together with nails, whether or not with plywood sheathing.
- Components or parts of semi-finished or unassembled finished products made from subject merchandise that would otherwise meet the definition of the scope above.

Finished products are not covered by the scope of this *Order*. For the purposes of this scope, finished products contain, or are comprised of, subject merchandise and have undergone sufficient processing such that they can no longer be considered intermediate products, and such products can be readily differentiated from merchandise subject to this *Order* at the time of importation. Such differentiation may, for example, be shown through marks of special adaptation as a particular product. The following products are illustrative of the type of merchandise that is considered “finished,” for the purpose of this

scope: I-joists; assembled pallets; cutting boards; assembled picture frames; garage doors.

The following items are excluded from the scope of this *Order*:

- Softwood lumber products certified by the Atlantic Lumber Board as being first produced in the Provinces of Newfoundland and Labrador, Nova Scotia, or Prince Edward Island from logs harvested in Newfoundland and Labrador, Nova Scotia, or Prince Edward Island.

- U.S.-origin lumber shipped to Canada for processing and imported into the United States if the processing occurring in Canada is limited to one or more of the following: (1) Kiln drying; (2) planing to create smooth-to-size board; or (3) sanding.

- Box-spring frame kits if they contain the following wooden pieces—two side rails, two end (or top) rails and varying numbers of slats. The side rails and the end rails must be radius-cut at both ends. The kits must be individually packaged and must contain the exact number of wooden components needed to make a particular box-spring frame, with no further processing required. None of the components exceeds 1” in actual thickness or 83” in length.

- Radius-cut box-spring-frame components, not exceeding 1” in actual thickness or 83” in length, ready for assembly without further processing. The radius cuts must be present on both ends of the boards and must be substantially cut so as to completely round one corner.

Softwood lumber product imports are generally entered under Chapter 44 of the HTSUS. This chapter of the HTSUS covers “Wood and articles of wood.” Softwood lumber products that are subject to this *Order* are currently classifiable under the following ten-digit HTSUS subheadings in Chapter 44:

4406.11.00.00; 4406.91.00.00;  
4407.10.01.01; 4407.10.01.02;  
4407.10.01.15; 4407.10.01.16;  
4407.10.01.17; 4407.10.01.18;  
4407.10.01.19; 4407.10.01.20;  
4407.10.01.42; 4407.10.01.43;  
4407.10.01.44; 4407.10.01.45;  
4407.10.01.46; 4407.10.01.47;  
4407.10.01.48; 4407.10.01.49;  
4407.10.01.52; 4407.10.01.53;  
4407.10.01.54; 4407.10.01.55;  
4407.10.01.56; 4407.10.01.57;  
4407.10.01.58; 4407.10.01.59;  
4407.10.01.64; 4407.10.01.65;  
4407.10.01.66; 4407.10.01.67;  
4407.10.01.68; 4407.10.01.69;  
4407.10.01.74; 4407.10.01.75;  
4407.10.01.76; 4407.10.01.77;  
4407.10.01.82; 4407.10.01.83;  
4407.10.01.92; 4407.10.01.93;  
4407.11.00.01; 4407.11.00.02;

*Duty Determination and Countervailing Duty Order*, 83 FR 347 (January 3, 2018) (*Order*).

<sup>2</sup> See the Petitioner’s Letter, “Certain Softwood Lumber Products from Canada: Request for Changed Circumstances Review,” dated May 11, 2023 (Petitioner’s Request for CCR).

<sup>3</sup> *Id.*

<sup>1</sup> See *Certain Softwood Lumber Products from Canada: Amended Final Affirmative Countervailing*