

antidumping duty assessment rates based on the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1).<sup>17</sup> We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific assessment rate calculated in the final results of this review is above *de minimis* (i.e., 0.50 percent). Where either the respondent's weighted-average dumping margin is zero or *de minimis*, or an importer-specific assessment rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review where applicable.

For the companies which were not selected for individual review (i.e., CSC, CHSC, Great Fortune, Great Grandeul, Great Grandeul Somoa, Great Grandeul Steel, and SYSCO), we will assign an assessment rate based on the cash deposit rate calculated for the company selected for mandatory review (i.e., Prosperity). The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.<sup>18</sup> Further, if we continue to find in the final results that Xxentria had no shipments of subject merchandise during the POR, we will instruct CBP to liquidate any suspended entries that entered under that company's antidumping duty case number at the all-others rate.

In accordance with Commerce's "automatic assessment" practice, for entries of subject merchandise during the POR produced by Prosperity for which it did not know that its merchandise was destined for the United States, we will instruct CBP to liquidate entries not reviewed at the all-others rate of 3.66 percent established in the LTFV investigation<sup>19</sup> if there is no

rate for the intermediate company(ies) involved in the transaction.<sup>20</sup>

We intend to issue assessment instructions to CBP no earlier than 35 days after date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the Court, 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

The following deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of CORE from Taiwan entered, or withdrawn from warehouse, for consumption on or after the date of publication provided by section 751(a)(2) of the Act: (1) the cash deposit rate for each company listed above will be equal to the dumping margins established in the final results of this review except if the ultimate rates are *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rates will be zero; (2) for merchandise exported by producers or exporters not covered in this administrative review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding in which the producer or exporter participated; (3) if the exporter is not a firm covered in this review, a prior review, or the original LTFV investigation but the producer is, the cash deposit rate will be the rate established for the most recently completed segment of the proceeding for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 3.66 percent, the all-others rate established in *Amended Final Determination*.<sup>21</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this

(February 26, 2019) (*Amended Final Determination*).

<sup>20</sup> For a full discussion of this practice, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

<sup>21</sup> See *Amended Final Determination*.

review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

#### Notification to Interested Parties

These preliminary results of review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(4).

Dated: July 27, 2023.

**Abdelali Elouaradia,**

*Deputy Assistant Secretary for Enforcement and Compliance.*

#### Appendix

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

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Discontinuation of the Review With Respect to YP and Synn
- V. Preliminary Determination of No Shipments
- VI. Rate for Respondents Not Selected for Individual Examination
- VII. Discussion of the Methodology
- VIII. Currency Conversion
- IX. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### The Association of Universities for Research in Astronomy; Notice of Decision on Application for Duty-Free Entry of Scientific Instruments

This is a decision pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, as amended by Pub. L. 106-36; 80 Stat. 897; 15 CFR part 301). On January 24, 2023, the Department of Commerce published a notice in the **Federal Register** requesting public comment on whether instruments of equivalent scientific value, for the purposes for which the instruments identified in the docket(s) below are intended to be used, are being manufactured in the United States. See *Application(s) for Duty-Free Entry of Scientific Instruments*, 88 FR 4155, January 24, 2023 (*Notice*). We received no public comments.

*Docket Number: 23-004.* Applicant: The Association of Universities for Research in Astronomy (AURA), 950 N Cherry Avenue, Tucson, AZ 85719. Instrument: (4) Laser Launch Telescopes. Manufacturer: Officina Stellare, S.p.A., Italy. Intended Use: The

<sup>17</sup> In these preliminary results, Commerce applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification*, 77 FR 8101 (February 14, 2012).

<sup>18</sup> See section 751(a)(2)(C) of the Act.

<sup>19</sup> See *Corrosion-Resistant Steel Products from Taiwan: Notice of Court Decision Not in Harmony with Final Determination of Antidumping Duty Investigation and Notice of Amended Final Determination of Investigation*, 84 FR 6129

instrument is intended to be used to study the creation of four artificial stars for the purpose of conducting Adaptive Optics scientific observations. Existing and upcoming next generation optical telescopes require highly reliable 589 nm high power lasers—to generate so-called Guide Star Lasers—for the implementation of adaptive optics facilities. The four Laser Launch Telescopes will be used to project these laser beacons to create a constellation of artificial laser guide stars on top of the telescope. The experiments to be conducted: The four Laser Launch Telescopes used as an accessory to the Adaptive Optics system GMAO (currently in development) will propagate a constellation of artificial guide stars to measure the incoming wavefront. The objectives pursued during the investigations will be used on selected nights for selected astronomical targets in hopes of attaining better scientific data.

Dated: July 27, 2023.

**Gregory W. Campbell,**

*Director, Subsidies Enforcement and Economic Analysis, Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–533–839]

#### Carbazole Violet Pigment 23 From India: Initiation of Countervailing Duty New Shipper Review

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) has determined that a request for a new shipper review (NSR) of the countervailing duty (CVD) order on carbazole violet pigment 23 (CVP–23) from India meets the statutory and regulatory requirements for initiation. The period of review (POR) for this NSR is January 1, 2022, through December 31, 2022.

**DATES:** Applicable August 2, 2023.

**FOR FURTHER INFORMATION CONTACT:** Gene H. Calvert, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3586.

**SUPPLEMENTARY INFORMATION:**

### Background

Commerce published the CVD order on CVP–23 from India on December 29, 2004.<sup>1</sup> On January 20, 2023, pursuant to section 751(a)(2)(B)(i) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.214(c), Commerce received a timely NSR request from Sudarshan Chemical Industries Limited (Sudarshan Chemical).<sup>2</sup>

In its submission, Sudarshan Chemical certified that it is the producer and exporter of the subject merchandise subject to this NSR request.<sup>3</sup> Pursuant to section 751(a)(2)(B)(I) of the Act and 19 CFR 351.214(b)(2)(i), Sudarshan Chemical certified that it did not export CVP–23 to the United States during the period of investigation (POI).<sup>4</sup> Additionally, pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), Sudarshan Chemical certified that, since the initiation of the CVD investigation, it has not been affiliated with any producer or exporter that exported CVP–23 to the United States during the POI, including those not individually examined during the CVD investigation.<sup>5</sup>

In its submission, pursuant to 19 CFR 351.214(b)(2)(iv), Sudarshan Chemical certified that it would provide necessary information related to the unaffiliated customer in the United States during this NSR.<sup>6</sup> Sudarshan Chemical also provided a certification by its unaffiliated customer of its willingness to participate in this NSR.<sup>7</sup>

In addition to the certifications described above, pursuant to 19 CFR 351.214(b)(2)(v), Sudarshan Chemical submitted documentation establishing the following: (1) the date on which the subject merchandise was first entered, or withdrawn from warehouse, for consumption; (2) the volume of its first shipment and any subsequent shipments, including whether such shipments were made in commercial quantities; and (3) the date of its first sale and any subsequent sales to an unaffiliated customer in the United States.<sup>8</sup> Finally, pursuant to 19 CFR 351.214(b)(2)(vi), Sudarshan Chemical

submitted a certification that it informed the Government of India (GOI) that the GOI will be required to provide a full response to Commerce's questionnaire.

Commerce queried the database of U.S. Customs and Border Protection (CBP) to confirm whether the shipment reported by Sudarshan Chemical had entered the United States for consumption and that liquidation had been suspended as subject to the *Order*.<sup>9</sup> The CBP Entry Data for which Commerce examined were consistent with the information submitted by Sudarshan Chemical in its NSR request. In particular, the CBP Entry Data confirmed the price and quantity reported by Sudarshan Chemical for the sale that forms the basis for its NSR request. Finally, Commerce's examination of the CBP Entry Data also leads it to conclude that this sale is a suspended/Type-3 entry.

### Period of Review

In accordance with 19 CFR 351.214(g)(2), in a countervailing duty proceeding, the POR for an NSR will be the same period as that specified in 19 CFR 351.213(e)(2) for a CVD administrative review. Section 351.213(e)(2)(i) of Commerce's regulations provides that a CVD administrative review normally will cover entries or exports of subject merchandise during the most recently completed calendar year. Because Sudarshan Chemical's NSR Request was submitted on January 20, 2023, the POR for this NSR will be January 1, 2022, through December 31, 2022 (*i.e.*, the most recently completed calendar year prior to the date of Sudarshan Chemical's NSR Request).

### Initiation of New Shipper Review

Pursuant to section 751(a)(2)(B) of the Act and 19 CFR 351.214(b), and based on the information on the record, Commerce finds that Sudarshan Chemical's NSR Request meets the threshold requirements for initiating an NSR of its shipments of CVP–23 from India to the United States.<sup>10</sup> However, if the information submitted by Sudarshan Chemical is later found to be incorrect or insufficient during the course of this NSR, Commerce may rescind the review or apply adverse facts available, pursuant to section 776 of the Act, as

<sup>1</sup> See *Notice of Countervailing Duty Order: Carbazole Violet Pigment 23 from India*, 69 FR 77995 (December 29, 2004) (*Order*).

<sup>2</sup> See Sudarshan Chemical's Letter, "Request for Initiation of a New Shipper Review of the Countervailing Duty Order (C–533–839)," dated January 20, 2023 (Sudarshan Chemical's NSR Request).

<sup>3</sup> *Id.* at Exhibit 1.

<sup>4</sup> *Id.*

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

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* at Exhibit 2.

<sup>8</sup> *Id.* at Exhibits C and D.

<sup>9</sup> See Memorandum, "Release of U.S. Customs and Border Protection Data Query Results," dated May 30, 2023, at Attached Excel Data File (CBP Entry Data).

<sup>10</sup> See, generally, Sudarshan Chemical's NSR Request; see also New Shipper Initiation Checklist: Sudarshan Chemical Industries Limited, dated concurrently with this notice.