

importer-specific assessment rate for antidumping duties based on the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1). For the companies identified above that were not selected for individual examination, we will instruct CBP to assess antidumping duties at a rate equal to the weighted-average dumping margin established in the final results of review. If the respondent's weighted-average dumping margin or an importer-specific assessment rate is zero or *de minimis* in the final results of this review, we intend to instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

For entries of subject merchandise during the POR produced by either of the individually examined respondents for which they did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate these entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.<sup>15</sup>

For the companies for which this review is rescinded with these preliminary results, we will instruct CBP to assess antidumping duties on all appropriate entries at a rate equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, during the period January 1, 2022, through December 31, 2022, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of 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.

The final results of this administrative 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>16</sup>

#### Cash Deposit Requirements

The following cash deposit requirements will be effective for all

shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies listed above will be that established in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for previously investigated or reviewed companies not covered in this review, the cash deposit rate will continue to be the company-specific cash deposit rate published for the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, a prior review, or the investigation of sales at LTFV, but the producer is, then the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 7.33 percent, the all-others rate established in the LTFV investigation.<sup>17</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice 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 and/or countervailing duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping and/or countervailing duties occurred and the subsequent assessment of double antidumping duties, and/or an increase in the amount of antidumping duties by the amount of countervailing duties.

#### Notification to Interested Parties

We are issuing and publishing these preliminary results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: January 31, 2024.

**Abdelali Elouaradia,**

*Deputy Assistant Secretary, for Enforcement and Compliance.*

#### Appendix I

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

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Rescission of Administrative Review, in Part
- V. Rate for Non-Selected Respondent
- VI. Affiliation and Collapsing
- VII. Discussion of the Methodology
- VIII. Recommendation

#### Appendix II

##### Companies Rescinded From This Administrative Review

1. Acciaierie Bertoli Safau S.p.A.
2. ASFO S.p.A.
3. Ellena S.p.A.
4. Fomas S.p.A.
5. Forge Monchieri S.p.A.
6. Forgiatura Morandini S.r.l.
7. Forgital Italy S.p.A.
8. Galperti Group
9. IMER International S.p.A.
10. I.M.E.S. S.p.A.
11. Industria Meccanica e Stampaggio S.p.A.
12. Mimest S.p.A.
13. Ofar S.p.A.
14. Officine Galperti S.p.A.
15. P. Technologies S.r.l.
16. Poclain Hydraulics Industriale S.r.l.
17. Poppi Ugo Euroforge S.p.A.
18. Riganti S.p.A.
19. Ringmill S.p.A.
20. Siderforgerossi Group S.p.A.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### United States-Mexico-Canada Agreement (USMCA), Article 10.12: Binational Panel Review: Notice of Request for Panel Review

**AGENCY:** United States Section, USMCA Secretariat, International Trade Administration, Department of Commerce.

**ACTION:** Notice of USMCA request for panel review.

**SUMMARY:** A Request for Panel Review was filed in the matter of Softwood Lumber from Canada: Final Determinations of the Five-Year Reviews of the Antidumping and Countervailing Duty Orders with the U.S. Section of the USMCA Secretariat on January 29, 2024. The final results were determined by the United States International Trade Commission and were published in the **Federal Register**

<sup>15</sup> See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

<sup>16</sup> See section 751(a)(2)(C) of the Act.

<sup>17</sup> See *Order*, 86 FR at 7530.

on December 28, 2023. The USMCA Secretariat has assigned case number USA–CDA–2024–10.12–01 to this request.

**FOR FURTHER INFORMATION CONTACT:**

Vidya Desai, United States Secretary, USMCA Secretariat, Room 2061, 1401 Constitution Avenue NW, Washington, DC 20230, 202–482–5438.

**SUPPLEMENTARY INFORMATION:** Article 10.12 of chapter 10 of USMCA provides a dispute settlement mechanism involving trade remedy determinations issued by the Government of the United States, the Government of Canada, and the Government of Mexico. Following a Request for Panel Review, a Binational Panel is composed to review the trade remedy determination being challenged and issue a binding Panel Decision. There are established USMCA *Rules of Procedure for Article 10.12 (Binational Panel Reviews)*, which were adopted by the three governments for panels requested pursuant to Article 10.12(2) of USMCA which requires Requests for Panel Review to be published in accordance with Rule 40. For the complete Rules, please see [https://can-mex-usa-sec.org/secretariat/agreement-acuerdo/usmca-aceum-tmec/rules-regles-reglas/article-articulo-articulo\\_10\\_12.aspx?lang=eng](https://can-mex-usa-sec.org/secretariat/agreement-acuerdo/usmca-aceum-tmec/rules-regles-reglas/article-articulo-articulo_10_12.aspx?lang=eng).

The Rules provide that:

(a) A Party or interested person may challenge the final determination in whole or in part by filing a Complaint in accordance with Rule 44 no later than 30 days after the filing of the first Request for Panel Review (the deadline for filing a Complaint is February 28, 2024);

(b) A Party, an investigating authority or other interested person who does not file a Complaint but who intends to participate in the panel review shall file a Notice of Appearance in accordance with Rule 45 no later than 45 days after the filing of the first Request for Panel Review (the deadline for filing a Notice of Appearance is March 14, 2024));

(c) The panel review will be limited to the allegations of error of fact or law, including challenges to the jurisdiction of the investigating authority, that are set out in the Complaints filed in the panel review and to the procedural and substantive defenses raised in the panel review.

Dated: January 30, 2024.

**Vidya Desai,**

*United States Secretary, USMCA Secretariat.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A–533–502]

**Certain Welded Carbon Steel Standard Pipes and Tubes From India: Preliminary Determination of No Shipments and Partial Rescission of Review; 2022–2023**

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily determines that Surya Roshni Limited (Surya) made no shipments during the period of review (POR), May 1, 2022, through April 30, 2023. In addition, we are rescinding this review, in part, with respect to 29 companies. We invite interested parties to comment on these preliminary results.

**DATES:** Applicable February 6, 2024.

**FOR FURTHER INFORMATION CONTACT:** Jacob Keller, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4849.

**SUPPLEMENTARY INFORMATION:**

**Background**

On May 12, 1986, Commerce published in the **Federal Register** the order on certain welded carbon steel standard pipes and tubes (pipe and tube) from India.<sup>1</sup> On May 2, 2023, Commerce published in the **Federal Register** a notice of opportunity to request an administrative review of the *Order*.<sup>2</sup> On July 12, 2023, based on timely requests for an administrative review, Commerce initiated an antidumping duty administrative review of 30 companies.<sup>3</sup> For a detailed description of the events that followed the initiation of this review, see the Preliminary Decision Memorandum.<sup>4</sup>

For a full description of the methodology underlying these

<sup>1</sup> See *Antidumping Duty Order; Certain Welded Carbon Steel Standard Pipes and Tubes from India*, 51 FR 17384 (May 12, 1986) (*Order*).

<sup>2</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List*, 88 FR 27445 (May 2, 2023).

<sup>3</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 88 FR 44262 (July 12, 2023) (*Initiation Notice*).

<sup>4</sup> See Memorandum, “Decision Memorandum for the Preliminary Determination of No Reviewable Sales and Partial Rescission of Review: Certain Welded Carbon Steel Standard Pipes and Tubes from India; 2022–2023,” dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

preliminary results, see the Preliminary Decision Memorandum. A list of the topics discussed in the Preliminary Decision Memorandum is attached as Appendix I 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 directly available at: <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

**Scope of the Order**

The products covered by the *Order* include certain welded carbon steel standard pipes and tubes with an outside diameter of 0.375 inch or more but not over 16 inches. A full description of the scope of the *Order* is contained in the Preliminary Decision Memorandum.

**Partial Rescission of Review**

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if the party that requested a review withdraws its request within 90 days of the date of publication of the notice of initiation. Nucor Tubular Products Inc. (Nucor), a domestic interested party, timely withdrew its request for an administrative review of the 29 companies listed in Appendix II within 90 days of the date of publication of the *Initiation Notice*.<sup>5</sup> As a result, Commerce is rescinding this review with respect to these companies, in accordance with 19 CFR 351.213(d)(1).

**Preliminary Determination of No Shipments**

Based on record information, we preliminarily determine that Surya did not have knowledge that the subject merchandise was destined for the United States, and, thus, Surya is not considered the exporter of subject merchandise during the POR for the purposes of this review.<sup>6</sup> Therefore, we preliminarily determine that Surya made no shipments of subject merchandise during the POR. Consistent with Commerce’s practice, we find that it is not appropriate to rescind the review with respect to Surya, but rather to complete the review and issue

<sup>5</sup> See Nucor’s Letter, “Partial Withdrawal of Request for Administrative Review,” dated September 29, 2023.

<sup>6</sup> See Preliminary Decision Memorandum at 3–4.