

DEPARTMENT OF COMMERCE**Bureau of Economic Analysis****Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Concrete Masonry Products Research, Education, and Promotion Voter Registration and Ballot Forms**

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the **Federal Register** on February 29, 2024 during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: Bureau of Economic Analysis, Department of Commerce.

Title: Concrete Masonry Products Research, Education, and Promotion Voter Registration and Ballot Forms.

OMB Control Number: 0605–0029.

Form Number(s): None.

Type of Request: Regular submission. This is an extension.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 180.

Estimated Time per Response: .5 hour.

Estimated Total Annual Burden Hours: 90.

Respondent's Obligation: Voluntary.

Needs and Uses: Ascertain voter participation interest and vote.

Frequency: Three years or as needed thereafter.

Respondent's Obligation: Voluntary.

Legal Authority: Authorizing Statute: 15 U.S.C. Chapter 13 (sections 8701–8717).

This information collection request may be viewed at www.reginfo.gov. Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website www.reginfo.gov/public/do/PRAMain. Find this

particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function and entering either the title of the collection or the OMB Control Number 0605–0029.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Under Secretary for Economic Affairs, Commerce Department.

[FR Doc. 2024–10710 Filed 5–15–24; 8:45 am]

BILLING CODE 3510–06–P

DEPARTMENT OF COMMERCE**Foreign-Trade Zones Board**

[B–21–2024]

Foreign-Trade Zone (FTZ) 41, Notification of Proposed Production Activity; Mercury Marine; (Electric Marine Outboard and Inboard Motors); Fond Du Lac, Wisconsin

The Port of Milwaukee, grantee of FTZ 41, submitted a notification of proposed production activity to the FTZ Board (the Board) on behalf of Mercury Marine, located in Fond Du Lac, Wisconsin within Subzone 41H. The notification conforming to the requirements of the Board's regulations (15 CFR 400.22) was received on May 9, 2024.

Pursuant to 15 CFR 400.14(b), FTZ production activity would be limited to the specific foreign-status material(s)/ component(s) and specific finished product(s) described in the submitted notification (summarized below) and subsequently authorized by the Board. The benefits that may stem from conducting production activity under FTZ procedures are explained in the background section of the Board's website—accessible via www.trade.gov/ftz. The proposed finished product(s) and material(s)/component(s) would be added to the production authority that the Board previously approved for the operation, as reflected on the Board's website.

The proposed finished products include: electric marine outboard and inboard motors of various wattages; electric marine motor powerheads; transom bracket assemblies; and electric marine motor tiller handles (duty rate ranges from duty-free to 3.7%).

The proposed foreign-status materials/components include: glycol pumps; heat exchange reservoirs; bearing carriers with roller bearings; unfinished or non-marinated outboard or inboard electric motors (electric motors not ready for use as marine motors); electric steering actuators;

electric tillers; motor spacers; stator motors; rotors; battery chargers; inverters; printed circuit board assemblies; plastic, aluminum, and steel inverter and charger housings; lithium-ion batteries; battery parts, mounts, holders, and contactors; printed circuit boards; isolation monitor; high-voltage connectors; charging ports; power distribution boxes (also known as junction boxes); power centers; and water pump drive control units (duty rate ranges from duty-free to 4.5%). The request indicates that certain materials/ components may be subject to duties under section 301 of the Trade Act of 1974 (section 301), depending on the country of origin. The applicable section 301 decisions require subject merchandise to be admitted to FTZs in privileged foreign status (19 CFR 146.41).

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary and sent to: ftz@trade.gov. The closing period for their receipt is June 25, 2024.

A copy of the notification will be available for public inspection in the “Online FTZ Information System” section of the Board's website.

For further information, contact Kolade Osho at Kolade.Osho@trade.gov.

Dated: May 10, 2024.

Elizabeth Whiteman,

Executive Secretary.

[FR Doc. 2024–10706 Filed 5–15–24; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE**International Trade Administration**

[A–533–928]

Ceramic Tile From India: Initiation of Less-Than-Fair-Value Investigation

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

DATES: Applicable May 9, 2024.

FOR FURTHER INFORMATION CONTACT: Fred Baker, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–2924.

SUPPLEMENTARY INFORMATION:**The Petition**

On April 19, 2024, the U.S. Department of Commerce (Commerce) received an antidumping duty (AD) petition concerning imports of ceramic tile from India, filed in proper form on

behalf of the Coalition for Fair Trade in Ceramic Tile (the petitioner).¹ The Petition was accompanied by a countervailing duty (CVD) petition concerning imports of ceramic tile from India.²

Between April 23 and May 6, 2024, Commerce requested information pertaining to certain aspects of the Petition in supplemental questionnaires.³ The petitioner responded to Commerce's supplemental questionnaires between April 26 and May 7, 2024.⁴

In accordance with section 732(b) of the Tariff Act of 1930, as amended (the Act), the petitioner alleges that imports of ceramic tile from India, are being, or are likely to be, sold in the United States at less than fair value (LTFV) within the meaning of section 731 of the Act, and that imports of such products are materially injuring, or threatening material injury to, the ceramic tile industry in the United States. Consistent with section 732(b)(1) of the Act, the Petition was accompanied by information reasonably available to the petitioner supporting its allegations.

Commerce finds that the petitioner filed the Petition on behalf of the domestic industry, because the petitioner is an interested party, as defined in section 771(9)(F) of the Act.⁵

¹ See Petitioner's Letter, "Petitions for the Imposition of Antidumping and Countervailing Duties: Ceramic Tile from India," dated April 19, 2024 (Petition). The members of the Coalition for Fair Trade in Ceramic Tile are Crossville, Inc.; Dal-Tile Corporation; Del Conca USA, Inc.; Wonder Porcelain; Landmark Ceramics—UST, Inc.; Florim USA; Florida Tile; Portobello America Manufacturing LLC; and StonePeak Ceramics Inc.

² *Id.*

³ See Commerce's Letters, "Supplemental Questions," dated April 23, 2024 (General Issues Questionnaire); "Supplemental Questions," dated April 23, 2024; Memoranda, "Phone Call with Counsel to Petitioner," dated April 30, 2024 (April 30 Memorandum); "Phone Call with Counsel to Petitioner," dated May 1, 2024 (May 1 Memorandum); "Phone Call with Counsel to Petitioner," dated May 3, 2024; and "Phone Call with Counsel to Petitioner," dated May 6, 2024.

⁴ See Petitioner's Letters, "Petitioner's First Supplemental General Issues Questionnaire Response," dated April 26, 2024 (First General Issues Supplement); "Petitioner's First Supplemental Antidumping Questionnaire Responses," dated April 29, 2024; "Petitioner's Second Supplemental Questionnaire Response Concerning General Issues and AD Petition," dated May 2, 2024 (Second Petition Supplement); "Petitioner's Second Supplemental Questionnaire Response Concerning General Issues and AD Petition; Second Set of Responses," dated May 3, 2024 (Third Petition Supplement); "Petitioner's Third Supplemental Questionnaire Response Concerning General Issues and AD Petition," dated May 6, 2024; and, "Petitioner's Revised Data for the Antidumping Margin and Constructed Value Calculation," dated May 7, 2024.

⁵ The members of the petitioning coalition are interested parties under section 771(9)(C) of the Act.

Commerce also finds that the petitioner demonstrated sufficient industry support for the initiation of the requested LTFV investigation.⁶

Period of Investigation

Because the Petition was filed on April 19, 2024, pursuant to 19 CFR 351.204(b)(1), the period of investigation (POI) is April 1, 2023, through March 31, 2024.

Scope of the Investigation

The product covered by this investigation is ceramic tile from India. For a full description of the scope of this investigation, see the appendix to this notice.

Comments on the Scope of the Investigation

Between April 23 and May 1, 2024, Commerce requested information and clarification from the petitioner regarding the proposed scope to ensure that the scope language in the Petition is an accurate reflection of the products for which the domestic industry is seeking relief.⁷ Between April 26 and May 3, 2024, the petitioner provided clarifications and revised the scope.⁸ The description of merchandise covered by this investigation, as described in the appendix to this notice, reflects these clarifications.

As discussed in the *Preamble* to Commerce's regulations, we are setting aside a period for interested parties to raise issues regarding product coverage (*i.e.*, scope).⁹ Commerce will consider all scope comments received from interested parties and, if necessary, will consult with interested parties prior to the issuance of the preliminary determination. If scope comments include factual information,¹⁰ all such factual information should be limited to public information. To facilitate preparation of its questionnaires, Commerce requests that scope comments be submitted by 5:00 p.m. Eastern Time (ET) on May 29, 2024, which is 20 calendar days from the signature date of this notice.¹¹ Any rebuttal comments, which may include factual information, and should also be

⁶ See section on "Determination of Industry Support for the Petition," *infra*.

⁷ See General Issues Questionnaire; see also April 30 Memorandum; and May 1 Memorandum.

⁸ See First General Issues Supplement at 1–2 and Supplemental Exhibit I–66; see also Second Petition Supplement at 2–3 and Supplemental Exhibit I–70; Third Petition Supplement at 4.

⁹ See *Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*); see also 19 CFR 351.312.

¹⁰ See 19 CFR 351.102(b)(21) (defining "factual information").

¹¹ See 19 CFR 351.303(b)(1).

limited to public information, must be filed by 5:00 p.m. ET on June 10, 2024, which is the next business day after 10 calendar days from the initial comment deadline.¹²

Commerce requests that any factual information that parties consider relevant to the scope of this investigation be submitted during that period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigation may be relevant, the party must contact Commerce and request permission to submit the additional information. All scope comments must be filed simultaneously on the records of the concurrent LTFV and CVD investigations.

Filing Requirements

All submissions to Commerce must be filed electronically via Enforcement and Compliance's Antidumping Duty and Countervailing Duty Centralized Electronic Service System (ACCESS), unless an exception applies.¹³ An electronically filed document must be received successfully in its entirety by the time and date it is due.

Comments on Product Characteristics

Commerce is providing interested parties an opportunity to comment on the appropriate physical characteristics of ceramic tile to be reported in response to Commerce's AD questionnaires. This information will be used to identify the key physical characteristics of the subject merchandise in order to report the relevant cost of production (COP) accurately, as well as to develop appropriate product comparison criteria.

Interested parties may provide any information or comments that they feel are relevant to the development of an accurate list of physical characteristics. Specifically, they may provide comments as to which characteristics

¹² The deadline for rebuttal comments falls on June 8, 2024, which is a Saturday. In accordance with 19 CFR 351.303(b)(1), Commerce will accept rebuttal comments filed by 5:00 p.m. ET on June 10, 2024. *Id.* ("For both electronically filed and manually filed documents, if the applicable due date falls on a non-business day, the Secretary will accept documents that are filed on the next business day.")

¹³ See *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011); see also *Enforcement and Compliance: Change of Electronic Filing System Name*, 79 FR 69046 (November 20, 2014) for details of Commerce's electronic filing requirements, effective August 5, 2011. Information on using ACCESS can be found at <https://access.trade.gov/help.aspx> and a handbook can be found at https://access.trade.gov/help/Handbook_on_Electronic_Filing_Procedures.pdf.

are appropriate to use as: (1) general product characteristics; and (2) product comparison criteria. We note that it is not always appropriate to use all product characteristics as product comparison criteria. We base product comparison criteria on meaningful commercial differences among products. In other words, although there may be some physical product characteristics utilized by manufacturers to describe ceramic tile, it may be that only a select few product characteristics take into account commercially meaningful physical characteristics. In addition, interested parties may comment on the order in which the physical characteristics should be used in matching products. Generally, Commerce attempts to list the most important physical characteristics first and the least important characteristics last.

In order to consider the suggestions of interested parties in developing and issuing the AD questionnaires, all product characteristics comments must be filed by 5:00 p.m. ET on May 29, 2024, which is 20 calendar days from the signature date of this notice.¹⁴ Any rebuttal comments must be filed by 5:00 p.m. ET on June 10, 2024, which is the next business day after 10 calendar days from the initial comment deadline.¹⁵

All comments and submissions to Commerce must be filed electronically using ACCESS, as explained above, on the record of the LTFV investigation.

Determination of Industry Support for the Petition

Section 732(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 732(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (i) at least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 732(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product,

Commerce shall: (i) poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) determine industry support using a statistically valid sampling method to poll the “industry.”

Section 771(4)(A) of the Act defines the “industry” as the producers as a whole of a domestic like product. Thus, to determine whether a petition has the requisite industry support, the statute directs Commerce to look to producers and workers who produce the domestic like product. The U.S. International Trade Commission (ITC), which is responsible for determining whether “the domestic industry” has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both Commerce and the ITC must apply the same statutory definition regarding the domestic like product,¹⁶ they do so for different purposes and pursuant to a separate and distinct authority. In addition, Commerce’s determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to law.¹⁷

Section 771(10) of the Act defines the domestic like product as “a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title.” Thus, the reference point from which the domestic like product analysis begins is “the article subject to an investigation” (*i.e.*, the class or kind of merchandise to be investigated, which normally will be the scope as defined in the petition).

With regard to the domestic like product, the petitioner does not offer a definition of the domestic like product distinct from the scope of the investigation.¹⁸ Based on our analysis of the information submitted on the record, we have determined that ceramic tile, as defined in the scope, constitutes a single domestic like

product, and we have analyzed industry support in terms of that domestic like product.¹⁹

In determining whether the petitioner has standing under section 732(c)(4)(A) of the Act, we considered the industry support data contained in the Petition with reference to the domestic like product as defined in the “Scope of the Investigation,” in the appendix to this notice. To establish industry support, the petitioner provided its own production of the domestic like product in 2023.²⁰ To establish total production for the U.S. ceramic tile industry, the petitioner provided information from *Ceramic World Review*, a publication for the ceramic tile industry.²¹ The information provided by the petitioner from *Ceramic World Review* reflects total production by the U.S. ceramic tile industry in 2023.²² The petitioner then compared its 2023 production to the 2023 production for the U.S. ceramic tile industry.²³ We relied on data provided by the petitioner for purposes of measuring industry support.²⁴

Our review of the data provided in the Petition, the First General Issues Supplement, the Second Petition Supplement, and other information readily available to Commerce indicates that the petitioner has established industry support for the Petition.²⁵ First,

¹⁹ For a discussion of the domestic like product analysis as applied to this case and information regarding industry support, *see* Antidumping Duty Investigation Initiation Checklist: Ceramic Tile from India (India AD Initiation Checklist), dated concurrently with, and hereby adopted by, this notice, at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Ceramic Tile from India (Attachment II). This checklist is on file electronically via ACCESS.

²⁰ *See* Petition at Volume I (pages 4–5 and Exhibits I–2 and I–5); *see also* First General Issues Supplement at 3 and Revised Exhibits I–2 and I–5. The petitioner also provided an industry support calculation using shipment data and argued that shipments are a reasonable proxy for production. However, because the petitioner provided reasonably available information on total U.S. production of the domestic like product in 2023, we have relied on the production data and corresponding industry support calculation provided by the petitioner as the basis for determining industry support.

²¹ *See* Petition at Volume I (page 4 and Exhibits I–2 and Exhibit I–52); *see also* First General Issues Supplement at 2–3 and Revised Exhibit I–2.

²² *See* Petition at Volume I (page 4 and Exhibits I–2 and Exhibit I–52); *see also* First General Issues Supplement at 2–3 and Revised Exhibit I–2.

²³ *See* Petition at Volume I (Exhibit I–2); *see also* First General Issues Supplement at 2–3 and Revised Exhibit I–2.

²⁴ *See* Petition at Volume I (pages 3–5 and Exhibits I–2, I–5, and I–52); *see also* First General Issues Supplement at 2–3 and Revised Exhibits I–2, I–3, I–5, and I–6. For further discussion, *see* Attachment II of the India AD Initiation Checklist.

²⁵ *See* Petition at Volume I (page 3–5 and Exhibits I–1 through I–6 and I–52); *see also* First General Issues Supplement at 2–4, Revised Exhibits I–2, I–

¹⁴ *See* 19 CFR 351.303(b)(1).

¹⁵ The deadline for rebuttal comments falls on June 8, 2024, which is a Saturday. In accordance with 19 CFR 351.303(b)(1), Commerce will accept rebuttal comments filed by 5:00 p.m. ET on June 10, 2024. *Id.* (“For both electronically filed and manually filed documents, if the applicable due date falls on a non-business day, the Secretary will accept documents that are filed on the next business day.”).

¹⁶ *See* section 771(10) of the Act.

¹⁷ *See USEC, Inc. v. United States*, 132 F. Supp. 2d 1, 8 (CIT 2001) (citing *Algoma Steel Corp., Ltd. v. United States*, 688 F. Supp. 639, 644 (CIT 1988), *aff’d* 865 F.2d 240 (Fed. Cir. 1989)).

¹⁸ *See* Appendix to this Notice—Scope of the Investigation; *see also* Petition at Volume I (pages 7–15 and Exhibits I–14 through I–21); *see also* First General Issues Supplement at 1–4 and Supplemental Exhibits I–66 and I–67 (containing *Ceramic Tile from China*, Inv. Nos. 701–TA–621 and 731–TA–1447 (Preliminary), USITC Pub. 4898 (June 2019) and *Ceramic Tile from China*, Inv. Nos. 701–TA–621 and 731–TA–1447 (Final), USITC Pub. 5053 (May 2020)); Second Petition Supplement at 2–4 and Supplemental Exhibit I–70; and Third Petition Supplement at 4.

the Petition established support from domestic producers (or workers) accounting for more than 50 percent of the total production of the domestic like product and, as such, Commerce is not required to take further action in order to evaluate industry support (*e.g.*, polling).²⁶ Second, the domestic producers (or workers) have met the statutory criteria for industry support under section 732(c)(4)(A)(i) of the Act because the domestic producers (or workers) who support the Petition account for at least 25 percent of the total production of the domestic like product.²⁷ Finally, the domestic producers (or workers) have met the statutory criteria for industry support under section 732(c)(4)(A)(ii) of the Act because the domestic producers (or workers) who support the Petition account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the Petition.²⁸ Accordingly, Commerce determines that the Petition was filed on behalf of the domestic industry within the meaning of section 732(b)(1) of the Act.²⁹

Allegations and Evidence of Material Injury and Causation

The petitioner alleges that the U.S. industry producing the domestic like product is being materially injured, or is threatened with material injury, by reason of the imports of the subject merchandise sold at LTFV. In addition, the petitioner alleges that subject imports exceed the negligibility threshold provided for under section 771(24)(A) of the Act.³⁰

The petitioner contends that the industry's injured condition is illustrated by a significant and increasing volume of subject imports; increased subject market share; adverse impact on production, capacity utilization, and U.S. shipments; underselling and price depression and/or suppression; lost sales and revenues; adverse impact on profitability and returns on investments; cancellation, postponement, or rejection of expansion projects and reduced spending on research and development; and increase

in inventories.³¹ We assessed the allegations and supporting evidence regarding material injury, threat of material injury, causation, as well as negligibility, and we have determined that these allegations are properly supported by adequate evidence, and meet the statutory requirements for initiation.³²

Allegation of Sales at LTFV

The following is a description of the allegation of sales at LTFV upon which Commerce based its decision to initiate the LTFV investigation of imports of ceramic tile from India. The sources of data for the deductions and adjustments relating to U.S. price and normal value (NV) are discussed in greater detail in the India AD Initiation Checklist.

U.S. Price

The petitioner based export price (EP) on the POI average unit values (AUVs) derived from official U.S. import data for imports of ceramic tile produced in and exported from India. The petitioner made certain adjustments to U.S. price to calculate a net ex-factory U.S. price, where applicable.³³

Normal Value³⁴

The petitioner was unable to obtain home market prices for ceramic tile produced and sold in India. Therefore, the petitioner based NV on AUVs of publicly-available export data for exports of ceramic tile from India to a third country, Iraq.³⁵ The petitioner provided information showing that the third country export AUVs were below the COP and, therefore, the petitioner calculated NV based on CV.³⁶ For further discussion of CV, *see* the section "Normal Value Based on Constructed Value."

Normal Value Based on Constructed Value

As noted above, the petitioner demonstrated that the third country

³¹ *Id.*; *see also* Petition at Volume I (pages 17–57 and Exhibits I-7, I-8, I-10, I-11, I-13, I-23, I-25 through I-31, I-33 through I-37, I-39, I-40 through I-52, I-54, I-55, I-57 through I-60, and I-63 through I-65).

³² *See* India AD Initiation Checklist at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping and Countervailing Duty Petitions Covering Ceramic Tile from India.

³³ *See* India AD Initiation Checklist.

³⁴ In accordance with section 773(b)(2) of the Act, for this investigation, Commerce will request information necessary to calculate the constructed value (CV) and COP to determine whether there are reasonable grounds to believe or suspect that sales of the foreign like product have been made at prices that represent less than the COP of the product.

³⁵ *See* India AD Initiation Checklist.

³⁶ *Id.*

export AUVs from India were below COP. Accordingly, the petitioner based NV on CV.³⁷ Pursuant to section 773(e) of the Act, the petitioner calculated CV as the sum of the cost of manufacturing, selling, general, and administrative (SG&A) expenses, financial expenses, and profit.³⁸

In calculating the cost of manufacturing, the petitioner relied on the production experience and input consumption rates of a U.S. producer of ceramic tile, valued using publicly available information applicable to India.³⁹ In calculating SG&A expenses, financial expenses, and profit ratios (where applicable), the petitioner relied on the fiscal year 2023 financial statements of producers of identical merchandise domiciled in India.⁴⁰

Fair Value Comparisons

Based on the data provided by the petitioner, there is reason to believe that imports of ceramic tile from India are being, or are likely to be, sold in the United States at LTFV. Based on comparisons of EP to NV in accordance with sections 772 and 773 of the Act, the estimated dumping margins for ceramic tile for India are 328.14 to 489.36 percent.⁴¹

Initiation of LTFV Investigation

Based upon the examination of the Petition and supplemental responses, we find that it meets the requirements of section 732 of the Act. Therefore, we are initiating an LTFV investigation to determine whether imports of ceramic tile from India are being, or are likely to be, sold in the United States at LTFV. In accordance with section 733(b)(1)(A) of the Act and 19 CFR 351.205(b)(1), unless postponed, we will make our preliminary determination no later than 140 days after the date of this initiation.

Respondent Selection

In the Petition, the petitioner identified 100 companies in India as producers/exporters of ceramic tile.⁴² Following standard practice in LTFV investigations involving market economy countries, in the event Commerce determines that the number of companies is large such that Commerce cannot individually examine each company based on its resources, Commerce intends to select mandatory

³⁷ *Id.*

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *See* India AD Checklist for details of the calculations.

⁴² *See* Petition at Volume I (page 16 and Exhibit I-22); *see also* First General Issues Supplement at 1 and Revised Exhibit I-22.

5, I-6, and Supplemental Exhibit I-67; Second Petition Supplement at 4. For further discussion, *see* Attachment II of the India AD Initiation Checklist.

²⁶ *See* Attachment II of the India AD Initiation Checklist; *see also* section 732(c)(4)(D) of the Act.

²⁷ *See* Attachment II of the India AD Initiation Checklist.

²⁸ *Id.*

²⁹ *Id.*

³⁰ *See* First General Issues Supplement at 4 and Supplemental Exhibit I-68.

respondents based on U.S. Customs and Border Protection (CBP) data for imports under the appropriate Harmonized Tariff Schedule of the United States (HTSUS) subheading(s) listed in the "Scope of the Investigation," in the appendix.

On May 7, 2024, Commerce released CBP data on imports of ceramic tile from India, under administrative protective order (APO) to all parties with access to information protected by APO and indicated that interested parties wishing to comment on CBP data and/or respondent selection must do so within three business days of the publication date of the notice of initiation of this investigation.⁴³ Comments must be filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety via ACCESS by 5:00 p.m. ET on the specified deadline. Commerce will not accept rebuttal comments regarding the CBP data or respondent selection.

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305(b). Instructions for filing such applications may be found on Commerce's website at <https://www.trade.gov/administrative-protective-orders>.

Distribution of Copies of the Petition

In accordance with section 732(b)(3)(A) of the Act and 19 CFR 351.202(f), a copy of the public version of the Petition have been provided to the government of India via ACCESS. To the extent practicable, we will attempt to provide a copy of the public version of the Petition to each exporter named in the Petition, as provided under 19 CFR 351.203(c)(2).

ITC Notification

Commerce will notify the ITC of our initiation, as required by section 732(d) of the Act.

Preliminary Determination by the ITC

The ITC will preliminarily determine, within 45 days after the date on which the Petition was filed, whether there is a reasonable indication that imports of ceramic tile from India are materially injuring, or threatening material injury to, a U.S. industry.⁴⁴ A negative ITC determination will result in the investigation being terminated.⁴⁵ Otherwise, this LTFV investigation will

proceed according to statutory and regulatory time limits.

Submission of Factual Information

Factual information is defined in 19 CFR 351.102(b)(21) as: (i) evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by Commerce; and (v) evidence other than factual information described in (i)–(iv). Section 351.301(b) of Commerce's regulations requires any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted⁴⁶ and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct.⁴⁷ Time limits for the submission of factual information are addressed in 19 CFR 351.301, which provides specific time limits based on the type of factual information being submitted. Interested parties should review the regulations prior to submitting factual information in this investigation.

Particular Market Situation Allegation

Section 773(e) of the Act addresses the concept of particular market situation (PMS) for purposes of CV, stating that "if a particular market situation exists such that the cost of materials and fabrication or other processing of any kind does not accurately reflect the cost of production in the ordinary course of trade, the administering authority may use another calculation methodology under this subtitle or any other calculation methodology." When an interested party submits a PMS allegation pursuant to section 773(e) of the Act (*i.e.*, a cost-based PMS allegation), Commerce will respond to such a submission consistent with 19 CFR 351.301(c)(2)(v). If Commerce finds that a cost-based PMS exists under section 773(e) of the Act, then it will modify its dumping calculations appropriately.

Neither section 773(e) of the Act, nor 19 CFR 351.301(c)(2)(v), sets a deadline for the submission of cost-based PMS allegations and supporting factual information. However, in order to administer section 773(e) of the Act,

Commerce must receive PMS allegations and supporting factual information with enough time to consider the submission. Thus, should an interested party wish to submit a cost-based PMS allegation and supporting new factual information pursuant to section 773(e) of the Act, it must do so no later than 20 days after submission of a respondent's initial section D questionnaire response.

We note that a PMS allegation filed pursuant to sections 773(a)(1)(B)(ii)(III) or 773(a)(1)(C)(iii) of the Act (*i.e.*, a sales-based PMS allegation) must be filed within 10 days of submission of a respondent's initial section B questionnaire response, in accordance with 19 CFR 351.301(c)(2)(i) and 19 CFR 351.404(c)(2).

Extensions of Time Limits

Parties may request an extension of time limits before the expiration of a time limit established under 19 CFR 351.301, or as otherwise specified by Commerce. In general, an extension request will be considered untimely if it is filed after the expiration of the time limit established under 19 CFR 351.301, or as otherwise specified by Commerce.⁴⁸ For submissions that are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. ET on the due date. Under certain circumstances, Commerce may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, we will inform parties in a letter or memorandum of the deadline (including a specified time) by which extension requests must be filed to be considered timely. An extension request must be made in a separate, standalone submission; under limited circumstances we will grant untimely filed requests for the extension of time limits, where we determine, based on 19 CFR 351.302, that extraordinary circumstances exist. Parties should review Commerce's regulations concerning the extension of time limits and the *Time Limits Final Rule* prior to submitting factual information in this investigation.⁴⁹

Certification Requirements

Any party submitting factual information in an AD or CVD

⁴³ See Memorandum, "Antidumping Duty Petition of Ceramic Tile from India: U.S. Customs and Border Protection Data Release," dated May 7, 2024.

⁴⁴ See section 733(a) of the Act.

⁴⁵ *Id.*

⁴⁶ See 19 CFR 351.301(b).

⁴⁷ See 19 CFR 351.301(b)(2).

⁴⁸ See 19 CFR 351.301; see also *Extension of Time Limits: Final Rule*, 78 FR 57790 (September 20, 2013) (*Time Limits Final Rule*), available at <https://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm>.

⁴⁹ See 19 CFR 351.302; see also, *e.g.*, *Time Limits Final Rule*.

proceeding must certify to the accuracy and completeness of that information.⁵⁰ Parties must use the certification formats provided in 19 CFR 351.303(g).⁵¹ Commerce intends to reject factual submissions if the submitting party does not comply with the applicable certification requirements.

Notification to Interested Parties

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305. Parties wishing to participate in this investigation should ensure that they meet the requirements of 19 CFR 351.103(d) (e.g., by filing the required letter of appearance). Note that Commerce has amended certain of its requirements pertaining to the service of documents.⁵²

This notice is issued and published pursuant to sections 732(c)(2) and 777(i) of the Act, and 19 CFR 351.203(c).

Dated: May 9, 2024.

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

Scope of the Investigation

The merchandise covered by this investigation is ceramic flooring tile, wall tile, paving tile, hearth tile, porcelain tile, mosaic tile, flags, decorative tile, finishing tile, and the like (hereinafter ceramic tile). Ceramic tiles are articles containing a mixture of minerals including clay (generally hydrous silicates of alumina or magnesium) that are fired so the raw materials are fused to produce a tile that is less than 3.2 cm in thickness, exclusive of decorative features. All ceramic tile is subject to the scope regardless of end use, surface area, and weight, regardless of whether the tile is glazed or unglazed, regardless of the water absorption coefficient by weight, regardless of the extent of vitrification, and regardless of whether or not the tile is on a backing. Subject merchandise includes ceramic tile “slabs” or “panels” (tiles that are larger than 1 meter² (11 ft²)).

Subject merchandise includes ceramic tile that undergoes minor processing in a third country prior to importation into the United States. Similarly, subject merchandise includes ceramic tile produced that undergoes minor processing after importation

into the United States. Such minor processing includes, but is not limited to, one or more of the following: beveling, cutting, trimming, staining, painting, polishing, finishing, additional firing, affixing a decorative surface to the tile, or any other processing that would otherwise not remove the merchandise from the scope of the investigation if performed in the country of manufacture of the in-scope product.

Subject merchandise is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under the following subheadings of heading 6907: 6907.21.1005, 6907.21.1011, 6907.21.1051, 6907.21.2000, 6907.21.3000, 6907.21.4000, 6907.21.9011, 6907.21.9051, 6907.22.1005, 6907.22.1011, 6907.22.1051, 6907.22.2000, 6907.22.3000, 6907.22.4000, 6907.22.9011, 6907.22.9051, 6907.23.1005, 6907.23.1011, 6907.23.1051, 6907.23.2000, 6907.23.3000, 6907.23.4000, 6907.23.9011, 6907.23.9051, 6907.30.1005, 6907.30.1011, 6907.30.1051, 6907.30.2000, 6907.30.3000, 6907.30.4000, 6907.30.9011, 6907.30.9051, 6907.40.1005, 6907.40.1011, 6907.40.1051, 6907.40.2000, 6907.40.3000, 6907.40.4000, 6907.40.9011, and 6907.40.9051. Subject merchandise may also enter under subheadings of headings 6913, 6914, and 6905: 6913.90.2000, 6914.10.8000, 6914.90.8000, 6905.10.0000, and 6905.90.0050. The HTSUS subheadings are provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.

[FR Doc. 2024–10749 Filed 5–15–24; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–533–929]

Ceramic Tile From India: Initiation of Countervailing Duty Investigation

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

DATES: Applicable May 9, 2024.

FOR FURTHER INFORMATION CONTACT: Greg Taushani, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1012.

SUPPLEMENTARY INFORMATION:

The Petition

On April 19, 2024, the U.S. Department of Commerce (Commerce) received a countervailing duty (CVD) petition concerning imports of ceramic tile from India filed in proper form on behalf of the Coalition for Fair Trade in Ceramic Tile (the petitioner).¹ The CVD

petition was accompanied by an antidumping duty (AD) petition concerning imports of ceramic tile from India.²

Between April 23 and May 1, 2024, Commerce requested information pertaining to certain aspects of the Petition in supplemental questionnaires.³ Between April 26 and May 3, 2024, the petitioner timely responded to Commerce’s requests.⁴

In accordance with section 702(b)(1) of the Tariff Act of 1930, as amended (the Act), the petitioner alleges that the Government of India (GOI) is providing countervailable subsidies, within the meaning of sections 701 and 771(5) of the Act, to producers of ceramic tile in India, and that such imports are materially injuring, or threatening material injury to, the domestic industry producing ceramic tile in the United States. Consistent with section 702(b)(1) of the Act and 19 CFR 351.202(b), for those alleged programs on which we are initiating a CVD investigation, the Petition is supported by information reasonably available to the petitioner.

Commerce finds that the petitioner filed the Petition on behalf of the domestic industry because the petitioner is an interested party, as defined in section 771(9)(F) of the Act.⁵ Commerce also finds that the petitioner demonstrated sufficient industry

2024 (Petition). The members of the Coalition for Fair Trade in Ceramic Tile are Crossville, Inc.; Dal-Tile Corporation; Del Conca USA, Inc.; Wonder Porcelain; Landmark Ceramics—UST, Inc.; Florim USA; Florida Tile; Portobello America Manufacturing LLC; and StonePeak Ceramics Inc.

² *Id.*

³ See Commerce’s Letters, “Petition for the Imposition of Antidumping and Countervailing Duties on Imports of Ceramic Tile from India: Supplemental Questions,” dated April 23, 2024 (General Issues Questionnaire); and “Petition for the Imposition of Countervailing Duties on Imports of Ceramic Tile from India: Supplemental Questions,” dated April 25, 2024; see also Memoranda, “Phone Call with Counsel to Petitioner,” dated April 30, 2024 (April 30 Memorandum) and “Phone Call with Counsel to Petitioner,” dated May 1, 2024 (May 1 Memorandum).

⁴ See Petitioner’s Letters, “Ceramic Tile From the Republic of India: Petitioner’s First Supplemental General Issues Questionnaire Response,” dated April 26, 2024 (First General Issues Supplement); “Ceramic Tile From the Republic of India: Petitioner’s First Countervailing Duty Petition Supplemental Questionnaire Response,” dated May 1, 2024; “Petitioner’s Second Supplemental Questionnaire Response Concerning General Issues and AD Petition,” dated May 2, 2024 (Second Petition Supplement); and “Petitioner’s Second Supplemental Questionnaire Response Concerning General Issues and AD Petition; Second Set of Responses,” dated May 3, 2024 (Third Petition Supplement).

⁵ The members of the petitioning coalition are interested parties under section 771(9)(C) of the Act.

⁵⁰ See section 782(b) of the Act.

⁵¹ See *Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings*, 78 FR 42678 (July 17, 2013) (*Final Rule*). Additional information regarding the *Final Rule* is available at <https://access.trade.gov/Resources/filing/index.html>.

⁵² See *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069 (September 29, 2023).

¹ See Petitioner’s Letter, “Petition for the Imposition of Antidumping and Countervailing Duties: Ceramic Tile from India,” dated April 19,