

102. Hornepayne Lumber LP  
 103. Hy Mark Wood Products Inc.  
 104. Independent Building Materials Distribution Inc.  
 105. Interfor Corporation; Interfor Sales & Marketing Ltd.<sup>26</sup>  
 106. Ivor Forest Products Ltd.  
 107. J&G Log Works Ltd.  
 108. J.D. Irving, Limited  
 109. J.H. Huscroft Ltd.  
 110. Jan Woodlands (2001) Inc.  
 111. Jasco Forest Products Ltd.  
 112. Jazz Forest Products Ltd.  
 113. Jhaji Lumber Corporation  
 114. Kalesnikoff Lumber Co. Ltd.  
 115. Kan Wood Ltd.  
 116. Kebois Ltee; Kebois Ltd.  
 117. Kelfor Industries Ltd.  
 118. Kermod Forest Products Ltd.  
 119. Keystone Timber Ltd.  
 120. La Crete Sawmills Ltd.  
 121. Lafontaine Lumber Inc.  
 122. Langevin Forest Products Inc.  
 123. Lecours Lumber Co. Limited  
 124. Leisure Lumber Ltd.  
 125. Les Bois d'oeuvre Beaudoin Gauthier Inc.  
 126. Les Bois Martek Lumber  
 127. Les Chantiers de Chibougamau Ltee; Les Chantiers de Chibougamau Ltd.  
 128. Les Industries P.F. Inc.  
 129. Les Produits Forestiers D&G Ltee; D&G Forest Products Ltd.  
 130. Leslie Forest Products Ltd.  
 131. Lignum Forest Products LLP  
 132. Linwood Homes Ltd.  
 133. Lonestar Lumber Inc.  
 134. Lulumco Inc.  
 135. Madera Forest Products INC  
 136. Magnum Forest Products Ltd.  
 137. Maibec Inc.  
 138. Manitou Forest Products Ltd.  
 139. Marcel Lauzon Inc.  
 140. Marwood Ltd.  
 141. Matériaux Blanchet Inc.  
 142. Mid Valley Lumber Specialties Ltd.  
 143. Midway Lumber Mills Ltd.  
 144. Mill & Timber Products Ltd.  
 145. Millar Western Forest Products Ltd.  
 146. Mirax Lumber Products Ltd.  
 147. Mobilier Rustique (Beauce) Inc.  
 148. Monterra Lumber Mills Limited  
 149. Morwood Forest Products Inc.  
 150. Multicedre Ltee  
 151. Murray Brothers Lumber Company Ltd.  
 152. Nakina Lumber Inc.  
 153. National Forest Products Ltd.  
 154. Nicholson and Cates Ltd.  
 155. Norsask Forest Products Inc.  
 156. Norsask Forest Products Limited Partnership  
 157. North American Forest Products Ltd. (located in Abbotsford, British Columbia)  
 158. North American Forest Products Ltd. (located in Saint-Quentin, New Brunswick)  
 159. North Enderby Timber Ltd.  
 160. Northland Forest Products Ltd.  
 161. Oakwood Manufacturing A Division of Weston Forest Products Inc.  
 162. Olympic Industries Inc.  
 163. Olympic Industries ULC  
 164. Oregon Canadian Forest Products; Oregon Canadian Forest Products Inc.  
 165. Pacific NorthWest Lumber Ltd.  
 166. Pacific Western Wood Works Ltd.  
 167. PalletSource Inc.  
 168. Parallel Wood Products Ltd.  
 169. Partap Forest Products Ltd.  
 170. Partap Industries  
 171. Peak Industries (Cranbrook) Ltd.  
 172. Phoenix Forest Products Inc.  
 173. Pine Ideas Ltd.  
 174. Pioneer Pallet & Lumber Ltd.  
 175. Porcupine Wood Products Ltd.  
 176. Portbec Forest Products Ltd.; Les Produits Forestiers Portbec Ltee  
 177. Power Wood Corp.  
 178. Precision Cedar Products Corp.  
 179. Produits Forestiers Petit Paris Inc.  
 180. Produits Matra Inc.  
 181. Promobois G.D.S. Inc.  
 182. R.A. Green Lumber Ltd.  
 183. Rembos Inc.  
 184. Rene Bernard Inc.  
 185. Rielly Industrial Lumber Inc.  
 186. River City Remanufacturing Inc.  
 187. S&R Sawmills Ltd.  
 188. San Group  
 189. San Industries Ltd.  
 190. Sawarne Lumber Co. Ltd.  
 191. Scierie Alexandre Lemay & Fils Inc.  
 192. Scierie St-Michel Inc.  
 193. Scierie West Brome Inc.  
 194. Scott Lumber Sales; Scott Lumber Sales Ltd.  
 195. Sechoirs de Beauce Inc.  
 196. Shakertown Corp.  
 197. Sigurdson Forest Products Ltd.  
 198. Silvaris Corporation  
 199. Sinclair Group Forest Products Ltd.  
 200. Skana Forest Products Ltd.  
 201. Skeena Sawmills Ltd.  
 202. Smart Wood Forest Products Ltd.  
 203. South Beach Trading Inc.  
 204. Specialiste du Bardeau de Cedre Inc.; Specialiste du Bardeau de Cedre Inc. (SBC)  
 205. Spruceland Millworks Inc.  
 206. Suncoast Industries Inc.  
 207. Sundher Timber Products Inc.  
 208. Surrey Cedar Ltd.  
 209. T.G. Wood Products Ltd.<sup>27</sup>  
 210. Taan Forest Limited Partnership; Taan Forest Products<sup>28</sup>  
 211. Taiga Building Products Ltd.  
 212. Tall Tree Lumber Company  
 213. Tenryu Canada Corporation  
 214. Terminal Forest Products Ltd.  
 215. The Wood Source Inc.  
 216. Tolko Industries Ltd.; Tolko Marketing and Sales Ltd.; Gilbert Smith Forest Products Ltd.  
 217. Top Quality Lumber Ltd.  
 218. Trans-Pacific Trading Ltd.  
 219. Triad Forest Products Ltd.  
 220. Twin Rivers Paper Co. Inc.  
 221. Tyee Timber Products Ltd.  
 222. Universal Lumber Sales Ltd.  
 223. Usine Sartigan Inc.  
 224. Vaagen Fibre Canada ULC  
 225. Vancouver Specialty Cedar Products Ltd.  
 226. Vanderhoof Specialty Wood Products Ltd.  
 227. Vanderwell Contractors (1971) Ltd.  
 228. Visscher Lumber Inc.  
 229. W.I. Woodtone Industries Inc.  
 230. Waldun Forest Product Sales Ltd.  
 231. West Bay Forest Products Ltd.  
 232. West Coast Panel Cutters  
 233. Western Forest Products Inc.  
 234. Western Lumber Sales Limited  
 235. Westminster Industries Ltd.  
 236. Weston Forest Products Inc.  
 237. Westrend Exteriors Inc  
 238. Weyerhaeuser Co.  
 239. White River Forest Products L.P.  
 240. Woodline Forest Products Ltd.  
 241. Woodtone Specialties Inc.

[FR Doc. 2024-21819 Filed 9-23-24; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

## International Trade Administration

[A-421-817]

Melamine From the Netherlands:  
Preliminary Affirmative Determination  
of Sales at Less Than Fair Value

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily determines that melamine from the Netherlands is being, or is likely to be, sold in the United States at less than fair value (LTFV). The period of investigation is January 1, 2023, through December 31, 2023. Interested parties are invited to comment on this preliminary determination.

**DATES:** Applicable September 24, 2024.

**FOR FURTHER INFORMATION CONTACT:** Fred Baker, AD/CVD Operations,

(A-122-857-360) from the module and instructed CBP to enter all entries under the case number A-122-857-220.

<sup>28</sup> "aka" has been removed from the name Taan Forest Limited Partnership (aka Taan Forest Products) referred to in at the request of CBP. See Issues and Decision Memorandum at Comment 10.

<sup>26</sup> In *Softwood Lumber from Canada AR4*, we determined that it was appropriate to treat Interfor Corporation and Interfor Sales & Marketing Ltd. as one entity. See *Certain Softwood Lumber Products from Canada: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2021*, 88 FR 50106 (August 1, 2023) (*Softwood Lumber from Canada AR4*), at Appendix II. Thus, we have removed from the ACE module case number for Interfor Sales & Marketing Ltd. (A-122-857-299) and have instructed CBP to enter all entries for Interfor Corporation and Interfor Sales & Marketing Ltd. under the ACE module case number for Interfor Corporation and Interfor Sales & Marketing Ltd. (A-122-857-118).

<sup>27</sup> The ACE module contains separate case numbers for T.G. Wood Products Ltd. (A-122-857-220) and TG Wood Products (A-122-857-360), which was caused by data entry errors and we have never treated T.G. Wood Products and TG Wood Products as separate companies; rather we named T.G. Wood Products Ltd. as the sole respondent in the first and second administrative reviews of this proceeding and TG Wood Products. See *Certain Softwood Lumber Products from Canada: Final Results of Antidumping Duty Administrative Review; 2017-2018*, 85 FR 76519 (November 30, 2020); *Certain Softwood Lumber Products from Canada: Final Results of Antidumping Duty Administrative Review; 2019*, 86 FR 68471 (December 2, 2021); and *Softwood Lumber from Canada AR4*. We have removed TG Wood Products

Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2924.

#### SUPPLEMENTARY INFORMATION:

##### Background

This preliminary determination is made in accordance with section 733(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation on March 11, 2024.<sup>1</sup> On June 18, 2024, Commerce postponed the preliminary determination of this investigation.<sup>2</sup> On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.<sup>3</sup> The deadline for the preliminary determination is now September 18, 2024.

For a complete description of the events that followed the initiation of this investigation, see the Preliminary Decision Memorandum.<sup>4</sup> A list of topics included in the Preliminary Decision Memorandum is included as Appendix II to this notice. 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>.

##### Scope of the Investigation

The product covered by this investigation is melamine from the Netherlands. For a full description of the scope of this investigation, see Appendix I.

##### Scope Comments

In accordance with the *Preamble* to Commerce's regulations,<sup>5</sup> we set aside a

<sup>1</sup> See *Melamine from Germany, India, Japan, the Netherlands, Qatar, and Trinidad and Tobago: Initiation of Less-Than-Fair-Value Investigations*, 89 FR 17413 (March 11, 2024) (*Initiation Notice*).

<sup>2</sup> See *Melamine from Germany, India, Japan, the Netherlands, Qatar, and Trinidad and Tobago: Postponement of Preliminary Determinations in the Less-Than-Fair-Value Investigations*, 89 FR 52437 (June 24, 2024).

<sup>3</sup> See Memorandum, "Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings," dated July 22, 2024.

<sup>4</sup> See Memorandum, "Decision Memorandum for the Preliminary Affirmative Determination in the Less-Than-Fair-Value Investigation of Melamine from the Netherlands," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>5</sup> See *Antidumping Duties; Countervailing Duties*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

period of time, as stated in the *Initiation Notice*, for parties to raise issues regarding product coverage (*i.e.*, scope).<sup>6</sup> No interested party commented on the scope of the investigation as it appeared in the *Initiation Notice*. Commerce is not modifying the scope language as it appeared in the *Initiation Notice*. See the complete description of the scope in Appendix I to this notice.

##### Methodology

Commerce is conducting this investigation in accordance with section 731 of the Act. Pursuant to section 776(a) of the Act, Commerce has preliminarily relied upon facts otherwise available to assign an estimated weighted-average dumping margin to OCI Nitrogen, the mandatory respondent in this investigation because OCI Nitrogen did not submit a complete response to Commerce's antidumping duty questionnaire. Further, Commerce preliminarily determines that OCI Nitrogen failed to cooperate by not acting to the best of its ability to comply with a request for information and Commerce is using an adverse inference in selecting from among the facts otherwise available (*i.e.*, applying adverse facts available (AFA)) to this respondent, in accordance with section 776(b) of the Act. For a full description of the methodology underlying our preliminary determination, see the Preliminary Decision Memorandum.

##### All-Others Rate

Sections 733(d)(1)(ii) of the Act provides that, in the preliminary determination, Commerce shall determine an estimated all-others rate for all exporters and producers not individually investigated in accordance with section 735(c)(5) of the Act. Section 735(c)(5)(A) of the Act states that generally the estimated rate for all others shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* rates, and any rates determined entirely under section 776 of the Act. The estimated weighted-average dumping margin in this preliminary determination was determined entirely under section 776 of the Act. In cases where no weighted-average dumping margins other than zero, *de minimis*, or those determined entirely under section 776 of the Act have been established for individually examined entities, in accordance with section 735(c)(5)(B) of the Act, Commerce typically calculates a simple

<sup>6</sup> See *Initiation Notice*, 89 FR at 17413.

average of the dumping margins alleged in the petition and applies the results to all other entities not individually examined.<sup>7</sup>

In the Petition,<sup>8</sup> Cornerstone Chemical Company (the petitioner) alleged two estimated dumping margins for the Netherlands, 34.84 and 72.16 percent. Therefore, consistent with our practice, for the all-others rate in this investigation, we preliminarily assign a simple average of the dumping margins alleged in the Petition, which is 53.50 percent.

##### Preliminary Determination

Commerce preliminarily determines that the following estimated weighted-average dumping margins exist during the period January 1, 2023, through December 31, 2023:

Exporter/producer	Weighted-average dumping margin (percent)
OCI Nitrogen B.V .....	* 72.16
All Others .....	53.50

\* Rate is based on AFA.

##### Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of all entries of melamine, as described in the "Scope of the Investigation" in Appendix I, from OCI Nitrogen that are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. In accordance with section 733(d)(2) of the Act, Commerce will direct CBP to suspend liquidation of all other entries of melamine from the Netherlands, as described in the "Scope of the Investigation" in Appendix I, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. We will also instruct CBP, pursuant to section 733(d)(1)(B) of the Act and 19 CFR 351.205(d), to require a cash deposit equal to the estimated weighted-average dumping margin or the estimated all-others rate, as follows: (1) the cash deposit rate for the

<sup>7</sup> See, e.g., *Thermal Paper from Spain: Final Determination of Sales at Less Than Fair Value*, 86 FR 54162, 54163 (September 30, 2021), and accompanying Issues and Decision Memorandum.

<sup>8</sup> See Petitioner's Letter, "Melamine from Germany, Japan, the Netherlands, Qatar, and Trinidad and Tobago: Petition for the Imposition of Antidumping Duties," dated February 14, 2024 (Petition); Petitioner's Letter, "Petitioner's Response to Volume V Supplemental Questionnaire (Netherlands Antidumping)," dated February 22, 2024 (Netherlands SQR).

respondents listed above will be equal to the company-specific estimated weighted-average dumping margins determined in this preliminary determination; (2) if the exporter is not a respondent identified above, but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all-others estimated weighted-average dumping margin.

### Disclosure

Normally, Commerce discloses to interested parties the calculations performed in connection with a preliminary determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of the notice of preliminary determination in the **Federal Register**, in accordance with 19 CFR 351.224(b).

However, because Commerce preliminarily applied AFA to the sole mandatory respondent in this investigation, and applied an AFA rate based on the Petition, there are no calculations to disclose.

Consistent with 19 CFR 351.224(e), Commerce will analyze and, if appropriate, correct any timely allegations of significant ministerial errors by amending the preliminary determination. However, consistent with 19 CFR 351.224(d), Commerce will not consider incomplete allegations that do not address the significance standard under 19 CFR 351.224(g) following the preliminary determination. Instead, Commerce will address such allegations in the final determination together with issues raised in the case briefs or other written comments.

### Verification

Because the mandatory respondent in this investigation did not act to the best of its ability to provide information requested by Commerce, and Commerce preliminarily determines the mandatory respondent to be uncooperative, we will not conduct verification.

### Public Comment

Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than 14 days after the date of publication of the preliminary determination. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case

briefs.<sup>9</sup> Interested parties who submit case briefs or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.<sup>10</sup>

As provided under 19 CFR 351.309(c)(2) and (d)(2), in prior proceedings we have encouraged interested parties to provide an executive summary of their brief that should be limited to five pages total, including footnotes. In this investigation, we instead request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.<sup>11</sup> Further, we request that interested parties limit their executive summary of each issue to no more than 450 words, not including citations. We intend to use the executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final determination. We request that interested parties include footnotes for relevant citations in the executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).<sup>12</sup>

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants and whether any participant is a foreign national; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. An electronically filed hearing request must be received successfully in its entirety via ACCESS by 5 p.m. Eastern Time within 30 days after the date of publication of this notice.

### Final Determination

Section 735(a)(1) of the Act and 19 CFR 351.210(b)(1) provide that Commerce will issue the final determination within 75 days after the date of its preliminary determination. Accordingly, Commerce will make its final determination no later than 75

<sup>9</sup> See 19 CFR 351.309(d); see also *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069, 67077 (September 29, 2023) (*APO and Service Final Rule*).

<sup>10</sup> See 19 CFR 351.309(c)(2) and (d)(2).

<sup>11</sup> We use the term "issue" here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

<sup>12</sup> See *APO and Service Final Rule*.

days after the signature date of this preliminary determination.

### U.S. International Trade Commission Notification

In accordance with section 733(f) of the Act, Commerce will notify the U.S. International Trade Commission (ITC) of its affirmative preliminary determination. If our final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after our final determination whether these imports are materially injuring, or threaten material injury to, the U.S. industry.

### Notification to Interested Parties

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act, and 19 CFR 351.205(c).

Dated: September 18, 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 I

#### Scope of the Investigation

The merchandise subject to this investigation is melamine (Chemical Abstracts Service (CAS) registry number 108-78-01, molecular formula C<sub>3</sub>H<sub>6</sub>N<sub>6</sub>). Melamine is also known as 2,4,6-triamino-s-triazine; 1,3,5-Triazine-2,4,6-triamine; Cyanurotriamide; Cyanurotriamine; Cyanuramide; and by various brand names. Melamine is a crystalline powder or granule. All melamine is covered by the scope of this investigation irrespective of purity, particle size, or physical form. Melamine that has been blended with other products is included within this scope when such blends include constituent parts that have been intermingled, but that have not been chemically reacted with each other to produce a different product. For such blends, only the melamine component of the mixture is covered by the scope of this investigation. Melamine that is otherwise subject to this investigation is not excluded when commingled with melamine from sources not subject to this investigation. Only the subject component of such commingled products is covered by the scope of this investigation.

The subject merchandise is provided for in subheading 2933.61.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheading and CAS registry number are provided for convenience and customs purposes, the written description of the scope is dispositive.

### Appendix II

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

- I. Summary
- II. Background

- III. Period of Investigation  
 IV. Application of Facts Available, Use of Adverse Inference, and Calculation of All-Others Rate  
 V. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-924]

#### Melamine From India: Preliminary Affirmative Determination of Sales at Less Than Fair Value and Affirmative Determination of Critical Circumstances, in Part

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) preliminarily determines that melamine from India is being, or is likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is January 1, 2023, through December 31, 2023. Interested parties are invited to comment on this preliminary determination.

**DATES:** Applicable September 24, 2024.

**FOR FURTHER INFORMATION CONTACT:** Myrna Lobo, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; (202) 482-2371.

#### SUPPLEMENTARY INFORMATION:

##### Background

This preliminary determination is made in accordance with section 733(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation on March 11, 2024.<sup>1</sup> On June 18, 2024, Commerce postponed the preliminary determination of this investigation.<sup>2</sup> On July 22, 2024, Commerce tolled certain deadlines in this administrative proceeding by seven days.<sup>3</sup> The deadline for the preliminary

<sup>1</sup> See *Melamine from Germany, India, Japan, the Netherlands, Qatar, and Trinidad and Tobago: Initiation of Less-Than-Fair-Value Investigations*, 89 FR 17413 (March 11, 2024) (*Initiation Notice*).

<sup>2</sup> See *Melamine from Germany, India, Japan, the Netherlands, Qatar, and Trinidad and Tobago: Postponement of Preliminary Determinations in the Less-Than-Fair-Value Investigations*, 89 FR 52437 (June 24, 2024).

<sup>3</sup> See Memorandum, “Tolling of Deadlines for Antidumping and Countervailing Duty Proceedings,” dated July 22, 2024.

determination is now September 18, 2024.

For a complete description of the events that followed the initiation of this investigation, see the Preliminary Decision Memorandum.<sup>4</sup> A list of topics included in the Preliminary Decision Memorandum is included as Appendix II to this notice. 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>.

##### Scope of the Investigation

The product covered by this investigation is melamine from India. For a full description of the scope of this investigation, see Appendix I.

##### Scope Comments

In accordance with the *Preamble* to Commerce’s regulations,<sup>5</sup> we set aside a period of time, as stated in the *Initiation Notice*, for parties to raise issues regarding product coverage (*i.e.*, scope).<sup>6</sup> No interested party commented on the scope of the investigation as it appeared in the *Initiation Notice*. Commerce is not modifying the scope language as it appeared in the *Initiation Notice*. See the complete description of the scope in Appendix I to this notice.

##### Methodology

Commerce is conducting this investigation in accordance with section 731 of the Act. Pursuant to section 776(a) of the Act, Commerce preliminarily relied upon facts otherwise available to assign an estimated weighted-average dumping margin to Gujarat State Fertilizers and Chemicals Limited (GSFC), the sole mandatory respondent in this investigation. Further, Commerce preliminarily determines that GSFC failed to cooperate by not acting to the best of its ability to comply with a request for information and Commerce is using an adverse inference in selecting from among the facts otherwise available (*i.e.*, applying

<sup>4</sup> See Memorandum, “Decision Memorandum for the Preliminary Determination in the Less-Than-Fair-Value Investigation of Melamine from India,” dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

<sup>5</sup> See *Antidumping Duties; Countervailing Duties*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

<sup>6</sup> See *Initiation Notice*, 89 FR at 17413.

adverse facts available (AFA) to this respondent, in accordance with section 776(b) of the Act). For a full description of the methodology underlying our preliminary determination, see the Preliminary Decision Memorandum.

#### Preliminary Affirmative Determination of Critical Circumstances, in Part

On June 17, 2024, the petitioner<sup>7</sup> timely filed a critical circumstances allegation, pursuant to section 733(e)(1) of the Act and 19 CFR 351.206(c)(1), alleging that critical circumstances exist with respect to imports of the subject merchandise from India.<sup>8</sup> Section 733(e)(1) of the Act provides that Commerce will preliminarily determine that critical circumstances exist in an LTFV investigation if there is a reasonable basis to believe or suspect that: (A) there is a history of dumping and material injury by reason of dumped imports in the United States or elsewhere of the subject merchandise, or the person by whom, or for whose account, the merchandise was imported knew or should have known that the exporter was selling the subject merchandise at less than its fair value and that there was likely to be material injury by reason of such sales; and (B) there have been massive imports of the subject merchandise over a relatively short period.

In accordance with section 733(e) of the Act and 19 CFR 351.206, we preliminarily determine that critical circumstances exist with respect to imports of melamine produced and exported by GSFC. Furthermore, we preliminarily determine that critical circumstances do not exist with respect to imports of melamine produced and exported by all other producers and exporters from India. For a full description of Commerce’s preliminary critical circumstances determination, see the Preliminary Decision Memorandum.

#### All-Others Rate

Section 733(d)(1)(ii) of the Act provides that, in a preliminary determination, Commerce shall determine an estimated all-others rate for all exporters and producers not individually investigated in accordance with section 735(c)(5) of the Act. Section 735(c)(5)(A) of the Act states that generally the estimated rate for all others shall be an amount equal to the weighted average of the estimated weighted-average dumping margins

<sup>7</sup> The petitioner is Cornerstone Chemical Company.

<sup>8</sup> See Petitioner’s Letter, “Petitioner’s Allegation of Critical Circumstances,” dated June 17, 2024 (Critical Circumstances Allegation).