

Commerce’s final results of the first and second redeterminations.⁹

Timken Notice

In its decision in *Timken*,¹⁰ as clarified by *Diamond Sawblades*,¹¹ the U.S. Court of Appeals for the Federal Circuit held that, pursuant to sections 516A(c) and (e) of the Act, Commerce must publish a notice of court decision that is not “in harmony” with a Commerce determination and must suspend liquidation of entries pending a “conclusive” court decision. The CIT’s November 7, 2024, judgment constitutes a final decision of the CIT that is not in harmony with Commerce’s *Final Results*. Thus, this notice is published in fulfillment of the publication requirements of *Timken*.

Amended Final Results

Because there is now a final court judgment, Commerce is amending its *Final Results* with respect to Garg Tube as follows:

Producer or exporter	Weighted-average dumping margin (percent)
Garg Tube Export LLP and Garg Tube Limited	4.25

Cash Deposit Requirements

Because Garg Tube does not have a superseding cash deposit rate, *i.e.*, there have not been final results published in a subsequent administrative review, we will issue revised cash deposit instructions to U.S. Customs and Border Protection (CBP).

Liquidation of Suspended Entries

At this time, Commerce remains enjoined by CIT order from liquidating entries that were produced and/or exported by Garg Tube, and were entered, or withdrawn from warehouse, for consumption during the period May 1, 2018, through April 30, 2019. These entries will remain enjoined pursuant to the terms of the injunction during the pendency of any appeals process.

In the event the CIT’s ruling is not appealed, or, if appealed, upheld by a final and conclusive court decision, Commerce intends to instruct CBP to assess antidumping duties on

⁹ See *Garg Tube Export LLP and Garg Tube Limited v. United States*, Court No. 21–00169, Slip Op. 24–124 and Judgment Order (CIT November 7, 2024).

¹⁰ See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

¹¹ See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

unliquidated entries of subject merchandise produced and/or exported by Garg Tube in accordance with 19 CFR 351.212(b). We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific *ad valorem* assessment rate is not zero or *de minimis*. Where an import-specific *ad valorem* assessment rate is zero or *de minimis*,¹² we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(c) and (e) and 777(i)(1) of the Act.

Dated: November 15, 2024.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2024–27319 Filed 11–20–24; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–821–838, C–821–839]

Ferrosilicon From the Russian Federation: Antidumping and Countervailing Duty Orders

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

SUMMARY: Based on affirmative final determinations by the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC), Commerce is issuing antidumping duty (AD) and countervailing duty (CVD) orders on ferrosilicon from the Russian Federation (Russia).

DATES: Applicable November 21, 2024.

FOR FURTHER INFORMATION CONTACT: Jacob Saude, 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) 482–0981.

SUPPLEMENTARY INFORMATION:

Background

In accordance with sections 705(d), 735(d), and 777(i) of the Tariff Act of 1930, as amended (the Act), on September 18, 2024, Commerce published its affirmative final determination of sales at less than fair value and its final affirmative determination that countervailable

subsidies are being provided to producers and exporters of ferrosilicon from Russia.¹ As part of these determinations, Commerce made affirmative critical circumstances findings for the Russia-wide entity in the AD investigation and for Russian Ferro Alloys Inc./RFA International LP and all other producers and/or exporters in the CVD investigation.

On November 4, 2024, the ITC notified Commerce of its affirmative final determination that an industry in the United States is materially injured within the meaning of sections 705(b)(1)(A)(i) and 735(b)(1)(A)(i) of the Act, by reason of imports of ferrosilicon that are subsidized by the government of Russia and sold in the United States at less than fair value.² On November 8, 2024, in accordance with section 735(d) of the Act, the ITC published in the **Federal Register** its affirmative final injury determination in these investigations in which it found that an industry in the United States is materially injured by reason of imports of ferrosilicon from Russia.³ In addition, the ITC found that critical circumstances do not exist with regard to imports from Russia.⁴

Scope of the Orders

The product covered by these orders is ferrosilicon from Russia. For a complete description of the scope of the orders, *see* the appendix to this notice.

Antidumping Duty Order

On November 4, 2024, in accordance with section 735(d) of the Act, the ITC notified Commerce of its final determination that an industry in the United States is materially injured within the meaning of section 735(b)(1)(A)(i) of the Act by reason of imports of ferrosilicon that are sold in the United States at less than fair value. Therefore, in accordance with sections 735(c)(2) and 736 of the Act, Commerce is issuing this AD order. Because the ITC determined that imports of ferrosilicon from Russia are materially injuring a U.S. industry, unliquidated entries of such merchandise from Russia, entered or withdrawn from

¹ See *Ferrosilicon from the Russian Federation: Final Affirmative Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances*, 89 FR 76450 (September 18, 2024); *see also* *Ferrosilicon from the Russian Federation: Final Affirmative Countervailing Duty Determination and Final Affirmative Determination of Critical Circumstances*, 89 FR 76454 (September 18, 2024).

² See ITC Letter, “Notification of ITC Final Determination,” dated November 4, 2024.

³ See *Ferrosilicon from Russia*, 89 FR 88814 (November 8, 2024) (*ITC Final Determination*).

⁴ *Id.*

¹² See 19 CFR 351.106(c)(2).

warehouse for consumption, are subject to the assessment of antidumping duties.

Therefore, in accordance with section 736(a)(1) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by Commerce, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price (or constructed export price) of the merchandise, for all relevant entries of ferrosilicon from Russia. Antidumping duties will be assessed on unliquidated entries of ferrosilicon from Russia entered, or withdrawn from warehouse, for consumption on or after June 28, 2024, the date of publication of the *AD Preliminary Determination* but will not include entries occurring after the expiration of the provisional measures period and before publication of the ITC's final injury determination, as further described below.⁵

Critical Circumstances

With respect to the ITC's negative critical circumstances determination on imports of ferrosilicon from Russia, we will instruct CBP to lift the suspension of liquidation and to refund all cash deposits for estimated antidumping duties with respect to entries of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after March 30, 2024 (*i.e.*, 90 days prior to the date of the publication of the *AD Preliminary Determination*), but before June 28, 2024, the date of publication of the *AD Preliminary Determination*.

Suspension of Liquidation and Cash Deposits—AD

Commerce intends to instruct CBP to reinstate the suspension of liquidation of ferrosilicon from Russia, effective on the date of publication of the *ITC Final Determination* in the **Federal Register**, and to assess, upon further instruction by Commerce, antidumping duties on each entry of subject merchandise based on the estimated weighted-average dumping margins indicated in the table below. These instructions suspending liquidation will remain in effect until further notice. Commerce also intends to instruct CBP to require cash deposits equal to the estimated weighted-average dumping margins indicated in the table below. Accordingly, effective on the date of publication in the **Federal Register** of the notice of the ITC's final affirmative injury determination, CBP

will require, at the same time as importers would normally deposit estimated customs duties on this subject merchandise, a cash deposit equal to the rates listed in the table below.

Estimated Weighted-Average AD Margins

The estimated weighted-average dumping margins are as follows:

Exporter or producer	Weighted-average dumping margin (percent)
Russia-Wide Entity	283.27

Provisional Measures—AD

Section 733(d) of the Act states that suspension of liquidation pursuant to an affirmative preliminary determination may not remain in effect for more than four months, except where exporters representing a significant proportion of exports of the subject merchandise request that Commerce extend the four-month period to no more than six months. Commerce published the *AD Preliminary Determination* on June 28, 2024.

The provisional measures period, beginning on the date of publication of the *AD Preliminary Determination*, ended on October 25, 2024. Therefore, in accordance with section 733(d) of the Act, Commerce intends to instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of ferrosilicon from Russia entered, or withdrawn from warehouse, for consumption on or after October 26, 2024, the first day provisional measures were no longer in effect, until and through the day preceding the date of publication of the *ITC Final Determination*. Suspension of liquidation and the collection of cash deposits will resume on the date of publication of the *ITC Final Determination* in the **Federal Register**.

Countervailing Duty Order

As stated above, based on the above-referenced affirmative final determination by the ITC that an industry in the United States is materially injured within the meaning of section 705(b)(1)(A)(i) of the Act by reason of subsidized imports of ferrosilicon from Russia, in accordance with section 705(c)(2) of the Act, Commerce is issuing this CVD order. Because the ITC determined that imports of ferrosilicon from Russia are materially injuring a U.S. industry, unliquidated entries of subject merchandise entered, or withdrawn

from warehouse, for consumption, are subject to the assessment of countervailing duties.

Therefore, in accordance with section 706(a) of the Act, Commerce will direct CBP to assess, upon further instruction by Commerce, countervailing duties on all relevant entries of ferrosilicon from Russia, which are entered, or withdrawn from warehouse, for consumption on or after June 28, 2024, the date of publication of the *CVD Preliminary Determination*, but will not include entries occurring after the expiration of the provisional measures period and before the publication of the ITC's final injury determination under section 705(b) of the Act, as further described in the "Provisional Measures—CVD" section of this notice.⁶

Critical Circumstances

With respect to the ITC's negative critical circumstances determination on imports of ferrosilicon from Russia, we will instruct CBP to lift the suspension of liquidation and to refund all cash deposits for estimated antidumping duties with respect to entries of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after March 30, 2024 (*i.e.*, 90 days prior to the date of the publication of the *CVD Preliminary Determination*), but before June 28, 2024, the date of publication of the *CVD Preliminary Determination*.

Suspension of Liquidation and Cash Deposits—CVD

In accordance with section 706 of the Act, Commerce intends to instruct CBP to reinstate the suspension of liquidation of ferrosilicon from Russia, effective on the date of publication of the ITC's final affirmative injury determination in the **Federal Register**, and to assess, upon further instruction by Commerce, countervailing duties on each entry of subject merchandise in an amount based on the net countervailable subsidy rates below. These instructions suspending liquidation will remain in effect until further notice.

Commerce also intends, pursuant to section 706(a)(1) of the Act, to instruct CBP to require cash deposits equal to the amounts as indicated below. Accordingly, effective on the date of publication of the ITC's final affirmative injury determination in the **Federal Register**, CBP will require, at the same time as importers would normally deposit estimated customs duties on the subject merchandise, a cash deposit for

⁵ See *Ferrosilicon from the Russian Federation: Preliminary Affirmative Determination of Sales at Less Than Fair Value*, 89 FR 53953 (June 28, 2024) (*AD Preliminary Determination*).

⁶ See *Ferrosilicon from the Russian Federation: Preliminary Affirmative Countervailing Duty Determination*, 89 FR 53949 (June 28, 2024) (*CVD Preliminary Determination*).

each entry of subject merchandise equal to the subsidy rates listed below.⁷ The all-others rate applies to all producers or exporters not specifically listed below, as appropriate.

Estimated CVD Subsidy Rates

The estimated CVD subsidy rates as published in Commerce's *CVD Final Determination* are as follows:

Company	Subsidy rate (percent)
Russian Ferro Alloys Inc./ RFA International LP	748.58
All Others	748.58

Provisional Measures—CVD

Section 703(d) of the Act states that the suspension of liquidation pursuant to an affirmative preliminary determination may not remain in effect for more than four months. Commerce published the *CVD Preliminary Determination* on June 28, 2024.⁸ As such, the four-month period beginning on the date of publication of the *CVD Preliminary Determination* ended on October 25, 2024.

In accordance with section 703(d) of the Act, Commerce intends to instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to CVDs, unliquidated entries of ferrosilicon from Russia entered, or withdrawn from warehouse, for consumption, on or after October 26, 2024, the first day provisional measures were no longer in effect, until and through the day preceding the date of publication of the *ITC Final Determination*. Suspension of liquidation and the collection of cash deposits will resume on the date of publication of the *ITC Final Determination* in the **Federal Register**.

Establishment of the Annual Inquiry Service List

On September 20, 2021, Commerce published the *Final Rule* in the **Federal Register**.⁹ On September 27, 2021, Commerce also published the *Procedural Guidance* in the **Federal Register**.¹⁰ The *Final Rule* and *Procedural Guidance* provide that Commerce will maintain an annual inquiry service list for each order or suspended investigation, and any interested party submitting a scope

ruling application or request for circumvention inquiry shall serve a copy of the application or request on the persons on the annual inquiry service list for that order, as well as any companion order covering the same merchandise from the same country of origin.

In accordance with the *Procedural Guidance*, for orders published in the **Federal Register** after November 4, 2021, Commerce will create an annual inquiry service list segment in Commerce's online e-filing and document management system, Antidumping and Countervailing Duty Electronic Service System (ACCESS), available at <https://access.trade.gov>, within five business days of publication of the order. Each annual inquiry service list will be saved in ACCESS, under each case number, and under a specific segment type called "AISL-Annual Inquiry Service List."¹¹

Interested parties who wish to be added to the annual inquiry service list for an order must submit an entry of appearance to the annual inquiry service list segment for the order in ACCESS within 30 days after the date of publication of the order. For ease of administration, Commerce requests that law firms with more than one attorney representing interested parties in an order designate a lead attorney to be included on the annual inquiry service list. Commerce will finalize the annual inquiry service list within five business days thereafter. As mentioned in the *Procedural Guidance*, the new annual inquiry service list will be in place until the following year, when the *Opportunity Notice* for the anniversary month of the order is published. Commerce may update an annual inquiry service list at any time as needed based on interested parties' amendments to their entries of appearance to remove or otherwise modify their list of members and representatives, or to update contact information. Any changes or announcements pertaining to these procedures will be posted to the ACCESS website.

¹¹ This segment will be combined with the ACCESS Segment Specific Information (SSI) field which will display the month in which the notice of the order or suspended investigation was published in the **Federal Register**, also known as the anniversary month. For example, for an order under case number A-000-000 that was published in the **Federal Register** in January, the relevant segment and SSI combination will appear in ACCESS as "AISL-January Anniversary." Note that there will be only one annual inquiry service list segment per case number, and the anniversary month will be pre-populated in ACCESS.

Special Instructions for Petitioners and Foreign Governments

In the *Final Rule*, Commerce stated that, "after an initial request and placement on the annual inquiry service list, both petitioners and foreign governments will automatically be placed on the annual inquiry service list in the years that follow."¹² Accordingly, as stated above, the petitioners and Government of Russia should submit their initial entries of appearance after publication of this notice in order to appear in the first annual inquiry service list for those orders for which they qualify as an interested party. Pursuant to 19 CFR 351.225(n)(3), the petitioners and the Government of Russia will not need to resubmit their entries of appearance each year to continue to be included on the annual inquiry service list. However, the petitioners and the Government of Russia are responsible for making amendments to their entries of appearance during the annual update to the annual inquiry service list in accordance with the procedures described above.

Notification to Interested Parties

This notice constitutes the AD and CVD orders with respect to ferrosilicon from Russia, pursuant to sections 736(a) and 706(a) of the Act. Interested parties can find a list of AD and CVD orders currently in effect at <https://enforcement.trade.gov/stats/iastats1.html>.

These orders are published in accordance with sections 736(a) and 706(a) of the Act, and 19 CFR 351.211(b).

Dated: November 15, 2024.

Abdelali Elouaradia,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Orders

The scope of the order covers all forms and sizes of ferrosilicon, regardless of grade, including ferrosilicon briquettes. Ferrosilicon is a ferroalloy containing by weight four percent or more iron, more than eight percent but not more than 96 percent silicon, three percent or less phosphorus, 30 percent or less manganese, less than three percent magnesium, and 10 percent or less of any other element. The merchandise covered also includes product described as slag, if the product meets these specifications.

Subject merchandise includes material matching the above description that has been finished, packaged, or otherwise processed in a third country, including by performing any grinding or any other finishing, packaging, or processing that would not otherwise remove

¹² See *Final Rule*, 86 FR at 52335.

⁷ See section 706(a)(3) of the Act.

⁸ See *CVD Preliminary Determination*.

⁹ See *Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*, 86 FR 52300 (September 20, 2021) (*Final Rule*).

¹⁰ See *Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*, 86 FR 53205 (September 27, 2021) (*Procedural Guidance*).

the merchandise from the scope of the investigation if performed in the country of manufacture of the ferrosilicon.

Ferrosilicon is currently classifiable under subheadings 7202.21.1000, 7202.21.5000, 7202.21.7500, 7202.21.9000, 7202.29.0010, and 7202.29.0050 of the Harmonized Tariff Schedule of the United States (HTSUS). While the HTSUS numbers are provided for convenience and customs purposes, the written description of the scope remains dispositive.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–201–849, A–570–093, C–570–094]

Refillable Stainless-Steel Kegs From Mexico and the People's Republic of China: Final Results of Sunset Reviews and Revocation of Orders

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

SUMMARY: On September 3, 2024, the U.S. Department of Commerce (Commerce) initiated the first sunset review of the antidumping duty (AD) order on refillable stainless-steel kegs (kegs) from Mexico and the AD and countervailing duty (CVD) orders on kegs from the People's Republic of China (China). Because no domestic interested party responded to the sunset review notice of initiation by the applicable deadline, consistent with section 751(c)(3)(A) of the Tariff Act of 1930, as amended (the Act), Commerce is revoking the AD orders on kegs from China and Mexico and the CVD order on kegs from China.

DATES: Applicable November 21, 2024.

FOR FURTHER INFORMATION CONTACT: Carter Sherwin, 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) 482–4260.

SUPPLEMENTARY INFORMATION:

Background

On October 10, 2019, Commerce issued the AD order on kegs from Mexico.¹ On December 16, 2019, Commerce issued the AD and CVD orders on kegs from China.² On

September 3, 2024, Commerce initiated the current sunset reviews of the *China Orders* and *Mexico Order* (collectively, *Orders*), pursuant to section 751(c) of the Act.³

On September 24, 2024, Commerce staff spoke with counsel to the American Keg Company LLC (the petitioner) who informed Commerce that the petitioner does not intend to participate in these sunset reviews.⁴ As a result, in accordance with 19 CFR 351.218(d)(1)(iii)(B)(1), Commerce determined that no domestic interested party intends to participate in these sunset reviews. On September 25, 2024, we notified the U.S. International Trade Commission of these facts and that we intended to revoke the *Orders* within 90 days of the initiation, consistent with 19 CFR 351.218(d)(1)(iii)(B)(2).⁵

Scope of the Orders

The merchandise covered by the *Orders* are kegs, vessels, or containers with bodies that are approximately cylindrical in shape, made from stainless steel (*i.e.*, steel containing at least 10.5 percent chromium by weight and less than 1.2 percent carbon by weight, with or without other elements), and that are compatible with a “D Sankey” extractor (refillable stainless steel kegs) with a nominal liquid volume capacity of 10 liters or more, regardless of the type of finish, gauge, thickness, or grade of stainless steel, and whether or not covered by or encased in other materials. Refillable stainless-steel kegs may be imported assembled or unassembled, with or without all components (including spears, couplers or taps, necks, collars, and valves), and be filled or unfilled.

“Unassembled” or “unfinished” refillable stainless-steel kegs include drawn stainless-steel cylinders that have been welded to form the body of the keg and attached to an upper (top) chime and/or lower (bottom) chime. Unassembled refillable stainless-steel kegs may or may not be welded to a neck, may or may not have a valve assembly attached, and may be otherwise complete except for testing, certification, and/or marking.

Subject merchandise also includes refillable stainless steel kegs that have

been further processed in a third country, including but not limited to, attachment of necks, collars, spears or valves, heat treatment, pickling, passivation, painting, testing, certification or any other processing that would not otherwise remove the merchandise from the scope of the *Orders* if performed in the country of manufacture of the in-scope refillable stainless steel keg.

Specifically excluded are the following:

(1) vessels or containers that are not approximately cylindrical in nature (*e.g.*, box, “hopper” or “cone” shaped vessels);

(2) stainless steel kegs, vessels, or containers that have either a “ball lock” valve system or a “pin lock” valve system (commonly known as “Cornelius,” “corny” or “ball lock” kegs);

(3) necks, spears, couplers or taps, collars, and valves that are not imported with the subject merchandise; and

(4) stainless steel kegs that are filled with beer, wine, or other liquid and that are designated by the Commissioner of Customs as Instruments of International Traffic within the meaning of section 332(a) of the Tariff Act of 1930, as amended.

The merchandise covered by the *Orders* are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 7310.10.0010, 7310.10.0050, 7310.29.0025, and 7310.29.0050. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of this investigation is dispositive.

Revocation

Pursuant to section 751(c)(3)(A) of the Act and 19 CFR 351.218(d)(1)(iii)(B)(3), if no domestic interested party responds to a notice of initiation, Commerce shall, within 90 days after the initiation of review, revoke the order. Because the petitioner informed Commerce that it did not intend to participate in these sunset reviews, we are revoking the *Orders*.⁶

Effective Date of Revocation

Pursuant to section 751(c)(3)(A) of the Act and 19 CFR 351.222(i)(2)(i), Commerce intends to instruct U.S. Customs and Border Protection to terminate the suspension of liquidation of the merchandise subject to these *Orders* entered, or withdrawn from the warehouse, on or after October 10, 2024, the fifth anniversary of the date of the

⁶ See Petitioner Participation Memorandum.

¹ See *Refillable Stainless Steel Kegs From Mexico: Antidumping Duty Order*, 84 FR 54591 (October 10, 2019) (*Mexico Order*).

² See *Refillable Stainless-Steel Kegs from the Federal Republic of Germany and the People's Republic of China: Antidumping Duty Order*, 84 FR 68405 (December 16, 2019) (*AD China Order*); see

also *Refillable Stainless-Steel Kegs from the People's Republic of China: Countervailing Duty Order*, 84 FR 68400 (December 16, 2019) (*CVD China Order*) (collectively, *China Orders*).

³ See *Initiation of Five-Year (Sunset) Reviews*, 89 FR 71252 (September 3, 2024).

⁴ See Memorandum, “Petitioner Does Not Intend to Participate in the Reviews,” dated September 25, 2024. (Petitioner Participation Memorandum).

⁵ See Commerce’s Letter, “Sunset Reviews Initiated on September 3, 2024,” dated September 25, 2024.