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[FR Doc. 2016-01024 Filed 1-19-16; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-602-807]

Certain Uncoated Paper From Australia: Final Determination of Sales at Less Than Fair Value and Affirmative Final Determination of Critical Circumstances, In Part

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

SUMMARY: The Department of Commerce (Department) determines that certain uncoated paper from Australia is being, or is likely to be, sold in the United States at less than fair value (LTFV), as provided in section 735(a) of the Tariff Act of 1930, as amended (the Act). The period of investigation (POI) is January 1, 2014, through December 31, 2014. The final dumping margins of sales at LTFV are listed below in the "Final Determination" section of this notice.

DATES: *Effective:* January 20, 2016.

FOR FURTHER INFORMATION CONTACT: Eve Wang or George McMahon, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-6231 or (202) 482-1167, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 26, 2015, the Department published the *Preliminary Determination* of this antidumping duty (AD) investigation.¹ The following events occurred since the *Preliminary Determination* was issued.

On August 27, 2015, sole respondent Paper Australia Pty. Ltd. (Australian Paper) withdrew its participation from this investigation, stating that "due to

¹ See *Certain Uncoated Paper From Australia: Preliminary Determination of Sales at Less Than Fair Value, Negative Preliminary Determination of Critical Circumstances, and Postponement of Final Determination*, 80 FR 51783 (August 26, 2015) (*Preliminary Determination*).

the significant preliminary dumping margin," it was suspending its participation in the U.S. market "pending the final determination on Injury."²

On August 28, 2015, the Department notified interested parties of a revised, accelerated briefing schedule due to the lack of participation from the sole respondent, Australian Paper, which resulted in the cancellation of verification of its questionnaire responses.³ On September 24, 2015, the Department granted Petitioners' request to extend the briefing schedule.⁴ On October 2, 2015, Petitioners submitted a case brief.

Scope of the Investigation and Scope Comments

The product covered by this investigation is certain uncoated paper from Australia. For a complete description of the scope of the investigation, see the "Scope of the Investigation," in Appendix I of this notice, which incorporates changes made subsequent to the *Preliminary Determination*.

On October 2, 2015, Gartner Studios submitted its case brief regarding the scope of the investigations.⁵ On October 6, 2015, the Department revised the briefing schedule for scope comments and rebuttal comments.⁶ On October 19, 2015, American Greetings Corporation (American Greetings) submitted its case brief regarding the scope of the investigations.⁷ On October 29, 2015,

² See Australian Paper's letter titled, "Respondents Paper Australia Pty Ltd and Paper Products Marketing (USA) Notification of Withdrawal," dated August 27, 2015 (Australian Paper's Letter of Withdrawal), at 2.

³ See the Department's Memorandum titled, "Antidumping Duty Investigation of Certain Uncoated Paper from Australia: Case Brief and Rebuttal Brief Schedule for Final Determination of the above referenced Investigation," dated August 28, 2015.

⁴ Petitioners in this investigation are United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union; Domtar Corporation; Finch Paper LLC; P.H. Glatfelter Company; and Packaging Corporation of America.

⁵ See the Department's Memorandum titled, "Certain Uncoated Paper From Australia: Antidumping Duty Investigation: Revised Briefing Schedule," dated September 24, 2015; see also Petitioners' letter titled, "Petitioners' Request to Extend Briefing Schedule," dated September 24, 2015.

⁶ Because there are multiple investigations of uncoated paper, the Department has considered collectively all comments regarding the scope of the investigations filed by the interested parties.

⁷ See Memorandum titled, "Revised Briefing Schedule for Scope Comments and Rebuttal Comments," dated October 6, 2015.

⁸ See Letter from American Greetings titled, "Certain Uncoated Paper From Australia, Brazil, The People's Republic of China, Indonesia, and Portugal: Case Brief of American Greetings Corporation," dated October 19, 2015.

Petitioners submitted their rebuttal brief regarding the scope of the investigations.⁹ The Department is issuing a scope comments decision memorandum for the final determinations of the AD and countervailing duty investigations of certain uncoated paper, which is incorporated by reference in, and hereby adopted by, this final determination.¹⁰ As explained in the Final Scope Decision Memorandum, to facilitate the scope's administrability and enforcement, we have clarified the scope language such that certain uncoated paper with "final printed content" is excluded from the scope of the investigations.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by interested parties in this investigation that are not related to the scope of this investigation are addressed in the Issues and Decision Memorandum, which is incorporated by reference by, and hereby adopted by, this notice.¹¹

A list of the issues raised is attached to this notice as Appendix II. The Issues and 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> and it is available to all parties in the Central Records Unit, room B-8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

⁹ See Letter from Petitioners titled, "Certain Uncoated Paper From Australia, Brazil, The People's Republic of China, Indonesia, and Portugal: Scope Rebuttal Brief," dated October 20, 2015.

¹⁰ See the Department's memorandum to the file titled, "Less-Than-Fair-Value Investigations of Certain Uncoated Paper from Australia, Brazil, the People's Republic of China, Indonesia, and Portugal; and Countervailing Duty Investigations of Certain Uncoated Paper from the People's Republic of China and Indonesia: Scope Comments Decision Memorandum for the Final Determinations," dated January 8, 2016 (Final Scope Decision Memorandum).

¹¹ See Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, titled "Issues and Decision Memorandum for the Final Determination in the Antidumping Duty Investigation of Certain Uncoated Paper from Australia" (Issues and Decision Memorandum), dated concurrently with this notice.

Changes Since the Preliminary Determination

Based on our analysis of the comments received and Australian Paper's withdrawal of participation from this investigation, we have revised the margin for Australian Paper to reflect the application of facts available with an adverse inference pursuant to sections 776(a)(2)(C) and (D) and 776(b) of the Act. We have also revised the all-others rate. For a discussion of these changes, see the Issues and Decision Memorandum at Comments 1, 2, and 3.

All Others Rate

Section 735(c)(5)(B) of the Act provides that, where the estimated weighted-average dumping margins established for all exporters and producers individually investigated are zero or *de minimis*, or are determined entirely under section 776 of the Act, the Department may use any reasonable method to establish the estimated all-others rate for exporters and producers not individually investigated. Where the sole individually investigated respondent's margin is based on total AFA under section 776 of the Act, our practice under these circumstances has been to assign as the all-others rate the simple average of the margins in the petition,¹² which we have done in this final determination.¹³

Final Determination

The Department determines that the estimated final weighted-average dumping margins are as follows:

| Exporter/Manufacturer | Weighted-average dumping margin (percent) |
|--------------------------------|---|
| Paper Australia Pty. Ltd | 222.46 |
| All Others | 138.87 |

Disclosure

We will disclose the calculations performed to interested parties within five days of the public announcement of this final determination in accordance with 19 CFR 351.224(b).

¹² See, e.g., *Notice of Preliminary Determination of Sales at Less Than Fair Value: Light-Walled Rectangular Pipe and Tube from Turkey*, 73 FR 5508, 5513–14 (January 30, 2008), unchanged in *Notice of Final Determination of Sales at Less Than Fair Value: Light-Walled Rectangular Pipe and Tube from Turkey*, 73 FR 19814, 19815 (April 11, 2008); see also *Notice of Final Determination of Sales at Less Than Fair Value and Affirmative Final Determination of Critical Circumstances: Glycine from Japan*, 72 FR 67271, 67272 (November 28, 2007).

¹³ See Issues and Decision Memorandum at Comment 3.

Final Affirmative Determination of Critical Circumstances, In Part

In the *Preliminary Determination*, the Department found that critical circumstances did not exist with respect to imports of uncoated paper from Australia from Australian Paper and all other exporters or producers.¹⁴ Based on Australian Paper's withdrawal from this investigation, and upon further analysis following the *Preliminary Determination*, we are modifying our findings for the final determination.

Because we do not have verifiable shipment data from Australian Paper, we must base our "massive imports" determination on the facts available, pursuant to section 776(a) of the Act. Because Australian Paper failed to cooperate by not acting to the best of its ability to allow for verification of its sales and cost questionnaire responses, we are making an adverse inference in selecting from the facts available, pursuant to section 776(b) of the Act. Thus, in accordance with section 776(b) of the Act, we have used an adverse inference in applying facts available, and determine that there were massive imports from Australian Paper over a relatively short period pursuant to section 733(e)(1)(B) of the Act.¹⁵ We also find that Australian Paper's dumping margin is sufficient to impute importer knowledge of sales at less than fair value, and the International Trade Commission's (ITC) preliminary injury determination is sufficient to impute the likelihood of material injury, in accordance with section 733(e)(1)(A)(ii) of the Act. For those reasons, we determine that critical circumstances exist for imports from Australia of uncoated paper produced by Australian Paper. For a discussion of these changes, see the Issues and Decision Memorandum at "VI. Finding of Critical Circumstances, In Part."

However, we have not inferred, as AFA, that massive imports exist for companies under the all-others category, because, unlike the uncooperative company in question, the all-others companies have not failed to cooperate in this investigation. Furthermore, the record indicates that the only known producer of uncoated paper from Australia is Australian Paper.¹⁶ Therefore, an adverse inference with

¹⁴ See *Preliminary Determination*, 80 FR at 51784.

¹⁵ See, e.g., *Notice of Final Determination of Sales at Less Than Fair Value: Certain Cut-To-Length Carbon-Quality Steel Plate Products from Japan*, 64 FR 73215 (December 29, 1999).

¹⁶ See *Certain Uncoated Paper From Australia, Brazil, the People's Republic of China, Indonesia, and Portugal: Initiation of Less-Than-Fair-Value Investigations*, 80 FR 8614 (February 18, 2015); see also Initiation Checklist at 2.

respect to finding a massive surge in imports by the all-others companies is not appropriate. Therefore, we determine that critical circumstances do not exist for imports of uncoated paper from Australia for companies in the all-others category. For further discussion of this analysis, see the Issues and Decision Memorandum at "VI. Finding of Critical Circumstances, In Part."

Continuation of Suspension of Liquidation

As noted above, for this final determination, the Department found that critical circumstances exist with respect to imports of the subject merchandise from Australian Paper. However, the Department did not find that critical circumstances existed with respect to imports by Australian Paper in the *Preliminary Determination*.¹⁷ Therefore, in accordance with section 735(c)(4)(B) of the Act, the Department is modifying the suspension of liquidation as announced in the *Preliminary Determination* for Australian Paper. The Department will instruct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of uncoated paper from Australian Paper, as described in Appendix I of this notice, to apply to unliquidated entries that were entered, or withdrawn from warehouse, for consumption on or after May 28, 2015, 90 days prior to publication of the *Preliminary Determination* of this investigation in the **Federal Register**, and require a cash deposit for such entries equal to the estimated amount by which the normal value exceeds the U.S. price as noted above for such unliquidated entries.

Because we continue to find that critical circumstances do not exist with respect to all others, in accordance with section 735(c)(1)(B) of the Act, we will instruct CBP to continue to suspend liquidation of all appropriate entries of uncoated paper from all others, which were entered, or withdrawn from warehouse, for consumption on or after August 26, 2015, the date of publication of the *Preliminary Determination* in the **Federal Register**.

ITC Notification

In accordance with section 735(d) of the Act, we will notify the ITC of our final affirmative determination of sales at LTFV. Because the final determination in this proceeding is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States

¹⁷ See *Preliminary Determination*, 80 FR at 51784.

is materially injured, or threatened with material injury, by reason of imports of uncoated paper from Australia no later than 45 days after our final determination. If the ITC determines that material injury or threat of material injury does not exist, the proceeding will be terminated and all cash deposits will be refunded. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing CBP to assess, upon further instruction by the Department, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

Notification Regarding Administrative Protective Orders (APO)

This notice also serves as a reminder to parties subject to an APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation subject to sanction.

This determination and this notice are issued and published pursuant to sections 735(d) and 777(i)(1) of the Act.

Dated: January 8, 2016.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix I—Scope of the Investigation

The merchandise covered by the investigation includes uncoated paper in sheet form; weighing at least 40 grams per square meter but not more than 150 grams per square meter; that either is a white paper with a GE brightness level¹ of 85 or higher or is a colored paper; whether or not surface-decorated, printed (except as described below), embossed, perforated, or punched; irrespective of the smoothness of the surface; and irrespective of dimensions (Certain Uncoated Paper).

Certain Uncoated Paper includes (a) uncoated free sheet paper that meets this scope definition; (b) uncoated ground wood paper produced from bleached chemi-

thermo-mechanical pulp (BCTMP) that meets this scope definition; and (c) any other uncoated paper that meets this scope definition regardless of the type of pulp used to produce the paper.

Specifically excluded from the scope are (1) paper printed with final content of printed text or graphics and (2) lined paper products, typically school supplies, composed of paper that incorporates straight horizontal and/or vertical lines that would make the paper unsuitable for copying or printing purposes. For purposes of this scope definition, paper shall be considered “printed with final content” where at least one side of the sheet has printed text and/or graphics that cover at least five percent of the surface area of the entire sheet.

Imports of the subject merchandise are provided for under Harmonized Tariff Schedule of the United States (HTSUS) categories 4802.56.1000, 4802.56.2000, 4802.56.3000, 4802.56.4000, 4802.56.6000, 4802.56.7020, 4802.56.7040, 4802.57.1000, 4802.57.2000, 4802.57.3000, and 4802.57.4000. Some imports of subject merchandise may also be classified under 4802.62.1000, 4802.62.2000, 4802.62.3000, 4802.62.5000, 4802.62.6020, 4802.62.6040, 4802.69.1000, 4802.69.2000, 4802.69.3000, 4811.90.8050 and 4811.90.9080. While HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

Appendix II—List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Period of Investigation
- IV. List of Comments
- V. Discussion of Comments
 - Comment 1: Whether Adverse Facts Available (AFA) are Warranted for Respondent Australian Paper
 - Comment 2: Rate To Assign to Australian Paper Based on AFA
 - Comment 3: Derivation of the All-Others Rate
- VI. Finding of Critical Circumstances, In Part

[FR Doc. 2016-01019 Filed 1-19-16; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-023]

Certain Uncoated Paper From the People's Republic of China: Final Affirmative Countervailing Duty Determination

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

SUMMARY: The Department of Commerce (the Department) determines that countervailable subsidies are being provided to producers and exporters of

certain uncoated paper (uncoated paper) from the People's Republic of China (PRC). For more information on the estimated subsidy rate, see the “Final Determination and Suspension of Liquidation” section of this notice. The period of investigation is January 1, 2014, through December 31, 2014.

DATES: *Effective:* January 20, 2016.

FOR FURTHER INFORMATION CONTACT: Patricia Tran or Joy Zhang, Office III, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-1503 or (202) 482-1168, respectively.

SUPPLEMENTARY INFORMATION:

Background

The events that have occurred since the Department published the *Preliminary Determination* on June 29, 2015 and *Notice of Correction* on July 9, 2015,¹ are discussed in the Issues and Decision Memorandum, which is hereby incorporated in this notice.² This memorandum also details the changes we made since the *Preliminary Determination* to the subsidy rates calculated for the mandatory respondents and all other producers/exporters. The Issues and 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 <http://access.trade.gov>, and is available to all parties in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

¹ See *Certain Uncoated Paper From the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination*, 80 FR 36968 (June 29, 2015) (*Preliminary Determination*), and *Certain Uncoated Paper From the People's Republic of China: Notice of Correction to Preliminary Affirmative Countervailing Duty Determination*, 80 FR 39409 (July 9, 2015) (*Notice of Correction*).

² See Memorandum to Paul Piquado, “Issues and Decision Memorandum for the Final Affirmative Countervailing Duty Determination in the Countervailing Duty Investigation of Certain Uncoated Paper from the People's Republic of China” (January 8, 2016) (Issues and Decision Memorandum).

¹ One of the key measurements of any grade of paper is brightness. Generally speaking, the brighter the paper the better the contrast between the paper and the ink. Brightness is measured using a GE Reflectance Scale, which measures the reflection of light off a grade of paper. One is the lowest reflection, or what would be given to a totally black grade, and 100 is the brightest measured grade. “Colored paper” as used in this scope definition means a paper with a hue other than white that reflects one of the primary colors of magenta, yellow, and cyan (red, yellow, and blue) or a combination of such primary colors.

responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

This determination is issued and published in accordance with sections 735(d) and 777(i)(1) of the Act.

Dated: January 8, 2016.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix I—Scope of the Investigation

The merchandise covered by this investigation includes uncoated paper in sheet form; weighing at least 40 grams per square meter but not more than 150 grams per square meter; that either is a white paper with a GE brightness level¹ of 85 or higher or is a colored paper; whether or not surface-decorated, printed (except as described below), embossed, perforated, or punched; irrespective of the smoothness of the surface; and irrespective of dimensions (Certain Uncoated Paper).

Certain Uncoated Paper includes (a) uncoated free sheet paper that meets this scope definition; (b) uncoated ground wood paper produced from bleached chemi-thermo-mechanical pulp (BCTMP) that meets this scope definition; and (c) any other uncoated paper that meets this scope definition regardless of the type of pulp used to produce the paper.

Specifically excluded from the scope are (1) paper printed with final content of printed text or graphics and (2) lined paper products, typically school supplies, composed of paper that incorporates straight horizontal and/or vertical lines that would make the paper unsuitable for copying or printing purposes. For purposes of this scope definition, paper shall be considered “printed with final content” where at least one side of the sheet has printed text and/or graphics that cover at least five percent of the surface area of the entire sheet.

Imports of the subject merchandise are provided for under Harmonized Tariff Schedule of the United States (HTSUS) categories 4802.56.1000, 4802.56.2000, 4802.56.3000, 4802.56.4000, 4802.56.6000, 4802.56.7020, 4802.56.7040, 4802.57.1000, 4802.57.2000, 4802.57.3000, and 4802.57.4000. Some imports of subject

¹ One of the key measurements of any grade of paper is brightness. Generally speaking, the brighter the paper the better the contrast between the paper and the ink. Brightness is measured using a GE Reflectance Scale, which measures the reflection of light off a grade of paper. One is the lowest reflection, or what would be given to a totally black grade, and 100 is the brightest measured grade. “Colored paper” as used in this scope definition means a paper with a hue other than white that reflects one of the primary colors of magenta, yellow, and cyan (red, yellow, and blue) or a combination of such primary colors.

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Appendix II—List of Topics Discussed in the Final Decision Memorandum

- I. Summary
- II. Background
- III. Period of Investigation
- IV. Margin Calculations
- V. List of Comments
- VI. Discussion of Comments
 - Comment 1: Surrogate Country
 - Comment 2: Selection of Surrogate Value for Wood Chips
 - Comment 3: Selection of Surrogate Values for Sodium Hypochlorite, Citric Acid, and Aluminum Chloride
 - Comment 4: Selection of Surrogate Value for Bamboo Pulp
 - Comment 5: Selection of Surrogate Values for Cationic Starch, Whitening Materials, Calcium Carbonate Fillers, Hydrogen Peroxide, Ferrous Sulphate, and Sodium Sulphate
 - Comment 6: Selection of Surrogate Value for Fuel Inputs
 - Comment 7: Selection of Surrogate Value for Native Starches
 - Comment 8: Selection of Surrogate Values for Limestone, Antifoam Compound, Liquid Polymer, and Sodium Phosphate
 - Comment 9: Selection of Surrogate Value for LMSTONE80_ENE_MAT
 - Comment 10: Selection of Surrogate Value for Bailing Wire
 - Comment 11: Selection of Surrogate Value for Packing Cartons
 - Comment 12: Selection of Surrogate Value for Paper Cores
 - Comment 13: Selection of Surrogate Value for Packing Covers
 - Comment 14: Brokerage and Handling Surrogate Value
 - Comment 15: Conversion of Nitrogen Surrogate Value
 - Comment 16: Inland Insurance Surrogate Value
 - Comment 17: Water Treatment Chemical FOPs Comment
 - 18: Minor Correction for Market Economy Purchases
 - Comment 19: Mondy’s SG&A Ratio
 - Comment 20: PRC-Wide Rate
 - Comment 21: Minor Corrections and Inadvertent Errors
- VII. Recommendation

[FR Doc. 2016–01020 Filed 1–19–16; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–351–842]

Certain Uncoated Paper From Brazil: Final Determination of Sales at Less Than Fair Value

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

SUMMARY: The Department of Commerce (“the Department”) determines that certain uncoated paper (“uncoated paper”) from Brazil is being, or is likely to be, sold in the United States at less than fair value (“LTFV”), as provided in section 735(a) of the Tariff Act of 1930, as amended (“the Act”). The period of investigation (“POI”) is January 1, 2014, through December 31, 2014. The final dumping margins of sales at LTFV are listed below in the “Final Determination” section of this notice.

DATES: *Effective:* January 20, 2016.

FOR FURTHER INFORMATION CONTACT: Julia Hancock or Paul Walker, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: 202.482.1394 or 202.482.0413, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 26, 2015, the Department published the *Preliminary Determination* of this antidumping duty (“AD”) investigation.¹ The events occurring since the *Preliminary Determination* was issued are detailed in the Issues and Decision Memorandum.²

Scope of the Investigation and Scope Comments

The product covered by this investigation is uncoated paper from Brazil. For a complete description of the scope of the investigation, see the “Scope of the Investigation,” in Appendix I of this notice, which

¹ See *Certain Uncoated Paper from Brazil: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 80 FR 52029 (August 27, 2015) (“*Preliminary Determination*”).

² See Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, “Issues and Decision Memorandum for the Final Determination in the Antidumping Duty Investigation of Certain Uncoated Paper from Brazil” (“*Issues and Decision Memorandum*”), dated concurrently with this notice.

incorporates changes made subsequent to the *Preliminary Determination*.

On October 2, 2015, Gartner Studios, Inc. submitted its case brief on the scope of the investigations.³ On October 19, 2015, American Greetings Corporation (“American Greetings”) submitted its case brief regarding the scope of the investigations.⁴ On October 29, 2015, Petitioners submitted their rebuttal brief regarding the scope of the investigations.⁵ The Department is issuing a scope comments decision memorandum for the final determinations of the AD and countervailing duty investigations of uncoated paper, which is incorporated by reference in, and hereby adopted by, this final determination.⁶ As explained in the Final Scope Decision Memorandum, to facilitate the scope’s administrability and enforcement, we have clarified the scope language such that certain uncoated paper with “final printed content” is excluded from the scope of the investigations.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by interested parties in this investigation that are not related to the scope of this investigation are addressed in the Issues and Decision Memorandum, which is incorporated by reference by, and hereby adopted by, this notice.⁷ A list of the issues raised is attached to this notice as Appendix II. The Issues and 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> and it is available to all parties in the Central Records Unit, room B–8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

Verification

As provided in section 782(i) of the Act, in September and October 2015, the Department verified the sales and cost data reported by International Paper⁸ and Suzano,⁹ respectively, pursuant to section 782(i) of the Act. We used standard verification procedures, including an examination of relevant accounting and production records, and original source documents provided by International Paper and Suzano.¹⁰

Changes Since the Preliminary Determination

Based on our analysis of the comments received and findings at verification, we made certain changes to the margin calculations for International Paper and Suzano. For a discussion of these changes, see the “Margin Calculations” section of the Issues and Decision Memorandum.¹¹ We have also revised the all-others rate.¹²

All-Others Rate

Section 735(c)(5)(A) of the Act provides that the estimated all-others rate 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 or *de minimis* margins, and margins determined entirely under section 776 of the Act. For the *Final Determination*, the Department

calculated the “all-others” rate based on a weighted-average of International Paper’s and Suzano’s margins using publicly-ranged quantities for their sales of subject merchandise.¹³

Final Determination

The Department determines that the final weighted-average dumping margins are as follows:

| Exporter/Manufacturer | Weighted-average dumping margin (percent) |
|---|---|
| International Paper do Brasil Ltda. and International Paper Exportadora Ltda. ¹⁴ | 41.39 |
| Suzano Papel e Celulose S.A. | 22.16 |
| All-Others | 26.95 |

Disclosure

We will disclose the calculations performed to interested parties within five days of the public announcement of this final determination in accordance with 19 CFR 351.224(b).

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, the Department will instruct U.S. Customs and Border Protection (“CBP”) to continue to suspend liquidation of all appropriate entries of uncoated paper from Brazil, as described in Appendix I of this notice, which were entered, or withdrawn from

³ See Letter to Secretary Pritzker, from Gartner Studios, Inc., “Certain Uncoated Paper from Australia, Brazil, the People’s Republic of China, Indonesia, and Portugal: Case Brief” (October 2, 2015).

⁴ See Letter to Secretary Pritzker, from American Greetings, “Certain Uncoated Paper from Australia, Brazil, the People’s Republic of China, Indonesia, and Portugal: Case Brief of American Greetings Corporation” (October 19, 2015).

⁵ See Letter to Secretary Pritzker, from Petitioners, “Certain Uncoated Paper from Australia, Brazil, the People’s Republic of China, Indonesia, and Portugal: Scope Rebuttal Brief” (October 29, 2015).

⁶ See the Department’s Memorandum to the File, “Less Than Fair Value Investigations of Certain Uncoated Paper from Australia, Brazil, the People’s Republic of China, Indonesia, and Portugal; and Countervailing Duty Investigations of Certain Uncoated Paper from the People’s Republic of China and Indonesia: Scope Comments Decision Memorandum for the Final Determinations,” dated January 8, 2016 (“Final Scope Decision Memorandum”).

⁷ See Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, “Issues and Decision Memorandum for the Final Determination in the Antidumping Duty Investigation of Certain Uncoated Paper from Brazil” (“Issues and Decision Memorandum”), dated concurrently with this notice.

⁸ International Paper do Brasil Ltda. (“IP Brasil”), and International Paper Exportadora Ltda. (“IPEX”) (collectively “International Paper”).

⁹ Suzano Papel e Celulose S.A./Suzano Pulp and Paper America, Inc. (collectively “Suzano”).

¹⁰ See IP Brasil Cost Verification Report at 1–2; Suzano Cost Verification Report at 1–2; International Paper Home Market Verification Report at 1–2; Suzano Home Market Verification Report at 1–2; Suzano U.S. Sales Verification Report at 1–2.

¹¹ See Issues and Decision Memorandum.

¹² See Memorandum to the File from Julia Hancock, Senior International Trade Compliance Analyst, “Certain Uncoated Paper from Brazil: Calculation of the Final Margin for All Other Companies,” dated concurrently with this memorandum (“All Others Calculation Memorandum”).

¹³ *Id.* at 1–2. With two respondents, we normally calculate: (A) a weighted-average of the dumping margins calculated for the mandatory respondents; (B) a simple average of the dumping margins calculated for the mandatory respondents; and (C) a weighted-average of the dumping margins calculated for the mandatory respondents using each company’s publicly-ranged values for the merchandise under consideration. We compare (B) and (C) to (A) and select the rate closest to (A) as the most appropriate rate for all other companies. See *Ball Bearings and Parts Thereof from France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews, Final Results of Changed-Circumstances Review, and Revocation of an Order in Part*, 75 FR 53661, 53663 (September 1, 2010).

¹⁴ In the *Preliminary Determination*, we determined that International Paper do Brasil Ltda. and International Paper Exportadora Ltda. constituted a single entity. See Memorandum to James C. Doyle, Director, Office V, through Paul Walker, Acting Program Manager, from Julia Hancock, Senior International Trade Compliance Analyst, Office V, “Antidumping Duty Investigation of Certain Uncoated Paper from Brazil: Preliminary Determination of Affiliation/Single Entity Treatment of International Paper do Brasil Ltda. and International Paper Exportadora Ltda, *et al.*” (August 19, 2015). Because no interested parties submitted comments on this issue, the Department’s determination that IP Brasil and IPEX are affiliated, pursuant to sections 771(33)(E) and (F) of the Act, and is considered a single entity, pursuant to 19 CFR 351.401(f), remains unchanged for this final determination.

warehouse, for consumption on or after August 27, 2015, the date of publication of the preliminary determination of this investigation in the **Federal Register**.

Further, CBP shall require a cash deposit equal to the estimated amount by which the normal value exceeds the U.S. price, as follows: (1) The rate for International Paper and Suzano will be the rate we determined in this final determination; (2) if the exporter is not a firm identified in this investigation but the producer is, the rate will be the rate established for the producer of the subject merchandise; (3) the rate for all other producers or exporters will be 26.95 percent. The instructions suspending liquidation will remain in effect until further notice.

ITC Notification

In accordance with section 735(d) of the Act, we will notify the ITC of our final affirmative determination of sales at LTFV. Because the final determination in this proceeding is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of uncoated paper from Brazil no later than 45 days after our final determination. If the ITC determines that material injury or threat of material injury does not exist, the proceeding will be terminated and all cash deposits will be refunded. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing CBP to assess, upon further instruction by the Department, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

Notification Regarding Administrative Protective Orders (“APO”)

This notice also serves as a reminder to parties subject to an APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation subject to sanction.

This determination and this notice are issued and published pursuant to sections 735(d) and 777(i)(1) of the Act.

Dated: January 8, 2016.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix I—Scope of the Investigation

The merchandise covered by the investigation includes uncoated paper in sheet form; weighing at least 40 grams per square meter but not more than 150 grams per square meter; that either is a white paper with a GE brightness level ¹ of 85 or higher or is a colored paper; whether or not surface-decorated, printed (except as described below), embossed, perforated, or punched; irrespective of the smoothness of the surface; and irrespective of dimensions (Certain Uncoated Paper).

Certain Uncoated Paper includes (a) uncoated free sheet paper that meets this scope definition; (b) uncoated ground wood paper produced from bleached chemi-thermo-mechanical pulp (BCTMP) that meets this scope definition; and (c) any other uncoated paper that meets this scope definition regardless of the type of pulp used to produce the paper.

Specifically excluded from the scope are (1) paper printed with final content of printed text or graphics and (2) lined paper products, typically school supplies, composed of paper that incorporates straight horizontal and/or vertical lines that would make the paper unsuitable for copying or printing purposes. For purposes of this scope definition, paper shall be considered “printed with final content” where at least one side of the sheet has printed text and/or graphics that cover at least five percent of the surface area of the entire sheet.

Imports of the subject merchandise are provided for under Harmonized Tariff Schedule of the United States (HTSUS) categories 4802.56.1000, 4802.56.2000, 4802.56.3000, 4802.56.4000, 4802.56.6000, 4802.56.7020, 4802.56.7040, 4802.57.1000, 4802.57.2000, 4802.57.3000, and 4802.57.4000. Some imports of subject merchandise may also be classified under 4802.62.1000, 4802.62.2000, 4802.62.3000, 4802.62.5000, 4802.62.6020, 4802.62.6040, 4802.69.1000, 4802.69.2000, 4802.69.3000, 4811.90.8050 and 4811.90.9080. While HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

Appendix II—List of Topics Discussed in the Issues and Decision Memorandum

I. Summary

¹ One of the key measurements of any grade of paper is brightness. Generally speaking, the brighter the paper the better the contrast between the paper and the ink. Brightness is measured using a GE Reflectance Scale, which measures the reflection of light off a grade of paper. One is the lowest reflection, or what would be given to a totally black grade, and 100 is the brightest measured grade. “Colored paper” as used in this scope definition means a paper with a hue other than white that reflects one of the primary colors of magenta, yellow, and cyan (red, yellow, and blue) or a combination of such primary colors.

II. Background

III. Period of Investigation

IV. List of Comments

V. Discussion of Comments

Comment 1: Treatment of Re-Exported Sales to Company X ¹⁵

Comment 2: Biological Asset Fair Value Adjustment (“BAFVA”) and Cost of Production

Comment 3: International Paper’s Level of Trade (“LOT”)

Comment 4: Suzano’s LOT

Comment 5: Treatment of IPI and ICMS ST Taxes

Comment 6: Treatment of INSS Taxes

Comment 7: Inland Insurance

Comment 8: Bank Charges

Comment 9: Late Payment Fees, Rebate Expenses, and Other Expenses for Home Market Sales

Comment 10: Interest Income and Calculation of Financial Expense Rate

Comment 11: Corrections to U.S. Selling Expenses and Movement Expenses

Comment 12: U.S. Indirect Selling Expenses

VI. Conclusion

[FR Doc. 2016–01028 Filed 1–19–16; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Advisory Committee on Earthquake Hazards Reduction Meeting

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of open meeting.

SUMMARY: The Advisory Committee on Earthquake Hazards Reduction (ACEHR or Committee), will meet on Thursday, March 3, 2016 from 8:30 a.m. to 5:00 p.m. Eastern Time and Friday, March 4, 2016, from 8:30 a.m. to 2:30 p.m. Eastern Time. The primary purpose of this meeting is to review the National Earthquake Hazards Reduction Program (NEHRP) agency updates on their latest activities, receive the NEHRP agency responses to the Committee’s 2015 report, and gather information for the Committee’s 2017 Report on the Effectiveness of the NEHRP. The agenda may change to accommodate Committee business. The final agenda will be posted on the NEHRP Web site at <http://nehpr.gov/>.

DATES: The ACEHR will meet on Thursday, March 3, 2016, from 8:30 a.m. until 5:00 p.m. Eastern Time. The meeting will continue on Friday, March 4, 2016, from 8:30 a.m. until 2:30 p.m.

¹⁵ Because the identity of Company X is business proprietary information, for further discussion, please see International Paper’s Case Brief at 2–8, and Suzano’s Case Brief at 24–5.

notice will serve as the only reminder to parties subject to an APO of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation that is subject to sanction.

This determination is issued and published pursuant to sections 705(d) and 777(i) of the Act.

Dated: January 8, 2016.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix I—Scope of the Investigation

The merchandise covered by the investigation includes uncoated paper in sheet form; weighing at least 40 grams per square meter but not more than 150 grams per square meter; that either is a white paper with a GE brightness level⁴ of 85 or higher or is a colored paper; whether or not surface-decorated, printed (except as described below), embossed, perforated, or punched; irrespective of the smoothness of the surface; and irrespective of dimensions (Certain Uncoated Paper).

Certain Uncoated Paper includes (a) uncoated free sheet paper that meets this scope definition; (b) uncoated ground wood paper produced from bleached chemi-thermo-mechanical pulp (BCTMP) that meets this scope definition; and (c) any other uncoated paper that meets this scope definition regardless of the type of pulp used to produce the paper.

Specifically excluded from the scope are (1) paper printed with final content of printed text or graphics and (2) lined paper products, typically school supplies, composed of paper that incorporates straight horizontal and/or vertical lines that would make the paper unsuitable for copying or printing purposes. For purposes of this scope definition, paper shall be considered “printed with final content” where at least one side of the sheet has printed text and/or graphics that cover at least five percent of the surface area of the entire sheet.

Imports of the subject merchandise are provided for under Harmonized Tariff Schedule of the United States (HTSUS) categories 4802.56.1000, 4802.56.2000,

4802.56.3000, 4802.56.4000, 4802.56.6000, 4802.56.7020, 4802.56.7040, 4802.57.1000, 4802.57.2000, 4802.57.3000, and 4802.57.4000. Some imports of subject merchandise may also be classified under 4802.62.1000, 4802.62.2000, 4802.62.3000, 4802.62.5000, 4802.62.6020, 4802.62.6040, 4802.69.1000, 4802.69.2000, 4802.69.3000, 4811.90.8050 and 4811.90.9080. While HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

Appendix II—List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Investigation
- IV. Application of the Countervailing Duty Law to Imports From the PRC
- V. Subsidies Valuation
- VI. Benchmarks and Discount Rates
- VII. Use of Facts Otherwise Available and Adverse Inferences
- VIII. Analysis of Programs
- IX. Analysis of Comments
 - Comment 1: Whether To Reverse the Department’s Government “Authorities” Determination
 - Comment 2: Whether To Reverse the Department’s Specificity Determination for the Provision of Calcium Carbonate and Caustic Soda for Less Than Adequate Remuneration (LTAR)
 - Comment 3: Whether To Reverse the Department’s Market Distortion Determination
 - Comment 4: Whether To Exclude Policy Loan Observation 95 From the Final Determination Calculations
 - Comment 5: Whether To Include Surcharges in International Freight Calculations for Calcium Carbonate and Caustic Soda Benchmarks
 - Comment 6: Whether To Incorporate the Minor Corrections Into the Final Calculations
 - Comment 7: Whether To Revise the Provision of Coal for Less Than Adequate Remuneration Benchmark
 - Comment 8: Whether the Provision of Water for LTAR Confers a Benefit
 - Comment 9: Whether the Provision of Land to State-Owned Enterprises (SOEs) for LTAR is Countervailable
- X. Recommendation

[FR Doc. 2016–01013 Filed 1–19–16; 8:45 am]

BILLING CODE 3510–DS–P

⁴ One of the key measurements of any grade of paper is brightness. Generally speaking, the brighter the paper the better the contrast between the paper and the ink. Brightness is measured using a GE Reflectance Scale, which measures the reflection of light off a grade of paper. One is the lowest reflection, or what would be given to a totally black grade, and 100 is the brightest measured grade. “Colored paper” as used in this scope definition means a paper with a hue other than white that reflects one of the primary colors of magenta, yellow, and cyan (red, yellow, and blue) or a combination of such primary colors.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–022]

Certain Uncoated Paper From the People’s Republic of China: Final Determination of Sales at Less Than Fair Value

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

SUMMARY: The Department of Commerce (“Department”) determines that certain uncoated paper from the People’s Republic of China (“PRC”) is being, or is likely to be, sold in the United States at less than fair value (“LTFV”), as provided in section 735 of the Tariff Act of 1930, as amended (“the Act”). The period of investigation (“POI”) is July 1, 2014, through December 31, 2014. The final weighted-average dumping margins of sales at LTFV are listed below in the “Final Determination Margins” section of this notice.

DATES: *Effective:* January 20, 2016.

FOR FURTHER INFORMATION CONTACT: Stephanie Moore, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–3692.

SUPPLEMENTARY INFORMATION:

Background

On August 26, 2015, the Department published the *Preliminary Determination* of this antidumping duty (“AD”) investigation.¹ The following events occurred since the *Preliminary Determination* was issued.

Between September 21, 2015, and September 30, 2015, the Department conducted verifications of the sales and factors of production (“FOP”) information submitted by Greenpoint Global Trading (Macao Commercial Offshore) Ltd. (“Greenpoint”), Asia Symbol (Guangdong) Paper Co. Ltd. (“AS Guangdong”), and Asia Symbol (Shandong) Pulp and Paper Co. Ltd. (“AS Shandong”) (collectively, “Asia Symbol”) ² for use in the final

¹ See *Certain Uncoated Paper from the People’s Republic of China: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 80 FR 51768 (August 26, 2015) (“*Preliminary Determination*”) and accompanying Preliminary Decision Memorandum.

² The Department preliminarily collapsed AS Guangdong, AS Shandong, and Greenpoint, treating them as a single entity for the purposes of calculating a margin in this investigation. See Memorandum to the File, “Investigation of Uncoated Paper from the People’s Republic of

determination. We issued our verification report on November 10, 2015.³

Petitioners and Asia Symbol submitted case briefs on November 19, 2015,⁴ and rebuttal briefs on November 24, 2015.⁵ On December 9, 2015, Asia Symbol provided a revised FOP database and market-economy purchases (“MEP”) chart.⁶ On December 15, 2015, Petitioners provided comments on that submission.⁷

Scope of the Investigation

The product covered by this investigation is certain uncoated paper from the PRC. For a full description of the scope of this investigation, see the “Scope of the Investigation,” in Appendix I of this notice, which incorporates changes made subsequent to the *Preliminary Determination*.

On October 2, 2015, Gartner Studios, Inc. submitted its case brief on the scope of the investigations.⁸ On October 19, 2015, American Greetings Corporation (“American Greetings”) submitted its case brief regarding the scope of the

investigations.⁹ On October 29, 2015, Petitioners submitted their rebuttal brief regarding the scope of the investigations.¹⁰ The Department is issuing a scope comments decision memorandum for the final determinations of the AD and countervailing duty investigations of uncoated paper, which is incorporated by reference in, and hereby adopted by, this final determination.¹¹ As explained in the Final Scope Decision Memorandum, to facilitate the scope’s administrability and enforcement, we have clarified the scope language such that certain uncoated paper with “final printed content” is excluded from the scope of the investigations.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by interested parties in this investigation that are not related to the scope of this investigation are addressed in the Issues and Decision Memorandum, which is incorporated by reference by, and hereby adopted by, this notice.¹² The Issues and 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 <http://access.trade.gov>. The Issues and Decision Memorandum is available to all parties in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum is available at <http://enforcement.trade.gov/frn/index.html>. The signed and electronic versions of the Issues and

Decision Memorandum are identical in content.

Verification

As provided in section 782(i) of the Act, from September 21, 2015, to September 30, 2015, we conducted verification of the information submitted by Asia Symbol for use in the final determination.¹³ We issued a verification report on November 10, 2015.¹⁴ The Department used standard verification procedures, including an examination of relevant accounting and production records and original source documents provided by respondents.¹⁵

Changes Since the Preliminary Determination

Based on the Department’s analysis of the comments received and our findings at verification, we made certain changes to Asia Symbol’s margin calculations. For a discussion of these changes, see the Issues and Decision Memorandum.

Combination Rates

In the *Initiation Notice*,¹⁶ the Department stated that it would calculate combination rates for the respondents that are eligible for a separate rate in this investigation. Policy Bulletin 05.1 describes this practice.¹⁷

PRC-Wide Rate

For the final determination, we have determined to use, as the adverse facts available (“AFA”) rate applied to the PRC-wide entity, 149.00 percent, the highest transaction-specific dumping margin calculated in the final determination. Consistent with our practice, the Department selected Asia Symbol’s highest transaction-specific

China: Preliminary Determination Regarding Affiliation and Collapsing of Asia Symbol (Guangdong) Paper Co., Ltd., Asia Symbol (Shandong) Pulp and Paper Co., Ltd., and Greenpoint Global Trading (Macao Commercial Offshore) Ltd.,” dated August 19, 2015. No party provided further comment or subsequent challenge to this finding. Accordingly, the Department sustains this collapsing determination for the final determination.

³ See Memorandum to the File, “Verification of the Sales and Factors Responses of Greenpoint Global Trading (Macao Commercial Offshore) Ltd., Asia Symbol (Guangdong) Paper Co. Ltd., and Asia Symbol (Shandong) Pulp and Paper Co., Ltd. in the Antidumping Investigation of Uncoated Paper from the People’s Republic of China,” dated November 10, 2015 (“Asia Symbol Verification Report”).

⁴ See Letter from Petitioners, “Certain Uncoated Paper from the People’s Republic of China: Petitioners Case Brief,” dated November 19, 2015 (“Petitioners’ Case Brief”). See also Letter from Asia Symbol, “Certain Uncoated Paper from the People’s Republic of China: Case Brief of the Asia Symbol Companies,” dated November 19, 2015 (“Asia Symbol’s Case Brief”).

⁵ See Letter from Petitioners, “Certain Uncoated Paper from the People’s Republic of China: Petitioners’ Rebuttal Brief,” dated November 24, 2015 (“Petitioners’ Rebuttal Brief”). See also Letter from Asia Symbol, “Certain Uncoated Paper from the People’s Republic of China: Rebuttal Brief of the Asia Symbol Companies,” dated November 24, 2015 (“Asia Symbol’s Rebuttal Brief”).

⁶ See Letter from Asia Symbol, “Certain Uncoated Paper from the People’s Republic of China: Revised Database and MEP Chart,” dated December 9, 2015 (“Revised Database Submission”).

⁷ See Letter from Petitioners, “Certain Uncoated Paper from the People’s Republic of China: Petitioners’ Response to Asia Symbol’s Revised Database and MEP Chart,” dated December 15, 2015.

⁸ See Letter to Secretary Pritzker, from Gartner Studios, Inc., “Certain Uncoated Paper from Australia, Brazil, the People’s Republic of China, Indonesia, and Portugal: Case Brief” (October 2, 2015).

⁹ See Letter to Secretary Pritzker, from American Greetings, “Certain Uncoated Paper from Australia, Brazil, the People’s Republic of China, Indonesia, and Portugal: Case Brief of American Greetings Corporation” (October 19, 2015).

¹⁰ See Letter to Secretary Pritzker, from Petitioners, “Certain Uncoated Paper from Australia, Brazil, the People’s Republic of China, Indonesia, and Portugal: Scope Rebuttal Brief” (October 29, 2015).

¹¹ See the Department’s Memorandum to the File, “Less Than Fair Value Investigations of Certain Uncoated Paper from Australia, Brazil, the People’s Republic of China, Indonesia, and Portugal; and Countervailing Duty Investigations of Certain Uncoated Paper from the People’s Republic of China and Indonesia: Scope Comments Decision Memorandum for the Final Determinations,” dated January 8, 2016 (“Final Scope Decision Memorandum”).

¹² See Memorandum to Paul Piquado, Assistant Secretary for Enforcement and Compliance, “Issues and Decision Memorandum for the Final Determination of Sales at Less than Fair Value in the Antidumping Duty Investigation of Certain Uncoated Paper from the People’s Republic of China,” dated concurrently with this notice (“Issues and Decision Memorandum”).

¹³ See Memorandum to the File, “Verification of the Sales and Factors Responses of Greenpoint Global Trading (Macao Commercial Offshore) Ltd., Asia Symbol (Guangdong) Paper Co. Ltd., and Asia Symbol (Shandong) Pulp and Paper Co., Ltd. in the Antidumping Investigation of Uncoated Paper from the People’s Republic of China,” dated November 10, 2015 (“Verification Report”).

¹⁴ See Memorandum to the File, “Verification of the Sales and Factors Responses of Greenpoint Global Trading (Macao Commercial Offshore) Ltd., Asia Symbol (Guangdong) Paper Co. Ltd., and Asia Symbol (Shandong) Pulp and Paper Co., Ltd. in the Antidumping Investigation of Uncoated Paper from the People’s Republic of China,” dated November 10, 2015 (“Verification Report”).

¹⁵ *Id.*

¹⁶ See *Certain Uncoated Paper From Australia, Brazil, the People’s Republic of China, Indonesia, and Portugal: Initiation of Less-Than-Fair-Value Investigations*, 80 FR 8608 (February 18, 2015) (“*Initiation Notice*”).

¹⁷ See Enforcement and Compliance’s Policy Bulletin No. 05.1, regarding, “Separate-Rates Practice and Application of Combination Rates in Antidumping Investigations Involving Non-Market Economy Countries,” dated April 5, 2005 (“Policy Bulletin 05.1”), available on the Department’s Web site at <http://enforcement.trade.gov/policy/bull05-1.pdf>.

margin, as AFA, because this rate is higher than the other rates in this investigation and therefore, sufficiently adverse to serve the purposes of facts available.¹⁸ Furthermore, there is no

need to corroborate the selected margin because it is based on information submitted by Asia Symbol in the course of this investigation, *i.e.*, it is not secondary information.¹⁹

Final Determination

The Department determines that the estimated final weighted-average dumping margins are as follows:

| Exporter | Producer | Weighted-average dumping margin (percent) |
|--|--|---|
| Greenpoint Global Trading (Macao Commercial Offshore) Ltd. | Asia Symbol (Guangdong) Paper Co., Ltd.; and Asia Symbol (Shandong) Pulp & Paper Co., Ltd. | 84.05 |
| PRC-Wide Entity | | 149.00 |

Disclosure

We intend to disclose to parties the calculations performed in this proceeding within five days of the public announcement of this final determination in accordance with 19 CFR 351.224(b).

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, the Department will instruct U.S. Customs and Border Protection (“CBP”) to continue to suspend liquidation of all appropriate entries of certain uncoated paper from the PRC as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption on or after August 26, 2015, the date of publication in the **Federal Register** of the affirmative *Preliminary Determination*.

Further, pursuant to 19 CFR 351.205(d), the Department will instruct CBP to require a cash deposit equal to the weighted-average amount by which the normal value exceeds U.S. price, adjusted where appropriate for export subsidies and estimated domestic subsidy pass-through,²⁰ as follows: (1) For the exporter/producer combination listed in the table above, the cash deposit rate will be equal to the dumping margin which the Department determined in this final determination; (2) for all combinations of PRC exporters/producers of merchandise under consideration which have not

received their own separate rate above, the cash deposit rate will be equal to the dumping margin established for the PRC-wide entity; and (3) for all non-PRC exporters of merchandise under consideration which have not received their own separate rate above, the cash deposit rate will be equal to the cash deposit rate applicable to the PRC exporter/producer combination that supplied that non-PRC exporter.

As we stated in the *Preliminary Determination*, consistent with our practice, where the product under investigation is also subject to a concurrent countervailing duty investigation, we instruct CBP to require a cash deposit equal to the amount by which the normal value exceeds the export price or constructed export price, less the amount of the countervailing duty determined to constitute an export subsidy.²¹ In this LTFV investigation, export subsidies constitute 0.13 percent²² of the final calculated countervailing duty rate in the concurrent countervailing duty investigation, and, thus, we will offset the calculated rates for Asia Symbol, the company receiving a separate rate, and the PRC-wide rate by the countervailing duty rate attributable to export subsidies (*i.e.*, 0.13 percent) to calculate the cash deposit rate for this LTFV investigation.²³ We are not adjusting the rates for estimated domestic subsidy pass-through because there is no cost-to-price linkage to a subsidized program

and, thus, we have no basis upon which to make such an adjustment.²⁴

International Trade Commission Notification

In accordance with section 735(d) of the Act, we will notify the International Trade Commission (“ITC”) of the final affirmative determination of sales at LTFV. Because the final determination in this proceeding is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will determine, within 45 days, whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of certain uncoated paper from the PRC, or sales (or the likelihood of sales) for importation, of certain uncoated paper from the PRC. If the ITC determines that such injury does not exist, this proceeding will be terminated and all securities posted will be refunded or canceled. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing CBP to assess, upon further instruction by the Department, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

Notification Regarding Administrative Protective Orders

This notice also serves as a reminder to the parties subject to administrative protective order (“APO”) of their

¹⁸ See Issues and Decision Memorandum for a detailed discussion.

¹⁹ See 19 CFR 351.308(c) and (d) and section 776(c) of the Act. See also Issues and Decision Memorandum at Comment 20.

²⁰ See *Modification of Regulations Regarding the Practice of Accepting Bonds During the Provisional Measures Period in Antidumping and Countervailing Duty Investigations*, 76 FR 61042 (October 3, 2011) and section 772(c)(1)(C) of the Act. Unlike in administrative reviews, the Department calculates the adjustment for export subsidies in investigations not in the margin calculation program, but in the cash deposit instructions issued to CBP. See *Notice of Final*

Determination of Sales at Less Than Fair Value, and Negative Determination of Critical Circumstances: Certain Lined Paper Products from India, 71 FR 45012 (August 8, 2006), and accompanying Issues and Decision Memorandum at Comment 1.

²¹ See *Preliminary Determination*, 80 FR at 51769–70.

²² The following subsidy programs in the final determination of the concurrent countervailing duty investigation are export subsidies: City bonus for export activity from finance bureau (0.13 percent). See *Countervailing Duty Investigation of Certain Uncoated Paper from the People’s Republic of China: Final Affirmative Countervailing Duty*

Determination (“CVD Final”), and accompanying Issues and Decision Memorandum. The final determination in this companion CVD proceeding is being concurrently released on the same day as this final determination.

²³ The cash deposit rate reflecting the export subsidy offset will be in effect until the countervailing duty provisional measures expire (*i.e.* 120 days after the publication of the preliminary determination of the companion countervailing duty investigation).

²⁴ See *Preliminary Decision Memorandum* at the section, “Adjustment Under Section 777A(f) of the Act.”

responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

This determination is issued and published in accordance with sections 735(d) and 777(i)(1) of the Act.

Dated: January 8, 2016.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix I—Scope of the Investigation

The merchandise covered by this investigation includes uncoated paper in sheet form; weighing at least 40 grams per square meter but not more than 150 grams per square meter; that either is a white paper with a GE brightness level¹ of 85 or higher or is a colored paper; whether or not surface-decorated, printed (except as described below), embossed, perforated, or punched; irrespective of the smoothness of the surface; and irrespective of dimensions (Certain Uncoated Paper).

Certain Uncoated Paper includes (a) uncoated free sheet paper that meets this scope definition; (b) uncoated ground wood paper produced from bleached chemi-thermo-mechanical pulp (BCTMP) that meets this scope definition; and (c) any other uncoated paper that meets this scope definition regardless of the type of pulp used to produce the paper.

Specifically excluded from the scope are (1) paper printed with final content of printed text or graphics and (2) lined paper products, typically school supplies, composed of paper that incorporates straight horizontal and/or vertical lines that would make the paper unsuitable for copying or printing purposes. For purposes of this scope definition, paper shall be considered “printed with final content” where at least one side of the sheet has printed text and/or graphics that cover at least five percent of the surface area of the entire sheet.

Imports of the subject merchandise are provided for under Harmonized Tariff Schedule of the United States (HTSUS) categories 4802.56.1000, 4802.56.2000, 4802.56.3000, 4802.56.4000, 4802.56.6000, 4802.56.7020, 4802.56.7040, 4802.57.1000, 4802.57.2000, 4802.57.3000, and 4802.57.4000. Some imports of subject

¹ One of the key measurements of any grade of paper is brightness. Generally speaking, the brighter the paper the better the contrast between the paper and the ink. Brightness is measured using a GE Reflectance Scale, which measures the reflection of light off a grade of paper. One is the lowest reflection, or what would be given to a totally black grade, and 100 is the brightest measured grade. “Colored paper” as used in this scope definition means a paper with a hue other than white that reflects one of the primary colors of magenta, yellow, and cyan (red, yellow, and blue) or a combination of such primary colors.

merchandise may also be classified under 4802.62.1000, 4802.62.2000, 4802.62.3000, 4802.62.5000, 4802.62.6020, 4802.62.6040, 4802.69.1000, 4802.69.2000, 4802.69.3000, 4811.90.8050 and 4811.90.9080. While HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigations is dispositive.

Appendix II—List of Topics Discussed in the Final Decision Memorandum

- I. Summary
- II. Background
- III. Period of Investigation
- IV. Margin Calculations
- V. List of Comments
- VI. Discussion of Comments
 - Comment 1: Surrogate Country
 - Comment 2: Selection of Surrogate Value for Wood Chips
 - Comment 3: Selection of Surrogate Values for Sodium Hypochlorite, Citric Acid, and Aluminum Chloride
 - Comment 4: Selection of Surrogate Value for Bamboo Pulp
 - Comment 5: Selection of Surrogate Values for Cationic Starch, Whitening Materials, Calcium Carbonate Fillers, Hydrogen Peroxide, Ferrous Sulphate, and Sodium Sulphate
 - Comment 6: Selection of Surrogate Value for Fuel Inputs
 - Comment 7: Selection of Surrogate Value for Native Starches
 - Comment 8: Selection of Surrogate Values for Limestone, Antifoam Compound, Liquid Polymer, and Sodium Phosphate
 - Comment 9: Selection of Surrogate Value for LMSTONE80_ENE_MAT
 - Comment 10: Selection of Surrogate Value for Bailing Wire
 - Comment 11: Selection of Surrogate Value for Packing Cartons
 - Comment 12: Selection of Surrogate Value for Paper Cores
 - Comment 13: Selection of Surrogate Value for Packing Covers
 - Comment 14: Brokerage and Handling Surrogate Value
 - Comment 15: Conversion of Nitrogen Surrogate Value
 - Comment 16: Inland Insurance Surrogate Value
 - Comment 17: Water Treatment Chemical FOPs Comment
 - 18: Minor Correction for Market Economy Purchases
 - Comment 19: Mondy's SG&A Ratio
 - Comment 20: PRC-Wide Rate
 - Comment 21: Minor Corrections and Inadvertent Errors
- VII. Recommendation

[FR Doc. 2016–01020 Filed 1–19–16; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–351–842]

Certain Uncoated Paper From Brazil: Final Determination of Sales at Less Than Fair Value

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

SUMMARY: The Department of Commerce (“the Department”) determines that certain uncoated paper (“uncoated paper”) from Brazil is being, or is likely to be, sold in the United States at less than fair value (“LTFV”), as provided in section 735(a) of the Tariff Act of 1930, as amended (“the Act”). The period of investigation (“POI”) is January 1, 2014, through December 31, 2014. The final dumping margins of sales at LTFV are listed below in the “Final Determination” section of this notice.

DATES: *Effective:* January 20, 2016.

FOR FURTHER INFORMATION CONTACT: Julia Hancock or Paul Walker, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: 202.482.1394 or 202.482.0413, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 26, 2015, the Department published the *Preliminary Determination* of this antidumping duty (“AD”) investigation.¹ The events occurring since the *Preliminary Determination* was issued are detailed in the Issues and Decision Memorandum.²

Scope of the Investigation and Scope Comments

The product covered by this investigation is uncoated paper from Brazil. For a complete description of the scope of the investigation, *see* the “Scope of the Investigation,” in Appendix I of this notice, which

¹ *See Certain Uncoated Paper from Brazil: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 80 FR 52029 (August 27, 2015) (“*Preliminary Determination*”).

² *See Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, “Issues and Decision Memorandum for the Final Determination in the Antidumping Duty Investigation of Certain Uncoated Paper from Brazil” (“Issues and Decision Memorandum”), dated concurrently with this notice.*

submitted a notification of proposed production activity to the FTZ Board for its facilities in Asheboro and Candor, North Carolina. The notification conforming to the requirements of the regulations of the FTZ Board (15 CFR 400.22) was received on January 5, 2016.

KFI currently has authority to conduct cut-and-sew activity using certain foreign micro-denier suede upholstery fabrics to produce upholstered furniture and related parts (upholstery cover sets) on a restricted basis (see Board Order 1745, 76 FR 11426, March 2, 2011). Board Order 1745 authorized the production of upholstered furniture (sofas, sleep sofas, and recliners) for a five-year period, with a scope of authority that only provides FTZ savings on a limited quantity (5.79 million square yards per year) of foreign origin, micro-denier suede upholstery fabric finished with a hot caustic soda solution process (*i.e.*, authorized fabrics). All foreign upholstery fabrics other than micro-denier suede finished with a hot caustic soda solution process (*i.e.*, unauthorized fabrics) used in KFI's production within Subzone 230D are subject to full customs duties.

The current request seeks to extend KFI's existing FTZ authority indefinitely (with no increase in the company's annual quantitative limit of 5.79 million square yards) and to add foreign-status leather and certain polyurethane-type fabrics to the scope of authority. KFI has also requested that the authority under Board Order 1745 be revised by modifying Condition #2 to allow KFI to admit unauthorized fabrics to Subzone 230D in privileged foreign status (19 CFR 146.41), which would preclude any change in customs classification through transformation under FTZ procedures. Pursuant to 15 CFR 400.14(b), additional FTZ authority would be limited to the specific foreign-status materials and components and specific finished products described in the submitted notification (as described below) and subsequently authorized by the FTZ Board.

Production under FTZ procedures could exempt KFI from customs duty payments on the foreign-status fabrics used in export production. On its domestic sales, KFI would be able to apply the finished upholstery cover set (*i.e.*, furniture part) or finished furniture duty rate (free) for the authorized fabrics and the additional fabrics (indicated below). Customs duties also could possibly be deferred or reduced on foreign-status production equipment.

Authority to admit imported fabrics to Subzone 230D in non-privileged foreign status (19 CFR 146.42)—under which

the fabrics' customs classification could change through transformation under FTZ procedures—would only involve micro-denier suede upholstery fabrics finished with a hot caustic soda solution process (classified within HTSUS Headings 5407, 5512, 5515, 5516, 5801, 5903, 6001, 6005, and 6006), polyurethane fabrics backed with ground leather (5903.20.2500), upholstery leather (Heading 4107), and wet coagulation process, 100 percent polyurethane coated fabrics (5903.20.2500), as detailed in the notification (duty rate ranges from free to 17.2%).

Public comment is invited from interested parties. Submissions shall be addressed to the FTZ Board's Executive Secretary at the address below. The closing period for their receipt is February 29, 2016.

A copy of the notification will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 21013, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230-0002, and in the "Reading Room" section of the FTZ Board's Web site, which is accessible via www.trade.gov/ftz.

For further information, contact Pierre Duy at Pierre.Duy@trade.gov or (202) 482-1378.

Dated: January 13, 2016.

Andrew McGilvray,
Executive Secretary.

[FR Doc. 2016-01031 Filed 1-19-16; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-560-828]

Certain Uncoated Paper From Indonesia: Final Determination of Sales at Less Than Fair Value

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

SUMMARY: The Department of Commerce (the Department) determines that certain uncoated paper (uncoated paper) from Indonesia is being, or is likely to be, sold in the United States at less than fair value (LTFV), as provided in section 735(a) of the Tariff Act of 1930, as amended (the Act). The period of investigation (POI) is January 1, 2014, through December 31, 2014. The final dumping margins of sales at LTFV are listed below in the "Final Determination" section of this notice.

DATES: *Effective:* January 20, 2016.

FOR FURTHER INFORMATION CONTACT:

Blaine Wiltse, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-6345.

SUPPLEMENTARY INFORMATION:

Background

On August 26, 2015, the Department published the *Preliminary Determination* of this antidumping duty (AD) investigation.¹ The following events occurred since the *Preliminary Determination* was issued.

On October 30, 2015, we received case briefs from Petitioners² and PT Anugerah Kertas Utama/PT Riau Andalan Kertas/APRIL Fine Paper Macao Commercial Offshore Limited (collectively, APRIL). On November 4, 2015, we received rebuttal briefs from the same interested parties. On November 12, 2015, we held a public hearing at the request of Petitioners.

The Department is issuing a scope comments decision memorandum for the final determinations of the AD and countervailing duty (CVD) investigations of uncoated paper, which is incorporated by reference in, and hereby adopted by, this final determination.³

Scope of the Investigation and Scope Comments

The product covered by this investigation is uncoated paper from Indonesia. For a complete description of the scope of this investigation, see the "Scope of the Investigation," in Appendix I of this notice, which incorporates changes made subsequent to the *Preliminary Determination*.

On October 2, 2015, Gartner Studios, Inc. submitted its case brief on the scope

¹ See *Certain Uncoated Paper From Indonesia: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 80 FR 51771 (August 26, 2015) (*Preliminary Determination*).

² Petitioners in this investigation are United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union; Domtar Corporation; Finch Paper LLC; P.H. Glatfelter Company; and Packaging Corporation of America.

³ See the Department's memorandum to the file titled, "Less-Than-Fair-Value Investigations of Certain Uncoated Paper from Australia, Brazil, the People's Republic of China, Indonesia, and Portugal; and Countervailing Duty Investigations of Certain Uncoated Paper from the People's Republic of China and Indonesia: Scope Comments Decision Memorandum for the Final Determinations," dated January 8, 2016 (Final Scope Decision Memorandum).

of the investigations.⁴ On October 19, 2015, American Greetings Corporation (American Greetings) submitted its case brief regarding the scope of the investigations.⁵ On October 29, 2015, Petitioners submitted their rebuttal brief regarding the scope of the investigations.⁶ The Department is issuing a scope comments decision memorandum for the final determinations of the AD and CVD investigations of uncoated paper, which is incorporated by reference in, and hereby adopted by, this final determination.⁷ As explained in the Final Scope Decision Memorandum, to facilitate the scope’s administrability and enforcement, we have clarified the scope language such that uncoated paper with “final printed content” is excluded from the scope of the investigations.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties in this investigation that are not related to the scope of this investigation are addressed in the Issues and Decision Memorandum, which is incorporated by reference by, and hereby adopted by, this notice.⁸ A list of the issues raised is attached to this notice as Appendix II. The Issues and 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> and it is available to all parties in the Central Records Unit, room B–8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

Verification

As provided in section 782(i) of the Act, in September 2015, the Department verified the sales and cost information submitted by APRIL for use in our final determination. We used standard verification procedures, including an examination of relevant accounting and production records, and original source documents provided by APRIL.⁹

Changes Since the Preliminary Determination

Based on our analysis of the comments received and findings at verification, we made certain changes to the margin calculations for APRIL. For a discussion of these changes, see the “Margin Calculations” section of the Issues and Decision Memorandum. In addition, we changed the dumping margin assigned to two additional mandatory respondents in this investigation, Great Champ Trading Limited (Great Champ) and Indah Kiat Pulp & Paper TBK/Pabrik Kertas Tjiwi Kimia/PT. Pindo Deli Pulp and Paper Mills (APP/SMG). Because these

companies failed to respond to the Department’s questionnaire, in the *Preliminary Determination*, we based the preliminary dumping margin for these companies on adverse facts available (AFA), in accordance with sections 776(a) and (b) of the Act and 19 CFR 351.308. As AFA, we preliminarily assigned a rate of 51.75 percent (*i.e.*, the highest transaction-specific dumping margin for APRIL). For the final determination, we assigned these companies an AFA margin of 17.39 percent, which is the highest transaction-specific dumping margin for APRIL. For further discussion, see the Issues and Decision Memorandum at Comment 1. We also revised the all-others rate.

All-Others Rate

Section 735(c)(5)(A) of the Act provides that the estimated all-others rate 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 or *de minimis* margins, and margins determined entirely under section 776 of the Act. For the *Final Determination*, the Department calculated the “all-others” rate based on APRIL’s final dumping margin of 2.05 percent.

Final Determination

The Department determines that the final weighted-average dumping margins are as follows:

| Exporter/Manufacturer | Weighted-average dumping margin (percent) |
|---|---|
| Great Champ Trading Limited | 17.39 |
| Indah Kiat Pulp & Paper TBK/Pabrik Kertas Tjiwi Kimia/PT. Pindo Deli Pulp and Paper Mills (APP/SMG) | 17.39 |
| April Fine Paper Macao Limited/PT Anugerah Kertas Utama/PT Riau Andalan Kertas (APRIL) | 2.05 |
| All-Others | 2.05 |

Disclosure

We will disclose the calculations performed to interested parties within five days of the public announcement of this final determination in accordance with 19 CFR 351.224(b).

⁴ See Letter to Secretary Pritzker, from Gartner Studios, Inc., “Certain Uncoated Paper from Australia, Brazil, the People’s Republic of China, Indonesia, and Portugal: Case Brief” (October 2, 2015).
⁵ See Letter to Secretary Pritzker, from American Greetings, “Certain Uncoated Paper from Australia, Brazil, the People’s Republic of China, Indonesia, and Portugal: Case Brief of American Greetings Corporation” (October 19, 2015).
⁶ See Letter to Secretary Pritzker, from Petitioners, “Certain Uncoated Paper from Australia, Brazil, the

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, the Department will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all appropriate entries of

People’s Republic of China, Indonesia, and Portugal: Scope Rebuttal Brief” (October 29, 2015).
⁷ See Final Scope Decision Memorandum.
⁸ See Memorandum to Paul Piquado, “Issues and Decision Memorandum for the Final Affirmative Determination in the Less-Than-Fair-Value Investigation of Certain Uncoated Paper from Indonesia” (January 8, 2016) (Issues and Decision Memorandum).
⁹ See Memorandum to the File from Heidi K. Schriefer and Ji Young Oh, Senior Accountants,

uncoated paper from Indonesia, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption on or after August 26, 2015, the date of publication of the preliminary determination of this investigation in the **Federal Register**.

entitled “Verification of the Cost Response of APRIL Fine Paper Macao Offshore Limited in the Antidumping Duty Investigation of Certain Uncoated Paper from Indonesia,” dated October 20, 2015; and Memorandum to the File from Blaine Wiltse, Senior Analyst, entitled “Verification of the Sales Response of PT Anugerah Kertas Utama (AKU), PT Riau Andalan Kertas (RAK), and APRIL Fine Paper Macao Commercial Offshore Limited (AFPM) (collectively, APRIL) in the Antidumping Duty Investigation of Certain Uncoated Paper from Indonesia,” dated October 22, 2015.

Further, CBP shall require a cash deposit equal to the estimated amount by which the normal value exceeds the U.S. price, as follows: (1) The rate for the mandatory respondents listed above will be the respondent-specific rates we determined in this final determination; (2) if the exporter is not a firm identified in this investigation, but the producer is, the rate will be the rate established for the producer of the subject merchandise; and (3) the rate for all other producers or exporters will be 2.05 percent.

Consistent with our practice,¹⁰ where the product under investigation is also subject to a concurrent CVD investigation, we instruct CBP to require a cash deposit less the amount of the countervailing duty determined to constitute an export subsidy.¹¹ Therefore, in the event that a CVD order is issued and suspension of liquidation is resumed in the companion CVD investigation on uncoated paper from Indonesia, the Department will instruct CBP to require cash deposits adjusted for export subsidies, as appropriate, found in the final determination of the companion CVD investigation. Specifically, for cash deposit purposes, we will subtract from the applicable cash deposit rate that portion of the CVD rate attributable to the export subsidies found in the final affirmative countervailing duty determination for each respondent (*i.e.*, 57.78 percent for Great Champ and APP/SMG).¹² After this adjustment, the resulting cash deposit rates will be 0.00 percent for Great Champ and APP/SMG. Because the Department found no export subsidies for APRIL, the cash deposit rate for APRIL and firms covered by the all-others rate will remain 2.05 percent.

The instructions suspending liquidation will remain in effect until further notice.

¹⁰ The Department terminated the suspension of liquidation associated with the CVD investigation effective October 27, 2015. See CBP message no. 5300305 dated October 27, 2015. Therefore, until and unless suspension of liquidation is resumed, we will not adjust the AD cash deposit rate for collection of duties associated with export subsidies.

¹¹ See, e.g., *Notice of Final Determination of Sales at Less Than Fair Value: Carbazole Violet Pigment 23 From India*, 69 FR 67306, 67307 (November 17, 2004); and *Notice of Final Determination of Sales at Less Than Fair Value and Negative Critical Circumstances Determination: Bottom Mount Combination Refrigerator-Freezers From the Republic of Korea*, 77 FR 17413 (March 26, 2012).

¹² See the Memorandum to the File, through Shawn Thompson, Program Manager, Office II, AD/CVD Operations, from Blaine Wiltse, Senior Analyst, Office II, AD/CVD Operations, entitled, "Placing Information on the Record: Export Subsidies Calculated in the Countervailing Duty Final Determination of Certain Uncoated Paper from Indonesia," dated January 8, 2016.

International Trade Commission (ITC) Notification

In accordance with section 735(d) of the Act, we will notify the ITC of the final affirmative determination of sales at LTFV. Because the final determination in this proceeding is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of uncoated paper from Indonesia no later than 45 days after our final determination. If the ITC determines that material injury or threat of material injury does not exist, the proceeding will be terminated and all cash deposits will be refunded. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing CBP to assess, upon further instruction by the Department, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

Notification Regarding Administrative Protective Orders (APO)

This notice serves as a reminder to parties subject to an APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a violation subject to sanction.

This determination and this notice are issued and published pursuant to sections 735(d) and 777(i)(1) of the Act.

Dated: January 8, 2016.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by the investigation includes uncoated paper in sheet form; weighing at least 40 grams per square meter but not more than 150 grams per square meter; that either is a white paper with a GE brightness level¹ of 85 or higher

¹ One of the key measurements of any grade of paper is brightness. Generally speaking, the brighter the paper the better the contrast between the paper and the ink. Brightness is measured using a GE Reflectance Scale, which measures the reflection of light off a grade of paper. One is the lowest reflection, or what would be given to a totally black grade, and 100 is the brightest measured grade.

or is a colored paper; whether or not surface-decorated, printed (except as described below), embossed, perforated, or punched; irrespective of the smoothness of the surface; and irrespective of dimensions (Certain Uncoated Paper).

Certain Uncoated Paper includes (a) uncoated free sheet paper that meets this scope definition; (b) uncoated ground wood paper produced from bleached chemi-thermo-mechanical pulp (BCTMP) that meets this scope definition; and (c) any other uncoated paper that meets this scope definition regardless of the type of pulp used to produce the paper.

Specifically excluded from the scope are (1) paper printed with final content of printed text or graphics and (2) lined paper products, typically school supplies, composed of paper that incorporates straight horizontal and/or vertical lines that would make the paper unsuitable for copying or printing purposes. For purposes of this scope definition, paper shall be considered "printed with final content" where at least one side of the sheet has printed text and/or graphics that cover at least five percent of the surface area of the entire sheet.

Imports of the subject merchandise are provided for under Harmonized Tariff Schedule of the United States (HTSUS) categories 4802.56.1000, 4802.56.2000, 4802.56.3000, 4802.56.4000, 4802.56.6000, 4802.56.7020, 4802.56.7040, 4802.57.1000, 4802.57.2000, 4802.57.3000, and 4802.57.4000. Some imports of subject merchandise may also be classified under 4802.62.1000, 4802.62.2000, 4802.62.3000, 4802.62.5000, 4802.62.6020, 4802.62.6040, 4802.69.1000, 4802.69.2000, 4802.69.3000, 4811.90.8050 and 4811.90.9080. While HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum:

- I. Summary
- II. Background
- III. Period of Investigation
- IV. Margin Calculations
- V. List of Comments
- VI. Discussion of Comments
 - Comment 1: Selection and Corroboration of the AFA Rate for Great Champ and APP/SMG
 - Comment 2: Stock Lot Sales
 - Comment 3: Unreported Home Market Rebates
 - Comment 4: Additional Changes to APRIL's Margin Program
 - Comment 5: APRIL's Variable and Fixed Overhead Costs
 - Comment 6: APRIL's Costs Associated with Broke Paper
 - Comment 7: Adjustments to APRIL's Cost Reconciliation

"Colored paper" as used in this scope definition means a paper with a hue other than white that reflects one of the primary colors of magenta, yellow, and cyan (red, yellow, and blue) or a combination of such primary colors.

Comment 8: Calculating APRIL's Financial Expenses
 VII. Conclusion

[FR Doc. 2016-01023 Filed 1-19-16; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[C-560-829]

Certain Uncoated Paper From Indonesia: Final Affirmative Countervailing Duty Determination

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

SUMMARY: The Department of Commerce (the Department) determines that countervailable subsidies are being provided to producers and exporters of certain uncoated paper from Indonesia. For information on the estimated subsidy rates, see the "Final Determination and Suspension of Liquidation" section of this notice. The period of investigation (POI) is January 1, 2014, through December 31, 2014.

DATES: *Effective:* January 20, 2016.

FOR FURTHER INFORMATION CONTACT: David Goldberger or Brandon Custard, Office II, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4136 or (202) 482-1823, respectively.

SUPPLEMENTARY INFORMATION:

Background

The events that occurred since the Department published the *Preliminary Determination*¹ on June 29, 2015, are discussed in the Issues and Decision Memorandum, which is hereby incorporated in this notice.² This memorandum also details the changes we made since the *Preliminary Determination* to the subsidy rates

¹ See *Certain Uncoated Paper From Indonesia: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Determination*, 80 FR 36971 (June 29, 2015) (*Preliminary Determination*), and accompanying Decision Memorandum for the Preliminary Affirmative Countervailing Duty Determination in the Countervailing Duty Investigation of Certain Uncoated Paper from Indonesia (Preliminary Decision Memorandum).

² See memorandum entitled, "Countervailing Duty Investigation of Certain Uncoated Paper from Indonesia: Issues and Decision Memorandum for the Final Affirmative Determination," dated concurrently with this notice (Issues and Decision Memorandum).

calculated for the mandatory respondents and all other producers/exporters. The Issues and 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 <http://access.trade.gov>, and is available to all parties in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

Scope of the Investigation

The product covered by this investigation is certain uncoated paper. For a complete description of the scope of the investigation, see Appendix I.

Analysis of Subsidy Programs and Comments Received

The subsidy programs under investigation and the issues raised in the case and rebuttal briefs by parties in this investigation are discussed in the Issues and Decision Memorandum, dated concurrently with this notice. A list of the issues that parties raised, and to which we responded in the Issues and Decision Memorandum, is attached to this notice as Appendix II.

Use of Facts Otherwise Available, Including Adverse Inferences

For purposes of this final determination, we continue to rely on facts available and to draw an adverse inference, in accordance with sections 776(a) and (b) of the Act, to determine the subsidy rates for Great Champ Trading Limited (Great Champ) and Indah Kiat Pulp & Paper TBK (IK) and Pabrik Kertas Tjiwi Kimia (TK)³ because these companies failed to participate in this investigation and the Government of Indonesia (GOI) failed to provide requested information with respect to certain programs upon which we initiated an investigation.⁴

³ We found IK, TK, and PT Pindo Deli Pulp and Paper Mills to be cross-owned and, therefore, are assigning them a single countervailing duty rate. For further discussion, see Memorandum entitled, "Cross-Ownership of Asia Pulp and Paper/Sinar Mas Group Companies: Countervailing Duty Investigation of Uncoated Paper from Indonesia," dated June 22, 2015.

⁴ See Issues and Decision Memorandum, at pages 3-9.

Final Determination and Suspension of Liquidation

In accordance with section 705(c)(1)(B)(i) of the Act, we calculated a rate for PT Anugrah Kertas Utama (AKU) and APRIL Fine Paper Macao Commercial Offshore Limited (AFPM) (collectively, the APRIL companies). Section 705(c)(5)(A)(i) of the Act states that, for companies not individually investigated, we will determine an "all-others" rate equal to the weighted-average countervailable subsidy rates established for exporters and producers individually investigated, excluding any zero and *de minimis* countervailable subsidy rates, and any rates determined entirely under section 776 of the Act. Where the rates for investigated companies are zero or *de minimis*, or based entirely on facts otherwise available, section 705(c)(5)(A)(ii) of the Act instructs the Department to establish an "all-others" rate using "any reasonable method." As discussed above, we determined Great Champ's and IK's/TK's rates based entirely on AFA in accordance with sections 776(a) and (b) of the Act. Therefore, we used the rate calculated for the APRIL companies as the "all-others" rate. We intend to disclose to parties the calculations performed in this proceeding within five days of the public announcement of this final determination in accordance with 19 CFR 351.224(b).

We determine the countervailable subsidy rates to be:

| Company | Subsidy rate (percent) |
|---|------------------------|
| APRIL Fine Paper Macao Commercial Offshore Limited/PT Anugrah Kertas Utama/PT Riau Andalan Kertas/PT Intiguna Primatama/PT Riau Andalan Pulp & Paper/PT Esensindo Cipta Cemerlang | 21.22 |
| Great Champ Trading Limited .. | 104.00 |
| Indah Kiat Pulp & Paper TBK/ Pabrik Kertas Tjiwi Kimia/PT Pindo Deli Pulp and Paper Mills | 109.15 |
| All-Others | 21.22 |

As a result of our affirmative *Preliminary Determination*, pursuant to sections 703(d)(1)(B) and (2) of the Act, we instructed U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise from Indonesia which were entered or withdrawn from warehouse, for consumption on or after June 29, 2015, the date of the publication of the *Preliminary Determination* in the **Federal Register**.

In accordance with section 703(d) of the Act, we later issued instructions to CBP to discontinue the suspension of liquidation for CVD purposes for subject merchandise entered, or withdrawn from warehouse, on or after October 27, 2015, but to continue the suspension of liquidation of all entries from June 29, 2015, through October 26, 2015, as appropriate.

We will issue a CVD order and reinstate the suspension of liquidation in accordance with our final determination and under section 706(a) of the Act if the United States International Trade Commission (ITC) issues a final affirmative injury determination, and we will instruct CBP to require a cash deposit of estimated countervailing duties for such entries of merchandise in the amounts indicated above. If the ITC determines that material injury, or threat of material injury, does not exist, this proceeding will be terminated and all estimated duties deposited as a result of the suspension of liquidation will be refunded.

International Trade Commission (ITC) Notification

In accordance with section 705(d) of the Act, we will notify the ITC of our determination. In addition, we are making available to the ITC all non-privileged and non-proprietary information related to this investigation. We will allow the ITC access to all privileged and business proprietary information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under an administrative protective order (APO), without the written consent of the Assistant Secretary for Enforcement and Compliance.

Return or Destruction of Proprietary Information

This notice serves as the only reminder to parties subject to the administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return/ destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

This determination is issued and published pursuant to sections 705(d) and 777(i) of the Act.

Dated: January 8, 2016.

Paul Piquado,
Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by the investigation includes uncoated paper in sheet form; weighing at least 40 grams per square meter but not more than 150 grams per square meter; that either is a white paper with a GE brightness level¹ of 85 or higher or is a colored paper; whether or not surface-decorated, printed (except as described below), embossed, perforated, or punched; irrespective of the smoothness of the surface; and irrespective of dimensions (Certain Uncoated Paper).

Certain Uncoated Paper includes (a) uncoated free sheet paper that meets this scope definition; (b) uncoated ground wood paper produced from bleached chemi-thermo-mechanical pulp (BCTMP) that meets this scope definition; and (c) any other uncoated paper that meets this scope definition regardless of the type of pulp used to produce the paper.

Specifically excluded from the scope are (1) paper printed with final content of printed text or graphics and (2) lined paper products, typically school supplies, composed of paper that incorporates straight horizontal and/or vertical lines that would make the paper unsuitable for copying or printing purposes. For purposes of this scope definition, paper shall be considered “printed with final content” where at least one side of the sheet has printed text and/or graphics that cover at least five percent of the surface area of the entire sheet.

Imports of the subject merchandise are provided for under Harmonized Tariff Schedule of the United States (HTSUS) categories 4802.56.1000, 4802.56.2000, 4802.56.3000, 4802.56.4000, 4802.56.6000, 4802.56.7020, 4802.56.7040, 4802.57.1000, 4802.57.2000, 4802.57.3000, and 4802.57.4000. Some imports of subject merchandise may also be classified under 4802.62.1000, 4802.62.2000, 4802.62.3000, 4802.62.5000, 4802.62.6020, 4802.62.6040, 4802.69.1000, 4802.69.2000, 4802.69.3000, 4811.90.8050 and 4811.90.9080. While HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

I. Summary

¹ One of the key measurements of any grade of paper is brightness. Generally speaking, the brighter the paper the better the contrast between the paper and the ink. Brightness is measured using a GE Reflectance Scale, which measures the reflection of light off a grade of paper. One is the lowest reflection, or what would be given to a totally black grade, and 100 is the brightest measured grade. “Colored paper” as used in this scope definition means a paper with a hue other than white that reflects one of the primary colors of magenta, yellow, and cyan (red, yellow, and blue) or a combination of such primary colors.

- II. Background
- III. Use of Facts Otherwise Available
- IV. Subsidies Valuation
- V. Analysis of Programs
- VI. Analysis of Comments
 - 1. Adverse Facts Available for Great Champ
 - 2. Whether the Stumpage Program Meets the Specificity Requirement
 - 3. Whether the Stumpage Program Applies to Purchases of Felled Trees
 - 4. Whether To Include APRIL’s Harvest of Mixed Hardwood Timber in Calculating Countervailable Benefits
 - 5. Whether To Use Malaysian Stumpage Fees as a Benchmark
 - 6. Whether the Log Export Ban Constitutes a Countervailable Subsidy
 - 7. Selection of Timber Benchmark Values
 - 8. Adjustments to Log Benchmark Values
 - 9. Corrections and Revisions to APRIL’s Log Harvesting and Purchase Data
 - 10. Whether APRIL Received a Countervailable Debt Forgiveness Benefit
 - 11. Whether APRIL Received a Countervailable Benefit for Preferential Loans
 - 12. Uncreditworthiness
- VII. Recommendation

[FR Doc. 2016–01026 Filed 1–19–16; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–471–807]

Certain Uncoated Paper From Portugal: Final Determination of Sales at Less Than Fair Value and Final Negative Determination of Critical Circumstances

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

SUMMARY: The Department of Commerce (“the Department”) determines that certain uncoated paper (“uncoated paper”) from Portugal is being, or is likely to be, sold in the United States at less than fair value (“LTFV”), as provided in section 735(a) of the Tariff Act of 1930, as amended (“the Act”). The period of investigation (“POI”) is January 1, 2014, through December 31, 2014. The final dumping margins of sales at LTFV are listed below in the “Final Determination” section of this notice.

DATES: *Effective:* January 20, 2016.

FOR FURTHER INFORMATION CONTACT: Kabir Archuletta, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–2593.

SUPPLEMENTARY INFORMATION:

Background

On August 26, 2015, the Department published the *Preliminary Determination* of this antidumping duty (“AD”) investigation.¹ The following events occurred since the *Preliminary Determination* was issued.

Between September and December 2015, the Department received supplemental questionnaire responses and revised databases from Portucel S.A. (“Portucel”), the sole mandatory respondent in this investigation.

On December 4, 2015, Petitioners² and Portucel submitted properly filed case briefs.³ On December 9, 2015, Petitioners and Portucel submitted properly filed rebuttal briefs.⁴

Scope of the Investigation and Scope Comments

The product covered by this investigation is uncoated paper from Portugal. For a complete description of the scope of the investigation, see the “Scope of the Investigation,” in Appendix I of this notice, which incorporates changes made subsequent to the *Preliminary Determination*.

On October 2, 2015, Gartner Studios submitted a case brief regarding the scope of the investigations. On October 19, 2015, American Greetings Corporation (“American Greetings”) submitted a case brief regarding the scope of the investigations.⁵ On October 29, 2015, Petitioners submitted a rebuttal brief regarding the scope of the investigations.⁶ The Department is issuing a scope comments decision

memorandum for the final determinations of the AD and countervailing duty investigations of uncoated paper, which is incorporated by reference in, and hereby adopted by, this final determination.⁷ As explained in the Final Scope Decision Memorandum, to facilitate the scope’s administrability and enforcement, we have clarified the scope language such that uncoated paper with “final printed content” is excluded from the scope of the investigations.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties in this investigation are addressed in the Issues and Decision Memorandum, which is hereby adopted by this notice.⁸ A list of the issues raised is attached to this notice as Appendix II. The Issues and 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> and it is available to all parties in the Central Records Unit, room B–8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/fn/index.html>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

Verification

As provided in section 782(i) of the Act, in September and October 2015, the Department verified the sales and cost data reported by Portucel, pursuant to section 782(i) of the Act. We used standard verification procedures, including an examination of relevant accounting and production records, and

original source documents provided by Portucel.⁹

Changes Since the Preliminary Determination

Based on our analysis of the comments received and our findings at verification, we made certain changes to the margin calculations for Portucel. For a discussion of these changes, see the “Margin Calculations” section of the Issues and Decision Memorandum. We have also revised the all-others rate.

All-Others Rate

Section 735(c)(5)(A) of the Act provides that the estimated all-others rate 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 or *de minimis* margins, and margins determined entirely under section 776 of the Act. Portucel is the only respondent for which the Department calculated a company-specific rate. Therefore, for purposes of determining the all-others rate and pursuant to section 735(c)(5)(A) of the Act, we are using the dumping margin calculated for Portucel, as referenced in the “Final Determination” section below.

Final Determination

The Department determines that the final weighted-average dumping margins are as follows:

⁹ See Memorandum to the File, through Neal Halper, Office Director, and Taija Slaughter, Lead Accountant, from Stephanie Arthur, Senior Accountant, “Verification of the Cost Response of Portucel S.A. in the Antidumping Duty Investigation of Uncoated Paper from Portugal” (November 12, 2015); Memorandum to the File, through Catherine Bertrand, Program Manager, Office V, from Kabir Archuletta and Frances Veith, Senior International Trade Analysts, “Verification of Home Market Sales of Portucel S.A. (‘Portucel’) in the Antidumping Duty Investigation of Certain Uncoated Paper from Portugal” (November 24, 2015); Memorandum to the File, through Catherine Bertrand, Program Manager, Office V, from Kabir Archuletta and Frances Veith, Senior International Trade Analysts, “Verification of U.S. Sales of Portucel S.A. (‘Portucel’) in the Antidumping Duty Investigation of Certain Uncoated Paper from Portugal” (November 24, 2015).

¹⁰ In the *Preliminary Determination* we found that Portucel is affiliated with sales subsidiaries Portucel Soporcel Lusa, Unipessoal, Lda. (“Lusa”), and Portucel Soporcel Fine Paper, S.A. (“Fine Paper”), production subsidiaries About the Future, S.A. (“About the Future”), Portucel Papel Setubal, S.A. (“Setubal”), and Soporcel, Sociedade Portuguesa de Papel, S.A. (“Soporcel”) and U.S. subsidiary Portucel Soporcel North America, Inc., pursuant to sections 771(33)(B), (E) and (F) of the Act, and that Portucel, Fine Paper, Lusa, About the Future, Setubal and Soporcel are a single entity for purposes of the Department’s analysis in this investigation, in accordance with 19 CFR 351.401(f). See *Preliminary Determination* and accompanying Decision Memorandum at 4–5;

¹ See *Certain Uncoated Paper From Portugal: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 80 FR 51777 (August 26, 2015) (“*Preliminary Determination*”).

² Petitioners are United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union; Domtar Corporation; Finch Paper LLC; P.H. Glatfelter Company; and Packaging Corporation of America.

³ See Letter to the Secretary of Commerce from Petitioners “Case Brief Submitted on behalf of Petitioners” (December 7, 2015, 2015) (“Petitioners’ Case Brief”); Letter to the Secretary of Commerce from Portucel “Case Brief of Portucel, S.A. and Portucel Soporcel N.A.” (December 4, 2015) (“Portucel’s Case Brief”).

⁴ See Letter to the Secretary of Commerce from Petitioners “Rebuttal Brief Submitted on behalf of Petitioners” (December 9, 2015) (“Petitioners’ Rebuttal Brief”); Letter to the Secretary of Commerce from Portucel “Portucel’s Rebuttal Brief” (December 1, 2015) (“Portucel’s Rebuttal Brief”).

⁵ See Letter to the Secretary of Commerce from American Greetings “Certain Uncoated Paper From Australia, Brazil, The People’s Republic of China, Indonesia, and Portugal: Case Brief of American Greetings Corporation” (October 19, 2015).

⁶ See Letter to the Secretary of Commerce from Petitioners “Certain Uncoated Paper From Australia, Brazil, The People’s Republic of China, Indonesia, and Portugal: Scope Rebuttal Brief” (October 20, 2015).

⁷ See the Department’s Memorandum to the File “Less-Than-Fair-Value Investigations of Certain Uncoated Paper from Australia, Brazil, the People’s Republic of China, Indonesia, and Portugal; and Countervailing Duty Investigations of Certain Uncoated Paper from the People’s Republic of China and Indonesia: Scope Comments Decision Memorandum for the Final Determinations,” dated January 8, 2016 (“Final Scope Decision Memorandum”).

⁸ See Memorandum to Paul Piquado, Assistant Secretary for Enforcement and Compliance, from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations “Issues and Decision Memorandum for the Final Determination of the Antidumping Duty Investigation of Certain Uncoated Paper from Portugal” (January 8, 2016) (“Issues and Decision Memorandum”).

| Exporter/Manufacturer | Weighted-average dumping margin (percent) |
|-----------------------------------|---|
| Portucel S.A. ¹⁰ | 7.80 |
| All-Others | 7.80 |

Disclosure

We will disclose the calculations performed to interested parties within five days of the public announcement of this final determination in accordance with 19 CFR 351.224(b).

Final Negative Determination of Critical Circumstances

On November 4, 2015, the Department found that critical circumstances exist with respect to imports of uncoated paper from Portugal from Portucel and all other exporters or producers.¹¹ Based on Portucel's final dumping margin and further analysis following the *Preliminary Critical Circumstances Determination*, we are modifying our findings for the final determination. For a complete discussion of this issue, see the "Negative Finding of Critical Circumstances" section of the Issues and Decision Memorandum.

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, the Department will instruct U.S. Customs and Border Protection ("CBP") to continue to suspend liquidation of all appropriate entries of uncoated paper from Portugal, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption on or after August 26, 2015, the date of publication of the *Preliminary Determination* of this investigation in the **Federal Register**.

Further, CBP shall require a cash deposit equal to the estimated amount by which the normal value exceeds the U.S. price, as follows: (1) The rate for Portucel will be the rate we determined in this final determination; (2) if the exporter is not a firm identified in this investigation but the producer is, the rate will be the rate established for the producer of the subject merchandise; (3) the rate for all other producers or

Memorandum to the File from Kabir Archuletta, Senior International Trade Analyst, Office V, through Catherine Bertrand, Program Manager, Office V "Preliminary Affiliation Memorandum" (August 19, 2015). Because no interested parties submitted comments on this issue, the Department's determination remains unchanged for this final determination.

¹¹ See *Certain Uncoated Paper From Portugal: Preliminary Affirmative Determination of Critical Circumstances in the Antidumping Duty Investigation*, 80 FR 68293, 68294–5 (November 4, 2015) ("*Preliminary Critical Circumstances Determination*").

exporters will be 7.80 percent. These instructions suspending liquidation will remain in effect until further notice.

Because of our negative determination of critical circumstances, we will instruct CBP to refund all cash deposits posted on merchandise under consideration from Portugal entered, or withdrawn from warehouse for consumption, prior to August 26, 2015 (*i.e.*, the date of publication of the *Preliminary Determination*).

ITC Notification

In accordance with section 735(d) of the Act, we will notify the ITC of the final affirmative determination of sales at LTFV. Because the final determination in this proceeding is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of uncoated paper from Portugal no later than 45 days after our final determination. If the ITC determines that material injury or threat of material injury does not exist, the proceeding will be terminated and all cash deposits will be refunded. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing CBP to assess, upon further instruction by the Department, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

Notification Regarding Administrative Protective Orders ("APO")

This notice serves as a reminder to parties subject to APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a violation subject to sanction.

This determination and this notice are issued and published pursuant to sections 735(d) and 777(i)(1) of the Act.

Dated: January 8, 2016.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by the investigation includes uncoated paper in

sheet form; weighing at least 40 grams per square meter but not more than 150 grams per square meter; that either is a white paper with a GE brightness level¹ of 85 or higher or is a colored paper; whether or not surface-decorated, printed (except as described below), embossed, perforated, or punched; irrespective of the smoothness of the surface; and irrespective of dimensions ("Certain Uncoated Paper").

Certain Uncoated Paper includes (a) uncoated free sheet paper that meets this scope definition; (b) uncoated ground wood paper produced from bleached chemi-thermo-mechanical pulp ("BCTMP") that meets this scope definition; and (c) any other uncoated paper that meets this scope definition regardless of the type of pulp used to produce the paper.

Specifically excluded from the scope are (1) paper printed with final content of printed text or graphics and (2) lined paper products, typically school supplies, composed of paper that incorporates straight horizontal and/or vertical lines that would make the paper unsuitable for copying or printing purposes. For purposes of this scope definition, paper shall be considered "printed with final content" where at least one side of the sheet has printed text and/or graphics that cover at least five percent of the surface area of the entire sheet.

Imports of the subject merchandise are provided for under Harmonized Tariff Schedule of the United States (HTSUS) categories 4802.56.1000, 4802.56.2000, 4802.56.3000, 4802.56.4000, 4802.56.6000, 4802.56.7020, 4802.56.7040, 4802.57.1000, 4802.57.2000, 4802.57.3000, and 4802.57.4000. Some imports of subject merchandise may also be classified under 4802.62.1000, 4802.62.2000, 4802.62.3000, 4802.62.5000, 4802.62.6020, 4802.62.6040, 4802.69.1000, 4802.69.2000, 4802.69.3000, 4811.90.8050 and 4811.90.9080. While HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Period of Investigation
- IV. Margin Calculations
- V. List of Comments
- VI. Discussion of Comments
 - Comment 1: Water Supplied by Portucel's Affiliated Pulp Mills
 - Comment 2: Purchases of Eucalyptus Pulp From Affiliates

¹ One of the key measurements of any grade of paper is brightness. Generally speaking, the brighter the paper the better the contrast between the paper and the ink. Brightness is measured using a GE Reflectance Scale, which measures the reflection of light off a grade of paper. One is the lowest reflection, or what would be given to a totally black grade, and 100 is the brightest measured grade. "Colored paper" as used in this scope definition means a paper with a hue other than white that reflects one of the primary colors of magenta, yellow, and cyan (red, yellow, and blue) or a combination of such primary colors.

Comment 3: Critical Circumstances
 Comment 4: Advertising Expenses
 Comment 5: Insurance Expenses
 Comment 6: Other Data Revisions Based on Verification Findings
 Comment 7: Minor Corrections Presented at Verification
 Comment 8: Portucel's Transposition Error
 VII. Negative Finding of Critical Circumstances

[FR Doc. 2016-01024 Filed 1-19-16; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-602-807]

Certain Uncoated Paper From Australia: Final Determination of Sales at Less Than Fair Value and Affirmative Final Determination of Critical Circumstances, In Part

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

SUMMARY: The Department of Commerce (Department) determines that certain uncoated paper from Australia is being, or is likely to be, sold in the United States at less than fair value (LTFV), as provided in section 735(a) of the Tariff Act of 1930, as amended (the Act). The period of investigation (POI) is January 1, 2014, through December 31, 2014. The final dumping margins of sales at LTFV are listed below in the "Final Determination" section of this notice.

DATES: *Effective:* January 20, 2016.

FOR FURTHER INFORMATION CONTACT: Eve Wang or George McMahon, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-6231 or (202) 482-1167, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 26, 2015, the Department published the *Preliminary Determination* of this antidumping duty (AD) investigation.¹ The following events occurred since the *Preliminary Determination* was issued.

On August 27, 2015, sole respondent Paper Australia Pty. Ltd. (Australian Paper) withdrew its participation from this investigation, stating that "due to

the significant preliminary dumping margin," it was suspending its participation in the U.S. market "pending the final determination on injury."²

On August 28, 2015, the Department notified interested parties of a revised, accelerated briefing schedule due to the lack of participation from the sole respondent, Australian Paper, which resulted in the cancellation of verification of its questionnaire responses.³ On September 24, 2015, the Department granted Petitioners'⁴ request to extend the briefing schedule.⁵ On October 2, 2015, Petitioners submitted a case brief.

Scope of the Investigation and Scope Comments

The product covered by this investigation is certain uncoated paper from Australia. For a complete description of the scope of the investigation, see the "Scope of the Investigation," in Appendix I of this notice, which incorporates changes made subsequent to the *Preliminary Determination*.

On October 2, 2015, Gartner Studios submitted its case brief regarding the scope of the investigations.⁶ On October 6, 2015, the Department revised the briefing schedule for scope comments and rebuttal comments.⁷ On October 19, 2015, American Greetings Corporation (American Greetings) submitted its case brief regarding the scope of the investigations.⁸ On October 29, 2015,

² See Australian Paper's letter titled, "Respondents Paper Australia Pty Ltd and Paper Products Marketing (USA) Notification of Withdrawal," dated August 27, 2015 (Australian Paper's Letter of Withdrawal), at 2.

³ See the Department's Memorandum titled, "Antidumping Duty Investigation of Certain Uncoated Paper from Australia: Case Brief and Rebuttal Brief Schedule for Final Determination of the above referenced Investigation," dated August 28, 2015.

⁴ Petitioners in this investigation are United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union; Domtar Corporation; Finch Paper LLC; P.H. Glatfelter Company; and Packaging Corporation of America.

⁵ See the Department's Memorandum titled, "Certain Uncoated Paper From Australia: Antidumping Duty Investigation: Revised Briefing Schedule," dated September 24, 2015; see also Petitioners' letter titled, "Petitioners' Request to Extend Briefing Schedule," dated September 24, 2015.

⁶ Because there are multiple investigations of uncoated paper, the Department has considered collectively all comments regarding the scope of the investigations filed by the interested parties.

⁷ See Memorandum titled, "Revised Briefing Schedule for Scope Comments and Rebuttal Comments," dated October 6, 2015.

⁸ See Letter from American Greetings titled, "Certain Uncoated Paper From Australia, Brazil, The People's Republic of China, Indonesia, and Portugal: Case Brief of American Greetings Corporation," dated October 19, 2015.

Petitioners submitted their rebuttal brief regarding the scope of the investigations.⁹ The Department is issuing a scope comments decision memorandum for the final determinations of the AD and countervailing duty investigations of certain uncoated paper, which is incorporated by reference in, and hereby adopted by, this final determination.¹⁰ As explained in the Final Scope Decision Memorandum, to facilitate the scope's administrability and enforcement, we have clarified the scope language such that certain uncoated paper with "final printed content" is excluded from the scope of the investigations.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by interested parties in this investigation that are not related to the scope of this investigation are addressed in the Issues and Decision Memorandum, which is incorporated by reference by, and hereby adopted by, this notice.¹¹

A list of the issues raised is attached to this notice as Appendix II. The Issues and 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> and it is available to all parties in the Central Records Unit, room B-8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

⁹ See Letter from Petitioners titled, "Certain Uncoated Paper From Australia, Brazil, The People's Republic of China, Indonesia, and Portugal: Scope Rebuttal Brief," dated October 20, 2015.

¹⁰ See the Department's memorandum to the file titled, "Less-Than-Fair-Value Investigations of Certain Uncoated Paper from Australia, Brazil, the People's Republic of China, Indonesia, and Portugal; and Countervailing Duty Investigations of Certain Uncoated Paper from the People's Republic of China and Indonesia: Scope Comments Decision Memorandum for the Final Determinations," dated January 8, 2016 (Final Scope Decision Memorandum).

¹¹ See Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance, titled "Issues and Decision Memorandum for the Final Determination in the Antidumping Duty Investigation of Certain Uncoated Paper from Australia" (Issues and Decision Memorandum), dated concurrently with this notice.

¹ See *Certain Uncoated Paper From Australia: Preliminary Determination of Sales at Less Than Fair Value, Negative Preliminary Determination of Critical Circumstances, and Postponement of Final Determination*, 80 FR 51783 (August 26, 2015) (*Preliminary Determination*).