

assembled, unfinished or finished, or attached to a rail car, is the country where the subject coupler components were cast or forged. Subject merchandise includes coupler components as defined above that have been further processed or further assembled, including those coupler components attached to a rail car in third countries. Further processing includes, but is not limited to, arc washing, welding, grinding, shot blasting, heat treatment, painting, coating, priming, machining, and assembly of various components. The inclusion, attachment, joining, or assembly of non-subject components with subject components or coupler systems either in the country of manufacture of the in-scope product or in a third country does not remove the subject components or coupler systems from the scope.

The coupler systems that are the subject of this investigation are currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) statistical reporting number 8607.30.1000. Unfinished subject merchandise may also enter under HTSUS statistical reporting number 7326.90.8688. Subject merchandise attached to finished rail cars may also enter under HTSUS statistical reporting numbers 8606.10.0000, 8606.30.0000, 8606.91.0000, 8606.92.0000, 8606.99.0130, 8606.99.0160, or under subheading 9803.00.5000 if imported as an Instrument of International Traffic. These HTSUS subheadings are provided for convenience and customs purposes only; the written description of the scope of the investigation is dispositive.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-549-843]

#### **Polyester Textured Yarn From Thailand: Final Affirmative Determination of Sales at Less Than Fair Value**

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

**SUMMARY:** The Department of Commerce (Commerce) determines that polyester textured yarn from Thailand is being, or is likely to be, sold in the United States at less than fair value (LTFV). The period of investigation is October 1, 2019, through September 30, 2020.

**DATES:** Applicable October 25, 2021.

**FOR FURTHER INFORMATION CONTACT:** Stephanie Berger, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2483.

**SUPPLEMENTARY INFORMATION:**

### Background

On June 3, 2021, Commerce published its *Preliminary Determination*.<sup>1</sup> Commerce invited interested parties to comment on the *Preliminary Determination*.

For a complete description of the events that followed the *Preliminary Determination*, see the Issues and Decision Memorandum.<sup>2</sup> The Issues and Decision Memorandum is a public document and is available electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

### Scope Comments

On May 26, 2021, we issued the Preliminary Scope Decision Memorandum.<sup>3</sup> The scope case briefs were due on July 9, 2021.<sup>4</sup> We did not receive any scope case briefs from interested parties. Therefore, Commerce has not made any changes to the scope of this investigation since the *Preliminary Determination*.

### Scope of the Investigation

The product covered by this investigation is polyester textured yarn from Thailand. For a complete description of the scope of this investigation, see Appendix I.

<sup>1</sup> See *Polyester Textured Yarn from Thailand: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 86 FR 29746 (June 3, 2021) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum (PDM).

<sup>2</sup> See Memorandum, "Decision Memorandum for the Final Affirmative Determination in the Less-Than-Fair-Value Investigation of Polyester Textured Yarn from Thailand," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>3</sup> See Memorandum, "Antidumping Duty Investigations of Polyester Textured Yarn from Indonesia, Malaysia, Thailand, and Vietnam: Preliminary Scope Decision Memorandum," dated May 26, 2021 (Preliminary Scope Decision Memorandum).

<sup>4</sup> The scope case briefs were due "no later than 15 days after the responses to the scope supplemental questionnaires on intermingled textured yarn are filed." *Id.* at 3. The last scope supplemental response was submitted on June 24, 2021. See Recron (Malaysia) Sdn. Bhd.'s Letter, "Scope Supplemental Questionnaire Response," dated June 24, 2021. No information was provided in the responses to the scope supplemental questionnaires that was sufficient for us to revise our findings in the Preliminary Scope Decision Memorandum.

### Verification

Commerce was unable to conduct on-site verification of the information relied upon in making its final determination in this investigation. However, we took additional steps in lieu of an on-site verification to verify the information relied upon in making this final determination, in accordance with section 782(i) of the Tariff Act of 1930, as amended (the Act).<sup>5</sup>

### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties in this investigation are discussed in the Issues and Decision Memorandum. A list of the issues raised in the Issues and Decision Memorandum is attached to this notice as Appendix II.

### Changes From the Preliminary Determination

Based on our analysis of the comments received, we made certain changes to the margin calculation for Sunflag Thailand Ltd. (Sunflag) since the *Preliminary Determination*. See the Issues and Decision Memorandum for a discussion of these changes.

### Use of Adverse Facts Available

The mandatory respondent Jong Stit Co., Ltd. (Jong Stit) did not respond to Commerce's initial antidumping duty questionnaire in this investigation.<sup>6</sup> Therefore, in the *Preliminary Determination*, pursuant to sections 776(a) and 776(b) of the Act, we assigned to Jong Stit the highest Petition margin based on adverse facts available (AFA). No party filed comments concerning the *Preliminary Determination* with respect to Jong Stit, and there is no new information on the record that would cause us to revisit the *Preliminary Determination*. Accordingly, we continue to find that the application of AFA pursuant to sections 776(a) and (b) of the Act is warranted with respect to Jong Stit. Consistent with the *Preliminary Determination*, Commerce has assigned to Jong Stit the highest Petition margin, which is 56.80 percent. For further information, see the section "Application of Facts Available and Use of Adverse Inferences" in the *Preliminary Determination* PDM.

### All-Others Rate

Section 735(c)(5)(A) of the Act provides that the estimated weighted-

<sup>5</sup> See Commerce's Letter, "Antidumping Duty (AD) In Lieu of Verification Questions," dated July 6, 2021, and Sunflag's Letter, "Polyester Textured Yarn from Thailand: Response to the In Lieu of Verification Questionnaire," dated July 14, 2021.

<sup>6</sup> See *Preliminary Determination* PDM at 2.

average dumping margin for all other producers and exporters not individually investigated shall be equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated excluding rates that are zero, *de minimis*, or determined entirely under section 776 of the Act. In this investigation, Commerce has assigned a rate based entirely on facts available to Jong Stit. Therefore, the only rate that is not zero, *de minimis* or based entirely on facts otherwise available is the rate calculated for Sunflag. Consequently, the rate calculated for Sunflag is also assigned as the rate for all other producers and exporters.

**Final Determination**

Commerce determines that the following estimated weighted-average dumping margins exist:

Exporter or producer	Estimated weighted-average dumping margin (percent)
Sunflag Thailand Ltd .....	14.47
Jong Stit Co., Ltd .....	* 56.80
All Others .....	14.47

\*(AFA).

**Disclosure**

Commerce intends to disclose its calculations and analysis performed to interested parties in this final determination within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

**Continuation of Suspension of Liquidation**

In accordance with section 735(c)(1)(B) of the Act, Commerce will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all entries of polyester textured yarn from Thailand, as described in Appendix I of this notice, which were entered or withdrawn from warehouse for consumption on or after June 3, 2021, the date of publication of the *Preliminary Determination* of this investigation in the **Federal Register**.

Pursuant to section 735(c)(1)(B)(ii) of the Act and 19 CFR 351.210(d), upon the publication of this notice, we will instruct CBP to require a cash deposit for such entries of merchandise equal to the following: (1) The cash deposit rate for the respondents listed in the table above will be equal to the company-specific estimated weighted-average

dumping margin determined in this final determination; (2) if the exporter is not a respondent identified above but the producer is, then the cash deposit rate will be equal to the company-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all-others estimated weighted-average dumping margin listed in the table above. These suspension of liquidation instructions will remain in effect until further notice.

**International Trade Commission Notification**

In accordance with section 735(d) of the Act, we will notify the International Trade Commission (ITC) of our final affirmative determination of sales at LTFV. Because the final determination in this investigation 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 subject merchandise from Thailand no later than 45 days after our final determination. If the ITC determines that such injury does not exist, this proceeding will be terminated, and all cash deposits posted will be refunded. If the ITC determines that such injury does exist, Commerce will issue an antidumping duty order directing CBP to assess, upon further instruction by Commerce, 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 Order**

This notice serves as a reminder to the parties subject to an administrative protective order (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 sanctionable violation.

**Notification to Interested Parties**

This determination is issued and published in accordance with sections 735(d) and 777(i)(1) of the Act, and 19 CFR 351.210(c).

Dated: October 18, 2021.

**Ryan Majerus,**

*Deputy Assistant Secretary for Policy and Negotiations, Performing the Non-Exclusive Functions and Duties of the Assistant Secretary for Enforcement and Compliance.*

**Appendix I**

**Scope of the Investigation**

The merchandise covered by this investigation, polyester textured yarn, is synthetic multifilament yarn that is manufactured from polyester (polyethylene terephthalate). Polyester textured yarn is produced through a texturing process, which imparts special properties to the filaments of the yarn, including stretch, bulk, strength, moisture absorption, insulation, and the appearance of a natural fiber. This scope includes all forms of polyester textured yarn, regardless of surface texture or appearance, yarn density and thickness (as measured in denier), number of filaments, number of plies, finish (luster), cross section, color, dye method, texturing method, or packaging method (such as spindles, tubes, or beams).

The merchandise subject to this investigation is properly classified under subheadings 5402.33.3000 and 5402.33.6000 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

**Appendix II**

**List of Topics Discussed in the Issues and Decision Memorandum**

- I. Summary
- II. Background
- III. Changes Since the Preliminary Determination
- IV. Scope of the Investigation
- V. Discussion of the Issues
  - Comment 1: Whether the Facts Warrant Application of Adverse Facts Available
  - Comment 2: Whether Sunflag Failed to Provide Complete and Accurate Chart of Accounts, Trial Balances, and Sales and Cost Reconciliation Worksheet Responses as Requested
  - Comment 3: Whether Sunflag Reconciled U.S. Sales Data
  - Comment 4: Whether Sunflag Failed to Report Containerization Expenses
  - Comment 5: Whether There is Missing Cost Data
  - Comment 6: Whether Sunflag Withheld the Reporting of Certain Items Pertaining to its Inventory Worksheet
  - Comment 7: Whether Sunflag's Product Codes and Control Numbers Agree
  - Comment 8: Whether Sunflag's U.S. Sales Information Failed to Verify
  - Comment 9: Whether Sunflag's Home Market Sales Information Failed to Verify
  - Comment 10: Whether Sunflag Failed to Report Freight Revenues
  - Comment 11: Whether Sunflag Failed to Report Port Expenses and Customs Broker Expenses
  - Comment 12: Whether Sunflag Fully Documented International Freight Expenses

Comment 13: Whether Job Work Costs Are Misclassified  
 Comment 14: Whether Use of a Quarterly Cost Methodology is Warranted  
 Comment 15: Whether Commerce Should Allow a COVID-19 Partial Shut Down Adjustment  
 Comment 16: Whether Commerce Should Correct the Error in the Calculation of Its Adjustment to Sunflag's COVID-19 Adjustment  
 Comment 17: Appropriate Data Sets VI. Recommendation  
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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Rescission of Antidumping and Countervailing Duty Administrative Reviews**

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

**SUMMARY:** Based upon the timely withdrawal of all review requests, the Department of Commerce (Commerce) is rescinding the administrative reviews covering the periods of review for the antidumping duty (AD) and countervailing duty (CVD) orders identified in the table below.

**DATES:** Applicable October 25, 2021.

**FOR FURTHER INFORMATION CONTACT:** Brenda E. Brown, AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, telephone: (202) 482-4735.

**SUPPLEMENTARY INFORMATION:**

**Background**

Based upon timely requests for review, Commerce initiated administrative reviews of certain companies for the periods of review for the AD and CVD orders listed in the

table below, pursuant to 19 CFR 351.221(c)(1)(i).<sup>1</sup> All requests for these reviews have been timely withdrawn.<sup>2</sup>

**Rescission of Reviews**

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if the parties that requested the review withdraw their review requests within 90 days of the date of publication of the notice of initiation for the requested review. All parties withdrew their requests for the reviews listed in the table below within the 90-day deadline. No other parties requested administrative reviews of these AD/CVD orders for the periods noted in the table. Therefore, in accordance with 19 CFR 351.213(d)(1), Commerce is rescinding, in their entirety, the administrative reviews listed in the table below.

	Period of review
<b>AD Proceedings</b>	
Argentina: Biodiesel, A-357-820 .....	4/1/2020-3/31/2021
Brazil: Certain Uncoated Paper, A-351-842 .....	3/1/2020-2/28/2021
Canada: Polyethylene Terephthalate Resin, A-122-855 .....	5/1/2021-4/30/2021
Germany: Cold-Drawn Mechanical Tubing, A-428-845 .....	6/1/2020-5/31/2021
India: Fine Denier Polyester Staple Fiber, A-533-875 .....	7/1/2020-6/30/2021
Indonesia: Biodiesel, A-560-830 .....	4/1/2020-3/31/2021
Japan: Carbon and Alloy Seamless Standard, Line, Pressure (under 4½ inches), A-588-851 .....	6/1/2020-5/31/2021
	7/1/2020-6/30/2021
Republic of Korea: Polyester Staple Fiber, A-580-839 .....	5/1/2020-4/30/2021
Switzerland: Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel, A-441-801 .....	6/1/2020-5/31/2021
Taiwan: Stainless Steel Plate in Coils, A-583-830 .....	5/1/2020-4/30/2021
The Republic of Turkey: Certain Quartz Surface Products, A-489-837 .....	12/13/2019-5/31/2021
The People's Republic of China: Alloy and Certain Carbon Steel Threaded Rod, A-570-104 .....	9/25/2019-3/31/2021
	5/1/2020-4/30/2021
	4/1/2020-3/31/2021
	3/1/2020-2/28/2021
	5/1/2020-4/30/2021
	4/1/2020-3/31/2021
<b>CVD Proceedings</b>	
The Republic of Turkey: Certain Quartz Surface Products, C-489-838 .....	10/11/2019-12/31/2020

<sup>1</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 86 FR 23925 (May 5, 2021); see also *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 86 FR 31282 (June 11, 2021); *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 86 FR

35481 (July 6, 2021); *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 86 FR 41821 (August 3, 2021); and *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 86 FR 50034 (September 7, 2021).

<sup>2</sup> The letters withdrawing the review requests may be found in Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>.