DEPARTMENT OF COMMERCE
International Trade Administration
[25x20]VerDate Sep<11>2014 16:53 Jun 17, 2015 Jkt 235001 PO 00000 Frm 00010 Fmt 4703 Sfmt 4703 E:\FR\FM\18JNN1.SGM 18JNN1


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

SUMMARY: The Department of Commerce (the Department) determines that countervailable subsidies are being provided to producers and exporters of certain passenger vehicle and light truck tires (passenger tires) from the People’s Republic of China (the PRC) as provided in section 705 of the Tariff Act of 1930, as amended (the Act). For information on the estimated subsidy rates, see the “Final Determination” section of this notice. The period of investigation is January 1, 2013, through December 31, 2013.

DATES: Effective date June 18, 2015.

FOR FURTHER INFORMATION CONTACT: Emily Halle, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; Phone: (202) 482–0176.

SUPPLEMENTARY INFORMATION:

Background

The Department published the Final Determination on December 1, 2014, and the Amended Preliminary Determination on December 30, 2014. A summary of the events that occurred since the Department published the Amended Preliminary Determination, as well as a full discussion of the issues raised by parties for this final determination, may be found in the Final Decision Memorandum. The Final 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 Final Decision Memorandum can be accessed directly at http://enforcement.trade.gov/frn/. The signed Final Decision Memorandum and the electronic version are identical in content.

Scope of the Investigation and Scope Comments

The products covered by this investigation are certain passenger tires from the PRC. The products covered by the investigation are currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 4011.10.10.10, 4011.10.10.20, 4011.10.10.30, 4011.10.10.40, 4011.10.10.50, 4011.10.10.60, 4011.10.10.70, 4011.10.50.00, 4011.20.10.05, and 4011.20.50.10. Tires meeting the scope description may also enter under the following HTSUS subheadings: 4011.99.45.10, 4011.99.45.50, 4011.99.85.10, 4011.99.85.50, 8708.70.45.45, 8708.70.45.60, 8708.70.60.30, 8708.70.60.45, and 8708.70.60.60. While HTSUS subheadings are provided for convenience and for customs purposes, the written description of the subject merchandise is dispositive.

The Department received comments regarding the scope of this investigation from numerous interested parties, which we have summarized and addressed in the accompanying Final Decision Memorandum. As explained in the Final Decision Memorandum, to facilitate the scope’s administrability and enforcement, we have clarified the scope language such that “N” speed-rated specialty trailer tires that meet certain requirements are excluded from the scope. For a complete description of the scope of the investigation, see Appendix II to this notice.

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 Final Decision Memorandum. A list of the issues that parties raised, and to which we responded in the Final Decision Memorandum, is attached to this notice at Appendix I.

Use of Adverse Facts Available

The Department notes that, in making these findings, we relied, in part, on facts available and, because one or more respondents did not act to the best of their ability to respond to the Department’s requests for information, we applied adverse facts available. For purposes of this final determination, we applied adverse facts available in several instances, including with regard to the net subsidy rate assigned to Shandong Yongsheng Rubber Group Co., Ltd. (Yongsheng). For further information, see the section “Use of Facts Otherwise Available and Adverse Inferences,” in the Final Decision Memorandum.

Changes Since the Preliminary Determination

Based on our review and analysis of the comments received from parties, and minor corrections presented at verification, we made certain changes to the respondents’ subsidy rate calculations since the Preliminary Determination and Amended Preliminary Determination. For a discussion of these changes, see the Final Decision Memorandum and the Final Analysis Memoranda.

Final Affirmative Determination of Critical Circumstances, in Part

In the Preliminary Determination, the Department found that critical circumstances exist with respect to imports of passenger tires from the PRC for Yongsheng and all other exporters or producers not individually examined. Upon further analysis of the data and comments submitted by interested parties following the Preliminary Determination, we are modifying our findings for the Final Determination. Specifically, in accordance with section 705(a)(2) of the Act, we find that critical circumstances exist with respect to imports from GITI Tire (Fujian) Co., Ltd.


3 See Memorandum, “Issues and Decision Memorandum for the Final Determination in the Countervailing Duty Investigation of Certain Passenger Vehicle and Light Truck Tires from the People’s Republic of China,” Final Decision Memorandum, dated concurrently with this determination and hereby adopted by this notice.

4 See Final Decision Memorandum at Comments 25 and 26.

5 Id.

6 See sections 776(a) and (b) of the Act.

7 See Final Decision Memorandum; see also Memoranda, “Final Determination Analysis for GITI Tire (Fujian) Company Ltd.,” and “Final Determination Analysis for Cooper (Kunshan) Tire Co., Ltd.,” (collectively, Final Analysis Memoranda), dated concurrently with this determination and hereby adopted by this notice.

8 See Preliminary Determination, 79 FR at 71094.

9 For a full description of the methodology and results of our analysis, see the Final Decision Memorandum.
Cord (Anhui) Company Ltd., Anhui Prime Cord
Greatwall Tire (Yinchuan) Company Ltd., GITI Steel
Corporation, GITI Tire (Anhui) Company Ltd., GITI
Prime Cord Fabrics Company Ltd., GITI Tire
Ltd., GITI Steel Cord (Hubei) Company Ltd., Anhui
its cross-owned affiliated companies GITI Tire
30, 2015.
2014, as the case may be, through March
September 2, 2014, or December 1,
liquidation of all entries from
2015, but to continue the suspension of
merchandise entered, or withdrawn
discontinue the suspension of
accordance with section 703(d) of the
Determination
publication of the
December 1, 2014, the date of
continuation of the proceeding to
the PRC that were entered or withdrawn
warehouse, for consumption, on or after
September 2, 2014 (for those
entities for which we found critical
circumstances exist) or on or after
December 1, 2014, the date of
publication of the Preliminary
Determination in the Federal Register
(for all entities for which we did not
find critical circumstances exist). In
accordance with section 703(d) of the
Act, we issued instructions to CBP to
discontinue the suspension of
liquidation for CVD purposes for subject
merchandise entered, or withdrawn from
warehouse, on or after March 31,
2015, but to continue the suspension of
liquidation of all entries from
September 2, 2014, or December 1,
2014, as the case may be, through March
30, 2015.

Continuation of Suspension of Liquidation
As a result of our Preliminary Determination, and pursuant to section 703(d) of the Act, we instructed U.S. Customs and Border Protection (CBP) to suspend liquidation of all entries of merchandise under consideration from the PRC that were entered or withdrawn from warehouse, for consumption, on or after September 2, 2014 (for those entities for which we found critical circumstances exist) or on or after December 1, 2014, the date of publication of the Preliminary Determination in the Federal Register (for all entities for which we did not find critical circumstances exist). In accordance with section 703(d) of the Act, we issued instructions to CBP to discontinue the suspension of liquidation for CVD purposes for subject merchandise entered, or withdrawn from warehouse, on or after March 31, 2015, but to continue the suspension of liquidation of all entries from September 2, 2014, or December 1, 2014, as the case may be, through March 30, 2015.

GITI Tire (Fujian) Co., Ltd. and certain cross-owned companies ........................................................... 37.20 36.79
Cooper Kunshan Tire Co., Ltd and certain cross-owned companies .......................................................... 20.73 20.73
Shandong Yongsheng Rubber Group Co., Ltd ...................................................................................................... 100.77 100.37
All Others ......................................................................................................................................................... 30.87 30.61

If the U.S. International Trade Commission (the ITC) issues a final affirmative injury determination, we will issue a CVD order and will reinstate the suspension of liquidation under section 706(a) of the Act and will require a cash deposit of estimated CVDs for such entries of subject 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 or securities posted as a result of the suspension of liquidation will be refunded or canceled.

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.

Notification Regarding Administrative Protective Orders
In the event the ITC issues a final negative injury determination, this notice will serve as the only 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 is issued and published pursuant to sections 705(d) and 777(i) of the Act.

Paul Piquado,
Assistant Secretary for Enforcement and Compliance.
Dated: June 11, 2015.

11 See Final Decision Memorandum at Comment 15.
Comment 25: Whether to Modify the Language of the Exclusion on Special Trailer (ST) Tires
Comment 26: Whether Slingshot Tires Are Included in the Scope

Appendix II
Scope of the Investigation

The scope of this investigation is passenger vehicle and light truck tires. Passenger vehicle and light truck tires are new pneumatic tires, of rubber, with a passenger vehicle or light truck size designation. Tires covered by this investigation may be tube-type, tubeless, radial, or non-radial, and they may be intended for sale to original equipment manufacturers or the replacement market.

Subject tires have, at the time of importation, the symbol “DOT” on the sidewall, certifying that the tire conforms to applicable motor vehicle safety standards. Subject tires may also have the following prefixes or suffix in their tire size designation, which also appears on the sidewall of the tire:

Prefix designations:
- P—Identifies a tire intended primarily for service on passenger cars.
- LT—Identifies a tire intended primarily for service on light trucks.

Suffix letter designations:
- LT—Identifies light truck tires for service on trucks, buses, trailers, and multipurpose passenger vehicles used in nominal highway service.

All tires with a “P” or “LT” prefix, and all tires with an “LT” suffix in their sidewall markings are covered by this investigation regardless of their intended use.

In addition, all tires that lack a “P” or “LT” prefix or suffix in their sidewall markings, as well as all tires that include any other prefix or suffix in their sidewall markings, are included in the scope, regardless of their intended use, as long as the tire is of a size that is among the numerical size designations listed in the passenger car section or light truck section of the Tire and Rim Association Year Book.

Tire and Rim Association Year Book, the designation “T” is molded into the tire’s sidewall as part of the size designation, and,

the tire’s speed rating is molded on the sidewall, indicating the rated speed in MPH or a letter rating as listed by Tire and Rim Association Year Book, and the rated speed is 81 MPH or a “M” rating;

(6) tires designed and marketed exclusively as specialty tire (ST) use which, in addition, exhibit each of the following conditions:

(a) The size designation and load index combination molded on the tire’s sidewall are listed in Table PCT–1B (“T” Type Spare Tires for Temporary Use on Passenger Vehicles) of the Tire and Rim Association Year Book,

(b) the designation “ST” is molded into the tire’s sidewall as part of the size designation, and,

(c) the tire’s speed rating is molded on the sidewall, indicating the rated speed in MPH or a letter rating as listed by Tire and Rim Association Year Book, and the rated speed is 81 MPH or a “M” rating;

(d) the load index molded on the tire’s sidewall meets or exceeds those load indexes listed in the Tire and Rim Association Year Book for the relevant ST tire size, and

(e) either

(i) the tire’s speed rating is molded on the sidewall, indicating the rated speed in MPH or a letter rating as listed by Tire and Rim Association Year Book, and the rated speed does not exceed 81 MPH or a “M” rating; or

(ii) the tire’s speed rating molded on the sidewall is 87 MPH or an “N” rating, and in either case the tire’s maximum pressure and maximum load limit are molded on the sidewall and either

(1) both exceed the maximum pressure and maximum load limit for any tire of the same size designation in either the passenger car or light truck section of the Tire and Rim Association Year Book; or

(2) if the maximum cold inflation pressure molded on the tire is less than...
any cold inflation pressure listed for that size designation in either the passenger car or light truck section of the Tire and Rim Association Year Book, the maximum load limit molded on the tire is higher than the maximum load limit listed at that cold inflation pressure for that size designation in either the passenger car or light truck section of the Tire and Rim Association Year Book;

(7) tires designed and marketed exclusively for off-road use and which, in addition, exhibit each of the following physical characteristics:

(a) The size designation and load index combination molded on the tire's sidewall are listed in the off-the-road, agricultural, industrial or ATV section of the Tire and Rim Association Year Book.

(b) in addition to any size designation markings, the tire incorporates a warning, prominently molded on the sidewall, that the tire is “Not For Highway Service” or “Not for Highway Use”;

(c) the tire’s speed rating is molded on the sidewall, indicating the rated speed in MPH or a “G” rating, and

(d) the tire features a recognizable off-road tread design.

The products covered by the investigation are currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 4011.10.10, 4011.10.20, 4011.10.30, 4011.10.40, 4011.10.50, 4011.10.60, 4011.10.70, 4011.10.80, 4011.20.10, 4011.20.20, and 4011.20.50.

The period of investigation is from September 30, 2014 to September 28, 2015.

The Department of Commerce (Commerce) publishes this notice to announce the effective date of a Privacy Act System of Records entitled Commerce/ITA—8, Salesforce Customer Relationship Management System.

The notice of proposed amendment to this system of records was published in the Federal Register on May 11, 2015.

DATES: The system of records becomes effective on June 18, 2015.

ADDRESSES: For a copy of the system of records please mail requests to Lois V. Mockabee, International Trade Administration Privacy Act Officer, Room 21023, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, D.C. 20230.


SUPPLEMENTARY INFORMATION: On May 11, 2015, the Department of Commerce published and requested comments on a proposed Privacy Act System of Records entitled Commerce/ITA—8, Salesforce Customer Relationship Management System (80 FR 26893). No comments were received in response to the request for comments. By this notice, the Department is adopting the proposed system as final without changes effective June 18, 2015.

Brenda Dolan.
Freedom of Information and Privacy Act Officer, U.S. Department of Commerce.
[FR Doc. 2015–15019 Filed 6–17–15; 8:45 am]
BILLING CODE 3510–25–P

DEPARTMENT OF COMMERCE
International Trade Administration
[A–570–020]
Melamine From the People’s Republic of China: Preliminary Determination of Sales at Less Than Fair Value

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

DATES: Effective date June 18, 2015.

SUMMARY: The Department of Commerce (“Department”) preliminarily determines that melamine 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 733 of the Tariff Act of 1930, as amended (“the Act”). The period of investigation (“POI”) is April 1, 2014, through September 30, 2014. The estimated margin of sales at LTFV is shown in the “Preliminary Determination” section of this notice. Interested parties are invited to comment on this preliminary determination.


SUPPLEMENTARY INFORMATION: The Department published the notice of initiation of this investigation on December 9, 2014. Pursuant to section 733(c)(1)(A) of the Act, on March 12, 2015, the Department postponed this preliminary LTFV determination by a period of 50 days.

Scope of the Investigation

The merchandise subject to this investigation is melamine (Chemical Abstracts Service (“CAS”) registry number 108–79–0, molecular formula C₂H₃N₃). Melamine is a crystalline powder or granule typically (but not exclusively) used to manufacture melamine formaldehyde resins. All melamine is covered by the scope of this investigation irrespective of purity, particle size, or physical form. Melamine that has been blended with other products is included within this scope when such blends include constituent parts that have been intermingled, but that have not been chemically reacted with each other to produce a different product. For such blends, only the melamine component of the mixture is covered by the scope of these investigations. Melamine that is otherwise subject to this investigation is not excluded when commingled with melamine from sources not subject to this investigation. Only the subject component of such commingled products is covered by the scope of this investigation.


See Melamine from the People’s Republic of China and Trinidad and Tobago: Postponement of Preliminary Determinations of Antidumping Duty Investigations, 80 FR 12979 (March 12, 2015).

Melamine is also known as 2,4,6-triamino-s-triazine; l,3,5-Trizine-2,4,6-triamine; Cyanurotriamide; Cyanurotriamine; Cyanuramide; and by various brand names.

DEPARTMENT OF COMMERCE
[Doc. No.: 150421388–5516–02]
Privacy Act New System of Records

AGENCY: International Trade Administration (ITA), Department of Commerce (DOC).

ACTION: Notice: Commerce/ITA–8, Salesforce Customer Relationship Management System.

SUMMARY: The Department of Commerce (Commerce) publishes this notice to announce the effective date of a Privacy Act System of Records entitled Commerce/ITA–8, Salesforce Customer Relationship Management System.

The notice of proposed amendment to this system of records was published in the Federal Register on May 11, 2015.

DATES: The system of records becomes effective on June 18, 2015.


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