products that contain less than 99.95 percent but not less than 99.8 percent magnesium, by actual weight (generally referred to as ''pure'' magnesium); and (3) chemical combinations of magnesium and other material(s) in which the magnesium content is 50 percent or greater, but less than 99.8 percent, by actual weight, whether or not conforming to an ''ASTM Specification for Magnesium Alloy.''

The scope of this investigation excludes mixtures containing 90 percent or less magnesium in granular or powder form by actual weight and one or more of certain non-magnesium granular materials to make magnesium-based reagent mixtures, including lime, calcium metal, calcium silicon, calcium carbide, calcium carbonate, carbon, slag coagulants, fluorspar, nepheline syenite, feldspar, alumina (A1203), calcium aluminate, soda ash, hydrocarbons, graphite, coke, silicon, rare earth metals/mischmetal, cryolite, silica/fly ash, magnesium oxide, periclase, ferroalloys, dolomite lime, and colemanite.

The merchandise subject to this investigation is classifiable under items 8104.11.0000, 8104.19.0000, and 8104.30.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS items are provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.

[FR Doc. 2018–25300 Filed 11–19–18; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–070]

Rubber Bands From the People's Republic of China: Final Affirmative Countervailing Duty Determination

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

SUMMARY: The Department of Commerce (Commerce) determines that countervailable subsidies are being provided to producers and exporters of rubber bands from the People's Republic of China (China) for the period of investigation (POI) January 1, 2017, through December 31, 2017.

DATES: Applicable November 20, 2018.

FOR FURTHER INFORMATION CONTACT: Kristen Johnson, 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) 482–4793.

SUPPLEMENTARY INFORMATION:

Background

This final determination is made in accordance with section 705 of the Tariff Act of 1930, as amended (the Act). The petitioner in this investigation is Alliance Rubber Co. The mandatory respondents in this investigation are Graceful Imp. & Exp. Co., Ltd. (Graceful), Moyoung Trading Co., Ltd. (Moyoung), and Ningbo Syloon Imp & Exp Co., Ltd. (Ningbo). Neither the mandatory respondents nor the Government of China (GOC) responded to our requests for information in this investigation.

We published the *Preliminary Determination* on July 9, 2018,[1] and the *Preliminary Critical Circumstances and Amended Scope* on September 6, 2018.[2] We invited interested parties to comment on the preliminary determinations. We received scope comments from certain interested parties.

Period of Investigation

The POI is January 1, 2017, through December 31, 2017.

Scope Comments

We invited parties to comment on Commerce's Preliminary Scope Memorandum, and the changes made to the scope of the investigation therein.[3] We have reviewed the briefs submitted by interested parties, considered the arguments therein, but have not made further changes to the scope of the investigation beyond those incorporated in the *Preliminary Critical Circumstances and Amended Scope.* For further discussion, *see* Commerce's Final Scope Decision Memorandum.[4]

Scope of the Investigation

The products covered by this investigation are rubber bands from China. For a complete description of the scope of this investigation, *see* the Appendix to this notice.

Analysis of Subsidy Programs—Adverse Facts Available

For purposes of this final determination, we relied solely on facts otherwise available because neither the GOC nor any of the selected mandatory respondents participated in this investigation.[5] Further, because the mandatory respondents and the GOC did not cooperate to the best of their abilities in responding to our requests for information in this investigation, we drew adverse inferences in selecting from among the facts otherwise available, in accordance with sections 776(a)–(b) of the Act. Therefore, consistent with the *Preliminary Determination,* we continue to apply adverse facts available (AFA) to Graceful, Moyoung, and Ningbo Syloon. No interested party submitted comments on Commerce's preliminary determination to apply AFA. Thus, we made no changes to the subsidy rate for the mandatory respondents for this final determination. A detailed discussion of our application of AFA was provided in the *Preliminary Determination.*[6]

All-Others Rate

As discussed in the *Preliminary Determination,* Commerce based the selection of the all-others rate on the countervailable subsidy rate established for the mandatory respondents, in accordance with section 705(c)(5)(A)(ii) of the Act.[7] We made no changes to the selection of the all-others rate for this final determination.

Final Affirmative Determination of Critical Circumstances, in Part

As noted above, the mandatory respondents did not participate in this investigation, and no interested party submitted comments on critical circumstances. Because Graceful, Moyoung, and Ningbo Syloon did not cooperate to the best of their abilities in this investigation, we continue to determine that it is appropriate to apply AFA, in accordance with sections 776(a)–(b) of the Act, with respect to critical circumstances.

We are making the inconsistency determination with regard to the ''Export Assistance Grants'' program, which had the lowest rate in the *Preliminary Determination* among the programs alleged to be inconsistent with the Subsidies and Countervailing Measures Agreement (SCM

[1] *See Rubber Bands from the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination with Final Antidumping Determination,* 83 FR 31729 (July 9, 2018) (*Preliminary Determination*), and accompanying Preliminary Determination Memorandum (PDM).

[2] *See Rubber Bands from the People's Republic of China: Preliminary Affirmative Determination of Critical Circumstances, in Part, in the Countervailing Duty Investigation, and Amendment to the Scope of the Preliminary Determination in the Countervailing Duty Investigation,* 83 FR 45217 (September 6, 2018) (*Preliminary Critical Circumstances and Amended Scope*).

[3] *See* Memorandum, ''Rubber Bands from the People's Republic of China and Thailand: Scope Comments Decision Memorandum for the Preliminary Antidumping Duty and Countervailing Duty Determinations,'' dated August 29, 2018 (Preliminary Scope Memorandum).

[4] *See* Memorandum, ''Rubber Bands from the People's Republic of China and Thailand: Scope Decision Memorandum for the Final Antidumping Duty and Countervailing Duty Determinations,'' dated concurrently with, and hereby adopted by, this notice (Final Scope Decision Memorandum).

[5] *See* sections 776(a)(1) and (2) of the Act.

[6] *See Preliminary Determination* PDM at Use of Facts Otherwise Available and Adverse Inferences.

[7] *See Preliminary Determination,* 83 FR at 31730.

Agreement).[8] In so doing, we limit the corresponding offset to the dumping margin in the companion antidumping duty investigation, which best fulfills our statutory mandate ''to ensure that the party does not obtain a more favorable result by failing to cooperate than if it had cooperated fully,'' [9] and induce future cooperation by companies in investigations where the petitioners allege the existence of programs potentially inconsistent with the SCM Agreement.

Because we find that the ''Export Assistance Grants'' program is export contingent, we determine that the criterion under section 705(a)(2)(A) of the Act has been met. In addition, for the purposes of the ''massive imports'' analysis, we continue to find, pursuant to section 776(b) of the Act, that the mandatory respondents shipped rubber bands in ''massive'' quantities during the comparison period, thereby fulfilling the criteria under section 705(a)(2)(B) of the Act. Consequently, pursuant to section 705(a)(2) of the Act, Commerce determines that critical circumstances exist for imports of rubber bands from China for Graceful, Moyoung, and Ningbo Syloon.

Commerce, however, determines that critical circumstances do not exist with respect to all other producers or exporters of rubber bands from China because there was not a massive increase in imports, as defined by 19 CFR 351.206(h)(2). For further information on Commerce's critical circumstances analysis, *see* the *Preliminary Critical Circumstances and Amended Scope.*[10]

Final Determination

Commerce determines that the following estimated countervailable subsidy rates exist:

Company	Subsidy rate (percent)
Graceful Imp. & Exp. Co., Ltd	125.77
Moyoung Trading Co., Ltd	125.77
Ningbo Syloon Imp & Exp Co., Ltd	125.77
All-Others	125.77

Disclosure

We described the subsidy rate calculations, which were based on AFA, in the *Preliminary Determination.*[11] As noted above, there are no changes to the calculations. Thus, no additional disclosure is necessary for this final determination.

Continuation of Suspension of Liquidation

As a result of our affirmative *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 rubber bands from China that were entered or withdrawn from warehouse, for consumption, on or after July 9, 2018, the date of publication of the *Preliminary Determination* in the **Federal Register**.[12] Subsequently, we issued our affirmative *Preliminary Critical Circumstances and Amended Scope* and, pursuant to section 703(e)(2)(A) of the Act, we instructed CBP to suspend liquidation, with regard to Graceful, Moyoung, and Ningbo Syloon, of any unliquidated entries of subject merchandise from China entered, or withdrawn from warehouse, for consumption on or after April 10, 2018, which is 90 days prior to the date of publication of the *Preliminary Determination* in the **Federal Register**.[13]

Additionally, 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, for consumption on or after November 6, 2018. We also instructed CBP to continue to suspend liquidation on all shipments from all other producers or exporters entered, or withdrawn from warehouse, for consumption made during the period July 9, 2018, through November 5, 2018, until the conclusion of this investigation. For Graceful, Moyoung, and Ningbo Syloon, we instructed CBP to continue to suspend liquidation on all shipments entered, or withdrawn from warehouse, for consumption made during the period April 10, 2018, through November 5, 2018, until the conclusion of this investigation.

If the U.S. International Trade Commission (ITC) issues a final affirmative injury determination, we will issue a CVD order, reinstate the suspension of liquidation under section 706(a) of the Act, and 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 as a result of the suspension of liquidation will be refunded or canceled.

ITC Notification

In accordance with section 705(d) of the Act, Commerce will notify the ITC of its determination. In addition, Commerce will make available to the ITC all non-privileged and non-proprietary information relating to this investigation. Commerce will allow the ITC access to all privileged and business proprietary information in the 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 APOs

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 written notification of the return or destruction of APO materials or, alternatively, 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.

Notification to Interested Parties

This determination is issued and published pursuant to sections 705(d) and 777(i) of the Act and 19 CFR 351.210(c).

Dated: November 13, 2018.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Investigation

The products subject to this investigation are bands made of vulcanized rubber, with a flat length, as actually measured end-to-end by the band lying flat, no less than ½ inch and no greater than 10 inches; with a width, which measures the dimension perpendicular to the length, actually of at least 3/64 inch and no greater than 2 inches; and a wall thickness actually from 0.020 inch to 0.125 inch. Vulcanized rubber has been chemically processed into a more durable material by the addition of sulfur or other equivalent curatives or accelerators. Subject products are included regardless of color or

[8] *See Preliminary Determination* PDM at 10–11 and Appendix.

[9] *See* Statement of Administrative Action accompanying the Uruguay Round Agreements Act, H.R. Doc. 103–316, Vol. 1 (1994) at 870.

[10] *See Preliminary Critical Circumstances and Amended Scope,* 83 FR at 45218–19.

[11] *See Preliminary Determination* PDM at Appendix—AFA Rate Calculation.

[12] *See Preliminary Determination,* 83 FR at 31729.

[13] *See Preliminary Critical Circumstances and Amended Scope,* 83 FR at 45219–20.

inclusion of printed material on the rubber band's surface, including but not limited to, rubber bands with printing on them, such as a product name, advertising, or slogan, and printed material (*e.g.,* a tag) fastened to the rubber band by an adhesive or another temporary type of connection. The scope includes vulcanized rubber bands which are contained or otherwise exist in various forms and packages, such as, without limitation, vulcanized rubber bands included within a desk accessory set or other type of set or package, and vulcanized rubber band balls. The scope excludes products that consist of an elastomer loop and durable tag all-in-one, and bands that are being used at the time of import to fasten an imported product.

Excluded from the scope of this investigation are vulcanized rubber bands of various sizes with arrow shaped rubber protrusions from the outer diameter that exceeds at the anchor point a wall thickness of 0.125 inches and where the protrusion is used to loop around, secure and lock in place.

Excluded from the scope of this investigation are yarn/fabric-covered vulcanized rubber hair bands, regardless of size.

Merchandise covered by this investigation is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheading 4016.99.3510. Merchandise covered by the scope may also enter under HTSUS subheading 4016.99.6050. While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

[FR Doc. 2018–25296 Filed 11–19–18; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–084]

Certain Quartz Surface Products From the People's Republic of China: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination

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

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that certain quartz surface products (QSP) from the People's Republic of China (China) are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is October 1, 2017, through March 31, 2018. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable November 20, 2018.

FOR FURTHER INFORMATION CONTACT: Andrew Medley or Whitley Herndon, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4987 or (202) 482–6274, respectively.

SUPPLEMENTARY INFORMATION:

Background

This preliminary determination is made in accordance with section 733(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation on May 16, 2018.[1] On August 28, 2018, Commerce published the postponement of the preliminary determination of this investigation, and the revised deadline is now November 13, 2018.[2] For a complete description of the events that followed the initiation of this investigation, *see* the Preliminary Decision Memorandum.[3] A list of topics included in the Preliminary Decision Memorandum is included as Appendix II to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov,* and to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *http://enforcement.trade.gov/frn/.* The signed and the electronic versions of the Preliminary Decision Memorandum are identical in content.

Scope of the Investigation

The products covered by this investigation are QSP from China. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

In accordance with the preamble to Commerce's regulations,[4] the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage (scope).[5] Certain interested parties commented on the scope of the investigation as it appeared in the *Initiation Notice.* For a summary of the product coverage comments and rebuttal responses submitted to the record for this investigation, and accompanying discussion and analysis of all comments timely received, *see* the Scope Decision Memorandum.[6] Commerce is not preliminarily modifying the scope language as it appeared in the *Initiation Notice.*

Methodology

Commerce is conducting this investigation in accordance with section 731 of the Act. Export prices was calculated in accordance with section 772(a) of the Act. Constructed export prices was calculated in accordance with section 772(b) of the Act. Because China is a non-market economy within the meaning of section 771(18) of the Act, normal value (NV) was calculated in accordance with section 773(c) of the Act.

In addition, because necessary information regarding the China-wide entity is not on the administrative record, Commerce has relied on facts available under section 776(a)(1) of the Act to determine the cash deposit rates assigned to the China-wide entity. Furthermore, pursuant to section 776(a) and (b) of the Act, because the China-wide entity did not cooperate to the best of its ability in responding to Commerce's requests for data, Commerce preliminarily has relied upon facts otherwise available, with adverse inferences, for the China-wide entity. For a full description of the methodology underlying Commerce's preliminary determination, *see* the Preliminary Decision Memorandum.

Preliminary Affirmative Determination of Critical Circumstances

In accordance with section 733(e) of the Act and 19 CFR 351.206, Commerce preliminarily determines that critical circumstances exist with respect to imports of QSP from China for the mandatory questionnaire respondents (*i.e.,* CQ International,[7] Foshan Yixin Stone Co., Ltd. (Yixin Stone), and Guangzhou Hercules Quartz Stone Co.,

[1] *See Certain Quartz Surface Products from the People's Republic of China: Initiation of Less-Than-Fair-Value Investigation,* 83 FR 22613 (May 16, 2018) (*Initiation Notice*).

[2] *See Certain Quartz Surface Products from the People's Republic of China: Postponement of Preliminary Determination in the Less-Than-Fair-Value Investigation,* 83 FR 43848 (August 28, 2018).

[3] *See* Memorandum, ''Decision Memorandum for the Preliminary Determination in the Less-Than-Fair-Value Investigation of Certain Quartz Surface Products from the People's Republic of China,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[4] *See Antidumping Duties; Countervailing Duties, Final Rule,* 62 FR 27296, 27323 (May 19, 1997).

[5] *See Initiation Notice.*

[6] *See* Memorandum, ''Certain Quartz Surface Products from the People's Republic of China: Scope Comments Decision Memorandum for the Preliminary Determination'' (Scope Decision Memorandum), dated September 14, 2018.

[7] Commerce preliminarily determines that Suzhou Colorquartzstone New Material Co., Ltd./Shanghai Meiyang Stone Co., Ltd./C Q International Limited HK are a single entity and hereafter collectively referred to as ''CQ International.'' *See* Preliminary Decision Memorandum.