

dumping margin is zero or *de minimis* in the final results of review, we will instruct CBP not to assess duties on any of its entries in accordance with the *Final Modification for Reviews, i.e.,* “{w}here the weighted-average margin of dumping for the exporter is determined to be zero or *de minimis*, no antidumping duties will be assessed.”<sup>22</sup> The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.

For entries of subject merchandise during the POR produced by Toyo Kohan for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for intermediate company(ies) involved in the transaction.<sup>23</sup> In addition, if the Department determines that NSSMC had no shipments of subject merchandise, any suspended entries that entered under NSSMC’s case number will be liquidated at the all-other’s rate.<sup>24</sup> The all-others rate is 45.42 percent.<sup>25</sup> We intend to issue liquidation instructions to CBP 15 days after publication of the final results of this review.

### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for Toyo Kohan will be that established in the final results of this administrative review (except, if the rate is zero or *de minimis*, no cash deposit will be required); (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in a prior segment of this proceeding, the cash deposit rate will continue to be the company-specific rate

<sup>22</sup> See *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification*, 77 FR 8101, 8102 (February 14, 2012) (*Final Modification for Reviews*).

<sup>23</sup> See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

<sup>24</sup> *Id.*

<sup>25</sup> See *Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan: Antidumping Duty Order*, 79 FR 30816, 30817 (May 29, 2014) (*Order*).

published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or in the less-than-fair value investigation but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be the all-others rate of 45.42 percent, which is the all-others rate established in the investigation.<sup>26</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importers

This notice also serves as a reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Department’s presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(h)(1).

Dated: May 30, 2017.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Enforcement and Compliance.*

### Appendix I

#### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Preliminary Finding of No Shipments
- V. Comparisons to Normal Value
- VI. Product Comparisons
- VII. Discussion of Methodology
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  - C. Date of Sale
  - D. Export Price
  - E. Normal Value
    1. Home Market Viability
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    3. Sales to Affiliated Customers
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    7. Price-to-Constructed Value Comparisons
    8. Constructed Value
  - F. Currency Conversion
- VIII. Recommendation

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<sup>26</sup> See *Order*, 79 FR at 30817.

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-929]

#### Small Diameter Graphite Electrodes From the People’s Republic of China: Notice of Partial Rescission of Antidumping Duty Administrative Review; 2016–2017

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

**SUMMARY:** On April 10, 2017, The Department of Commerce (the Department) published a notice of initiation of an administrative review of the antidumping duty order on small diameter graphite electrodes from the People’s Republic of China (PRC). Based on the timely withdrawal of the requests for review of certain companies, we are now rescinding this administrative review for the period February 1, 2016 through January 31, 2017 with respect to 191 companies.

**DATES:** Effective June 6, 2017.

#### FOR FURTHER INFORMATION CONTACT:

Dennis McClure or John Anwesen, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-5973 or (202) 482-0131, respectively.

#### SUPPLEMENTARY INFORMATION:

#### Background

On February 8, 2017, the Department published a notice of opportunity to request an administrative review of the antidumping duty order on small diameter graphite electrodes from the PRC for the period of review (POR) February 1, 2016, through January 31, 2017.<sup>1</sup>

On February 28, 2017, SGL Carbon LLC and Superior Graphite Co. (the petitioners) requested an administrative review of the order for 194 producers and/or exporters of the subject merchandise.<sup>2</sup> On April 10, 2017, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the order on small diameter graphite electrodes from the People’s Republic of China with

<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 82 FR 9709 (February 8, 2017).

<sup>2</sup> See the petitioners’ submission, “Small Diameter Graphite Electrodes from the People’s Republic of China—Request for Initiation of Antidumping Administrative Review,” dated February 28, 2017.

respect to 194 companies.<sup>3</sup> On April 21, 2017, the petitioners withdrew their request for an administrative review for 191 out of 194 companies.<sup>4</sup> See the *Initiation Notice* for the full list of companies for which the Department initiated a review. No other party requested an administrative review of this order.

#### Partial Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review, in whole or in part, if the party that requested the review withdraws its request within 90 days of the publication of the notice of initiation of the requested review. In this case, the petitioners timely withdrew their review request, in part, by the 90-day deadline, and no other party requested an administrative review of the antidumping duty order. Therefore, we are rescinding the administrative review of the antidumping duty order on small diameter graphite electrodes from the PRC for the period February 1, 2016, through January 31, 2017, with respect to the 191 for which all review requests were withdrawn. The review will continue with respect to the remaining three companies: (1) Fangda Group;<sup>5</sup> (2) Fushun Jinly Petrochemical Carbon Co., Ltd.; and (3) Xuzhou Jianglong Carbon Products Co., Ltd.

#### Assessment

The Department will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries. For the companies for which this review is rescinded, antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of this notice.

#### Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a

<sup>3</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 82 FR 17188 (April 10, 2017) (*Initiation Notice*).

<sup>4</sup> See the petitioners' submission, "Small Diameter Graphite Electrodes from the People's Republic of China—Petitioners' Withdrawal of Certain Requests for Review and Respondent Selection Comments," dated April 20, 2017.

<sup>5</sup> The Fangda Group consists of Beijing Fangda Carbon Tech Co., Ltd., Chengdu Rongguang Carbon Co., Ltd., Fangda Carbon New Material Co., Ltd., Fushun Carbon Co., Ltd., and Hefei Carbon Co., Ltd.

certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Department's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

#### Notification Regarding Administrative Protective Orders

This notice also serves as a reminder to parties subject to 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 violation which is subject to sanction.

We intend to issue and publish this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4).

Dated: May 31, 2017.

**Gary Taverman,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-813]

#### Certain Preserved Mushrooms From India: Rescission of Antidumping Duty Administrative Review; 2016-2017

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

**SUMMARY:** The Department of Commerce (the Department) is rescinding the administrative review of the antidumping duty order on certain preserved mushrooms (mushrooms) from India for the period of February 1, 2016 through January 31, 2017.

**DATES:** Effective June 6, 2017.

**FOR FURTHER INFORMATION CONTACT:** Katherine Johnson or Denisa Ursu, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; Telephone: (202) 482-4929 or (202) 482-2285, respectively.

**SUPPLEMENTARY INFORMATION:**

#### Background

On February 8, 2017, the Department published in the **Federal Register** a notice of "Opportunity to Request Administrative Review" of the antidumping duty order on certain preserved mushrooms from India for the period of February 1, 2016 through January 31, 2017.<sup>1</sup>

On February 28 2017, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(b), the Department received a timely request from Himalya International Limited and Himalya International Inc. (collectively, Himalya) to conduct an administrative review of the antidumping duty order on mushrooms from India manufactured and exported by Himalya International Limited.<sup>2</sup>

On April 10, 2017, the Department published in the **Federal Register** a notice of initiation of an administrative review of the antidumping duty order.<sup>3</sup> This administrative review covers Himalya during the period February 1, 2016 through January 31, 2017. On May 16, 2017, Himalya timely withdrew its request for an administrative review.<sup>4</sup>

#### Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review, if the party that requested the review withdraws its request within 90 days of the date of publication of notice of initiation of the requested review. Himalya withdrew its review request before the 90-day deadline, and no other party requested an administrative review of the antidumping duty order. Therefore, in response to the timely withdrawal of the review request, the Department is rescinding in its entirety the administrative review of the antidumping duty order on mushrooms from India for the review period February 1, 2016 through January 31, 2017.

#### Assessment

The Department will instruct U.S. Customs and Border Protection (CBP) to

<sup>1</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation: Opportunity to Request Administrative Review*, 82 FR 9709 (February 8, 2017).

<sup>2</sup> See Himalya's letter, "Preserved Mushrooms from India—Request for Administrative Review of Himalya International Inc & Himalya International Limited," dated February 28, 2017.

<sup>3</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 82 FR 17188 (April 10, 2017).

<sup>4</sup> See Himalya's letter, "Certain Preserved Mushrooms from India: Withdraw of Admin Review Request Made on February 28th, 2017" dated May 16, 2017.