

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-570-983]

**Drawn Stainless Steel Sinks From the People's Republic of China: Final Results of the Expedited First Sunset Review of the Antidumping Duty Order**

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

**SUMMARY:** As a result of this sunset review, the Department of Commerce (Commerce) finds that revocation of the antidumping duty order would be likely to lead to the continuation or recurrence of dumping at the levels indicated in the "Final Results of Review" section of this notice.

**DATES:** Applicable July 20, 2018.

**FOR FURTHER INFORMATION CONTACT:** Joshua Tucker, 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) 482-2044.

**SUPPLEMENTARY INFORMATION:****Background**

On April 11, 2013, Commerce published its antidumping duty order on drawn stainless steel sinks from China.<sup>1</sup> On March 5, 2018, Commerce published the notice of initiation of the first sunset review of the antidumping duty order on drawn stainless steel sinks from China pursuant to section 751(c) of the Act.<sup>2</sup> On March 16, 2018, Commerce received a notice of intent to participate from Elkay Manufacturing Company (Elkay), a domestic interested party, within the deadline specified in 19 CFR 351.218(d)(1)(i).<sup>3</sup> Elkay claimed interested party status under section 771(9)(C) of the Act as a producer of drawn stainless steel sinks in the United States.

On April 2, 2018, Commerce received an adequate substantive response to the notice of initiation from Elkay within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).<sup>4</sup> We received no

substantive responses from respondent interested parties with respect to the order covered by this sunset review.

On April 10, 2018, Commerce notified the U.S. International Trade Commission (ITC) that it did not receive an adequate substantive response from respondent interested parties.<sup>5</sup> As a result, pursuant to 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce conducted an expedited (120-day) sunset review of the antidumping duty order on drawn stainless steel sinks from China.

**Scope of the Order**

The merchandise covered by the order includes drawn stainless steel sinks with single or multiple drawn bowls, with or without drain boards, whether finished or unfinished, regardless of type of finish, gauge, or grade of stainless steel. Mounting clips, fasteners, seals, and sound-deadening pads are also covered by the scope of this order if they are included within the sales price of the drawn stainless steel sinks.<sup>6</sup> For purposes of this scope definition, the term "drawn" refers to a manufacturing process using metal forming technology to produce a smooth basin with seamless, smooth, and rounded corners. Drawn stainless steel sinks are available in various shapes and configurations and may be described in a number of ways including flush mount, top mount, or undermount (to indicate the attachment relative to the countertop). Stainless steel sinks with multiple drawn bowls that are joined through a welding operation to form one unit are covered by the scope of the order. Drawn stainless steel sinks are covered by the scope of the order whether or not they are sold in conjunction with non-subject accessories such as faucets (whether attached or unattached), strainers, strainer sets, rinsing baskets, bottom grids, or other accessories.

Excluded from the scope of the order are stainless steel sinks with fabricated bowls. Fabricated bowls do not have seamless corners, but rather are made by notching and bending the stainless steel, and then welding and finishing the vertical corners to form the bowls. Stainless steel sinks with fabricated bowls may sometimes be referred to as

"zero radius" or "near zero radius" sinks. The products covered by this order are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under statistical reporting number 7324.10.0000 and 7324.10.0010. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

**Analysis of Comments Received**

All issues raised in this sunset review are addressed in the Issues and Decision Memorandum,<sup>7</sup> which is hereby adopted by this notice. The issues discussed in the Issues and Decision Memorandum are the likelihood of continuation or recurrence of dumping and the magnitude of the dumping margin likely to prevail if the order were revoked. 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 to all 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 on the internet at <http://enforcement.trade.gov/frn>. The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

**Final Results of Review**

Pursuant to sections 751(c)(1) and 752(b) of the Act, Commerce determines that revocation of the antidumping duty order on drawn stainless steel sinks from China would be likely to lead to the continuation or recurrence of dumping and that the magnitude of the dumping margins likely to prevail would be weighted-average dumping margins up to 76.53 percent.<sup>8</sup>

<sup>7</sup> See Memorandum "Issues and Decision Memorandum for the Expedited First Sunset Review of the Antidumping Duty Order on Drawn Stainless Steel Sinks from the People's Republic of China," dated concurrently with this notice (Issues and Decision Memorandum).

<sup>8</sup> The PRC-wide rate determined in the investigation was 76.53 percent. See *Drawn Stainless Steel Sinks from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 78 FR 21592, 21594 (April 11, 2013). This rate was adjusted for export subsidies and estimated domestic subsidy pass through to determine the cash deposit rate (76.45 percent) collected for companies in the PRC-wide entity. See explanation in *Drawn Stainless Steel Sinks from the People's Republic of China: Investigation, Final*

<sup>1</sup> See *Drawn Stainless Steel Sinks from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 78 FR 21592 (April 11, 2013) (*Order*).

<sup>2</sup> See *Initiation of Five-Year (Sunset) Reviews*, 83 FR 9279 (March 5, 2018).

<sup>3</sup> See Letter from Elkay "First Five-Year ('Sunset') Review of Antidumping Duty Order on Drawn Stainless Steel Sinks from the People's Republic of China/Elkay Manufacturing Company's Notice of Intent to Participate," dated March 16, 2018.

<sup>4</sup> See Letter from Elkay "First Five-Year ('Sunset') Review of The Antidumping Duty Order on Drawn Stainless Steel Sinks from the People's Republic of

China/Substantive Response to the Notice of Initiation," dated April 2, 2018.

<sup>5</sup> See Letter to the ITC re: "Sunset Reviews Initiated on March 5, 2018," dated April 10, 2018.

<sup>6</sup> Mounting clips, fasteners, seals, and sound-deadening pads are not covered by the scope of this order if they are not included within the sales price of the drawn stainless steel sinks, regardless of whether they are shipped with or entered with drawn stainless steel sinks.

**Notification to Interested Parties**

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

We are issuing and publishing the final results and this notice in accordance with sections 751(c), 752(b), and 777(i)(1) of the Act and 19 CFR 351.218.

Dated: July 2, 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.*

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**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-570-060, A-533-875, A-580-893, A-583-860]

**Fine Denier Polyester Staple Fiber From the People's Republic of China, India, the Republic of Korea, and Taiwan: Antidumping Duty Orders**

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

**SUMMARY:** Based on affirmative final determinations by the Department of Commerce (Commerce) and the International Trade Commission (ITC), Commerce is issuing antidumping duty orders on fine denier polyester staple fiber (fine denier PSF) from the People's Republic of China (China), India, the Republic of Korea (Korea), and Taiwan.

**DATES:** Applicable July 20, 2018.

**FOR FURTHER INFORMATION CONTACT:**

Edythe Artman at (202) 482-3931 (China), Patrick O'Connor at (202) 482-0989 (India), Karine Gziryan at (202) 482-4081 (Korea), Lilit Astvatsatrian at (202) 482-6412 (Taiwan), AD/CVD Operations, Enforcement and Compliance, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

*Determination*, 78 FR 13019, 13025 (February 26, 2013).

**SUPPLEMENTARY INFORMATION:****Background**

In accordance with sections 735(a), 735(d), and 777(i)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.210(c), on May 30, 2018, Commerce published its affirmative final determinations in the less-than-fair-value (LTFV) investigations of fine denier PSF from China, India, Korea and Taiwan.<sup>1</sup> On July 13, 2018, the ITC notified Commerce of its affirmative final determinations that an industry in the United States is materially injured within the meaning of section 735(b)(1)(A)(i) of the Act, by reason of LTFV imports of fine denier PSF from China, India, Korea, and Taiwan.<sup>2</sup>

**Scope of the Orders**

The product covered by these orders is fine denier PSF from China, India, Korea, and Taiwan. For a complete description of the scope of these orders, see the Appendix to this notice.

**Antidumping Duty Orders**

In accordance with sections 735(b)(1)(A)(i) and 735(d) of the Act, the ITC notified Commerce of its final determinations in these investigations, in which it found that an industry in the United States is materially injured by reason of imports of fine denier PSF from China, India, Korea, and Taiwan.<sup>3</sup> Therefore, in accordance with section 735(c)(2) of the Act, Commerce is issuing these antidumping duty orders. Because the ITC determined that imports of fine denier PSF from China, India, Korea, and Taiwan are materially injuring a U.S. industry, unliquidated entries of such merchandise from China, India, Korea, and Taiwan, entered or withdrawn from warehouse for consumption, are subject to the assessment of antidumping duties.

Therefore, in accordance with section 736(a)(1) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to assess, upon further

<sup>1</sup> See *Fine Denier Polyester Staple Fiber from the People's Republic of China: Final Affirmative Determination of Sales at Less Than Fair Value*, 83 FR 24740 (May 30, 2018); *Fine Denier Polyester Staple Fiber from India: Final Affirmative Determination of Sales at Less Than Fair Value*, 83 FR 24737 (May 30, 2018); *Fine Denier Polyester Staple Fiber from the Republic of Korea: Final Affirmative Determination of Sales at Less Than Fair Value*, 83 FR 24743 (May 30, 2018); and *Fine Denier Polyester Staple Fiber from Taiwan: Final Affirmative Determination of Sales at Less Than Fair Value*, 83 FR 24745 (May 30, 2018).

<sup>2</sup> See Letter to Gary Taverman, Acting Assistant Secretary of Commerce for Enforcement and Compliance, from David S. Johanson, Chairman of the U.S. International Trade Commission, regarding fine denier polyester staple fiber from China, India, Korea, and Taiwan (July 13, 2018).

<sup>3</sup> *Id.*

instruction by Commerce, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price (or constructed export price) of the merchandise, for all relevant entries of fine denier PSF from China, India, Korea, and Taiwan. With the exception of entries occurring after the expiration of the provisional measures period and before publication of the ITC's final affirmative injury determinations, as further described below, antidumping duties will be assessed on unliquidated entries of fine denier PSF from China, India, Korea, and Taiwan entered, or withdrawn from warehouse, for consumption on or after January 5, 2018, the date of publication of the preliminary determinations.<sup>4</sup> Additionally, because the estimated weighted-average dumping for subject merchandise produced and exported by Tainan Spinning Co., Ltd. was determined to be zero in the investigation of fine denier PSF from Taiwan, and the estimated weighted-average dumping for subject merchandise produced and exported by Toray Chemical Kora Inc. was determined to be zero in the investigation of fine denier PSF from Korea, Commerce is directing CBP to not suspend liquidation of entries of subject merchandise from these exporter/producer combinations for each of the respective orders. Entries of subject merchandise exported to the United States by any other producer and exporter combination are not entitled to this exclusion from suspension of liquidation and are subject to the applicable cash deposit rates noted below.

<sup>4</sup> See *Fine Denier Polyester Staple Fiber from the People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 83 FR 665 (January 5, 2018), and accompanying Preliminary Decision Memorandum (China Preliminary Determination); *Fine Denier Polyester Staple Fiber from India: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 83 FR 662 (January 5, 2018), and accompanying Preliminary Decision Memorandum (India Preliminary Determination); *Fine Denier Polyester Staple Fiber from the Republic of Korea: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 83 FR 660 (January 5, 2018), and accompanying Preliminary Decision Memorandum (Korea Preliminary Determination); and *Fine Denier Polyester Staple Fiber from Taiwan: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 83 FR 668 (January 5, 2018), and accompanying Preliminary Decision Memorandum (Taiwan Preliminary Determination).