

made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with part 756 of the Regulations, Morales may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Morales and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect until June 28, 2031.

John Sonderman,

Director, Office of Export Enforcement.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-895]

Common Alloy Aluminum Sheet From India: Preliminary Results of Antidumping Duty Administrative Review; 2020-2022

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

SUMMARY: The U.S. Department of Commerce (Commerce) is conducting an administrative review of the antidumping duty (AD) order on common alloy aluminum sheet (aluminum sheet) from India. Commerce preliminarily finds that sales of aluminum sheet from India were not sold in the United States at less than normal value (NV) during the POR. We invite interested parties to comment on these preliminary results. The period of review (POR) is October 15, 2020, through March 31, 2022.

DATES: Applicable May 5, 2023.

FOR FURTHER INFORMATION CONTACT: Rachel Jennings, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-6274.

SUPPLEMENTARY INFORMATION:

Background

On April 27, 2021, Commerce published the AD order on aluminum sheet from India.¹ On June 9, 2022, Commerce initiated an administrative review of the *Order*, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).² This administrative review covers two producers/exporters of the subject merchandise, Hindalco Industries Limited (Hindalco) and Virgo Aluminum Limited (Virgo).

On December 5, 2022, Commerce extended the deadline for the preliminary results until April 28, 2023.³ For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.⁴

Scope of the Order

The products covered by this *Order* are common alloy aluminum sheet from India. For a full description of the scope, *see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Act. Export price is calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act.

For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum. A list of topics included in the Preliminary Decision Memorandum is included as an appendix to this notice. The Preliminary Decision Memorandum is a public document and is made available to the

¹ *See Common Alloy Aluminum Sheet from Bahrain, Brazil, Croatia, Egypt, Germany, India, Indonesia, Italy, Oman, Romania, Serbia, Slovenia, South Africa, Spain, Taiwan and the Republic of Turkey: Antidumping Duty Orders*, 86 FR 22139 (April 27, 2021) (*Order*).

² *See Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 87 FR 35165 (June 9, 2022).

³ *See* Memorandum, "Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review, 2020-2022," dated December 5, 2022.

⁴ *See* Memorandum, "Decision Memorandum for the Preliminary Results of the Administrative Review of the Antidumping Duty Order on Common Alloy Aluminum Sheet from India; 2020-2022," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

public 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 Preliminary Decision Memorandum is available at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Rates for Non-Examined Company

Neither the Act nor Commerce's regulations address the establishment of a rate to be applied to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in a market economy investigation, for guidance when calculating the rate for companies that were not selected for individual examination in an administrative review. Under section 735(c)(5)(A) of the Act, the all-others rate is normally "an amount equal to the weighted-average of the estimated weighted average dumping margins established for exporters and producers individually investigated, excluding any zero or *de minimis* margins, and any margins determined entirely {on the basis of facts available}."

Where the dumping margin for individually examined respondents are all zero, *de minimis*, or based entirely on facts available, section 735(c)(5)(B) of the Act provides that Commerce may use "any reasonable method to establish the estimated all-others rate for exporters and producers not individually investigated, including averaging the estimated weighted average dumping margins determined for the exporters and producers individually investigated."

In this review, we calculated a weighted-average dumping margin for Hindalco that is zero and we did not calculate any margins which are not zero, *de minimis*, determined entirely on the basis of facts available. Therefore, consistent with section 735(c)(5)(B) of the Act, we are applying to Virgo, the company not selected for individual examination in this review, a margin of zero percent.

Preliminary Results of Review

We preliminarily determine that the following weighted-average dumping margins exist for the period October 15, 2020, through March 31, 2022:

Exporter/producer	Weighted-average dumping margin (percent)
Hindalco Industries Limited	0.00
Virgo Aluminum Limited	0.00

Assessment Rates

Upon completion of the final results, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. Pursuant to 19 CFR 351.212(b)(1), if Hindalco's weighted-average dumping margin is not zero or *de minimis* (i.e., less than 0.5 percent) in the final results of this review, we will calculate importer-specific assessment rates based on the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of those same sales. If Hindalco's weighted-average dumping margin is zero or *de minimis*, or if an importer-specific assessment rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. For Virgo, the company not selected for individual review, we will assign an assessment rate based on the rate for Hindalco, calculated as noted in the "Preliminary Results of Review" section above. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by this review and for future deposits of estimated duties, where applicable.⁵

In accordance with Commerce's "automatic assessment" practice, for entries of subject merchandise during the POR produced by Hindalco for which it did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate those entries at the all-others rate established in the original less-than-fair value (LTFV) investigation (i.e., 44.64 percent)⁶ if there is no rate for the intermediate company(ies) involved in the transaction.⁷

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of

publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (i.e., within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective 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 Hindalco and Virgo in the final results of review will be equal to the weighted-average dumping margin established in the final results of this administrative review except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for merchandise exported by a company not covered in this review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment in which they were reviewed; (3) if the exporter is not a firm covered in this review or the original LTFV investigation, but the producer is, then the cash deposit rate will be the rate established for the most recently-completed segment of this proceeding for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 44.64 percent,⁸ the all-others rate established in the LTFV investigation. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Disclosure and Public Comment

We intend to disclose the calculations performed to parties within five days after public announcement of the preliminary results 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). A timeline for the submission of case and rebuttal briefs and written comments will be provided to interested parties at a later date. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than seven days after the date for filing case briefs.⁹

⁸ See Order.

⁹ See 19 CFR 351.309(c)(1)(ii) and 351.309(d)(1); see also *Temporary Rule Modifying AD/CVD*

Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.¹⁰ Case and rebuttal briefs should be filed using ACCESS¹¹ and must be served on interested parties.¹² Executive summaries should be limited to five pages total, including footnotes. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.¹³

Interested parties who wish to request a hearing must do so within 30 days of publication of these preliminary results by submitting a written request to the Assistant Secretary, filed electronically via ACCESS.¹⁴ Requests should contain the party's name, address, and telephone number, the number of participants, whether any participant is a foreign national, and a list of the issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs.¹⁵ If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm the date and time of the hearing two days before the scheduled date. Parties are reminded that all briefs and hearing requests must be filed electronically using ACCESS and received successfully in their entirety by 5:00 p.m. Eastern Time on the due date.

Final Results of Review

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, not later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

Notification to Importers

This notice also serves as a preliminary 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 POR.

Service Requirements Due to COVID-19; Extension of Effective Period, 85 FR 41363 (July 10, 2020) (*Temporary Rule*).

¹⁰ See 19 CFR 351.309(c)(2) and (d)(2).

¹¹ See generally 19 CFR 351.303.

¹² See 19 CFR 351.303(f).

¹³ See *Temporary Rule*.

¹⁴ See 19 CFR 351.310(c).

¹⁵ See 19 CFR 351.310.

⁵ See section 751(a)(2)(C) of the Act.

⁶ See Order.

⁷ For a full discussion of this practice, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

Notification to Interested Parties

This administrative review and notice are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: April 28, 2023.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Discussion of the Methodology
- V. Currency Conversion
- VI. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-107]

Wooden Cabinets and Vanities and Components Thereof From the People's Republic of China: Preliminary Results of Countervailing Duty Administrative Review, Rescission of Administrative Review in Part, and Intent To Rescind in Part; 2021

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of wooden cabinets and vanities and components thereof (wooden cabinets) from the People's Republic of China (China). The period of review (POR) is January 1, 2021, through December 31, 2021. Interested parties are invited to comment on these preliminary results.

DATES: Applicable May 5, 2023.

FOR FURTHER INFORMATION CONTACT: Konrad Ptaszynski or Michael Romani, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-6187 or (202) 482-0198, respectively.

SUPPLEMENTARY INFORMATION:

Background

On April 21, 2020, Commerce published in the *Federal Register* the countervailing duty (CVD) order on wooden cabinets from China.¹ On June 9, 2022, Commerce published the notice of initiation of an administrative review of the *Order* for the period January 1, 2021, through December 31, 2021.² On August 16, 2022, Commerce selected The Ancientree Cabinet Co., Ltd. (Ancientree), as the sole mandatory respondent in this administrative review. However, between August 30 and September 7, 2022, multiple respondents timely withdrew their requests for review, including Ancientree.³ As a result, on September 26, 2022, Commerce selected Fujian Dushi Wooden Industry Co. (Dushi) and Jiangsu Sunwell Cabinetry Co., Ltd. (Sunwell) as mandatory respondents in this administrative review.⁴ On December 16, 2022, Commerce exercised its discretion to extend the deadline for the preliminary results of this review by 118 days, until April 28, 2023.⁵

For a complete description of the events that followed the initiation of this review, see the Preliminary Decision Memorandum.⁶ A list of topics discussed in the Preliminary Decision Memorandum is included as appendix I to this notice. The Preliminary Decision Memorandum is a public document and

¹ See *Wooden Cabinets and Vanities and Components Thereof from the People's Republic of China: Countervailing Duty Order*, 85 FR 22134 (April 21, 2020) (*Order*).

² See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 87 FR 35165, 35176 (June 9, 2022). Although we received a request for review from Vivaldi Commercial, LLC d/b/a Superior Granite and Marble by Vivaldi, and Vivaldi Interiors, LLC (collectively, Vivaldi) with respect to Grand Supremacy Sdn. Bhd. (Grand Supremacy) a Malaysian producer and exporter of wooden cabinets, we did not initiate an administrative review of Grand Supremacy because it is located in Malaysia not China, as in the *Order*. See Vivaldi's Letter, "Request for Administrative Review," dated May 1, 2022.

³ See Ancientree's Letter, "Withdrawal of Requests for Administrative Review," dated August 30, 2022 (Ancientree Companies Withdrawal); see also Senke Manufacturing Company's Letter, "Withdrawal of Requests for 2021 Administrative Review," dated September 7, 2022 (Senke Companies Withdrawal).

⁴ See Memorandum, "Second Respondent Selection," dated September 26, 2022.

⁵ See Memorandum, "Extension of Deadline for Preliminary Results of the Countervailing Duties Administrative Review; 2021," dated December 16, 2022.

⁶ See Memorandum, "Decision Memorandum for the Preliminary Results of the Administrative Review of the Countervailing Duty Order on Wooden Cabinets and Vanities and Components Thereof from the People's Republic of China; 2021," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

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>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Scope of the Order

The product covered by the *Order* is wooden cabinets from China. For a complete description of the scope, see the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this administrative review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found countervailable, Commerce preliminarily finds that there is a subsidy (*i.e.*, a government-provided financial contribution that gives rise to a benefit to the recipient, and that the subsidy is specific).⁷

In making these findings, Commerce relied, in part, on facts available and, because it finds that one or more respondents, including the Government of China, did not act to the best of their ability to respond to Commerce's requests for information, it drew an adverse inference where appropriate in selecting from among the facts otherwise available.⁸ For further information, see "Use of Facts Otherwise Available and Adverse Inferences" in the Preliminary Decision Memorandum.

Rescission of Administrative Review, in Part

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if the parties that requested a review withdraw the request within 90 days of the date of publication of the notice of initiation. Commerce received timely-filed withdrawal of review requests with respect to 12 companies, pursuant to 19 CFR 351.213(d)(1).⁹ Because the withdrawal requests were timely filed and no other parties requested a review of these companies, in accordance with 19 CFR 351.213(d)(1), Commerce is rescinding

⁷ See sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

⁸ See sections 776(a) and (b) of the Act.

⁹ See Ancientree Companies Withdrawal; see also Senke Companies Withdrawal.