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ถึง สมาอุตสาหกรรมแห่งประเทศไทย

ด้วย กระทรวงพาณิชย์ (Department of Commerce : DOC) ประกาศผลขั้นที่สุด กรณี การทบทวนความจำเป็นเร่งด่วนในการใช้มาตรการตอบโต้การทุ่มตลาด (the Expedited Sunset Review) กับสินค้ากรดซิตริกและเกลือซิเตรต (Citric Acid and Certain Citrate Salts) ที่นำเข้าจากประเทศไทย โดย DOC พิจารณาแล้ว พบว่าหากมีการยุติมาตรการดังกล่าวจะทำให้มีการทุ่มตลาดต่อไปหรือฟื้นคืนมาอีก และในการทบทวนครั้งนี้พบว่าไทยยังคงมีอัตราอากรตอบโต้การทุ่มตลาดอยู่ที่ไม่เกินร้อยละ ๑๕.๗๑ ทั้งนี้ สามารถศึกษาข้อมูลเพิ่มเติมได้ที่เว็บไซต์ [www.thaitr.dft.go.th](http://www.thaitr.dft.go.th) หรือ สามารถดาวน์โหลดประกาศดังกล่าวได้ตาม QR Code ที่แนบ



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proprietary information, until further notice.<sup>10</sup>

### Final Results of Review

Commerce intends to issue the final results of this administrative review, including the results of its analysis of issues raised in any written briefs, no later than 120 days after the date of publication of this notice, unless this deadline is otherwise extended.<sup>11</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 cash deposits of estimated antidumping duties, where applicable.<sup>12</sup>

### Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this administrative 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).

For an individually examined respondent whose weighted-average dumping margin is not zero or *de minimis* (*i.e.*, 0.50 percent), upon completion of the final results, Commerce will calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales and the total entered value of those sales. Where we do not have entered values for all U.S. sales to a particular importer, we will calculate a per-unit assessment rate on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales and the total quantity of those sales.<sup>13</sup> To determine whether the duty assessment rate is *de minimis*, in accordance with the requirement set forth in 19 CFR 351.106(c)(2), we will calculate an estimated importer-specific

*ad valorem* rate based on the estimated entered value. Where either a respondent's weighted-average dumping margin is zero or *de minimis*, or an importer-specific *ad valorem* rate is zero or *de minimis*, we will instruct CBP to liquidate appropriate entries without regard to antidumping duties.<sup>14</sup>

For entries of subject merchandise during the POR produced by an individually examined respondent for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate such entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

### 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 date of publication 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 Bothwell will be equal to the weighted-average dumping margin established in the final results of this 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 an exporter 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 of this proceeding in which they were reviewed; (3) if the exporter is not a firm covered in a review or the less-than-fair-value (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 subject merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 116.17 percent, the all-others rate established in the LTFV investigation.<sup>15</sup>

These cash deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importers

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

### Notification to Interested Parties

These preliminary results are being 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: September 22, 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

[A-549-833, A-301-803]

#### Citric Acid and Certain Citrate Salts From Thailand and Colombia: Final Results of the Expedited First Sunset Reviews of the Antidumping Duty Orders

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

**SUMMARY:** As a result of these expedited sunset reviews, the U.S. Department of Commerce (Commerce) finds that revocation of the antidumping duty (AD) orders on citric acid and certain citrate salts (citric acid) from Thailand and Colombia would be likely to lead to continuation or recurrence of dumping at the level indicated in the "Final Results of Sunset Reviews" section of this notice.

**DATES:** Applicable September 29, 2023.

**FOR FURTHER INFORMATION CONTACT:** Deborah Cohen, 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) 482-4521.

**SUPPLEMENTARY INFORMATION:**

<sup>10</sup> See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

<sup>11</sup> See section 751(a)(3)(A) of the Act; and 19 CFR 351.213(h).

<sup>12</sup> See section 751(a)(2)(C) of the Act.

<sup>13</sup> See 19 CFR 351.212(b)(1).

<sup>14</sup> See 19 CFR 352.106(c)(2); see also *Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification*, 77 FR 8101, 8103 (February 14, 2012).

<sup>15</sup> See *Order*, 83 FR at 48281.

## Background

On June 1, 2023, Commerce published the *Initiation Notice* of the sunset reviews of the AD orders on citric acid from Thailand and Colombia<sup>1</sup> in the **Federal Register** pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup> In accordance with 19 CFR 351.218(d)(1)(i) and (ii), Commerce received notices of intent to participate in these sunset reviews from Archer Daniels Midland Company, Cargill, Incorporated, and Primary Products Ingredients Americas LLC (collectively, the domestic interested parties) within 15 days after the date of publication of the *Initiation Notice*.<sup>3</sup> The domestic interested parties claimed interested party status under section 771(9)(C) of the Act as producers of a domestic like product in the United States.<sup>4</sup> Commerce timely received an adequate substantive response to the *Initiation Notice* from the domestic interested parties within the 30-day period specified in 19 CFR 351.218(d)(3)(i).<sup>5</sup> We did not receive substantive responses from any other interested parties. On July 25, 2023, Commerce notified the U.S. International Trade Commission (ITC) that it did not receive an adequate substantive response from other interested parties.<sup>6</sup> As a result, in accordance with section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), Commerce conducted expedited, *i.e.*, 120-day sunset reviews of the *Orders*.

## Scope of the Orders

The merchandise covered by the *Orders* includes all grades and granulation sizes of citric acid, sodium citrate, and potassium citrate in their unblended forms, whether dry or in

<sup>1</sup> See *Citric Acid and Certain Citrate Salts from Belgium, Colombia and Thailand: Antidumping Duty Orders*, 83 FR 35214 (July 25, 2018) (*Orders*).

<sup>2</sup> See *Initiation of Five-Year (Sunset) Reviews*, 88 FR 35832 (June 1, 2023) (*Initiation Notice*).

<sup>3</sup> See Domestic Interested Parties Letters, "Five Year ("Sunset") Review of the Antidumping Duty Order on Citric Acid and Certain Citrate Salts from Colombia—Domestic Industry's Notice of Intent to Participate," dated June 15, 2023; and "Five Year ("Sunset") Review of the Antidumping Duty Order on Citric Acid and Certain Citrate Salts from Thailand—Domestic Industry's Notice of Intent to Participate," dated June 15, 2023.

<sup>4</sup> *Id.*

<sup>5</sup> See Domestic Interested Party's Letters, "Five Year ("Sunset") Review of the Antidumping Duty Order on Citric Acid and Certain Citrate Salts from Colombia—Domestic Interested Party's Substantive Response," dated June 30, 2023; and "Five Year ("Sunset") Review of the Antidumping Duty Order on Citric Acid and Certain Citrate Salts from Thailand—Domestic Interested Party's Substantive Response," dated June 30, 2023.

<sup>6</sup> See Commerce's Letter, "Sunset Reviews Initiated on June 1, 2023," dated July 25, 2023.

solution, and regardless of packaging type. For a full description of the scope of the *Orders*, see the Issues and Decision Memorandum.<sup>7</sup>

## Analysis of Comments Received

All issues raised in these sunset reviews are addressed in the Issues and Decision Memorandum, including the likelihood of continuation or recurrence of dumping and the magnitude of the margins of dumping likely to prevail if the *Orders* were revoked. A list of topics discussed in the Issues and Decision Memorandum is included as the appendix to this notice. 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 <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

## Final Results of Sunset Reviews

Pursuant to sections 751(c)(1) and 752(c)(1) and (3) of the Act, Commerce determines that revocation of the *Orders* would be likely to lead to continuation or recurrence of dumping and that the magnitude of the margins of dumping likely to prevail would be at rates up to 28.48 percent for Colombia and 15.71 percent for Thailand.

## Administrative Protective Order

This notice serves as the only reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a). 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.

## Notification to Interested Parties

Commerce is issuing and publishing these final results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act, and 19 CFR 351.221(c)(5)(ii).

<sup>7</sup> See Memorandum, "Issues and Decision Memorandum for the Final Results of the Expedited First Sunset Reviews of the Antidumping Duty Orders on Citric Acid and Certain Citrate Salts from Thailand and Colombia," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

Dated: September 22, 2023.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

## Appendix

### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Orders*
- IV. History of the *Orders*
- V. Legal Framework
- VI. Discussion of the Issues
  1. Likelihood of Continuation or Recurrence of Dumping
  2. Magnitude of Margin of Dumping Likely to Prevail
- VII. Final Results of Expedited Sunset Reviews
- VIII. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–533–916]

### Brass Rod From India: Preliminary Affirmative Countervailing Duty Determination

**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 brass rod from India. The period of investigation is April 1, 2022, through March 31, 2023. Interested parties are invited to comment on this preliminary determination.

**DATES:** Applicable September 29, 2023.

**FOR FURTHER INFORMATION CONTACT:** Dusten Hom or Mary Kolberg, 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) 482–5075 or (202) 482–1785, respectively.

### SUPPLEMENTARY INFORMATION:

#### Background

This preliminary determination is made in accordance with section 703(b) of the Tariff Act of 1930, as amended (the Act). On May 24, 2023, Commerce published in the **Federal Register** the notice of initiation of this investigation.<sup>1</sup>

<sup>1</sup> See *Brass Rod from India, Israel, and the Republic of Korea: Initiation of Countervailing Duty*