

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B-27-2015]

Foreign-Trade Zone (FTZ) 154—Baton Rouge, Louisiana; Authorization of Production Activity; Syngenta Crop Protection, LLC; Subzone 154B; (Herbicides and Insecticides), St. Gabriel and Baton Rouge, Louisiana

On April 22, 2015, the Greater Baton Rouge Port Commission, grantee of FTZ 154, submitted a notification of proposed production activity to the Foreign-Trade Zones (FTZ) Board on behalf of Syngenta Crop Protection, LLC, within Subzone 154B, located at sites in St. Gabriel and Baton Rouge, Louisiana.

The notification was processed in accordance with the regulations of the FTZ Board (15 CFR part 400), including notice in the **Federal Register** inviting public comment (80 FR 25277, 05-04-2015). The FTZ Board has determined that no further review of the activity is warranted at this time. The production activity described in the notification is authorized, subject to the FTZ Act and the Board's regulations, including Section 400.14.

Dated: August 20, 2015.

Andrew McGilvray,
Executive Secretary.

[FR Doc. 2015-21254 Filed 8-26-15; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-351-842]

Certain Uncoated Paper From Brazil: 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 (the "Department") preliminarily determines that certain uncoated paper ("uncoated paper") from Brazil is being, or is likely to be, sold in the United States at less than fair value ("LTFV"), as provided in section 733(b) of the Tariff Act of 1930, as amended ("the Act"). The period of investigation ("POI") is January 1, 2014, through December 31, 2014. The estimated weighted-average dumping margins of sales at LTFV are shown in the "Preliminary Determination" section of this notice. Interested parties are invited

to comment on this preliminary determination.

DATES: *Effective Date:* August 27, 2015.

FOR FURTHER INFORMATION CONTACT: Julia Hancock or Paul Walker, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-1394 or (202) 482-0413, respectively.

SUPPLEMENTARY INFORMATION: On February 10, 2015, the Department initiated the antidumping duty investigation on uncoated paper from Brazil.¹

For a complete description of the events that followed the initiation of this investigation, see the Preliminary Decision Memorandum.² 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 found at <http://enforcement.trade.gov/frn/>. The signed Preliminary Decision Memorandum and the electronic version of the Preliminary Decision Memorandum are identical in content.

Scope of the Investigation

The product covered by this investigation is uncoated paper from Brazil. For a full description of the scope of this investigation, see the "Scope of the Investigation," in Appendix I.

Scope Comments

Certain interested parties commented on the scope of the investigation as it appeared in the *Initiation Notice*. For a discussion of those comments, see the Preliminary Decision Memorandum.³

¹ See *Certain Uncoated Paper from Australia, Brazil, the People's Republic of China, Indonesia, and Portugal: Initiation of Less-Than-Fair-Value Investigations*, 80 FR 8608 (February 18, 2015).

² See Memorandum from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Enforcement and Compliance "Decision Memorandum for the Preliminary Determination in the Antidumping Duty Investigation of Certain Uncoated Paper from Brazil" ("Preliminary Decision Memorandum"), dated concurrently with and hereby adopted by this notice.

³ See also Memorandum from Erin Begnal, Director, Office III, to Ronald K. Lorentzen, Acting

Postponement of Deadline for Preliminary Determination

On May 18, 2015, Petitioners⁴ submitted a timely request for a 50-day postponement of the preliminary determination in this investigation pursuant to section 733(c)(1)(A) of the Act and 19 CFR 351.205(e).⁵ On June 1, 2015, we postponed the preliminary determination by 50 days.⁶ As a result of the postponement, the revised deadline for the preliminary determination of this investigation is now August 19, 2015.

Methodology

The Department is conducting this investigation in accordance with section 731 of the Act. There are two mandatory respondents participating in this investigation, International Paper⁷ and Suzano.⁸ Export price and constructed export price for these companies, as appropriate, are calculated in accordance with section 772 of the Act. Normal value ("NV") is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying our preliminary conclusions, see the Preliminary Decision Memorandum.

All-Others Rate

Consistent with sections 733(d)(1)(A)(ii) and 735(c)(5) of the Act, the Department also calculated an estimated all-others rate. Section 735(c)(5)(A) of the Act provides that the estimated all-others rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely under section 776 of the Act.

Specifically, this rate of 37.76 percent is based on a simple average of the

Assistant Secretary for Enforcement and Compliance "Scope Comments Decision Memorandum for the Preliminary Determinations" (August 3, 2015).

⁴ Petitioners are United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union; Domtar Corporation; Finch Paper LLC; P.H. Glatfelter Company; and Packaging Corporation of America (collectively "Petitioners").

⁵ See Letter to the Secretary of Commerce from Petitioners "Request For Postponement Of The Preliminary Determination" (May 18, 2015).

⁶ See *Certain Uncoated Paper from Australia, Brazil, the People's Republic of China, Indonesia, and Portugal: Postponement of Preliminary Determinations of Antidumping Duty Investigations*, 80 FR 31017 (June 1, 2015).

⁷ International Paper do Brasil Ltda., and International Paper Exportadora Ltda. (collectively "International Paper").

⁸ Suzano Papel e Celulose S.A./Suzano Pulp and Paper America, Inc. ("Suzano").

weighted-average margin calculated for each mandatory respondent. Because the Department cannot apply our normal methodology of calculating a weighted-average margin due to requests to protect business-proprietary information, the Department finds this rate to be the best proxy of the actual weighted-average margin determined for these respondents.^{9 10}

Preliminary Determination

The Department preliminarily determines that the following weighted-average dumping margins exist:

Exporter/producer	Weighted-average margin (percent)
International Paper do Brasil Ltda. and International Paper Exportadora Ltda. ¹¹	42.42
Suzano Papel e Celulose S.A.	33.09
All-Others	37.76

Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, we are directing U.S. Customs and Border Protection (“CBP”) to suspend liquidation of all entries of uncoated paper from Brazil, as described in Appendix I of this notice, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**.

In accordance with 19 CFR 351.205(d), the Department will instruct CBP to require a cash deposit equal to the preliminary weighted-average amount by which normal value exceeds U.S. price, as indicated in the chart above.¹² These suspension of

liquidation instructions will remain in effect until further notice.

Disclosure

We will disclose the calculations performed to interested parties in this proceeding within five days of the date of the announcement of our preliminary determination in accordance with 19 CFR 351.224(b).

Verification

As provided in section 782(i) of the Act and 19 CFR 351.307, we intend to verify information relied upon in making our final determination.

Public Comment

Interested parties are invited to comment on this preliminary determination. Case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the final verification report is issued in this proceeding, and rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than five days after the deadline date for case briefs.¹³ Pursuant to 19 CFR 351.309(c)(2) and (d)(2), 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.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce. All documents must be filed electronically using ACCESS. An electronically-filed request must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time, within 30 days after the date of publication of this notice.¹⁴ Requests should contain the party’s name, address, and telephone number, the number of participants, and a list of the issues to be discussed. If a request for a hearing is made, the Department intends to hold the hearing at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Postponement of Final Determination and Extension of Provisional Measures

Section 735(a)(2) of the Act provides that a final determination may be postponed until not later than 135 days after the date of the publication of the preliminary determination if, in the event of an affirmative preliminary determination, a request for such postponement is made by exporters who account for a significant proportion of exports of the subject merchandise, or in the event of a negative preliminary determination, a request for such postponement is made by Petitioners. Pursuant to 19 CFR 351.210(e)(2) requests by respondents for postponement of a final antidumping determination must be accompanied by a request for extension of provisional measures from a four-month period to a period not more than six months in duration.

On August 13, 2015, pursuant to 19 CFR 351.210(b) and (e), International Paper requested that, contingent upon an affirmative preliminary determination of sales at LTFV, the Department postpone the final determination and that provisional measures be extended to a period not to exceed six months.¹⁵ In addition, Petitioners requested that the Department postpone its final determination in accordance with 19 CFR 351.210(b)(2)(i).¹⁶

In accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii), because (1) our preliminary determination is affirmative; (2) the requesting exporters account for a significant proportion of exports of the subject merchandise; and (3) no compelling reasons for denial exist, we are postponing the final determination and extending the provisional measures from a four-month period to a period not greater than six months. Accordingly, we will make our final determination no later than 135 days after the date of publication of this preliminary determination, pursuant to section 735(a)(2) of the Act.¹⁷

International Trade Commission (ITC) Notification

In accordance with section 733(f) of the Act, we have notified the ITC of our affirmative preliminary determination of sales at LTFV. If our final determination is affirmative, the ITC will determine

⁹ See, e.g., *Certain Frozen Warmwater Shrimp from India: Final Results of Antidumping Duty Administrative Review, Partial Rescission, and Final No Shipment Determination*, 76 FR 41203, 41205 (July 13, 2011).

¹⁰ See Memorandum to the File from Julia Hancock, Senior Case Analyst, Office V, Enforcement and Compliance, Subject: Certain Uncoated Paper from Brazil: Calculation of All-Others’ Rate in Preliminary Determination (August 19, 2015).

¹¹ In this preliminary determination, we determine that International Paper do Brasil Ltda. and International Paper Exportadora Ltda. constitute a single entity. See Preliminary Decision Memorandum at “Affiliation Determinations” section, and Memorandum to the File from Julia Hancock, Senior International Trade Analyst, Office V, through Paul Walker, Acting Program Manager, Office V “Calculations Performed for International Paper do Brasil Ltda. and International Paper Exportadora Ltda. for the Preliminary Determination in the Antidumping Duty Investigation of Certain Uncoated Paper from Brazil” (August 19, 2015), at 2–3.

¹² See *Modification of Regulations Regarding the Practice of Accepting Bonds During the Provisional Measures Period in Antidumping and Countervailing Duty Investigations*, 76 FR 61042 (October 3, 2011).

¹³ See 19 CFR 351.309.

¹⁴ See 19 CFR 351.310(c).

¹⁵ See Letter to the Secretary of Commerce from International Paper “Request for Postponement of Final Determination” (August 13, 2015).

¹⁶ See Letter to the Secretary of Commerce from Petitioners “Petitioners’ Comments on the Extension of the Final Determination” (July 31, 2015).

¹⁷ See also 19 CFR 351.210(e).

before the later of 120 days after the date of this preliminary determination or 45 days after our final determination whether these imports are materially injuring, or threaten material injury to, the U.S. industry.

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act and 19 CFR 351.205(c).

Dated: August 19, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix I

The merchandise covered by this investigation includes uncoated paper in sheet form; weighing at least 40 grams per square meter but not more than 150 grams per square meter; that either is a white paper with a GE brightness level of 85 or higher or is a colored paper; whether or not surface-decorated, printed (except as described below), embossed, perforated, or punched; irrespective of the smoothness of the surface; and irrespective of dimensions (Certain Uncoated Paper).

Certain Uncoated Paper includes (a) uncoated free sheet paper that meets this scope definition; (b) uncoated ground wood paper produced from bleached chemi-thermo-mechanical pulp (“BCTMP”) that meets this scope definition; and (c) any other uncoated paper that meets this scope definition regardless of the type of pulp used to produce the paper.

Specifically excluded from the scope are (1) paper printed with final content of printed text or graphics and (2) lined paper products, typically school supplies, composed of paper that incorporates straight horizontal and/or vertical lines that would make the paper unsuitable for copying or printing purposes.

Imports of the subject merchandise are provided for under Harmonized Tariff Schedule of the United States (“HTSUS”) categories 4802.56.1000, 4802.56.2000, 4802.56.3000, 4802.56.4000, 4802.56.6000, 4802.56.7020, 4802.56.7040, 4802.57.1000, 4802.57.2000, 4802.57.3000, and 4802.57.4000. Some imports of subject merchandise may also be classified under 4802.62.1000, 4802.62.2000, 4802.62.3000, 4802.62.5000, 4802.62.6020, 4802.62.6040, 4802.69.1000, 4802.69.2000, 4802.69.3000, 4811.90.8050 and 4811.90.9080. While HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

1. Summary
2. Background
3. Period of Investigation
4. Postponement of Final Determination and Extension of Provision Measures
5. Scope Comments
6. Affiliation Determinations

7. All Others Rate
8. Discussion of the Methodology
 - A. Determination of the Comparison Method
 - B. Results of Differential Pricing Analysis
9. Date of Sale
10. Product Comparisons
11. Treatment of Re-Export Sales
12. Export Price
13. Constructed Export Price
14. Normal Value
 - A. Home Market Viability
 - B. Affiliated Party Transactions and Arm’s-Length Test
 - C. Level of Trade
 - D. Cost of Production Analysis
15. Calculation of COP
16. Test of Comparison Market Sales Prices
17. Results of the COP Test
18. Constructed Value
 - A. Calculation of Normal Value Based on Comparison Market Prices
19. Currency Conversion
20. Verification

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–985]

Xanthan Gum From the People’s Republic of China: Initiation of Antidumping Duty New Shipper Review

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

DATES: *Effective Date:* August 27, 2015.

SUMMARY: The Department of Commerce (“Department”) is initiating a new shipper review of the antidumping duty order on xanthan gum from the People’s Republic of China (“PRC”) with respect to Inner Mongolia Jianlong Biochemical Co., Ltd. (“Inner Mongolia Jianlong”). The period of review (“POR”) for the new shipper review is July 1, 2014, through June 30, 2015.

FOR FURTHER INFORMATION CONTACT:

Brandon Farlander, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–0182.

SUPPLEMENTARY INFORMATION:

Background

The Department published the antidumping duty order on xanthan gum from the PRC on July 19, 2013.¹ On

¹ See *Xanthan Gum From the People’s Republic of China: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 78 FR 43143 (July 19, 2013) (“*Order*”).

July 31, 2015, pursuant to section 751(a)(2)(B)(i) of the Tariff Act of 1930, as amended (the “Act”), and 19 CFR 351.214(c), the Department received a timely request for a new shipper review from Inner Mongolia Jianlong.² On August 11, 2015, the Department received entry data from U.S. Customs and Border Protection (“CBP”) relating to this request for a new shipper review.³ In addition, the Department requested that CBP provide entry documents pertaining to the entry that is subject to Inner Mongolia Jianlong’s request to confirm certain information reported in the Initiation Request.⁴ The continuation of the new shipper review will be contingent upon confirmation of the relevant information reported in the Initiation Request.

Inner Mongolia Jianlong reported that it was the producer and exporter for the sale of subject merchandise upon which the request for the new shipper review is based.⁵

Pursuant to section 751(a)(2)(B)(i)(I) of the Act and 19 CFR 351.214(b)(2)(i), Inner Mongolia Jianlong certified that it did not export xanthan gum to the United States during the period of investigation (“POI”).⁶ In addition, pursuant to section 751(a)(2)(B)(i)(II) of the Act and 19 CFR 351.214(b)(2)(iii)(A), Inner Mongolia Jianlong certified that, since the initiation of the investigation, it has never been affiliated with an exporter or producer that exported xanthan gum to the United States during the POI, including those not individually examined during the investigation.⁷ As required by 19 CFR 351.214(b)(2)(iii)(B), Inner Mongolia Jianlong also certified that its export activities were not controlled by the government of the PRC.⁸

In addition, pursuant to 19 CFR 351.214(b)(2)(iv), Inner Mongolia Jianlong submitted documentation concerning the following: (1) The date

² See Letter to the Secretary of Commerce “Re: Xanthan Gum from the People’s Republic of China—Request for New Shipper Review,” dated July 31, 2015 (“Initiation Request”).

³ See Memorandum to the File from Howard Smith, Program Manager, AD/CVD Operations, Office IV regarding “U.S. Customs and Border Protection Data; Customs Query Results for Inner Mongolia Jianlong Biochemical Co., Ltd.,” dated August 18, 2015.

⁴ See Memorandum to Sherri L. Hoffman, Director, AD/CVD/Revenue Policy & Programs, Office of International Trade, U.S. Customs and Border Protection, from Abdelali Elouaradia, Director Office IV, AD/CVD Operations, Enforcement and Compliance, “Request for U.S. Entry Documents—Xanthan Gum from the People’s Republic of China (A–570–985),” dated August 18, 2015.

⁵ See Initiation Request at 1.

⁶ *Id.* at 2.

⁷ *Id.*

⁸ *Id.*