

the Act, and 19 CFR 351.213(h) and 351.221(b)(4).

Dated: October 18, 2022.

Lisa W. Wang,

Assistant Secretary, for Enforcement and Compliance.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–583–803]

Light-Walled Welded Rectangular Carbon Steel Tubing From Taiwan: Final Results of the Expedited Sunset Review of the Antidumping Duty Order

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

SUMMARY: As a result of this expedited sunset review, the U.S. Department of Commerce (Commerce) finds that revocation of the antidumping duty (AD) order on light-walled welded rectangular carbon steel tubing (LWR tubing) from Taiwan would be likely to lead to continuation or recurrence of dumping at the level indicated in the “Final Results of Sunset Review” section of this notice.

DATES: Applicable October 25, 2022.

FOR FURTHER INFORMATION CONTACT: Claudia Cott, 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) 482–4270.

SUPPLEMENTARY INFORMATION:

Background

On March 27, 1989, Commerce published its AD order on LWR tubing from Taiwan.¹ On August 9, 2017, Commerce published the most recent continuation notice of the *Order*.² On July 1, 2022, Commerce published the notice of initiation of the five-year sunset review of the *Order* pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).³ In accordance with 19 CFR 351.218(d)(1)(i) and (ii), Commerce received notices of intent to participate in this sunset review from

¹ See *Antidumping Duty Order; Light-Walled Welded Rectangular Carbon Steel Tubing from Taiwan*, 54 FR 12467 (March 27, 1989) (*Order*).

² See *Light-Walled Welded Rectangular Carbon Steel Tubing from Taiwan: Continuation of Antidumping Duty Order*, 82 FR 37193 (August 9, 2017).

³ See *Initiation of Five-Year (Sunset) Reviews*, 87 FR 39459 (July 1, 2022) (*Initiation Notice*).

the domestic interested parties⁴ within 15 days after the date of publication of the *Initiation Notice*.⁵ 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.⁶

Commerce received an adequate joint substantive response to the *Initiation Notice* from domestic interested parties within the 30-day period specified in 19 CFR 351.218(d)(3)(i).⁷ Commerce received no substantive responses from any other interested parties. On August 23, 2022, Commerce notified the U.S. International Trade Commission (ITC) that it did not receive an adequate substantive response from other interested parties.⁸ 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 an expedited, *i.e.*, 120-day sunset review of the *Order*.

Scope of the Order

The products covered by the order are LWR tubing of rectangular (including square) cross-section, having a wall thickness of less than 0.156 inch. This merchandise is classified under subheading 7306.61.5000 of the Harmonized Tariff Schedule of the United States (HTSUS). It was formerly classified under HTSUS subheading 7306.60.5000. The HTSUS subheadings are provided for convenience and customs purposes only. The written product description remains dispositive. A full description of the scope of the *Order* is contained in the Issues and Decision Memorandum.⁹

⁴ There are six domestic interested producers of LWR tubing: Atlas Tube (a division of Zekelman Industries); Bull Moose Tube Company (Bull Moose); California Steel and Tube; Maruichi American Corporation (Maruichi); Nucor Tubular Products, Inc. (Nucor Tubular); and Searing Industries, Inc. (Searing) (hereinafter referred to as domestic interested parties).

⁵ See Atlas Tube, Bull Moose, California Steel and Tube, Maruichi and Searing’s Letter, “Fifth Five-Year Review of the Antidumping Duty Order on Light-Walled Rectangular Welded Carbon Steel Pipe and Tube from Taiwan: Notice of Intent to Participate,” dated July 15, 2022; see also Nucor Tubular’s Letter, “Light-Walled Rectangular Welded Carbon Steel Pipe and Tube from Taiwan: Notice of Intent to Participate in Sunset Review,” dated July 18, 2022.

⁶ *Id.*

⁷ See Domestic Interested Parties’ Letter, “Light-Walled Rectangular Welded Carbon Steel Pipe and Tube from Taiwan: Substantive Response to Notice of Initiation,” dated August 1, 2022 (Domestic Interested Parties’ Substantive Response).

⁸ See Commerce’s Letter, “Sunset Reviews for July 1, 2022,” dated August 23, 2022.

⁹ See Memorandum, “Issues and Decision Memorandum for the Final Results of the Expedited Sunset Review of the Antidumping Duty Order on Light-Walled Welded Rectangular Carbon Steel Tubing from Taiwan,” dated concurrently with, and

Analysis of Comments Received

All issues raised in this sunset review are addressed in the Issues and Decision Memorandum. 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 Review

Pursuant to sections 751(c) and 752(c) of the Act, Commerce determines that revocation of the *Order* would be likely to lead to continuation or recurrence of dumping and that the magnitude of the margin of dumping likely to prevail would be at a rate up to 40.97 percent.

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 the 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).

Dated: October 20, 2022.

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 *Order*
- IV. History of the *Order*
- V. Legal Framework
- VI. Discussion of the Issues
 1. Likelihood of Continuation or Recurrence of Dumping

hereby adopted by, this notice (Issues and Decision Memorandum).

2. Magnitude of Margin of Dumping Likely To Prevail
 VII. Final Results of Expedited Sunset Review
 VIII. Recommendation

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-893]

Certain Frozen Warmwater Shrimp From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review and Preliminary Determination of No Shipments; 2021-2022

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that two exporters of certain frozen warmwater shrimp (shrimp) from the People's Republic of China (China) under review had no shipments of subject merchandise during the period of review (POR) February 1, 2021, through January 31, 2022. Commerce also preliminarily determines that the 134 remaining companies subject to this review are part of the China-wide entity because they did not demonstrate their eligibility for separate rates.

DATES: Applicable October 25, 2022.

FOR FURTHER INFORMATION CONTACT: Eric Hawkins, 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) 482-1988.

SUPPLEMENTARY INFORMATION:

Background

On February 1, 2005, Commerce published in the *Federal Register* the antidumping duty order on shrimp from China.¹ On February 8, 2022, Commerce published in the *Federal Register* a notice of opportunity to request an administrative review of the *Order*.² On April 12, 2022, based on timely requests for an administrative review, Commerce initiated the administrative review with

¹ See *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from the People's Republic of China*, 70 FR 5149 (February 1, 2005) (*Order*).

² See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List*, 87 FR 7112 (February 8, 2022).

respect to 136 exporters.³ Subsequently, we released U.S. Customs and Border Protection (CBP) data to interested parties for comment.⁴ We received timely comments from the Ad Hoc Shrimp Trade Action Committee (AHSTAC) and the American Shrimp Processors Association (ASPA).⁵

On May 11 and 12, 2022, we received timely no-shipment certifications from two companies.⁶ We did not receive a no-shipment statement, separate rate application (SRA), or separate rate certification (SRC) from any other company subject to this review. For a complete description of the events that followed the initiation of this administrative review, see the Preliminary Decision Memorandum.⁷ A list of topics discussed in the Preliminary Decision Memorandum is included at Appendix III to this notice. 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>. 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 scope of the *Order* includes certain frozen warmwater shrimp and prawns, whether wild caught (ocean

³ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 87 FR 21619 (April 12, 2022).

⁴ See Memorandum, "Release of U.S. Customs and Border Protection Data," dated April 13, 2022.

⁵ See AHSTAC's Letter, "Certain Frozen Warmwater Shrimp from India, Thailand, the Socialist Republic of Vietnam, and the People's Republic of China: Domestic Producers' Comments Regarding CBP Data and Respondent Selection," dated April 14, 2022; see also ASPA's Letter, "Administrative Review of the Antidumping Duty Order Covering Frozen Warmwater Shrimp from the People's Republic of China (POR 17: 02/01/21-01/31/2022): Comments on Respondent Selection and CBP Data," dated April 20, 2022.

⁶ We received timely no-shipment certifications from Zhangzhou Hongwei Foods Co., Ltd.; and Zhanjiang Regal Integrated Marine Resources Co., Ltd. (Zhanjiang Regal). Zhanjiang Regal is excluded from the *Order* with respect to merchandise manufactured and exported by Zhanjiang Regal. See *Certain Frozen Warmwater Shrimp from the People's Republic of China: Final Results of Administrative Review; 2011-2012*, 78 FR 56209, 56210 (September 12, 2013). Zhanjiang Regal submitted a no-shipment certification for exports outside the above combination.

⁷ See Memorandum, "Decision Memorandum for the Preliminary Results of the Antidumping Duty Administrative Review of Certain Frozen Warmwater Shrimp from the People's Republic of China; 2021-2022," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

harvested) or farm raised (produced by aquaculture), head on or head off, shell on or peeled, tail on or tail off,⁸ deveined or not deveined, cooked or raw, or otherwise processed in frozen form. A complete description of the scope of the *Order* is contained in the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.213.

Preliminary Determination of No Shipments

Based upon the no-shipment certifications received by Commerce, and our review of the CBP data, we preliminarily find that two companies had no shipments during the POR. Commerce requested that CBP confirm whether any shipments of subject merchandise entered the United States during the POR with respect to the two companies that submitted no shipment claims.⁹ CBP responded that it has no record of any subject entries for these two inquiries.¹⁰ For additional information regarding this determination, see the Preliminary Decision Memorandum. Consistent with our assessment in non-market economy administrative reviews,¹¹ Commerce is not rescinding this review for these two companies.¹² Commerce intends to complete this review and issue appropriate instructions to CBP based on the final results of this review.

Separate Rates

Because the other 134 companies under review did not submit a no-shipment certification, SRA, or SRC, Commerce preliminarily determines that these companies have not demonstrated their eligibility for separate rates.¹³ For additional

⁸ "Tails" in this context means the tail fan, which includes the telson and the uropods.

⁹ See CBP Message 2138420, "No Shipment Inquiry for Zhangzhou Hongwei Foods Co., Ltd. During the Period 02/01/2021 through 1/31/2022," dated May 18, 2022; see also CBP Message 2138426, "No Shipment Inquiry for Zhanjiang Regal Integrated Marine Resources Co., Ltd. During the Period 02/01/2021 through 1/31/2022," dated May 18, 2022.

¹⁰ See Memorandum, "Certain Frozen Warmwater Shrimp from the People's Republic of China; No Shipment Inquiries for Zhangzhou Hongwei Foods Co., Ltd. and Zhanjiang Regal Integrated Marine Resources Co., Ltd. During the Period 02/01/2021 through 01/31/2022," dated May 25, 2022.

¹¹ See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694, 65694-95 (October 24, 2011); see also "Assessment Rate" section, *infra*.

¹² See Appendix II.

¹³ See Appendix I.