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駐美國代表處經濟組 函

受文者：經濟部國際貿易局

發文日期：中華民國109年11月6日
發文字號：經美字第1090000972號
速別：普通件
密等及解密條件或保密期限：
附件：如文 (經美1090000972_Attach1.pdf)

主旨：陳報美國商務部公告我國「鍛鋼件」(Forged Steel Fittings)反傾銷稅2018年至2019年行政複查，撤銷對我商行政複查事，敬請查照。

說明：

- 一、美商務部本(2020)年11月6日公告旨揭行政複查，我商柏緯鐵工股份有限公司(Both-Well Steel Fittings, Co., Ltd.)於本案複查期間2018年5月17日至2019年8月31日，並未出口涉案產品至美國，因此撤銷對該廠商之行政複查。
- 二、檢附本案公告，併請卓參。

正本：經濟部國際貿易局

副本：電子公文交換章
2020/11/09 09:05:24

國際貿易局 109/11/09



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DEPARTMENT OF COMMERCE

International Trade Administration

[A-583-863]

Forged Steel Fittings from Taiwan: Rescission of Antidumping Duty Administrative Review; 2018-2019

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

SUMMARY: The Department of Commerce (Commerce) determines that Both-Well Steel Fittings, Co., Ltd. (Bothwell), the sole company under review, did not have any entries during the period of review (POR) May 17, 2018 through August 31, 2019 that are subject to review. Therefore, we are rescinding this administrative review.

DATES: Applicable [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

FOR FURTHER INFORMATION CONTACT: George Ayache or Samuel Glickstein, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-2623 or (202) 482-5307, respectively.

SUPPLEMENTARY INFORMATION:

Background

On July 23, 2020, Commerce published its *Preliminary Results* stating its intent to preliminarily rescind this administrative review in the *Federal Register* and invited parties to comment.¹ For a discussion of events subsequent to the *Preliminary Results*, see the Issues and

¹ See *Forged Steel Fittings from Taiwan: Preliminary Intent to Rescind the Antidumping Duty Administrative Review; 2018-2019*, 85 FR 44503 (July 23, 2020) (*Preliminary Results*).

Decision Memorandum.² On April 24, 2020, Commerce tolled all deadlines in administrative reviews by 50 days.³ On July 21, 2020, Commerce tolled all deadlines in administrative reviews by an additional 60 days.⁴ The deadline for the final results of this review is now January 19, 2021.

Scope of the Order

The products covered by the scope of this order are carbon and alloy forged steel fittings, whether unfinished (commonly known as blanks or rough forgings) or finished. Such fittings are made in a variety of shapes including, but not limited to, elbows, tees, crosses, laterals, couplings, reducers, caps, plugs, bushings, unions, and outlets. Forged steel fittings are covered regardless of end finish, whether threaded, socket-weld or other end connections. The subject merchandise is currently classifiable under item numbers 7307.99.1000, 7307.99.3000, 7307.99.5045, and 7307.99.5060 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.⁵

Analysis of the Comments Received

The sole issue raised in the case and rebuttal brief submitted in this review is addressed in the Issues and Decision Memorandum. A list of the topics raised is attached as an 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 <http://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum

² See Memorandum, "Decision Memorandum for the Rescission of the Antidumping Duty Administrative Review of Forged Steel Fittings from Taiwan; 2018-2019," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

³ See Memorandum, "Tolling of Deadlines for Antidumping and Countervailing Duty Administrative Reviews in Response to Operational Adjustments Due to COVID-19," dated April 24, 2020.

⁴ See Memorandum, "Tolling of Deadlines for Antidumping and Countervailing Duty Administrative Reviews," dated July 21, 2020.

⁵ For a complete description of the scope of the order, see Issues and Decision Memorandum.

can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

Rescission of Administrative Review

It is Commerce's practice to rescind an administrative review pursuant to 19 CFR 351.213(d)(3) when there are no reviewable entries of subject merchandise during the POR subject to the antidumping duty order and for which liquidation is suspended.⁶ At the end of the administrative review, the suspended entries are liquidated at the assessment rate computed for the review period.⁷ Therefore, for an administrative review to be conducted, there must be a reviewable, suspended entry to be liquidated at the newly calculated assessment rate. As discussed in the Issues and Decision Memorandum, we find that, because all of the entries associated with Bothwell's reported sales of subject merchandise during the POR were liquidated by U.S. Customs and Border Protection (CBP), Bothwell had no reviewable entries during this POR.⁸ Accordingly, we are rescinding this review pursuant to 19 CFR 351.213(d)(3).

Assessment

Because Commerce is rescinding this administrative review, we have not calculated a company-specific dumping margin for Bothwell.

Cash Deposit Requirements

As noted above, Commerce is rescinding this administrative review. Thus, we have not calculated a company-specific dumping margin for Bothwell. Therefore, entries of Bothwell's subject merchandise continue to be subject to its company-specific cash deposit rate of 116.17 percent. This cash deposit requirement shall remain in effect until further notice.

Administrative Protective Order

⁶ See, e.g., *Solid Fertilizer Grade Ammonium Nitrate from the Russian Federation: Notice of Rescission of Antidumping Duty Administrative Review*, 77 FR 65532 (October 29, 2012).

⁷ See 19 CFR 351.212(b)(1).

⁸ To the extent that record evidence suggests that additional Bothwell-produced merchandise imported into the United States from unaffiliated parties in third countries might have been sold during the POR, Bothwell's statements on the record indicate that it had no knowledge of those sales. Commerce therefore will not review those sales.

This notice also serves as a 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, which continues to govern business proprietary information in these segments of the proceeding. 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 sanctionable violation.

Notification to Importers

This notice serves as a final 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

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(h) and 351.221(b)(5).

Dated: November 3, 2020.

Jeffrey I. Kessler,

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. Discussion of the Issue
 Comment: Whether Commerce Should Rescind the Administrative Review
- V. Recommendation

[FR Doc. 2020-24832 Filed: 11/6/2020 8:45 am; Publication Date: 11/9/2020]