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Conclusion

[FR Doc. 2018-17017 Filed 8-8-18; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-475-819]

Certain Pasta From Italy: Preliminary Results of Countervailing Duty Administrative Review and Partial Rescission; 2016

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

SUMMARY: The Department of Commerce (Commerce) is conducting an administrative review of the countervailing duty (CVD) order on certain pasta from Italy. The period of review (POR) is January 1, 2016, through December 31, 2016.

DATES: Applicable August 9, 2018.

FOR FURTHER INFORMATION CONTACT: 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) 482-1785.

SUPPLEMENTARY INFORMATION:

Background

On September 13, 2017, Commerce published a notice of initiation of an administrative review of the CVD order on certain pasta from Italy for the POR.¹ From October 10, 2017 to December 12, 2017, eight of the producers/exporters of subject merchandise subject to this review timely withdrew their request for review. Thus, we are rescinding this review with respect to these eight producers/exporters. Commerce is conducting this review of one remaining producer/exporter of subject merchandise: GR.A.M.M. S.r.l.

¹⁸ Also called the Québec Scientific Research and Development Tax Credit in the *Preliminary Determination*.

¹ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 82 FR 42974 (September 13, 2017) (*Initiation Notice*).

(GR.A.M.M.). On March 29, 2018, Commerce postponed the deadline for issuing the preliminary results of this administrative review until August 3, 2018.² For a complete description of the events that followed the initiation of this review, see the Preliminary Decision Memorandum.³ A list of topics discussed in the Preliminary Decision Memorandum is provided in the Appendix 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> and 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 accessed directly on the internet 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 Order

Imports covered by the order are shipments of certain non-egg dry pasta in packages of five pounds four ounces or less, whether or not enriched or fortified or containing milk or other optional ingredients such as chopped vegetables, vegetable purees, milk, gluten, diastasis, vitamins, coloring and flavorings, and up to two percent egg white. The pasta covered by the scope of the order is typically sold in the retail market, in fiberboard or cardboard cartons, or polyethylene or polypropylene bags of varying dimensions. A full description of the scope of the order is contained in the Preliminary Decision Memorandum, which is hereby adopted by this notice.⁴

Partial Rescission

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, "in whole or in part, if a party that requested a review withdraws the request within 90 days of the date of publication of the notice of initiation of the requested review." The

requests for review for the following companies were withdrawn within the 90-day limit: Alessio Panarese Socieita Agricola, Antico Pastificio Morelli 1860 S.r.l., Colussi Spa, Ghigi 1870 S.p.A., Industria Alimentare Colavita, S.p.A., Pastificio Fratelli DeLuca S.r.l., Pastificio Mennucci SpA, and Tesa SrL.⁵ Therefore, Commerce is rescinding the review, in part, with respect to these companies.

Methodology

We are conducting this 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 to be countervailable, we preliminarily find 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.⁶ For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum.

Preliminary Results of the Review

We preliminarily find the following net countervailable subsidy rate for the mandatory respondent, GR.A.M.M. for the period January 1, 2016 through December 31, 2016:

Company	Net subsidy rate <i>ad valorem</i>
GR.A.M.M. S.r.l.	1.21 percent.

Assessment Rates

Consistent with section 751(a)(1) of the Act and 19 CFR 351.212(b)(2), upon issuance of the final results, Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, countervailing duties on all appropriate entries covered by this review. For companies for which this review is rescinded, Commerce will instruct CBP

to assess countervailing duties on all appropriate entries at a rate equal to the cash deposit of estimated countervailing duties required at the time of entry, or withdrawal from warehouse, for consumption, during the period January 1, 2016, through December 31, 2016, in accordance with 19 CFR

351.212(c)(1)(i). We intend to issue instructions to CBP 15 days after publication of the final results of this review.

Cash Deposit Requirements

In accordance with section 751(a)(2)(C) of the Act, Commerce also intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amount shown above for GR.A.M.M. with regard to shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review. For all non-reviewed firms, we will instruct CBP to continue to collect cash deposits at the most recent company specific or all-others rate applicable to the company. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Disclosure and Public Comment

We will disclose to parties in this review the calculations performed in reaching the preliminary results within five days of publication of these preliminary results.⁷ Interested parties may submit written comments (case briefs) on the preliminary results no later than 30 days from the date of publication of this **Federal Register** notice, and rebuttal comments (rebuttal briefs) within five days after the time limit for filing case briefs.⁸ Pursuant to 19 CFR 351.309(d)(2), rebuttal briefs must be limited to issues raised in the case briefs. Parties who submit arguments are requested to submit with the argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.⁹ All briefs must be filed electronically using ACCESS.

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, filed electronically via ACCESS by 5 p.m. Eastern Time within 30 days after the date of publication of this notice. Hearing requests should contain: (1) The party's name, address, and telephone number; (2) the number

² See Memorandum, "Certain Pasta from Italy: Extension of Time Limit for Preliminary Results of the Countervailing Duty Administrative Review," dated March 29, 2018.

³ See Memorandum, "Decision Memorandum for Preliminary Results of Countervailing Duty Administrative Review and Partial Rescission: Certain Pasta from Italy; 2016," dated concurrently with, and hereby adopted by, this notice (*Preliminary Decision Memorandum*).

⁴ See *Preliminary Decision Memorandum*.

⁵ See Tesa SrL's, "Pasta from Italy; Withdrawal of Request for Administrative Review," dated October 10, 2017; see also Ghigi 1870 S.p.A.'s, "Pasta from Italy; Withdrawal of Request for Administrative Review," dated October 17, 2017; see also Industria Alimentare Colavita, S.p.A.'s Letter, "Certain Pasta from Italy; Withdrawal of Request for CVD Administrative Review of Indalco S.p.A.," dated December 10, 2017; see also Pastificio Mennucci SpA's Letter, "Pasta from Italy; Withdrawal of Request for Administrative Review," dated December 12, 2017; see also Colussi Spa's Letter, "Pasta from Italy; Withdrawal of Request for Administrative Review," dated December 12, 2017; see also Alessio Panarese Socieita Agricola's, Pastificio Fratelli DeLuca S.r.l.'s, and Antico Pastificio Morelli 1860 S.r.l.'s Letter, "Certain Dry Pasta from Italy, C-475-819; Withdrawal of Request for Review," dated December 12, 2017.

⁶ 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.

⁷ See 19 CFR 351.224(b).

⁸ See 19 CFR 351.309(c)(1)(ii) and 351.309(d)(1).

⁹ 19 CFR 351.309(c)(2) and (d)(2).

of participants; and (3) a list of the issues to be discussed. Issues addressed at the hearing will be limited to those raised in the briefs. If a request for a hearing is made, parties will be notified of the date and time for the hearing to be held at the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.¹⁰ Commerce intends to issue the final results of this administrative review, including the results of our analysis of the issues raised by the parties in their comments, no 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), unless this deadline is extended.

These preliminary results and notice are issued and published in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.221(b)(4).

Dated: August 3, 2018.

James Maeder,

Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations performing the duties of Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum:

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Partial Rescission of the Administrative Review
- V. Subsidy Valuation Information
- VI. Analysis of Programs
- VII. Recommendation

[FR Doc. 2018-17048 Filed 8-8-18; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-992]

Monosodium Glutamate From the People's Republic of China: Preliminary Results of the Antidumping Duty Administrative Review; 2016-2017

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

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that the 27 companies subject to this administrative review are part of the China-wide entity because none filed a separate rate application (SRA) and/or a separate rate certification (SRC). The period of review (POR) is November 1, 2016, through October 31, 2017. We

invite interested parties to comment on these preliminary results.

DATES: Applicable August 9, 2018.

FOR FURTHER INFORMATION CONTACT: Chloee Sagmoe or Kathryn Wallace, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone at (202) 482-2000 or (202) 482-6251.

SUPPLEMENTARY INFORMATION:

Background

On November 1, 2017, Commerce published a notice of opportunity to request an administrative review of the antidumping duty order on monosodium glutamate (MSG) from the People's Republic of China (China).¹ In response, on November 30, 2017, Ajinomoto North America, Inc. (the petitioner) requested a review of 27 companies.² Commerce initiated a review of all 27 companies on January 11, 2018.³ For a list of these companies, see the Appendix to this notice. The deadline for interested parties to submit an SRA or an SRC was February 11, 2018.⁴ No party submitted an SRA or an SRC. On May 5, 2018, the petitioner requested that Commerce place the Remand Redetermination of the investigation of MSG from China⁵ on the record of this proceeding.⁶ The petitioners asked that Commerce utilize the recalculated dumping margin of mandatory respondent, Meihua Bio-Technology Co., Ltd. (Meihua), as the basis for the China-wide entity rate.⁷ No other party filed comments.

Scope of the Order

The product covered by this order is MSG, whether or not blended or in solution with other products.

¹ See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 82 FR 50620 (November 1, 2017).

² See Ajinomoto's letter, "Monosodium Glutamate from China: Request for Administrative Review," (November 30, 2017), at Attachment 1 (listing 27 companies for which Ajinomoto sought a review).

³ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 83 FR 1329 (January 11, 2018) (*Initiation Notice*).

⁴ See *Initiation Notice*.

⁵ See Remand Redetermination in the Antidumping Duty Investigation of Monosodium Glutamate from the People's Republic of China: Analysis Memorandum for Langfang Meihua Bio-Technology Co., Ltd. dated August 7, 2017 filed in the Ajinomoto North America, Inc. v. United States, Court No. 14-00351, Slip Op. 17-48 (April 25, 2017) (Remand Redetermination).

⁶ See Ajinomoto's letter, "Antidumping Duty Review of Monosodium Glutamate from China: Comments on PRC-Wide AFA Rate," (May 7, 2018).

⁷ *Id.*

Specifically, MSG that has been blended or is in solution with other product(s) is included in this scope when the resulting mix contains 15 percent or more of MSG by dry weight. Products with which MSG may be blended include, but are not limited to, salts, sugars, starches, maltodextrins, and various seasonings. Further, MSG is included in this order regardless of physical form (including, but not limited to, in monohydrate or anhydrous form, or as substrates, solutions, dry powders of any particle size, or unfinished forms such as MSG slurry), end-use application, or packaging. MSG in monohydrate form has a molecular formula of $C_5H_8NO_4Na \cdot H_2O$, a Chemical Abstract Service (CAS) registry number of 6106-04-3, and a Unique Ingredient Identifier (UNII) number of W81N5U6R6U. MSG in anhydrous form has a molecular formula of $C_5H_7NO_4Na$, a CAS registry number of 142-47-2, and a UNII number of C3C196L9FG. Merchandise covered by the scope of this order is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheading 2922.42.10.00. Merchandise subject to the order may also enter under HTS subheadings 2922.42.50.00, 2103.90.72.00, 2103.90.74.00, 2103.90.78.00, 2103.90.80.00, and 2103.90.90.91. The tariff classifications, CAS registry numbers, and UNII numbers are provided for convenience and customs purposes; however, the written description of the scope is dispositive.⁸

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 Results of Review

As noted above, the petitioner asked Commerce to place the Remand Redetermination on the record of this proceeding and to use that information to calculate a dumping margin for the China-wide entity equal to the highest transaction-specific margin calculated for Meihua.⁹ We have not done so. Commerce no longer considers the non-market economy (NME) entity as an exporter conditionally subject to an antidumping duty administrative

⁸ See *Monosodium Glutamate from the People's Republic of China: Second Amended Final Determination of Sales at Less Than Fair Value and Amended Antidumping Order*, 80 FR 487 (January 6, 2015).

⁹ See Ajinomoto's letter, "Antidumping Duty Review of Monosodium Glutamate from China: Comments on PRC-Wide AFA Rate," (May 7, 2018).

¹⁰ See 19 CFR 351.310(d).