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DEPARTMENT OF COMMERCE

International Trade Administration

[A-560-826]

Monosodium Glutamate from the Republic of Indonesia: Affirmative 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 (Department) preliminarily determines that monosodium glutamate (MSG) from the Republic of Indonesia (Indonesia) is being, or is likely to be, sold in the United States at less than fair value (LTFV), as provided in the Tariff Act of 1930, as amended (the Act). The period of investigation is July 1, 2012, through June 30, 2013. The estimated weighted-average dumping margins of sales at LTFV are shown in the “Preliminary Determination” section of this notice. We invite interested parties to comment on this preliminary determination. The final determination will be issued not later than 135 days after publication of this preliminary determination in the *Federal Register*.

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

FOR FURTHER INFORMATION CONTACT: Nicholas Czajkowski or Justin Neuman, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1395 and (202) 482-0486, respectively.

SUPPLEMENTARY INFORMATION:

Scope of the Investigation

The product covered by this investigation is MSG, whether or not blended or in solution with other products. 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.<sup>1</sup>

### Methodology

The Department is conducting this investigation in accordance with section 731 of the Act. Export price (EP) and constructed export price (CEP) are calculated in accordance with section 772 of the Act and 19 CFR 351.402. Normal value (NV) is calculated in accordance with section 773 of the Act and 19 CFR 351.403.

For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum.<sup>2</sup> The Preliminary Decision Memorandum is a public document and is made available to the public via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). IA ACCESS is available to registered users at <https://iaaccess.trade.gov>, and is available to all parties in the Department's Central Records Unit, located at room 7046 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 and the electronic versions of the Preliminary Decision Memorandum are identical in content.

### Preliminary Determination

The Department preliminarily determines that MSG from Indonesia is being, or is likely to be, sold in the United States at LTFV, as provided in section 733(b) of the Act.

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

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<sup>1</sup> For a complete description of the scope of the investigation, *see* Appendix I to this notice.

<sup>2</sup> *See* Memorandum to Paul Piquido, Assistant Secretary for Enforcement and Compliance, from Christian Marsh, Deputy Assistant Secretary for Antidumping Duty and Countervailing Duty Operations, "Antidumping Duty Investigation of Monosodium Glutamate from the Republic of Indonesia: Decision Memorandum for the Preliminary Determination," dated May 1, 2014 (Preliminary Decision Memorandum).

Exporter or Producer	Weighted-Average Dumping Margin
PT. Cheil Jedang Indonesia	5.61 Percent
All Others	5.61 Percent

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 weighted-average dumping margins calculated for the or producers or exporters individually examined, excluding rates that are zero, *de minimis* or determined entirely under section 776 of the Act. Since we calculated a weighted-average dumping margin for only one respondent that was not zero, *de minimis*, or determined entirely under section 776 of the Act, we assigned to all other producers and exporters the rate calculated for PT. Cheil Jedang Indonesia (Cheil Jedang).

Disclosure and Public Comment

We will disclose the calculations performed to parties in this proceeding within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

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. 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, or to participate in a hearing if one is requested, 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 IA ACCESS. An electronically filed request must be received

successfully in its entirety by IA ACCESS, by 5:00 p.m. Eastern Time, within 30 days after the date of publication of this notice.<sup>3</sup> 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

Pursuant to a request from Cheil Jedang, a respondent in this investigation, we are postponing the final determination.<sup>4</sup> Accordingly, we will issue 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.<sup>5</sup> Further, Cheil Jedang requested to extend the application of the provisional measures prescribed under section 733(d) of the Act and 19 CFR 351.210(e)(2), from a four-month period to not more than six-months. As a result, suspension of liquidation will be extended accordingly.

#### Suspension of Liquidation

In accordance with section 733(d)(2) of the Act, we will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of all entries of MSG from Indonesia as described in the scope of the investigation section entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the *Federal Register*.

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<sup>3</sup> See 19 CFR 351.310(c).

<sup>4</sup> See the April 28, 2014, Letter to the Secretary of Commerce, "Antidumping Duty Investigation of Monosodium Glutamate from Indonesia: Conditional Request to Postpone the Final Determination."

<sup>5</sup> See also 19 CFR 351.210(e).

Pursuant to section 733(d)(1)(B) of the Act and 19 CFR 351.205(d), the Department will instruct CBP to require a cash deposit equal to the preliminary weighted-average amount by which NV exceeds U.S. price,<sup>6</sup> as indicated in the chart above, as follows: (1) the rate for Cheil Jedang will be the weighted-average dumping margin we determine in this preliminary determination; (2) if the exporter is not a firm identified in this investigation, but the producer is, then the rate will be the rate established for the producer of the subject merchandise; (3) the rate for all other producers or exporters will be 5.61 percent. The suspension of liquidation instructions will remain in effect until further notice.

#### International Trade Commission (ITC) Notification

In accordance with section 733(f) of the Act, we notified the ITC of our preliminary affirmative determination of sales at LTFV. If our final determination is affirmative, the ITC will determine 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: May 1, 2014.

Paul Piquado  
Assistant Secretary  
for Enforcement and Compliance

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<sup>6</sup> 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).

## **Appendix I**

### **Scope of the Investigation**

The scope of this investigation covers monosodium glutamate (“MSG”), whether or not blended or in solution with other products. 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% 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 investigation regardless of physical form (including, but not limited to, substrates, solutions, dry powders of any particle size, or unfinished forms such as MSG slurry), end-use application, or packaging.

MSG has a molecular formula of  $C_5H_8NO_4Na$ , a Chemical Abstract Service (“CAS”) registry number of 6106-04-3, and a Unique Ingredient Identifier (“UNII”) number of W81N5U6R6U.

Merchandise covered by the scope of this investigation is currently classified in the Harmonized Tariff Schedule (“HTS”) of the United States at subheading 2922.42.10.00. Merchandise subject to the investigation 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 number, and UNII number are provided for convenience and customs purposes; however, the written description of the scope is dispositive.

## Appendix II

### List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Period of Investigation
- IV. Postponement of Preliminary Determination
- V. Scope of the Investigation
- VI. Postponement of Final Determination and Extension of Provisional Measures
- VII. Affiliation
- VIII. Discussion of the Methodology
  - A. Fair Value Comparison
  - B. Product Comparisons
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  - D. U.S. Price/Constructed Export Price
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- IX. Currency Conversion
- X. Verification
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