



BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

A-570-934

1-Hydroxyethylidene-1, 1-Diphosphonic Acid from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2012-2013

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

SUMMARY: On March 25, 2014, the Department of Commerce (“the Department”) published its *Preliminary Results* of the 2012-2013 administrative review of the antidumping duty order on 1-Hydroxyethylidene-1, 1-Diphosphonic Acid (“HEDP”) from the People's Republic of China (“the PRC”).¹ This review covers one company, Shandong Taihe Chemicals Co., Ltd. (“STCC”). The period of review (“POR”) is April 1, 2012, through March 31, 2013. We invited interested parties to comment on our *Preliminary Results*. Based on our analysis of the comments received, we made a change to the margin calculations for these final results. The final dumping margin is listed below in the “Final Results” section of this notice.

DATES: Effective Date: (insert date of publication in the *Federal Register*).

FOR FURTHER INFORMATION CONTACT: Jamie Blair-Walker or Robert Bolling, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-2615 or (202) 482-3434, respectively.

¹ See *1-Hydroxyethylidene-1, 1-Diphosphonic Acid from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2012-2013*, 79 FR 16280 (March 25, 2014) (“*Preliminary Results*”).

Background

On March 25, 2014, the Department published its *Preliminary Results* and invited interested parties to comment. STCC filed a case brief; no other interested party commented.²

Scope of the Order

The merchandise subject to the order is 1-hydroxyethylidene-1, 1-diphosphonic acid. The merchandise subject to the order is currently classified in the Harmonized Tariff Schedule of the United States (“HTSUS”) at subheading 2931.00.9043. It may also enter under HTSUS subheading 2811.19.6090. While HTSUS subheadings are provided for convenience and customs purposes only, the full written description of the scope of the order is dispositive.³

Analysis of Comments Received

All issues raised in STCC’s case brief are addressed in the Issues and Decision Memorandum. A list of the issues that STCC raised and to which we responded in the Issues and Decision Memorandum follows 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 (IA ACCESS). IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>. The paper copy and electronic version of the Issues and Decision Memorandum are identical in content.

² See the memorandum entitled “Issues and Decision Memorandum for the Final Results of the 2012-2013 Antidumping Duty Administrative Review of 1-Hydroxyethylidene-1, 1-Diphosphonic Acid from the People’s Republic of China,” dated concurrently with and hereby adopted by this notice (Issues and Decision Memorandum).

³ For a complete description of the merchandise subject to this order, see the Issues and Decision Memorandum.

Changes Since the Preliminary Results

Based on a review of the record and comments received from STCC regarding the *Preliminary Results*, we made revisions to the margin calculation for STCC.⁴

Final Results

We determine that the following weighted-average dumping margin exists for the POR:

Exporter	Weighted-Average Dumping Margin (Percent)
Shandong Taihe Chemicals Co., Ltd.	76.94

Assessment Rates

The Department will determine, and U.S. Customs and Border Protection (“CBP”) shall assess, antidumping duties on all appropriate entries covered by this review. The Department intends to issue assessment instructions to CBP 15 days after the publication date of these final results of this review. Where an assessment rate is above *de minimis* (*de minimis* being less than 0.5 percent in a review), the Department will instruct CBP to assess duties on all entries of subject merchandise for that importer during the period from April 1, 2012, through March 31, 2013. In accordance with 19 CFR 351.212(b)(1), we are calculating importer- (or customer-) specific assessment rates for the merchandise subject to this review. For any individually examined respondent whose weighted-average dumping margin is above *de minimis* (*i.e.*, 0.50 percent), the Department will calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for the importer’s examined sales and the total

⁴ See Issues and Decision Memorandum.

entered value of sales.⁵ The Department will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific assessment rate is above *de minimis*. Where either the respondent's weighted-average dumping margin is zero or *de minimis*, or an importer-specific assessment rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

The Department announced a refinement to its assessment practice in non-market economy ("NME") cases.⁶ Pursuant to this refinement in practice, for merchandise that was not reported in the U.S. sales databases submitted by an exporter individually examined during this review, but that entered under the case number of that exporter (*i.e.*, at the individually-examined exporter's cash deposit rate), the Department will instruct CBP to liquidate such entries at the PRC-wide rate. Additionally, pursuant to this refinement, if the Department determines that an exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number will be liquidated at the PRC-wide rate.

Cash Deposit Requirements

The cash deposit requirements will be effective upon publication of the final results of this administrative review for shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the of the Tariff Act of 1930, as amended (the "Act"): (1) for STCC, the cash deposit rate will be equal to the weighted-average dumping margin established in the final results of this review; (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash

⁵ See *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification*, 77 FR 8101 (February 14, 2012).

⁶ See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011), for a full discussion of this practice.

deposit rate will continue to be the existing exporter-specific rate; (3) for all PRC exporters of subject merchandise that have not been found to be entitled a separate rate, the cash deposit rate will be that for the PRC-wide entity established in the final determination of the less than fair value investigation (*i.e.*, 72.42 percent); and (5) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

Disclosure

We intend to disclose the calculations performed regarding these final results within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Notification to Importers Regarding the Reimbursement of Duties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties has occurred and the subsequent assessment of doubled antidumping duties.

Administrative Protective Order

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 this segment 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 violation which is subject to sanction.

We are issuing and publishing this administrative review and notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: September 12, 2014.

Paul Piquado,
Assistant Secretary
for Enforcement and Compliance.

Appendix – Issues and Decision Memorandum

Summary

Background

Scope of the Order

Discussion of the Issues

 Comment 1: Surrogate Value for HEDP

 Comment 2: Surrogate Value for Phosphorus Trichloride

 Comment 3: Surrogate Value for Plastic Bulk Containers

Recommendation

[FR Doc. 2014-22416 Filed 09/18/2014 at 8:45 am; Publication Date: 09/19/2014]