

- Comment 7: Whether the Department Should Revise Icdas' Short-Length Rebar Cost
- Comment 8: Whether the Department Should Disallow Offsets to Icdas' G&A Expenses for Reimbursements Related to Port Services Provided to Third Parties
- Comment 9: Whether the Department Should Revise the Manufacturer Code Assignments in the Home Market Resellers' Sales File in the Comparison Market Program
- Comment 10: Whether the Department Should Apply Partial AFA to Icdas with Respect to Missing Manufacturer Codes in the Home Market Resellers Sales File
- Comment 11: Whether the Department Should Adjust Normal Value for Certain Home Market Movement Expenses
- Comment 12: Whether the Department Should Use the Correct Home Market Credit Expense Amount CREDIT2H in its Calculation of Normal Value
- Comment 13a: Whether the Department Should Adjust Arten's Sales to Exclude VAT
- Comment 13b: Whether the Department Should Adjust Home Market Freight Expense for Certain Sales in Order to Eliminate Understatement of this Expense Due to Double Counting of VAT
- Comment 14: Whether the Department Should Use the Correct Home Market Gross Unite Price Data in its Margin Calculation
- Comment 15: Whether the Department Should Continue to Differentiate Between Air and Water Cooled Rebar
- Comment 16: Whether the Department Should Reconsider and Reverse its Decision to Refuse to Accept Icdas' Timely and Properly Submitted Minor Corrections of February 15, 2017
- Comment 17: Whether the Computer Programming Error Regarding Icdas' Ending Period Date for U.S. Sales Should be Corrected

## VIII. Recommendation

[FR Doc. 2017-10346 Filed 5-19-17; 8:45 am]

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## DEPARTMENT OF COMMERCE

## International Trade Administration

[A-570-831]

### Fresh Garlic From the People's Republic of China: Amended Final Results of Antidumping Duty Administrative Review; 2010-2011

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

**SUMMARY:** The Department of Commerce (the Department) is amending its final results of the administrative review of the antidumping duty order on fresh garlic from the People's Republic of China (PRC) for the period of review is November 1, 2010, through October 31, 2011.

**DATES:** Effective May 22, 2017.

**FOR FURTHER INFORMATION CONTACT:**

Kathryn Wallace or Alexander Cipolla, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-6251 or (202) 482-4956, respectively.

**SUPPLEMENTARY INFORMATION:** Following the publication of the *Final Results*, Weifang Hongqiao International Logistics Co., Ltd., Qingdao Xintianfeng Foods Co., Ltd., and Shandong Jinxiang Zhengyang Import and Export Co., Ltd. (collectively, Separate Rate Respondents) challenged the Department's *Final Results* in the United States Court of International Trade (CIT). In the *Final Results*, the Department calculated a *de minimis* rate for the two mandatory respondents, but found that averaging the mandatory respondents' *de minimis* rates would not be reasonably reflective of the potential dumping margins of the companies not selected for individual examination.<sup>1</sup> The Department found the Separate Rate Respondents eligible for a separate rate, but did not select them for individual examination.<sup>2</sup> The Department established the dumping margin for the Separate Rate Respondents by applying the most recently-calculated rate under this order, which was not affected by the Department's zeroing methodology, *i.e.*, \$1.28 per kilogram, the rate in the 08/09 Garlic NSR.<sup>3</sup> The Separate Rate Respondents challenged the Department's selection of the \$1.28 per kilogram dumping margin.<sup>4</sup>

On April 14, 2017, the United States, the Separate Rate Respondents, and the petitioner<sup>5</sup> entered into an agreement to settle this dispute. On April 17, 2017, the United States, the Separate Rate Respondents, and the petitioner filed a stipulation for entry of judgment with the CIT. On April 19, 2017, the CIT entered judgment by stipulation. Consistent with the settlement agreement and the judgment by stipulation, these *Amended Final Results* assign each Separate Rate Respondent a \$0.00 per kilogram dumping margin for the POR. The *Amended Final Results* make no other

<sup>1</sup> IDM at 4.

<sup>2</sup> IDM at 3-4.

<sup>3</sup> *Final Results*, 78 FR at 36169.

<sup>4</sup> *Weifang Hongqiao International Logistics Co., Ltd. et al. v. United States*, Consol. Case No. 13-00228.

<sup>5</sup> The Fresh Garlic Producers Association and its individual members, Christopher Ranch, LLC, the Garlic Company, Valley Garlic, and Vessey and Company, Inc.

modification to the Department's findings in the *Final Results*.

Within fifteen days of publication of these *Amended Final Results*, we will instruct U.S. Customs and Border Protection to liquidate all unliquidated entries of fresh garlic from the PRC produced and/or exported by Weifang Hongqiao International Logistics Co., Ltd., Qingdao Xintianfeng Foods Co., Ltd., and Shandong Jinxiang Zhengyang Import and Export Co., Ltd., and entered, or withdrawn from warehouse, for consumption in the United States during the POR at the assessment rate of \$0.00 per kilogram.

We are issuing and publishing these *Amended Final Results* of review and notice in accordance with section 516A(e) of the Act.

Dated: May 15, 2017.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2017-10350 Filed 5-19-17; 8:45 am]

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## DEPARTMENT OF COMMERCE

## International Trade Administration

[A-588-876]

### Steel Concrete Reinforcing Bar From Japan: Final Affirmative Determination of Sales at Less Than Fair Value

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

**SUMMARY:** The Department of Commerce (the Department) determines that imports of steel concrete reinforcing bar (rebar) from Japan are being, or are likely to be, sold in the United States at less than fair value (LTFV). The period of investigation (POI) is July 1, 2015, through June 30, 2016. The final dumping margins of sales at LTFV are listed below in the "Final Determination" section of this notice.

**DATES:** Effective May 22, 2017.

**FOR FURTHER INFORMATION CONTACT:**

David Lindgren, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-3870.

**SUPPLEMENTARY INFORMATION:**

### Background

On March 7, 2017, the Department published the *Preliminary Determination* of this antidumping duty

(AD) investigation.<sup>1</sup> We invited interested parties to submit comments on the *Preliminary Determination*, but we received no comments. Further on, April 4, 2017, the Department also invited interested parties to submit comments regarding the scope of the investigation;<sup>2</sup> no interested parties submitted scope comments. Additionally, no interested party requested a hearing.

### Scope of the Investigation

The scope of the investigation covers rebar from Japan. As noted above, the Department did not receive any scope comments and has not updated the scope of the investigation since the *Preliminary Determination*. For a complete description of the scope of this investigation, see Appendix I.

### Analysis of Comments Received

As noted above, we received no comments since the publication of the *Preliminary Determination*.

### Changes Since the Preliminary Determination and Use of Adverse Facts Available

As stated in the *Preliminary Determination*, we found that the mandatory respondents, Jonan Steel Corporation (Jonan) and Kyoei Steel Ltd. (Kyoei), did not cooperate to the best of their abilities to comply with the Department's request for information. Accordingly, we determined it appropriate to apply facts otherwise available with adverse inferences in accordance with sections 776(a)–(b) of the Tariff Act of 1930, as amended (the Act). For the purposes of this final determination, the Department has made no changes to the *Preliminary Determination*.

### All-Others Rate

As discussed in the *Preliminary Determination*, in accordance with section 735(c)(5)(B) of the Act, the Department based the selection of the “All-Others” rate on the simple average of the petition rates, resulting in an “All Others” rate of 206.43 percent. We have made no changes to the selection of this rate for this final determination.

### Final Determination

The final weighted-average dumping margins are as follows:

Exporter/producer	Weighted-average margin (percent)
Jonan Steel Corporation .....	209.46
Kyoei Steel Ltd. ....	209.46
All-Others .....	206.43

### Disclosure

The weighted-average dumping margin assigned to Jonan and Kyoei in the *Preliminary Determination* was based on adverse facts available. As we have made no changes to the margin since the *Preliminary Determination*, no disclosure of calculations is necessary for this final determination.

### Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, the Department will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all appropriate entries of rebar from Japan, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption on or after March 7, 2017, the date of publication of the *Preliminary Determination*. Further, the Department will instruct CBP to require a cash deposit equal to the estimated amount by which the normal value exceeds the U.S. price as shown above.

### International Trade Commission Notification

In accordance with section 735(d) of the Act, we will notify the U.S. International Trade Commission (ITC) of the final affirmative determination of sales at LTFV. Because the final determination in this proceeding is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury by reason of imports of rebar from Japan no later than 45 days after this final determination. If the ITC determines that material injury or threat of material injury does not exist, the proceeding will be terminated and all cash deposits will be refunded. If the ITC determines that such injury does exist, the Department will issue an AD order directing CBP to assess, upon further instruction by the Department, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation, as discussed in the “Continuation of Suspension of Liquidation” section.

### Notification Regarding Administrative Protective Orders

This notice serves as a 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)(3). Timely notification of the return of destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This determination is issued and published in accordance with sections 735(d) and 777(i)(1) of the Act.

Dated: May 15, 2017.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Enforcement and Compliance.*

### Appendix I

#### Scope of the Investigation

The merchandise subject to this investigation is steel concrete reinforcing bar imported in either straight length or coil form (rebar) regardless of metallurgy, length, diameter, or grade or lack thereof. Subject merchandise includes deformed steel wire with bar markings (e.g., mill mark, size, or grade) and which has been subjected to an elongation test.

The subject merchandise includes rebar that has been further processed in the subject country or a third country, including but not limited to cutting, grinding, galvanizing, painting, coating, or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the rebar.

Specifically excluded are plain rounds (i.e., nondeformed or smooth rebar). Also excluded from the scope is deformed steel wire meeting ASTM A1064/A1064M with no bar markings (e.g., mill mark, size, or grade) and without being subject to an elongation test.

The subject merchandise is classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) primarily under item numbers 7213.10.0000, 7214.20.0000, and 7228.30.8010. The subject merchandise may also enter under other HTSUS numbers including 7215.90.1000, 7215.90.5000, 7221.00.0017, 7221.00.0018, 7221.00.0030, 7221.00.0045, 7222.11.0001, 7222.11.0057, 7222.11.0059, 7222.30.0001, 7227.20.0080, 7227.90.6030, 7227.90.6035, 7227.90.6040, 7228.20.1000, and 7228.60.6000.

HTSUS numbers are provided for convenience and customs purposes; however, the written description of the scope remains dispositive.

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<sup>1</sup> See *Steel Concrete Reinforcing Bar from Japan: Preliminary Affirmative Determination of Sales at Less Than Fair Value*, 82 FR 12796 (March 7, 2017) (*Preliminary Determination*).

<sup>2</sup> See Memorandum to the File, “Scope Briefing Schedule for the Antidumping and Countervailing Duty Investigations of Steel Concrete Reinforcing Bar from Japan, the Republic of Turkey and Taiwan,” April 4, 2017.