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All comments should be addressed to Ryan Majerus, Deputy Assistant Secretary for Policy and Negotiations, at U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

Dated: October 24, 2022.

**Abdelali Elouaradia,**

*Deputy Assistant Secretary for Enforcement and Compliance.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Notice of Scope Ruling Applications Filed in Antidumping and Countervailing Duty Proceedings

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) received scope ruling applications, requesting that scope inquiries be conducted to determine whether identified products are covered by the scope of antidumping duty (AD) and/or countervailing duty (CVD) orders and that Commerce issue scope rulings pursuant to those inquiries. In accordance with Commerce's regulations, we are notifying the public of the filing of the scope ruling applications listed below in the month of September 2022.

**DATES:** Applicable October 27, 2022.

**FOR FURTHER INFORMATION CONTACT:** Terri Monroe, AD/CVD Operations, Customs Liaison Unit, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, telephone: (202) 482–1384.

#### Notice of Scope Ruling Applications

In accordance with 19 CFR 351.225(d)(3), we are notifying the public of the following scope ruling applications related to AD and CVD orders and findings filed in or around the month of September 2022. This notification includes, for each scope application: (1) identification of the AD and/or CVD orders at issue (19 CFR 351.225(c)(1)); (2) concise public descriptions of the products at issue, including the physical characteristics (including chemical, dimensional and technical characteristics) of the products (19 CFR 351.225(c)(2)(ii)); (3) the countries where the products are produced and the countries from where

the products are exported (19 CFR 351.225(c)(2)(i)(B)); (4) the full names of the applicants; and (5) the dates that the scope applications were filed with Commerce and the name of the ACCESS scope segment where the scope applications can be found.<sup>1</sup> This notice does not include applications which have been rejected and not properly resubmitted. The scope ruling applications listed below are available on Commerce's online e-filing and document management system, Antidumping and Countervailing Duty Electronic Service System (ACCESS), at <https://access.trade.gov>.

#### Scope Ruling Applications

Certain Quartz Surface Products from India (A–533–889/C–533–890); quartz sinks, basins, integrated vanities, and shower trays (Quartz Sinks and Basins);<sup>2</sup> produced in and exported from India; submitted by Pokarna Engineered Stone Limited (Pokarna); August 31, 2022; ACCESS scope segment “Quartz Sinks and Basins.”

Fresh Garlic from the People's Republic of China (China) (A–570–831); Large and Small Garlic Chunks;<sup>3</sup> produced in and exported from China; submitted by Green Garden Produce, LLC (Green Garden); September 23, 2022; ACCESS scope segment “Green Garden Produce.”

Certain Quartz Surface Products from China (A–570–084/C–570–085); Crushed Glass Surface Product (Crushed Glass);<sup>4</sup> produced in and exported from

China; submitted by Golden Spectrum, LLC (Golden Spectrum); September 27, 2022; ACCESS scope segment “Golden Spectrum.”

#### Notification to Interested Parties

This list of scope ruling applications is not an identification of scope inquiries that have been initiated. In accordance with 19 CFR 351.225(d)(1), if Commerce has not rejected a scope ruling application nor initiated the scope inquiry within 30 days after the filing of the application, the application will be deemed accepted and a scope inquiry will be deemed initiated the following day—day 31.<sup>5</sup> Commerce's practice generally dictates that where a deadline falls on a weekend, Federal holiday, or other non-business day, the appropriate deadline is the next business day.<sup>6</sup> Accordingly, if the 30th day after the filing of the application falls on a non-business day, the next business day will be considered the “updated” 30th day, and if the application is not rejected or a scope inquiry initiated by or on that particular business day, the application will be deemed accepted and a scope inquiry will be deemed initiated on the next business day which follows the “updated” 30th day.<sup>7</sup>

In accordance with 19 CFR 351.225(m)(2), if there are companion AD and CVD orders covering the same merchandise from the same country of origin, the scope inquiry will be

is a material consisting of glass which has been crushed into particles of various sizes. This raw material would be classified under HTS 7001.00.5100 as Cullet and other waste and scrap of glass. Quartz Powder/Sand is a natural material consisting of a mixture of clean quartz sand and quartz powder made by crushing quartz rock. Colorant is material added to the crushed glass and quartz powder to color the slab. Resin is the material mixed with the crushed glass and quartz sand in order to hold together the slab. Finished slab is a solid product which is either 20 or 30 mm thick and which mimics the feel and appearance of natural stone such as granite but contains colors and patterns not found in nature. The product is produced in China and is exported from China. The agglomerated glass slab is classified under HTS 7020.00.6000.

<sup>5</sup> In accordance with 19 CFR 351.225(d)(2), within 30 days after the filing of a scope ruling application, if Commerce determines that it intends to address the scope issue raised in the application in another segment of the proceeding (such as a circumvention inquiry under 19 CFR 351.226 or a covered merchandise inquiry under 19 CFR 351.227), it will notify the applicant that it will not initiate a scope inquiry, but will instead determine if the product is covered by the scope at issue in that alternative segment.

<sup>6</sup> See *Notice of Clarification: Application of “Next Business Day” Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005).

<sup>7</sup> This structure maintains the intent of the applicable regulation, 19 CFR 351.225(d)(1), to allow day 30 and day 31 to be separate business days.

<sup>1</sup> See *Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*, 86 FR 52300, 52316 (September 20, 2021) (*Final Rule*) (“It is our expectation that the **Federal Register** list will include, where appropriate, for each scope application the following data: (1) identification of the AD and/or CVD orders at issue; (2) a concise public summary of the product's description, including the physical characteristics (including chemical, dimensional and technical characteristics) of the product; (3) the country(ies) where the product is produced and the country from where the product is exported; (4) the full name of the applicant; and (5) the date that the scope application was filed with Commerce.”)

<sup>2</sup> The following are the models specified in the scope application: Sink Models: Como, Garda, Orta, Iseo, Lugano, Bracciano; Basin Models: Bellagio, Bellano, Colico, Lecco, Menaggio, Tremezzo, Varenna, Domaso, Lenno, Nesso, Sirmoine, Bardolino, Arona, Cannero, Ascona; Integrated Vanity Model: Moxxy; and Shower Tray Models: Capri, Sardinia, Tenerife, Hvar, Corsica, Elba, Sicily, Milos, Burano, Valeta, Ischia, Hoy, Crete, Cyprus, Menorca, Gozo, Mallorca.

<sup>3</sup> Large, peeled, trimmed, blanched, and individually quick frozen (IQF) garlic chunks coated with citric acid; Small, peeled, trimmed and cut, blanched, and individually quick frozen (IQF) garlic chunks coated with citric acid.

<sup>4</sup> The product the subject of this scope request is crushed glass slab containing visible pieces of glass. The slab is produced in one size 63” by 120” or prefabricated into cut to size pieces. The Materials which go into the slab are as follows: Crushed Glass

conducted on the record of the AD proceeding. Further, please note that pursuant to 19 CFR 351.225(m)(1), Commerce may either apply a scope ruling to all products from the same country with the same relevant physical characteristics, (including chemical, dimensional, and technical characteristics) as the product at issue, on a country-wide basis, regardless of the producer, exporter, or importer of those products, or on a company-specific basis.

For further information on procedures for filing information with Commerce through ACCESS and participating in scope inquiries, please refer to the Filing Instructions section of the Scope Ruling Application Guide, at [https://access.trade.gov/help/Scope\\_Ruling\\_Guidance.pdf](https://access.trade.gov/help/Scope_Ruling_Guidance.pdf). Interested parties, apart from the scope ruling applicant, who wish to participate in a scope inquiry and be added to the public service list for that segment of the proceeding must file an entry of appearance in accordance with 19 CFR 351.103(d)(1) and 19 CFR 351.225(n)(4). Interested parties are advised to refer to the case segment in ACCESS as well as 19 CFR 351.225(f) for further information on the scope inquiry procedures, including the timelines for the submission of comments.

Please note that this notice of scope ruling applications filed in AD and CVD proceedings may be published before any potential initiation, or after the initiation, of a given scope inquiry based on a scope ruling application identified in this notice. Therefore, please refer to the case segment on ACCESS to determine whether a scope ruling application has been accepted or rejected and whether a scope inquiry has been initiated.

Interested parties who wish to be served scope ruling applications for a particular AD or CVD order may file a request to be included on the annual inquiry service list during the anniversary month of the publication of the AD or CVD order in accordance with 19 CFR 351.225(n) and Commerce's procedures.<sup>8</sup>

Interested parties are invited to comment on the completeness of this monthly list of scope ruling applications received by Commerce. Any comments should be submitted to James Maeder, Deputy Assistant Secretary for AD/CVD Operations, Enforcement and Compliance, International Trade Administration, via email to [CommerceCLU@trade.gov](mailto:CommerceCLU@trade.gov).

<sup>8</sup> See *Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*, 86 FR 53205 (September 27, 2021).

This notice of scope ruling applications filed in AD and CVD proceedings is published in accordance with 19 CFR 351.225(d)(3).

Dated: October 24, 2022.

**James Maeder,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–129, C–570–130]

#### **Certain Walk-Behind Lawn Mowers and Parts Thereof From the People's Republic of China: Initiation of a Circumvention Inquiry on the Antidumping and Countervailing Duty Orders**

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

**SUMMARY:** In response to a request from MTD Products, Inc (MTD), and its parent company, Stanley Black & Decker, Inc. (SBD) (collectively, the domestic interested parties), the U.S. Department of Commerce (Commerce) is initiating a circumvention inquiry to determine whether certain lawn mowers assembled or completed in the United States by attaching Chinese cutting deck shells (attached to at least one significant non-engine component) to internal combustion engines, are circumventing the antidumping duty (AD) and countervailing duty (CVD) orders on certain walk-behind lawn mowers and parts thereof (lawn mowers) from the People's Republic of China (China).

**DATES:** Applicable October 27, 2022.

**FOR FURTHER INFORMATION CONTACT:** Yang Jin Chun or Natasia Harrison, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–5760 or (202) 482–1240, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On April 12, 2022, MTD requested the initiation of a circumvention inquiry pursuant to section 781(a) of the Tariff Act of 1930, as amended (the Act), to determine whether certain lawn mowers assembled or completed by Daye North America, Inc. by joining, in the United States, a cutting deck shell (attached to at least one significant non-engine

component) made in China to an internal combustion engine are circumventing the *Orders*.<sup>1</sup> However, Commerce rejected MTD's circumvention inquiry request because we found that MTD had not adequately alleged the elements necessary for a circumvention determination under section 781(a) of the Act.<sup>2</sup> On July 5, 2022, pursuant to section 781(a) of the Act and 19 CFR 351.226, MTD filed an amended circumvention inquiry request alleging that the *Orders* were being circumvented by merchandise completed or assembled in the United States.<sup>3</sup> On August 18, 2022, Commerce rejected MTD's amended request based on certain deficiencies identified in the amended circumvention inquiry request, and issued a deficiency questionnaire to MTD.<sup>4</sup>

On September 7, 2022, pursuant to section 781(a) of the Act and 19 CFR 351.226, the domestic interested parties filed a third circumvention inquiry request alleging that the *Orders* are being circumvented by merchandise completed or assembled in the United States.<sup>5</sup> The domestic interested parties also provided information in response to Commerce's August 18, 2022 Deficiency Questionnaire.<sup>6</sup> On September 21, 2022, Ningbo Daye Garden Machinery Co., Ltd. (Ningbo Daye), Ningbo Lingyue Intelligent Equipment Co., Ltd., and Daye North America, Inc. (Daye North America) (collectively, Daye), filed comments in opposition to the domestic interested parties' request.<sup>7</sup> On October 6, 2022,

<sup>1</sup> See *Certain Walk-Behind Lawn Mowers and Parts Thereof from the People's Republic of China and the Socialist Republic of Vietnam: Antidumping Duty Orders*, 86 FR 36703 (July 13, 2021); and *Certain Walk-Behind Lawn Mowers and Parts Thereof from the People's Republic of China: Countervailing Duty Order and Amended Final Affirmative Countervailing Duty Determination*, 86 FR 36702 (July 13, 2021) (collectively, *Orders*).

<sup>2</sup> See Commerce's Letter, "Certain Walk-Behind Lawn Mowers and Parts Thereof from the People's Republic of China: Declining to Initiate a Circumvention Inquiry," dated May 26, 2022.

<sup>3</sup> See Commerce's Letter, "Certain Walk-Behind Lawn Mowers and Parts Thereof from the People's Republic of China: Declining to Initiate a Circumvention Inquiry and Deficiency Questionnaire," dated August 18, 2022.

<sup>4</sup> *Id.*

<sup>5</sup> See Domestic Interested Parties' Letter, "Certain Walk-Behind Lawn Mowers and Parts Thereof from the People's Republic of China: Amended Request for an Anticircumvention Inquiry Pursuant to 19 U.S.C. 1677j(a)," dated September 7, 2022, at part 2.

<sup>6</sup> See Domestic Interested Parties' Letter, "Certain Walk-Behind Lawn Mowers and Parts Thereof from the People's Republic of China: Amended Request for an Anticircumvention Inquiry Pursuant to 19 U.S.C. 1677j(a)," dated September 7, 2022 (Deficiency Questionnaire Response), at part 1.

<sup>7</sup> See Daye's Letter, "Certain Walk-Behind Lawn Mowers and Parts Thereof from the People's

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