

issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. An electronically filed hearing request must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice.¹¹

Commerce intends to issue the final results of this NSR, including the results of its analysis of issues raised in any written briefs, no later than 90 days after the date of publication of this notice, unless extended, pursuant to section 751(a)(2)(B) of the Act.

Assessment Rates

If Commerce issues a final rescission of this review, Commerce does not intend to instruct U.S. Customs and Border Protection (CBP) to liquidate the relevant entry because the entry is subject to the administrative review covering the period April 1, 2020, through March 31, 2021, initiated on June 11, 2021.¹²

If Commerce does not proceed to a final rescission of this NSR, pursuant to 19 CFR 351.202(b)(1), it will calculate an importer-specific assessment rate based on the final results of this review. However, pursuant to Commerce's refinement to its assessment practice in non-market economy cases, for entries that were not reported in the U.S. sales database submitted by Hualing, Commerce intends to instruct CBP to liquidate such entries at the China-wide rate.¹³

Cash Deposit Instructions

If Commerce proceeds to a final rescission of this review, the cash deposit rate will continue to be the China-wide rate for Hualing because Commerce will not have determined an individual weighted-average dumping margin for Hualing. If Commerce determines an individual weighted-average dumping margin for Hualing, it intends to instruct CBP to collect cash deposits, effective upon the publication of the final results of review, equal to the calculated weighted-average dumping margin.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(2)(B) and 777(i)(1) of the Act.

Dated: August 12, 2021.

Christian Marsh,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Discussion of the Methodology
- V. Recommendation

[FR Doc. 2021-17731 Filed 8-17-21; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-201-830]

Carbon and Certain Alloy Steel Wire Rod From Mexico: Final Results of Antidumping Duty Administrative Review, and Final Determination of No Shipments; 2018-2019

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

SUMMARY: The Department of Commerce (Commerce) determines that sales of carbon and certain alloy steel wire rod (wire rod) from Mexico were made at less than normal value (NV) during the period of review (POR), October 1, 2018, through September 30, 2019.

DATES: Applicable August 18, 2021.

FOR FURTHER INFORMATION CONTACT: Benjamin A. Smith, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2181.

SUPPLEMENTARY INFORMATION:

Background

On February 12, 2021, Commerce published the *Preliminary Results* of this review in the **Federal Register**.¹ We invited interested parties to comment on the *Preliminary Results*. Deacero S.A.P.I de C.V. (Deacero) was selected for individual examination as a mandatory respondent in this review. We received case briefs from Deacero and Nucor Corporation (Nucor, or the petitioner).² Subsequently, we received a rebuttal brief from the petitioner and a letter in lieu of a rebuttal brief from Deacero.³ On May 27, 2021, we extended the deadline for the final results of the administrative review until August 11, 2021.⁴ A complete summary of the events that occurred since publication of the *Preliminary Results* is found in the Issues and Decision Memorandum.⁵ Commerce conducted this review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Scope of the Order⁶

The merchandise subject to the *Order* is wire rod, in coils, of approximately round cross section, 5.00 mm or more, but less than 19.00 mm, in solid cross-sectional diameter. The subject merchandise is classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) primarily under the subheadings: 7213.91.3000, 7213.91.3010, 7213.91.3011, 7213.91.3015, 7213.91.3020, 7213.91.3090, 7213.91.3091,

¹ See *Carbon and Certain Alloy Steel Wire Rod from Mexico: Preliminary Results of Antidumping Duty Administrative Review, Preliminary Determination of No Shipments, and Partial Rescission of Antidumping Duty Administrative Review; 2018-2019*, 86 FR 9322 (February 12, 2021) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

² See Deacero's Letter, "Carbon and Certain Alloy Steel Wire Rod from Mexico—Case Brief," dated March 15, 2021; and Nucor's Letter, "Carbon and Certain Alloy Steel Wire Rod from Mexico: Resubmission of Nucor's Rebuttal {sic} Brief," dated April 5, 2021.

³ See Nucor's Letter, "Carbon and Certain Alloy Steel Wire Rod from Mexico—Rebuttal Brief," dated March 29, 2021; and Deacero's Letter, "Carbon and Certain Alloy Steel Wire Rod from Mexico—Letter in Lieu of Rebuttal Case Brief," dated March 29, 2021.

⁴ See Memorandum, "Carbon and Certain Alloy Steel Wire Rod from Mexico: Extension of Deadline for Final Results of Antidumping Duty Administrative Review," dated May 27, 2021.

⁵ See Memorandum, "Decision Memorandum for the Final Results, and Final Determination of No Shipments, of the 2018-2019 Administrative Review of the Antidumping Duty Order on Carbon and Certain Alloy Steel Wire Rod from Mexico," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

⁶ See *Notice of Antidumping Duty Orders: Carbon and Certain Alloy Steel Wire Rod from Brazil, Indonesia, Mexico, Moldova, Trinidad and Tobago, and Ukraine*, 67 FR 65945 (October 29, 2002) (*Order*).

¹¹ See 19 CFR 351.310(c).

¹² See *Initiation of Antidumping and Countervailing Duty Administrative Reviews* 86 FR 31282 (June 11, 2021).

¹³ See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694, 65694-95 (October 24, 2011).

7213.91.3092, 7213.91.3093, 7213.91.4500, 7213.91.4510, 7213.91.4590, 7213.91.6000, 7213.91.6010, 7213.91.6090, 7213.99.0030, 7213.99.0031, 7213.99.0038, 7213.99.0090, 7227.20.0000, 7227.20.0010, 7227.20.0020, 7227.20.0030, 7227.20.0080, 7227.20.0090, 7227.20.0095, 7227.90.6010, 7227.90.6020, 7227.90.6030, 7227.90.6035, 7227.90.6050, 7227.90.6051, 7227.90.6053, 7227.90.6058, 7227.90.6059, 7227.90.6080, and 7227.90.6085. The HTSUS subheadings are provided for convenience and customs purposes only; the written product description remains dispositive.

A full description of the scope of the Order is contained in the Issues and Decision Memorandum.

Analysis of Comments Received

We addressed all issues raised in the case and rebuttal briefs in the Issues and Decision Memorandum, which is hereby adopted by this notice. The issues are identified in the 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 (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at <http://enforcement.trade.gov/frn/>.

Changes Since the Preliminary Results

Based on the receipt of updated sales information filed subsequent to the *Preliminary Results*, as well as our analysis of the comments received from parties, we have made certain revisions to the margin calculation for Deacero.⁷ For detailed information, see the Issues and Decision Memorandum.

Final Determination of No Shipments

In the *Preliminary Results*, Commerce preliminarily determined that Grupo Villacero S.A. de C.V. (Villacero) made no shipments of subject merchandise during the POR.⁸ As we have not received any information to contradict this determination, nor comment in opposition to our preliminary finding, we continue to determine that Villacero made no shipments of subject merchandise during the POR. Consistent with our practice, we will instruct U.S.

Customs and Border Protection (CBP) to liquidate any existing entries of subject merchandise produced by Villacero, but exported by other parties, at the rate for the intermediate reseller, if available, or at the all-others rate.

Rates for Respondents Not Selected for Individual Examination

Commerce did not select the following companies for individual examination: Talleres y Aceros S.A. de C.V. (Talleres y Aceros), and Ternium Mexico S.A. de C.V. (Ternium). Further, neither of these firms: Was the subject of a withdrawal of request for review; requested to participate as a voluntary respondent; submitted a claim of no shipments; nor was not otherwise collapsed with a mandatory respondent. As such, these companies remain respondents not selected for individual examination. As explained in the Issues and Decision Memorandum, we have assigned to Talleres y Aceros and Ternium the weighted-average dumping margin calculated for Deacero.

Final Results of the Review

Commerce determines that the following weighted-average dumping margins exist for the period October 1, 2018 through September 30, 2019:

Producers/exporters	Weighted-average dumping margins (percent)
Deacero S.A.P.I de C.V.	9.82
Talleres y Aceros S.A. de C.V. ...	9.82
Ternium Mexico S.A. de C.V.	9.82

Disclosure

We intend to disclose the calculations performed to parties in this proceeding within five days after publication of these final results in the **Federal Register**, in accordance with 19 CFR 351.224(b).

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act, and 19 CFR 351.212(b)(1), Commerce will determine, and CBP shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review.

For Deacero, Commerce has calculated importer-specific antidumping duty assessment rates by aggregating the total amount of dumping calculated for the examined sales of each importer and dividing each of these amounts by the total entered value associated with those sales in accordance with 19 CFR 351.212(b)(1). Pursuant to 19 CFR 351.106(c)(2), we

will instruct CBP to liquidate without regard to antidumping duties any entries for which the importer-specific assessment rate is zero or *de minimis*. For entries of subject merchandise during the POR produced by Deacero for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For the companies not selected for individual examination, we will instruct CBP to apply an assessment rate to all entries produced and/or exported by those companies equal to the dumping margin indicated above. Commerce intends to issue assessment instructions to CBP 41 days after the date of publication of these final results of review.⁹

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication of the final results of this administrative review, as provided by section 751(a)(2) of the Act: (1) For producers or exporters covered in this administrative review, the cash deposit rates will be the rates established in the final results of this administrative review; (2) for producers or exporters not covered in this administrative review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation, but the producer is, then the cash deposit rate will be the rate established for the most recent period for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 20.11 percent, the all-others rate established in the investigation.¹⁰ These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation

⁷ See Issues and Decision Memorandum.

⁸ See *Preliminary Results*, 86 FR at 9323 and accompanying PDM at 5–6.

⁹ See 19 CFR 356.8(a).

¹⁰ See *Order*, 67 FR at 65947.

of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification Regarding Administrative Protective Order

This notice also serves as a reminder to parties subject to 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 written notification of return/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.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(h).

Dated: August 11, 2021.

Christian Marsh,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Final Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Final Determination of No Shipments
- V. Margin for Companies Not Selected for Individual Examination
- VI. Changes Since the *Preliminary Results*
- VII. Discussion of Comments
 - Comment 1: Whether Commerce Should Treat Section 232 Duties as United States Import Duties and Whether Commerce Made a Clerical Error When Deducting Section 232 Duties from U.S. Price
 - Comment 2: Whether Commerce Made a Clerical Error Regarding the Treatment of Early Payment Discounts
 - Comment 3: Whether Commerce Made a Clerical Error Regarding the Selection of Customer Code
- VIII. Recommendation

[FR Doc. 2021-17650 Filed 8-17-21; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-901]

Organic Soybean Meal From India: Postponement of Preliminary Determination in the Less-Than-Fair-Value Investigation

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

DATES: Applicable August 18, 2021.

FOR FURTHER INFORMATION CONTACT: Andrew Huston, 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) 482-4261.

SUPPLEMENTARY INFORMATION:

Background

On April 20, 2021, the Department of Commerce (Commerce) initiated a less-than-fair-value (LTFV) investigation(s) of imports of organic soybean meal from India.¹ Currently, the preliminary determination is due no later than September 7, 2021.

Postponement of Preliminary Determination

Section 733(b)(1)(A) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in an LTFV investigation within 140 days after the date on which Commerce initiated the investigation. However, section 733(c)(1) of the Act permits Commerce to postpone the preliminary determination until no later than 190 days after the date on which Commerce initiated the investigation if: (A) The petitioner² makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR 351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and must state the reasons for the request. Commerce will grant the request unless

it finds compelling reasons to deny the request.

On August 9, 2021, the petitioners submitted a timely request that Commerce postpone the preliminary determinations in this LTFV investigation.³ The petitioners requested the postponement to permit Commerce to “fully develop the record in this investigation,” assess questionnaire responses, and issue supplemental questionnaires.⁴

For the reasons stated above and because there are no compelling reasons to deny the request, Commerce, in accordance with section 733(c)(1)(A) of the Act, is postponing the deadline for the preliminary determination by 50 days (*i.e.*, 190 days after the date on which this investigation was initiated). As a result, Commerce will issue its preliminary determination no later than October 27, 2021. In accordance with section 735(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determination of this investigation will continue to be 75 days after the date of the preliminary determination, unless postponed at a later date.

This notice is issued and published pursuant to section 733(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: August 12, 2021.

Christian Marsh,

Acting Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2021-17729 Filed 8-17-21; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XB140]

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to a Geophysical Survey in the Arctic Ocean

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; issuance of an incidental harassment authorization.

SUMMARY: In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an Incidental Harassment Authorization (IHA) to the

¹ See *Organic Soybean Meal from India: Initiation of Less-Than-Fair Value Investigation*, 86 FR 22146 (April 27, 2021) (*Initiation Notice*).

² The petitioners are Organic Soybean Processors of America and the American Natural Processors, LLC, Organic Production Services, LLC, Professional Proteins, Ltd., Sheppard Grain Enterprises LLC, Simmons Grain Company, Super Soy, LLC, and Tri-State Crush LLC.

³ See Petitioners' Letter, “Organic Soybean Meal from India: Petitioners' Request to Postpone the Preliminary Determination,” dated August 9, 2021.

⁴ *Id.*