

*Determination and Order.*<sup>2</sup> Meihua<sup>3</sup> is a Chinese producer/exporter of MSG and was a mandatory respondent in the underlying less than fair value investigation. In the *Second Amended Final Determination and Order*, the Department assigned a dumping margin of 21.28 percent to Meihua.

On April 25, 2017, the Court issued its *Remand Order*<sup>4</sup> and directed the Department to: (1) Reconsider the Department's selection of the best available information in setting the distance used to calculate a surrogate value for inland freight and (2) reconsider petitioner's, Ajinomoto North America, Inc.'s, (Ajinomoto) argument to calculate the corn factor of production (FOP) based upon the respondent Meihua's actual production experience.

Pursuant to the *Remand Order*, the Department issued its Final Redetermination, which addressed the Court's *Remand Order* and revised the weighted-average dumping margin for Meihua to 34.15 percent.<sup>5</sup> On November 3, 2017, the CIT sustained in whole the Department's Final Redetermination.<sup>6</sup>

<sup>2</sup> See *Monosodium Glutamate from the People's Republic of China, and the Republic of Indonesia: Antidumping Duty Orders and Monosodium Glutamate From the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value*, 79 FR 70505 (November 26, 2014) (*Amended Final Determination*), and, *Monosodium Glutamate from the People's Republic of China: Second Amended Final Determination of Sales at Less Than Fair Value and Amended Antidumping Duty Order*, 80 FR 487 (January 6, 2015) (*Second Amended Final Determination and Order*), respectively.

<sup>3</sup> Meihua, or Meihua Group, consists of Langfang Meihua Bio-Technology Co., Ltd., Tongliao Meihua Biological SCL-TECH Co., Ltd., Meihua Group International Trading (Hong Kong) Limited, and Meihua Holdings Group Co., Ltd, Bazhou Branch. See the Department's preliminary decision memorandum, "Decision Memorandum for the Preliminary Determination of Sales at Less Than Fair Value, Affirmative Preliminary Determination of Critical Circumstances, and Postponement of Final Determination of the Antidumping Duty Investigation of Monosodium Glutamate from the People's Republic of China," dated May 1, 2014, at 8–9, unchanged in *Amended Final Determination*.

<sup>4</sup> See *Ajinomoto North America, Inc. v. United States*, Court No. 14–00351, Slip Op. 17–48 (April 25, 2017) (*Remand Order*).

<sup>5</sup> See Department Memorandum dated August 30, 2017, "Final Results of Redetermination Pursuant to Court Remand Monosodium Glutamate from the People's Republic of China Ajinomoto North America, Inc. v. United States Court No. 14–00351, Slip Op. 17–48 (CIT April 25, 2017)," (Final Redetermination).

<sup>6</sup> See *Ajinomoto North America, Inc. v. United States*, Court No. 14–00351, Slip Op. 17–150 (CIT 2017).

## Timken Notice

In its decision in *Timken*,<sup>7</sup> as clarified by *Diamond Sawblades*,<sup>8</sup> the United States Court of Appeals for the Federal Circuit held that, pursuant to sections 516A(c) and (e) of the Tariff Act of 1930, as amended (the Act), the Department must publish a notice of a court decision that is not "in harmony" with a Department determination and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's November 3, 2017, final judgment sustaining the Department's Final Redetermination constitutes a final decision of the Court that is not in harmony with the *Second Amended Final Determination and Order*. This notice is published in fulfillment of the publication requirements of *Timken*.

## Third Amended Final Determination

Because there is now a final court decision, the Department is amending the *Second Amended Final Determination and Order* with respect to the dumping margin calculated for Meihua. The revised dumping margin for Meihua, is 34.15 percent.<sup>9</sup>

## Cash Deposit Requirements

Since the *Second Amended Final Determination and Order*, the Department has established a new cash deposit rate for Meihua.<sup>10</sup> Therefore, the Department is not amending the cash deposit rate for Meihua.

## Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(e)(1), 735(c)(1), and 777(i)(1) of the Act.

Dated: December 11, 2017.

## Gary Taverman,

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

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<sup>7</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*), at 341.

<sup>8</sup> See *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

<sup>9</sup> See Final Redetermination.

<sup>10</sup> See, e.g., *Monosodium Glutamate from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2014–2015*, 81 FR 89062 (December 9, 2016).

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Limitation of Duty-Free Imports of Apparel Articles Assembled in Haiti Under the Caribbean Basin Economic Recovery Act (CBERA), as Amended by the Haitian Hemispheric Opportunity through Partnership Encouragement Act (HOPE)

**AGENCY:** International Trade Administration, Department of Commerce.

**ACTION:** Notification of annual quantitative limit on imports of certain apparel from Haiti.

**SUMMARY:** CBERA, as amended, provides duty-free treatment for certain apparel articles imported directly from Haiti. One of the preferences is known as the "value-added" provision, which requires that apparel meet a minimum threshold percentage of value added in Haiti, the United States, and/or certain beneficiary countries. The provision is subject to a quantitative limitation, which is calculated as a percentage of total apparel imports into the United States for each 12-month annual period. For the annual period from December 20, 2017 through December 19, 2018, the quantity of imports eligible for preferential treatment under the value-added provision is 361,603,399 square meters equivalent.

**DATES:** December 20, 2017.

#### FOR FURTHER INFORMATION CONTACT:

Laurie Mease, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–3400.

#### SUPPLEMENTARY INFORMATION:

*Authority:* Section 213A of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703a) ("CBERA"), as amended; and as implemented by Presidential Proc. No. 8114, 72 FR 13655 (March 22, 2007), and No. 8596, 75 FR 68153 (November 4, 2010).

*Background:* Section 213A(b)(1)(B) of CBERA, as amended (19 U.S.C. 2703a(b)(1)(B)), outlines the requirements for certain apparel articles imported directly from Haiti to qualify for duty-free treatment under a "value-added" provision. In order to qualify for duty-free treatment, apparel articles must be wholly assembled, or knit-to-shape, in Haiti from any combination of fabrics, fabric components, components knit-to-shape, and yarns, as long as the sum of the cost or value of materials produced in Haiti or one or more beneficiary countries, as described in CBERA, as amended, or any combination thereof, plus the direct

costs of processing operations performed in Haiti or one or more beneficiary countries, as described in CBERA, as amended, or any combination thereof, is not less than an applicable percentage of the declared customs value of such apparel articles. Pursuant to CBERA, as amended, the applicable percentage for the period December 20, 2017 through December 19, 2018, is 60 percent.

For every twelve-month period following the effective date of CBERA, as amended, duty-free treatment under the value-added provision is subject to a quantitative limitation. CBERA, as amended, provides that the quantitative limitation will be recalculated for each subsequent 12 month period. Section 213A (b)(1)(C) of CBERA, as amended (19 U.S.C. 2703a(b)(1)(C)), requires that, for the twelve-month period beginning on December 20, 2017, the quantitative limitation for qualifying apparel imported from Haiti under the value-added provision will be an amount equivalent to 1.25 percent of the aggregate square meter equivalent of all apparel articles imported into the United States in the most recent 12-month period for which data are available.

The aggregate square meters equivalent of all apparel articles imported into the United States is derived from the set of Harmonized System lines listed in the Annex to the World Trade Organization Agreement on Textiles and Clothing (“ATC”), and the conversion factors for units of measure into square meter equivalents used by the United States in implementing the ATC.

For purposes of this notice, the most recent 12-month period for which data are available as of December 20, 2017 is the 12-month period ending on October 31, 2017.

Therefore, for the one-year period beginning on December 20, 2017 and extending through December 19, 2018, the quantity of imports eligible for preferential treatment under the value-added provision is 361,603,399 square meters equivalent. Apparel articles entered in excess of these quantities will be subject to otherwise applicable tariffs.

Dated: December 11, 2017.

**Terry Labat,**

*Senior Advisor, performing the Non-Exclusive Duties of the Deputy Assistant Secretary for Textiles, Consumer Goods and Materials.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[C-570-068]

**Forged Steel Fittings From the People’s Republic of China: Postponement of Preliminary Determination in the Countervailing Duty Investigation**

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

**DATES:** Applicable December 15, 2017.

**FOR FURTHER INFORMATION CONTACT:** Brian Smith at (202) 482-1766 or Jaron Moore at (202) 482-3640, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:**

**Background**

On October 25, 2017, the Department of Commerce (the Department) initiated a countervailing duty (CVD) investigation of forged steel fittings from the People’s Republic of China.<sup>1</sup> Currently, the preliminary determination is due no later than December 29, 2017.

**Postponement of Preliminary Determination**

Section 703(b)(1) of the Tariff Act of 1930, as amended (the Act), requires the Department to issue the preliminary determination in a CVD investigation within 65 days after the date on which the Department initiated the investigation. However, section 703(c)(1)(A) of the Act permits the Department to postpone the preliminary determination until no later than 130 days after the date on which the Department initiated the investigation if the petitioners<sup>2</sup> make a timely request for a postponement. Under 19 CFR 351.205(e), the petitioners 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. The Department will grant the request unless it finds compelling reasons to deny the request.

<sup>1</sup> See *Forged Steel Fittings From the People’s Republic of China: Initiation of Countervailing Duty Investigation*, 82 FR 50623 (November 1, 2017) (*Initiation Notice*).

<sup>2</sup> The petitioners are the Bonney Forge Corporation and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (USW).

On November 24, 2017, the petitioners submitted a timely request that the Department postpone the preliminary CVD determination.<sup>3</sup> Noting the comments filed with respect to respondent selection and the scope of the investigation, the petitioners stated that a postponement is necessary due to the difficulty in determining which companies imported subject merchandise, and the possibility that the Department may find it necessary to select additional respondents or issue quantity and value questionnaires. Finally, the petitioners state that a postponement is necessary to allow them sufficient time to identify additional subsidy benefits not addressed in the Petition once the Department identifies the mandatory respondents.

In accordance with 19 CFR 351.205(e), the petitioners stated the reasons for requesting a postponement of the preliminary determination, and the Department finds no compelling reason to deny the request. Therefore, in accordance with section 703(c)(1)(A) of the Act, the Department is postponing the deadline for the preliminary determination to no later than 130 days after the date on which this investigation was initiated, *i.e.*, March 5, 2018.<sup>4</sup> Pursuant to section 705(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 703(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: November 30, 2017.

**Gary Taverman,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations performing the non-exclusive duties of the Assistant Secretary for Enforcement and Compliance.*

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<sup>3</sup> See the petitioners’ letter, “Re: Forged Steel Fittings from the People’s Republic of China: Request to Postpone Preliminary Determination,” dated November 24, 2017.

<sup>4</sup> Postponing the preliminary determination to 130 days after initiation would place the deadline on Sunday, March 4, 2018. The Department’s practice dictates that where a deadline falls on a weekend or federal holiday, the appropriate deadline is the next business day. 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).