



A-570-053  
Circumvention Inquiry from Korea  
Circumvention Inquiry from Thailand  
**Public Document**  
AD/CVD Ops, OVI: MJH

December 1, 2022

**MEMORANDUM TO:** The File

**THROUGH:** Dana S. Mermelstein *DSM*  
Director  
AD/CVD Operations, Office VI

**FROM:** Michael J. Heaney  
Senior International Trade Compliance Analyst  
AD/CVD Operations, Office VI

**SUBJECT:** Aluminum Foil from the People's Republic of China –  
Circumvention Inquiry with Respect to Korea and Thailand:  
Extension of Preliminary and Final Determinations in  
Circumvention Inquiries

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**I. Preliminary Determination**

On July 18, 2022, the Department of Commerce (Commerce) published notice of its initiation of country-wide circumvention inquiries<sup>1</sup> to determine whether certain aluminum foil that is completed in the Republic of Korea and the Kingdom of Thailand using inputs from the People's Republic of China (China), are circumventing the antidumping (AD) and countervailing duty (CVD) orders on certain aluminum foil from China.<sup>2</sup> The current deadlines for the preliminary and final determinations in these inquiries are December 15, 2022, and May 14, 2023, respectively.

Pursuant to 19 CFR 351.302(b), “{u}nless expressly precluded by statute, the Secretary may, for good cause, extend any time limit... .” We have received extensive comments concerning

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<sup>1</sup> See *Certain Aluminum Foil from the People's Republic of China: Initiation of Circumvention Inquiry on the Antidumping Duty and Countervailing Duty Orders*, 87 FR 42702 (July 18, 2022) (*Initiation Notice*) and accompanying Initiation Memorandum.

<sup>2</sup> See *Certain Aluminum Foil from the People's Republic of China: Final Affirmative Determination of Sales at Less Than Fair Value*, 83 FR 9282 (March 5, 2018); see also *Certain Aluminum Foil from the People's Republic of China: Amended Final Determination of Sales at Less than Fair Value and Antidumping Duty Order*, 83 FR 17362 (April 19, 2018); *Countervailing Duty Investigation of Certain Aluminum Foil from the People's Republic of China: Final Affirmative Determination*, 83 FR 9274 (March 5, 2018); and *Certain Aluminum Foil from the People's Republic of China: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order*, 83FR 17360 (April 19, 2018) (*Orders*).



initiation of these inquiries and the upcoming preliminary determinations from the petitioners,<sup>3</sup> U.S. trade associations, members of Congress, and Korean and Thai respondent companies, which Commerce requires more time to consider fully. Additionally, these inquiries pose numerous complex methodological issues for which Commerce requires more time to analyze.

Accordingly, for the above-mentioned reasons and in accordance with 19 CFR 351.302(b), we are hereby extending the deadline for issuing the preliminary determinations in these inquiries by 75 days, until **February 28, 2023**. Because these inquiries are extraordinarily complicated, additional time is required in order to issue the final determinations in these circumvention inquiries. Therefore, Commerce has determined to extend the deadline for the final determinations in these inquiries, within the meaning of 19 CFR 351.226(e)(2). Thus, we are hereby informing interested parties that we are also extending, by 65 days, the deadline for issuing Commerce's final determinations in these inquiries, until **July 18, 2023**.

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<sup>3</sup> Petitioners are the Aluminum Association Trade Enforcement Working Group and its individual members, JW Aluminum Company, Novelis Corporation, and Reynolds Consumer Products, LLC.