

MESSAGE NO: 5047111 MESSAGE DATE: 02/16/1995
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: PRE-Preliminary PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-834

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/16/1995 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: AMENDED PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE:
DISPOSABLE POCKET LIGHTERS FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC) (A-
570-834)

MESSAGE NO: 5047111

DATE: 02 16 1995

CATEGORY: ADA

TYPE: PRE

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 834

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PERIOD COVERED: 02 16 1995 TO

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, TRADE COMPLIANCE DIVISION

RE: AMENDED PRELIMINARY DETERMINATION OF SALES AT LESS
THAN FAIR VALUE: DISPOSABLE POCKET LIGHTERS FROM
THE PEOPLE'S REPUBLIC OF CHINA (PRC) (A-570-834)

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER
ON FEBRUARY 16, 1995, NOTICE OF ITS AMENDED PRELIMINARY
DETERMINATION OF DISPOSABLE POCKET LIGHTERS FROM THE PEOPLE'S
REPUBLIC OF CHINA (PRC).

2. THE PRODUCTS COVERED BY THIS INVESTIGATION ARE DISPOSABLE
POCKET LIGHTERS, WHETHER OR NOT REFILLABLE, WHOSE FUEL IS BUTANE,
ISOBUTANE, PROPANE, OR OTHER LIQUIFIED HYDROCARBON, OR A MIXTURE

CONTAINING ANY OF THESE, WHOSE VAPOR PRESSURE AT 75 DEGREES FAHRENHEIT (24 DEGREES CELSIUS) EXCEEDS A GAGE PRESSURE OF 15 POUNDS PER SQUARE INCH. NON-REFILLABLE POCKET LIGHTERS ARE IMPORTED UNDER SUBHEADING 9613.10.0000 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS"). REFILLABLE, DISPOSABLE POCKET LIGHTERS WOULD BE IMPORTED UNDER SUBHEADING 9613.20.0000. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, OUR WRITTEN DESCRIPTIONS OF THE SCOPE OF THESE PROCEEDINGS ARE DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES, THIS CASE HAS BEEN ASSIGNED THE FOLLOWING INVESTIGATION NUMBER: (A-570-834).

4. ON DECEMBER 13, 1994 AND JANUARY 10, 1995, COUNSEL FOR POLYCITY ALLEGED MINISTERIAL ERRORS IN THE DEPARTMENT OF COMMERCE'S PRELIMINARY DETERMINATION CALCULATIONS OF POLYCITY INDUSTRIAL LTD. THE DEPARTMENT OF COMMERCE AGREES AND IN ACCORDANCE WITH PROCEDURES SET FORTH IN THE PROPOSED REGULATIONS

WE ARE AMENDING POLYCITY'S DUMPING MARGIN. THE REVISED MARGIN IS 39.37 PERCENT EFFECTIVE FEBRUARY 16, 1995. ALL OTHER RATES REMAIN THE SAME.

5. BECAUSE THE DEPARTMENT OF COMMERCE PREVIOUSLY FOUND CRITICAL CIRCUMSTANCES TO EXIST FOR IMPORTS OF DISPOSABLE LIGHTERS FROM CLI-CLAUQUE COMPANY, LTD., CHINA NATIONAL OVERSEAS TRADING CORP. AND THE ALL OTHERS RATE, THE CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF SUCH PRODUCTS WHICH ARE ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER SEPTEMBER 14, 1994, WHICH IS 90 DAYS PRIOR TO THE DATE OF PUBLICATION OF THE PRELIMINARY DETERMINATION IN THE FEDERAL REGISTER. EFFECTIVE SEPTEMBER 14, 1994, CUSTOMS SHALL REQUIRE A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS SHOWN BELOW:

THE CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRY SUMMARIES, EXCEPT THOSE MENTIONED ABOVE, OF DISPOSABLE

LIGHTERS FROM THE PEOPLE'S REPUBLIC OF CHINA AS SET FORTH IN THE ORIGINAL PRELIMINARY DETERMINATION, WHICH ARE ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER DECEMBER 13,

1994. EFFECTIVE FEBRUARY 16, 1995, CUSTOMS SHALL REQUIRE, FOR SUCH ENTRY SUMMARIES FROM POLYCITY, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGIN SHOWN BELOW:

MANUFACTURERS/PRODUCERS/ EXPORTERS	CUSTOMS ID NUMBER	MARGIN/ PERCENT
POLYCITY INDUSTRIAL, LTD.	A-570-834-005	39.37%
GAUNGDONG LIGHT INDUSTRIAL IMPORT AND EXPORT CORP.	A-570-834-004	35.08%
GAO YAO (HK) HUA FA INDUSTRIAL COMPANY, LTD.	A-570-834-003	0.00%
CLI-CLAUQUE COMPANY, LTD.	A-570-834-002	7.03%
CHINA NAT'L OVERSEAS TRADING CORP.	A-570-834-001	37.48%
ALL OTHER	A-570-834-000	197.85%

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH YOUR IMMEDIATE SUPERVISOR AND OR THE REGIONAL ANTIDUMPING/COUNTERVAILING DUTY COORDINATOR, THE TECHNICAL PROGRAM DIVISION, ANTIDUMPING/COUNTERVAILING DUTY BRANCH, USING ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT JULIE ANN OSGOOD OR TODD HANSEN, OFFICE OF COUNTERVAILING DUTY INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0167 AND (202) 482-1276 RESPECTIVELY.

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party