

MESSAGE NO: 2290304 MESSAGE DATE: 10/16/2012
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: OUTSCO-Out of Scope

FR CITE: FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-570-959

EFFECTIVE DATE: 11/17/2010 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 10/16/2012

TO: { Directors Of Field Operations, Port Directors }

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

RE: Scope determination - countervailing duty order on certain coated paper suitable for high-quality print graphics using sheet-fed presses from the People's Republic of China (C-570-959)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 5 below.

1. Commerce received a scope ruling request from Gold East Paper (Jiangsu) Co. Ltd. (including its subsidiaries Ningbo Zhonghua Paper Co., Ltd. and Ningbo Asia Pulp and Paper Co., Ltd.), Global Paper Solutions, Inc., Pindo Deli Pulp and Paper Mills, PT. Indah Kiat Pulp & Paper Tbk, and Paper Max, Ltd. (collectively "APP"). Commerce issued a final scope determination on 09/20/2012 that APP's Zenith packaging paperboard (except with a basis weight of 215 grams per square meter ("gsm")) and APP's Sinar Vanda packaging paperboard (except with a basis weight of 210 gsm) which APP exports are not within the scope of the countervailing duty order on certain coated paper suitable for high-quality print graphics using sheet-fed presses ("Certain Coated Paper") from the People's Republic of China ("PRC") (C-570-959).

2. Commerce determined that density and thickness are appropriate physical characteristics for distinguishing coated paper for commercial print applications (i.e., suitable for high-quality print graphics) and coated paper for packaging applications. Specifically, Commerce found that paper that otherwise meets the physical characteristics described in the scope and has a thickness of 310 μm or more and a density of 0.70 g/cm³ or less is not suitable for high-quality print graphics and, hence, is not covered by the Certain Coated Paper order. Commerce determined that APP's Zenith packaging paperboard (except Zenith with a basis weight of 215 gsm) and APP's Sinar Vanda packaging paperboard (except Sinar Vanda with a basis weight of 210 gsm) are outside the scope of the order because these packaging paperboards have thickness and density parameters that meet the aforementioned criteria. In addition, Commerce determined that these products are clearly marketed as packaging paperboard products. Therefore, APP's Zenith packaging paperboard (except Zenith with a basis weight of 215 gsm) and APP's Sinar Vanda packaging paperboard (except Sinar Vanda with a basis weight of 210 gsm) are not within the scope of the countervailing duty order on Certain Coated Paper from the PRC.

3. For all entries of APP's Zenith packaging paperboard (except Zenith with a basis weight of 215

gsm) and APP's Sinar Vanda packaging paperboard (except Sinar Vanda with a basis weight of 210 gsm) that remain unliquidated on or after 11/17/2010, CBP shall terminate suspension and liquidate entries of APP's Zenith packaging paperboard (except Zenith with a basis weight of 215 gsm) and APP's Sinar Vanda packaging paperboard (except Sinar Vanda with a basis weight of 210 gsm) which were entered, or withdrawn from warehouse, for consumption.

4. Refund any cash deposits and release any bonds relating to the product not within the scope described above.

5. These instructions constitute notice of the lifting of suspension of liquidation of entries of APP's Zenith packaging paperboard (except Zenith with a basis weight of 215 gsm) and APP's Sinar Vanda packaging paperboard (except Sinar Vanda with a basis weight of 210 gsm) entered, or withdrawn from warehouse, for consumption on or after 11/17/2010.

6. The assessment of countervailing duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated countervailing duties. The interest provisions are not applicable to cash or bonds posted as estimated countervailing duties before the date of publication of the countervailing duty order. Interest shall be calculated from the date payment of estimated countervailing duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Unless instructed otherwise, for all other shipments of Certain Coated Paper from the PRC not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated countervailing duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O1: MK)

9. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

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