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TYPE: FIN-Final Determination PUBLIC NON-PUBLIC
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REFERENCE 8337204
MESSAGE #
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CASE #(s): A-552-804, A-570-894

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 09/05/2006 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: FINAL AFFIRMATIVE DETERMINATION OF CIRCUMVENTION OF THE
ANTIDUMPING DUTY ORDER ON CERTAIN TISSUE PAPER PRODUCTS FROM CHINA (A-
570-894) AND VIETNAM (A-552-804)

MESSAGE NO: 9006208

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CASES: A - 570 - 894

A - 552 - 804

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PERIOD COVERED: 09 05 2006 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: FINAL AFFIRMATIVE DETERMINATION OF CIRCUMVENTION OF THE
ANTIDUMPING DUTY ORDER ON CERTAIN TISSUE PAPER PRODUCTS
FROM CHINA (A-570-894) AND VIETNAM (A-552-804)

1. ON OCTOBER 3, 2008, THE DEPARTMENT OF COMMERCE ("COMMERCE")
PUBLISHED IN THE FEDERAL REGISTER ITS NOTICE OF AN AFFIRMATIVE
FINAL DETERMINATION OF CIRCUMVENTION OF THE ANITDUMPING DUTY
ORDER ON CERTAIN TISSUE PAPER PRODUCTS FROM THE PEOPLE'S
REPUBLIC OF CHINA ("CHINA") (73 FR 57591).

2. SCOPE OF THE ANITDUMPING DUTY ORDER

THE TISSUE PAPER PRODUCTS SUBJECT TO THIS ANTIDUMPING DUTY ORDER ARE CUT-TO-LENGTH SHEETS OF TISSUE PAPER HAVING A BASIS WEIGHT NOT EXCEEDING 29 GRAMS PER SQUARE METER. TISSUE PAPER PRODUCTS SUBJECT TO THIS ORDER MAY OR MAY NOT BE BLEACHED, DYE-COLORED, SURFACE-COLORED, GLAZED, SURFACE DECORATED OR PRINTED, SEQUINED, CRINKLED, EMBOSSED, AND/OR DIE CUT. THE TISSUE PAPER SUBJECT TO THIS ORDER IS IN THE FORM OF CUT-TO-LENGTH SHEETS OF TISSUE PAPER WITH A WIDTH EQUAL TO OR GREATER THAN ONE-HALF (0.5) INCH. SUBJECT TISSUE PAPER MAY BE FLAT OR FOLDED, AND MAY BE PACKAGED BY BANDING OR WRAPPING WITH PAPER OR FILM, BY PLACING IN PLASTIC OR FILM BAGS, AND/OR BY PLACING IN BOXES FOR DISTRIBUTION AND USE BY THE ULTIMATE CONSUMER. PACKAGES OF TISSUE PAPER SUBJECT TO THIS ORDER MAY CONSIST SOLELY OF TISSUE PAPER OF ONE COLOR AND/OR STYLE, OR MAY CONTAIN MULTIPLE COLORS AND/OR STYLES. THE MERCHANDISE SUBJECT TO THIS ORDER DOES NOT HAVE SPECIFIC CLASSIFICATION NUMBERS ASSIGNED TO THEM UNDER THE HARMONIZED TARIFF SCHEDULE OF

THE UNITED STATES (HTSUS). SUBJECT MERCHANDISE MAY BE UNDER ONE OR MORE OF SEVERAL DIFFERENT SUBHEADINGS, INCLUDING: 4802.30; 4802.54; 4802.61; 4802.62; 4802.69; 4804.31.1000; 4804.31.2000; 4804.31.4020; 4804.31.4040; 4804.31.6000; 4804.39; 4805.91.1090; 4805.91.5000; 4805.91.7000; 4806.40; 4808.30; 4808.90; 4811.90; 4823.90; 4820.50.00; 4802.90.00; 4805.91.90; 9505.90.40. THE TARIFF CLASSIFICATIONS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES; HOWEVER, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS ORDER IS DISPOSITIVE.

EXCLUDED FROM THE SCOPE OF THIS ORDER ARE THE FOLLOWING TISSUE PAPER PRODUCTS: (1) TISSUE PAPER PRODUCTS THAT ARE COATED IN WAX, PARAFFIN, OR POLYMERS, OF A KIND USED IN FLORAL AND FOOD SERVICE APPLICATIONS; (2) TISSUE PAPER PRODUCTS THAT HAVE BEEN PERFORATED, EMBOSSED, OR DIE-CUT TO THE SHAPE OF A TOILET SEAT, I.E., DISPOSABLE SANITARY COVERS FOR TOILET SEATS; (3) TOILET OR FACIAL TISSUE STOCK, TOWEL OR NAPKIN STOCK, PAPER OF A KIND USED FOR HOUSEHOLD OR SANITARY PURPOSES, CELLULOSE WADDING, AND WEBS OF CELLULOSE FIBERS (HTSUS 4803.00.20.00 AND 4803.00.40.00).

3. SCOPE OF THE CIRCUMVENTION INQUIRY

THE PRODUCTS SUBJECT TO THIS CIRCUMVENTION INQUIRY ARE JUMBO ROLLS OF TISSUE PAPER THAT ARE EXPORTED FROM CHINA TO THE SOCIALIST REPUBLIC OF VIETNAM ("VIETNAM") WHERE THEY ARE CONVERTED, POSSIBLY DYED AND/OR PRINTED, INTO TISSUE PAPER PRODUCTS, AS DESCRIBED ABOVE IN THE "SCOPE OF THE ANTIDUMPING DUTY ORDER" SECTION. THIS INQUIRY ONLY COVERS SUCH PRODUCTS THAT ARE EXPORTED TO THE UNITED STATES BY VIETNAM QUIJIANG PAPER CO., LTD.

4. THE DEPARTMENT HAS DETERMINED TO CONSIDER ALL ENTRIES OF CERTAIN TISSUE PAPER PRODUCTS PRODUCED BY VIETNAM QUIJIANG PAPER CO., LTD. THAT ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION, ON OR AFTER SEPTEMBER 5, 2006, TO BE PRODUCED FROM CHINESE-ORIGIN JUMBO ROLLS AND THUS SUBJECT TO THE ANTIDUMPING DUTY ORDER ON CERTAIN TISSUE PAPER PRODUCTS FROM CHINA. ON OCTOBER 3, 2008, THE DEPARTMENT STATED IN THE FEDERAL REGISTER THAT FOR ALL ENTRIES OF CERTAIN TISSUE PAPER PRODUCTS PRODUCED BY VIETNAM QUIJIANG PAPER CO., LTD., AND ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION, ON OR AFTER SEPTEMBER 5, 2006, THE DEPARTMENT WAS ALLOWING VIETNAM QUIJIANG PAPER CO., LTD. TO PROVIDE A CERTIFICATE STATING THAT THE ENTERED PRODUCT WAS NOT PRODUCED FROM CHINESE-ORIGIN JUMBO ROLLS (73 FR 57591). HOWEVER, IN ACCORDANCE WITH MESSAGE #8337204, DATED DECEMBER 2, 2008, THIS CERTIFICATION PROGRAM HAS BEEN DISCONTINUED. THEREFORE, ANY ENTRIES OF CERTAIN TISSUE PAPER PRODUCTS PRODUCED BY VIETNAM QUIJIANG PAPER CO., LTD., THAT ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION, ON OR AFTER SEPTEMBER 5, 2006, ARE SUBJECT TO THE ANTIDUMPING DUTY ORDER ON CERTAIN TISSUE PAPER PRODUCT FROM CHINA.

5. FOR IMPORTS OF CERTAIN TISSUE PAPER PRODUCTS THAT MEET THE REQUIREMENTS FOR THE MERCHANDISE SUBJECT TO THE ANTIDUMPING DUTY ORDER AS DESCRIBED ABOVE PRODUCED BY VIETNAM QUIJIANG PAPER CO., LTD. AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR

CONSUMPTION ON OR AFTER SEPTEMBER 5, 2006, UNITED STATES CUSTOMS AND BORDER PROTECTION ("CBP") SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS. IN ADDITION, EFFECTIVE SEPTEMBER 5, 2006, CBP SHALL REQUIRE, FOR ALL ENTRIES PRODUCED BY VIETNAM QUIJIANG PAPER CO., LTD., FROM SEPTEMBER 5, 2006, A CASH DEPOSIT EQUAL TO MARGIN SHOWN BELOW:

MANUFACTURER/PRODUCER/EXPORTER	CUSTOMS ID NUMBER	MARGIN
VIETNAM QUIJIANG PAPER CO., LTD.	A-552-804-001	112.64

6. FOR ENTRIES OF CERTAIN TISSUE PAPER PRODUCTS THAT MEET THE REQUIREMENTS FOR THE MERCHANDISE SUBJECT TO THE ANTIDUMPING DUTY ORDER AS DESCRIBED ABOVE PRODUCED BY VIETNAM QUIJIANG PAPER CO., LTD., AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER SEPTEMBER 5, 2006, AND ARE SET FOR LIQUIDATION NEED TO BE UNSET IMMEDIATELY.

7. SPECIAL NOTE THE ACTUAL INITIATION DATE IS SEPTEMBER 5, 2006, AND THE PRELIMINARY DETERMINATION DATE IS APRIL 22, 2008. HOWEVER, IN ORDER FOR THE ACS MODULE TO ACCEPT THE CORRECT EFFECTIVE DATE FOR THE SUSPENSION OF LIQUIDATION (SEPTEMBER 5, 2006), IT WAS NECESSARY TO LIST SEPTEMBER 5, 2006, AS BOTH THE EFFECTIVE DATE OF SUSPENSION OF LIQUIDATION AND THE DATE OF THE PRELIMINARY DETERMINATION. THIS IS DIFFERENT FROM THE DATES LISTED IN THE PRELIMINARY DETERMINATION FEDERAL REGISTER NOTICE (73 FR 21580). IN ADDITION, THE ACS MODULE REQUIRES THAT THE INITIATION DATE BE AT LEAST ONE DAY PRIOR TO THE DATE OF THE PRELIMINARY DETERMINATION. THEREFORE, THE MODULE LISTS SEPTEMBER 4, 2006, AS THE INITIATION DATE.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202)482-1394 (GENERATED BY O9:JEH).

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

DAVID M. GENOVESE

Company Details

*Party Indicator Value:

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