

MESSAGE NO: 8344201 MESSAGE DATE: 12/09/2008
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: ORD-Order PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-428-840

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/20/2008 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: ANTIDUMPING DUTY ORDER IN THE ANTIDUMPING DUTY INVESTIGATION OF LIGHTWEIGHT THERMAL PAPER FROM GERMANY (A-428-840-000/001)

MESSAGE NO: 8344201 DATE: 12 09 2008

CATEGORY: ADA TYPE: ORD

REFERENCE: REFERENCE DATE:

CASES: A - 428 - 840 - -

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PERIOD COVERED: 11 20 2008 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: ANTIDUMPING DUTY ORDER IN THE ANTIDUMPING DUTY INVESTIGATION OF LIGHTWEIGHT THERMAL PAPER FROM GERMANY (A-428-840-000/001)

1. ON 11/24/2008, COMMERCE PUBLISHED IN THE FEDERAL REGISTER 73 FR 70959, DATED 11/24/2008) ITS ANTIDUMPING DUTY ORDER IN THE INVESTIGATION OF LIGHTWEIGHT THERMAL PAPER FROM GERMANY.

2. THE PRODUCT COVERED BY THIS ANTIDUMPING DUTY ORDER INCLUDES CERTAIN LIGHTWEIGHT THERMAL PAPER, WHICH IS THERMAL PAPER WITH A BASIS WEIGHT OF 70 GRAMS PER SQUARE METER (G/M2) (WITH A TOLERANCE OF ("PLUS OR MINUS") 4.0 G/M2) OR LESS; IRRESPECTIVE OF DIMENSIONS; LWTP IS TYPICALLY PRODUCED IN JUMBO ROLLS THAT ARE

SLIT TO THE SPECIFICATIONS OF THE CONVERTING EQUIPMENT AND THEN CONVERTED INTO FINISHED SLIT ROLLS. BOTH JUMBO ROLLS AND CONVERTED ROLLS (AS WELL AS LWTP IN ANY OTHER FORMS, PRESENTATIONS, OR DIMENSIONS) ARE COVERED BY THE SCOPE OF THIS ANTIDUMPING DUTY ORDER; WITH OR WITHOUT A BASE COAT (A BASE COAT, WHEN APPLIED, IS TYPICALLY MADE OF CLAY AND/OR LATEX AND LIKE MATERIALS AND IS INTENDED TO COVER THE ROUGH SURFACE OF THE PAPER SUBSTRATE AND TO PROVIDE INSULATING VALUE.) ON ONE OR BOTH SIDES; WITH THERMAL ACTIVE COATING(S) (A THERMAL ACTIVE COATING IS TYPICALLY MADE OF SENSITIZER, DYE, AND CO-REACTANT) ON ONE OR BOTH SIDES THAT IS A MIXTURE OF THE DYE AND THE DEVELOPER THAT REACT AND FORM AN IMAGE WHEN HEAT IS APPLIED; WITH OR WITHOUT A TOP COAT (A TOP COAT, WHEN APPLIED, IS TYPICALLY MADE OF POLYVINYL ACETONE, POLYVINYL ALCOHOL, AND/OR LIKE MATERIALS AND IS INTENDED TO PROVIDE ENVIRONMENTAL PROTECTION, AN IMPROVED SURFACE FOR PRESS PRINTING, AND/OR WEAR PROTECTION FOR THE THERMAL PRINT HEAD.); AND WITHOUT AN ADHESIVE BACKING. CERTAIN LIGHTWEIGHT THERMAL PAPER IS TYPICALLY (BUT NOT EXCLUSIVELY) USED IN POINT-OF-SALE APPLICATIONS SUCH AS ATM RECEIPTS, CREDIT CARD RECEIPTS, GAS PUMP RECEIPTS, AND RETAIL STORE RECEIPTS. THE MERCHANDISE SUBJECT TO THIS ANTIDUMPING DUTY ORDER MAY BE CLASSIFIED IN THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) UNDER SUBHEADINGS 4811.90.8040 AND 4811.90.9090. (HTSUS SUBHEADING 4811.90.8000 WAS A CLASSIFICATION USED FOR LWTP UNTIL 01/01/2007. EFFECTIVE THAT DATE, SUBHEADING 4811.90.8000 WAS REPLACED WITH 4811.90.8020 (FOR GIFT WRAP, A NON-SUBJECT PRODUCT) AND 4811.90.8040 (FOR "OTHER," INCLUDING LWTP). HTSUS SUBHEADING 4811.90.9000 WAS A CLASSIFICATION FOR LWTP UNTIL JULY 1, 2005. EFFECTIVE THAT DATE, SUBHEADING 4811.90.9000 WAS REPLACED WITH 4811.90.9010 (FOR TISSUE PAPER, A NON-SUBJECT PRODUCT) AND 4811.90.9090 (FOR OTHER, INCLUDING LWTP). THE DOC ADDED TO THE SCOPE OF THE ANTIDUMPING DUTY ORDER THE FOLLOWING HTSUS SUBHEADINGS: 3703.10.60, 4811.59.20, 4820.10.20, AND 4823.40.00. ALTHOUGH HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS ANTIDUMPING DUTY ORDER IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED

INVESTIGATION NUMBER (A-428-840).

4. THE INTERNATIONAL TRADE COMMISSION (ITC) NOTIFIED THE COMMERCE DEPARTMENT THAT IMPORTS OF LIGHTWEIGHT THERMAL PAPER FROM GERMANY THREATEN MATERIAL INJURY TO THE U.S. INDUSTRY. THE ITC DID NOT DETERMINE, BUT FOR THE SUSPENSION OF LIQUIDATION OF ENTRIES OF LIGHTWEIGHT THERMAL PAPER FROM GERMANY, THE DOMESTIC INDUSTRY WOULD HAVE BEEN MATERIALLY INJURED. THEREFORE, COMMERCE WILL ISSUE SEPARATE INSTRUCTIONS TO CUSTOMS AND BORDER PROTECTION TO TERMINATE SUSPENSION AND REFUND ANY CASH DEPOSIT AND RELEASE ANY BOND OR OTHER SECURITY OF LIGHTWEIGHT THERMAL PAPER FROM GERMANY FOR SHIPMENTS, ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION PRIOR TO 11/20/2008, THE DATE OF PUBLICATION OF THE ITC'S FINAL DETERMINATION IN THE FEDERAL REGISTER. FOR IMPORTS OF LIGHTWEIGHT THERMAL PAPER FROM GERMANY, CUSTOMS AND BORDER PROTECTION SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 11/20/2008. EFFECTIVE 11/20/2008, CBP SHALL REQUIRE A CASH DEPOSIT. EFFECTIVE 11/24/2008 CBP SHALL REQUIRE A CASH DEPOSIT EQUAL TO THE MARGINS SHOWN BELOW:

PRODUCER: PAPIERFABRIK AUGUST KOEHLER AG AND KOEHLER AMERICA, INC. (COLLECTIVELY, KOEHLER)

EXPORTER: PAPIERFABRIK AUGUST KOEHLER AG AND KOEHLER AMERICA, INC. (COLLECTIVELY, KOEHLER)

CASE NUMBER: A-428-840-001

CASH DEPOSIT RATE: 6.50%

PRODUCER: ALL OTHERS

EXPORTER: ALL OTHERS

CASE NUMBER: A-428-840-000

CASH DEPOSIT RATE: 6.50%

5. 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 OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O3: GM).

6. 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