

MESSAGE NO: 8344202 MESSAGE DATE: 12/09/2008
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: ORD-Order PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-570-921

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: COUNTERVAILING DUTY ORDER IN THE INVESTIGATION OF LIGHTWEIGHT
THERMAL PAPER FROM CHINA (C-570-921-000/001/003/004/005)

MESSAGE NO: 8344202 DATE: 12 09 2008

CATEGORY: CVD TYPE: ORD

REFERENCE: REFERENCE DATE:

CASES: C - 570 - 921 - -

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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: COUNTERVAILING DUTY ORDER IN THE INVESTIGATION OF
LIGHTWEIGHT THERMAL PAPER FROM CHINA
(C-570-921-000/001/003/004/005)

1. ON 11/24/2008, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE
FEDERAL REGISTER (73 FR 70958) ITS COUNTERVAILING DUTY ORDER
AND AMENDED FINAL DETERMINATION, IN THE INVESTIGATION OF
LIGHTWEIGHT THERMAL PAPER FROM THE PEOPLE'S REPUBLIC OF CHINA.

2. THE MERCHANDISE COVERED BY THIS 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/MINUS 4.0 G/M2) OR LESS; IRRESPECTIVE OF DIMENSIONS; /1/

WITH OR WITHOUT A BASE COAT /2/ ON ONE OR BOTH SIDES; WITH THERMAL ACTIVE COATING(S) /3/ 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; /4/ 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 ORDER MAY BE CLASSIFIED IN THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) UNDER SUBHEADINGS 4811.90.8040, 4811.90.9090, 3703.10.60, 4811.59.20, 4820.10.20, AND 4823.40.00 /5/. ALTHOUGH HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS ORDER IS DISPOSITIVE.

FOOTNOTES:

(1) LIGHTWEIGHT THERMAL PAPER 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 AND CONVERTED ROLLS (AS WELL AS LIGHTWEIGHT THERMAL PAPER IN ANY OTHER FORM, PRESENTATION, OR DIMENSION) ARE COVERED BY THE SCOPE OF THIS ORDER.

(2) 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.

(3) A THERMAL ACTIVE COATING IS TYPICALLY MADE OF SENSITIZER, DYE, AND CO-REACTANT.

(4) 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.

(5) HTSUS SUBHEADING 4811.90.8000 WAS A CLASSIFICATION USED FOR LIGHTWEIGHT THERMAL PAPER UNTIL JANUARY 1, 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 LIGHTWEIGHT THERMAL PAPER). HTSUS SUBHEADING 4811.90.9000 WAS A CLASSIFICATION FOR LIGHTWEIGHT THERMAL PAPER 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 LIGHTWEIGHT THERMAL PAPER).

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER C-570-921.

4. THE INTERNATIONAL TRADE COMMISSION (ITC) NOTIFIED THE COMMERCE DEPARTMENT THAT IMPORTS OF LIGHTWEIGHT THERMAL PAPER FROM THE PEOPLE'S REPUBLIC OF CHINA, 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 THE PEOPLE'S REPUBLIC OF CHINA, THE DOMESTIC INDUSTRY WOULD HAVE BEEN MATERIALLY INJURED. THEREFORE, COMMERCE WILL ISSUE SEPARATE INSTRUCTIONS TO U.S. CUSTOMS AND BORDER PROTECTION (CBP) TO TERMINATE SUSPENSION AND REFUND ANY CASH DEPOSIT AND RELEASE ANY BOND OR OTHER SECURITY OF LIGHTWEIGHT THERMAL PAPER FROM THE PEOPLE'S REPUBLIC OF CHINA, 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 (73 FR 70367).

CBP SHALL SUSPEND LIQUIDATION FOR LIGHTWEIGHT THERMAL PAPER FROM THE PEOPLE'S REPUBLIC OF CHINA WITH RESPECT TO SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 11/20/2008, THE DATE OF PUBLICATION OF THE ITC'S FINAL DETERMINATION IN THE FEDERAL REGISTER (73 FR 70367), EXCEPT FOR LIGHTWEIGHT THERMAL PAPER MANUFACTURED/EXPORTED BY SHANGHAI HANHONG PAPER CO., LTD., (C-570-921-002) WHICH HAD A DE MINIMIS MARGIN. EFFECTIVE 11/20/2008, FOR SUCH ENTRIES CBP SHALL REQUIRE A CASH DEPOSIT EQUAL TO THE MARGINS BELOW.

EXPORTER: ALL OTHERS
PRODUCER: ALL OTHERS
CASE NUMBER: C-570-921-000
CASH DEPOSIT RATE: 13.63%

EXPORTER: GUANGDONG GUANHAO HIGH-TECH CO., LTD./ZHANJIANG
GUANLONG PAPER INDUSTRIAL CO., LTD
PRODUCER: GUANGDONG GUANHAO HIGH-TECH CO., LTD./ZHANJIANG
GUANLONG PAPER INDUSTRIAL CO., LTD
CASE NUMBER: C-570-921-001
CASH DEPOSIT RATE: 13.63%

EXPORTER: SHENZHEN YUANMING INDUSTRIAL DEVELOPMENT CO., LTD.
PRODUCER: SHENZHEN YUANMING INDUSTRIAL DEVELOPMENT CO., LTD.
CASE NUMBER: C-570-921-003
CASH DEPOSIT RATE: 138.53%

EXPORTER: MDCN TECHNOLOGY CO., LTD.
PRODUCER: MDCN TECHNOLOGY CO., LTD.
CASE NUMBER: C-570-921-004
CASH DEPOSIT RATE: 124.93%

EXPORTER: XIAMEN ANNE PAPER CO., LTD.
PRODUCER: XIAMEN ANNE PAPER CO., LTD.
CASE NUMBER: C-570-921-005
CASH DEPOSIT RATE: 124.93%

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 O1: SH).

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