

MESSAGE NO: 9009202 MESSAGE DATE: 01/09/2009
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: FIN-Final Determination PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-928

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/29/2008 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: NOTICE OF FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF UNCOVERED INNERSPRING UNITS FROM CHINA (A-570-928-000/001/002/003/004/005/006/007/008)

MESSAGE NO: 9009202 DATE: 01 09 2009

CATEGORY: ADA TYPE: FIN

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 928 - -

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PERIOD COVERED: 12 29 2008 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NOTICE OF FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF UNCOVERED INNERSPRING UNITS FROM CHINA (A-570-928-000/001/002/003/004/005/006/007/008)

1. ON 12/29/2008, COMMERCE WILL PUBLISH IN THE FEDERAL REGISTER ITS PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE IN THE ANTIDUMPING DUTY INVESTIGATION OF UNCOVERED INNERSPRING UNITS FROM THE PEOPLES REPUBLIC OF CHINA (PRC).

2. SCOPE LANGUAGE

THE MERCHANDISE COVERED BY THIS INVESTIGATION IS UNCOVERED INNERSPRING UNITS COMPOSED OF A SERIES OF INDIVIDUAL METAL

SPRINGS JOINED TOGETHER IN SIZES CORRESPONDING TO THE SIZES OF ADULT MATTRESSES (E.G., TWIN, TWIN LONG, FULL, FULL LONG, QUEEN, CALIFORNIA KING, AND KING) AND UNITS USED IN SMALLER CONSTRUCTIONS, SUCH AS CRIB AND YOUTH MATTRESSES. ALL UNCOVERED INNERSPRING UNITS ARE INCLUDED IN THIS SCOPE REGARDLESS OF WIDTH AND LENGTH. INCLUDED WITHIN THIS DEFINITION ARE INNERSPRINGS TYPICALLY RANGING FROM 30.5 INCHES TO 76 INCHES IN WIDTH AND 68 INCHES TO 84 INCHES IN LENGTH. INNERSPRINGS FOR CRIB MATTRESSES TYPICALLY RANGE FROM 25 INCHES TO 27 INCHES IN WIDTH AND 50 INCHES TO 52 INCHES IN LENGTH. UNCOVERED INNERSPRING UNITS ARE SUITABLE FOR USE AS THE INNERSPRING COMPONENT IN THE MANUFACTURE OF INNERSPRING MATTRESSES, INCLUDING MATTRESSES THAT INCORPORATE A FOAM ENCASMENT AROUND THE INNERSPRING.

POCKETED AND NON-POCKETED INNERSPRING UNITS ARE INCLUDED IN THIS DEFINITION. NON-POCKETED INNERSPRINGS ARE TYPICALLY JOINED TOGETHER WITH HELICAL WIRE AND BORDER RODS. NON-POCKETED INNERSPRINGS ARE INCLUDED IN THIS DEFINITION REGARDLESS OF WHETHER THEY HAVE BORDER RODS ATTACHED TO THE PERIMETER OF THE INNERSPRING. POCKETED INNERSPRINGS ARE INDIVIDUAL COILS COVERED BY A POCKET OR SOCK OF A NONWOVEN SYNTHETIC MATERIAL OR WOVEN MATERIAL AND THEN GLUED TOGETHER IN A LINEAR FASHION.

EXCLUDED FROM THE SCOPE ARE INDIVIDUAL SPRINGS AND INDIVIDUALLY WRAPPED POCKET COILS FOR UPHOLSTERY SEATING.

FOOTNOTE:

/1/THIS SENTENCE MODIFIES THE SCOPE LANGUAGE AS A RESULT OF THE SCOPE-CLARIFICATION REQUEST WE RECEIVED FROM CAYE HOME FURNISHINGS LLC, A U.S. MANUFACTURER OF LIVING ROOM FURNITURE. SEE MEMORANDUM TO LAURIE PARKHILL, OFFICE DIRECTOR, AD/CVD ENFORCEMENT 5, ENTITLED ANTIDUMPING DUTY INVESTIGATIONS ON UNCOVERED INNERSPRING UNITS FROM THE PEOPLES REPUBLIC OF CHINA, SOUTH AFRICA, AND THE SOCIALIST REPUBLIC OF VIETNAM: REQUEST FOR SCOPE CLARIFICATION, 09/25/2008.

UNCOVERED INNERSPRINGS ARE CLASSIFIED UNDER SUBHEADING

9404.29.9010 AND HAVE ALSO BEEN CLASSIFIED UNDER SUBHEADINGS 9404.10.0000, 7326.20.00.70, 7320.20.5010, OR 7320.90.5010 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS).

THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES ONLY; THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS PROCEEDING IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-570-928.

4. FOR IMPORTS OF UNCOVERED INNERSPRING UNITS FROM THE PRC, CBP SHALL CONTINUE TO SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 08/06/2008.

5. EFFECTIVE 12/29/2008, CBP SHALL REQUIRE, FOR ENTRIES OF UNCOVERED INNERSPRING UNITS FROM THE EXPORTER/PRODUCER COMBINATIONS LISTED BELOW, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE ANTIDUMPING DUTY RATES SHOWN BELOW:

EXPORTER: ANSHAN YUHUA INDUSTRIAL TRADE CO., LTD.
PRODUCER: ANSHUAN YUHUA INDUSTRIAL TRADE CO., LTD.
CASE NUMBER: A-570-928-002
CASH DEPOSIT RATE: 164.75 PERCENT

EXPORTER: EAST GRACE CORPORATION
PRODUCER: WUXI XIHUI SHENG COMMERCIAL CO., LTD.
CASE NUMBER: A-570-928-003
CASH DEPOSIT RATE: 164.75 PERCENT

EXPORTER: FOSHAN JINGXIN STEEL WIRE AND SPRING CO., LTD.
PRODUCER: FOSHAN JINGXIN STEEL WIRE AND SPRING CO., LTD.
CASE NUMBER: A-570-928-001
CASH DEPOSIT RATE: 234.51 PERCENT

EXPORTER: HEBEI YILILAN FURNITURE CO., LTD.
PRODUCER: HEBEI YILILAN FURNITURE CO., LTD.
CASE NUMBER: A-570-928-004
CASH DEPOSIT RATE: 164.75 PERCENT

EXPORTER: NANJING MEIHUA IMPORT AND EXPORT TRADE CO.,
LTD.
PRODUCER: NANJING DONGDAI FURNITURE CO., LTD.
CASE NUMBER: A-570-928-005
CASH DEPOSIT RATE: 164.75 PERCENT

EXPORTER: XILINMEN GROUP CO., LTD.
PRODUCER: XILINMEN FURNITURE CO., LTD.
CASE NUMBER: A-570-928-006
CASH DEPOSIT RATE: 164.75 PERCENT

EXPORTER: ZHEJIANG SANMED HEROD MATTRESS CO., LTD.
PRODUCER: ZHEJIANG SANMED HEROD MATTRESS CO., LTD.
CASE NUMBER: A-570-928-007
CASH DEPOSIT RATE: 164.75 PERCENT

EXPORTER: ZIBO SENBAO FURNITURE CO., LTD.
PRODUCER: ZIBO SENBAO FURNITURE CO., LTD.
CASE NUMBER: A-570-928-008
CASH DEPOSIT RATE: 164.75 PER CENT

6. FOR ALL OTHER ENTRIES OF UNCOVERED INNERSPRING UNITS, THE FOLLOWING CASH DEPOSIT/BONDING INSTRUCTIONS APPLY: 234.51 PERCENT.

A. FOR ALL PRC EXPORTERS OF UNCOVERED INNERSPRING UNITS, WHICH HAVE NOT RECEIVED THEIR OWN RATE THE CASH-DEPOSIT OR BONDING RATE WILL BE THE PRC-WIDE RATE.

B. FOR ALL NON-PRC EXPORTERS OF UNCOVERED INNERSPRING UNITS WHICH HAVE NOT RECEIVED THEIR OWN RATE, THE CASH-DEPOSIT OR BONDING

RATE WILL BE THE RATE APPLICABLE TO THE PRODUCER/EXPORTER COMBINATIONS THAT SUPPLIED THAT NON-PRC EXPORTER.

7. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF CBP, CUSTOMS OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTY IS LESS THAN FIVE PERCENT AD VALOREM (OR THE EQUIVALENT). OTHERWISE, WHERE THE IMPORTER HAS THE OPTION TO POST A BOND FOR ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTIES, CUSTOMS OFFICERS MUST REQUIRE A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND PURSUANT TO T.D. 85-145. YOU ARE INSTRUCTED TO ADHERE TO THE REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE BONDING REQUIREMENTS.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTHAM AT THE 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 09:SSP).

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