

MESSAGE NO: 9217202 MESSAGE DATE: 08/05/2009  
MESSAGE STATUS: Active CATEGORY: Countervailing  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): C-533-849

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/04/2009 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR TERMINATION OF SUSPENSION OF  
LIQUIDATION OF COMMODITY MATCHBOOKS FROM INDIA (C-533-849)

MESSAGE NO: 9217202

DATE: 08 05 2009

CATEGORY: CVD

TYPE: LIQ

REFERENCE:

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CASES: C - 533 - 849

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PERIOD COVERED: 08 04 2009 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR TERMINATION OF SUSPENSION  
OF LIQUIDATION OF COMMODITY MATCHBOOKS FROM INDIA  
(C-533-849)

1. IN KEEPING WITH THE WORLD TRADE ORGANIZATION AGREEMENT ON  
SUBSIDIES AND COUNTERVAILING MEASURES, THE DEPARTMENT IS  
DISCONTINUING THE SUSPENSION OF LIQUIDATION IN THE  
COUNTERVAILING DUTY INVESTIGATION OF COMMODITY MATCHBOOKS FROM  
INDIA (C-533-849), EFFECTIVE 08/04/2009, WHICH IS 120 DAYS  
AFTER THE DATE OF PUBLICATION OF THE PRELIMINARY DETERMINATION.

2. THE SCOPE OF THE INVESTIGATION COVERS COMMODITY MATCHBOOKS,  
ALSO KNOWN AS COMMODITY BOOK MATCHES, PAPER MATCHES OR BOOKLET

MATCHES. (NOTE 1, BELOW) COMMODITY MATCHBOOKS TYPICALLY, BUT DO NOT NECESSARILY, CONSIST OF TWENTY MATCH STEMS WHICH ARE USUALLY MADE FROM PAPERBOARD OR SIMILAR MATERIAL TIPPED WITH A MATCH HEAD COMPOSED OF ANY CHEMICAL FORMULA. THE MATCH STEMS MAY BE STITCHED, STAPLED OR OTHERWISE FASTENED INTO A MATCHBOOK COVER OF ANY MATERIAL, ON WHICH A STRIKING STRIP COMPOSES OF ANY CHEMICAL FORMULA HAS BEEN APPLIED TO ASSIST IN THE IGNITION PROCESS.

COMMODITY MATCHBOOKS INCLUDED IN THE SCOPE OF THIS INVESTIGATION MAY OR MAY NOT CONTAIN PRINTING. FOR EXAMPLE, THEY MAY HAVE NO PRINTING OTHER THAN THE IDENTIFICATION OF THE MANUFACTURER OR IMPORTER.

COMMODITY MATCHBOOKS MAY ALSO BE PRINTED WITH A GENERIC MESSAGE SUCH AS "THANK YOU" OR A GENERIC IMAGE SUCH AS THE AMERICAN FLAG, WITH STORE BRANDS (E.G., KROGER, 7-ELEVEN, SHURFINE OR GIANT); PRODUCT BRANDS FOR NATIONAL OR REGIONAL ADVERTISERS SUCH AS CIGARETTES OR ALCOHOLIC BEVERAGES; OR WITH CORPORATE BRANDS FOR NATIONAL OR REGIONAL DISTRIBUTORS (E.G., PENLEY CORP. OR DIAMOND BRANDS).

THEY ALL ENTER RETAIL DISTRIBUTION CHANNELS. REGARDLESS OF THE MATERIALS USED FOR THE STEMS OF THE MATCHES AND REGARDLESS OF THE WAY THE MATCH STEMS ARE FASTENED TO THE MATCHBOOK COVER, ALL COMMODITY MATCHBOOKS ARE INCLUDED IN THE SCOPE OF THIS INVESTIGATION.

ALL MATCHBOOKS, INCLUDING COMMODITY MATCHBOOKS, TYPICALLY COMPLY WITH THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION (CPSC) SAFETY STANDARD FOR MATCHBOOKS, CODIFIED AT 16 CFR 1202.1 ET SEQ.

THE SCOPE OF THIS INVESTIGATION EXCLUDES PROMOTIONAL MATCHBOOKS, OFTEN REFERRED TO AS "NOT FOR RESALE," OR "SPECIALITY

ADVERTISING" MATCHBOOKS, AS THEY DO NOT ENTER INTO RETAIL CHANNELS AND ARE SOLD TO BUSINESSES THAT PROVIDE HOSPITALITY, DINING, DRINKING OR ENTERTAINMENT SERVICES TO THEIR CUSTOMERS, AND ARE GIVEN AWAY BY THESE BUSINESSES AS PROMOTIONAL ITEMS.

SUCH PROMOTIONAL ITEMS ARE DISTINGUISHED BY THE PHYSICAL CHARACTERISTICS OF HAVING THE NAME AND/OR LOGO OF A BAR, RESTAURANT, RESORT, HOTEL, CLUB, CAFE/COFFEE SHOP, GRILL, PUB, EATERY, LOUNGE, CASINO, BARBECUE OR INDIVIDUAL ESTABLISHMENT PRINTED PROMINENTLY ON THE MATCHBOOK COVER. PROMOTIONAL MATCHBOOK COVER PRINTING ALSO TYPICALLY INCLUDES THE ADDRESS AND THE PHONE NUMBER OF THE BUSINESS OR ESTABLISHMENT BEING PROMOTED. (NOTE 2, BELOW)

ALSO EXCLUDED ARE ALL OTHER MATCHES THAT ARE NOT FASTENED INTO A MATCHBOOK COVER SUCH AS WOODEN MATCHES, STICK MATCHES, BOX MATCHES, KITCHEN MATCHES, POCKET MATCHES, PENNY MATCHES, HOUSEHOLD MATCHES, STRIKE-ANYWHERE MATCHES (AKA "SAW" MATCHES), STRIKE-ON-BOX MATCHES (AKA "SOB" MATCHES), FIREPLACE MATCHES, BARBEQUE/GRILL MATCHES, FIRE STARTERS, AND WAX MATCHES.

THE COMMODITY MATCHBOOKS THAT ARE THE SUBJECT OF THIS INVESTIGATION ARE CURRENTLY CLASSIFIABLE IN THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) STATISTICAL REPORTING NUMBER 3605.00.0060. SUBJECT MERCHANDISE MAY ALSO ENTER UNDER SUBHEADING 3605.00.0030. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES,

THE WRITTEN DESCRIPTION OF THE MERCHANDISE UNDER INVESTIGATION IS DISPOSITIVE.

NOTE 1: SUCH COMMODITY MATCHBOOKS ARE ALSO REFERRED TO AS "FOR RESALE" BECAUSE THEY ALWAYS ENTER INTO RETAIL CHANNELS, MEANING BUSINESSES THAT SELL A GENERAL VARIETY OF TANGIBLE MERCHANDISE, E.G., CONVENIENCE STORES, SUPERMARKETS, DOLLAR STORES, DRUG STORES AND MASS MERCHANDISERS.

NOTE 2: THE GROSS DISTINCTIONS BETWEEN COMMODITY MATCHBOOKS AND PROMOTIONAL MATCHBOOKS MAY BE SUMMARIZED AS FOLLOWS: (1) IF IT HAS NO PRINTING, OR IS PRINTED WITH A GENERIC MESSAGE SUCH AS "THANK YOU" OR A GENERIC IMAGE SUCH AS THE AMERICAN FLAG, OR PRINTED WITH NATIONAL OR REGIONAL STORE BRANDS OR CORPORATE BRANDS, IT IS COMMODITY; (2) IF IT HAS PRINTNG, AND THE PRINTING INCLUDES THE NAME OF A BAR, RESTAURANT, RESORT, HOTEL, CLUB, CAFE/COFFEE SHOP, GRILL, PUB, EATERY, LOUNGE, CASINO, BARBECUE, OR INDIVIDUAL ESTABLISHMENT PROMINENTLY DISPLAYED ON THE MATCHBOOK COVER, IT IS PROMOTIONAL.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER C-533-849.

4. FIELD OFFICES SHOULD DISCONTINUE SUSPENSION OF LIQUIDATION FOR COUNTERVAILING DUTY PURPOSES ON ALL SHIPMENTS OF SUBJECT MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 08/04/2009. THE SUSPENSION OF LIQUIDATION WILL NOT BE RESUMED UNLESS AND UNTIL COMMERCE PUBLISHES A COUNTERVAILING DUTY ORDER IN THIS CASE.

FIELD OFFICERS SHALL CONTINUE TO SUSPEND LIQUIDATION ON ALL SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION MADE DURING THE PERIOD 04/06/2009 THROUGH 08/03/2009, UNTIL THE CONCLUSION OF THIS COUNTERVAILING DUTY INVESTIGATION.

5. THE DISCONTINUATION DOES NOT AFFECT THE REQUIREMENTS OF A CASH DEPOSIT OR BOND ON ENTRIES SUBJECT TO THE SUSPENSION OF LIQUIDATION ANNOUNCED IN COMMERCE'S PRELIMINARY DETERMINATION IN THE COMPANION ANTIDUMPING DUTY INVESTIGATION OF COMMODITY MATCHBOOKS FROM INDIA (A-533-848).

6. 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 O6: DSM).

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

CHRISTINE FURGASON

## Company Details

\*Party Indicator Value:

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