

MESSAGE NO: 9065202 MESSAGE DATE: 03/06/2009
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: SCO-Scope PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-827

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/13/2009 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: SCOPE RULING ON ANTIDUMPING DUTY ORDER FOR CASED PENCIL FROM CHINA (A-570-827); IN DRAWING SET,PENCILS ARE WITHIN SCOPE; ERASERS, SHARPENER, PAD ARE NOT

MESSAGE NO: 9065202

DATE: 03 06 2009

CATEGORY: ADA

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REFERENCE:

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CASES: A - 570 - 827

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PERIOD COVERED: 01 13 2009 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: SCOPE RULING ON ANTIDUMPING DUTY ORDER FOR CASED PENCIL FROM CHINA (A-570-827); IN DRAWING SET,PENCILS ARE WITHIN SCOPE; ERASERS, SHARPENER, PAD ARE NOT

1. ON JANUARY 13, 2009, IN RESPONSE TO A REQUEST BY WALGREEN CO. (WALGREENS), COMMERCE ISSUED A PRELIMINARY SCOPE RULING THAT THE THREE GRAPHITE PENCILS AND THE THREE CASED CHARCOAL DRAWING PENCILS CONTAINED IN WALGREENS' ARTSKILLS DRAW & SKETCH PRODUCT ARE WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CASED PENCILS FROM CHINA (A-570-827).

COMMERCE DETERMINED THAT THE REMAINING ITEMS CONTAINED IN

WALGREENS' ARTSKILLS DRAW & SKETCH PRODUCT, INCLUDING ONE PENCIL SHARPENER, ONE SANDING PAD, ONE BLACK ERASER, ONE KNEADED ERASER, AND ONE TORTILLION, ARE OUTSIDE OF THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CASED PENCILS FROM CHINA (A-570-827).

2. BECAUSE THE PHYSICAL CHARACTERISTICS OF THE THREE GRAPHITE PENCILS AND THE THREE CASED CHARCOAL DRAWING PENCILS, THE EXPECTATIONS OF THE ULTIMATE PURCHASERS, THE ULTIMATE USE, AND THE CHANNELS OF TRADE IN WHICH THE PRODUCT IS SOLD, ARE SIMILAR TO THOSE FOR CASED PENCILS SUBJECT TO THE CASED PENCILS ORDER FROM CHINA, COMMERCE PRELIMINARILY FOUND THAT THE THREE GRAPHITE PENCILS AND THE THREE CASED CHARCOAL DRAWING PENCILS CONTAINED IN THE ARTSKILLS DRAW & SKETCH PRODUCT ARE WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CASED PENCILS FROM CHINA.

BECAUSE THE PHYSICAL CHARACTERISTICS OF THE REMAINING ITEMS CONTAINED IN WALGREENS' ARTSKILLS DRAW & SKETCH PRODUCT, INCLUDING ONE PENCIL SHARPENER, ONE SANDING PAD, ONE BLACK

ERASER, ONE KNEADED ERASER, AND ONE TORTILLION, ARE NOT SIMILAR TO THAT OF CASED PENCILS SUBJECT TO THE CASED PENCILS ORDER FROM CHINA, COMMERCE PRELIMINARILY FOUND THAT THEY ARE OUTSIDE OF THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CASED PENCILS FROM CHINA.

3. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF CASED PENCILS FROM CHINA, INCLUDING THE THREE GRAPHITE PENCILS AND THE THREE CASED CHARCOAL DRAWING PENCILS CONTAINED IN WALGREENS' ARTSKILLS DRAW & SKETCH LISTED ABOVE, SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING CASED PENCILS FROM CHINA.

4. 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 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 O8: KH).

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

DAVID M. GENOVESE

NOTE: THIS MESSAGE WAS INADVERTENTLY NOT POSTED TO ADIL BECAUSE THE PERIOD COVERED IN THE HEADER WAS NOT CORRECTLY COMPLETED SO HAS BEEN POSTED TO ADIL ON NOVEMBER 28, 2009. THE ORIGINAL MESSAGE WAS SENT TO DIRECTORS OF FIELD OPERATIONS, PORT DIRECTORS, NOT DIRECTORS, FIELD OPERATIONS AND PORT DIRECTORS. THE BALANCE OF THE TEXT AND INFORMATION REMAINS UNCHANGED. THIS MESSAGE WITH THE CORRECTED HEADER HAS BEEN POSTED TO THE ADD/CVD SEARCH APPLICATION ON CBP.GOV.

Company Details

*Party Indicator Value:

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