

DEPARTMENT OF COMMERCE

International Trade Administration

[A-428-840]

Lightweight Thermal Paper From Germany: Final Results of the Antidumping Duty Administrative Review; 2012–2013

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On December 1, 2014, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on lightweight thermal paper (LWTP) from Germany.¹ The period of review (POR) is November 1, 2012, through October 31, 2013. We invited interested parties to comment on the preliminary results. After reviewing the comments received and making corrections to the margin calculation program, we continue to find that Papierfabrik August Koehler SE (Koehler) did not make sales of subject merchandise at less than normal value. The final dumping margin for Koehler, listed below in the section entitled “Final Results of the Review,” is unchanged from the preliminary results.

DATES: *Effective Date:* April 7, 2015.

FOR FURTHER INFORMATION CONTACT: David Goldberger, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC, 20230; telephone (202) 482-4136.

Background

Since the publication of the *Preliminary Results*, in January 2015, Koehler submitted a case brief. The Department is conducting this administrative review in accordance with section 751(a)(1) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order

The merchandise covered by the order is LWTP.²

¹ See *Lightweight Thermal Paper from Germany: Preliminary Results of Antidumping Duty Administrative Review; 2012–2013*, 79 FR 71086 (December 1, 2014) (*Preliminary Results*).

² For a complete description of the scope, see *Antidumping Duty Orders: Lightweight Thermal Paper from Germany and the People's Republic of China*, 73 FR 70959 (November 24, 2008). See also memorandum entitled “Lightweight Thermal Paper from Germany: Issues and Decision Memorandum for the Final Results of the Antidumping Duty Administrative Review; 2012–2013” (Issues and Decision Memorandum).

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties are addressed in the Issues and Decision Memorandum, which is dated concurrently with, and adopted by, this notice. A list of the issues which parties raised and to which we respond in the Issues and Decision Memorandum is attached to this notice as Appendix I. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS).³ ACCESS is available to registered users at <http://access.trade.gov> and to all parties in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Internet at <http://enforcement.trade.gov/frn/>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

Final Results of the Review

As a result of this review, we determine that the following weighted-average dumping margin exists for the period November 1, 2012, through October 31, 2013.

Manufacturer/Exporter	Percent margin
Papierfabrik August Koehler SE ...	0.00

Disclosure

We intend to disclose the calculations performed within five days of the date of publication of this notice to parties in this proceeding in accordance with 19 CFR 351.224(b).

Assessment Rates

The Department will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries, in accordance with 19 CFR 351.212(b). The Department intends to issue appropriate assessment instructions to CBP 15 days after publication of these final results of review. Because we have calculated a zero margin for Koehler in the final

³ On November 24, 2014, Enforcement and Compliance changed the name of Import Administration's AD and CVD Centralized Electronic Service System (“IA ACCESS”) to AD and CVD Centralized Electronic Service System (“ACCESS”). The Web site location was changed from <http://iaaccess.trade.gov> to <http://access.trade.gov>. The Final Rule changing the references to the Regulations can be found at 79 FR 69046 (November 20, 2014).

results of this review, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

The Department clarified its “automatic assessment” regulation on May 6, 2003.⁴ This clarification applies to entries of subject merchandise during the POR produced by Koehler for which it did not know that the merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate effective during the POR if there is no rate for the intermediate company(ies) involved in the transaction. See *Assessment Policy Notice* for a full discussion of this clarification.

Discontinuation of Cash Deposit Requirements

On January 22, 2015, the U.S. International Trade Commission determined, pursuant to section 751(c) of the Act (*i.e.*, as a result of a five-year “sunset” review), that revocation of the antidumping duty order on the subject merchandise would not be likely to lead to the continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.⁵ Accordingly, the antidumping duty order on LWTP from Germany was revoked effective November 24, 2013.⁶ As a result, we have instructed CBP to discontinue collection of cash deposits of antidumping duties on entries of the subject merchandise made on or after November 24, 2013.

Notification to Importers

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

⁴ See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) (*Assessment Policy Notice*).

⁵ See *Lightweight Thermal Paper From China And Germany; Determination*, 80 FR 3252 (January 22, 2015).

⁶ See *Lightweight Thermal Paper From the People's Republic of China and Germany: Continuation of the Antidumping and Countervailing Duty Orders on the People's Republic of China, Revocation of the Antidumping Duty Order on Germany*, 80 FR 5083 (January 30, 2015).

Notification Regarding Administrative Protective Orders

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

The final results of this administrative review and notice are published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221.

Dated: March 31, 2015.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

Appendix I

Topic Discussed in the Issues and Decision Memorandum

1. Ministerial Errors in Margin Calculation Program

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-428-840]

Lightweight Thermal Paper From Germany: Rescission of Antidumping Duty Administrative Review; 2013-2014

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (the Department) is rescinding its administrative review of the antidumping duty order on lightweight thermal paper (LWTP) from Germany for the period of November 1, 2013, through November 23, 2013, based on the withdrawal of all requests for review.

DATES: *Effective Date:* April 7, 2015.

FOR FURTHER INFORMATION CONTACT: David Goldberger, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4136.

SUPPLEMENTARY INFORMATION:

Background

On November 3, 2014, the Department published in the **Federal Register** a notice of opportunity to request an administrative review of the antidumping duty order on LWTP from Germany for the period of review (POR) November 1, 2013, to October 31, 2014.¹

On December 1, 2014, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(b), the Department received a timely request from Appvion Inc. (the petitioner), a domestic interested party, to conduct an administrative review of the POR sales of Papierfabrik August Koehler SE (Koehler). Also on this date, Koehler timely requested a review of its POR sales.

On December 23, 2014, the Department published in the **Federal Register** a notice of initiation of an administrative review of the antidumping duty order on LWTP from Germany with respect to Koehler.² On January 7, 2015, Koehler withdrew its request for review.³ On January 30, 2015, as a result of a five-year ("sunset") review, the Department revoked the antidumping duty order on imports of LWTP from Germany, effective November 24, 2013.⁴ Therefore, the POR for this administrative review was revised to November 1, 2013, through November 23, 2013.⁵

On February 20, 2015, the petitioner withdrew its request for review of Koehler.⁶

Rescission of Administrative Review

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review, in whole or in part, if the parties that requested a review withdraw the request within 90 days of the date of publication of the notice of initiation of the requested review. Koehler and the petitioner withdrew their requests for review before the 90-day deadline (*i.e.*, March 23, 2015), and no other party requested

¹ See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 79 FR 65176 (November 3, 2014).

² See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 79 FR 76956 (December 23, 2014).

³ See January 7, 2015, Letter from Koehler.

⁴ See *Lightweight Thermal Paper From the People's Republic of China and Germany: Continuation of the Antidumping and Countervailing Duty Orders on the People's Republic of China, Revocation of the Antidumping Duty Order on Germany*, 80 FR 5083 (January 30, 2015).

⁵ See February 10, 2015, Memorandum to the File regarding revision of POR due to revocation of antidumping duty order.

⁶ See February 20, 2015, Letter from the petitioner.

an administrative review of the antidumping duty order on LWTP from Germany for the POR. Therefore, in response to the timely withdrawal of requests for review and pursuant to 19 CFR 351.213(d)(1), the Department is rescinding this review in its entirety.

Assessment

The Department will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries. Antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate assessment instructions directly to CBP 15 days after the date of publication of this notice in the **Federal Register**.

Notification to Importers

This notice serves as the only reminder to importers of their responsibility, under 19 CFR 351.402(f)(2), to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification Regarding Administrative Protective Order

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This notice is published in accordance with section 777(i)(1) of the Act, and 19 CFR 351.213(d)(4).

Dated: April 1, 2015.

Gary Taverman,

Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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