



A-405-803
POR: 7/1/2012-6/30/2013
Public Document
Office VI: TRW

December 10, 2014

MEMORANDUM TO: Paul Piquado
Assistant Secretary
Enforcement and Compliance

FROM: Christian Marsh 
Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations

SUBJECT: Issues and Decision Memorandum for the Final Results of the
2012 to 2013 Administrative Review of the Antidumping Duty
Order on Purified Carboxymethylcellulose from Finland

I. Summary

We have analyzed the comment filed by CP Kelco Oy (CP Kelco) in this administrative review. We recommend you approve the conclusion described in the "Discussion of Issues" section of this memorandum. The issue for which we received comments is discussed below.

II. Background

On August 15, 2014, the Department of Commerce (the Department) published the Preliminary Results of the 2012-2013 administrative review of the antidumping duty order on Purified Carboxymethylcellulose from Finland.¹ This review covers one respondent, CP Kelco. The petitioner in this proceeding is Ashland Specialty Ingredients, a division of Hercules Incorporated. We invited parties to comment on the Preliminary Results. In response, we received a comment from CP Kelco on September 15, 2014.²

III. Scope of the Order

The merchandise covered by this order is all purified carboxymethylcellulose (CMC), sometimes also referred to as purified sodium CMC, polyanionic cellulose, or cellulose gum, which is a

¹ See Purified Carboxymethylcellulose from Finland: Notice of Preliminary Results of Antidumping Duty Administrative Review: 2012-2013, 79 FR 48119 (August 15, 2014) (Preliminary Results), and the accompanying Decision Memorandum (Preliminary Decision Memorandum).

² See "Letter in Lieu of Case Brief" from CP Kelco, "Purified Carboxymethylcellulose from Finland," dated September 15, 2014 (CP Kelco September 15, 2104 Letter).

white to off-white, non-toxic, odorless, biodegradable powder, comprising sodium CMC that has been refined and purified to a minimum assay of 90 percent. Purified CMC does not include unpurified or crude CMC, CMC Fluidized Polymer Suspensions, and CMC that is cross-linked through heat treatment. Purified CMC is CMC that has undergone one or more purification operations which, at a minimum, reduce the remaining salt and other by product portion of the product to less than ten percent. The merchandise subject to this order is classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheading 3912.3100. This tariff classification is provided for convenience and customs purposes; however, the written description of the scope of the order is dispositive.

IV. Discussion of Issues

Issue: Inclusion in Margin Program of Export Price Sales Invoiced Prior to the POR and Entered During the POR

CP Kelco contends that in the Preliminary Results, the Department incorrectly excluded from its margin program export price (EP) sales that were entered during the period of review (POR) and invoiced prior to the POR. CP Kelco argues that in its final results, the Department should amend its calculations to include such EP transactions in its margin program. CP Kelco asserts that the statute stipulates that “the administering authority shall determine (i) the normal value and export price (or constructed export price) of each entry of the subject merchandise and the dumping margin for each such entry.”³ CP Kelco argues that the Department faced an analogous situation in Certain Pasta from Italy.⁴ CP Kelco notes that in Certain Pasta from Italy, the Department modified the final margin program to include EP sales which were entered during the POR and invoiced prior to the onset of the POR.

Petitioner did not comment on this issue.

Department’s Position: We agree with CP Kelco that the sales in question should be included in our margin calculations. Consistent with the position taken in Certain Pasta from Italy,⁵ we have amended our final margin program to include CP Kelco’s sales that were entered during the POR and invoiced prior to the POR.⁶

³ See CP Kelco’s September 15, 2104 Letter at 2, citing to 19 U.S.C. § 1675 (a)(2)(A) (CP Kelco’s emphasis).

⁴ See Certain Pasta From Italy: Notice of Final Results of 15th Antidumping Duty Administrative Review, Final No Shipment Determination and Revocation of Order, in Part, 2010-2011 78 FR 9364 (February 8, 2013) and Accompanying Issues and Decision Memorandum at Comment 5.

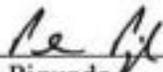
⁵ Id.

⁶ See “Analysis of Data Submitted by CP Kelco Oy and CP Kelco U.S. Inc. (collectively CP Kelco) in the Final Results of the Antidumping Duty Administrative Review of the 2012-2013 Administrative Review of Purified Carboxymethylcellulose (CMC) from Finland,” (CP Kelco Final Analysis Memorandum) at 1.

V. Recommendation

Based on our analysis of the comment received, we recommend adopting the position set forth in the "Department's Position" section, above. If this recommendation is accepted, we will publish these final results, including the final dumping margins for all companies subject to this review, in the Federal Register.

Agree Disagree



Paul Piquado
Assistant Secretary
for Enforcement and Compliance

12 DECEMBER 2014
Date