



## FACT SHEET

### Commerce Preliminarily Finds Dumping of Imports of Certain Uncoated Paper from Australia, Brazil, China, Indonesia, and Portugal

- On August 20, 2015, the Department of Commerce (Commerce) announced its affirmative preliminary determinations in the antidumping duty (AD) investigations of imports of certain uncoated paper from Australia, Brazil, China, Indonesia, and Portugal.
- The AD law provides U.S. businesses and workers with a transparent and internationally accepted mechanism to seek relief from the market distorting effects caused by injurious dumping of imports into the United States, establishing an opportunity to compete on a level playing field.
- For the purpose of AD investigations, dumping occurs when a foreign company sells a product in the United States at less than its fair value.
- In the Australia investigation, mandatory respondent Paper Australia Pty. Ltd. received a preliminary dumping margin of 40.65 percent. All other producers/exporters in Australia received a preliminary dumping margin of 40.65 percent.
- In the Brazil investigation, mandatory respondent International Paper do Brasil Ltda. and International Paper Exportadora Ltda. (collectively “International Paper”)<sup>1</sup> received a preliminary dumping margin of 42.42 percent and mandatory respondent Suzano Papel e Celulose S.A. received a preliminary dumping margin of 33.09 percent. All other producers/exporters in Brazil received a preliminary dumping margin of 37.76 percent.
- In the China investigation, mandatory respondent Asia Symbol (Guangdong) Paper Co., Ltd. (AS Guangdong), Asia Symbol (Shandong) Pulp and Paper Co., Ltd., (AS Shandong), and Greenpoint Global Trading (Macao Commercial Offshore) Ltd. (Greenpoint), (collectively, Asia Symbol)<sup>2</sup> received a preliminary dumping margin of 97.48 percent. Mandatory respondents Shandong Sun Paper Industry Joint Stock Co., Inc. and UPM (China) Co. Ltd., each notified Commerce that they would not participate in this investigation. As a result, they failed to demonstrate eligibility for a separate rate and are preliminarily considered to be part of the China-wide entity. The rate for the China-wide entity is 193.30 percent.
- In the Indonesia investigation, mandatory respondent April Fine Paper Macao Commercial/PT Anugerah Kertas Utama/PT Riau Andalan Kertas (collectively, APRIL) received a preliminary dumping margin of 0.00 percent. Mandatory respondents Great Champ Trading Limited and Indah Kiat Pulp & Paper TBK/Pabrik Kertas Tjiwi Kimia/PT. Pindo Deli Pulp and Paper Mills

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<sup>1</sup> In the Brazil investigation, we preliminarily collapsed several companies with International Paper.

<sup>2</sup> In the China investigation, we preliminarily collapsed AS Guangdong, AS Shandong, and Greenpoint.

(collectively, APP/SMG)<sup>3</sup> notified Commerce that they would not participate in this investigation. As a result, Commerce assigned these companies a preliminary dumping margin of 51.75 percent, based on adverse facts available. All other producers/exporters in Indonesia received a preliminary dumping margin of 34.50 percent.

- In the Portugal investigation, mandatory respondent Portucel S.A. received a preliminary dumping margin of 29.53 percent. All other producers/exporters in Portugal received a preliminary dumping margin of 29.53 percent.
- As a result of the preliminary affirmative determinations, Commerce will instruct U.S. Customs and Border Protection to require cash deposits based on these preliminary rates.
- The petitioners for these investigations are the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (USW) (PA); Domtar Corporation (SC); Finch Paper LLC (NY); Packaging Corporation of America (IL); and P.H. Glatfelter Company (PA).
- The merchandise covered by these investigations includes uncoated paper in sheet form; weighing at least 40 grams per square meter but not more than 150 grams per square meter; that either is a white paper with a GE brightness<sup>4</sup> level of 85 or higher or is a colored paper; whether or not surface-decorated, printed (except as described below), embossed, perforated, or punched; irrespective of the smoothness of the surface; and irrespective of dimensions (Certain Uncoated Paper).

Certain Uncoated Paper includes (a) uncoated free sheet paper that meets this scope definition; (b) uncoated groundwood paper produced from bleached chemi-thermo-mechanical pulp that meets this scope definition; and (c) any other uncoated paper that meets this scope definition regardless of the type of pulp used to produce the paper.

Specifically excluded from the scope are (1) paper printed with final content of printed text or graphics and (2) lined paper products, typically school supplies, composed of paper that incorporates straight horizontal and/or vertical lines that would make the paper unsuitable for copying or printing purposes.

Imports of the subject merchandise are provided for under HTSUS categories 4802.56.1000, 4802.56.2000, 4802.56.3000, 4802.56.4000, 4802.56.6000, 4802.56.7020, 4802.56.7040, 4802.57.1000, 4802.57.2000, 4802.57.3000, and 4802.57.4000. Some imports of subject merchandise may also be classified under 4802.62.1000, 4802.62.2000, 4802.62.3000, 4802.62.5000, 4802.62.6020, 4802.62.6040, 4802.69.1000, 4802.69.2000, 4802.69.3000, 4811.90.8050 and

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<sup>3</sup> In the Indonesia investigation, we preliminarily collapsed April Fine Paper Macao Commercial/PT Anugerah Kertas Utama/PT Riau Andalan Kertas. We also preliminarily collapsed Indah Kiat Pulp & Paper TBK, Pabrik Kertas Tjiwi Kimia, and PT. Pindo Deli Pulp and Paper Mills.

<sup>4</sup> One of the key measurements of any grade of paper is brightness. Generally speaking, the brighter the paper the better the contrast between the paper and the ink. Brightness is measured using a GE Reflectance Scale, which measures the reflection of light off a grade of paper. One is the lowest reflection, or what would be given to a totally black grade, and 100 is the brightest measured grade. "Colored paper" as used in this scope definition means a paper with a hue other than white that reflects one of the primary colors of magenta, yellow, and cyan (red, yellow, and blue) or a combination of such primary colors.

4811.90.9080. While HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigations is dispositive.

- In 2014, imports of uncoated paper from Australia, Brazil, China, Indonesia, and Portugal were valued at an estimated \$61 million, \$211 million, \$54 million, \$200 million, and \$164 million, respectively.

**NEXT STEPS**

- Commerce is scheduled to announce its final determinations on or about January 7, 2015.
- If Commerce makes affirmative final AD determinations, and the U.S. International Trade Commission (ITC) makes affirmative final determinations that imports of certain uncoated paper from Australia, Brazil, China, Indonesia, and/or Portugal materially injure, or threaten material injury to, the domestic industry, Commerce will issue AD orders. If either Commerce’s or the ITC’s final determinations are negative, no AD orders will be issued. The ITC is currently scheduled to make its final injury determinations in February 2016.

**PRELIMINARY DUMPING RATES:**

<b>COUNTRY</b>	<b>EXPORTER/PRODUCER</b>	<b>DUMPING MARGINS</b>
<b>Australia</b>	<b>Paper Australia Pty. Ltd.</b>	<b>40.65%</b>
	<b>All Others</b>	<b>40.65%</b>

<b>COUNTRY</b>	<b>EXPORTER/PRODUCER</b>	<b>DUMPING MARGINS</b>
<b>Brazil</b>	<b>Suzano Papel e Celulose S.A.</b>	<b>33.09%</b>
	<b>International Paper do Brasil Ltda.</b>	<b>42.42%</b>
	<b>All Others</b>	<b>37.76%</b>

COUNTRY	EXPORTER	PRODUCER	DUMPING MARGINS	CASH DEPOSITS
China	Greenpoint Global Trading (Macao Commercial Offshore) Ltd.	Asia Symbol (Guangdong) Paper Co., Ltd., Asia Symbol (Shandong) Pulp and Paper Co., Ltd.	97.48%	97.35%
	China-Wide Rate		193.30%	193.17%

**NOTE:** The cash deposit rates are adjusted to account for the applicable export subsidy rate of 0.13 percent for Asia Symbol and for the China-Wide rate.

COUNTRY	EXPORTER/PRODUCER	DUMPING MARGINS
Indonesia	April Fine Paper Macao Commercial/PT Anugerah Kertas Utama/PT Riau Andalan Kertas	0.00%
	Great Champ Trading Limited	51.75%
	Indah Kiat Pulp & Paper TBK/Pabrik Kertas Tjiwi Kimia/PT. Pindo Deli Pulp and Paper Mills (APP/SMG)	51.75%
	All Others	34.50%

COUNTRY	EXPORTER/PRODUCER	DUMPING MARGINS
Portugal	Portucel S.A.	29.53%
	All Others	29.53%

## CASE CALENDAR:

EVENT	DATE
Petitions Filed	January 21, 2015
DOC Initiation Date	February 10, 2015
ITC Preliminary Determination	March 9, 2015
DOC Preliminary Determination	August 19, 2015
DOC Final Determination	January 6, 2016
ITC Final Determination*	February 20, 2016
Issuance of Order**	February 27, 2016

NOTE: Commerce preliminary and final determination deadlines are governed by statute. For AD investigations, the deadlines are set forth in sections 733(b) and 735(a) of the Tariff Act of 1930, as amended. These deadlines may be extended under certain circumstances.

\*This will take place only in the event of final affirmative determinations by Commerce.

\*\*This will take place only in the event of final affirmative determinations by Commerce and the ITC.

## IMPORT STATISTICS:

AUSTRALIA	2012	2013	2014
Volume (metric tons)	46,300	48,700	75,800
Value (USD)	37,164,000	38,994,000	61,359,000
BRAZIL	2012	2013	2014
Volume (metric tons)	139,000	197,600	218,500
Value (USD)	139,215,000	189,328,000	210,472,000
CHINA	2012	2013	2014
Volume (metric tons)	23,600	37,000	62,400
Value (USD)	22,140,000	32,035,000	54,081,000
INDONESIA	2012	2013	2014
Volume (metric tons)	105,600	116,200	230,600
Value (USD)	99,457,000	104,103,000	200,321,000
PORTUGAL	2012	2013	2014
Volume (metric tons)	141,600	160,200	157,300
Value (USD)	146,180,000	164,297,000	163,593,000

Source: U.S. Census Bureau, accessed through Global Trade Atlas. (HTSUS 4802.56.1000, 4802.56.2000, 4802.56.3000, 4802.56.4000, 4802.56.6000, 4802.56.7020, 4802.56.7040, 4802.57.1000, 4802.57.2000, 4802.57.3000, and 4802.57.4000.)

Imports of certain uncoated paper may also enter under HTSUS subheadings 4802.62.1000, 4802.62.2000, 4802.62.3000, 4802.62.5000, 4802.62.6020, 4802.62.6040, 4802.69.1000, 4802.69.2000, 4802.69.3000, 4811.90.8050 and 4811.90.9080. However, these HTSUS subheadings may cover significant amounts of non-subject merchandise. Therefore, these HTSUS subheadings have not been used for purposes of reporting import statistics.