



A-570-051, C-570-052
Anti-Circumvention Inquiry
Certain Softwood Species
Public Document
E&C/V: AB

September 21, 2018

TO: CERTAIN PRODUCERS/EXPORTERS WHO MAY PRODUCE OR EXPORT
CERTAIN PLYWOOD WITH FACE AND BACK VENEERS OF RADIATA
AND/OR AGATHIS PINE EXPORTED FROM THE PEOPLE'S REPUBLIC
OF CHINA

SUBJECT: Quantity and Value Questionnaire for Chinese Producers and Exporters: Anti-
Circumvention Inquiry of the Antidumping and Countervailing Duty Orders of
Certain Hardwood Plywood Products from the People's Republic of China

Dear Sir or Madam:

On September 18, 2018, the Department of Commerce (Commerce) initiated an anti-circumvention inquiry¹ of the antidumping and countervailing duty orders on certain hardwood plywood products (hardwood plywood) from the People's Republic of China (China).² We initiated the inquiry based on allegations filed by the Coalition for Fair Trade in Hardwood Plywood (the petitioner). The merchandise covered by this inquiry is plywood with a face and back veneer of radiata and/or agathis pine that (1) has a Toxic Substances Control Act (TSCA) or California Air Resources Board (CARB) label certifying that it is compliant with TSCA/CARB requirements; and (2) is made with a resin, the majority of which is comprised of one or more of the following three product types – urea formaldehyde, polyvinyl acetate, and/or soy. The petitioner alleges that this circumvention has been occurring since the early stages of the antidumping and countervailing duty investigations of hardwood plywood from China, which were initiated on December 8, 2016.³

¹ See *Certain Hardwood Plywood Products from the People's Republic of China: Initiation of Anti-Circumvention Inquiry on the Antidumping Duty and Countervailing Duty Orders*, 83 FR 47883 (September 21, 2018) (*Initiation Notice*).

² See *Certain Hardwood Plywood Products from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order*, 83 FR 504 (January 4, 2018) and *Certain Hardwood Plywood Products from the People's Republic of China: Countervailing Duty Order*, 82 FR 513 (January 4, 2018) (collectively, *Orders*).

³ See *Certain Hardwood Plywood Products from the People's Republic of China: Initiation of Less-Than-Fair-Value Investigation*, 81 FR 91125 (December 16, 2016) and *Certain Hardwood Plywood Products from the People's Republic of China: Initiation of Countervailing Duty Investigation*, 81 FR 91131 (December 16, 2016).

You are receiving this letter because information indicates that you may produce or export the merchandise covered by this inquiry. In advance of the issuance of a substantive anti-circumvention questionnaire, Commerce requires that you respond to the initial questions included in Attachment II to this letter. The definition of the merchandise covered by this inquiry is included in Attachment I.

General instructions for responding to this letter are contained in Attachment III. Receipt of this letter does not indicate that you have been, or will be, selected to receive further questionnaires. In addition, please be aware that your response to this letter may be subject to an on-site verification by Commerce officials. **Failure to provide accurate information or to cooperate to the best of your ability may result in Commerce resorting to the use of facts available and adverse inferences within the meaning of section 776 of the Tariff Act of 1930.**

Your response to these questions should be submitted under each of the above-noted case numbers, using Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (*i.e.*, ACCESS), no later than **October 5, 2018, at 5:00pm Eastern Time**. All submissions to Commerce must be accompanied by a Certificate of Accuracy from company officials and, if represented by legal counsel or other representative, a Certificate of Accuracy from the representative. Additionally, all submissions to Commerce must be served on all parties on the public service list and as needed on the Administrative Protective Order service list. A list of interested parties may be found at <http://enforcement.trade.gov/apo/apo-svc-lists.html> under "People's Republic of China" and "Hardwood Plywood Products (A-570-051) Anti-circumvention Inquiry (Certain Softwood Species)" and "Hardwood Plywood Products (C-570-052) Anti-circumvention Inquiry (Certain Softwood Species)." Certificates of service and accuracy are included in Attachment IV.

Commerce will not accept or acknowledge quantity and value questionnaire responses submitted via electronic mail. Parties must file via our ACCESS system only.

If you have any questions or concerns, please contact Amanda Brings at (202) 482-3927.

Sincerely,



Catherine Bertrand
Program Manager, Office V
Enforcement and Compliance

Attachments

ATTACHMENT I

The definition of the merchandise covered by this inquiry is:

Plywood with a face and back veneer of radiata and/or agathis pine that (1) has a Toxic Substances Control Act (TSCA) or California Air Resources Board (CARB) label certifying that it is compliant with TSCA/CARB requirements; and (2) is made with a resin, the majority of which is comprised of one or more of the following three product types – urea formaldehyde, polyvinyl acetate, and/or soy.

ATTACHMENT II

Quantity and Value of Sales

- Please fill out the chart below for the period **December 8, 2016, through September 21, 2018**. Values should be expressed in U.S. dollars. Indicate any exchange rates used and their respective dates and sources. To the extent possible, all sales values should be reported based on the same terms (*e.g.*, FOB). Please list the quantity reported in cubic meters (M3).

Average unit value (AUV) should be expressed in U.S. dollars per M3.

Please explain how you aggregated this data from your books and records.

All Shipments to the United States of:	Quantity in M3	Value in USD	Terms of Sale	AUV
Plywood with a face <i>and</i> back veneer of radiata and/or agathis pine regardless of glue type or any stamping.				
Plywood with a face <i>and</i> back veneer of radiata and/or agathis pine AND is made with a resin, the majority of which is comprised of one or more of the following three product types – urea formaldehyde, polyvinyl acetate, and/or soy.				
Plywood with a face <i>and</i> back veneer of radiata and/or agathis pine AND that (1) has a Toxic Substances Control Act (TSCA) or California Air Resources Board (CARB) label certifying that it is compliant with TSCA/CARB requirements; AND (2) is made with a resin, the majority of which is comprised of one or more of the following three product types – urea formaldehyde, polyvinyl acetate, and/or soy.				

2. If applicable, please state when you started producing certain plywood with a face and back veneer of radiata and/or agathis pine that (1) has a Toxic Substances Control Act (TSCA) or California Air Resources Board (CARB) label certifying that it is compliant with TSCA/CARB requirements; and (2) is made with a resin, the majority of which is comprised of one or more of the following three product types – urea formaldehyde, polyvinyl acetate, and/or soy. Please provide supporting documentation (*i.e.*, purchase orders, sales contracts, orders of confirmation, long-term contracts, pro-forma invoices, *etc.*) that confirms the date when your company started selling these products.
3. Please list and describe any other glue or types of glue that you use in the production plywood with a face *and* back veneer of radiata and/or agathis pine.

ATTACHMENT III

GENERAL INSTRUCTIONS

The following instructions apply to all documents you submit to Commerce during the course of this proceeding. NOTE: you must file your response on both the AD and the CVD records on ACCESS under two different case numbers: **A-570-051 and C-570-052**

A. Due Date

1. All submissions must be made electronically using Commerce's ACCESS website at <http://access.trade.gov>. If an exception to the electronic filing requirement applies, you must address and manually submit your response to the address indicated on the cover page of this questionnaire. To determine if your response qualifies for manual filing, see the section on "Manual Filing" below. All laws, regulations, and other descriptive materials that supplement your responses should be submitted on the same date as the initial response.
2. The **business proprietary** response should be submitted on the day specified on the cover page of this questionnaire. The **public version** of the response may be filed one business day after the proprietary response.
3. An electronically filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time (ET) on the due date, unless an earlier time is specified. Where applicable, a submitter must manually file a document between the hours of 8:30 a.m. and 5:00 p.m. ET on the due date, unless an earlier time is specified.

B. Format

1. You are required to state in the upper right-hand corner of your cover letter the following information in the following format:
 - a. on the first line, indicate the case number stated on the cover page to this questionnaire;
 - b. on the second line, indicate the total number of pages in the document including cover pages, appendices, and any unnumbered pages;
 - c. on the third line, indicate the specific segment of the proceeding, (*e.g.*, investigation, administrative review, scope inquiry, suspension agreement, etc.) and, if applicable, indicate the complete period covered;
 - d. on the fourth line, indicate the Commerce office conducting the proceeding;
 - e. on the fifth and subsequent lines, indicate whether any portion of the document contains business proprietary information and, if so, list the page

numbers containing business proprietary information; and indicate the business proprietary/public status of the document and whether you agree or object to release of the submitted information under **administrative protective order** (APO) by stating one of the following:

- “Business Proprietary Document -- May Be Released Under APO,”
 - “Business Proprietary Document -- May Not Be Released Under APO,”
 - “Business Proprietary/APO Version-- May Be Released Under APO,” as applicable,
 - “Public Version,” or
 - “Public Document.”
2. Please include a “Re:” line on the cover letter of your response, or any other submissions you make during this proceeding. In the Re: line, briefly summarize the purpose of your submission, *e.g.*, “response to Quantity & Value questionnaire,” “case brief.”
 3. Prepare your response in typed form and in English (*see* 351.303(d) and (e) for these and other formatting requirements). Include an original and translated version of all pertinent portions of non-English language documents that accompany your response, including financial statements.
 4. It is your responsibility to contact the official in charge if subsequent to your filing there are events that affect your response (*e.g.*, changes in your cost accounting system are relevant to antidumping proceedings, and changes as a result of an audit are relevant to both antidumping and CVD proceedings).

C. Manual Filing

1. **All submissions must be filed electronically.** Only under the following four circumstances will Commerce accept a hardcopy response that is manually filed:
 - Documents exceeding 500 pages in length may be filed manually (in paper form) in the APO/Dockets Unit. This is referred to as a “bulky document.”
 - Data files greater than 20 MB must be filed manually on CD-ROM or DVD.
 - If the ACCESS system is unable to accept filings continuously or intermittently over the course of any period of time greater than one hour between 12:00 p.m. and 4:30 p.m. ET or for any duration of time between 4:31 p.m. and 5:00 p.m. ET, then a person may manually file the document in the APO/Dockets Unit. Commerce will provide notice of such technical failures on the ACCESS Help Desk line at 202-482-3150 and on the

Enforcement and Compliance website, which is <http://www.trade.gov/enforcement>.

- Apart from the above, if you are unable to comply with the electronic filing requirement, as provided in 19 CFR 351.103(c), and in accordance with section 782(c) of the Tariff Act of 1930, as amended (the Act), you must promptly notify the official in charge and submit a full written explanation of the reasons you are unable to file the document electronically. You must also suggest alternative forms in which to submit the information. Commerce will consider the ability of a submitter and may modify the electronic filing requirement on a case-by-case basis.
2. All manually filed documents must be accompanied by a cover sheet generated in ACCESS. For manually filed bulky documents, separator sheets must also be generated and used.
 3. If your response qualifies as a bulky document and you opt to file it manually, you must file two identical paper copies of the document. For all other authorized manual submissions, only one paper copy is required.
 4. Manual submissions must be addressed and submitted to:
Secretary of Commerce
Attention: Enforcement and Compliance, AD/CVD Operations Office V
APO/Dockets Unit, Room 18022
U.S. Department of Commerce
1401 Constitution Avenue, N.W.
Washington, D.C. 20230

D. Certification

1. Submit the required **certification of accuracy**. Providers of information and the person(s) submitting it, if different (*e.g.*, a legal representative), must certify that they have read the submission and that the information submitted is accurate and complete. Commerce cannot accept questionnaire responses that do not contain the certification statements. Forms for such certification are included as appendices to this questionnaire. You may photocopy this form and submit a completed copy with each of your submissions.
2. Provide the required **certificate of service** (included as an appendix) with each business proprietary document and public version submitted to Commerce.
3. Signed certifications of accuracy and certificates of service should be scanned and appended to the appropriate electronic documents filed in ACCESS.

E. Business Proprietary Information and Summarization of Business Proprietary Information

1. Request business proprietary treatment for information submitted that you do not wish to be made publicly available. As a general rule, Commerce places all correspondence and submissions received in the course of an antidumping or countervailing duty proceeding in a public reading file. However, information deemed to be proprietary information will not be made available to the public. If you wish to make a request for proprietary treatment for particular information, refer to sections 351.304, 351.305, and 351.306 of Commerce's regulations. You must submit the request for proprietary treatment at the same time as the claimed business proprietary information is submitted to Commerce.
2. Utilize the "one-day lag rule" under 19 CFR 351.303(c)(2) if you wish an additional day to review the final bracketing of business proprietary information in a document and to prepare the required public version. The filing requirements under the one-day lag rule provide for a party to file only the business proprietary document within the applicable time limit (19 CFR 351.303(c)(2)(i)). By the close of business one business day after the date the business proprietary document is filed, the person must file the complete final business proprietary document (19 CFR 351.303(c)(2)(i)(ii)). The final business proprietary document must be identical to the original document except for any bracketing corrections.
3. By the close of business one business day after the date the business proprietary document is filed (refer to the "one-day lag rule" in the preceding paragraph), submit the public version of your response (19 CFR 351.303(c)(2)(i)(iii)). A public version must contain:
 - a. a non-proprietary (public) version of your response that is in sufficient detail to permit a reasonable understanding of the information submitted in confidence, and/or
 - b. an itemization of particular information that you believe you are unable to summarize. State the reasons why you cannot summarize each piece of information.

***Note:** The summarization requirement does not apply solely to the narrative portion of your response. It applies equally to worksheets and other appendices to your response, and even to sales and cost databases submitted in antidumping proceedings. Generally, numerical data, such as that provided in sales and cost databases in antidumping proceedings, are adequately summarized only if grouped or presented in terms of indices or figures ranged within 10 percent of the actual figure. If a particular portion of data is voluminous, use ranged figures for at least one percent of the voluminous portion.*

Responses, or portions thereof, that are not adequately summarized may be rejected from the record of this proceeding.

4. Submit the statements required regarding limited release of business proprietary information under the provisions of an APO. U.S. law permits limited disclosure to representatives of parties (*e.g.*, legal counsel) of certain business proprietary information, including electronic business proprietary information, under an APO. (Note that data received under an APO cannot be shared with others who are not covered by the APO.) Under the provisions governing APO disclosure, you must submit either:
 - a. a statement agreeing to permit the release under APO of information submitted by you in confidence during the course of the proceeding, or
 - b. a statement itemizing those portions of the information which you believe should not be released under APO, together with arguments supporting your objections to that release.

We are required by our regulations to reject, at the time of filing, submissions of business proprietary information that do not contain one of these statements. As discussed above, you must state in the upper right-hand corner of the cover letter accompanying your questionnaire response whether you agree or object to release of the submitted information under APO (*e.g.*, May Be Released Under APO or May Not Be Released Under APO). (*See* section 351.304 of Commerce’s regulations for specific instructions.⁴)

5. Place brackets (“[]”) around information for which you request business proprietary treatment.
6. Provide to all parties whose representatives have been granted APO access and who are listed on Commerce’s most recent APO Service List, a complete copy of the submission--proprietary document and public version, except for that information which you do not agree to release under APO. (APO service lists, as well as public service lists, are maintained at <http://enforcement.trade.gov/apo/apo-svc-lists.html> under the “People’s Republic of China” and then “Corrosion-Resistant Steel Products (A-570-026) Anti-circumvention Inquiry (from Vietnam)” and “Corrosion-Resistant Steel Products (C-570-027) Anti-circumvention Inquiry (from Vietnam).” If you exclude information because you do not agree to release it under APO, you must submit the complete business proprietary version, wherein information in double brackets has been excluded. This version of the response must be marked “Business

⁴ If you do not agree to release under APO all or part of the proprietary information, but we determine that the information should be released, you will have the opportunity to withdraw the information (*see* 19 CFR 351.304(d)). However, any information which you withdraw will be taken out of the official record and will not be used in our determination.

Proprietary/APO Version-- May Be Released Under APO” on the cover page. For parties that do not have access to information under APO, please provide a public version only.

***Note:** A chart summarizing AD/CVD document filing requirements can be found at <http://enforcement.trade.gov/filing/index.html>. Detailed and supplemental information concerning APOs, including the APO Handbook, a complete set of APO regulations, and APO application forms and service lists, can be found at <http://enforcement.trade.gov/apo/index.html>.*

ATTACHMENT IV

CERTIFICATIONS OF FACTUAL ACCURACY AND CERTIFICATE OF SERVICE

§ 351.303 Filing, document identification, format, translation, service, and certification of documents.

* * * * *

(g) *Certifications.* Each submission containing factual information must include the following certification from the person identified in paragraph (g)(1) of this section and, in addition, if the person has legal counsel or another representative, the certification in paragraph (g)(2) of this section. The certifying party must maintain the original signed certification for a period of five years from the date of filing the submission to which the certification pertains. The original signed certification must be available for inspection by U.S. Department of Commerce officials. Copies of the certifications must be included in the submission filed at Commerce.

Therefore, for the person(s) officially responsible for submission of the factual information to Commerce (*i.e.*, company representatives, government officials, and legal counsel or other representative) include with your response the following certifications, as appropriate.

COMPANY CERTIFICATION:*

I, **(PRINTED NAME AND TITLE)**, currently employed by **(COMPANY NAME)**, certify that I prepared or otherwise supervised the preparation of the attached submission of **(IDENTIFY THE SPECIFIC SUBMISSION BY TITLE)** due on **(DATE)** OR filed on **(DATE)** pursuant to the **(INSERT ONE OF THE FOLLOWING OPTIONS IN {}): {THE (ANTIDUMPING OR COUNTERVAILING) DUTY INVESTIGATION OF (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (DATES OF PERIOD OF REVIEW) (ADMINISTRATIVE OR NEW SHIPPER) REVIEW UNDER THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (SUNSET REVIEW OR CHANGED CIRCUMSTANCE REVIEW OR SCOPE RULING OR CIRCUMVENTION INQUIRY) OF THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)}**). I certify that the public information and any business proprietary information of **(CERTIFIER'S COMPANY NAME)** contained in this submission is accurate and complete to the best of my knowledge. I am aware that the information contained in this submission may be subject to verification or corroboration (as appropriate) by the U.S. Department of Commerce. I am also aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. Government. In addition, I am aware that, even if this submission may be withdrawn from the record of the AD/CVD proceeding, the U.S. Department of Commerce may preserve this submission, including a business proprietary submission, for purposes of determining the accuracy of this certification. I certify that a copy of this signed certification will be filed with this submission to the U.S. Department of Commerce.

Signature: _____

Date: _____

* For multiple person certifications, all persons should be listed in the first sentence of the certification and all persons should sign and date the certification. In addition, singular pronouns and possessive adjectives should be changed accordingly, *e.g.*, "I" should be changed to "we" and "my knowledge" should be changed to "our knowledge."

REPRESENTATIVE CERTIFICATION:***

I, **(PRINTED NAME)**, with **(LAW FIRM or OTHER FIRM)**, **(INSERT ONE OF THE FOLLOWING OPTIONS IN {} : {COUNSEL TO} or {REPRESENTATIVE OF})** **(COMPANY NAME, OR GOVERNMENT OF COUNTRY, OR NAME OF ANOTHER PARTY)**, certify that I have read the attached submission of **(IDENTIFY THE SPECIFIC SUBMISSION BY TITLE)** due on **(DATE)** OR filed on **(DATE)** pursuant to the **(INSERT ONE OF THE FOLLOWING OPTIONS IN {} : {THE (ANTIDUMPING OR COUNTERVAILING DUTY) INVESTIGATION OF (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (DATES OF PERIOD OF REVIEW) (ADMINISTRATIVE OR NEW SHIPPER) REVIEW UNDER THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (SUNSET REVIEW OR CHANGED CIRCUMSTANCE REVIEW OR SCOPE RULING OR CIRCUMVENTION INQUIRY) OF THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)})**. In my capacity as **(INSERT ONE OF THE FOLLOWING OPTIONS IN {} : {COUNSEL} or {ADVISER, PREPARER, OR REVIEWER})** of this submission, I certify that the information contained in this submission is accurate and complete to the best of my knowledge. I am aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. Government. In addition, I am aware that, even if this submission may be withdrawn from the record of the AD/CVD proceeding, the U.S. Department of Commerce may preserve this submission, including a business proprietary submission, for purposes of determining the accuracy of this certification. I certify that a copy of this signed certification will be filed with this submission to the U.S. Department of Commerce.

Signature: _____

Date: _____

*** For multiple representative certifications, all representatives and their firms should be listed in the first sentence of the certification and all representatives should sign and date the certification. In addition, singular pronouns and possessive adjectives should be changed accordingly, *e.g.*, “I” should be changed to “we” and “my knowledge” should be changed to “our knowledge.”

CERTIFICATE OF SERVICE

I, _____, hereby certify that a copy of the
(name of certifying official)

foregoing submission on behalf of _____,
(company name)

dated _____, was served by first class mail or by hand delivery (circle the method
used) on the following parties:

(Business Proprietary Version)

On Behalf of

Name and address

(Public Version)

On Behalf of

Name and address

(Signature of Certifying Official)