



A-570-916  
Sunset Review  
**Public Document**  
E&C/ADCVD/5: IG

DATE October 23, 2013

MEMORANDUM TO: Paul Piquado  
Assistant Secretary  
for Enforcement and Compliance

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

SUBJECT: Issues and Decision Memorandum for the Expedited First Sunset  
Review of the Antidumping Duty Order on Laminated Woven  
Sacks from the People's Republic of China

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### **Summary**

In the sunset review of the antidumping duty order covering laminated woven sacks from the People's Republic of China ("PRC"), domestic interested party, the Laminated Woven Sacks Committee ("Petitioner"), submitted an adequate substantive response on July 30, 2013.<sup>1</sup> No respondent submitted a substantive response. In accordance with our analysis of Petitioner's Substantive Response, we recommend adopting the positions described below.

### **Background**

On July 1, 2013, the Department of Commerce (the "Department") published a notice of initiation of the sunset review of the antidumping duty order on laminated woven sacks from the PRC.<sup>2</sup> As noted above, on July 30, 2013, Petitioner submitted its Substantive Response within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i). Also as noted above, the Department did not receive a substantive response from any respondent interested party. As a result, pursuant to section 751(c)(3)(B) of the Tariff Act of 1930, as amended (the "Act") and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department conducted an expedited (120-day) sunset review of the antidumping duty order on laminated woven sacks from the PRC.

### **Scope of the Order**

The merchandise covered by the order is laminated woven sacks. Laminated woven sacks are bags or sacks consisting of one or more plies of fabric consisting of woven polypropylene strip and/or woven polyethylene strip, regardless of the width of the strip; with or without an extrusion

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<sup>1</sup> See Petitioner's July 30, 2013, submission ("Substantive Response").

<sup>2</sup> See Initiation of Five-Year ("Sunset") Review, 78 FR 39256 (July 1, 2013).



coating of polypropylene and/or polyethylene on one or both sides of the fabric; laminated by any method either to an exterior ply of plastic film such as biaxially-oriented polypropylene (“BOPP”) or to an exterior ply of paper that is suitable for high quality print graphics;<sup>3</sup> printed with three colors or more in register; with or without lining; whether or not closed on one end; whether or not in roll form (including sheets, lay-flat tubing, and sleeves); with or without handles; with or without special closing features; not exceeding one kilogram in weight. Laminated woven sacks are typically used for retail packaging of consumer goods such as pet foods and bird seed.

Effective July 1, 2007, laminated woven sacks are classifiable under Harmonized Tariff Schedule of the United States (“HTSUS”) subheadings 6305.33.0050 and 6305.33.0080. Laminated woven sacks were previously classifiable under HTSUS subheading 6305.33.0020. If entered with plastic coating on both sides of the fabric consisting of woven polypropylene strip and/or woven polyethylene strip, laminated woven sacks may be classifiable under HTSUS subheadings 3923.21.0080, 3923.21.0095, and 3923.29.0000. If entered not closed on one end or in roll form (including sheets, lay-flat tubing, and sleeves), laminated woven sacks may be classifiable under other HTSUS subheadings including 3917.39.0050, 3921.90.1100, 3921.90.1500, and 5903.90.2500. If the polypropylene strips and/or polyethylene strips making up the fabric measure more than 5 millimeters in width, laminated woven sacks may be classifiable under other HTSUS subheadings including 4601.99.0500, 4601.99.9000, and 4602.90.0000. Although HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

### **History of the Order**

On June 24, 2008, the Department published its final determination in the less than fair value (“LTFV”) investigation of laminated woven sacks from the PRC.<sup>4</sup> On August 8, 2008, the Department published the Order on laminated woven sacks from the PRC.<sup>5</sup> In so doing, the Department determined the following weighted-average dumping margins:

| <b>Exporter</b>                                           | <b>Weighted-Average Dumping Margin (percent)</b> |
|-----------------------------------------------------------|--------------------------------------------------|
| Zibo Aifudi Plastic Packaging Co., Ltd                    | 64.28                                            |
| Polywell Industrial Co., a.k.a. First Way (H.K.) Limited. | 64.28                                            |
| Zibo Linzi Worun Packing Product Co., Ltd.                | 64.28                                            |
| Shandong Qikai Plastics Product Co., Ltd.                 | 64.28                                            |
| Changle Baodu Plastic Co. Ltd.                            | 64.28                                            |
| Zibo Linzi Shuaiqiang Plastics Co. Ltd.                   | 64.28                                            |

<sup>3</sup> “Paper suitable for high quality print graphics,” as used herein, means paper having an ISO brightness of 82 or higher and a Sheffield Smoothness of 250 or less. Coated free sheet is an example of a paper suitable for high quality print graphics.

<sup>4</sup> See Laminated Woven Sacks from the People’s Republic of China: Final Determination of Sales at Less Than Fair Value and Partial Affirmative Determination of Critical Circumstances, 73 FR 35646 (June 24, 2008) (“Final Determination”).

<sup>5</sup> See Notice of Antidumping Duty Order: Laminated Woven Sacks From the People’s Republic of China, 73 FR 45941 (August 7, 2008) (“Order”).

|                                                                                                                                                                                               |       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| Zibo Linzi Qitianli Plastic Fabric Co. Ltd.                                                                                                                                                   | 64.28 |
| Shandong Youlian Co. Ltd.                                                                                                                                                                     | 64.28 |
| Zibo Linzi Luitong Plastic Fabric Co. Ltd.                                                                                                                                                    | 64.28 |
| Wenzhou Hotson Plastics Co. Ltd                                                                                                                                                               | 64.28 |
| Jiangsu Hotson Plastics Co. Ltd                                                                                                                                                               | 64.28 |
| Cangnan Color Make The Bag                                                                                                                                                                    | 64.28 |
| Zibo Qigao Plastic Cement Co. Ltd                                                                                                                                                             | 64.28 |
| PRC-Wide Rate (including Shandong Shouguang Jianyuanchun Co., Ltd. (“SSJ”); Han Shing Chemical Co., Ltd.; Ningbo Yong Feng Packaging Co., Ltd.; and Shandong Qilu Plastic Fabric Group, Ltd.) | 91.73 |

Since the issuance of the Order, the Department has completed three administrative reviews with respect to laminated woven sacks from the PRC. In AR1, we assigned a rate based on adverse facts available (“AFA”) to the PRC-wide entity (including Zibo Aifudi Plastic Packaging Co., Ltd.). In accordance with the Department’s practice, as AFA, we assigned to the PRC-wide entity the rate of 91.73 percent, which was the highest rate from any segment of this proceeding.<sup>6</sup>

As in AR1, in AR2, we again assigned an AFA rate to the PRC-wide entity (including Zibo Aifudi Plastic Packaging Co., Ltd.), and selected the rate of 91.73 percent.<sup>7</sup> For the review period covering 2010 through 2011, no parties requested review of any PRC companies. Therefore, the Department did not conduct an administrative review covering the period for what would have been the third administrative review. In AR4, as in both AR1 and AR2, we again assigned an AFA rate to the PRC-wide entity (including Zibo Aifudi Plastic Packaging Co., Ltd.), and selected the rate of 91.73 percent.<sup>8</sup>

Additionally, the Department conducted a proceeding pursuant to section 129 of the Uruguay Round Agreements Act (“URAA”) regarding the antidumping and countervailing duty investigations of laminated woven sacks.<sup>9</sup> Based on the certain adjustments pursuant to section 777A(f) of the Act, the Department revised the antidumping duty margins as follows:<sup>10</sup>

<sup>6</sup> See Laminated Woven Sacks From the People’s Republic of China: Final Results of First Antidumping Duty Administrative Review, 76 FR 14906 (March 18, 2011) (2008-2009 POR) (“AR1”); see also Final Determination, 73 FR at 35648.

<sup>7</sup> See Laminated Woven Sacks From the People’s Republic of China: Final Results of Second Antidumping Duty Administrative Review, 76 FR 21333 (April 15, 2011) (2009-2010 POR) (“AR2”).

<sup>8</sup> See Laminated Woven Sacks From the People’s Republic of China: Final Results of Antidumping Duty Administrative Review; 2011–2012, 78 FR 19209 (March 29, 2013) (2011-2012 POR) (“AR4”).

<sup>9</sup> See Implementation of Determinations Under Section 129 of the Uruguay Round Agreements Act: Certain New Pneumatic Off-the-Road Tires; Circular Welded Carbon Quality Steel Pipe; Laminated Woven Sacks; and Light-Walled Rectangular Pipe and Tube From the People’s Republic of China, 77 FR 52683 (August 30, 2012) (“Section 129 Implementation”).

<sup>10</sup> See id.

| Exporter                                                | Weighted-Average Dumping Margin | Revised Dumping Margin <sup>11</sup> |
|---------------------------------------------------------|---------------------------------|--------------------------------------|
| Zibo Aifudi Plastic Packaging Co., Ltd.                 | 64.28%                          | 20.19%                               |
| Polywell Industrial Co., a.k.a First Way (H.K.) Limited | 64.28%                          | 20.19%                               |
| Zibo Linzi Worun Packing Product Co., Ltd.              | 64.28%                          | 20.19%                               |
| Shandong Qikai Plastics Product Co., Ltd.               | 64.28%                          | 20.19%                               |
| Changle Baodu Plastic Co. Ltd.                          | 64.28%                          | 20.19%                               |
| Zibo Linzi Shuaiqiang Plastics Co. Ltd.                 | 64.28%                          | 20.19%                               |
| Zibo Linzi Qitianli Plastic Fabric Co. Ltd.             | 64.28%                          | 20.19%                               |
| Shandong Youlian Co. Ltd                                | 64.28%                          | 20.19%                               |
| Zibo Linzi Luitong Plastic Fabric Co. Ltd.              | 64.28%                          | 20.19%                               |
| Wenzhou Hotson Plastics Co. Ltd                         | 64.28%                          | 20.19%                               |
| Jiangsu Hotson Plastics Co. Ltd.                        | 64.28%                          | 20.19%                               |
| Cangnan Color Make The Bag                              | 64.28%                          | 20.19%                               |
| Zibo Qigao Plastic Cement Co. Ltd                       | 64.28%                          | 20.19%                               |
| PRC-Wide Rate                                           | 91.73%                          | 47.64%                               |

The revised margins, per the Section 129 Implementation, were effective, prospectively, from August 21, 2012. The Department also conducted an anti-circumvention inquiry with respect to laminated woven sacks.<sup>12</sup> The Department completed three scope inquiries with respect to laminated woven sacks.<sup>13</sup> On September 3, 2013, Petitioner filed a request for administrative review for the 2012-2013 review period. There have been no new shipper reviews or changed circumstances reviews or duty absorption findings.

## **Discussion of the Issues**

### *Legal Framework*

In accordance with section 751(c)(1) of the Act, the Department is conducting this sunset review to determine whether revocation of the Order would likely lead to continuation or recurrence of dumping. Sections 752(c)(1)(A) and (B) of the Act provide that, in making this determination, the Department shall consider both the weighted-average dumping margins determined in the investigation and subsequent reviews, and the volume of imports of the subject merchandise for the periods before, and the periods after, the issuance of the Order.

In accordance with the guidance provided in the legislative history accompanying the Uruguay Round Agreements Act, specifically the Statement of Administrative Action, H.R. Doc. 103-316, vol. 1 (1994) (“SAA”),<sup>14</sup> the House Report, H. Rep. No. 103-826, pt. 1 (1994) (House Report),<sup>15</sup>

<sup>11</sup> The Section 129 Implementation refers to the revised dumping margin as a “revised cash deposit rate” to underscore the prospective nature of section 129 proceedings.

<sup>12</sup> See Laminated Woven Sacks From the People’s Republic of China: Negative Final Determination of Circumvention, 78 FR 12716 (February 25, 2013) and accompanying Issues and Decision Memorandum.

<sup>13</sup> See, e.g., Final Scope Determination for Super Poly Partnership (May 18, 2011); Final Scope Determination for Shapiro Packaging (July 29, 2009); and Final Scope Determination for Archer Daniels Midland (February 17, 2009).

<sup>14</sup> Reprinted in 1994 U.S.C.C.A.N. 4040 (1994).

<sup>15</sup> Reprinted in 1994 U.S.C.C.A.N. 3773 (1994).

and the Senate Report, S. Rep. No. 103-412 (1994) (Senate Report), the Department's determinations of likelihood will be made on an order-wide, rather than company-specific, basis.<sup>16</sup> In addition, the Department normally determines that revocation of an antidumping duty order is likely to lead to continuation or recurrence of dumping when, among other scenarios: (a) dumping continued at any level above *de minimis* after the issuance of the order; (b) imports of the subject merchandise ceased after issuance of the order; or (c) dumping was eliminated after the issuance of the order and import volumes for the subject merchandise declined significantly.<sup>17</sup> Alternatively, the Department normally will determine that revocation of an antidumping duty order is not likely to lead to continuation or recurrence of dumping where dumping margins declined or were eliminated and import volumes remained steady or increased after issuance of the order.<sup>18</sup> In addition, as a base period of import volume comparison, it is the Department's practice to use the one-year period immediately preceding the initiation of the investigation, rather than the level of pre-order import volumes, as the initiation of an investigation may dampen import volumes and, thus, skew comparison.<sup>19</sup>

Further, section 752(c)(3) of the Act states that the Department shall provide to the International Trade Commission ("ITC") the magnitude of the margin of dumping likely to prevail if the order were revoked. Generally, the Department selects the antidumping duty margins from the final determination in the original investigation, as this is the only calculated rate that reflects the behavior of exporters without the discipline of an order in place.<sup>20</sup>

The Department recently announced it was modifying its practice in sunset reviews such that it will not rely on weighted-average dumping margins that were calculated using the methodology found to be World Trade Organization ("WTO")-inconsistent, i.e., zeroing/the denial of offsets.<sup>21</sup> In the Final Modification for Reviews, the Department stated that "only in the most extraordinary circumstances" would it rely on margins other than those calculated and published in prior determinations.<sup>22</sup> The Department further stated that apart from the "most extraordinary circumstances," it would "limit its reliance to margins determined or applied during the five-year sunset period that were not determined in a manner found to be WTO-inconsistent" and that it "may also rely on past dumping margins that were not affected by the WTO-inconsistent methodology, such as dumping margins recalculated pursuant to Section 129 proceedings, dumping margins determined based on the use of total adverse facts available, and dumping margins where no offsets were denied because all comparison results were positive."<sup>23</sup>

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<sup>16</sup> See SAA at 879, and House Report at 56.

<sup>17</sup> See SAA at 889-90, House Report at 63-64, and Senate Report at 52.

<sup>18</sup> See SAA at 889-90, and House Report at 63.

<sup>19</sup> See, e.g., Stainless Steel Bar from Germany; Final Results of the Sunset Review of the Antidumping Duty Order, 72 FR 56985 (October 5, 2007) and accompanying Issues and Decision Memorandum at Comment 1.

<sup>20</sup> See SAA at 890; see also Persulfates from the People's Republic of China: Notice of Final Results of Expedited Second Sunset Review of Antidumping Duty Order, 73 FR 11868 (March 5, 2008) and accompanying Issues and Decision Memorandum at Comment 2.

<sup>21</sup> See Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification, 77 FR 8101, 8103 (February 14, 2012) ("Final Modification for Reviews").

<sup>22</sup> See *id.*

<sup>23</sup> See *id.*

Finally, pursuant to section 752(c)(4)(A) of the Act, a dumping margin of zero or de minimis shall not by itself require the Department to determine that revocation of an antidumping duty order would not be likely to lead to a continuation or recurrence of sales at LTFV.<sup>24</sup> Our analysis of the comments submitted by domestic interested parties' follows.

### *Analysis*

#### 1. *Likelihood of Continuation or Recurrence of Dumping*

Petitioners argue that revocation of the Order would likely result in the continuation of dumping in the United States. Specifically, Petitioners contend that, since the imposition of the Order in 2008, Chinese exporters of the subject merchandise have either ceased shipping to the United States or have continued to engage in dumping.<sup>25</sup> Petitioners also point to a sharp drop in import volume during the year that the Order was imposed. According to the Petitioners, import volumes would have been much greater had there been no antidumping duties in place.<sup>26</sup>

### **Department's Position**

As explained in the Legal Framework section above, when determining whether revocation of the order would be likely to lead to continuation of dumping, sections 752(c)(1)(A) and (B) of the Act instruct the Department to consider: (1) the weighted-average dumping margins determined in the investigation and subsequent reviews; and (2) the volume of imports of the subject merchandise for the period before and after the issuance of the antidumping duty order. According to the SAA, "{d}eclining import volumes accompanied by the continued existence of dumping margins after the issuance of an order may provide a strong indication that, absent an order, dumping would be likely to continue, because the evidence would indicate that the exporter needs to dump to sell at pre-order volumes."<sup>27</sup> We find that revocation of the Order would likely result in the continuation of dumping in the United States due to the continued existence of dumping margins and a significant decline in import volume since the issuance of the Order.

In analyzing whether dumping is likely to continue or recur if the Order was revoked, we examined the extent of dumping during the five-year sunset period of 2008-2013. As noted above, dumping margins above de minimis remain in effect for exports of laminated woven sacks from the PRC.<sup>28</sup> Based on the information on the record, we continue to find that it is likely that if the antidumping duty orders were revoked, dumping would continue or recur. According to the SAA, "{i}f companies continue to dump with the discipline of an order in place, it is reasonable to assume that dumping would continue if the discipline were removed."<sup>29</sup> In addition, the Department normally will determine that revocation of an order is likely to lead

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<sup>24</sup> See Folding Gift Boxes from the People's Republic of China: Final Results of the Expedited Sunset Review of the Antidumping Duty Order, 72 FR 16765 (April 5, 2007) and accompanying Issues and Decision Memorandum at Comment 1.

<sup>25</sup> See Substantive Response, at 5.

<sup>26</sup> See Substantive Response, at 6 and Exhibit 4.

<sup>27</sup> See SAA at 889.

<sup>28</sup> See AR1, 76 FR at 14906; AR2, 76 FR at 21333; and AR4, 78 FR at 19210.

<sup>29</sup> See SAA, at 890.

to continuation or recurrence of dumping where (a) dumping continued at any level above de minimis after the issuance of the order, (b) imports of the subject merchandise ceased after the issuance of the order, or (c) dumping was eliminated after the issuance of an order and import volumes for the subject merchandise declined significantly.<sup>30</sup>

Furthermore, our review of HTSUS import data collected by Global Trade Atlas for the volume of laminated woven sacks imports from July 2006 to June 2013, indicates that imports have declined rapidly after imposition of the Order. The annual import data ending in June 2007 for the full year prior to the initiation of the investigation were reported as follows:

| For HTSUS                                                           | Unit            | Volume      |
|---------------------------------------------------------------------|-----------------|-------------|
| 3917.39.0050, 3923.29.000, 6305.33.0020, 6305.33.0050, 6305.33.0080 | kilogram        | 130,149,736 |
| 5903.90.2500, 3921.90.1100, 3921.90.1500                            | Square meter    | 73,831,694  |
| 3923.21.0095, 3923.21.0080                                          | Pcs (thousands) | 84,119,181  |
| 4601.99.0500, 4601.99.9000, 4602.90.0000                            | n/a             | No data     |

The annual import data ending in June 2008 for the full year during the investigation and prior to the issuance of the Order were reported as follows:

| For HTSUS                                                           | Unit            | Volume      |
|---------------------------------------------------------------------|-----------------|-------------|
| 3917.39.0050, 3923.29.000, 6305.33.0020, 6305.33.0050, 6305.33.0080 | kilogram        | 118,205,426 |
| 5903.90.2500, 3921.90.1100, 3921.90.1500                            | Square meter    | 87,839,915  |
| 3923.21.0095, 3923.21.0080                                          | Pcs (thousands) | 111,727,171 |
| 4601.99.0500, 4601.99.9000, 4602.90.0000                            | n/a             | No data     |

However, the import volume for the sunset review period declined significantly (between eight and 98 percent) following the imposition of the Order and remained low throughout the five-year sunset review period ending in June 2013, never recovering to pre-investigation levels.<sup>31</sup> For example, even in the year following the imposition of the Order, ending June 2009, the import volume declined significantly:

| For HTSUS                                                           | Unit            | Volume     |
|---------------------------------------------------------------------|-----------------|------------|
| 3917.39.0050, 3923.29.000, 6305.33.0020, 6305.33.0050, 6305.33.0080 | kilogram        | 86,900,530 |
| 5903.90.2500, 3921.90.1100, 3921.90.1500                            | Square meter    | 10,756,146 |
| 3923.21.0095, 3923.21.0080                                          | Pcs (thousands) | 33,026,250 |
| 4601.99.0500, 4601.99.9000, 4602.90.0000                            | n/a             | No data    |

<sup>30</sup> See, e.g., Certain Small Diameter Carbon and Alloy Seamless Standard, Line, and Pressure Pipe from Argentina, Brazil and Germany: Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders, 71 FR 59079 (October 6, 2006) and accompanying Issues and Decision Memorandum at Issue 1.

<sup>31</sup> See Memorandum to File, from Irene Gorelik, Analyst, "Sunset Review of the Antidumping Duty Order on Laminated Woven Sacks from the People's Republic of China: Import Volume Analysis," dated concurrently with this memorandum.

The decline in import volume remained at significantly low levels throughout the sunset review period.<sup>32</sup> The Department finds the trend for this adjusted import volume as demonstrative of the effect of the Order on the companies that were subject to the Order, and this significant decrease in import volumes of subject merchandise, along with the continued existence of dumping margins, supports the finding of likelihood of continuation or recurrence of dumping absent of the Order.

## 2. *Magnitude of the Margin of Dumping Likely to Prevail*

Petitioners contend that the Department should consider selecting the rates from the Final Determination, as revised in the Section 129 Implementation, for each of the subject producers (as well as “all others”) as the dumping margin likely to prevail upon revocation, and for companies not individually investigated in the original investigation and for companies that did not begin shipping until after the Order was issued, the Department should select the PRC-wide rate, as amended in the Section 129 Implementation.<sup>33</sup>

### **Department’s Position**

Normally, the Department will provide to the ITC the company-specific, weighted-average antidumping duty margin from the investigation for each company.<sup>34</sup> The Department’s preference for selecting a rate from the investigation is based on the fact that it is the only calculated rate that reflects the behavior of exporters without the discipline of an order or suspension agreement in place.<sup>35</sup> For companies not investigated individually, or for companies that did not begin shipping until after the order was issued, the Department will normally provide a rate based on the “All-Others” rate from the investigation.<sup>36</sup> However, for the PRC, which the Department considers to be a non-market economy under section 771(18)(A) of the Act, the Department does not have an “All-Others” rate. Thus, in non-market economy cases, instead of an “All-Others” rate, the Department uses an established country-wide rate, which it applies to all imports from exporters that have not established their eligibility for a separate rate.<sup>37</sup>

The Department has determined that the weighted-average antidumping duty margins established in the Final Determination, as amended in the Section 129 Implementation<sup>38</sup>, represent the magnitude of the margins of dumping most likely to prevail if the Order were revoked. We further determine that these margins were not affected by the denial of offsets in accordance with

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<sup>32</sup> See id.

<sup>33</sup> See Substantive Response at 7-8.

<sup>34</sup> See Eveready Battery Co., Inc. v. United States, 77 F. Supp. 2d 1327, 1333 (CIT 1999).

<sup>35</sup> See id.; see also SAA at 890.

<sup>36</sup> See Certain Hot-Rolled Carbon Steel Flat Products from Argentina, the People’s Republic of China, India, Indonesia, Kazakhstan, Romania, South Africa, Taiwan, Thailand, and Ukraine; Final Results of Expedited Sunset Reviews of the Antidumping Duty Orders, 71 FR 70506 (December 5, 2006) and accompanying Issues and Decision Memorandum at Comment 2.

<sup>37</sup> See Bristol Metals L.P. v. United States, 703 F. Supp. 2d 1370, 1378 (CIT 2010) (citation omitted); see also Amanda Foods (Vietnam) Ltd. v. United States, 647 F. Supp. 2d 1368, 1379 (CIT 2009) (citation omitted).

<sup>38</sup> The Department implemented its determinations under Section 129 of the URAA, with respect to the WTO-inconsistent double-remedies that occurred in the countervailing duty investigation of laminated woven sacks. As a result, the Department recalculated the antidumping duty margins as provided in the Section 129 Implementation. See Section 129 Implementation, 77 FR at 52687-52688.

the Final Modification for Reviews.<sup>39</sup> Specifically, the calculated investigation rate for the single mandatory respondent (Zibo Aifudi Plastic Packaging Co., Ltd.) whose rate was not based entirely on AFA, was calculated without zeroing because the Final Determination occurred after the Department ceased zeroing in investigations.<sup>40</sup> Furthermore, the final dumping margin for the PRC-wide entity was based on total AFA and did not involve the denial of offsets.<sup>41</sup> Accordingly, we find it appropriate to provide the ITC with the margins from the Final Determination, as amended in the Section 129 Implementation, because these margins best reflect the behavior of exporters without the discipline of an order in place. As a result, we will report to the ITC the margins of dumping likely to prevail listed in the “Final Results of Review” section below.

### Final Results of Review

We determine that revocation of the Order on laminated woven sacks from the PRC would likely lead to continuation or recurrence of dumping and that the magnitudes of the margins of dumping likely to prevail are as follows:

| Exporter                                                                                                                                                                                        | Weighted-Average Dumping Margin (percent) |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| Zibo Aifudi Plastic Packaging Co., Ltd                                                                                                                                                          | 20.19                                     |
| Polywell Plastic Product Factory                                                                                                                                                                | 20.19                                     |
| Zibo Linzi Worun Packing Product Co., Ltd                                                                                                                                                       | 20.19                                     |
| Shandong Qikai Plastics Product Co., Ltd                                                                                                                                                        | 20.19                                     |
| Changle Baodu Plastic Co. Ltd                                                                                                                                                                   | 20.19                                     |
| Zibo Linzi Shuaiqiang Plastics Co. Ltd                                                                                                                                                          | 20.19                                     |
| Zibo Linzi Qitianli Plastic Fabric Co. Ltd                                                                                                                                                      | 20.19                                     |
| Shandong Youlian Co. Ltd                                                                                                                                                                        | 20.19                                     |
| Zibo Linzi Luitong Plastic Fabric Co. Ltd                                                                                                                                                       | 20.19                                     |
| Wenzhou Hotson Plastics Co. Ltd                                                                                                                                                                 | 20.19                                     |
| Jiangsu Hotson Plastics Co. Ltd                                                                                                                                                                 | 20.19                                     |
| Cangnan Color Make The Bag                                                                                                                                                                      | 20.19                                     |
| Zibo Qigao Plastic Cement Co. Ltd                                                                                                                                                               | 20.19                                     |
| PRC-Wide Entity (including Shandong Shouguang Jianyuanchun Co., Ltd. (“SSJ”); Han Shing Chemical Co., Ltd.; Ningbo Yong Feng Packaging Co., Ltd.; and Shandong Qilu Plastic Fabric Group, Ltd.) | 47.64                                     |

<sup>39</sup> As stated in the Final Modification for Reviews, “{i}f the dumping margins determined in a manner not found to be WTO-inconsistent in these disputes indicate that dumping continued with the discipline of the order in place, those dumping margins alone can form the basis for a determination that dumping will continue or recur if the order were to be revoked.” See Final Modification for Reviews, 77 FR at 8103.

<sup>40</sup> As noted above, the Final Determination published in June 2008, while the Department announced it would cease zeroing in investigations on December 26, 2006. See Final Determination, 73 FR at 35646 and Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin During an Antidumping Investigation; Final Modification, 71 FR 77722 (December 27, 2006).

<sup>41</sup> See Final Modification for Reviews, 77 FR at 8103.

## Recommendation

Based on our analysis of the Substantive Response received, we recommend adopting the above positions. If these recommendations are accepted, we will publish the final results of this sunset review in the Federal Register and notify the ITC of our determination.

✓  
Agree

Disagree

Paul Piquado  
Paul Piquado  
Assistant Secretary  
for Enforcement and Compliance

23 OCTOBER 2013  
(Date)