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October 2, 2017

MEMORANDUM TO: Gary Taverman
Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations,
performing the non-exclusive functions and duties of the
Assistant Secretary for Enforcement and Compliance

FROM: James Maeder
Senior Director
performing the duties of Deputy Assistant Secretary
for Antidumping Duty and Countervailing Duty Operations

SUBJECT: Decision Memorandum for the Preliminary Results of the
Antidumping Duty Administrative Review: Wooden Bedroom
Furniture from the People's Republic of China

SUMMARY

In response to requests from interested parties, the Department of Commerce (Department) is conducting an administrative review (AR) of the antidumping duty order on wooden bedroom furniture (WBF) from the People's Republic of China (PRC) for the period of review (POR) January 1, 2016, through December 31, 2016. The AR covers 13 exporters of subject merchandise, including one mandatory respondent, Decca Furniture Ltd. (Decca). The Department preliminarily finds that four companies, including Decca, have not established their entitlement to separate rate status, and therefore, they have been treated as part of the PRC-wide entity. The Department also preliminarily determines that eight companies made no shipments of subject merchandise during the POR. The Department also is rescinding the review for Nanhai Jiantai Woodwork Co., Ltd., Fortune Glory Industrial, Ltd. (HK Ltd.) (collectively, Fortune Glory), for whom all review requests have been withdrawn.

If these preliminary results are adopted in our final results of review, we will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries of subject merchandise during the POR. Interested parties are invited to comment on these preliminary results. Unless extended, we intend to issue final results no later than 120 days from the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act).



Background

On January 4, 2005, the Department published in the *Federal Register* the antidumping duty order on wooden bedroom furniture from the PRC.¹ On January 10, 2017, the Department notified interested parties of their opportunity to request an AR of orders, findings, or suspended investigations with anniversaries in January 2017, including the antidumping duty order on wooden bedroom furniture from the PRC.² In January 2017, the American Furniture Manufacturers Committee for Legal Trade (AMFC) and Vaughan-Bassett Furniture Company, Inc. (collectively, the petitioners), and Kimball International, Inc., Kimball Furniture Group, Inc. and Kimball Hospitality Inc. (collectively, Kimball), domestic interested parties, as well as certain foreign exporters, requested that the Department conduct an administrative review of certain exporters covering the period January 1, 2016 through December 31, 2016.³ In total, the Department received review requests covering 80 companies or company groupings. On March 15, 2017, the Department published a notice initiating an antidumping duty AR of wooden bedroom furniture from the PRC covering 80 companies or company groupings for the period January 1, 2016 through December 31, 2016.⁴

In April and June 2017, petitioners, U.S. importers and PRC exporters withdrew numerous review requests in a timely manner, and Kimball withdrew all of its review requests.⁵ On August

¹ See *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Wooden Bedroom Furniture from the People's Republic of China*, 70 FR 329 (January 4, 2005) (Order).

² See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 82 FR 2951 (January 10, 2017) (“Opportunity Notice”).

³ See letter from Decca Furniture Limited, re: “Wooden Bedroom Furniture from the People’s Republic of China: Decca Furniture Limited’s Request for Administrative Review,” dated January 11, 2017; see letter from Fine Furniture (Shanghai) Limited, re: “Administrative Review of the Antidumping Duty Order on Wooden Bedroom Furniture from the People’s Republic of China: Request for Review and Request for Voluntary Respondent Treatment,” dated January 18, 2017; see letter from Guangzhou Maria Yee Furnishings Ltd., PYLA HK LIMITED, and MARIA YEE, INC., re: “Wooden Bedroom Furniture from the People’s Republic of China; Request for Administrative Review and Request for Voluntary Respondent Treatment,” dated January 25, 2017; see letter from the American Furniture Manufacturers Committee for Legal Trade and Vaughan-Bassett Furniture Company, Inc., re: “Wooden Bedroom Furniture from the People’s Republic of China: Request for Initiation of Administrative Review,” dated January 31, 2017; see letter from Kimball International, Inc., Kimball Furniture Group, Inc., and Kimball Hospitality Inc., re: “Wooden Bedroom Furniture from the People’s Republic of China: Request for Initiation of Antidumping Duty Administrative Review,” dated January 31, 2017; see letter from Xiamen Yongquan Sci-Tech Development Co., Ltd., re: “Request for Twelfth Administrative Review of the Antidumping Duty Order on Wooden Bedroom Furniture from the People’s Republic of China,” dated January 31, 2017; and see letter from Ningbo Furniture Industries Limited, Ningbo Hengrun Furniture Co., Ltd. and Techniwood Industries Limited, re: “Request for Twelfth Administrative Review of the Antidumping Duty Order on Wooden Bedroom Furniture from the People’s Republic of China,” dated January 31, 2017.

⁴ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 82 FR 13795 (March 15, 2017) (“Initiation Notice”).

⁵ See letter from Ningbo Furniture Industries Limited, Ningbo Hengrun Furniture Co., Ltd. and Techniwood Industries Limited, re: “Withdrawal of Review Request: Administrative Review of the Antidumping Duty Order on Wooden Bedroom Furniture from the People’s Republic of China (POR 01/01/16-12/31/16),” dated April 7, 2017; letter from Xiamen Yongquan Sci-Tech Development Co., Ltd., re: “Withdrawal of Review Request: Administrative Review of the Antidumping Duty Order on Wooden Bedroom Furniture from the People’s Republic of China (POR 01/01/16-12/31/16),” dated June 6, 2017; see letter from Fine Furniture (Shanghai) Limited, re: “Administrative Review of the Antidumping Duty Order on Wooden Bedroom Furniture from the People’s Republic of China: Withdrawal of Request for Review and Request for Voluntary Respondent Treatment,” dated June 6, 2017; see letter from petitioners, re: “Wooden Bedroom Furniture From The People’s Republic of China/ Partial Withdrawal Of Request For Administrative Review,” dated June 6, 2017; see letter from Kimball, re: “Wooden Bedroom Furniture

2, 2017, the Department published a notice rescinding the review with respect to 67 companies for which all review requests had been withdrawn.⁶ On August 4, 2017, Tradewinds Furniture Ltd. and Fortune Glory Industrial Ltd. (H.K. Ltd.) (collectively, Fortune Glory) filed a letter requesting the Department rescind the administrative review with respect to ‘Nanhai Jiantai Woodwork Co., Ltd., Fortune Glory Industrial Ltd. (H.K. Ltd.)’ for whom all review requests had been withdrawn prior to the 90 day deadline.⁷ On August 29, 2017, the petitioners submitted comments for consideration in these Preliminary Results.⁸

On June 22, 2017, the Department issued its antidumping duty questionnaire to Decca, the only company under review that filed a separate rate certification.⁹ Decca did not respond to the questionnaire.

Revisions to Harmonized Tariff Schedule Numbers in the Scope

In their August 29, 2017 comments, the petitioners noted that on August 24, 2016, CPB issued a ruling which became effective on October 23, 2016 in which it discontinued its longstanding practice of classifying wooden headboards, footboards, and side rails that have not been shipped together as a complete bed within Harmonized Tariff Schedule of the United States (HTSUS) subheading 9403.50.¹⁰ CBP announced that going forward, it would reclassify these items within HTSUS subheading 9403.90.70.¹¹ In light of this determination, the petitioners requested that the Department modify the language of the scope of the *Order* to conform to the language of the CBP ruling and include wooden headboards for beds, wooden footboards for beds, wooden side rails for beds, and wooden canopies for beds under HTSUS subheading 9403.90.70.¹² We have examined the petitioners’ request and the factual information they submitted in support of the request and preliminarily determined that it is appropriate to revise certain portions of the scope describing the applicable HTSUS numbers. Specifically, we noted in the scope that wooden headboards for beds, wooden footboards for beds, wooden side rails for beds, and wooden canopies for beds may be entered under subheadings 9403.90.7005 or 9403.90.7080 of the HTSUS rather than HTSUS 9403.50.9042 or 9403.50.9045. The revised scope language below reflects those changes and will be effective as of the final results of this review, barring any changes to the scope language between the issuance of the preliminary and final results.

from The People’s Republic of China: Withdrawal of Request for Initiation of Antidumping Duty Administrative Review,” dated June 7, 2017; see letter from Guangzhou Maria Yee Furnishings Ltd., PYLA HK LIMITED, and MARIA YEE, INC., re: “Wooden Bedroom Furniture from the People’s Republic of China; Maria Yee’s Withdrawal of Request for Review,” dated June 8, 2017.

⁶ See *Wooden Bedroom Furniture, From the People’s Republic of China; Partial Rescission of Antidumping Duty Administrative Review*, 82 FR 35929 (August 2, 2017) (“*Partial Rescission Notice*”).

⁷ See Letter from Fortune Glory, re: “Administrative Review of the Antidumping Duty Order on Wooden Bedroom Furniture from the People’s Republic of China: Comments Regarding Errors in the Department’s Rescission Notice,” dated August 4, 2017.

⁸ See letter from the petitioners, re: “Wooden Bedroom Furniture from China: Petitioners’ Comments Regarding The Upcoming Preliminary Results,” dated August 29, 2017 (Petitioners’ Pre-Preliminary Comments”).

⁹ See letter from the Department to Decca dated June 22, 2017.

¹⁰ See Petitioners’ Pre-Preliminary Comments.

¹¹ *Id.* at attachment 2.

¹² See Petitioners’ Pre-Preliminary Comments.

Scope of the Order

The product covered by the order is wooden bedroom furniture. Wooden bedroom furniture is generally, but not exclusively, designed, manufactured, and offered for sale in coordinated groups, or bedrooms, in which all of the individual pieces are of approximately the same style and approximately the same material and/or finish. The subject merchandise is made substantially of wood products, including both solid wood and also engineered wood products made from wood particles, fibers, or other wooden materials such as plywood, strand board, particle board, and fiberboard, with or without wood veneers, wood overlays, or laminates, with or without non-wood components or trim such as metal, marble, leather, glass, plastic, or other resins, and whether or not assembled, completed, or finished.

The subject merchandise includes the following items: (1) wooden beds such as loft beds, bunk beds, and other beds; (2) wooden headboards for beds (whether stand-alone or attached to side rails), wooden footboards for beds, wooden side rails for beds, and wooden canopies for beds; (3) night tables, night stands, dressers, commodes, bureaus, mule chests, gentlemen's chests, bachelor's chests, lingerie chests, wardrobes, vanities, chessers, chifforobes, and wardrobe-type cabinets; (4) dressers with framed glass mirrors that are attached to, incorporated in, sit on, or hang over the dresser; (5) chests-on-chests,¹³ highboys,¹⁴ lowboys,¹⁵ chests of drawers,¹⁶ chests,¹⁷ door chests,¹⁸ chiffoniers,¹⁹ hutches,²⁰ and armoires;²¹ (6) desks, computer stands, filing cabinets, book cases, or writing tables that are attached to or incorporated in the subject merchandise; and (7) other bedroom furniture consistent with the above list.

¹³ A chest-on-chest is typically a tall chest-of-drawers in two or more sections (or appearing to be in two or more sections), with one or two sections mounted (or appearing to be mounted) on a slightly larger chest; also known as a tallboy.

¹⁴ A highboy is typically a tall chest of drawers usually composed of a base and a top section with drawers, and supported on four legs or a small chest (often 15 inches or more in height).

¹⁵ A lowboy is typically a short chest of drawers, not more than four feet high, normally set on short legs.

¹⁶ A chest of drawers is typically a case containing drawers for storing clothing.

¹⁷ A chest is typically a case piece taller than it is wide featuring a series of drawers and with or without one or more doors for storing clothing. The piece can either include drawers or be designed as a large box incorporating a lid.

¹⁸ A door chest is typically a chest with hinged doors to store clothing, whether or not containing drawers. The piece may also include shelves for televisions and other entertainment electronics.

¹⁹ A chiffonier is typically a tall and narrow chest of drawers normally used for storing undergarments and lingerie, often with mirror(s) attached.

²⁰ A hutch is typically an open case of furniture with shelves that typically sits on another piece of furniture and provides storage for clothes.

²¹ An armoire is typically a tall cabinet or wardrobe (typically 50 inches or taller), with doors, and with one or more drawers (either exterior below or above the doors or interior behind the doors), shelves, and/or garment rods or other apparatus for storing clothes. Bedroom armoires may also be used to hold television receivers and/or other audio-visual entertainment systems.

The scope of the order excludes the following items: (1) seats, chairs, benches, couches, sofas, sofa beds, stools, and other seating furniture; (2) mattresses, mattress supports (including box springs), infant cribs, water beds, and futon frames; (3) office furniture, such as desks, stand-up desks, computer cabinets, filing cabinets, credenzas, and bookcases; (4) dining room or kitchen furniture such as dining tables, chairs, servers, sideboards, buffets, corner cabinets, china cabinets, and china hutches; (5) other non-bedroom furniture, such as television cabinets, cocktail tables, end tables, occasional tables, wall systems, book cases, and entertainment systems; (6) bedroom furniture made primarily of wicker, cane, osier, bamboo or rattan; (7) side rails for beds made of metal if sold separately from the headboard and footboard; (8) bedroom furniture in which bentwood parts predominate;²² (9) jewelry armories;²³ (10) cheval mirrors;²⁴ (11) certain metal parts;²⁵ (12) mirrors that do not attach to, incorporate in, sit on, or hang over a dresser if they are not designed and marketed to be sold in conjunction with a dresser as part of a

²² As used herein, bentwood means solid wood made pliable. Bentwood is wood that is brought to a curved shape by bending it while made pliable with moist heat or other agency and then set by cooling or drying. See CBP's Headquarters Ruling Letter 043859, dated May 17, 1976.

²³ Any armoire, cabinet or other accent item for the purpose of storing jewelry, not to exceed 24 inches in width, 18 inches in depth, and 49 inches in height, including a minimum of 5 lined drawers lined with felt or felt-like material, at least one side door or one front door (whether or not the door is lined with felt or felt-like material), with necklace hangers, and a flip-top lid with inset mirror. See Issues and Decision Memorandum from Laurel LaCivita to Laurie Parkhill, Office Director, concerning "Jewelry Armoires and Cheval Mirrors in the Antidumping Duty Investigation of Wooden Bedroom Furniture from the People's Republic of China," dated August 31, 2004. See also *Wooden Bedroom Furniture From the People's Republic of China: Final Changed Circumstances Review, and Determination To Revoke Order in Part*, 71 FR 38621 (July 7, 2006).

²⁴ Cheval mirrors are any framed, tiltable mirror with a height in excess of 50 inches that is mounted on a floor-standing, hinged base. Additionally, the scope of the order excludes combination cheval mirror/jewelry cabinets. The excluded merchandise is an integrated piece consisting of a cheval mirror, *i.e.*, a framed tiltable mirror with a height in excess of 50 inches, mounted on a floor-standing, hinged base, the cheval mirror serving as a door to a cabinet back that is integral to the structure of the mirror and which constitutes a jewelry cabinet line with fabric, having necklace and bracelet hooks, mountings for rings and shelves, with or without a working lock and key to secure the contents of the jewelry cabinet back to the cheval mirror, and no drawers anywhere on the integrated piece. The fully assembled piece must be at least 50 inches in height, 14.5 inches in width, and 3 inches in depth. See *Wooden Bedroom Furniture From the People's Republic of China: Final Changed Circumstances Review and Determination To Revoke Order in Part*, 72 FR 948 (January 9, 2007).

²⁵ Metal furniture parts and unfinished furniture parts made of wood products (as defined above) that are not otherwise specifically named in this scope (*i.e.*, wooden headboards for beds, wooden footboards for beds, wooden side rails for beds, and wooden canopies for beds) and that do not possess the essential character of wooden bedroom furniture in an unassembled, incomplete, or unfinished form.

dresser-mirror set; (13) upholstered beds;²⁶ (14) toy boxes;²⁷ (15) certain enclosable wall bed units;²⁸ (16) certain shoe cabinets;²⁹ and (17) certain bed bases.³⁰

Imports of subject merchandise are classified under subheadings 9403.50.9042 and 9403.50.9045 of the HTSUS as “wooden . . . beds” and under subheading 9403.50.9080 of the HTSUS as “other . . . wooden furniture of a kind used in the bedroom.” In addition, wooden headboards for beds, wooden footboards for beds, wooden side rails for beds, and wooden canopies for beds may be entered under subheadings 9403.90.7005 or 9403.90.7080 of the HTSUS. Subject merchandise may also be entered under subheadings 9403.50.9041, 9403.60.8081, 9403.20.0018, or 9403.90.8041. Further, framed glass mirrors may be entered under subheading 7009.92.1000 or 7009.92.5000 of the HTSUS as “glass mirrors . . . framed.” The order covers all wooden bedroom furniture meeting the above description, regardless of tariff classification. Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive.

²⁶ Upholstered beds that are completely upholstered, i.e., containing filling material and completely covered in sewn genuine leather, synthetic leather, or natural or synthetic decorative fabric. To be excluded, the entire bed (headboards, footboards, and side rails) must be upholstered except for bed feet, which may be of wood, metal, or any other material and which are no more than nine inches in height from the floor. See *Wooden Bedroom Furniture from the People’s Republic of China: Final Results of Changed Circumstances Review and Determination to Revoke Order in Part*, 72 FR 7013 (February 14, 2007).

²⁷ To be excluded the toy box must: (1) be wider than it is tall; (2) have dimensions within 16 inches to 27 inches in height, 15 inches to 18 inches in depth, and 21 inches to 30 inches in width; (3) have a hinged lid that encompasses the entire top of the box; (4) not incorporate any doors or drawers; (5) have slow-closing safety hinges; (6) have air vents; (7) have no locking mechanism; and (8) comply with American Society for Testing and Materials (“ASTM”) standard F963-03. Toy boxes are boxes generally designed for the purpose of storing children’s items such as toys, books, and playthings. See *Wooden Bedroom Furniture from the People’s Republic of China: Final Results of Changed Circumstances Review and Determination to Revoke Order in Part*, 74 FR 8506 (February 25, 2009). Further, as determined in the scope ruling memorandum “Wooden Bedroom Furniture from the People’s Republic of China: Scope Ruling on a White Toy Box,” dated July 6, 2009, the dimensional ranges used to identify the toy boxes that are excluded from the wooden bedroom furniture order apply to the box itself rather than the lid.

²⁸ Excluded from the scope are certain enclosable wall bed units, also referred to as murphy beds, which are composed of the following three major sections: (1) a metal wall frame, which attaches to the wall and uses coils or pistons to support the metal mattress frame; (2) a metal frame, which has euro slats for supporting a mattress and two legs that pivot; and (3) wood panels, which attach to the metal wall frame and/or the metal mattress frame to form a cabinet to enclose the wall bed when not in use. Excluded enclosable wall bed units are imported in ready-to-assemble format with all parts necessary for assembly. Enclosable wall bed units do not include a mattress. Wood panels of enclosable wall bed units, when imported separately, remain subject to the order.

²⁹ Excluded from the scope are certain shoe cabinets 31.5-33.5 inches wide by 15.5-17.5 inches deep by 34.5-36.5 inches high. They are designed strictly to store shoes, which are intended to be aligned in rows perpendicular to the wall along which the cabinet is positioned. Shoe cabinets do not have drawers, rods, or other indicia for the storage of clothing other than shoes. The cabinets are not designed, manufactured, or offered for sale in coordinated groups or sets and are made substantially of wood, have two to four shelves inside them, and are covered by doors. The doors often have blinds that are designed to allow air circulation and release of bad odors. The doors themselves may be made of wood or glass. The depth of the shelves does not exceed 14 inches. Each shoe cabinet has doors, adjustable shelving, and ventilation holes.

³⁰ Excluded from the scope are certain bed bases consisting of: 1) a wooden box frame, 2) three wooden cross beams and one perpendicular center wooden support beam, and 3) wooden slats over the beams. These bed bases are constructed without inner springs and/or coils and do not include a headboard, footboard, side rails, or mattress. The bed bases are imported unassembled.

DISCUSSION OF THE METHODOLOGY

Non-Market Economy Country Status

The Department considers the PRC to be a non-market economy (NME) country.³¹ In accordance with section 771(18)(C)(i) of the Act, any determination that a foreign country is an NME country shall remain in effect until revoked by the administering authority.³² None of the parties to this proceeding contested NME treatment for the PRC. Therefore, for the preliminary results of this review, we treated the PRC as an NME country and applied our current NME methodology in accordance with section 773(c) of the Act.

Separate Rates

In proceedings involving NME countries, the Department begins with a rebuttable presumption that all companies within the NME country are subject to government control and, thus, should be assigned a single weighted-average dumping margin. It is the Department's policy to assign all exporters of merchandise subject to an administrative review involving an NME country this single rate unless an exporter can demonstrate that it is sufficiently independent so as to be entitled to a separate rate. In the *Initiation Notice*, we informed parties that all firms for which the review was initiated that wished to qualify for separate rate status must complete, as appropriate, either a separate rate application or certification.³³ We also informed parties that exporters and producers who submit a separate-rate status application or certification and subsequently are selected as mandatory respondents, would no longer be eligible for separate rate status unless they responded to all parts of the questionnaire as mandatory respondents.³⁴

As noted above, although Decca filed a separate rate application and was selected as a mandatory respondent, it did not respond to the antidumping duty questionnaire. Because Decca failed to respond to the antidumping duty questionnaire, the record indicates that Decca ceased participating in this review. As such, it has not established its eligibility for separate rate status and is part of the PRC-wide entity. Moreover, the three companies listed below, for which this review was initiated, failed to provide separate rate applications or certifications. Hence, they have not established their eligibility for separate rate status and are part of the PRC-wide entity.

- (1) Changshu HTC Import & Export Co., Ltd.
- (2) Starwood Industries Ltd.
- (3) U-Rich Furniture (Zhangzhou) Co., Ltd.; U-Rich Furniture Ltd.

³¹ See *Hardwood and Decorative Plywood from the People's Republic of China: Final Determination of Sales at Less Than Fair Value*, 78 FR 58273 (September 23, 2013) and the accompanying Issues and Decision Memorandum at the Background section.

³² See *Brake Rotors from the People's Republic of China: Preliminary Results and Partial Rescission of the 2004-2005 Administrative Review and Preliminary Notice of Intent To Rescind the 2004-2005 New Shipper Review*, 71 FR 26736 (May 8, 2006), unchanged in *Brake Rotors from the People's Republic of China: Final Results and Partial Rescission of the 2004-2005 Administrative Review and Notice of Rescission of 2004-2005 New Shipper Review*, 71 FR 66304 (November 14, 2006).

³³ See *Initiation Notice*, at 13796.

³⁴ *Id.* at 13797.

Because no party requested a review of the PRC-wide entity, the entity is not under review and the entity's rate is not subject to change.³⁵ Therefore, if our determination is unchanged in the final results of this review, these four companies' entries will be liquidated at the rate previously established for the PRC-wide entity.

Preliminary Determination of No Shipments

Among the companies under review, eight companies or company groupings reported that they made no shipments of subject merchandise to the United States during the POR. These eight companies are: (1) Dongguan Sunrise Furniture Co., Taicang Sunrise Wood Industry, Co., Ltd., Shanghai Sunrise Furniture Co., Ltd., Fairmont Designs; (2) Dongguan Sunrise Furniture Co., Taicang Sunrise Wood Industry, Co., Ltd., Taicang Fairmont Designs Furniture Co., Ltd., Meizhou Sunrise Furniture Co., Ltd.; (3) Eurosa (Kunshan) Co., Ltd.; Eurosa Furniture Co., (PTE) Ltd.; (4) Golden Well International (HK) Limited; Zhangzhou Xym Furniture Product Co., Ltd.; (5) RiZhao Sanmu Woodworking Co., Ltd.; (6) Shenyang Shining Dongxing Furniture Co., Ltd.; (7) Woodworth Wooden Industries (Dong Guan) Co., Ltd.; and (8) Yeh Brothers World Trade Inc.³⁶ To confirm these no shipment claims, the Department performed a CBP data query to determine whether there were any entries of subject merchandise during the POR from the companies listed above and issued a no-shipment inquiry to CBP requesting that it provide any information that contradicted the no-shipment claims of these companies. The Department's CBP data query did not identify any entries of subject merchandise during the POR from the companies listed above. Moreover, CBP did not identify any entries of subject merchandise from these eight companies during the POR in response to our no shipment inquiry asking CBP for such information.³⁷

Given that the eight companies above certified that they made no shipments of subject merchandise to the United States during the POR and there is no information calling these claims

³⁵ See *Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings*, 78 FR 65963, 65969-70 (November 4, 2013).

³⁶ See letter from Woodworth Wooden Industries (Dongguan) Co., Ltd., re: "Woodworth Wooden Industries (Dongguan) Co., Ltd.'s Statement of No Shipments during the POR: Wooden Bedroom Furniture from the People's Republic of China," dated April 1, 2017; see letter from Eurosa (Kunshan) Co., Ltd. and Eurosa Furniture Co., (PTE) Ltd., re: "Eurosa (Kunshan) Co., Ltd.; Eurosa Furniture Co., (PTE) Ltd.'s Statement of No Shipments during the POR: Wooden Bedroom Furniture from the People's Republic of China," dated April 1, 2017; see letter from Shenyang Shining Dongxing Furniture Co., Ltd., re: "Wooden Bedroom Furniture from the People's Republic of China: No Shipment Letter and Response to Quantity and Value Questionnaire," dated April 13, 2017; see letter from Golden Well International (HK) Limited, re: "Wooden bedroom Furniture from the People's Republic of China: No Shipment Certification, dated April 14, 2017; see letter from Yeh Brothers World Trade Inc., re: "No Shipment Letter for Yeh Brothers World Trade Inc. in the Twelfth Administrative Review of Wooden Bedroom Furniture from People's Republic of China, Case No. A-570-890," dated April 14, 2017; see letter from RiZhao Sanmu Woodworking Co., Ltd., re: "Certain Wooden Bedroom Furniture from China, 12th Administrative Review; Submission of Statement of No Shipments," dated April 14, 2017; see letter from Dongguan Sunrise Furniture Co., Taicang Sunrise Wood Industry Co., Ltd., Taicang Fairmont Designs Furniture Co., Ltd., Meizhou Sunrise Furniture Co., Ltd. and Fairmont Designs, re: "Antidumping Duty Administrative Review on Wooden Bedroom Furniture from China for the Period from January 1, 2016 to December 31, 2016," dated April 14, 2017.

³⁷ See Memorandum to the File from Patrick O'Connor, Re: "Release of U.S. Customs and Border Protection Information Relating to No Shipment Claims Made in the 2016 Administrative Review of Wooden Bedroom Furniture from the People's Republic of China," dated September 1, 2017; see also CBP Message Number 7208301, dated July 27, 2017.

into question, we preliminarily determine that the companies identified above did not have any reviewable transactions during the POR. Consistent with the Department's practice, it is not appropriate to rescind the review with respect to these companies but, rather, it is appropriate to complete the review with respect to these eight companies and issue instructions to CBP based on the final results of the review.³⁸

Partial Rescission

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. As noted above, on August 2, 2017, the Department published a notice rescinding the review with respect to 67 companies for which all review requests had been withdrawn.³⁹ However, that notice failed to reflect the fact that the petitioners withdrew their request for a review of Fortune Glory before the 90-day deadline to withdraw review requests⁴⁰ and no other party requested a review of Fortune Glory. Accordingly, the Department is also rescinding this review, in part, with respect to Fortune Glory, in accordance with 19 CFR 351.213(d)(1).

CONCLUSION

We recommend applying the above methodology for these preliminary results.

☒

Agree

☐

Disagree

10/2/2017

X



Signed by: GARY TAVERMAN

Gary Taverman

Deputy Assistant Secretary

for Antidumping and Countervailing Duty Operations,
performing the non-exclusive functions and duties of the
Assistant Secretary for Enforcement and Compliance

³⁸ See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011).

³⁹ See *Partial Rescission Notice*.

⁴⁰ See letter from the petitioners, re: "Wooden Bedroom Furniture from the People's Republic of China/ Clarification of Partial Withdrawal of Request for Administrative Review," dated June 13, 2017.