

EXPLANATION OF COMMISSION DETERMINATIONS ON ADEQUACY

in

Lined Paper School Supplies from China, India, and Indonesia
Inv. Nos. 701-TA-442-443 and 731-TA-1095-1097 (Review)

On November 4, 2011, the Commission determined that it should proceed to full reviews in each of the subject five-year reviews pursuant to section 751(c)(5) of the Tariff Act of 1930, as amended, 19 U.S.C. § 1675(c)(5).¹

The Commission received one response to the notice of institution filed by domestic interested parties, which was filed by the Association of American School Paper Suppliers (“AASPS”), a trade association whose membership consists of three U.S. producers of lined paper school supplies (“lined paper”). These are MWV Consumer & Office Products, Norcom, Inc., and Top Flight, Inc. The Commission found the individual response of AASPS to be adequate. Because the membership of AASPS represents a substantial proportion of domestic production of lined paper, the Commission further determined that the domestic interested party group response was adequate with respect to all reviews.

With respect to the review of the antidumping duty order and countervailing duty order on lined paper from India, the Commission received a response to the notice of institution jointly filed by eight firms that identify themselves as producers and/or exporters of the subject merchandise from India. These Indian Respondents are FFI International, Lodha Offset Limited, Marisa International, Navneet Publications (India) Ltd., Pioneer Stationery Pvt. Ltd., Riddhi Enterprises, Sab International, and SGM Paper Products. The Commission found the response of each individual Indian Respondent to be adequate. Because the record in the adequacy phase of these reviews indicates that Indian Respondents collectively accounted for a substantial share of 2010 exports of the subject merchandise from India, and that the subject industry in India is highly fragmented, the Commission further determined that the respondent interested party group response for the reviews on subject merchandise from India was adequate. The Commission accordingly determined to conduct full reviews of the orders on lined paper from India.

The Commission received no response to the notice of institution from respondent interested parties with respect to the review of the antidumping duty order on subject merchandise from China and therefore determined that the respondent interested party group response from China was inadequate. The Commission nevertheless determined to conduct a full review of the order on lined paper from China in order to promote administrative efficiency in light of its decision to conduct full reviews of the orders on lined paper from India.

¹ Commissioner Charlotte R. Lane dissenting. Commissioner Lane found that the respondent interested party group response for the reviews on subject merchandise from India was inadequate because the responding Indian producers did not account for a substantial portion of total Indian production. In the absence of an adequate respondent interested party group response or any other circumstances warranting full reviews, she would have conducted expedited reviews of the orders on subject merchandise from India. In the absence of an adequate respondent interested party group response for the reviews concerning subject imports from China and Indonesia or any other circumstances warranting full reviews, she would have conducted expedited reviews of the orders on subject merchandise from China and Indonesia.

The Commission received no response to the notice of institution from respondent interested parties with respect to the reviews of the antidumping duty order and countervailing duty order on subject merchandise from Indonesia and therefore determined that the respondent interested party group response from Indonesia was inadequate. The Commission nevertheless determined to conduct full reviews of the orders on lined paper from Indonesia in order to promote administrative efficiency in light of its decision to conduct full reviews of the orders on lined paper from India.

A record of the Commissioners' votes is available from the Office of the Secretary and the Commission's web site (www.usitc.gov).