

Clean Your Plate: New Antidumping and Countervailing Petitions on Paper Plates from China, Thailand, and Vietnam

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On January 25, AJM Packaging Corporation, Aspen Products, Inc., Dart Container Corporation, Hoffmaster Group, Inc., Huhtamaki Americas, Inc., and Unique Industries, Inc., collectively known as the American Paper Plate Coalition (APPC), filed antidumping duty (AD) and countervailing duty (CVD) petitions on paper plates from China, Thailand, and Vietnam.

The APPC alleges that imports of paper plates from China, Thailand, and Vietnam have caused material injury and threaten additional material injury to the US domestic industry because they are sold in the United States at less than fair value. The APPC also alleges that paper plates from China, Thailand, and Vietnam benefit from countervailable subsidies, which are further injuring the US domestic industry.

AD/CVD duties may be imposed if the US Department of Commerce (DOC) determines that such dumping and subsidization is occurring and if the US International Trade Commission (ITC) determines that there is “material injury” (or the threat thereof) by reason of the dumped and/or subsidized imports.

If the investigations are affirmative, importers of paper plates from China, Thailand, and Vietnam will be liable for any potential AD/CVD duties imposed.

Scope of Investigations

Per the petition, paper plates subject to this investigation may be uncolored, white, colored, or

printed. Printed paper plates subject to this investigation may have any type of surface finish, and may be printed by any means with images, text and/or colors on one or both surfaces. Colored paper plates subject to this investigation may be colored by any method, including but not limited to printing, beater-dyeing, and dip-dyeing. Paper plates subject to this investigation may be produced from paper of any type, may have any caliper or basis weight, may have any shape or size, may have one or more than one section, may be embossed, may have foil or other substances adhered to their surface, and/or may be uncoated or coated with any type of coating. The paper plates subject to this investigation remain covered by the scope of this investigation whether imported alone, or in any combination of subject and non-subject merchandise.

The paper plates subject to this investigation include paper plates matching the above description that have been finished, packaged, or otherwise processed in a third country by performing finishing, packaging, or processing that would not otherwise remove the merchandise from the scope of the investigations if performed in the country of manufacture of the paper plates. Excluded from the scope of this investigation are paper plates produced directly from liquid fiber that is formed into the desired shape and then cured.

Also excluded from the scope of this investigation are paper bowls, paper buckets, and paper food containers with closeable lids.

The written description of the scope is dispositive. However, imports of covered paper plates from China, Thailand, and Vietnam may be classified under the following categories of the Harmonized Tariff Schedule of the United States (HTSUS):

4823.69.0040 (“Other paper, paperboard, cellulose wadding and webs of cellulose fibers, cut to size or shape; other articles of paper pulp, paper, paperboard, cellulose wadding or webs of cellulose fibers: Trays, dishes, plates, cups and the like, of paper or paperboard: Other: Other”)

Estimated AD Margins

The Petitioner alleges the following dumping margins exist:

- China: 142.45% to 168.45%
- Vietnam: 255.46% to 278.56%
- Thailand: 36.97% to 42.89%

Estimated Key Dates of Interest to Exporters and Importers

The following are estimated key dates for these investigations, once initiated by the DOC and the ITC:

First Deadlines: ITC Preliminary Injury Phase	<i>approx. February 8, 2024 – questionnaire responses will be due.</i>
	<i>February 15, 2024 – ITC Preliminary Staff Conference</i>
	<i>March 11, 2024 - ITC Preliminary injury determination</i>
Commerce Initiation Date	<i>February 14, 2024</i>
Commerce Preliminary AD Determinations	<i>July 3, 2024 - AD preliminary determination</i>

	<i>The preliminary results deadline can be extended.</i>
Commerce Preliminary CVD Determinations	<i>April 19, 2024 - CVD preliminary determination</i> <i>The preliminary results deadline can be extended.</i>
Earliest Suspension of Liquidation (theoretical)	<i>April 4, 2024 – Subject to both affirmative critical circumstances finding by ITC and DOC.</i>

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