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DEPARTMENT OF COMMERCE

International Trade Administration

(C-533-849)

Commodity Matchbooks from India: Final Results of Expedited Sunset Review of the Countervailing Duty Order

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (the Department) finds that revocation of the countervailing duty (CVD) order on commodity matchbooks from India would be likely to lead to continuation or recurrence of a countervailable subsidy at the levels indicated in the final results of review section of this notice.

DATES: Effective Date: **[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

FOR FURTHER INFORMATION CONTACT: Jacqueline Arrowsmith, Office VII, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14<sup>th</sup> Street and Constitution Avenue NW, Washington, DC 20230; telephone (202) 482-5255.

SUPPLEMENTARY INFORMATION

Background

On November 3, 2014, the Department initiated a sunset review of the CVD order on commodity matchbooks from India<sup>1</sup> pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).<sup>2</sup> On November 18, 2014, D.D. Bean & Sons Co. (D.D. Bean) filed a notice of intent to participate in the review.<sup>3</sup> D.D. Bean claimed interested party status under section 771(9)(C) of the Act, as a domestic producer of the domestic like product.<sup>4</sup>

The Department received an adequate substantive response from the domestic industry within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).<sup>5</sup> The Department did not receive a response from the Government of India or any respondent interested party to the proceeding. Because the Department received no response from the respondent interested parties, the Department conducted an expedited review of this CVD order, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(B)(2) and (C)(2).

### Scope of the Order

The scope of this order covers commodity matchbooks, also known as commodity book matches, paper matches or booklet matches.<sup>6</sup> Commodity matchbooks typically, but do not necessarily, consist of twenty match stems which are usually made from paperboard or similar material tipped with a match head composed of any chemical formula. The match stems may be stitched, stapled or otherwise fastened into a matchbook cover of any material, on which a

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<sup>1</sup> See *Commodity Matchbooks from India: Countervailing Duty Order*, 74 FR 65740 (December 11, 2009).

<sup>2</sup> See *Initiation of Five Year ("Sunset") Review*, 79 FR 65186 (November 3, 2014).

<sup>3</sup> See Letter from D.D. Bean to the Department, "Five Year ("Sunset Review") Countervailing Duty Order on Commodity Matchbooks from India – Notice of Intent to Participate," dated November 18, 2014.

<sup>4</sup> In its response, D.D. Bean claims to be the sole U.S. producer of the domestic like product. *Id.* at 1.

<sup>5</sup> See Letter from D.D. Bean to the Department, "Commodity Matchbooks from India," dated December 3, 2014; see also Memo to the File from David Crespo, Senior Analyst, AD/CVD Operations Office II, "RE: Telephone Conversation with D.D. Bean & Sons Co.," dated December 4, 2014.

<sup>6</sup> Such commodity matchbooks are also referred to as "for resale" because they always enter into retail channels, meaning businesses that sell a general variety of tangible merchandise, e.g., convenience stores, supermarkets, dollar stores, drug stores and mass merchandisers.

striking strip composed of any chemical formula has been applied to assist in the ignition process.

Commodity matchbooks included in the scope of this order may or may not contain printing. For example, they may have no printing other than the identification of the manufacturer or importer. Commodity matchbooks may also be printed with a generic message such as “Thank You” or a generic image such as the American Flag, with store brands (*e.g.*, Kroger, 7-Eleven, Shurfine or Giant); product brands for national or regional advertisers such as cigarettes or alcoholic beverages; or with corporate brands for national or regional distributors (*e.g.*, Penley Corp. or Diamond Brands). They all enter retail distribution channels. Regardless of the materials used for the stems of the matches and regardless of the way the match stems are fastened to the matchbook cover, all commodity matchbooks are included in the scope of this investigation. All matchbooks, including commodity matchbooks, typically comply with the United States Consumer Product Safety Commission (CPSC) Safety Standard for Matchbooks, codified at 16 CFR 1202.1 *et seq.*

The scope of this order excludes promotional matchbooks, often referred to as “not for resale,” or “specialty advertising” matchbooks, as they do not enter into retail channels and are sold to businesses that provide hospitality, dining, drinking or entertainment services to their customers, and are given away by these businesses as promotional items. Such promotional matchbooks are distinguished by the physical characteristic of having the name and/or logo of a bar, restaurant, resort, hotel, club, café/coffee shop, grill, pub, eatery, lounge, casino, barbecue or individual establishment printed prominently on the matchbook cover. Promotional matchbook cover printing also typically includes the address and the phone number of the business or

establishment being promoted.<sup>7</sup> Also excluded are all other matches that are not fastened into a matchbook cover such as wooden matches, stick matches, box matches, kitchen matches, pocket matches, penny matches, household matches, strike-anywhere matches (*aka* “SAW” matches), strike-on-box matches (*aka* “SOB” matches), fireplace matches, barbeque/grill matches, fire starters, and wax matches.

### Analysis of Comments Received

All issues raised in this review are addressed in the Issues and Decision Memorandum. The issues discussed in the Issues and Decision Memorandum include the likelihood of continuation or recurrence of a countervailable subsidy and the net countervailable subsidy likely to prevail if the CVD *Order* were revoked. Parties can find a complete discussion of all issues raised in this expedited sunset review and the corresponding recommendations in this public memorandum which is on file electronically via the Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic System (ACCESS).<sup>8</sup> ACCESS is available to registered users at <http://access.trade.gov> and to all parties in the Central Records Unit, Room 7046 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at <http://enforcement.trade.gov/frn/index/html>. The signed Issues and Decision Memorandum and the electronic versions of the Issues and Decision Memorandum are identical in content.

### Final Results of Review

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<sup>7</sup> The gross distinctions between commodity matchbooks and promotional matchbooks may be summarized as follows: (1) if it has no printing, or is printed with a generic message such as “Thank You” or a generic image such as the American Flag, or printed with national or regional store brands or corporate brands, it is commodity; (2) if it has printing, and the printing includes the name of a bar, restaurant, resort, hotel, club, café/coffee shop, grill, pub, eatery, lounge, casino, barbecue, or individual establishment prominently displayed on the matchbook cover, it is promotional.

<sup>8</sup> On November 24, 2014, Enforcement and Compliance changed the name of Enforcement and Compliance’s AD and CVD Centralized Electronic Service System (“IA ACCESS”) to AD and CVD Centralized Electronic Service System (“ACCESS”): <http://ia.access.trade.gov> to <http://access.trade.gov>. The Final Rule changing the references to the Regulations can be found at 79 FR 6906 (November 20, 2014).

Pursuant to sections 752(b)(1) and (3) of the Act, we determine that revocation of the CVD order on commodity matchbooks from India would be likely to lead to continuation or recurrence of a net countervailable subsidy at the rates listed below:

Manufacturers/exporters/producers	Net countervailable subsidy (percent)
Triveni Safety Matches Pvt. Limited	9.88
All Others	9.88

Notification Regarding Administrative Protective Order

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of the return or destruction of APO materials or conversion to judicial protective orders is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

The Department is issuing and publishing these final results and this notice in accordance with sections 751(c), 752(b), and 777(i)(1) of the Act.

Dated: March 3, 2015.

Paul Piquado,  
Assistant Secretary  
for Enforcement and Compliance.

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