

**ntegrity**

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**Integrity Sourcing LLC**

**ICPA Secretary**  
**COAC AD/CVD Working Group (7 years)**  
**Trade Leadership Council, Trade Support Network (TSN)**

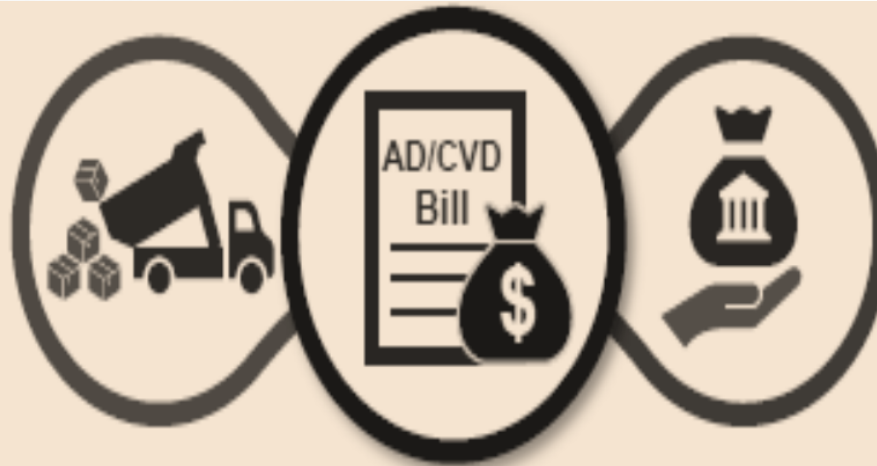
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# AD/CVD Basics

## Dumping

Goods sold in U.S. below the sale price in the producer's "home market" or below cost of production

**A-570-967-000**



## AD/CVD Duties

Offset the dumping and/or subsidy value to level the playing field for injured U.S. industries

## Subsidization

Foreign subsidized industries sell goods at lower prices in the U.S. that do not reflect market

**C-570-968-000**

[https://www.trade.gov/sites/default/files/2021-12/How-Dumping-and-Unfair-Subsidies-Impact-Trade\\_OC.mp4](https://www.trade.gov/sites/default/files/2021-12/How-Dumping-and-Unfair-Subsidies-Impact-Trade_OC.mp4)

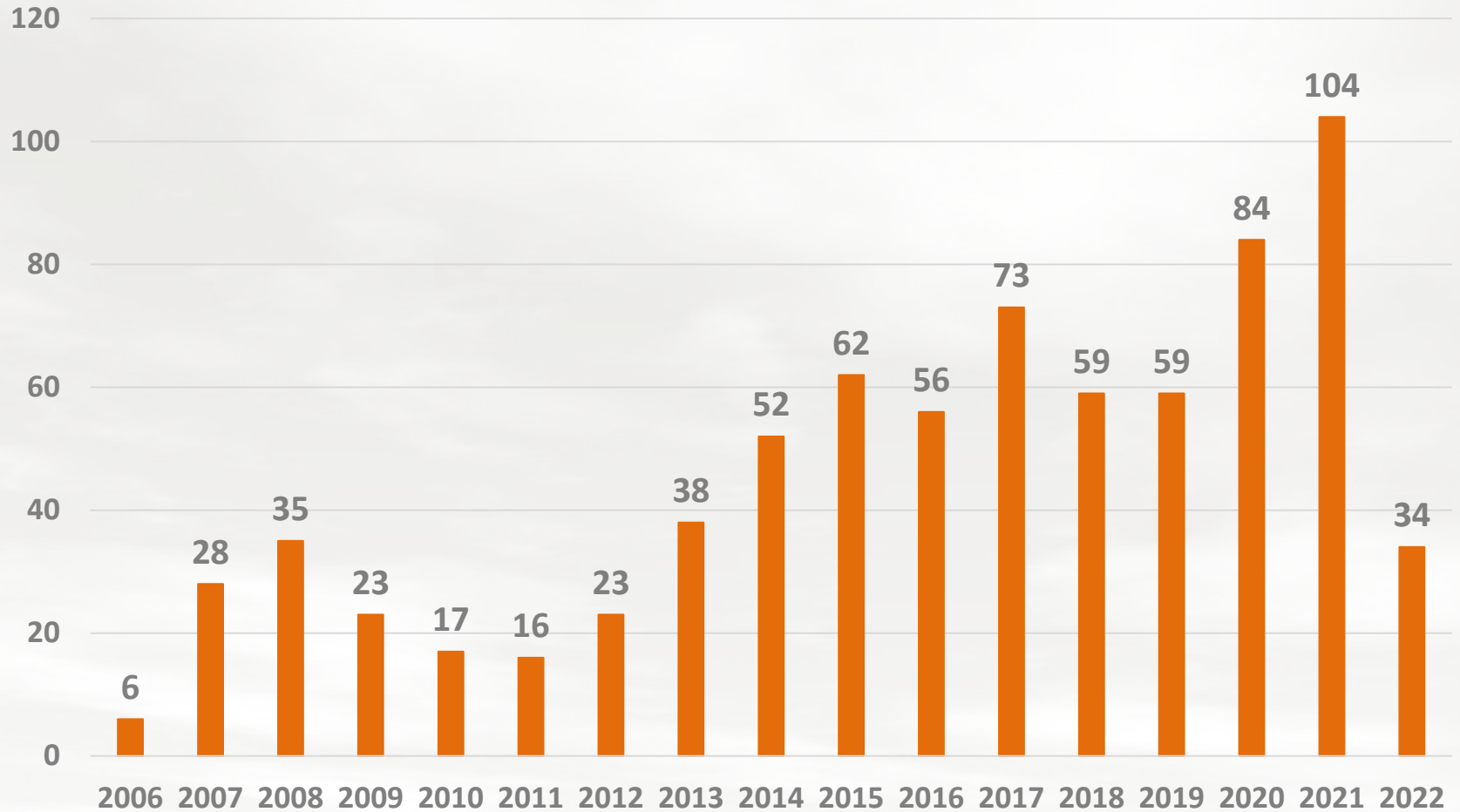
# Department of Commerce

- Department of Commerce (DOC) is the Administering Authority for AD/CVD in the U.S. Government
- International Trade Administration (ITA)  
<https://www.trade.gov/us-antidumping-and-countervailing-duties>
- International Trade Commission (ITC)  
[https://www.usitc.gov/trade\\_remedy.htm](https://www.usitc.gov/trade_remedy.htm) (injury/sunset reviews)  
[https://www.usitc.gov/trade\\_remedy/adcvd\\_handbook.htm](https://www.usitc.gov/trade_remedy/adcvd_handbook.htm)
- **Partner Government Agencies**
  - U.S. Customs & Border Protection (CBP)
  - Food & Drug Administration (FDA)
  - [Immigration & Customs Enforcement \(ICE\)/\(HSI\)](#)
  - [Dept of Justice \(DOJ\)](#) – False Claims Act

# Department of Commerce



# AD/CVD New Investigations





# AD/CVD New Investigations

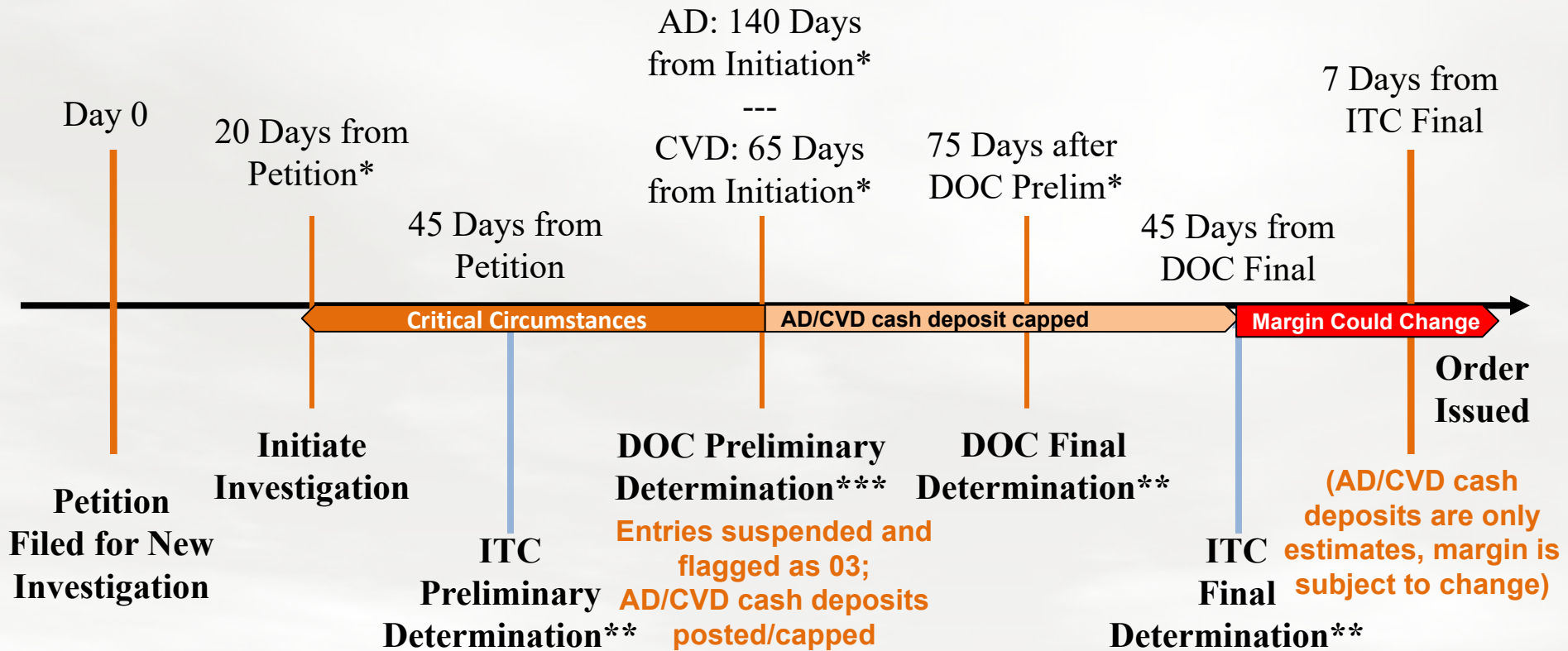
- **CBP CSMS Messaging**

## CSMS Messages Help with Increased Communication to the Trade

CBP and the U.S. Department of Commerce, following a recommendation of the Commercial Operations Advisory Committee for increased communication to the trade about AD/CVD, have been publishing CSMS messages. They advise the trade community when the Commerce Department initiates new antidumping and countervailing duty investigations. These messages provide the trade with important, timely notifications of these new proceedings. These include the following messages:

- <https://www.cbp.gov/trade/automated/cargo-systems-messaging-service>
- First detailed notification of scope; HTS provided for convenience only.
- **CSMS# 16-000137** - [Initiation of AD/CVD Investigations: Truck and Bus Tires from PRC](#)
- [CSMS# 18-000602](#) - Initiation of ADD Investigation: Mattresses from the PRC (1,001% All Other Rate)

# Statutory Timeline of an AD/CVD Investigation

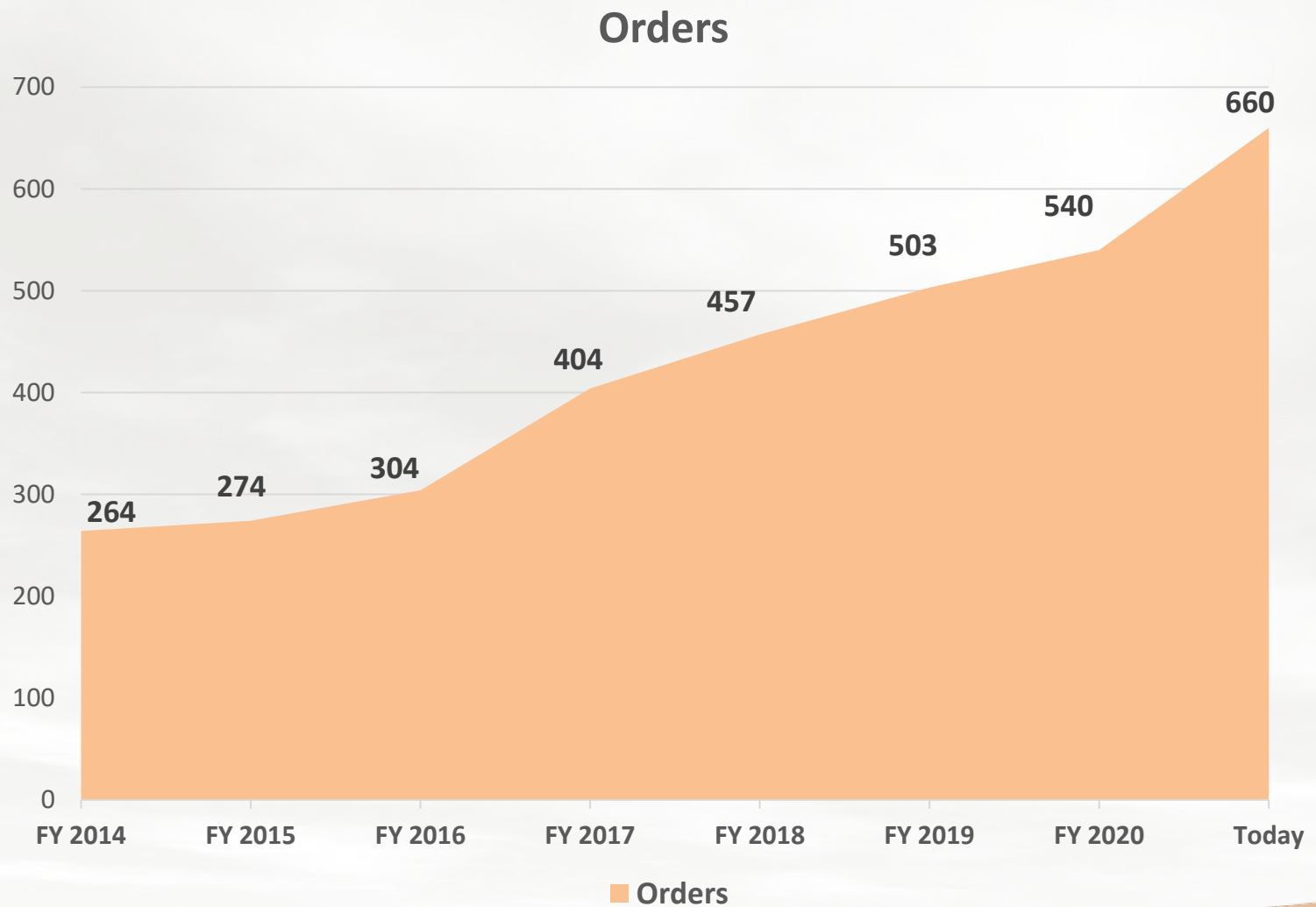


\* These dates may be extended; CVD final may be aligned with AD final (267 to 384 days).

\*\* If negative determination, the investigation ends.

\*\*\* DOC issues instructions suspending liquidation; If Affirmative Finding of Critical Circumstances: Suspension is retroactive 90 days <https://www.cbp.gov/document/guidance/understanding-critical-circumstances-adcvd>

# AD/CVD Orders Increasing



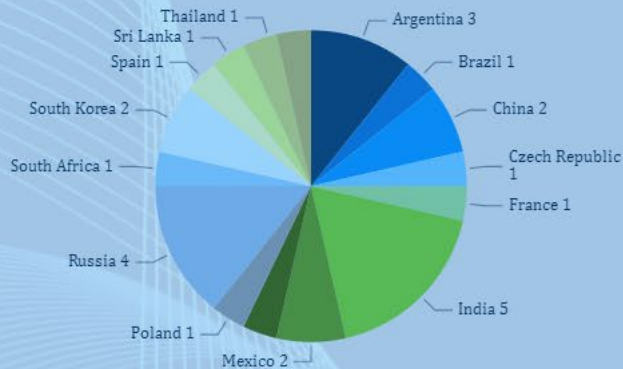


# AD/CVD Orders in Place

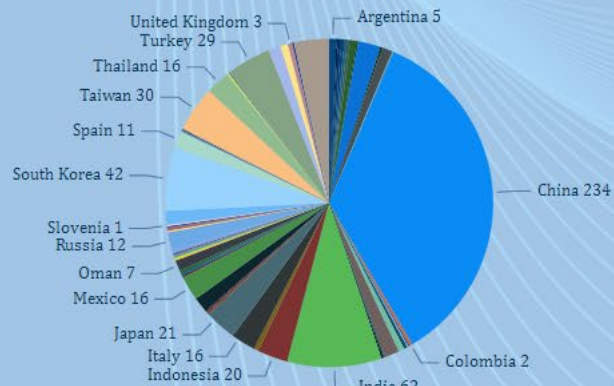
[ADCVD Proceedings \(trade.gov\)](https://trade.gov)

## AD/CVD Proceedings

### Investigations



### Orders/Suspension Agreements



28

Investigations

[Click here for investigation details.](#)

660

Orders

[Click here for order and suspension agreement details.](#)

7

Suspension Agreements

To search for orders by HTS, view current scope information or review upcoming deadlines, please use our [search portal](#).

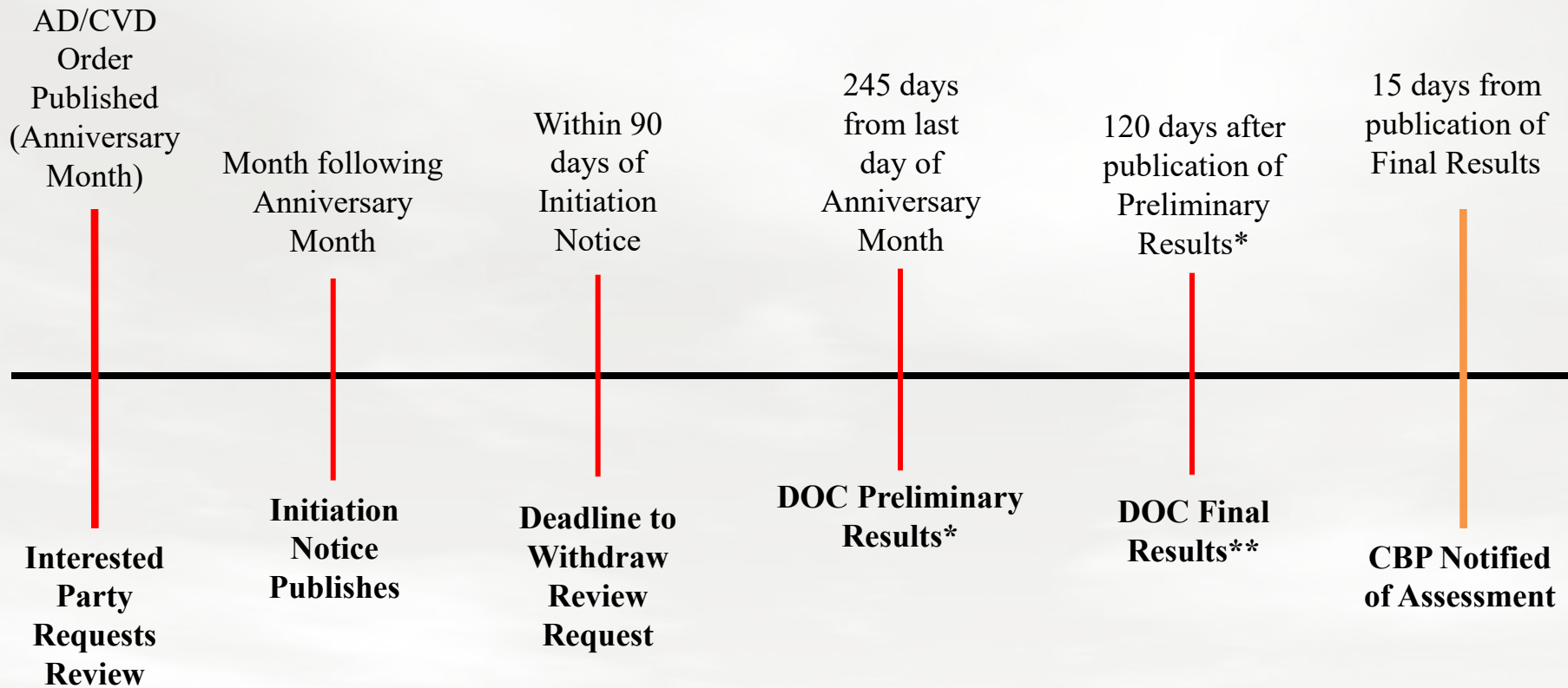


# AD/CVD Orders in Place

Commodity	%
Iron, Steel, Metals	57%
Chemicals/Pharma	13%
Agriculture	8%
Misc.	5%
Textiles & Apparel	4%
Machinery & Equip	4%
Plastics	6%
Transportation	3%
Grand Total	100%

Country	%
China	34%
India	8%
Korea	6%
Taiwan	5%
Turkey	5%
Vietnam	3%
Indonesia	3%
Japan	3%
Brazil	2%
Italy	2%
Mexico	2%
Thailand	2%
Malaysia	2%
Germany	2%
Spain	2%
Other	20%

# AD/CVD Administrative Review Timeline



\* This date may be extended to 365 days.

\*\* This date may be extended to 180 days.

# Administrative Review

## Wooden Bedroom Furniture A-570-890

ACE | AD-CVD application

aceservices.cbp.dhs.gov/adcvdweb/#messageDetails

U.S. Customs & Border Protection  
U.S. Department of Homeland Security

**Search**

A-570-890

Clear Search

[Advanced Search](#)

**What's New**

**Technical Support**

**Help**

For further questions about antidumping and countervailing duties please visit:  
<http://www.cbp.gov/trade/priority-issues/adcvd>

<b>Message Type</b>	LIQ-Liquidation	<b>Message Date</b>	06/17/2019	<b>Ref Message #</b>	
<b>Message Sub-type</b>	ADMIN RVW-Administrative Rvw	<b>Inactivated Date</b>		<b>Short Case name</b>	Wooden Bedroom Furniture
<b>Category</b>	AD	<b>FR Cite</b>	84 FR 24749	<b>Principal Case #s</b>	A570890
<b>Access Type</b>	Public	<b>FR Date</b>	05/29/2019	<b>Third Country Case #s</b>	
<b>POI/POR Date</b>	01/01/2017 - 12/31/2017	<b>Effective Date</b>	05/29/2019		
<b>Period Covered</b>	-	<b>Notice of lifting of suspension Date</b>	05/29/2019		
<b>Message Title (RE)</b>	Liquidation instructions for wooden bedroom furniture from the China exported by multiple companies that are part of the China-wide entity for the period 01/01/2017 through 12/31/2017 (A-570-890)				

Message Body

1. In Commerce's final results, 84 FR 24749, 05/29/2019, Commerce determined that the following exporters are not eligible for a separate rate and are considered part of the China-wide entity:

Exporter: Decca Furniture Ltd.  
Exporter: Dongguan Kingstone Furniture Co., Ltd.; Kingstone Furniture Co., Ltd.  
Exporter: Kunshan Summit Furniture Co., Ltd.  
Exporter: Qingdao Liangmu Co., Ltd.  
Exporter: Restonic (Dongguan) Furniture Ltd.; Restonic Far East (Samoa) Ltd.  
Exporter: Rizhao Sanmu Woodworking Co., Ltd.  
Exporter: Techniwood Industries Ltd.; Ningbo Furniture Industries Ltd.; Ningbo Hengrun Furniture Co., Ltd.  
Exporter: Zhangjiagang Zheng Yan Decoration Co., Ltd

Therefore, for all shipments of wooden bedroom furniture from China which were exported by the firms listed



# Administrative Review

## Wooden Bedroom Furniture A-570-890 (2005 Order)

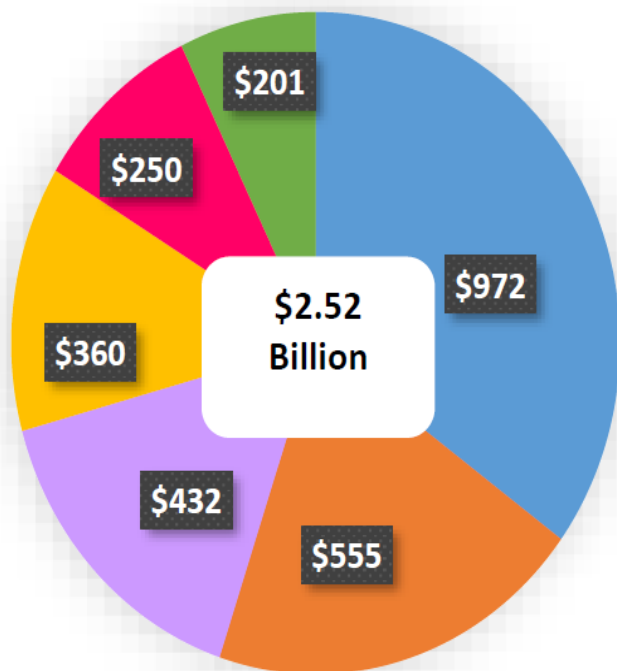
- **Retrospective Change in AD/CVD Margin (FR 5/29/2019)**
  - “For all shipments of wooden bedroom furniture from China entered, or withdrawn from warehouse, for consumption during the period 01/01/2017 through 12/31/2017, assess an antidumping duty liability equal to 216.01% of the entered value of subject merchandise.
  - Entries may have entered under the following case numbers: A-570-890-132; A-570-890-018; A-570-890-036; A-570-890-045; A-570-890-046; A-570-890-047; A-570-890-067; A-570-890-084.” These cases had shipper rates of 29.89%.
  - Unless instructed otherwise, “you shall continue to collect cash deposits of estimated AD/CVD for the merchandise at the current cash deposit rates or per-unit amounts.”



# Uncollected Debt

## Wooden Bedroom Furniture

### Top Products for Uncollected AD/CVD



- Fresh Garlic (A-570-831)
- Wooden Bedroom Furniture (A-570-890)
- Preserved Mushrooms (A-570-851)
- Freshwater Crawfish Tail Meat (A-570-848)
- Frozen Fish Fillets (A-552-801)
- Honey (A-570-863)

\*All dollar amounts, unless otherwise specified, are representative of million-dollar amounts.



**AD/CVD as Priority Trade Issue (PTI)**

# CBP's Focus on AD/CVD as PTI

<https://cbptrade.my.site.com/ADCVDTradeRemedies/s/>

Home

About ▾

AD/CVD Topics Areas ▾

Trade Remedies Topics Areas ▾

## Antidumping and Countervailing Duties & Trade Remedies



<https://www.cbp.gov/trade/automated/cargo-systems-messaging>

Trade Remedies

# CBP's Focus on AD/CVD as PTI

Priority Trade Issue: Antidumping

cbp.gov/trade/priority-issues/adcvd

Trade

- Basic Importing and Exporting
- Forced Labor
- ACE and Automated Systems
- Programs and Administration

Priority Trade Issues

- Antidumping and Countervailing Duties
  - Continued Dumping and Subsidy Offset Act
- Intellectual Property Rights
- Import Safety
  - Revenue
- Textiles
- Trade Agreements

## Priority Trade Issue: Antidumping and Countervailing Duties

When the Department of Commerce finds that imported merchandise was sold in the U.S. at an unfairly low or subsidized price, to level the playing field for U.S. companies injured by these unfair trade practices, CBP is responsible for collecting the Antidumping and Countervailing Duties (AD/CVD) in a timely manner.

The goal of this AD/CVD Priority Trade Issue is to detect and deter circumvention of the AD/CVD law, to liquidate final duties timely and accurately, while at the same time facilitating legitimate trade.

- Enforce and Protect Act
- Executive Order Establishing Enhanced Collection and Enforcement of AD/CVD
- AD/CVD SCAM ALERT
- AD/CVD Enforcement Updates
- AD/CVD Brochure
- AD/CVD Enforcement Actions and Initiatives FY 2015

## AD/CVD Program and Guidelines

- AD/CVD Case Data
- AD/CVD Frequently Asked Questions
- AD/CVD Search
- Department of Commerce (DOC)

### AD/CVD Tweets

Curated Tweets by @CBPTradeGov

**CBP Office of Trade** @CBPTradeGov

#CBP published new ACE message 1159403 "Notice of affirmative preliminary determination: antidumping duty investigation of polyester textured yarn from Indonesia (A-560-838), and Malaysia (A-557-823, 1159406). Find these messages and more at [go.usa.gov/x6Na6](https://go.usa.gov/x6Na6). #CBPTrade

Jun 14, 2021

**CBP Office of Trade** @CBPTradeGov

#CBP published six new ACE messages concerning antidumping duty orders on prestressed concrete steel wire...



# CBP FAQ

<https://www.cbp.gov/trade/priority-issues/adcvd/antidumping-and-countervailing-duties-adcvd-frequently-asked-questions>

The screenshot shows a web browser window with the URL <https://www.cbp.gov/trade/priority-issues/adcvd/antidumping-and-countervailing-duties-adcvd-frequently-asked-questions>. The page title is "Antidumping and Countervailing Duties (AD/CVD) Frequently Asked Questions". On the left, there is a navigation menu with links to "Trade", "Basic Importing and Exporting", "ACE and Automated Systems", "Programs and Administration", "Priority Trade Issues", "Antidumping and Countervailing Duties", "Continued Dumping and Subsidy Offset Act", "Import Safety", "Revenue", "Textiles", "Trade Agreements", and "Rulings and Legal Decisions". The main content area is titled "Frequently Asked Questions" and contains a list of questions and answers. A "Printer-friendly version" button is located in the top right corner of the content area. The bottom of the page shows a taskbar with a PDF file named "Fall\_2018\_ADCVD....pdf" open.

Antidumping and Countervailing Duties (AD/CVD) Frequently Asked Questions

Printer-friendly version

Frequently Asked Questions

- ▶ What is dumping?
- ▶ What is subsidization? Are all subsidies countervailable?
- ▶ What is the purpose of the antidumping and countervailing duty laws?
- ▶ What are the roles of the United States International Trade Commission (ITC), Department of Commerce (Commerce), and the United States Customs and Border Protection (CBP) with regard to Antidumping and Countervailing Duty (AD/CVD) Proceedings?
- ▶ When does suspension of liquidation and collection of AD/CVD begin?
- ▶ What are critical circumstances and what happens if it is determined that critical circumstances exist?
- ▶ How does a preliminary determination differ from a final determination?



# CBP AD/CVD Enforcement FY 20-21

- \$94.2 million in AD/CVD from Entry Summary Reviews
- \$203 million in AD/CVD from Audits (solar panels, aluminum foil, tires, wooden bedroom furniture, steel)
- \$30 million in monetary penalties for fraud and negligence (truck tires, nails, solar panels)
- 84 Enforce & Protect Act ([EAPA](#)) Investigations; 131 total
- **CBP's Focus on Importer Compliance**
  - Importers using wrong AD/CVD Case Number
  - Importers paying ADD Deposit, but not CVD Deposit
  - Importers using wrong MID/Supplier (CSMS Message)
  - Importers declaring 01 vs. 03 AD/CVD entry type

# CBP Audits and Enforcement Updates

<https://www.cbp.gov/trade/priority-issues/adcvd/enforcement-updates>

## 19 USC § 1592 Cases for AD/CVD violations through August 2015

CBP assessed 17 penalties, under 19 USC 1592, for AD/CVD violations, with a total value of \$4,434,156, through the end of August 2015 for the following commodities:

Aluminum Extrusions  
Bedroom Furniture  
Cast Iron Flanges  
Citric Acid and Sodium Citrate  
Laminated Woven Sacks  
Pencils  
Petroleum Wax Candles  
Polyester Staple Fiber  
Polyethylene Bags  
R-134A Refrigerant Gas  
Seamless Carbon & Alloy Steel  
Tires

## Fiscal Year 2015 19 U.S.C. §1592 Penalties for AD/CVD Violations.

During FY 2015, U.S. Customs and Border Protection, CBP, assessed penalties under 19 U.S.C. §1592 for fraud, gross negligence, and negligence for AD/CVD violations for more than \$51 million. The penalties covered imports of commodities such as: aluminum extrusions, bedroom furniture, carbon and alloy steel, citric acid and sodium citrate, laminated woven sack, large diameter line pipe, pencils, petroleum candles, polyethylene bags, and tires.

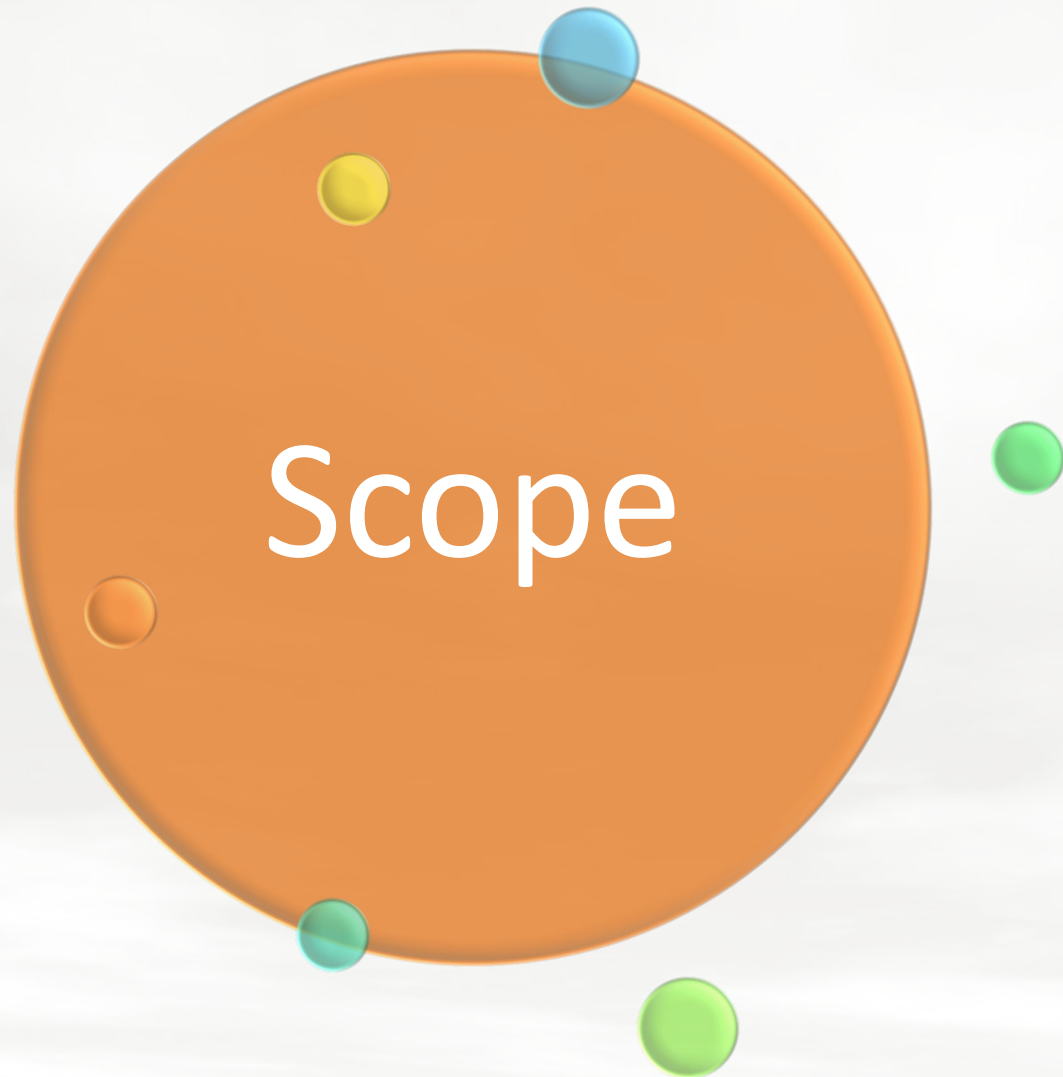
## AD/CVD Enforcement Updates

### Selected Fiscal Year 2014 Highlights

- CBP collected \$508.5 million in AD/CVD cash deposits, a 12 percent increase from FY 2013.
- CBP conducted 78 audits of importers of AD/CVD commodities with AD/CVD discrepancies of \$24.6 million. CBP collected \$8.5 million. Commodities involved in the audits include aluminum extrusions, bearings, candles, nails, lock washers, pencils, plastic bags, ribbons, shrimp, solar cells, steel pipe, tires, tissue paper, wooden bedroom furniture, and wood flooring.

### Audit of Antidumping Duties

CBP's Regulatory Audit division completed an audit and found an importer underpaid antidumping duties of \$5.6 million as the company claimed an antidumping rate of 71.71 percent instead of the actual 128.32 percent. The company was referred for audit based on concerns about the company importing xanthan gum from China without paying the correct duties.



**DOC Scope Proceedings**

# Scope Proceedings

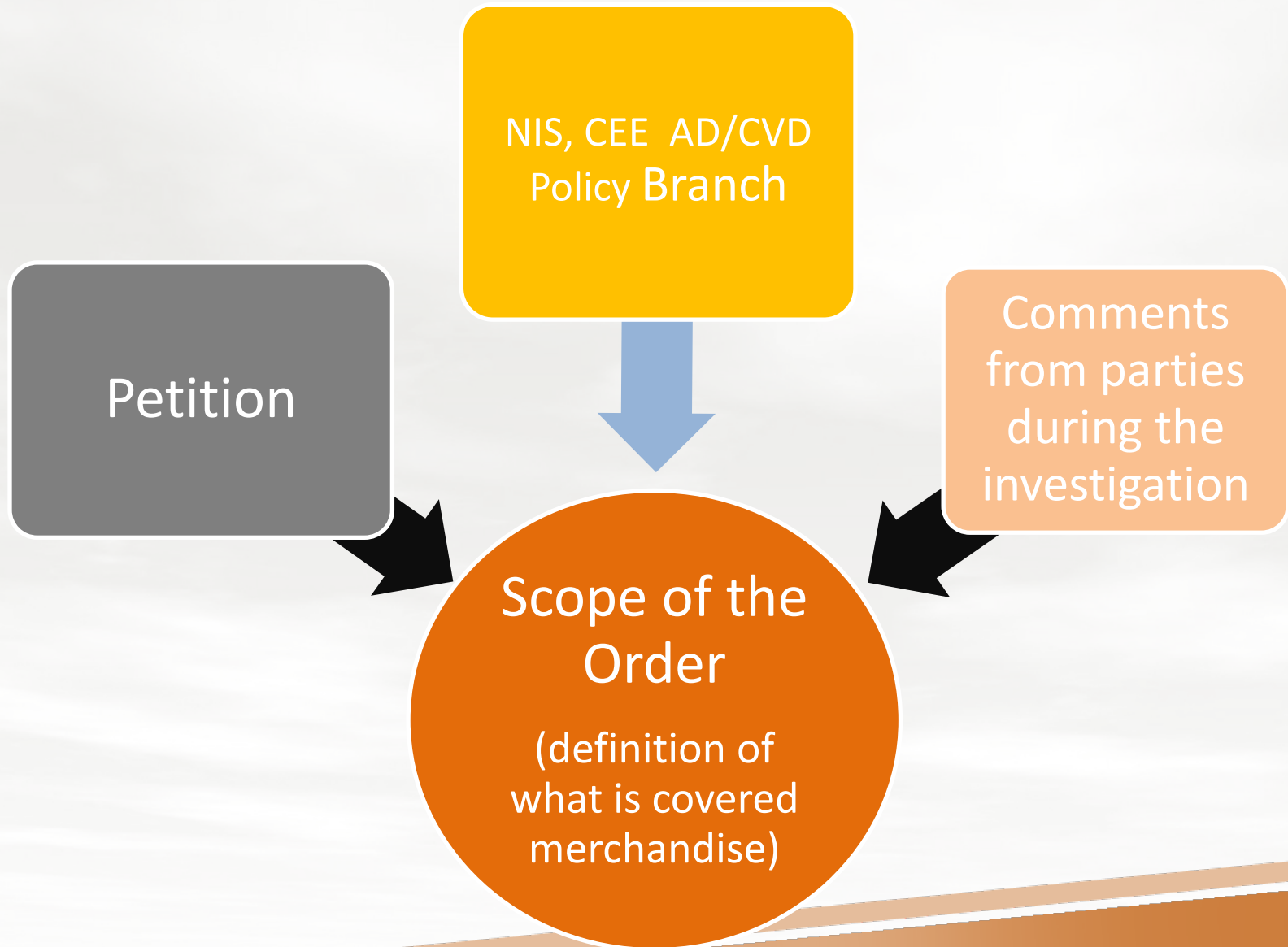
## Scope Rulings

- Clarification of the scope coverage of the original AD/CVD order
- Scope determinations are independent from HTS classification determinations by CBP

## Changed Circumstance Reviews

- Domestic parties are no longer interested in covering certain products under a particular AD/CVD order
- Successorship, e.g., changes in the structure of a respondent, such as a merger or spinoff

# Pre-Order Scope





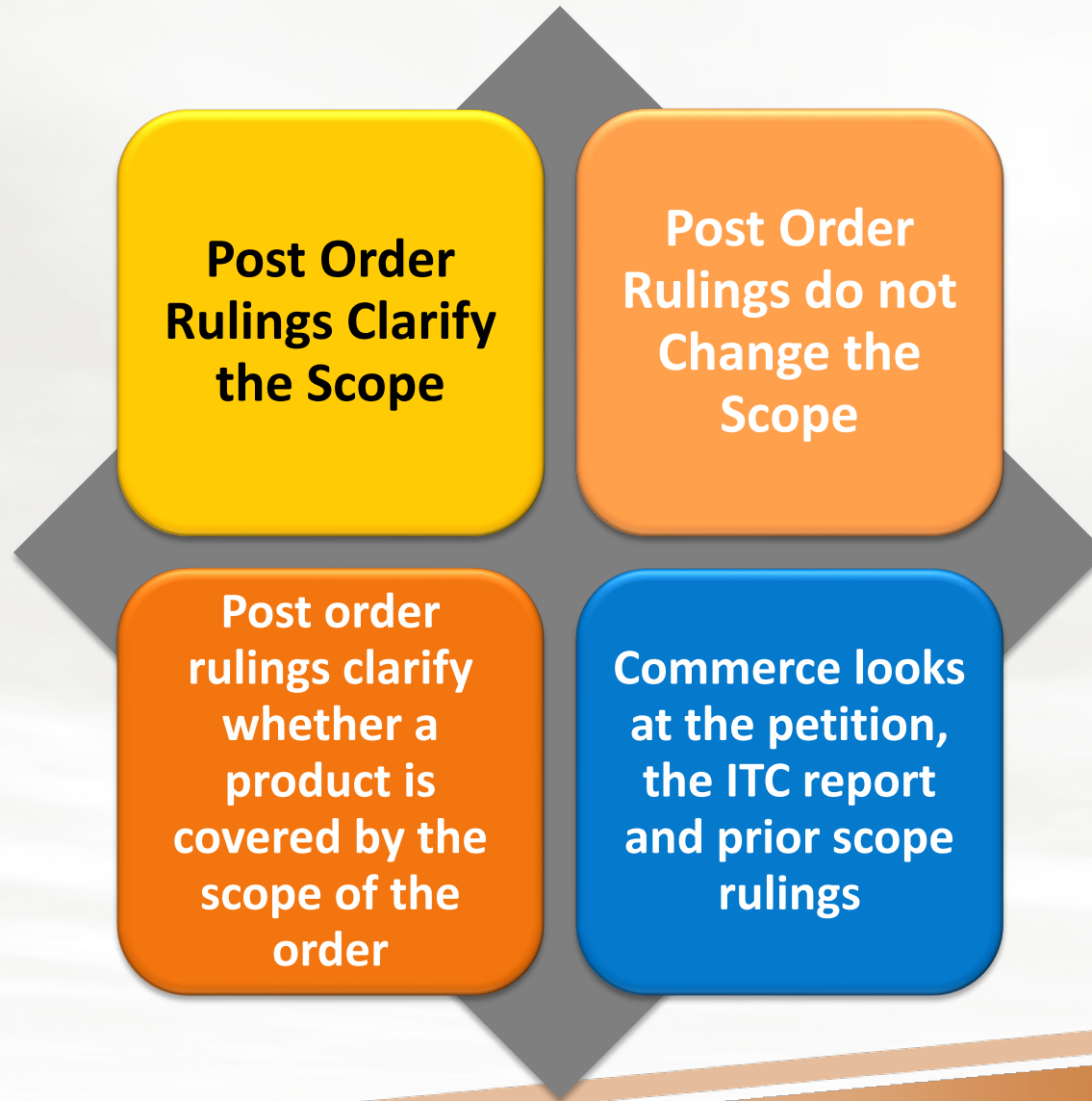
# Post-Order Scope

## Scope of the AD/CVD Order

Narrative  
Description is  
dispositive

HTSUS numbers are  
for convenience  
only

# Post-Order Scope Determinations



# Other DOC Proceedings

## New Shipper

- **Parties that have recently begun to export to the United States can request a New Shipper Review**
- **Covers 6-12 month of imports**

## Sunset

- **Every 5 Years, Order is Reviewed**
- Commerce determines whether revocation of an AD/CVD order would lead to a continuation of dumping or a countervailable subsidy; ITC determines whether revocation or termination would lead to continued or recurring material injury to the domestic industry

## Anti-Circumvention

- **Clarification of the scope of an existing order**
- Products that underwent U.S. or third country processing or assembly
- Products that underwent minor alterations
- Later developed merchandise

# New DOC Regulations

New Regulation	Effective October 20, 2021
<b>New Petition/ Initiation Period</b>	Comments for industry support of a petition filed within 5 business days before scheduled date of decision on initiation date; rebuttal comments within 2 calendar days from the scheduled date for filing the comments.
<b>New Shipper Review</b>	Codifies requiring cash deposits on new shipper review and no bonds to prevent prior fraudulent behavior.
<b>Certifications</b>	Codifies DOC's authority to request certifications and provides a process for doing so via Digital Imaging System (DIS) in ACE and consequences for not complying with request.
<b>Importer Reimbursement Certificate</b>	<p>DOC revised the regulation to no longer require a specific format for the certification and to allow for either electronic or paper filing in accordance with CBP's procedures in ACE.</p> <p><a href="http://www.cbp.gov/sites/default/files/documents/guidance_for_cert_3.pdf">http://www.cbp.gov/sites/default/files/documents/guidance_for_cert_3.pdf</a></p> <p>The revisions also clarify that certifications are required prior to liquidation but allow for CBP to accept certifications in accordance with its protest procedures.</p>

# New DOC Regulations

New Regulation	Effective November 4, 2021
<b>Scope Rulings &amp; Circumvention Proceedings</b>	<p>Commerce adopted numerous procedural and substantive changes:</p> <ul style="list-style-type: none"><li>• Eliminating “informal inquiry” proceedings;</li><li>• Standardized scope ruling application and guide;</li><li>• Streamlining initiation, notice, service, and adopting new regulatory deadlines.</li><li>• New Annual Inquiry Service List</li><li>• DOC now has 30 days to accept or reject a scope ruling application; applications that are not rejected are deemed accepted and a scope inquiry will be initiated.</li><li>• Scope inquiries must be completed within 120 days or, if extended, within 300 days. DOC can also align scope deadlines with other proceedings</li><li>• Strengthening suspension of liquidation regulations, regardless of when a scope ruling is requested, as appropriate.</li></ul>
<b>Covered Merchandise Referrals (EAPA)</b>	<p>Allows DOC to use the standards and analysis from its scope and circumvention regulations in determining whether a product is covered by the scope of the order.</p> <p>These regulations also allow Commerce flexibility to ensure that entries subject to an EAPA investigation remain properly subject to suspension of liquidation during the conduct of Commerce’s covered merchandise inquiry.</p>

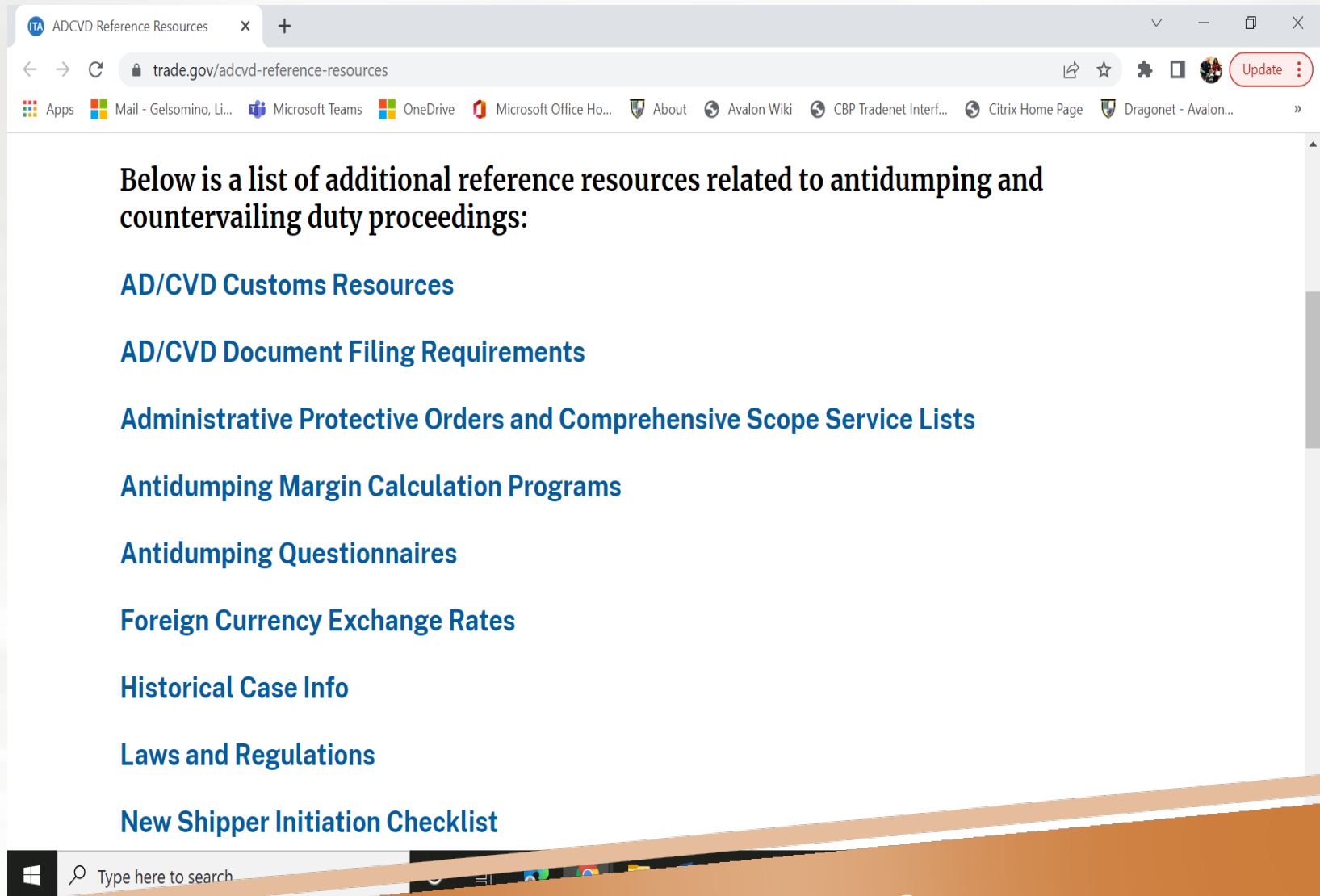


# New DOC Regulations

Reference	Link
<b>DOC New AD/CVD Regulations/Laws</b> <i>Final Rule 9/20/21</i>	<a href="https://www.federalregister.gov/documents/2021/09/20/2021-17861/regulations-to-improve-administration-and-enforcement-of-antidumping-and-countervailing-duty-laws">https://www.federalregister.gov/documents/2021/09/20/2021-17861/regulations-to-improve-administration-and-enforcement-of-antidumping-and-countervailing-duty-laws</a>
<b>19CFR Part 351</b>	<a href="https://www.ecfr.gov/current/title-19/chapter-III/part-351">https://www.ecfr.gov/current/title-19/chapter-III/part-351</a>
<b>Annual Inquiry Service List</b>	<a href="https://www.federalregister.gov/documents/2021/09/27/2021-19443/scope-ruling-application-annual-inquiry-service-list-and-informational-sessions">https://www.federalregister.gov/documents/2021/09/27/2021-19443/scope-ruling-application-annual-inquiry-service-list-and-informational-sessions</a>
<b>AD/CVD Regulations Update</b>	<a href="https://www.trade.gov/2021-adcvt-regulations-update">https://www.trade.gov/2021-adcvt-regulations-update</a>
<b>New ITA Page</b>	<a href="https://www.trade.gov/us-antidumping-and-countervailing-duties">https://www.trade.gov/us-antidumping-and-countervailing-duties</a>
<b>Scope Rulings Page</b>	<a href="https://legacy.trade.gov/enforcement/operations/scope/index.asp">https://legacy.trade.gov/enforcement/operations/scope/index.asp</a>
<b>Scope Ruling Application (12 pp)</b>	<a href="https://access.trade.gov/help/Scope_Ruling_Application.pdf">https://access.trade.gov/help/Scope_Ruling_Application.pdf</a>
<b>Scope Ruling Guide (24 pp)</b>	<a href="https://access.trade.gov/help/Scope_Ruling_Guidance.pdf">https://access.trade.gov/help/Scope_Ruling_Guidance.pdf</a>
<b>New ACCESS Page/FRNs</b>	<a href="https://www.trade.gov/review-or-submit-adcvt-proceedings-documents">https://www.trade.gov/review-or-submit-adcvt-proceedings-documents</a>
<b>ITA Trade Resources</b>	<a href="https://access.trade.gov/Resources/ADCVD_Resources.aspx">https://access.trade.gov/Resources/ADCVD_Resources.aspx</a>

# ITA Reference Resources

<https://www.trade.gov/adcvd-reference-resources>



# Scope Decisions

<https://legacy.trade.gov/enforcement/operations/scope/index.asp>

ITA EC ADCVD Case Announcements x Antidumping and Countervailing x +

legacy.trade.gov/enforcement/operations/scope/index.asp

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Other bookmarks Reading list

DEPARTMENT OF COMMERCE  
UNITED STATES OF AMERICA  
INTERNATIONAL  
TRADE  
ADMINISTRATION

Contact Us Careers Help FAQs Find Local Export Assistance Zip Code Go

f t b l i m Search Trade.gov Search

ABOUT ITA TRADE TOPICS SERVICES DATA & ANALYSIS PROGRAMS PUBLICATIONS PRESS

**Scope Information**  
Supplemental Information  
How to Request a Scope Ruling

**Contact Information**  
Enforcement and Compliance  
Customs Liaison Unit  
(202) 482-0984  
Enforcement and Compliance  
International Trade  
Administration

**Antidumping and Countervailing Duty Scope Descriptions and Determinations**  
The International Trade Administration, Enforcement and Compliance Unit provides descriptions of the scope of products covered by antidumping (AD) and countervailing duty (CVD) orders.  
Select from the list of countries below to view its list of products subject to rulings and to access any applicable determinations that clarify, or specifically include or exclude products from the scope of an AD or CVD order. These lists will be updated quarterly.  
Supplemental information about these determinations can be found [here](#). If you have questions about this information, contact the Customs Liaison Unit.  
Select a country in the drop down box for a listing of products subject to an AD or CVD order.

China

# Scope Decisions

<https://legacy.trade.gov/enforcement/operations/scope/index.asp>


ITA U.S. Antidumping and Countervailing Duty Enforcement Division

AD/CVD order on products from

legacy.trade.gov/enforcement/operations/scope/country/china/index.asp

Apps Mail - Gelsomino, Li... Microsoft Teams OneDrive Microsoft Office Ho... About Avalon Wiki CBP Tradenet Interf... Citrix Home Page Dragonet - Avalon...

<b>A-570-939</b>	Tow-Behind Lawn Groomers And Parts Thereof
<b>A-570-040</b>	Truck and Bus Tires
<b>C-570-041</b>	Truck and Bus Tires
<b>A-570-131</b>	Twist Ties
<b>C-570-132</b>	Twist Ties
<b>A-570-928</b>	Uncovered Innerspring Units
<b>A-570-981</b>	Utility Scale Wind Towers
<b>C-570-982</b>	Utility Scale Wind Towers
<b>A-570-110</b>	Vertical Metal File Cabinets
<b>C-570-111</b>	Vertical Metal File Cabinets
<b>A-570-890</b>	Wooden Bedroom Furniture
<b>A-570-106</b>	Wooden Cabinets and Vanities and Components Thereof
<b>C-570-107</b>	Wooden Cabinets and Vanities and Components Thereof
<b>A-570-117</b>	Wood Mouldings and Millwork Products
<b>C-570-118</b>	Wood Mouldings and Millwork Products
<b>A-570-951</b>	Woven Electric Blankets
<b>A-570-985</b>	Xanthan Gum





# Scope Decisions

<https://legacy.trade.gov/enforcement/operations/scope/index.asp>

The screenshot shows a web browser window with the URL [legacy.trade.gov/enforcement/operations/scope/country/china/products/prc-wooden-bedroom-furniture-ad.asp](https://legacy.trade.gov/enforcement/operations/scope/country/china/products/prc-wooden-bedroom-furniture-ad.asp). The page has a blue header with the U.S. Department of Commerce logo and the text "U.S. Antidumping and Countervailing Duty Administration". The main content area is divided into two columns. The left column contains a "Contact Information" section with the following text: "Enforcement and Compliance Customs Liaison Unit (202) 482-0984" and "Enforcement and Compliance International Trade Administration". The right column contains the main text of the scope decision. The text describes the product covered by the order as wooden bedroom furniture, which 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, oriented 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) hests-on-chests \1\, highboys \2\, lowboys \3\, chests of drawers \4\, chests \5\, door chests \6\, chiffoniers \7\, hutches \8\, and armoires \9\; (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. A yellow box highlights the following text: "The scope of the Petition 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 \10\; (9) jewelry armories \11\; (10) cheval mirrors \12\ (11) certain metal parts \13\ (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 dresser-mirror set."

**Contact Information**

Enforcement and Compliance  
Customs Liaison Unit  
(202) 482-0984

Enforcement and Compliance  
International Trade  
Administration

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, oriented 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) hests-on-chests \1\, highboys \2\, lowboys \3\, chests of drawers \4\, chests \5\, door chests \6\, chiffoniers \7\, hutches \8\, and armoires \9\; (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.

The scope of the Petition 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 \10\; (9) jewelry armories \11\; (10) cheval mirrors \12\ (11) certain metal parts \13\ (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 dresser-mirror set.



# Scope Decisions

<https://legacy.trade.gov/enforcement/operations/scope/index.asp>

U.S. Antidumping and Countervailing Duty Proceedings: Wooden Bedroom Furniture from China

legacy.trade.gov/enforcement/operations/scope/country/china/products/prc-wooden-bedroom-furniture-ad.asp

Imports of subject merchandise are classified under statistical category 9403.50.9040 of the HTSUS as "wooden \*\*\* beds" and under statistical category 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 also be entered under statistical category 9403.50.9040 of the HTSUS as "parts of wood" and framed glass mirrors may also be entered under statistical category 7009.92.5000 of the HTSUS as "glass mirrors \*\*\* framed." This investigation covers all wooden bedroom furniture meeting the above description, regardless of tariff classification. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this proceeding is dispositive.

\1\ 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.

\2\ 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).

\3\ A lowboy is typically a short chest of drawers, not more than four feet high, normally set on short legs.

\4\ A chest of drawers is typically a case containing drawers for storing clothing.

\5\ 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.

\6\ 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.

\7\ A chiffonier is typically a tall and narrow chest of drawers normally used for storing undergarments and lingerie, often with mirror(s) attached.

# Scope Decisions

<https://legacy.trade.gov/enforcement/operations/scope/index.asp>

U.S. Antidumping and Countervailing Duty Enforcement Operations

Wooden Bedroom Furniture from China

legacy.trade.gov/enforcement/operations/scope/country/china/products/prc-wooden-bedroom-furniture-ad.asp

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### Final Scope Rulings, Circumvention Determinations and Changed Circumstance Product Revocations

ACCESS registered E-Filers or Guests can search and view the final scope ruling on a product using the provided ACCESS bar code number at [access.trade.gov](https://access.trade.gov) (only for Rulings completed on or after August 2011)

DATE	COMPANY	PRODUCT	ACCESS barcode #
Jan 27, 2020	Zunus (Xiamen) Inc. and Zinus (Zhangshou) Inc.	Upholstered Platform Beds	3935785-01
Jan 08, 2020	Covered Merchandise Referral Memo	CBP EAPA Investigation No. 7189	3927613-01
Dec 19, 2018	Homewerks Worldwide, LLC	Bathroom Storage Units	3784762-01
Jun 26, 2018	Bassett Mirror Company, Inc.	Mazatlan and Tremont Hall Chests	3725271-01
Aug 21, 2017	C&T International, Inc.	Infant Organizer/Storate Unit	3610154-01
Aug 18, 2016	Bassett Mirror	Specialty Occasional Table Group Chests	3499044-01
Aug 18, 2016	Bassett Mirror	Bassett Mirror - Chairside Chests	3499031-01
Aug 18, 2016	Bassett Mirror	Bassett Mirror - Chairside Chests	3499029-01
Aug 18, 2016	BJ Wholesale	Bombay Chest	3499028-01
Aug 18, 2016	Curations	Curations Limited	3499026-01
Aug 04, 2016	Delta	Changing Stations	3499025-01
Feb 29, 2016	Olollo	Olollo	3499024-01

Type here to search

# Scope Case Study

## Convertible Cribs – Out of Scope

[https://legacy.trade.gov/enforcement/operations/scope/country/china/products/A570890\\_080710.pdf](https://legacy.trade.gov/enforcement/operations/scope/country/china/products/A570890_080710.pdf)

### BACKGROUND

On September 21, 2007, Dutailier Group, Inc. (“Dutailier”) filed a submission with the Department of Commerce (“Department”) requesting a scope clarification on whether convertible infant cribs it imports are included within the scope of the antidumping duty order (“Order”) on wooden bedroom furniture (“WBF”) from the People’s Republic of China (“PRC”) (“Scope Request”).

On May 27, 2008, the Department in accordance with 19 C.F.R. 351.225, preliminarily determined that certain convertible cribs covered by Dutailier’s Scope Request are not within the scope of the order on WBF from the PRC. See Memorandum to Stephen J. Claey’s from Lori E. Apodaca “Wooden Bedroom Furniture from the People’s Republic of China: Preliminary Scope Ruling on Convertible Cribs”, dated May 27, 2008 (“Preliminary Scope Ruling”).

On June 4, 2008, Dutailier submitted a comment to the Department, stating that it believed that the Preliminary Scope Ruling is correct and that no revisions are necessary. Petitioners did not provide any comments.



# Scope Case Study

## Heritage Court Bench – In Scope

[https://legacy.trade.gov/enforcement/operations/scope/country/china/products/A570890\\_080710.pdf](https://legacy.trade.gov/enforcement/operations/scope/country/china/products/A570890_080710.pdf)

### Summary

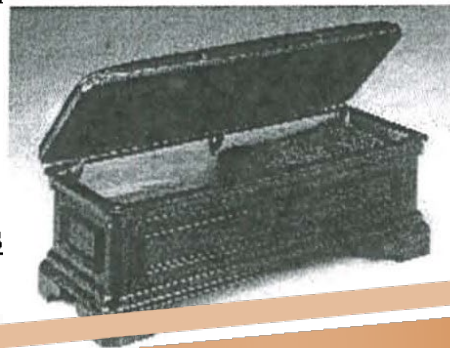
Based on the analysis below, we recommend finding that the product subject to this scope inquiry is within the scope of the antidumping duty order on wooden bedroom furniture (WBF) from the People's Republic of China (PRC). See Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Wooden Bedroom Furniture From the People's Republic of China, 70 FR 329 (January 4, 2005).

### Background

On June 16, 2010, Legacy Classic Furniture, Inc. (Legacy) requested a ruling by the Department of Commerce (Department) to determine whether the item it imports and describes as a bench (hereinafter, Heritage Court Bench) is outside the scope of the antidumping duty order. On July 28, 2010, the Department initiated 351.225(e).

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<sup>1</sup> See Legacy's June 16, 2010, scope ruling request From the People's Republic of China: Final Results (August 18, 2010)(WBF Final).



**HERITAGE COURT BENCH**

Item Number 800-4800

Leather Storage Bench; Cedar lined; Lift top

[VIEW PRODUCT DETAILS](#)

# Scope Rulings

- [https://access.trade.gov/help/Scope\\_Ruling\\_Guidance.pdf](https://access.trade.gov/help/Scope_Ruling_Guidance.pdf)
- [Scope Ruling Application](#) is divided into five (5) sections:
  - **Section I: General Information**
  - **Section II: Product Information** – provides information related to the product description and to confirm that the product is in actual production. Pictures help determine if in/out of scope.
  - **Section III: Country of Origin Information** – provides information related to the product's country of origin and further processing in a third country. Transformation and transshipment are concerns.
  - **Section IV: Product Importation** – provides information related to whether the product in question subject to the inquiry has already entered for consumption into the United States Customs Territory by the date of the filing of this application.
  - **Section V: Interested Party Status** – provides information regarding the applicant for purposes of demonstrating interested party status.



# DOC Customs Liaison Unit (CLU)

## CLU Call Center

E&C's liaison unit has created a "call center" that receives and responds to inquiries from the Trade Community.

Parties can ask questions regarding the implementation of E&C decisions, on such wide-ranging matters as scope, suspension of liquidation and assessment.

(202) 482-0984



## AD/CVD Best Practices

# ACE Business Rules

- [ACE Entry Summary Business Process | U.S. Customs and Border Protection \(cbp.gov\)](#) – Chapter 9 AD/CVD
  - Ext/Susp Code 65 for EAPA Investigations
  - Ext/Susp Code 66 for Court Injunctions
  - A 0% cash deposit rate for an AD/CVD Order is not an indicator that the merchandise is not subject to the order.
  - It means the last cash deposit rate for that company was zero, and AD/CVD should be reported at the time of entry (03).
  - Should a positive rate be determined at the end of an administrative review, the importer will receive a bill for the difference between its 0% cash deposit and the final margin.

# CBP AD/CVD Search

<https://aceservices.cbp.dhs.gov/adcvdweb/#>

ACE | AD-CVD application

aceservices.cbp.dhs.gov/adcvdweb/#

U.S. Customs & Border Protection  
U.S. Department of Homeland Security

**Search**

Message #/Case #

Clear Search

[Advanced Search](#)

**Public Message(s) ONLY: Search Results**

Message #	Case Number & Short Case Name	Status	Message Date	Type
— No records to display				

**Messages Advanced Search**

Message Type

Sub-Type will filter based on type selection

Sub-Type

Message #

Principal/3rd Country Case #

Court #

Message Date To

Period Covered Begin Date To

POLIPOR Begin Date To

Notice of Lifting of Suspension Date To

Effective Date To

Message Title

Message Body

FR Cite Date To

FR Cite

Filter Reset

Search

**Topic: AD/C**

**Appendix A: Message Types**

ARF – Admin Review Final
ARP – Admin Review Prelim
ENF – Enforcement
FIN – Final Determination
FNO – Final Det w/Order
INF – Information Notice
INI – Initiation of Review
INJ – Injunction
INQ – Inquiry
LIQ – Liquidation
NSR – New Shipper Review
ORD – Order
OTH – Other
PRE- Preliminary
REV – Revocation
SCO – Scope
TER – Termination Notice
WRIT – Writ of Mandamus

# AD/CVD Tools in ACE

- [ACE Portal Messages](#)
- [Guidance for Reimbursement Certificates \(cbp.gov\)](#)
- [ACE CATAIR ADCVD Case Information Query \(cbp.gov\)](#)
  - CSMS #52692686 issued on July 20, 2022
  - Updated functionality to identify companion AD/CVD cases. Previously, the query only returned 10-digit companion cases.
  - Now, the query is more accurate and will return 7-digit or 10-digit companion AD/CVD cases.
  - “On Oct 5, 2019, the DOC stopped entering related cases at the 10-digit level. All related cases entered into the database by DOC after Oct 5, 2019, will be 7 digits.”
  - Great new tool for customs brokers



# AD/CVD Status Definitions

- [ACE AD/CVD Company Case Status Definitions](#)
- **Inactive-Company Deactivated**
  - This means a company-specific (or chain-specific) AD/CVD case number has been turned off and entries are no longer allowed to be made under that 10-digit case number.
  - This is an important distinction because once a company-specific rate is lost, the imports could be subject to a higher, All-Others country-wide rate (as high as 1,000%!)
  - Future entries that were allowed to enter under that specific case number would need to be entered under the general, All-Others case number ending in 000.

# AD/CVD Status Definitions

- **Revoked vs. Terminated**

- Revoked and Terminated both mean the entire case or order goes away, but for different reasons.
- **Terminated** means that a domestic party is no longer interested in pursuing the case, or the DOC has found no injury to move forward so the case is Terminated.
- **Revocation** is what happens after an AD/CVD Order is in place, such as a Five-Year Sunset Review. In these cases, the DOC may revoke the order.
- **Partial Revocation** is where one company may be removed from an AD/CVD Order, but this is based on old legislation that has been rescinded.

# Rejections/Post-Summary Corrections (PSCs)

- **CSMS# 15-000743 - Post-Summary Correction where AD/CVD Duty is Due** on 10/5/15
  - IOR must deposit estimated AD/CVD when Post-Summary Correction (PSC) is filed (changing 01 to 03 entry)
  - CBP has 300 days to reject an AD/CVD entry [ACE Entry Summary Rejection Response \(cbp.gov\)](#)
  - The importer's failure to deposit AD/CVD may result in a claim for liquidated damages (limited to bond amount).
  - CBP has authority to request changes and/or security if entries are unliquidated.
  - Even if liquidated, CBP has 5 years to pursue a 1592 case for mis-declaring AD/CVD entries (penalties).

# Special AD/CVD Values

- Rate invoice as two lines on the 7501, one for value of AD/CVD merchandise, and one for value of non-AD/CVD merchandise.  
[http://www.cbp.gov/sites/default/files/documents/add\\_cvd\\_3.pdf](http://www.cbp.gov/sites/default/files/documents/add_cvd_3.pdf)
- **Solar Panel Example:** AD/CVD duties apply to solar cells/panels that provide power for goods, such as battery recharging devices regardless of where or how these devices are deployed.
  - The proper reporting for solar devices determined to be within the DOC scope language is to report two line items.
  - The 1<sup>st</sup> line item contains information related to generator
  - 2<sup>nd</sup> line item contains information included for the solar cell/panel, including the MID for the manufacturer of the item.
  - Pencils are another example.

# Third Country Cases

- CBP Country of Origin is different than AD/CVD Country of Origin based on scope of the case and components

AD/CVD Case Matrix (use table below to select proper country and case number)

CELLS:	MODULES/LAMINATES/PANELS:	ADD CASE:		CVD CASE:
MADE/ASSEMBLED IN CHINA	MADE/ASSEMBLED IN CHINA	A-570-979 (Final)		C-570-980 (Final)
MADE/ASSEMBLED IN CHINA	<i>NOT FURTHER MANUFACTURED</i>	A-570-979 (Final)		C-570-980 (Final)
MADE/ASSEMBLED IN CHINA	MADE/ASSEMBLED IN TAIWAN	A-583-988 (Final)		C-583-989 (Final)
MADE/ASSEMBLED OUTSIDE OF CHINA	ASSEMBLED IN CHINA	A-570-010 (Final)		C-570-011 (Final)
MADE/ASSEMBLED IN TAIWAN	MADE/ASSEMBLED IN TAIWAN	A-583-853		N/A – No CVD Case
MADE/ASSEMBLED IN TAIWAN	<i>NOT FURTHER MANUFACTURED</i>	A-583-853		N/A – No CVD Case
MADE/ASSEMBLED OUTSIDE OF TAIWAN / CHINA	MADE/ASSEMBLED IN ANY COUNTRY EXCLUDING CHINA	NO AD/CVD		NO AD/CVD
MADE/ASSEMBLED IN TAIWAN	MADE/ASSEMBLED IN ANY THIRD COUNTRY	Canada A-122-993 France A-427-993 India A-533-993 Italy A-475-993 Malaysia A-557-991	Korea A-580-993 Philippines A-565-990 Switzerland A-441-990 Thailand A-549-993 U. Kingdom A-412-993 Mexico A-201-993	N/A – No CVD Case
MADE/ASSEMBLED IN CHINA	MADE/ASSEMBLED IN ANY THIRD COUNTRY	A-XXX-988* (Final)		C-XXX-989** (Final)

- Were the solar cells produced in China? Taiwan? Other Country? Be careful of transshipment issues (Univar Case)
- Were the solar cells produced in another country and assembled into modules, panels or laminates in China?



# Country of Origin

- **Pipe Spools CSMS# 42783265**
  - Issued May 21, 2020. Provides additional guidance on steel import license requirements for pipe spools with different country of origin on components (AD/CVD, 301, 232)
- **Golf Clubs CSMS# 42783265**
  - Issued May 18, 2021. Complete golf clubs are made of prefabricated components consisting of a head, shaft, and grip. These components may be manufactured in multiple countries and are subject to Section 301 duties if the country of origin is China.
- **Watches/Clocks CSMS# 50019756**
  - Issued November 8, 2021. Provides guidance on the components of watches or clocks subject to Section 301 on products from China.

# Internal Audits

<https://www.cbp.gov/trade/programs-administration/audits/focused-assessment>

ITA Information on AD/CVD Orders x | ace-terminology-10digit-compar x | Focused Assessment (FA) Program x +

cbp.gov/trade/programs-administration/audits/focused-assessment

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**Trade**  
Basic Importing and Exporting  
ACE and Automated Systems  
Programs and Administration  
Account Management  
Audits  
Bonds  
eBond  
Bond  
Centralization Program  
Determining Duty Rates  
e-Allegations  
Enforce and Protect Act (EAPA)  
Entry Summary  
Forced Labor

## Focused Assessment (FA) Program

The Focused Assessment (FA) Program is a comprehensive audit that involves assessment of the importer's internal control over its import activities, to determine if the importer poses an acceptable risk for complying with CBP laws and regulations comprised of three possible phases:

- Pre-Assessment Survey (PAS)
- Assessment Compliance Testing (ACT)
- Follow-Up Audit

Focused Assessment Documents:

- [Exhibit 2A – Pre-Assessment Survey Questionnaire \(October 2014\)](#)
- [Exhibit 2C – FA PAS Audit Program \(October 2014\)](#)

Last modified: August 21, 2019

Tags: Trade

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Section 8 – Information about AD/CVD	
8	Who decides (or determines) that items may be subject to AD/CVD? <i>Indicate when and how often items are reviewed.</i>
8	What information is used to determine whether items may be subject to AD/CVD? <i>Identify all individuals or groups/departments that provide information as well as the documentation and records used.</i>
8	Describe the procedures used to ensure that the correct (true) country of origin is identified for items subject to AD/CVD.
8	Describe the procedures used to ensure that the correct AD/CVD case numbers are identified on the entry.

# In Summary...

- **AD/CVD Stage?**
  - Pre-Order (Preliminary) vs. Post-Order (Final/Order)
  - **“Critical Circumstances”** under [19 USC § 351.206](#)
  - Administrative, Sunset and New Shipper Reviews
- **Is Product in Scope?**
  - Narrative Description of Product; Country of Origin
  - HTS is for guidance only (flagging in ACE is not always enough)
  - CLU Call Center 202-482-0984; CBP Centers of Excellence
  - DOC Scope Ruling under [19 USC § 351.225](#);
- **AD/CVD Margin Stability?**
  - Shipper vs. Blended vs. All Others Rate; **All can change**
  - Manufacturer vs. Exporter vs. Importer of Record



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