



YOHAI BAISBURD

ybaisburd@cassidylevy.com

Direct 202 567 2319

Main 202 567 2300

October 8, 2024

Doc Inv. Nos. A-570-182, C-570-183, A-552-845, and C-552-846

USITC Inv. No(s). 701-TA-__ and 731-TA-__

Total No. of Pages: 4,829

Investigation

Information for Which Business Proprietary Treatment Has Been Requested is Removed from Brackets at Vol. I at Pages 15, 25-26, 28-34, and 37-38; Exhibits 2-4, 9A-C, 19, 24-31; at Vol. II at Pages 1-6 and Exhibits 1 and 5; and at Vol. IV at Pages 1-2, 6, 9, and in Exhibits IV-1, IV-5, and IV-14.

PUBLIC VERSION

VIA ELECTRONIC FILING

The Honorable Gina Raimondo
Secretary of Commerce
Attention: Enforcement and Compliance
APO/Dockets Unit, Room 18022
U.S. Department of Commerce
14th Street and Constitution Avenue, NW
Washington, DC 20230

Lisa R. Barton
Secretary
U.S. International Trade Commission
Room 112A
500 E Street, SW
Washington, DC 20436

Re: Thermoformed Molded Fiber Products from the People's Republic of China and the Socialist Republic of Vietnam: Antidumping and Countervailing Duty Petitions

Dear Secretary Raimondo and Secretary Barton:

On behalf Genera Inc., Tellus Products, LLC, and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO ("USW") (collectively, the "American Molded Fiber Coalition," "Coalition," or "Petitioners"), enclosed please find petitions requesting the imposition of antidumping duties on dumped imports of thermoformed molded fiber products from the People's Republic of China

The Honorable Gina Raimondo
Secretary Lisa R. Barton
October 8, 2024
Page 2

and the Socialist Republic of Vietnam, as well as the imposition of countervailing duties on subsidized imports of thermoformed molded fiber products from the People's Republic of China and the Socialist Republic of Vietnam.

We hereby certify that the petitions are being filed simultaneously with the U.S. Department of Commerce ("Commerce") and the U.S. International Trade Commission (the "Commission"), as required by section 351.202(c) of Commerce's regulations, 19 CFR § 351.202(c), and section 207.10(a) of the Commission's regulations, 19 CFR § 207.10(a). These petitions are filed in accordance with the notices from Commerce and the Commission concerning temporary changes to their filing procedures.¹

The petitions consist of the following five volumes:

- **Volume I** – General & Injury narrative and exhibits;
- **Volume II** – People's Republic of China Antidumping Duty narrative and exhibits;
- **Volume III** – People's Republic of China Countervailing Duty narrative and exhibits;
- **Volume IV** – Socialist Republic of Vietnam Antidumping Duty narrative and exhibits;
- **Volume V** – Socialist Republic of Vietnam Countervailing Duty narrative and exhibits

The volumes being filed at Commerce are as follows:

- Volumes I, II, and III under the antidumping and countervailing duty case numbers for the People's Republic of China;
- Volumes I, IV, and V under the antidumping and countervailing duty case numbers for the Socialist Republic of Vietnam.

All volumes are being filed in a single combined submission with the Commission.

Petitioners request that confidential treatment be granted to the business proprietary information designated as such in the petitions pursuant to section 777(b)(1) of the Tariff Act of 1930 (the "Act"), 19 USC § 1677f(b)(1); sections 351.105 and 351.304 of Commerce's regulations, 19 CFR §§ 351.105, 351.304; and section 201.6 of the Commission's regulations, 19 CFR § 201.6. Confidential information is included in Volumes I, II and III. The information for which Petitioners request confidential treatment falls into five categories, as set forth below.

The first category of information for which Petitioners request confidential treatment is business proprietary information appearing in brackets on pages 30 and 34 and Exhibits I-26, I-31 of Volume I; pages 5-6 and Exhibits II-1 and II-5 of Volume II; page 6 and Exhibit IV-1 and

¹ See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19*, 85 Fed. Reg. 17006 (Mar. 26, 2020) and *Temporary Change to Filing Procedures*, 85 Fed. Reg. 15797 (Mar. 19, 2020).

The Honorable Gina Raimondo
Secretary Lisa R. Barton
October 8, 2024
Page 3

IV-5 of Volume IV. This information concerns the cost of production, raw materials, and other information related to production of thermoformed molded fiber products. Disclosure of this information could cause substantial harm to the competitive position of the Petitioners. For these reasons, this information is entitled to proprietary treatment under 19 CFR §§ 351.105(1) & (2).

The second, category of information for which Petitioners request confidential treatment is proprietary information appearing in brackets on page 6 and Exhibits I-2, I-9 of Volume I. This information concerns the positions of domestic producers concerning the petitions. Disclosure of this information could cause substantial harm to the competitive position of the Petitioners. For these reasons, this information is entitled to proprietary treatment under 19 CFR § 351.105(10).

The third category of information for which Petitioners request confidential treatment is proprietary information appearing in brackets on pages 5, 25, 26, 28, 29, 30, 31, 32, 33, 34, 37, 38 and Exhibits I-3, I-4, I-19, I-24, I-25, I-26, I-27, I-28, I-29, I-30, and I-31 of Volume I. This information concerns capacity, production, shipments, market share, costs, investments, and financial performance information reported by Petitioners as well as company-specific lost sales and lost revenue allegations involving specific customer accounts. We believe that this information is entitled to proprietary treatment under 19 CFR § 351.105(2), (3), (4), (5), (6), (10) & (11). The information is not available to the public, and its disclosure would cause substantial harm to the competitive position of Petitioners. Disclosure of this information would be likely to impair the Commission's and Commerce's ability to collect such information in the future. Disclosure of this information will also limit the Commission's ability to issue public summaries of the domestic industry's operations without revealing the operations of individual producers that account for a substantial share of particular performance indicators.

The fourth category of information for which Petitioners request confidential treatment is proprietary information appearing in brackets on pages 15, 25, 26, 31, and Exhibits I-9 of Volume I; pages 1, 2, and 5 of Volume II; pages 1, 2, and 9 of Volume IV. This copyright protected information was obtained for a fee through a subscription service. Information received through a subscription service, which, according to the terms of use of the subscription, cannot be provided publicly is protected under 19 CFR § 351.304(a)(1)(ii). This information is proprietary because it is not available to the public without a paid subscription.

Pursuant to section 351.304(b)(1) of Commerce's regulation, 19 CFR § 351.304(b)(1), we agree on behalf of Petitioners to permit disclosure of the above-described information pursuant to an adequately drawn administrative protective order.

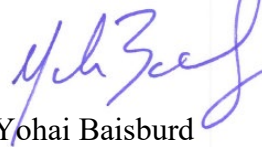
We are also filing public versions of Petition Volumes I, II, and IV today under separate cover. The information for which Petitioners are requesting confidential treatment has been summarized, indexed, or ranged where appropriate in the public version, in accordance with 19 CFR § 351.304(c). In certain instances, the information for which Petitioners are requesting confidential treatment has been deleted from the public version where the information cannot be

The Honorable Gina Raimondo
Secretary Lisa R. Barton
October 8, 2024
Page 4

adequately summarized, because it is so specific that any attempt to provide a “summary in sufficient detail to permit a reasonable understanding of the substance of the information,” within the meaning of section 777(b)(1)(B)(i)(I)-(II) of the Act, 19 USC § 1677f(b)(1)(B)(i)(I)-(II), would effectively result in disclosure of the information.

We attach to this letter all appropriate certifications required by the regulations. These include the requisite company and counsel certifications regarding the completeness and accuracy of the information contained in the petitions in accordance with 19 CFR § 351.303(g). Also attached is certification that information substantially identical to the above-claimed proprietary information is not available to the public in accordance with 19 CFR § 201.6(b)(3)(iii).

Respectfully submitted,



Yohai Baisburd
James R. Cannon, Jr.
Thomas M. Beline
Roop K. Bhatti
Chase J. Dunn
CASSIDY LEVY KENT (USA) LLP
Counsel for Petitioners

Angelica L. Townshend
Catherine Cartsos
Patrick Edwards
Natalia King
Senior International Trade Advisors

Rebekah G. Chikuni
Caterina Lungu
International Trade Specialists

COMPANY CERTIFICATION


I, Kelly Tiller, currently employed by Genera Inc., certify that I prepared or otherwise supervised the preparation of the attached October 8, 2024, submission titled: “*Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of Thermoformed Molded Fiber Products from the People’s Republic of China and the Socialist Republic of Vietnam*” (A-570-182, C-570-183, A-552-845, and C-552-846). I certify that the public information and any business proprietary information of Genera contained in this submission are accurate and complete to the best of my knowledge. I am aware that the information contained in this submission may be subject to verification or corroboration (as appropriate) by the U.S. Department of Commerce. I am also aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. Government. In addition, I am aware that, even if this submission may be withdrawn from the record of the AD/CVD proceeding, the U.S. Department of Commerce may preserve this submission, including a business proprietary submission, for purposes of determining the accuracy of this certification. I certify that a copy of this signed certification will be filed with this submission to the U.S. Department of Commerce.

Signature: _____
Kelly Tiller

Date: _____ October 8, 2024

COMPANY CERTIFICATION

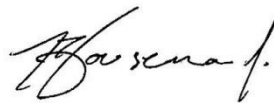
I, Asem Mokaddem, currently employed by Tellus Products, LLC, certify that I prepared or otherwise supervised the preparation of the attached October 8, 2024, submission titled: *“Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of Thermoformed Molded Fiber Products from the People’s Republic of China and the Socialist Republic of Vietnam ”* (A-570-182, C-570-183, A-552-845, and C-552-846). I certify that the public information and any business proprietary information of Tellus contained in this submission are accurate and complete to the best of my knowledge. I am aware that the information contained in this submission may be subject to verification or corroboration (as appropriate) by the U.S. Department of Commerce. I am also aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. Government. In addition, I am aware that, even if this submission may be withdrawn from the record of the AD/CVD proceeding, the U.S. Department of Commerce may preserve this submission, including a business proprietary submission, for purposes of determining the accuracy of this certification. I certify that a copy of this signed certification will be filed with this submission to the U.S. Department of Commerce.

Signature:  _____
Asem Mokaddem

Date: _____ October 8, 2024 _____

COMPANY CERTIFICATION

I, Roy Houseman, currently employed by United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO, certify that I prepared or otherwise supervised the preparation of the attached October 8, 2024, submission titled: “*Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of Thermoformed Molded Fiber Products from the People’s Republic of China and the Socialist Republic of Vietnam*” (A-570-182, C-570-183, A-552-845, and C-552-846). I certify that the public information and any business proprietary information of USW contained in this submission are accurate and complete to the best of my knowledge. I am aware that the information contained in this submission may be subject to verification or corroboration (as appropriate) by the U.S. Department of Commerce. I am also aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. Government. In addition, I am aware that, even if this submission may be withdrawn from the record of the AD/CVD proceeding, the U.S. Department of Commerce may preserve this submission, including a business proprietary submission, for purposes of determining the accuracy of this certification. I certify that a copy of this signed certification will be filed with this submission to the U.S. Department of Commerce.



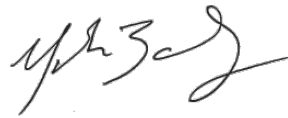
Signature: _____
Roy Houseman

Date: _____ October 8, 2024

REPRESENTATIVE CERTIFICATION

I, Yohai Baisburd, with Cassidy Levy Kent (USA) LLP, counsel to Genera Inc., Tellus Products, LLC, and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO, certify that I have read the attached submission of “*Thermoformed Molded Fiber Products from the People’s Republic of China and the Socialist Republic of Vietnam: Antidumping and Countervailing Duty Petitions*” pursuant to the Investigation of Certain Molded Fiber Products from the People’s Republic of China and the Socialist Republic of Vietnam (A-570-182, C-570-183, A-552-845, and C-552-846). In my capacity as counsel of this submission, I certify that the information contained in this submission is accurate and complete to the best of my knowledge. I am aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. Government. In addition, I am aware that, even if this submission may be withdrawn from the record of the AD/CVD proceeding, the U.S. Department of Commerce may preserve this submission, including a business proprietary submission, for purposes of determining the accuracy of this certification. I certify that a copy of this signed certification will be filed with this submission to the U.S. Department of Commerce.

Signature: _____



Yohai Baisburd

Date: October 8, 2024

Barcode:4644638-01 C-552-846 INV - Investigation -

ATTORNEY CERTIFICATION

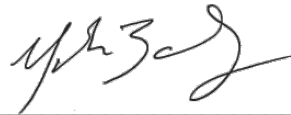
District of Columbia: SS

I, Yohai Baisburd, counsel to Genera Inc., Tellus Products, LLC, and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO, certify that (1) I have read the enclosed submission dated October 8, 2024, and (2) based on the information made available to me, I have no reason to believe that this submission contains any material misrepresentation or omission of fact.

In accordance with section 201.6(b) of the Commission's rules, I also hereby certify that, to the best of my knowledge, information substantially identical to that for which business proprietary treatment has been requested is not available to the general public.

I certify pursuant to 28 USC § 1746 that the foregoing statements are true and accurate. I am aware that the information contained above may be subject to verification or corroboration (as appropriate) by the U.S. International Trade Commission. I am also aware that U.S. Law (including, but not limited to 18 USC § 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. Government.

Dated: October 8, 2024



Yohai Baisburd