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Slip Op. 21-  
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*Shelter Forest International Acquisition Inc., et al. v. United States*  
Consol. Court No. 19-00212, Slip Op. 21-19 (CIT February 18, 2021)

**FINAL RESULTS OF REDETERMINATION  
PURSUANT TO COURT REMAND**

**I. SUMMARY**

The Department of Commerce (Commerce) has prepared these final results of redetermination in accordance with the opinion and remand order of the U.S. Court of International Trade (the Court) in *Shelter Forest International Acquisition Inc., et al. v. United States*, Consol. Court No. 19-00212, Slip Op. 21-19 (CIT February 18, 2021) (*Remand Opinion and Order*). These final results of redetermination concern Commerce's affirmative final determination in the anti-circumvention inquiry<sup>1</sup> of the antidumping duty (AD) and countervailing duty (CVD) orders on certain hardwood plywood products (plywood) from the People's Republic of China (China), conducted pursuant to section 781(d) of Tariff Act of 1930 as amended (the Act).<sup>2</sup> We conducted the inquiry following a request from the Coalition for Fair Trade in Hardwood Plywood (the petitioner) for Commerce to determine whether certain hardwood plywood with face and back veneers of radiata and/or agathis pine that: (1) has a Toxic Substances Control Act (TSCA) or California Air Resources Board (CARB) label

<sup>1</sup> See *Certain Hardwood Plywood Products from the People's Republic of China: Affirmative Final Determination of Circumvention of the Antidumping and Countervailing Duty Orders*, 84 FR 65783 (November 29, 2019) (*Final Anti-Circ Determinations*), and accompanying Issues and Decision Memorandum (IDM).

<sup>2</sup> See *Certain Hardwood Plywood Products from the People's Republic of China: Amended Final Determination Sales at Less Than Fair Value, and Antidumping Duty Order*, 83 FR 504 (January 4, 2018) and *Certain Hardwood Plywood Products from the People's Republic of China: Countervailing Duty Order*, 82 FR 513 (January 4, 2018) (collectively, *Orders*).

certifying that it is compliant with TSCA/CARB requirements; and (2) is made with a resin, the majority of which is comprised of one or more of the following three product types – urea-formaldehyde, polyvinyl acetate, and/or soy (inquiry merchandise), is circumventing the *Orders*.<sup>3</sup> In its February 18, 2021, *Remand Opinion and Order*, the Court held that: (1)

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CUSTOMERS PRIOR TO DECEMBER 8, 2016.

**Comment 2: Commerce's Negative Circumvention Finding**

*Interested Party Comments*<sup>161</sup>

- Shelter Forest, Importers Alliance, and IKEA concur with Commerce's Draft Remand Results.
- Commerce's Draft Remand Results fully comply with the decision and remand instructions of the Court.

<sup>161</sup> See Shelter Forest's April 13 Comments; see also Importers Alliance's April 13 Comments; and IKEA's April 13 Comments.

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**Commerce's Position:**

We agree with Shelter Forest, Importers Alliance, and IKEA that Commerce's Draft Remand Results are in accordance with the *Remand Opinion and Order*. Therefore, we are not making any changes for these final results.

**IV. FINAL RESULTS OF REDETERMINATION**

In accordance with the Court's *Remand Opinion and Order*, Commerce has collected additional information from certain respondents and conducted additional analysis of this information. Based on our analysis, Commerce is revising its anti-circumvention determination and finds that inquiry merchandise was commercially available prior to the initiation of the underlying investigations on December 8, 2016. Thus, we find on remand that inquiry merchandise was not later developed and is not circumventing the *Orders* on plywood from China.

5/10/2021

X

Signed by: CHRISTIAN MARSH

Christian Marsh  
Acting Assistant Secretary  
for Enforcement and Compliance