

## FACT SHEET

### Amended Preliminary Determination in the Antidumping Duty Investigation on Imports of Wooden Bedroom Furniture from the People's Republic of China

On July 30, 2004, the Department of Commerce announced its amendment to the preliminary determination in the antidumping duty investigation of wooden bedroom furniture from the People's Republic of China (PRC). As a result of corrections made to address ministerial errors<sup>1</sup> in the preliminary determination, the Department has amended the margins for certain mandatory respondents, and has preliminarily determined that certain Chinese producers/exporters are eligible for a "separate rate."

**Amended Preliminary Margins for Certain Mandatory Respondents:** Based on ministerial errors made in the preliminary determination, the Department has revised the preliminary antidumping margin for three mandatory respondents: (1) Rui Feng Woodwork Co., Ltd., Rui Feng Lumber Development Co., Ltd., and Dorbest Limited (collectively, "Dorbest Group"); (2) Starcorp Furniture (Shanghai) Co., Ltd., Orin Furniture (Shanghai) Co., Ltd., Shanghai Starcorp Furniture Co., Ltd. (collectively, "Starcorp"), and (3) Tech Lane Wood Mfg. And Kee Jia Wood Mfg. (collectively, "Tech Lane"). The revised preliminary margins for these companies are listed below.

**Companies Deemed to Qualify for a "Separate Rate":** In its preliminary determination, the Department found that certain companies that responded to the Section A questionnaire did not qualify for a separate rate. In order to be eligible for separate-rate status, the Department must determine that the company's export activities are not controlled by the PRC government. Such status entitles a producer or exporter to an antidumping duty rate based on the weighted-average of the mandatory respondents' rates rather than the PRC-wide rate. In reviewing certain ministerial error allegations raised by companies identified in the preliminary determination, the Department has concluded that twenty companies were incorrectly denied separate rate status. Accordingly, these companies will be assigned a preliminary margin of 10.92 percent rather than the PRC-wide rate of 198.08 percent. These companies are listed below.

**Next Steps:** Interested parties are invited to submit comments on this amended preliminary determination. The Department will consider all submitted comments along with record evidence before making its final determination later this fall. If the Department makes a final affirmative determination, the U.S. International Trade Commission (ITC) is scheduled to make its final injury determination on or about December 23, 2004. If the ITC makes a final affirmative determination that imports are materially injuring, or threaten to materially injure, the domestic industry, the Department will issue an antidumping duty order and will instruct Customs to collect cash deposits on imports of subject merchandise.

**Petitioners:** The petition requesting this investigation was filed on behalf of the domestic industry and workers producing wooden bedroom furniture by the American Furniture Manufacturers Committee for Legal Trade and its individual members and the Cabinet Makers, Millmen, and Industrial Carpenters Local 721, UBC Southern Council of Industrial Worker's Local Union 2305, United Steel Workers of American Local 193U, Carpenters Industrial Union Local 2093, and Teamsters, Chauffeurs, Warehousemen and Helper Local 991.

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<sup>1</sup> A ministerial error is defined as an error in addition, subtraction, or other arithmetic function, clerical error resulting from inaccurate copying, duplication, or the like, and any other similar type of unintentional error.

## Preliminary Dumping Margins:

<b>PRODUCER/EXPORTER</b>	<b>Preliminary Margin</b>	<b>Amended Preliminary Margin</b>
Rui Feng Woodwork Co., Ltd., Rui Feng Lumber Development Co., Ltd., and Dorbest Limited (collectively, Dorbest Group)	<b>19.24%</b>	<b>11.85%</b>
Starcorp Furniture (Shanghai) Co., Ltd., Orin Furniture (Shanghai) Co., Ltd., and Shanghai Starcorp Furniture Co., Ltd. (collectively, Starcorp)	<b>24.34%</b>	<b>30.52%</b>
Tech Lane Wood Mfg. and Kee Jia Wood Mfg. (collectively, Tech Lane)	<b>9.36%</b>	<b>29.72%</b>
<b>Additional Companies Qualifying for a Separate Rate:</b>		
Alexandre International Corp.	<b>198.08%</b>	<b>10.92%</b>
Art Heritage International Ltd.	<b>198.08%</b>	<b>10.92%</b>
Chuan Fa Furniture Factory	<b>198.08%</b>	<b>10.92%</b>
Clearwise Company Limited	<b>198.08%</b>	<b>10.92%</b>
COE, Ltd.	<b>198.08%</b>	<b>10.92%</b>
Dongguan Chunsan Wood Products Co., Ltd.	<b>198.08%</b>	<b>10.92%</b>
Dongguan Hero Way Woodwork Co., Ltd.	<b>198.08%</b>	<b>10.92%</b>
Dongguan Da Zhong Woodwork Co., Ltd.	<b>198.08%</b>	<b>10.92%</b>
Dongguan Sunrise Furniture Co.	<b>198.08%</b>	<b>10.92%</b>
Dream Rooms Furniture (Shanghai) Co., Ltd.	<b>198.08%</b>	<b>10.92%</b>
Foshan Guanqiu Furniture Co., Ltd.	<b>198.08%</b>	<b>10.92%</b>
Gaomi Yatai Wooden Ware Co., Ltd.	<b>198.08%</b>	<b>10.92%</b>
Green River Wood (Dongguan) Ltd.	<b>198.08%</b>	<b>10.92%</b>
Kuan Lin Furniture (Dong Guan) Co., Ltd.	<b>198.08%</b>	<b>10.92%</b>
Longrange Furniture Co., Ltd.	<b>198.08%</b>	<b>10.92%</b>
Passwall Corporation	<b>198.08%</b>	<b>10.92%</b>
Prime Wood International Co., Ltd. et al	<b>198.08%</b>	<b>10.92%</b>
Shenzhen Xiande Furniture Factory	<b>198.08%</b>	<b>10.92%</b>
Tianjin Master Home Furniture	<b>198.08%</b>	<b>10.92%</b>
Yida Co., Ltd.	<b>198.08%</b>	<b>10.92%</b>

## Case Calendar:

EVENT	DATE OF ACTION
<b>Petition Filed</b>	<b>October 31, 2003</b>
<b>Initiation Date</b>	<b>December 17, 2003</b>
<b>ITC Preliminary Determination</b>	<b>January 12, 2004</b>
<b>ITA Preliminary Determination (Fully Extended)</b>	<b>June 17, 2004</b>
<b>ITA Amended Preliminary Determination</b>	<b>July 29, 2004</b>
<b>ITA Final Determination</b>	<b>November 8, 2004 (Fully Extended)</b>
<b>ITC Final Determination*</b>	<b>December 23, 2004</b>
<b>Signature of Order (Estimated)**</b>	<b>December 30, 2004</b>

\* This will take place only in the event of a final affirmative determination from the Department of Commerce.

\*\* This will take place only in the event of a final affirmative determination from both the Department of Commerce and the International Trade Commission.

## Import Statistics:

	2000	2001	2002	2003	Jan. -March 2003	Jan. -March 2004
<b>China (\$US)</b>	358,752,629	477,365,926	817,343,128	1,162,737,347	245,127,757	307,633,926
<b>Total (\$US)</b>	1,508,345,671	1,640,063,730	2,058,411,861	2,413,281,831	547,713,921	624,171,555
<b>China as % of Total</b>	24%	29%	40%	48%	45%	49%

Source: U.S. ITC Trade DataWeb for HTS 9403.50.9040 and 9403.50.9080 (<http://dataweb.usitc.gov/scripts/REPORT.asp>).

These figures are unadjusted and the full scope of this investigation includes merchandise categorized under HTS 9403.90.7000 and 7009.92.5000 as well. Please see the Product Description section of the Notice of Preliminary Determination for a full description of the scope of this investigation.

## SUBJECT MERCHANDISE

Imports of subject merchandise are classified under statistical category 9403.50.9040 of the Harmonized Tariff Schedule of the United States (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, our written description of the scope of this proceeding is dispositive.

The subject merchandise includes (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) chests-on-chests<sup>2</sup>, highboys<sup>3</sup>, lowboys<sup>4</sup>, chests of drawers<sup>5</sup>, chests<sup>6</sup>, door chests<sup>7</sup>, chiffoniers<sup>8</sup>, hutches<sup>9</sup>, and armoires<sup>10</sup>; (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 (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

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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.

8 A hutch is typically an open case of furniture with shelves that typically sits on another piece of furniture and provides storage for clothes.

9 An armoire is typically a tall cabinet or wardrobe (typically 50 inches or taller), with doors, and with one or more drawers (either exterior below or above the doors or interior behind the doors), shelves, and/or garment rods or other apparatus for storing clothes. Bedroom armoires may also be used to hold television receivers and/or other audio-visual entertainment systems.

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, cocktails 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; and (8) bedroom furniture in which bentwood parts predominate.<sup>11</sup>

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10 As used herein, bentwood means solid wood made pliable. Bentwood is wood that is brought to a curved shape by bending it while made pliable with moist heat or other agency, and then set by cooling or drying. See Customs' Headquarters' Ruling Letter 043859, dated May 17, 1976.