



Ottawa, December 22, 2010

MEMORANDUM D15-2-53

In Brief

CERTAIN THERMOELECTRIC CONTAINERS ORIGINATING IN OR EXPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA

1. This memorandum refers to the application of anti-dumping and countervailing duty to importations of certain thermoelectric containers originating in or exported from the People's Republic of China.
2. The memorandum is divided into eleven sections.
3. A definition of the subject goods is provided.
4. The milestone dates of the investigation are provided, along with the applicable classification numbers.
5. Information regarding the normal value of subject goods and anti-dumping and countervailing duties is provided.





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CERTAIN THERMOELECTRIC CONTAINERS ORIGINATING IN OR EXPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA

This memorandum refers to the application of anti-dumping and countervailing duty in accordance with section 3 of the *Special Import Measures Act (SIMA)* to importations of certain thermoelectric containers originating in or exported from the People's Republic of China. The duty is applied as a result of the findings of injury by the Canadian International Trade Tribunal (Tribunal).

GUIDELINES AND GENERAL INFORMATION

- The subject goods are defined as:
 "Thermoelectric containers that provide cooling and/or warming with the use of a passive heat sink and a thermoelectric module, excluding liquid dispensers, originating in or exported from the People's Republic of China."

Additional Information

- The subject goods are commonly referred to as thermoelectric coolers and/or thermoelectric warmers. The thermoelectric coolers and/or warmers are sold for use as travel coolers and warmers, home use coolers, novelty coolers, wine coolers and as commercial coolers and warmers for the transportation of meals, medicines and the display of retail products.
- The thermoelectric coolers and/or warmers are operated using either a DC power cord, a 120 volt power adapter or a battery. The thermoelectric coolers and warmers contain no gasses, pipes, coils or compressor. The only moving part is a 12 volt fan(s).
- The interior of the container is normally made of plastic, the exterior can either be made of plastic, metal, a combination of plastic and metal or of a soft-shell that covers the plastic interior. The coolers/warmers have a lid/door that is made of plastic, metal, glass or a combination of these materials.

Exclusions

- The exclusion of liquid dispensers from the definition is intended to exclude such products as water coolers, cream dispensers and milk dispensers.

- The dates of the proceedings and findings concerning this case are:

Action	Date
Initiation of Investigation	May 15, 2008
Preliminary Determination	August 13, 2008
Final Determination	November 10, 2008
Canadian International Trade Tribunal Finding	December 11, 2008
Conclusion of Re-investigation	November 25, 2010

- The subject goods are usually classified under the following 10-digit Harmonized System classification number:

8418.69.00.90

- The subject goods are also known to be imported under other 10-digit Harmonized System classification numbers as follows:

8418.50.10.00
 8418.50.29.00
 8418.61.91.90
 8418.99.90.90

- The liability for anti-dumping and countervailing duties results from the proceedings conducted under SIMA and from the findings of the Tribunal. Information regarding the normal value of the goods in question and the amount of anti-dumping and countervailing duty payable should be obtained from the exporter. Related information may be made available to importers on a need-to-know basis in accordance with the provisions of Memorandum D14-1-2, *Disclosure of Normal Values, Export Prices, and Amounts of Subsidy Established Under the Special Import Measures Act to Importers*.

- For importations of the subject goods produced or exported by a company in China that has not been issued its own normal values, the anti-dumping duty is 37% taken as a percent of the export price, as determined under section 24, 25 or 29 of SIMA.

- For importations of subject goods originating in or exported from China for which the exporter has not been issued a specific amount of subsidy, the countervailing duty is equal to 53.27 Chinese Renminbi (RMB)/unit.

REFERENCES

<p>ISSUING OFFICE – Anti-dumping and Countervailing Directorate Programs Branch</p>	<p>HEADQUARTERS FILE – 4214-21, 4218-25</p>
<p>LEGISLATIVE REFERENCES – <i>Special Import Measures Act</i>, section 3</p>	<p>OTHER REFERENCES – D14-1-2</p>
<p>SUPERSEDED MEMORANDA “D” – D15-2-53, March 24, 2009</p>	

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