



PUBLIC VERSION

September 25, 2019

BY ELECTRONIC FILING

The Honorable Wilbur L. Ross, Jr.
Secretary of Commerce
International Trade Administration
Attn: Enforcement and Compliance
APO/Dockets Unit, Room 18022
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

BY HAND DELIVERY

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

DOC Investigation Nos. A-570-114 and C-570-115
USITC Investigation Nos. 701-TA- and 731-TA-
Total Pages: 8
Investigation
AD/CVD Operations
Petitioner's Business Proprietary Information
Removed from the attached:
**Volume I at Pages: 2, 3, 12, 13, 21, 22, 24-29, 33,
34, Exhibit List, and Exhibits I-3, I-4, I-17, I-18
Volume II at Pages 2-6, 8-13, 16, 20, 21, 23-25, 28,
Exhibit List, and Exhibits II-1, II-6, II-9, II-11,
II-12A, II-17, II-18, II-21A, II-27
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**Re: *Petitions for the Imposition of Antidumping and Countervailing Duties on
Certain Glass Containers from the People's Republic of China***

Dear Secretary Ross and Secretary Barton:

On behalf of the American Glass Packaging Coalition ("Petitioner" or "AGPC"), we hereby submit to the U.S. Department of Commerce ("the Department") and the U.S. International Trade Commission ("the Commission") petitions for the imposition of antidumping and countervailing duties on U.S. imports of certain glass containers from the People's Republic of China (the "Petitions"), pursuant to sections 701, 702(b), 731, and 732(b) of the Tariff Act of 1930, as amended (the "Act") (19 U.S.C. §§ 1671, 1671a(b), 1673 and 1673a(b)). The members of AGPC are producers in the United States of the domestic like product and are thus "interested

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parties” within the meaning of 19 U.S.C. § 1677(9)(C). Pursuant to the Department's regulations codified at 19 C.F.R. § 351.202(c), we hereby certify that the Petitions and required copies are being filed today with the U.S. International Trade Commission (the "Commission").

Volume I of the petitions contains general information and the allegations of injury, along with associated exhibits. Volume II contains the antidumping duty allegations and associated exhibits. Volume III contains the countervailing duty allegations and associated exhibits. There are proprietary and public versions of Volumes I and II.

Pursuant to 19 C.F.R. §§ 351.202(d) and 351.304 of the Department's regulations, and 19 C.F.R. § 201.6(b) of the Commission's rules, we request business proprietary treatment for the bracketed information in the narratives and exhibits of these petitions as detailed below. Disclosure of this information, which is not otherwise publicly available, would cause substantial harm to the competitive position of the submitter and would impair the ability of the Department and the Commission to obtain information in the future necessary to fulfill their statutory functions. Petitioner agrees to the release of this information to parties granted access under the APO issued by the Department in this proceeding.

Volume I (General Information and Injury):

- (1) **Exhibit I-18:** *Prices of individual sales, likely sales, or other offers (but not components of prices, such as transportation, if based on published schedules, dates of sale, product descriptions (other than business or trade secrets described in paragraph (c)(1) of this section), or order numbers)* (19 C.F.R. § 351.105(c)(5)).
- (2) **Pages 3, Exhibit List and Exhibit I-3:** *The names of particular persons from whom business proprietary information was obtained* (19 C.F.R. § 351.105(c)(9)).
- (3) **Exhibits I-3 and I-4:** *The position of a domestic producer or workers regarding a petition* (19 C.F.R. § 351.105(c)(10)).
- (4) **Pages 2, 3, 12, 13, 21, 22, 24-29, 33, 34, Exhibit List, and Exhibits I-3, I-4, I-17, I-18:** *Any other specific business information the release of which to the public would cause substantial harm to the competitive position of the submitter* (19 C.F.R. § 351.105(c)(11)).

Volume II (China AD Allegation):

- (1) **Exhibits II-17, II-18:** *Production costs (but not the identity of the production components unless a particular component is a trade secret)* (19 C.F.R. § 351.105(c)(2)).
- (2) **Page 5 and Exhibit II-6:** *Distribution costs (but not channels of distribution)* (19 C.F.R. § 351.105(c)(3)).
- (3) **Pages 4, 5, and Exhibits II-1, II-6, II-11, II-12:** *Terms of sale (but not terms of sale offered to the public)* (19 C.F.R. § 351.105(c)(4)).
- (4) **Page 4 and Exhibits II-6, II-13, II-27:** *Prices of individual sales, likely sales, or other offers (but not components of prices, such as transportation, if based on published schedules, dates of sale, product descriptions (other than business or trade secrets described in paragraph (c)(1) of this section), or order numbers)* (19 C.F.R. § 351.105(c)(5)).
- (5) **Pages 4, 5, and Exhibits II-1:** *Names of particular customers, distributors, or suppliers (but not destination of sale or designation of type of customer, distributor, or supplier, unless the destination or designation would reveal the name)* (19 C.F.R. § 351.105(c)(6)).
- (6) **Pages 2, 4, 15, 20, Exhibit List, and Exhibits II-1, II-17:** *The names of particular persons from whom business proprietary information was obtained* (19 C.F.R. § 351.105(c)(9)).
- (7) **Pages 2-6, 8-13, 16, 20, 21, 23-25, 28, Exhibit List, and Exhibits II-1, II-6, II-9, II-11, II-12A, II-17, II-18, II-21A, II-27:** *Any other specific business information the release of which to the public would cause substantial harm to the competitive position of the submitter* (19 C.F.R. § 351.105(c)(11)).

The requisite certification that substantially identical information is not available to the public is set forth as an attachment to this letter, in accordance with section 201.6(b)(3)(iii) of the Commission's rules. Also attached are the requisite company and counsel certifications regarding the completeness and accuracy of the information contained in the petitions.

Pursuant to section 351.304(b)(1) of the Department's regulations, Petitioner agrees in principle to permit disclosure of business proprietary information contained in the petitions under an appropriately drawn administrative protective order ("APO"). Petitioner respectfully reserves the right, however, to comment on all APO applications prior to disclosure.

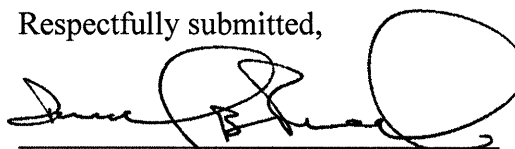
Pursuant to section 351.202(c) of the Department's regulations, we certify that the petitions and all required copies were filed today with both the Department and the Commission. The

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petitions are being filed electronically on the Department's ACCESS filing system. An original and eight paper copies of the business proprietary version and an original and two paper copies of the public version of the narrative portions of each volume, along with CDs containing the associated business proprietary and public version exhibits, are being filed manually at the Commission.

If you have any questions regarding this petition, please contact us.

Respectfully submitted,



Daniel B. Pickard, Esq.

Stephen J. Claeys, Esq.

Derick G. Holt, Esq.

Jonathan M. Babcock, Esq.

Counsel for Petitioner

American Glass Packaging Coalition

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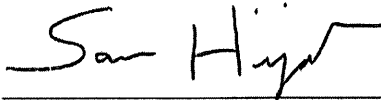
Washington, DC 20006

(202) 719-7000

CLIENT CERTIFICATION

I, Sam Hijab, currently employed as Vice President and General Counsel of Anchor Glass Container Corporation, certify that I prepared or otherwise supervised the preparation of the attached submission, *Petitions for the Imposition of Antidumping and Countervailing Duties pursuant to Sections 701 and 731 of the Tariff Act of 1930, As Amended on Certain Glass Containers from the People's Republic of China* (Investigation Nos. A-570-114 and C-570-115), dated September 25, 2019. I certify that the public information and any business proprietary information of Anchor Glass Container Corporation contained in this submission is 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: _____

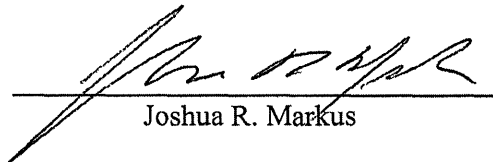


Sam Hijab

CLIENT CERTIFICATION

I, Joshua R. Markus, currently employed as General Counsel of Ardagh Glass Inc., certify that I prepared or otherwise supervised the preparation of the attached submission, *Petitions for the Imposition of Antidumping and Countervailing Duties pursuant to Sections 701 and 731 of the Tariff Act of 1930, As Amended on Certain Glass Containers from the People's Republic of China* (Investigation Nos. A-570-114 and C-570-115), dated September 25, 2019. I certify that the public information and any business proprietary information of Ardagh Glass Inc. contained in this submission is 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.

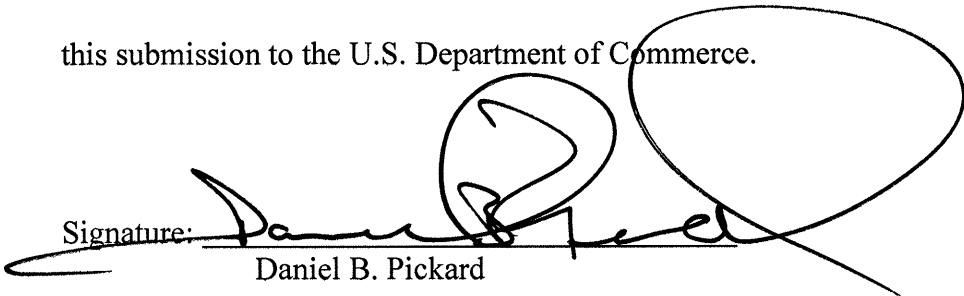
Signature: _____



Joshua R. Markus

REPRESENTATIVE CERTIFICATION

I, Daniel B. Pickard, with Wiley Rein LLP, counsel to the American Glass Packaging Coalition, certify that I have read the attached submission, *Petitions for the Imposition of Antidumping and Countervailing Duties pursuant to Sections 701 and 731 of the Tariff Act of 1930, As Amended on Certain Glass Containers from the People's Republic of China* (Investigation Nos. A-570-114 and C-570-115), dated September 25, 2019. In my capacity as Counsel, 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: 

Daniel B. Pickard

Date: September 25, 2019

CERTIFICATION OF COUNSEL

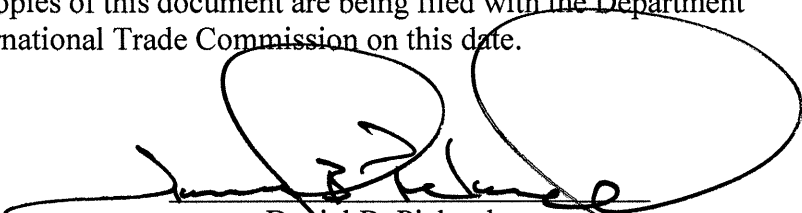
City of Washington)
)
District of Columbia) ss:

In accordance with section 201.6(b)(3)(iii) of the Commission's regulations, 19 C.F.R. § 201.6(b)(3)(iii), I, Daniel B. Pickard, of Wiley Rein LLP, hereby certify that information substantially identical to the information for which we are requesting proprietary treatment in the attached submission is not available to the public.

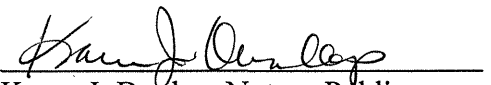
In accordance with section 207.3(a) of the Commission's regulations, 19 C.F.R. § 207.3(a), I, further certify that (1) I have read the attached submission, and (2) the information contained in this submission is accurate and complete to the best of my knowledge.

In accordance with section 207.10(a) of the Commission's regulations, 19 C.F.R. § 207.10(a), I also certify that copies of this document are being filed with the Department of Commerce and the U.S. International Trade Commission on this date.

Dated: September 25, 2019


Daniel B. Pickard

Subscribed and sworn to before me on September 25, 2019.


Karen J. Dunlap, Notary Public
My Commission Expires: 3/14/2024

Karen J. Dunlap
Notary Public of District of Columbia
Expires March 14 2024

