

**Attachment to the Cargo System Messaging Service Announcement of  
Initiation of Antidumping and Countervailing Duty Investigations:  
New Pneumatic Off-the-Road Tires from India, the People’s Republic of China and Sri  
Lanka**

On February 3, 2016, the Department of Commerce (Commerce) initiated its less-than-fair-value and countervailing duty investigations on “New Pneumatic Off-the-Road Tires” from India and the People’s Republic of China (PRC), as well as a countervailing duty investigation on the same merchandise from Sri Lanka (Initiation Notices). These investigations have been assigned the following case numbers: A-533-xxx and C-533-870 (India) A-570-xxx and C-570-035 (PRC) and C-542-801 (Sri Lanka).

**The Scope of Merchandise covered by these investigations reads as follows:**

The scope of these investigations is certain new pneumatic off-the-road tires (certain off road tires). Certain off road tires are tires with an off road tire size designation. The tires included in the scope may be either tube-type<sup>1</sup> or tubeless, radial, or non-radial, regardless of whether for original equipment manufacturers or the replacement market.

Subject tires may have the following prefix or suffix designation, which appears on the sidewall of the tire:

Prefix designations:

DH – Identifies a tire intended for agricultural and logging service which must be mounted on a DH drop center rim.

VA – Identifies a tire intended for agricultural and logging service which must be mounted on a VA multipiece rim.

IF – Identifies an agricultural tire to operate at 20 percent higher rated load than standard metric tires at the same inflation pressure.

VF – Identifies an agricultural tire to operate at 40 percent higher rated load than standard metric tires at the same inflation pressure.

Suffix designations:

ML – Mining and logging tires used in intermittent highway service.

DT – Tires primarily designed for sand and paver service.

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<sup>1</sup> While tube-type tires are subject to the scope of these proceedings, tubes and flaps are not subject merchandise and therefore are not covered by the scope of these proceedings, regardless of the manner in which they are sold (*e.g.*, sold with or separately from subject merchandise).

NHS – Not for Highway Service.

TG – Tractor Grader, off-the-road tire for use on rims having bead seats with nominal +0.188” diameter (not for highway service).

K – Compactor tire for use on 5° drop center or semi-drop center rims having bead seats with nominal minus 0.032 diameter.

IND – Drive wheel tractor tire used in industrial service.

SL – Service limited to agricultural usage.

FI – Implement tire for agricultural towed highway service.

CFO – Cyclic Field Operation.

SS – Differentiates tires for off-highway vehicles such as mini and skid-steer loaders from other tires which use similar size designations such as 7.00-15TR and 7.00-15NHS, but may use different rim bead seat configurations.

All tires marked with any of the prefixes or suffixes listed above in their sidewall markings are covered by the scope regardless of their intended use.

In addition, all tires that lack any of the prefixes or suffixes listed above in their sidewall markings are included in the scope, regardless of their intended use, as long as the tire is of a size that is among the numerical size designations listed in the following sections of the Tire and Rim Association Year Book, as updated annually, unless the tire falls within one of the specific exclusions set forth below. The sections of the Tire and Rim Association Year Book listing numerical size designations of covered certain off road tires include:

The table of mining and logging tires included in the section on Truck-Bus tires;

The entire section on Off-the-Road tires;

The entire section on Agricultural tires; and

The following tables in the section on Industrial/ATV/Special Trailer tires:

- Industrial, Mining, Counterbalanced Lift Truck (Smooth Floors Only);
- Industrial and Mining (Other than Smooth Floors);
- Construction Equipment;
- Off-the-Road and Counterbalanced Lift Truck (Smooth Floors Only);
- Aerial Lift and Mobile Crane; and
- Utility Vehicle and Lawn and Garden Tractor.

Certain off road tires, whether or not mounted on wheels or rims, are included in the scope. However, if a subject tire is imported mounted on a wheel or rim, only the tire is covered by the

scope. Subject merchandise includes certain off road tires produced in the subject countries whether mounted on wheels or rims in a subject country or in a third country. Certain off road tires are covered whether or not they are accompanied by other parts, *e.g.*, a wheel, rim, axle parts, bolts, nuts, etc. Certain off road tires that enter attached to a vehicle are not covered by the scope.

Excluded from the scope of these investigations are any products covered by the existing antidumping and countervailing duty orders on Certain New Pneumatic Off-the-Road Tires from the People's Republic of China. *See Certain New Pneumatic Off-the-Road Tires From the People's Republic of China: Notice of Amended Final Affirmative Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 73 FR 51624 (September 4, 2008); *Certain New Pneumatic Off-the-Road Tires From the People's Republic of China: Countervailing Duty Order*, 73 FR 51627 (September 4, 2008).<sup>2</sup>

In addition, specifically excluded from the scope are passenger vehicle and light truck tires, racing tires, mobile home tires, motorcycle tires, all-terrain vehicle tires, bicycle tires, on-road or on-highway trailer tires, and truck and bus tires. Such tires generally have in common that the symbol "DOT" must appear on the sidewall, certifying that the tire conforms to applicable motor vehicle safety standards. Such excluded tires may also have the following prefixes and suffixes included as part of the size designation on their sidewalls:

Prefix letter designations:

AT – Identifies a tire intended for service on All-Terrain Vehicles;

P – Identifies a tire intended primarily for service on passenger cars;

LT – Identifies a tire intended primarily for service on light trucks;

T – Identifies a tire intended for one-position "temporary use" as a spare only; and

ST – Identifies a special tire for trailers in highway service.

Suffix letter designations:

TR – Identifies a tire for service on trucks, buses, and other vehicles with rims having specified rim diameter of nominal plus 0.156" or plus 0.250";

MH – Identifies tires for Mobile Homes;

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<sup>2</sup> In these prior investigations, the Department found that imports of off road tires mounted on wheels were not within the scope of subject merchandise. *See Certain New Pneumatic Off-The-Road Tires from the People's Republic of China: Final Affirmative Determination of Sales at Less Than Fair Value and Partial Affirmative Determination of Critical Circumstances*, 73 FR 40485 (July 15, 2008) and accompanying Issues and Decision Memorandum at Comment 19.

HC – Identifies a heavy duty tire designated for use on “HC” 15” tapered rims used on trucks, buses, and other vehicles. This suffix is intended to differentiate among tires for light trucks, and other vehicles or other services, which use a similar designation.

Example: 8R17.5 LT, 8R17.5 HC;

LT – Identifies light truck tires for service on trucks, buses, trailers, and multipurpose passenger vehicles used in nominal highway service;

ST – Special tires for trailers in highway service; and  
Take scope language directly from the initiation FR Notice

**Requirements For Submitting Comments On The Scope Of The Investigations:** Please be sure to comply with all three requirements established below.

**Deadline for Submitting Comments:**

As announced in the Initiation Notices, Commerce is setting aside a period for interested parties to raise issues regarding product coverage (scope). The period for scope comments is intended to provide Commerce with ample opportunity to consider all comments and to consult with parties prior to the issuance of the preliminary determination, as appropriate. If scope comments include factual information (see 19 CFR 351.102(b)(21)), all such factual information should be limited to public information. Commerce requests that all such comments be filed by 5:00 p.m. Eastern Daylight Time (EDT) on Tuesday, February 23, 2016, which is 20 calendar days from the signature date of this notice. Any rebuttal comments, which may include factual information, must be filed by 5:00 p.m. EDT on Friday, March 4, 2016, which is 10 calendar days after the initial comments deadline. Commerce requests that any factual information the parties consider relevant to the scope of the investigations be submitted during this time period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigations may be relevant, the party may contact Commerce and request permission to submit the additional information. **All such comments must be filed on the records of each of the concurrent AD and CVD investigations identified above.**

**Required Entry of Appearance:**

Parties wishing to participate in this segment and be included on the public service list must file a letter of appearance. Section 351.103(d)(1) of Commerce’s regulations states that “with the exception of a petitioner filing a petition in an investigation, to be included on the public service list for a particular segment, each interested party must file a letter of appearance.” The letter of appearance must be filed separately from any other document (with the exception of an application for APO access). Note, the letter of appearance must state how the party qualifies as an interested party (*e.g.*, an exporter, producer, importer of the subject merchandise) and must include a point of contact, including address, telephone/fax number and email address.

All submissions to Commerce must be filed electronically using Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). An electronically-filed document must be received successfully in its entirety by the time, typically 5p.m., and date when it is due. Documents excepted from the electronic submission

requirements must be filed manually (*i.e.*, in paper form) with Enforcement and Compliance's APO/Dockets Unit, Room 18022, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, and stamped with the date and time of receipt by the applicable deadlines.

For your convenience, Commerce has the following resources available online to assist you in complying with these electronic filing procedures:

ACCESS: Help Link

<https://access.trade.gov/help.aspx>

ACCESS: External User Guide <https://access.trade.gov/help/ACCESS%20User%20Guide.pdf>

ACCESS: Handbook on Electronic Filing Procedures

<https://access.trade.gov/help/Handbook%20on%20Electronic%20Filing%20Procedures.pdf>

Federal Register notice: Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures, 76 FR 39263 (July 6, 2011)

<http://www.gpo.gov/fdsys/pkg/FR-2011-07-06/pdf/2011-16352.pdf>

Enforcement and Compliance: Change of Electronic Filing System Name, 79 FR 69046 (November 20, 2014)

<http://www.gpo.gov/fdsys/pkg/FR-2014-11-20/pdf/2014-27530.pdf>

Enforcement and Compliance: General Filing Requirements

<http://enforcement.trade.gov/filing/index.html>

### **Required Certifications:**

Please note that the following certification requirements are in effect for company / government officials as well as their representatives. In all segments of antidumping duty or countervailing duty proceedings initiated on or after August 16, 2013, parties submitting factual information must use the formats for the certifications provided at the end of the Final Rule. *See Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings*, 78 FR 42678 (July 17, 2013) (Final Rule). *See also* the frequently asked questions regarding the Final Rule, available at [http://enforcement.trade.gov/tlei/notices/factual\\_info\\_final\\_rule\\_FAQ\\_07172013.pdf](http://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf).

### **For Further Information Contact:**

AD/CVD Operations, Enforcement and Compliance, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230:

Stephen Bailey at (202) 482-0193 (Antidumping Duty Investigation from India);

Spencer Toubia at (202) 482-0123 (Countervailing Duty Investigation from India);

Alex Rosen at (202) 482-7814 (Antidumping Duty Investigation from the PRC);

Laurel LaCivita at (202) 482-4243 (Countervailing Duty Investigation from the PRC);

Elizabeth Eastwood at (202) 482-3874 (Countervailing Duty Investigation from Sri Lanka).