



UNITED STATES DEPARTMENT OF COMMERCE
International Trade Administration
Washington, D.C. 20230

A-201-845

C-201-846

Suspension Agreement — Scope Inquiry
Batory/Rafi — Repackaged Sugar
Public Document
ITA/E&C/P&N/OP/BAU: JJM

TO ALL INTERESTED PARTIES

April 15, 2019

Re: Agreements Suspending the Antidumping and Countervailing Duty Investigations on Sugar from Mexico: Scope Inquiry Initiation

To Whom It May Concern:

On November 14, 2018, the Department of Commerce (Commerce) received an application from Batory Foods, Inc., and Rafi Industries, Inc., for a scope ruling to determine whether U.S.-origin sugar, which is repackaged in Mexico into kraft paper bags or supersacks and then reimported into the United States, is outside the scope of the Agreements Suspending the Antidumping and Countervailing Duty Investigations on Sugar from Mexico.¹

Commerce is initiating this formal scope inquiry to seek comments on a forthcoming preliminary scope ruling. This formal initiation does not necessarily preclude us from finding that the language of the scope is unambiguous and that the plain language of the Agreements does not include the described merchandise, nor does it preclude us from issuing a decision based on the factors enumerated in 19 CFR 351.225(k)(1).

Commerce intends to issue a preliminary scope ruling shortly after this initiation notice. Interested parties may comment on Commerce's preliminary scope ruling in their case and rebuttal briefs. We will not accept new factual information in the case and rebuttal briefs. Interested parties may submit case briefs no later than 20 days after the issuance of the preliminary scope ruling. Parties may then submit their rebuttal briefs within ten days of the date of the filing of case briefs. We will not accept surrebuttal briefs. Written comments and rebuttal comments should be submitted via 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 5:00 p.m. ET on the day it is due. Commerce intends to issue its final determination within 120 days from this initiation (*i.e.*, August 13, 2019), as specified in 19 CFR 351.225(f)(5).

¹ See Letter to Wilbur Ross, Secretary of Commerce, from Batory Foods, Inc. and Rafi Industries, Inc., "Antidumping and Countervailing Duty Suspension Agreements on Sugar from Mexico: Scope Clarification Request for U.S.-Origin Sugar Repackaged in Mexico" (November 14, 2018) (Scope Inquiry Letter).

