

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

CERTAIN COMPOSITE INTERMEDIATE
BULK CONTAINERS

Inv. No. 337-TA-1014

**ORDER NO. 13: INITIAL DETERMINATION TERMINATING INVESTIGATION
BASED ON WITHDRAWAL OF COMPLAINT; STAYING
PROCEDURAL SCHEDULE**

(February 22, 2017)

On February 17, 2017, Complainant Schütz Container Systems Inc. filed a motion to terminate the investigation based upon its withdrawal of the complaint (Motion Docket No. 1014-010). Respondent Zhenjiang Runzhou Jinshan Packaging Factory does not oppose the motion. The Commission Investigative Staff filed a response in support of the motion on February 21, 2017.

The Commission has held that “in the absence of extraordinary circumstances, termination of an investigation will be readily granted to a complainant during the prehearing stage of an investigation.” *Certain Television Sets, Television Receivers, Television Tuners, and Components Thereof*, Inv. No. 337-TA-910, Order No. 50, 2014 WL 6480577 (Nov. 12, 2014) (quoting *Certain Ultrafiltration Membrane Systems, & Components Thereof Including Ultrafiltration Membranes*, Inv. No. 337-TA-107, Comm’n Action & Order at 2 (Mar. 11, 1982)), *not rev’d*, Comm’n Notice (May 12, 2014). Commission Rule 210.21(a)(1) provides that “[a]ny party may move at any time prior to the issuance of an initial determination on violation of section 337 of the Tariff Act of 1930 to terminate an investigation in whole or in part as to any

or all respondents, on the basis of withdrawal of the complaint or certain allegations contained therein” 19 C.F.R. § 210.21(a)(1). In compliance with this rule, the motion states that there are no agreements, written or oral, express or implied between the parties concerning the subject matter of this investigation. Mot. at 1. I find no evidence of extraordinary circumstances preventing the termination of this investigation and find that termination is in the public interest, as public and private resources will be conserved. See Staff Resp. at 2; see also *Certain Power Supplies*, Inv. No. 337-TA-646, Order No. 18, 2009 WL 52424 (Jan. 5, 2009) (“public policy supports termination, in order to conserve public and private resources”).

Complainant also seeks a stay of the procedural schedule, which is appropriate in view of the termination of the investigation.

Accordingly, it is my Initial Determination that Motion Docket No. 1014-010 is GRANTED.¹ This investigation is hereby terminated in its entirety.

Pursuant to Commission Rule 210.42(h), this Initial Determination shall become the determination of the Commission unless a party files a petition for review pursuant to Commission Rule 210.43(a), or the Commission orders, on its own motion, a review of the Initial Determination or certain issues herein pursuant to Commission Rule 210.44. 19 C.F.R. §§ 210.42(h), 210.43(a), 210.44.

SO ORDERED.



Dee Lord
Administrative Law Judge

¹ There is a pending motion to compel (Motion Docket No. 1014-006), which is hereby DENIED as moot.

PUBLIC CERTIFICATE OF SERVICE

I, Lisa R. Barton, hereby certify that the attached **ORDER** has been served by hand upon the Commission Investigative Attorney, Cortney C. Hoecherl, Esq., and the following parties as indicated, on **February 22, 2017**.



Lisa R. Barton, Secretary
U.S. International Trade Commission
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On Behalf of Complainant Schütz Container Systems Inc.:

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**On Behalf of Respondent Zhenjiang Runzhou Jinshan
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