



December 21, 2023

Case No. A-522-833  
NME Status CCR  
Office of Enforcement & Compliance

**PUBLIC DOCUMENT**

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The Honorable Gina M. Raimondo  
Secretary of Commerce  
International Trade Administration  
Enforcement & Compliance  
APO/Dockets Unit, Room 18022  
14th Street & Constitution Avenue, NW  
Washington, DC 20230

**Re: Consumer Brands Association Comments in Support of Ending Vietnam's Non-Market Economy Treatment (Docket No. ITA-2023-0010)**

Dear Secretary Raimondo:

The Consumer Brands Association (“Consumer Brands”) respectfully submits these comments on the changed circumstances review (“CCR”) of the antidumping duty (“AD”) order on raw honey from Vietnam, to examine whether Vietnam should remain a non-market economy (“NME”) country for purposes of U.S. AD law.<sup>1</sup> Consumer Brands supports ending Vietnam’s NME treatment in AD investigations before Commerce, which will help diversify supply chains by both alleviating supply chain risks and de-emphasizing reliance on sources like China.

Consumer Brands is a trade association of companies in the consumer-packaged goods (“CPG”) industry, whose members represent nearly 2,000 iconic brands. With manufacturers located in 37 states, the CPG industry is the largest manufacturing employer in the United States, supporting 2.3 million jobs, generating \$151 billion in labor income, and contributing \$361 billion to the U.S. gross domestic product. Our industry also stimulates the U.S. economy at large by generating demand up and down the supply chain. As importantly, Consumer Brands’

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<sup>1</sup> See *Raw Honey from the Socialist Republic of Vietnam: Initiation of Antidumping Duty Changed Circumstances Review*, 88 Fed. Reg. 74,152 (Oct. 30, 2023).

**Consumer Brands Association**  
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members produce the food, beverage, household, and personal care products that Americans depend on every day.


The CPG industry is an indispensable part of Americans' lives, and producers in this industry require a robust, secure, and reliable supply chain to manufacture these vital goods. Additionally, we have significant interest in seeing Commerce adopt trade policies that strengthen supply chains and support U.S. manufacturing. To this end, Consumer Brands and its members appreciate the role of the U.S. Department of Commerce ("Commerce") in enforcing U.S. trade laws, and Consumer Brands supports fair trade practices that benefit our manufacturer members and U.S. consumers alike.

Our members source ingredients and other materials from the United States and around the world, in order to decrease the risks of supply chain disruptions. One example of these critical inputs is raw honey, which is used as an ingredient in a wide array of staple products produced by the CPG industry. Because honey is essential in myriad food and beverage products, CPG manufacturers seek to diversify their sources to ensure a steady supply of high-quality inputs. Moreover, not all honey is created equal: CPG manufacturers often require honey with certain flavors and color specifications to ensure a consistent flavor profile. For these reasons, many CPG manufacturers have longstanding relationships with Vietnamese suppliers, which produce darker honeys with distinct flavors. However, following the NME AD investigation into honey from Vietnam, Commerce imposed duties of around 60 percent on these imports.

We do not believe that Vietnam meets the criteria for an NME. Vietnam has strong and enduring ties to the United States, and is a longtime friend of the United States in Southeast Asia. Moreover, our members who conduct business with Vietnamese entities have not witnessed any of the NME practices identified by Commerce in its *Federal Register* Notice, and we observe that there are very few existing countervailing duty orders on products from Vietnam that would suggest undue government influence over Vietnamese manufacturers. Accordingly, to the extent Vietnamese companies and products are involved in U.S. AD proceedings, Commerce should treat Vietnam as a market economy and employ a methodology that more fairly and accurately measures alleged dumping.

As the United States promotes supplier diversification for manufacturers and seeks ways to decrease reliance on China, it should consider how to facilitate trade with other countries in the region, like Vietnam. Consumer Brands believes that ending Vietnam's NME status is an important step in this direction.

Sincerely,

  
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Tom Madrecki  
Vice President of Supply Chain  
Consumer Brands Association

The Honorable Gina Raimondo  
Secretary of Commerce  
Attention: Enforcement and Compliance  
U.S. Department of Commerce  
14th Street and Constitution Avenue, NW  
Washington, DC 20230

**Re: Request for Comments on the Socialist Republic of Vietnam Initiation of Antidumping Duty Changed Circumstances Review**

Dear Secretary Raimondo:

On behalf of the organizations below, we are writing regarding the U.S. Department of Commerce's ("Commerce") ongoing changed circumstances review of the Socialist Republic of Vietnam ("Vietnam") to examine whether Vietnam remains a non-market economy ("NME") country for purposes of the application of the antidumping duty ("AD") law.

The parties to this letter are particularly supportive of this change in circumstance related to the ongoing Order on Raw Honey from Vietnam, but believe that the Vietnamese Government should be treated as a market economy in all Commerce proceedings as a result of its September 8, 2023 request for a changed circumstance review. Therein, the Vietnamese Government has demonstrated it meets each of the statutory criteria Commerce uses to evaluate a country's market economy status.

In particular, the Vietnamese government has highlighted recent market-oriented reforms to its economy focused on transparency, labor rights, market principles, lack of currency manipulation, and private sector development amongst others. All of these factors support a finding that Vietnam should now be treated as a market economy. Moreover, each of the parties to this letter can support that their business dealings in Vietnam reflect that of a market economy.

Beyond the statutory criteria that Commerce reviews in its changed circumstances determination, treatment of Vietnam as a market economy aligns with U.S. government policy overall. As the agency is well-aware, U.S. government policy in recent years has been focused on encouraging U.S. sourcing to move out of China. Vietnam represents a key ally and alternative sourcing opportunity for U.S. companies outside of China.

With respect to raw honey imports in particular, U.S. food manufacturers employing thousands of Americans rely on Vietnamese raw honey to produce pantry staples like bread, cereal, snack bars, dressings, condiments and meats. Because of Vietnam's climate, the honey produced there is distinct from U.S. honey and necessary for domestic food manufacturing operations. Therefore, U.S food manufacturers must fill the gap by importing honey from Vietnam under market conditions in order to achieve the proper food product formulation.

For these reasons, the parties to this letter strongly support the change in circumstances from an NME country to a market economy country for Vietnam with respect to application of the AD law.

Sincerely,

*American Bakers Association*

*Consumer Brands Association*

*The Leather and Hide Council of America*

*The Meat Institute*

*The National Pork Producers Council*

*Organic Trade Association*