



FACT SHEET

Commerce Initiates Antidumping Duty and Countervailing Duty Investigations of Imports of Fine Denier Polyester Staple Fiber from the People's Republic of China (China), India, the Republic of Korea (Korea), Taiwan, and the Socialist Republic of Vietnam (Vietnam)

- On June 21, 2017, the Department of Commerce (Commerce) announced the initiation of antidumping duty (AD) and countervailing duty (CVD) investigations to determine whether imports of fine denier polyester staple fiber from China, India, Korea, Taiwan, and Vietnam are being sold at less than fair value in the United States, and whether imports of fine denier polyester staple fiber from China and India are benefiting from unfair subsidies.
- The AD and CVD laws provide U.S. businesses and workers with a transparent, quasi-judicial, and internationally accepted mechanism to seek relief from the market-distorting effects caused by injurious dumping and unfair subsidization of imports into the United States, establishing an opportunity to compete on a level playing field.
- For the purpose of AD investigations, dumping occurs when a foreign company sells a product in the United States at less than its fair value. For the purpose of CVD investigations, a countervailable subsidy is financial assistance from a foreign government that benefits the production of goods from foreign companies and is limited to specific enterprises or industries, or is contingent either upon export performance or upon the use of domestic goods over imported goods.
- The petitioners are DAK Americas LLC (NC), Nan Ya Plastics Corporation, America (SC), and Auriga Polymers Inc. (NC).
- The scope of these investigations covers fine denier polyester staple fiber (fine denier PSF), not carded or combed, measuring less than 3.3 decitex (3 denier) in diameter. The scope covers all fine denier PSF, whether coated or uncoated. The following products are excluded from the scope:
 - (1) PSF equal to or greater than 3.3 decitex (more than 3 denier, inclusive) currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 5503.20.0045 and 5503.20.0065.
 - (2) Low-melt PSF defined as a bi-component fiber with a polyester core and an outer, polyester sheath that melts at a significantly lower temperature than its inner polyester core currently classified under HTSUS subheading 5503.20.0015.

Fine denier PSF is classifiable under the HTSUS subheading 5503.20.0025. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigations is dispositive.

- In 2016, imports of fine denier polyester staple fiber from China, India, Korea, Taiwan, and Vietnam were valued at an estimated \$79.4 million, \$14.7 million, \$10.6 million, \$9.6 million, and \$12.4 million, respectively.

NEXT STEPS

- The U.S. International Trade Commission (ITC) is scheduled to make its preliminary injury determinations on or before July 17, 2017.
- If the ITC determines that there is a reasonable indication that imports of fine denier polyester staple fiber from China, India, Korea, Taiwan and/or Vietnam materially injure, or threaten material injury to the domestic industry in the United States, the investigations will continue, and the Department will announce its preliminary CVD determination in August 2017 and its preliminary AD determination in November 2017, though these dates may be extended. If the ITC’s determinations are negative, the investigations will be terminated.

ALLEGED DUMPING MARGINS:

COUNTRY	DUMPING MARGINS
China	88.07 to 103.06 percent
India	21.43 percent
Korea	37.28 to 45.23 percent
Taiwan	31.07 to 56.72 percent
Vietnam	64.73 percent

ESTIMATED SUBSIDY RATES:

COUNTRY	SUBSIDY RATES
China	Above <i>de minimis</i> *
India	Above <i>de minimis</i> *

* *de minimis* = less than 1% for developed countries, less than 2% for developing countries.

CASE CALENDAR:

EVENT	AD INVESTIGATION	CVD INVESTIGATION
Petitions Filed	May 31, 2017	May 31, 2017
DOC Initiation Date	June 20, 2017	June 20, 2017
ITC Preliminary Determinations*	July 17, 2017†	July 17, 2017†
DOC Preliminary Determinations**	November 7, 2017	August 24, 2017
DOC Final Determinations***	January 22, 2018†	November 7, 2017
ITC Final Determinations****	March 7, 2018	December 22, 2017
Issuance of Orders*****	March 14, 2018	December 29, 2017

NOTE: Commerce preliminary and final determination deadlines are governed by statute. For CVD investigations, the deadlines are set forth in sections 703(b) and 705(a)(1) of the Tariff Act of 1930, as amended (the Act). For AD investigations, the deadlines are set forth in sections 733(b) and 735(a) of the Act. These deadlines may be extended under certain circumstances.

†Where the deadline falls on a weekend/holiday, the appropriate date is the next business day.

* If the ITC makes a negative preliminary determination of injury, the investigations are terminated.

**These deadlines may be extended under the governing statute.

***This will take place only in the event of final affirmative determinations from Commerce.

****This will take place only in the event of final affirmative determinations from Commerce and the ITC.

IMPORT STATISTICS:

CHINA	2014	2015	2016
Volume (metric tons)	34,795	51,371	73,598
Value (USD)	50,247,722	61,390,279	79,409,675
INDIA	2014	2015	2016
Volume (metric tons)	10,150	12,772	12,369
Value (USD)	15,785,925	17,126,857	14,737,498
KOREA	2014	2015	2016
Volume (metric tons)	6,455	9,284	7,251
Value (USD)	11,363,450	13,579,774	10,578,924
TAIWAN	2014	2015	2016
Volume (metric tons)	7,648	7,198	7,364
Value (USD)	16,097,127	12,428,180	9,583,932
VIETNAM	2014	2015	2016
Volume (metric tons)	9,212	11,322	12,951
Value (USD)	10,729,820	12,280,114	12,414,375

Source: U.S. Census Bureau, accessed through Global Trade Atlas. (HTSUS 5503.20.0025)