



## FACT SHEET

### **Commerce Initiates Antidumping Duty and Countervailing Duty Investigations of Imports of Certain Polyethylene Terephthalate Resin from Canada, China, India, and Oman**

- On March 31, 2015, the Department of Commerce (Commerce) announced the initiation of antidumping duty (AD) and countervailing duty (CVD) investigations of imports of certain polyethylene terephthalate (PET) resin from China, India, Oman, and an AD investigation of imports of PET resin from Canada.
- The AD and CVD laws provide U.S. businesses and workers with a transparent 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, countervailable subsidies are financial assistance from foreign governments that benefit the production of goods from foreign companies and are limited to specific enterprises or industries, or are contingent either upon export performance or upon the use of domestic goods over imported goods.
- The petitioners for these investigations are DAK Americas, LLC (NC), M&G Chemicals (WV), and Nan Ya Plastics Corporation, America (SC).
- The merchandise covered by these investigations is polyethylene terephthalate (PET) resin having an intrinsic viscosity of at least 0.70, but not more than 0.88, deciliters per gram. The scope includes blends of virgin PET resin and recycled PET resin containing 50 percent or more virgin PET resin content by weight, provided such blends meet the intrinsic viscosity requirements above. The scope includes all PET resin meeting the above specifications regardless of additives introduced in the manufacturing process.
- The merchandise subject to these investigations is properly classified under subheading 3907.60.00.30 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.
- In 2014, imports of PET resin from Canada, China, India, and Oman were valued at an estimated \$239 million, \$92.1 million, \$51.7 million, and \$51.1 million, respectively.

### **NEXT STEPS**

- The U.S. International Trade Commission (ITC) is scheduled to make its preliminary injury determinations on or before April 24, 2015.

- If the ITC determines that there is a reasonable indication that imports of PET resin from Canada, China, India, and/or Oman materially injure, or threaten material injury to, the domestic industry, the investigations will continue and Commerce will be scheduled to make its preliminary CVD determinations in June 2015 and its preliminary AD determinations in August 2015, unless the statutory deadlines are extended. If the ITC's preliminary determinations are negative, the investigations will be terminated.

**ALLEGED DUMPING MARGINS:**

<b>COUNTRY</b>	<b>DUMPING MARGINS</b>
<b>Canada</b>	<b>96.30 to 102.99 percent</b>
<b>China</b>	<b>193.48 to 206.42 percent</b>
<b>India</b>	<b>19.41 percent</b>
<b>Oman</b>	<b>116.91 to 120.05 percent</b>

**ESTIMATED SUBSIDY RATES:**

<b>COUNTRY</b>	<b>SUBSIDY RATE</b>
<b>China</b>	<b><i>Above de minimis*</i></b>
<b>India</b>	<b><i>Above de minimis*</i></b>
<b>Oman</b>	<b><i>Above de minimis*</i></b>

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

## CASE CALENDAR:

EVENT	AD INVESTIGATIONS	CVD INVESTIGATIONS
Petitions Filed	March 10, 2015	March 10, 2015
DOC Initiation Date	March 30, 2015	March 30, 2015
ITC Preliminary Determinations*	April 24, 2015	April 24, 2015
DOC Preliminary Determinations	August 17, 2015	June 3, 2015
DOC Final Determinations	November 2, 2015†	August 17, 2015
ITC Final Determinations**	December 15, 2015	October 1, 2015
Issuance of Orders***	December 22, 2015	October 8, 2015

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 negative preliminary determinations of injury, the investigations are terminated.

\*\*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:

CANADA	2012	2013	2014
Volume (metric tons)	121,800	144,800	139,700
Value (USD)	210,762,000	254,392,000	239,034,000
PRC	2012	2013	2014
Volume (metric tons)	72,500	66,000	112,800
Value (USD)	82,879,000	70,915,000	92,128,000
INDIA	2012	2013	2014
Volume (metric tons)	22,900	36,700	38,900
Value (USD)	36,813,000	56,963,000	51,666,000
OMAN	2012	2013	2014
Volume (metric tons)	11,600	24,500	37,500
Value (USD)	18,117,000	38,252,000	51,068,000

Source: U.S. Census Bureau, accessed through Global Trade Atlas. (HTSUS 3907.60.0030)