



FACT SHEET

Commerce Preliminarily Finds Dumping of Imports of Certain Polyethylene Terephthalate Resin from Canada, China, India, and Oman

- On October 7, 2015, the Department of Commerce (Commerce) announced its affirmative preliminary determinations in the antidumping duty (AD) investigations of imports of certain polyethylene terephthalate (PET) resin from Canada, China, India, and Oman.
- The AD law provides U.S. businesses and workers with a transparent and internationally accepted mechanism to seek relief from the market distorting effects caused by injurious dumping 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.
- Commerce preliminarily determined that PET resin from Canada, China, India, and Oman have been sold in the United States at dumping margins ranging from 13.29 percent, 125.12 percent to 145.94 percent (China-wide rate based on adverse facts available), 6.31 percent to 19.41 percent (based on adverse facts available), and 6.62 percent, respectively.
- In the Canada investigation, the sole mandatory respondent Selenis Canada Inc. received preliminary dumping margin of 13.29 percent. All other producers/exporters in Canada received a preliminary dumping margin of 13.29 percent.
- In the China investigation, mandatory respondents Far Eastern Industries (Shanghai), Ltd. (FEIS) and its single entity affiliate Oriental Industries (Suzhou) Limited, and Jiangyin Xingyu New Materials Co., Ltd. (Xingyu) and its four other single entity affiliates received preliminary dumping margins of 125.12 percent and 131.16 percent, respectively. Four other exporters in China qualified for a separate rate of 129.42 percent. All other producers/exporters in China received the China-wide rate of 145.94 percent, based on adverse facts available due to the failure of other parties to respond to Commerce's requests for information, or to their failure to otherwise participate in the investigation.
- In the India investigation, mandatory respondents Dhunseri Petrochem Limited and JBF Industries Limited received a preliminary dumping margin of 19.41 percent based on adverse facts available due to the respondents failure to respond to Commerce's questionnaire. Mandatory respondents Ester Industries Limited and Reliance Industries Limited received preliminary dumping margins of 10.68 and 6.31 percent, respectively. All other producers/exporters in India received a preliminary dumping margin of 8.50 percent.
- In addition, in the India investigation, petitioners alleged "critical circumstances." Commerce found that critical circumstances exist for all Indian companies. As a result, and in accordance with the governing regulation, Commerce will instruct U.S. Customs and Border Protection (CBP) to collect cash deposits of estimated antidumping duties on entries of PET resin from India up to 90 days prior to the date of publication of our preliminary determination in the *Federal Register*.

- In the Oman investigation, the sole mandatory respondent, OCTAL SAOC FZC, received a preliminary dumping margin of 6.62 percent. All other producers/exporters in Oman also received a preliminary dumping margin of 6.62 percent.
- As a result of the preliminary affirmative determinations, Commerce will instruct CBP to require cash deposits based on these preliminary rates, adjusted for export subsidies as appropriate.
- 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

- Commerce is scheduled to announce its final determinations on or about February 26, 2016; unless the statutory deadline is extended.
- If Commerce makes affirmative final determinations, and the U.S. International Trade Commission (ITC) makes affirmative final determinations that imports of PET resin from Canada, China, India, and/or Oman materially injure, or threaten material injury to, the domestic industry, Commerce will issue AD orders. If either Commerce's or the ITC's final determinations are negative, no AD orders will be issued. The ITC is scheduled to make its final injury determinations in April 2016.

PRELIMINARY DUMPING MARGINS:

COUNTRY	EXPORTER/PRODUCER	DUMPING MARGINS
Canada	Selenis Canada Inc.	13.29%
	All Others	13.29%

COUNTRY	EXPORTER/PRODUCER	DUMPING MARGINS	CASH DEPOSIT RATE*
China	Far Eastern Industries (Shanghai) Ltd. and Oriental Industries (Suzhou) Limited	125.12%	123.29%
	Jiangyin Xingyu New Material Co., Ltd., Jiangsu Xingye Plastic Co., Ltd., Jiangyin Xingjia Plastic Co., Ltd., Jiangyin Xingtai New Material Co., Ltd., and Jiangsu Xingye Polytech Co., Ltd.	131.16%	129.45 %
	Dragon Special Resin (XIAMEN) Co., Ltd.	129.42%	124.74%
	Hainan Yisheng Petrochemical Co., Ltd.	129.42%	125.76%
	Shanghai Hengyi Polyester Fiber Co., Ltd.	129.42%	125.76%
	Zhejiang Wankai New Materials Co., Ltd.	129.42%	125.76%
	China-Wide Rate	145.94 %	145.14%

NOTE: The cash deposit rate accounts for the applicable export subsidy rate and the applicable domestic subsidy pass-through.

COUNTRY	EXPORTER/PRODUCER	DUMPING MARGINS	CASH DEPOSIT RATE*
India	Dhunseri Petrochem Ltd.	19.41%	14.28%
	Ester Industries Ltd.	10.68%	5.55%
	JBF Industries Ltd.	19.41%	0.00%
	Reliance Industries Ltd.	6.31%	1.18%
	All Others	8.50%	3.37%

NOTE: The cash deposit rate accounts for the applicable export subsidy of 5.13 percent for Dhunseri, Ester, Reliance, and “all others,” and of 37.1 for JBF.

COUNTRY	EXPORTER/PRODUCER	DUMPING MARGINS
Oman	OCTAL SAOC FZC	6.62%
	All Others	6.62%

CASE CALENDAR:

EVENT	DATE
Petitions Filed	March 10, 2015
DOC Initiation Date	March 30, 2015
ITC Preliminary Determination	April 24, 2015
DOC Preliminary Determination	October 6, 2015
DOC Final Determination	February 25, 2016
ITC Final Determination*	April 8, 2016
Issuance of Order**	April 15, 2016

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

*This will take place only in the event of a final affirmative determination by Commerce.

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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
CHINA	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)