



A-533-824
A-583-837
Sunset Reviews
OVII: JA

DATE: November 4, 2013

MEMORANDUM TO: Paul Piquado
Assistant Secretary
for Enforcement and Compliance

FROM: Christian Marsh
Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations

SUBJECT: Issues and Decision Memorandum for the Preliminary Results of
the Sunset Reviews of the Antidumping Duty Orders on
Polyethylene Terephthalate (PET) Film, Sheet, and Strip from
India and Taiwan

Summary

We have analyzed the response of the DuPont Teijin Films (DuPont), Mitsubishi Polyester Film, Inc. (Mitsubishi Polyester), and SKC, Inc. (SKC) (collectively, the domestic interested parties), in the sunset reviews of the antidumping duty (AD) orders on polyethylene terephthalate film, sheet, and strip (PET Film) from India and Taiwan. We recommend that you approve the positions described in the “Discussion of the Issues” section of this memorandum. Below is a complete list of the issues in these sunset reviews on which we received comments from the domestic interested parties:

1. Likelihood of Continuation or Recurrence of Dumping
2. Magnitude of the Margin Likely to Prevail

History of the Order on PET Film from India

On July 1, 2002, the Department of Commerce (the Department) published, in the Federal Register, the AD order on PET Film from India.¹ The period of investigation (POI) was April 1, 2000 through March 31, 2001. In the India Order, the Department determined weighted-average dumping margins of 24.14 percent for Ester Industries (Ester) and 24.14 percent for the “all-others” rate. For cash deposit purposes, this rate was adjusted to remove the export subsidies identified in the companion countervailing duty investigation to establish a cash deposit rate of 5.71 percent for Ester. We calculated a weighted-average dumping margin of 10.34 percent for Polyplex Corporation Limited (Polyplex); when the margin was adjusted to remove the export subsidies, we stated that the margin for Polyplex was zero. As a result, Polyplex was excluded from the AD order. Polyplex’s exclusion from the order was subsequently reversed in accordance with a decision of the Court of International Trade, which was affirmed by the United States Court of Appeals for the Federal Circuit.² At the conclusion of the litigation, the Department published an amended final determination and included Polyplex in the AD order.³ Because adjusting for the export subsidies eliminated the AD margin, the Department established a zero cash deposit rate for Polyplex.

In the first five-year (sunset) review, the Department found that revocation of the AD order would be likely to lead to continuation or recurrence of dumping and the International Trade Commission (ITC) determined, pursuant to 751(c) of the Tariff Act of 1930, as amended

¹ See Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Polyethylene Terephthalate (PET) Film, Sheet, and Strip (PET Film) from India, 67 FR 44175 (July 1, 2002) (India Order).

² See DuPont Teijin Films USA, LP et al. v. United States, 28 C.I.T. 896 (Ct. Int’l Trade 2004), aff’d 407 F.3d 1211 (Fed. Cir. 2005) (May 12, 2005).

³ See Notice of Amended Final Determination in Accordance With Court Decision: Antidumping Duty Investigation of Polyethylene Terephthalate Film, Sheet, and Strip from India, 70 FR 52075 (September 1, 2005)

(the Act) that revocation of the AD order would be likely to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.⁴

The Department has completed three administrative reviews and one new shipper review since the final results of first sunset review and the subsequent continuation notice of the AD order on PET film from India.⁵ On May 8, 2008, the Department published a notice of continuation of this order.⁶ The administrative review for July 1, 2011 through June 30, 2012 period of review (POR) of three companies (Jindal Poly Films Limited, SRF Limited, and Polyplex Corporation Ltd.) is currently ongoing.⁷ There have been no circumvention determinations, duty absorption, or changed circumstances reviews since the First Sunset Reviews.

History of the Order on PET Film from Taiwan

On July 1, 2002, the Department published in the Federal Register the AD order on PET Film from Taiwan.⁸ The POI was April 1, 2000 through March 31, 2001. The Department determined weighted-average dumping margins of 2.49 percent for Nan Ya Plastics Corporation, Ltd. (Nan Ya), 2.05 percent for Shinkong Synthetic Fibers Corporation (Shinkong), and 2.40 percent for the “all others” rate.

⁴ See Polyethylene Terephthalate Film, Sheet, and Strip From India and Taiwan: Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders, 72 FR 57297 (October 9, 2007) (First PET Film Sunset Reviews); see also Continuation of Antidumping Duty Orders on Polyethylene Terephthalate Film, Sheet and Strip from India and Taiwan, 73 FR 26079 (May 8, 2008)(Continuation Notice for First PET Film Sunset Reviews).

⁵ The periods of review (PORs) for the three administrative and one new shipper review were July 1, 2006 through June 30, 2007; July 1, 2009 through June 30, 2010; and July 1, 2010 through June 30, 2011.

⁶ See Polyethylene Terephthalate Film, Sheet and Strip from India and Taiwan: Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders, 72 FR 57297 (October 9, 2007) (First Sunset Reviews); see also Continuation of Antidumping Duty Orders on Polyethylene Terephthalate Film, Sheet and Strip from India and Taiwan 73 FR 26079 (May 8, 2008) (Continuation of PET Film Orders).

⁷ See Polyethylene Terephthalate Film Sheet and Strip from India: Preliminary Results of Antidumping Duty Administrative Review; 2011-2012, 78 FR 48413 (August 7, 2013).

⁸ See Notice of Amended Final Antidumping Duty Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Polyethylene Terephthalate Film, Sheet, and Strip (PET Film) from Taiwan, 67 FR 44174 (July 1, 2002) (Taiwan Order); see also Notice of Final Determination of Sales at Less Than Fair Value: Polyethylene Terephthalate Film, Sheet, and Strip (PET Film) from Taiwan, 67 FR 35474 (May 20, 2002)(Taiwan LTFV).

In the first five-year (sunset) review, the Department found that revocation of the AD order would be likely to lead to continuation or recurrence of dumping and the ITC determined, pursuant to 751(c) of the Act, that revocation of the AD order would be likely to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.⁹

The Department has completed three administrative reviews since the publication of First PET Film Sunset Reviews and Continuation of First PET Film Sunset Reviews. The PORs were July 1, 2008 through June 30, 2009; July 1, 2009 through June 30, 2010; and July 1, 2010 through June 30, 2011. The administrative review for POR July 1, 2011 through June 30, 2012 is currently ongoing.¹⁰ There have been no circumvention determinations, duty absorption, or changed circumstances reviews since the First Sunset Reviews. A scope ruling excluding amorphous PET film that is not biaxially-oriented was issued on December 22, 2010.¹¹

Scope of the Orders

The products covered by these orders are all gauges of raw, pretreated, or primed PET Film, whether extruded or coextruded. Excluded from metallized films and other finished films that have had at least one of their surfaces modified by the application of a performance-enhancing resinous or inorganic layer of more than 0.00001 inches thick. Imports of PET Film are classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under item number 3920.62.00. HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope of these orders is dispositive.

⁹ See First PET Film Sunset Reviews and Continuation Notice for First PET Film Sunset Reviews.

¹⁰ See Polyethylene Terephthalate Film, Sheet and Strip from Taiwan; Preliminary Results of Antidumping Duty Administrative Review; 2011-2012, 78 FR 48652 (August 9, 2013).

¹¹ See Notice of Scope Rulings, 76 FR 31301, 31302 (May 31, 2011).

Background

On April 2, 2013, the Department initiated sunset reviews of the AD orders on PET film from India and Taiwan, pursuant to section 751(c) of the Act.¹² The Department received notices of intent to participate in the sunset reviews from the domestic interested parties within the deadline specified in 19 CFR 351.218(d)(1)(i). DuPont and Mitsubishi Polyester were two of the petitioners in the original investigation. SKC supported the petition in the original investigation.

On May 2, 2013, the Department received a substantive response from the domestic interested parties within the deadline specified in 19 CFR 351.218(d)(3)(i). We did not receive a substantive response from respondent interested parties in either of these proceedings. As such, pursuant to 19 CFR 351.218(e)(1)(ii)(C)(1), the Department notified the ITC that we did not receive any responses from respondent parties, and therefore, the response was inadequate.¹³ In accordance with section 751(c)(3)(B) of the Act, the Department determined that it would conduct expedited reviews of these orders.

On July 22, 2013, the Department revised its original adequacy determination and determined to conduct full sunset reviews of these orders.¹⁴ The Department also extended the deadline for issuing the preliminary results of full sunset reviews by 90 days, to October 18, 2013.¹⁵ The reviews were converted to full sunset reviews in order to provide interested parties with an opportunity to comment concerning the implementation of the Final Modification for

¹² See Initiation of Five-Year (“Sunset”) Reviews, 78 FR 19647 (April 2, 2013).

¹³ See “Letter from Barbara E. Tillman, Director, AD/CVD Operations, Office 6, Import Administration, to Catherine DeFilippo, Director, Office of Investigations, International Trade Commission,” dated April 22, 2013.

¹⁴ See Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping Duty and Countervailing Duty Operations, from Mark Hoadley, Acting Director, Office 6, on “Sunset Reviews of the Antidumping Duty Orders on Polyethylene Terephthalate Film from India and Taiwan: Adequacy Redetermination Memorandum,” dated July 22, 2013.

¹⁵ See Polyethylene Terephthalate Film from India and Taiwan: Extension of Time Limits for Preliminary and Final Results of the Second Antidumping Duty Sunset Reviews, 78 FR 45512 (July 29, 2013).

Reviews, and the deadline was extended because the reviews are extraordinarily complicated.¹⁶

In light of the Federal Government shut down between October 1 and October 16, 2013, the Department decided to uniformly toll all Enforcement and Compliance deadlines for the duration of the closure by sixteen days.¹⁷ The deadline for these preliminary results of reviews is now November 4, 2013.

Discussion of the Issues

In accordance of with section 751(c)(1) of the Act, the Department is conducting these sunset reviews to determine whether revocation of the AD orders would be likely to lead to a continuation or recurrence of dumping. Sections 752(c)(1)(A) and (B) of the Act provide that, in making these determinations, the Department shall consider both the weighted-average dumping margins determined in the investigations and subsequent reviews and the volume of imports of the subject merchandise for the periods before and after the issuance of the AD orders. In addition, section 752(c)(3) of the Act provides that the Department shall provide to the ITC the magnitude of the margins of dumping likely to prevail if the orders were revoked.

In the Final Modification for Reviews, the Department announced that in five-year (“sunset”) reviews, it will not rely on weighted-average dumping margins that were calculated using the methodology determined by the Appellate Body to be WTO-inconsistent. The Department also noted that “*only in the most extraordinary circumstances* will the Department rely on margins other than those calculated and published in prior determinations.”¹⁸ Instead, the

¹⁶ See Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification, 77 FR 8101 (February 14, 2012)(Final Modification for Reviews).

¹⁷ See “Memorandum for The Record from Paul Piquado, Assistant Secretary for Enforcement and Compliance,” dated October 18, 2013.

¹⁸ See Final Modification for Reviews, 77 FR at 8103 (emphasis added).

Department noted that it “will limit its reliance to margins determined or applied during the five-year sunset period that were not determined in a manner found to be WTO-inconsistent.”¹⁹

Likelihood of Continuation or Recurrence of Dumping

INDIA

Domestic Interested Party Comments

- The revocation of the order would likely lead to a continuation or recurrence of dumping for two reasons: (1) dumping has continued since the issuance of the order; (2) import volumes have declined and remained at depressed levels since the imposition of the order.
- According to the Department’s authority, it “will normally determine that revocation of an antidumping order . . . is likely to lead to a continuation or recurrence of dumping where dumping continued at any level above de minimis after the issuance of the order.”²⁰
- Indian producers have been dumping subject merchandise in the United States throughout the history of this order, as shown in the first administrative review of this order where Jindal Poly Films (Jindal) was assessed a dumping duty of 6.28 percent, and a more recent administrative review where Ester was assessed a dumping duty of 6.81 percent.
- While there have been isolated instances of zero or de minimis dumping margins during the history of this order, this alone does not support a finding that dumping will not continue or recur absent an order.²¹
- PET Film is a commodity product; for many applications U.S. and Indian producers have interchangeable products, and a small difference in price is the difference between sales won or lost by U.S. manufacturers.
- In several instances, the de minimis margins are a direct result of the parallel countervailing duty order. The Department will sometimes subtract the applicable countervailing duty rates from a producer’s AD rate.
- Import volumes decreased significantly following the imposition of the order from volumes of more than 18 million kilograms in 2001 and more than 12 million kilograms in 2002 to volumes under two million kilograms in 2002.²²
- In the first sunset review, the Department compared the pre-order and post-order import volumes and found that the volume of PET film from India declined immediately following the order. This finding continues to be probative of the volumes of imports in the event the order is revoked.
- Although PET Film imports from India have increased slightly since the first sunset review, they have remained consistent as a percentage of total global imports and remain well below

¹⁹ See Final Modification for Reviews, 77 FR at 8103.

²⁰ See Policies Regarding the Conduct of Five-Year (“Sunset”) Reviews of Antidumping and Countervailing Duty Orders, 63 FR 18871 (April 16, 1998) (Policy Bulletin).

²¹ See 751a(c)(4) of the Act.

²² The domestic interested parties note that prior to 2003, the International Trade Commission Trade Dataweb does not provide 10-digit HTS import data for heading 3902.62.00.90. The data are based on the 8-digit HTS heading 3902.62.00.

the 12 to 18 million kilogram range of imports that entered the United States from India in the years immediately prior to the imposition of the order.

- Import volumes have remained depressed in recent year relative to the pre-order levels.
- Cyclical trends in supply and demand have also affected the import volumes since the imposition of the order.

TAIWAN

Domestic Interested Party Comments

- The revocation of the order would likely lead to a continuation or recurrence of dumping for two reasons: (1) dumping has continued since the issuance of the order; (2) import volumes have declined and remained at depressed levels since the imposition of the order.
- According to the Department's authority, it "will normally determine that revocation of an antidumping order... is likely to lead to a continuation or recurrence of dumping where dumping continued at any level above de minimis after the issuance of the order."²³
- An examination of import volume is necessary only where dumping has ceased after the issuance of an order. Dumping has not ceased since this order was issued.
- Both Taiwanese producers reviewed have demonstrated a pattern of dumping throughout the history of this order. The non-AFA rates have ranged from 18.30 percent to 74.34 percent.
- In the most recently completed review, Nan Ya Plastics Corporation, Ltd. received a rate of 8.99 percent and Shinkong Synthetic Fibers Corporation received a rate of 0.75 percent. Shinkong's two previous assessed rates were above 6.00 percent.
- Given that the Department has found dumping margins at levels above de minimis in every administrative review under this order, the Department should determine that dumping would likely continue or recur if this AD order were revoked.
- PET Film is a commodity product; for many applications U.S. and Taiwanese producers have interchangeable products, so that a small difference in price is the difference between sales won or lost by U.S. manufacturers.
- Since the last sunset review in particular, the volume of the Taiwanese PET Film imports have been depressed because of the disciplining effect of the order. However, while imports from Taiwan have continued to decrease steadily and consistently, prices continue to indicate dumping.
- In the last sunset review, the Department compared import statistics for consumption covering pre- and post-order volumes, finding that the volume of PET film from Taiwan declined immediately following the issuance of the order.²⁴
- Import volume trends confirm that this order has been limiting imports.
- Official U.S. Import Statistics for HTSUS subheading 3920.62.00.90 are cited.²⁵
- Cyclical trends in supply and demand have also affected the import volumes since the imposition of the order.

²³ See Policy Bulletin.

²⁴ See First Sunset Review.

²⁵ Petitioners retrieved this data from the ITC Trade Dataweb on April 26, 2013. The ITC Trade Dataweb can be found at <http://dataweb.usitc.gov>.

Department's Position

Consistent with the guidance provided in the legislative history accompanying the Uruguay Round Agreements Act (URAA), specifically the Statement of Administrative Action (SAA), H. R. Doc. 103-316, vol. 1 (1994), the House Report, H. Rep. No. 103-826, pt. 1 (1994), and the Senate Report, S. Rep. No. 103-412 (1994), the Department normally determines that revocation of an AD order is likely to lead to continuation or recurrence of dumping where (a) dumping continued at any level above de minimis after the issuance of the order, (b) imports of the subject merchandise ceased after the issuance of the order, or (c) dumping was eliminated after the issuance of the order and import volumes for the subject merchandise declined significantly. Sections 752(c)(1)(A) and (B) of the Act provide that, in making these determinations, the Department shall consider both the weighted-average dumping margins determined in the investigations and subsequent reviews and the volume of imports of the subject merchandise for the periods before and after the issuance of the AD orders.

INDIA

Pursuant to section 752(c)(1)(B) of the Act, the Department considered the volume of imports of the subject merchandise for the period before and after the issuance of the AD order. Import statistics cited by the domestic interested parties demonstrate that import volumes decreased significantly following the imposition of the AD order.²⁶ Imports were 12,895,368 kilograms in 1999, 17,851,826 kilograms in 2000, and 18,249,599 kilograms in 2001.²⁷ The United States International Trade Commission (ITC) Trade Dataweb (ITC Trade Dataweb)

²⁶ Domestic interested parties retrieved this data from the United States International Trade Commission (ITC) Trade Dataweb on April 28, 2013. See May 2, 2013 Substantive Response at 6 and 7.

²⁷ See Polyethylene Terephthalate Film, Sheet, and Strip From India and Taiwan: Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders, 72 FR 57297 (October 9, 2007), and accompanying Issues and Decision Memorandum, date concurrently with this Federal Register notice, and Memorandum to File; Five-Year Sunset Review on PET Film from India and Taiwan; Import Volumes, dated concurrently with this Memorandum.

indicates that in 2008, imports were 1,687,057 kilograms; in 2009, imports were 1,882,055 kilograms; in 2010 imports were 3,270,492 kilograms; in 2011, imports were 5,533,929 kilograms; and in 2012, 3,613, 074 kilograms.²⁸ This data shows that imports during this sunset review period have not recovered to pre-order levels, and remain depressed at approximately one-sixth of pre-order levels.

Pursuant to section 752(c)(1)(A) of the Act, the Department considered the weighted-average dumping margins in the AD investigation and subsequent administrative reviews. However, the weighted-average dumping margins were determined in a WTO-inconsistent manner such that these results are not relied on for the Department's likelihood determination.

In light of the low levels of imports relative to the level of imports prior to imposition of the order, the Department finds that dumping is likely to continue or recur if the AD order on PET Film from India were revoked.

TAIWAN

The Department considered the volume of imports of the subject merchandise for the period before and after the issuance of the AD order, pursuant to section 752(c)(1)(B) of the Act. In 1999, 2000, and 2001 the import volumes were over 4.5 million kilograms, 6.3 million kilograms and 4.15 million kilograms, respectively.

Import volumes, based on the figures the domestic interested parties cite in their substantive responses, have fluctuated following the imposition of the AD order.²⁹ The ITC Trade Dataweb indicates that in 2008, imports were 10,245,712 kilograms; in 2009, imports were 9,747,106 kilograms; in 2010 imports were 9,895,366 kilograms; in 2011, imports were

²⁸ Domestic interested parties retrieved this data from the United States International Trade Commission (ITC) Trade Dataweb on April 28, 2013. See May 2, 2013 Substantive Response at 6 and 7.

²⁹ Petitioners retrieved this data from the ITC Trade Dataweb on April 26, 2013. The ITC Trade Dataweb can be found at <http://dataweb.usitc.gov>.

7,790,862 kilograms; and, in 2012, imports were 6,142,498 kilograms.³⁰ This data collectively shows that while import volumes have fluctuated following imposition of the AD order, they have more recently remained higher than pre-order import volumes.

With the exception of the last two most-recently completed administrative reviews of this proceeding, the Department notes that the results for each segment under the Taiwan order were calculated in a WTO-inconsistent manner. Accordingly and pursuant to section 752(c)(1)(A) of the Act, the Department only considered the weighted-average dumping margins in the last two completed administrative reviews. The Department found weighted-average dumping margins of 74.34 percent and 6.98 percent for Nana Ya and Shinkong respectively, in the 2009-2010 administrative review.³¹ The Department found weighted-average dumping margins of 8.99 percent and 0.75 percent for Nan Ya and Shinkong, respectively, in the 2010-2011 administrative review.³² Further, these rates are WTO-consistent and follow the Final Modification for Reviews.

Thus, dumping has continued at above de minimis levels with the discipline of the order in place, and those weighted-average dumping margins support a determination that dumping will continue or recur if the AD order on PET Film from India were to be revoked.³³

³⁰ See First Sunset Reviews.

³¹ See Polyethylene Terephthalate Film, Sheet, and Strip From Taiwan: Final Results of Antidumping Duty Administrative Review, 76 FR 76941 (December 9, 2011).

³² See Polyethylene Terephthalate Film, Sheet, and Strip From Taiwan: Final Results of Administrative Review of the Antidumping Duty Order; 2010–2011, 78 FR 9668 (February 11, 2013), corrected by Polyethylene Terephthalate Film, Sheet, and Strip From Taiwan: Notice of Correction to the Final Results of the 2010-2011 Antidumping Duty Administrative Review, 78 FR 14266 (March 5, 2013).

³³ See Final Modification for Reviews, 77 FR at 8103; SAA at 890 (explaining that “{i}f companies continue to dump with the discipline of an order in place, it is reasonable to assume that dumping would continue if the discipline were removed”).

Magnitude of the Margin Likely to Prevail

Domestic Interested Party Comments

INDIA

- In accordance with section 752(c)(3) of the Act and consistent with the SAA, the Department should report to the ITC the rates determined in the original investigation for Ester, Polyplex and “all others.”
- In the investigation, the Department found dumping margins as follows: Ester: 24.11 percent (5.71 percent when adjusted for export subsidies); Polyplex: 10.34 percent (zero if adjusted for export subsidies); and, “all others”: 24.11 percent (5.71 percent if adjusted for export subsidies).

TAIWAN

- In accordance with section 752(c)(3) of the Act and consistent with the SAA, the Department should report to the ITC the rates determined in the original investigation for Nan Ya, Shinkong, and “all others.”
- In the investigation, the Department found dumping margins as follows: Nan Ya: 2.49 percent; Shinkong: 2.05 percent; and “all others”: 2.40 percent.³⁴

Department’s Position

INDIA

For Ester and Polyplex, we have used information from the underlying investigations to recalculate the weighted-average dumping margins consistent with the Final Modification for Reviews. For each respondent, the record contains the SAS program log and output for the original investigation.³⁵ The information therein confirms that for each respondent in the investigation there were sales with negative comparison results that the Department did not offset when calculating the final weighted-average dumping margin. Because the Department did not offset negative comparison results during the underlying investigation, we have revised the weighted-average dumping margins from the original investigation to provide such offsets

³⁴ See Taiwan Order.

³⁵ See Appendix II of the Calculation Memorandum for India, dated concurrently with this memorandum

consistent with the Final Modification for Reviews.³⁶ The Department will report to the ITC as the margins of dumping likely to prevail these revised margins cited in the Preliminary Results of Review below.

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As noted above, with the exception of the last two most-recently completed administrative reviews of this proceeding, the results for each segment under the Taiwan order were calculated in a WTO-inconsistent manner. In the absence of other information and in order to comply with the Final Modification for Reviews, the Department finds that the best available information to report to the ITC as the margins of dumping likely to prevail for Nan Ya and Shinkong is the weighted-average dumping margins from the 2010-2011 administrative review.³⁷ The Department finds that the best available information for the margin of dumping likely to prevail for all other exporters is the simple average of the results for Nan Ya and Shinkong. While the Department usually reports investigation rates to the ITC, reporting rates based on the final results of an administrative review is explicitly contemplated by the Act³⁸ and, as noted above, is consistent with the Final Modification for Reviews.

Preliminary Results of Review

The Department preliminarily determines that revocation of the AD orders on PET Film from India and Taiwan would be likely to lead to continuation or recurrence of dumping. Further, the Department preliminarily determines that the margin of dumping likely to prevail at the following rates:

³⁶ See Calculation Memorandum for India.

³⁷ See Polyethylene Terephthalate Film, Sheet, and Strip From Taiwan: Final Results of Administrative Review of the Antidumping Duty Order; 2010–2011, 78 FR 9668 (February 11, 2013), corrected by Polyethylene Terephthalate Film, Sheet, and Strip From Taiwan: Notice of Correction to the Final Results of the 2010-2011 Antidumping Duty Administrative Review, 78 FR 14266 (March 5, 2013).

³⁸ See section 752(c)(3) of the Act.

INDIA

| Producer or Exporter | Rate (percent) |
|------------------------------|-----------------------|
| Ester Industries, Limited | 24.10 |
| Polyplex Corporation Limited | 3.02 |
| All Others | 13.17 |

TAIWAN

| Producer or Exporter | Rate (percent) |
|---------------------------------------|-----------------------|
| Nan Ya Plastics Corporation, Ltd | 8.99 |
| Shinkong Synthetic Fibers Corporation | 0.75 |
| All Others | 4.37 |

Recommendation

Based on our analysis of the substantive responses received, we recommend adopting all of the above positions. If these recommendations are accepted, we will publish the preliminary results of these sunset reviews in the Federal Register.

AGREE _____ DISAGREE _____

Paul Piquado
Assistant Secretary
for Enforcement and Compliance

Date