



## FACT SHEET

### Commerce Finds Countervailable Subsidization of Imports of Polytetrafluoroethylene (PTFE) Resin from India

- On May 15, 2018, the Department of Commerce (Commerce) announced its affirmative final determination in the countervailing duty (CVD) investigation of imports of PTFE resin from India.
- The CVD law provides U.S. businesses and workers with a transparent, quasi-judicial, and internationally accepted mechanism to seek relief from the market-distorting effects caused by unfair subsidization of imports into the United States, establishing an opportunity to compete on a level playing field.
- 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.
- In this investigation, Commerce has calculated a final subsidy rate of 3.60 percent for the sole mandatory respondent, Gujarat Fluorochemicals Limited. This subsidy rate also applies to all other Indian producers and exporters.
- As a result of the final affirmative determination, Commerce will instruct U.S. Customs and Border Protection (CBP) to require cash deposits based on these final rates.
- The petitioner is The Chemours Company FC LLC (Wilmington, DE).
- The product covered by this investigation is PTFE resin, including but not limited to granular, dispersion, or coagulated dispersion (also known as fine powder). PTFE is covered by the scope of this investigation whether filled or unfilled, whether or not modified, and whether or not containing co-polymer additives, pigments, or other materials. Also included is PTFE wet raw polymer. The chemical formula for PTFE is C<sub>2</sub>F<sub>4</sub>, and the Chemical Abstracts Service Registry number is 9002-84-0.

PTFE further processed into micropowder, having particle size typically ranging from 1 to 25 microns, and a melt-flow rate no less than 0.1 gram/10 minutes, is excluded from the scope of this investigation.

PTFE is classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 3904.61.0010 and 3904.61.0090. Subject merchandise may also be classified under HTSUS subheading 3904.69.5000. Although the HTSUS subheadings and CAS Number are provided for convenience and Customs purposes, the written description of the scope is dispositive.

- In 2017, imports of PTFE resin from India were valued at an estimated \$25 million.
- The Final Decision Memorandum is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is

available to registered users at <https://access.trade.gov>, and to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. Please refer to case number C-533-880.

#### NEXT STEPS

- The U.S. International Trade Commission (ITC) is scheduled to make its final injury determination on or about July 9, 2018.
- If the ITC makes an affirmative final determination that imports of PTFE resin from India materially injure, or threaten material injury to, the domestic industry, Commerce will issue a CVD order. If the ITC makes negative determinations of injury, the investigations will be terminated.

#### FINAL SUBSIDY RATES:

COUNTRY	EXPORTER/PRODUCER	SUBSIDY RATE
India	Gujarat Fluorochemicals Limited	3.60%
	All Others	3.60%

#### CASE CALENDAR:

EVENT	CVD INVESTIGATION
Petition Filed	September 28, 2017
DOC Initiation Date	October 18, 2017
ITC Preliminary Determination	November 13, 2017
DOC Preliminary Determination <sup>^</sup>	February 28, 2018
DOC Final Determination	May 14, 2018
ITC Final Determination*	July 9, 2018
Issuance of Order**	July 18, 2018

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). These deadlines may be extended under certain circumstances.

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

\*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.

<sup>^</sup> As explained in the Memorandum for the Record from Christian Marsh, Deputy Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Shutdown of the Federal Government," dated January 23, 2018, Commerce has exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from January 20 through January 22, 2018. Therefore, the final determination date for this investigation has been tolled by three days and all other deadlines have been adjusted accordingly.

#### IMPORT STATISTICS:

INDIA	2015	2016	2017
Volume (metric tons)	1,777	1,716	3,119
Value (USD)	16,072,995	14,260,665	24,934,903

Source: U.S. Census Bureau, accessed through Global Trade Atlas. (HTSUS 3904.61.0010 and 3904.61.0090).