



FACT SHEET

Commerce Finds Dumping of Imports of Low Melt Polyester Staple Fiber from the Republic of Korea and Taiwan

- On June 19, 2018, the Department of Commerce (Commerce) announced its affirmative final determinations in the antidumping duty (AD) investigations of imports of low melt polyester staple fiber (PSF) from the Republic of Korea (Korea) and Taiwan.
- The AD 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 injurious dumping of imports into the United States, establishing an opportunity to compete on a level playing field.
- Dumping occurs when a foreign company sells a product in the United States at less than its fair value.
- In the Korea investigation, Commerce calculated a dumping rate of 0.00 percent for Huvis Corporation. Commerce calculated a dumping rate of 16.27 percent for Toray Chemical Korea Inc. Commerce determined a dumping rate of 16.27 percent for all other producers and exporters of low melt PSF from Korea.
- In the Taiwan investigation, Commerce calculated a dumping rate of 49.93 percent for Far Eastern New Century Corporation. Commerce determined a dumping rate of 49.93 percent for all other producers and exporters of low melt PSF from Taiwan.
- Upon publication of the final affirmative determinations, Commerce will instruct U.S. Customs and Border Protection (CBP) to collect cash deposits based on the applicable final dumping margins, as appropriate.
- Commerce found that “critical circumstances” exist with respect to Toray Chemical Korea Inc., but do not exist for Huvis Corporation or for all other producers/exporters in Korea. Consequently, Commerce will instruct CBP to impose provisional measures retroactively on entries of low melt PSF from Korea for Toray Chemical Korea Inc., effective 90 days prior to publication of the preliminary determination in the *Federal Register*.
- The petitioner is Nan Ya Plastics Corporation, America (SC).
- The scope of these investigations covers synthetic staple fibers, not carded or combed, specifically bi-component polyester fibers having a polyester fiber component that melts at a lower temperature than the other polyester fiber component (low melt PSF). The scope includes bi-component polyester staple fibers of any denier or cut length. The subject merchandise may be coated, usually with a finish or dye, or not coated.

Low melt PSF is currently classifiable under subheading 5503.20.0015. Although the Harmonized Tariff Schedule of the United States (HTSUS) subheading is provided for convenience and U.S. Customs

purposes, it does not define the scope of the investigations; rather, the written description of the subject merchandise is dispositive.

- In 2017, imports of low melt polyester staple fiber from Korea and Taiwan were valued at an estimated \$75.5 million and \$26.9 million, respectively.
- The Final Decision Memorandums are 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 numbers A-580-895 for Korea and A-583-861 for Taiwan.

NEXT STEPS

- The U.S International Trade Commission (ITC) is scheduled to make its final determinations on or about August 1, 2018.
- If the ITC makes affirmative final determinations that imports of low melt PSF from Korea and Taiwan materially injure, or threaten material injury to, the domestic industry, Commerce will issue AD orders. If the ITC makes negative determinations of injury, the investigations will be terminated.

FINAL DUMPING RATES:

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Korea	Huvis Corporation	0.00%
	Toray Chemical Korea Inc.	16.27%
	All Others	16.27%

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Taiwan	Far Eastern New Century Corporation	49.93%
	All Others	49.93%

CASE CALENDAR:

EVENT	AD INVESTIGATIONS
Petitions Filed	June 27, 2017
DOC Initiation Date	July 17, 2017
ITC Preliminary Determinations	September 30, 2017
DOC Preliminary Determinations[^]	January 26, 2018
DOC Final Determinations	June 18, 2018
ITC Final Determinations	August 1, 2018
Issuance of Orders*	August 8, 2018

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 the ITC.

[^] 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" (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 date for these investigations has been tolled by 3 days and all other deadlines have been adjusted accordingly.

IMPORT STATISTICS:

KOREA	2015	2016	2017
Volume (metric tons)	54,750	63,086	56,135
Value (USD)	76,824,043	76,558,288	75,463,377
TAIWAN			
Volume (metric tons)	22,732	27,243	24,244
Value (USD)	27,501,105	26,835,612	26,877,981

Source: U.S. Census Bureau, accessed through Global Trade Atlas. (HTSUS 5503.20.0015)