



## FACT SHEET

### Commerce Initiates Antidumping Duty and Countervailing Duty Investigations of Imports of Mattresses from Multiple Countries

- On April 21, 2020, the Department of Commerce (Commerce) announced the initiation of antidumping duty (AD) investigations of imports of mattresses from Cambodia, Indonesia, Malaysia, Serbia, Thailand, Turkey, and Vietnam and a countervailing duty (CVD) investigation of imports of mattresses from China.
- The AD and CVD laws provide 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 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, 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.
- The petitioners are Brooklyn Bedding (Phoenix, AZ), Corsicana Mattress Company (Dallas, TX), Elite Comfort Solutions (Newman, GA), FXI, Inc (Media, PA), Innocor, Inc. (Media, PA), Kolcraft Enterprises, Inc. (Chicago, IL), Leggett & Platt, Incorporated (Carthage, MO), International Brotherhood of Teamsters (Washington, DC), and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO (Washington, DC).
- The scope of these investigations is provided in Appendix I.
- The Initiation Decision Checklists 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-555-001 for the AD investigation for Cambodia;  
C-570-128 for the CVD investigation for China;  
A-560-836 for the AD investigation for Indonesia;  
A-557-818 for the AD investigation for Malaysia;  
A-801-002 for the AD investigation for Serbia;  
A-549-841 for the AD investigation for Thailand;  
A-489-841 for the AD investigation for Turkey; and  
A-552-827 for the AD investigation for Vietnam.

## **NEXT STEPS**

- The U.S. International Trade Commission (ITC) is scheduled to make its preliminary injury determinations on or before May 15, 2020.
- If the ITC determines that there is a reasonable indication that imports of mattresses from any of the eight countries materially injure, or threaten material injury to, the domestic industry, the investigations will continue and Commerce will be scheduled to announce its preliminary CVD determination on June 25, 2020, and its preliminary AD determinations on September 9, 2020, although these dates may be extended. If the ITC's determinations are negative, the investigations will be terminated.

**ALLEGED DUMPING MARGINS:**

COUNTRY	DUMPING MARGINS
Cambodia	326.49 - 675.83 percent
Indonesia	213.44 - 429.74 percent
Malaysia	42.92 percent
Serbia	57.37 – 183.16 percent
Thailand	414.77 – 763.28 percent
Turkey	267.55 – 609.51 percent
Vietnam	481.72 - 989.90 percent

**ESTIMATED SUBSIDY RATE:**

COUNTRY	SUBSIDY RATE
China	Above <i>de minimis</i>

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

**CASE CALENDAR:**

EVENT	CVD INVESTIGATION	AD INVESTIGATIONS
Petitions Filed	March 31, 2020	March 31, 2020
ITA Initiation Date	April 20, 2020	April 20, 2020
ITC Preliminary Determinations*	May 15, 2020	May 15, 2020
ITA Preliminary Determinations	June 24, 2020	September 8, 2020 <sup>†</sup>
ITA Final Determinations	September 8, 2020 <sup>†</sup>	November 23, 2020 <sup>†</sup>
ITC Final Determinations**	October 23, 2020	January 7, 2021
Issuance of Orders***	October 30, 2020	January 14, 2021

NOTE: Commerce's 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.

\* 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.

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

**IMPORT STATISTICS:**

<b>CAMBODIA</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Volume (Number of Mattresses)	3,876	4,012	510,536
Value (USD)	223,897	236,169	33,077,953
<b>CHINA</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Volume (Number of Mattresses)	4,599,325	5,932,074	1,866,099
Value (USD)	435,924,807	544,430,380	166,736,463
<b>INDONESIA</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Volume (Number of Mattresses)	1	3	940,076
Value (USD)	500	650	102,639,157
<b>MALAYSIA</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Volume (Number of Mattresses)	0	2	368,632
Value (USD)	0	423	38,620,425
<b>SERBIA</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Volume (Number of Mattresses)	0	0	281,366
Value (USD)	0	0	24,135,311
<b>THAILAND</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Volume (Number of Mattresses)	10	0	193,334
Value (USD)	2,553	0	18,664,770
<b>TURKEY</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Volume (Number of Mattresses)	259	461	241,382
Value (USD)	37,771	81,791	19,427,190
<b>VIETNAM</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Volume (Number of Mattresses)	727	3,582	1,688,440
Value (USD)	64,401	294,299	166,639,343

Source: U.S. Census Bureau, accessed through Global Trade Atlas (Harmonized Tariff Schedule of the United States (HTSUS) (Subheadings: 9404.21.0010, 9404.21.0013, 9404.29.1005, 9404.29.1013, 9404.29.9085, and 9404.29.9087).

## Appendix I:

The scope of each investigation is as follows:

The products covered by this investigation are all types of youth and adult mattresses. The term “mattress” denotes an assembly of materials that at a minimum includes a “core,” which provides the main support system of the mattress, and may consist of innersprings, foam, other resilient filling, or a combination of these materials. Mattresses may also contain (1) “upholstery,” the material between the core and the top panel of the ticking on a single-sided mattress, or between the core and the top and bottom panel of the ticking on a double-sided mattress; and/or (2) “ticking,” the outermost layer of fabric or other material (*e.g.*, vinyl) that encloses the core and any upholstery, also known as a cover.

The scope of this investigation is restricted to only “adult mattresses” and “youth mattresses.” “Adult mattresses” are frequently described as “twin,” “extra-long twin,” “full,” “queen,” “king,” or “California king” mattresses. “Youth mattresses” are typically described as “crib,” “toddler,” or “youth” mattresses. All adult and youth mattresses are included regardless of size or size description.

The scope encompasses all types of “innerspring mattresses,” “non-innerspring mattresses,” and “hybrid mattresses.” “Innerspring mattresses” contain innersprings, a series of metal springs joined together in sizes that correspond to the dimensions of mattresses. Mattresses that contain innersprings are referred to as “innerspring mattresses” or “hybrid mattresses.” “Hybrid mattresses” contain two or more support systems as the core, such as layers of both memory foam and innerspring units.

“Non-innerspring mattresses” are those that do not contain any innerspring units. They are generally produced from foams (*e.g.*, polyurethane, memory (viscoelastic), latex foam, gel-infused viscoelastic (gel foam), thermobonded polyester, polyethylene) or other resilient filling.

Mattresses covered by the scope of this investigation may be imported independently, as part of furniture or furniture mechanisms (*e.g.*, convertible sofa bed mattresses, sofa bed mattresses imported with sofa bed mechanisms, corner group mattresses, day-bed mattresses, roll-away bed mattresses, high risers, trundle bed mattresses, crib mattresses), or as part of a set in combination with a “mattress foundation.” “Mattress foundations” are any base or support for a mattress. Mattress foundations are commonly referred to as “foundations,” “boxsprings,” “platforms,” and/or “bases.” Bases can be static, foldable, or adjustable. Only the mattress is covered by the scope if imported as part of furniture, with furniture mechanisms, or as part of a set, in combination with a mattress foundation.

Excluded from the scope of this investigation are “futon” mattresses. A “futon” is a bi-fold frame made of wood, metal, or plastic material, or any combination thereof, that functions as both seating furniture (such as a couch, love seat, or sofa) and a bed. A “futon mattress” is a tufted mattress, where the top covering is secured to the bottom with thread that goes completely through the mattress from the top through to the bottom, and it does not contain innersprings or foam. A futon mattress is both the bed and seating surface for the futon.

Also excluded from the scope are airbeds (including inflatable mattresses) and waterbeds, which consist of air- or liquid-filled bladders as the core or main support system of the mattress.

Also excluded is certain multifunctional furniture that is convertible from seating to sleeping, regardless of filler material or components, where that filler material or components are upholstered, integrated into

the design and construction of, and inseparable from, the furniture framing, and the outermost layer of the multifunctional furniture converts into the sleeping surface. Such furniture may, and without limitation, be commonly referred to as “convertible sofas,” “sofa beds,” “sofa chaise sleepers,” “futons,” “ottoman sleepers” or a like description.

Also excluded from the scope of this investigation are any products covered by the existing antidumping duty orders on uncovered innerspring units from China or Vietnam. *See Uncovered Innerspring Units from the People’s Republic of China: Notice of Antidumping Duty Order*, 74 Fed. Reg. 7661 (Feb. 19, 2009); *Uncovered Innerspring Units From the Socialist Republic of Vietnam*, 73 Fed. Reg. 75391 (Dec. 11, 2008).

Also excluded from the scope of this investigation are bassinet pads with a nominal length of less than 39 inches, a nominal width less than 25 inches, and a nominal depth of less than 2 inches.

Additionally, also excluded from the scope of this investigation are “mattress toppers.” A “mattress topper” is a removable bedding accessory that supplements a mattress by providing an additional layer that is placed on top of a mattress. Excluded mattress toppers have a nominal height of four inches or less.

The products subject to this investigation are currently properly classifiable under HTSUS subheadings: 9404.21.0010, 9404.21.0013, 9404.29.1005, 9404.29.1013, 9404.29.9085, and 9404.29.9087. Products subject to this investigation may also enter under HTSUS subheadings: 9404.21.0095, 9404.29.1095, 9404.29.9095, 9401.40.0000, and 9401.90.5081. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to this investigation is dispositive.