



FACT SHEET

Commerce Finds Dumping of Imports of Polyethylene Terephthalate Resin from Brazil, Indonesia, Korea, Pakistan, and Taiwan

- On September 18, 2018, the Department of Commerce (Commerce) announced its affirmative final determinations in the antidumping duty (AD) investigations of imports of Polyethylene Terephthalate (PET) resin from Brazil, Indonesia, Korea, Pakistan, 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.
- For the purpose of AD investigations, dumping occurs when a foreign company sells an imported product in the United States at less than fair value.
- In the Brazil investigation, Commerce calculated a dumping rate of 29.68 percent for mandatory respondent M&G Polimeros Brasil S.A. Commerce calculated a dumping rate of 275.89 percent for mandatory respondent Companhia Integrada Textil de Pernambuco. Commerce determined a dumping rate of 29.68 percent for all other producers and exporters of PET resin from Brazil.
- In the Indonesia investigation, Commerce calculated a dumping rate of 53.50 percent for mandatory respondent PT. Indo-Rama Synthetics Tbk., and certain affiliated producers, PT. Indorama Polypet Indonesia, and Indorama Ventures Indonesia, based on total adverse facts available due to a number of discrepancies discovered since the preliminary determination. Commerce determined a dumping rate of 30.61 percent for all other producers and exporters of PET resin from Indonesia.
- In the Korea investigation, Commerce calculated a dumping rate of 8.23 percent for mandatory respondent SK Chemicals Co., Ltd. Commerce found mandatory respondents Lotte Chemical Corp., Regd. and TK Chemical Corp. were dumping at a preliminary dumping margin of 101.41 percent based on total adverse facts available due to their failure to provide responses to the questionnaire issued by Commerce. Commerce determined a dumping rate of 8.23 percent for all other producers and exporters of PET resin from Korea.
- In the Pakistan investigation, Commerce calculated a dumping rate of 59.92 percent for mandatory respondent Novatex Limited based on total adverse facts available due to its failure to adequately respond to a supplemental questionnaire. Commerce determined a dumping rate of 43.81 percent for all other producers and exporters of PET resin from Pakistan.
- In the Taiwan investigation, Commerce calculated a dumping rate of 5.16 percent for mandatory respondent Far Eastern New Century Corporation/Far Eastern Textile Ltd./Worldwide Polychem (HK), Ltd. Commerce calculated a dumping rate of 45.00 percent for mandatory respondent Shinkong Synthetic Fibers Corporation based on total adverse facts available due to its failure to adequately respond to Commerce's questionnaires. Commerce determined a dumping rate of 5.16 percent for all other producers and exporters of PET resin from Taiwan.

- Upon publication of the final affirmative AD determinations, Commerce will instruct U.S. Customs and Border Protection (CBP) to continue to collect cash deposits equal to the applicable final weighted-average dumping rates.
- The petitioners are DAK Americas, LLC (Charlotte, NC), Indorama Ventures USA, Inc. (Decatur, AL), M&G Polymers USA, LLC (Houston, TX), and Nan Ya Plastics Corporation, America (Lake City, SC). Indorama Ventures USA, Inc. is not a petitioner with respect to the Indonesia investigation.
- The merchandise covered by these investigations is PET resin having an intrinsic viscosity of at least 70, but not more than 88, milliliters per gram (0.70 to 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 subheadings 3907.61.0000 and 3907.69.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise covered by these investigations is dispositive.
- In 2017, imports of PET resin from Brazil, Indonesia, Korea, Pakistan, and Taiwan were valued at an estimated \$152.5 million, \$44.9 million, \$127.3 million, \$82.6 million, and \$154 million, respectively.
- 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 numbers A-351-852 for Brazil, A-560-832 for Indonesia, A-580-896 for Korea, A-535-905 for Pakistan, and A-583-862 for Taiwan.

NEXT STEPS

- The U.S. International Trade Commission (ITC) is scheduled to make its final determinations on or about November 1, 2018.
- If the ITC makes affirmative final determinations that imports of PET resin from Brazil, Indonesia, Korea, Pakistan, 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 MARGINS:

| COUNTRY | EXPORTER/PRODUCER | DUMPING RATES |
|----------------|-------------------------------------------------|----------------------|
| Brazil | M&G Polimeros Brasil S.A. | 29.68% |
| | Companhia Integrada Textil de Pernambuco | 275.89% |
| | All Others | 29.68% |

| COUNTRY | EXPORTER/PRODUCER | DUMPING RATES |
|------------------|-----------------------------------------------------------------------------------------------------|----------------------|
| Indonesia | PT. Indo-Rama Synthetics Tbk. / PT. Indorama Polypet Indonesia / Indorama Ventures Indonesia | 53.50% |
| | All Others | 30.61% |

| COUNTRY | EXPORTER/PRODUCER | DUMPING RATES |
|----------------|------------------------------------|----------------------|
| Korea | SK Chemicals Co., Ltd | 8.23% |
| | Lotte Chemical Corp., Regd. | 101.41% |
| | TK Chemical Corp. | 101.41% |
| | All Others | 8.81% |

| COUNTRY | EXPORTER/PRODUCER | DUMPING RATES |
|-----------------|--------------------------|----------------------|
| Pakistan | Novatex Limited | 59.92% |
| | All Others | 43.81% |

| COUNTRY | EXPORTER/PRODUCER | DUMPING RATES |
|----------------|---------------------------------------------------------------------------------------------------------|----------------------|
| Taiwan | Far Eastern New Century Corporation, Far Eastern Textile Ltd., and Worldwide Polychem (HK), Ltd. | 5.16% |
| | Shinkong Synthetic Fibers Corporation | 45.00% |
| | All Others | 5.16% |

CASE CALENDAR:

| EVENT | DATE |
|---------------------------------------------|--------------------|
| Petitions Filed | September 25, 2017 |
| DOC Initiations Date | October 16, 2017 |
| ITC Preliminary Determinations | November 10, 2017 |
| DOC Preliminary Determinations [^] | April 27, 2018 |
| DOC Final Determinations | September 17, 2018 |
| ITC Final Determinations | November 1, 2018 |
| Issuance of Orders* | November 9, 2018 |

NOTE: Commerce final determination deadlines are governed by statute. For AD investigations, the deadlines are set forth in sections 733(b) and 735(a)(1) of the Tariff Act of 1930, as amended. 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 affirmative final determinations from Commerce and the ITC.

IMPORT STATISTICS:

| BRAZIL | 2015 | 2016 | 2017 |
|----------------------|------------|-------------|-------------|
| Volume (metric tons) | 15,749 | 58,397 | 134,307 |
| Value (USD) | 15,852,258 | 51,661,565 | 152,505,655 |
| INDONESIA | 2015 | 2016 | 2017 |
| Volume (metric tons) | 20,031 | 35,420 | 47,417 |
| Value (USD) | 21,395,147 | 35,651,388 | 44,908,079 |
| KOREA | 2015 | 2016 | 2017 |
| Volume (metric tons) | 8,729 | 26,133 | 102,267 |
| Value (USD) | 8,400,047 | 23,980,902 | 127,253,263 |
| PAKISTAN | 2015 | 2016 | 2017 |
| Volume (metric tons) | 18,773 | 36,767 | 79,874 |
| Value (USD) | 19,265,177 | 34,103,583 | 82,594,616 |
| TAIWAN | 2015 | 2016 | 2017 |
| Volume (metric tons) | 60,155 | 115,327 | 145,275 |
| Value (USD) | 66,955,609 | 109,827,090 | 153,961,140 |

Source: U.S. Census Bureau, accessed through Global Trade Atlas. (HTSUS 3907.60.0030, 3907.61.0000, and 3907.69.0000).