



## FACT SHEET

### **Commerce Preliminarily Finds Dumping of Imports of Polyethylene Terephthalate Resin from Brazil, the Republic of Indonesia, the Republic of Korea, Pakistan, and Taiwan**

- On April 30, 2018, the Department of Commerce (Commerce) announced its affirmative preliminary determinations in the antidumping duty (AD) investigations of imports of polyethylene terephthalate (PET) resin from Brazil, the Republic of Indonesia (Indonesia), the Republic of Korea (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 preliminary dumping rate of 24.09 percent for mandatory respondent M&G Polimeros Brasil S.A. Commerce calculated a preliminary dumping rate of 226.91 percent for mandatory respondent Companhia Integrada Textil de Pernambuco. Commerce determined a preliminary dumping rate of 93.60 percent for all other producers and exporters of PET resin from Brazil.
- In the Indonesia investigation, Commerce calculated a preliminary dumping rate of 13.16 percent for mandatory respondent PT. Indorama Synthetics Tbk. Commerce determined a preliminary dumping rate of 13.16 percent for all other producers and exporters of PET resin from Indonesia.
- In the Korea investigation, Commerce calculated a preliminary dumping rate of 8.81 percent for mandatory respondent SK Chemicals Co., Ltd. Commerce preliminarily found mandatory respondents Lotte Chemical Corp., Regd. and TK Chemical Corp. were dumping at a preliminary dumping margin of 101.41 percent based on adverse facts available due to their failure to provide responses to the questionnaire issued by Commerce. Commerce determined a preliminary dumping rate of 8.81 percent for all other producers and exporters of PET resin from Korea.
- In the Pakistan investigation, Commerce calculated a preliminary dumping rate of 7.75 percent for mandatory respondent Novatex Limited. Commerce determined a preliminary dumping rate of 7.75 percent for all other producers and exporters of PET resin from Pakistan.
- In the Taiwan investigation, Commerce calculated a preliminary dumping rate of 11.89 percent for mandatory respondent Far Eastern New Century Corporation/Far Eastern Textile Ltd./Worldwide Polychem (HK), Ltd. Commerce calculated a preliminary dumping rate of 9.02 percent for mandatory respondent Shinkong Synthetic Fibers Corporation. Commerce determined a preliminary dumping rate of 10.99 percent for all other producers and exporters of PET resin from Taiwan.

- As a result of the preliminary affirmative determinations, Commerce will instruct U.S. Customs and Border Protection (CBP) to require cash deposits based on these preliminary 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 2016, imports of PET resin from Brazil, Indonesia, Korea, Pakistan, and Taiwan were valued at an estimated \$51.7 million, \$35.7 million, \$24 million, \$34.1 million, and \$109.8 million, respectively.
- The Preliminary 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**

- Commerce is scheduled to announce its final determinations on or about September 17, 2018.
- If Commerce makes affirmative final determinations, and the U.S. International Trade Commission (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 either Commerce or the ITC issue negative final determinations, no AD orders will be issued. The ITC is scheduled to make its final injury determinations approximately 45 days after Commerce issues its final determinations, if affirmative.

**PRELIMINARY DUMPING RATES:**

<b>COUNTRY</b>	<b>EXPORTER/PRODUCER</b>	<b>DUMPING RATES</b>
<b>Brazil</b>	<b>M&amp;G Polimeros Brasil S.A.</b>	<b>24.09%</b>
	<b>Companhia Integrada Textil de Pernambuco</b>	<b>226.91%</b>
	<b>All Others</b>	<b>93.60%</b>

<b>COUNTRY</b>	<b>EXPORTER/PRODUCER</b>	<b>DUMPING RATES</b>
<b>Indonesia</b>	<b>PT. Indorama Synthetics Tbk.</b>	<b>13.16%</b>
	<b>All Others</b>	<b>13.16%</b>

<b>COUNTRY</b>	<b>EXPORTER/PRODUCER</b>	<b>DUMPING RATES</b>
<b>Korea</b>	<b>SK Chemicals Co., Ltd</b>	<b>8.81%</b>
	<b>Lotte Chemical Corp., Regd.</b>	<b>101.41%</b>
	<b>TK Chemical Corp.</b>	<b>101.41%</b>
	<b>All Others</b>	<b>8.81%</b>

<b>COUNTRY</b>	<b>EXPORTER/PRODUCER</b>	<b>DUMPING RATES</b>
<b>Pakistan</b>	<b>Novatex Limited</b>	<b>7.75%</b>
	<b>All Others</b>	<b>7.75%</b>

<b>COUNTRY</b>	<b>EXPORTER/PRODUCER</b>	<b>DUMPING RATES</b>
<b>Taiwan</b>	<b>Far Eastern New Century Corporation, Far Eastern Textile Ltd., and Worldwide Polychem (HK), Ltd.</b>	<b>11.89%</b>
	<b>Shinkong Synthetic Fibers Corporation</b>	<b>9.02%</b>
	<b>All Others</b>	<b>10.99%</b>

## CASE CALENDAR:

EVENT	DATE
Petitions Filed	September 25, 2017
DOC Initiations Date	October 16, 2017
ITC Preliminary Determinations	November 10, 2017
DOC Preliminary Determinations <sup>^</sup>	April 27, 2018
DOC Final Determinations	September 17, 2018
ITC Final Determinations*	October 31, 2018
Issuance of Orders**	November 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)(1) 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 affirmative final determinations from Commerce.

\*\*This will take place only in the event of affirmative final determinations from Commerce and the ITC.

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

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

## IMPORT STATISTICS:

BRAZIL	2014	2015	2016
Volume (metric tons)	1	15,749	58,397
Value (USD)	2,062	15,852,258	51,661,565
INDONESIA	2014	2015	2016
Volume (metric tons)	22,367	20,031	35,420
Value (USD)	31,192,662	21,395,147	35,651,388
KOREA	2014	2015	2016
Volume (metric tons)	1,512	8,729	26,133
Value (USD)	1,992,978	8,400,047	23,980,902
PAKISTAN	2014	2015	2016
Volume (metric tons)	13,302	18,773	36,767
Value (USD)	18,020,082	19,265,177	34,103,583
TAIWAN	2014	2015	2016
Volume (metric tons)	29,934	60,155	115,327
Value (USD)	43,715,194	66,955,609	109,827,090

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