



## FACT SHEET

### **Commerce Initiates Antidumping Duty Investigation of Imports of Mattresses from the People's Republic of China**

- On October 10, 2018, the Department of Commerce (Commerce) announced the initiation of an antidumping duty (AD) investigation of imports of mattresses from the People's Republic of China (China).
- The AD 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 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.
- The petitioners are Corsicana Mattress Company (Dallas, TX), Elite Comfort Solutions (Newman, GA), Future Foam Inc. (Council Bluffs, IA), FXI Inc (Media, PA), Innocor, Inc. (Red Bank, NJ), Kolcraft Enterprises Inc. (Chicago, IL), Leggett & Platt, Incorporated (Carthage, MO), Serta Simmons Bedding, LLC (Atlanta, GA), and Tempur Sealy International, Inc. (Lexington, KY).
- The scope of this investigation covers 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” have a width exceeding 35 inches, a length exceeding 72 inches, and a depth exceeding 3 inches on a nominal basis. Such mattresses are frequently described as “twin,” “extra-long twin,” “full,” “queen,” “king,” or “California king” mattresses. “Youth mattresses” have a width exceeding 27 inches, a length exceeding 51 inches, and a depth exceeding 1 inch (crib mattresses have a depth of 6 inches or less from edge to edge) on a nominal basis. Such mattresses are typically described as “crib,” “toddler,” or “youth” mattresses. All adult and youth mattresses are included regardless of actual 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.
- Further, also excluded from the scope of this investigation are any products covered by the existing antidumping duty order on uncovered innerspring units. *See Uncovered Innerspring Units from the People’s Republic of China: Notice of Antidumping Duty Order*, 74 FR 7661 (February 19, 2009).
- The products subject to this investigation are currently properly classifiable under Harmonized Tariff Schedule for the United States (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.
- In 2017, imports of mattresses from China were valued at an estimated \$436.5 million.
- The Initiation Decision Checklist 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 A-570-092.

## NEXT STEPS

- The U.S. International Trade Commission (ITC) is scheduled to make its preliminary injury determination on or before November 2, 2018.

- If the ITC determines that there is a reasonable indication that imports of mattresses from China materially injure, or threaten material injury to, the domestic industry in the United States, the investigation will continue, and Commerce will be scheduled to announce its preliminary determination on February 28, 2019, although this date may be extended. If the ITC’s determination is negative, the investigation will be terminated.

**ALLEGED DUMPING MARGINS:**

COUNTRY	DUMPING MARGINS
China	258.74 to 1,731.75 percent <sup>1</sup>

**CASE CALENDAR:**

EVENT	AD INVESTIGATION
Petition Filed	September 18, 2018
DOC Initiation Date	October 9, 2018†
ITC Preliminary Determination*	November 2, 2018
DOC Preliminary Determination	February 26, 2019
DOC Final Determination	May 13, 2019†
ITC Final Determination**	June 27, 2019
Issuance of Order***	July 5, 2019†

NOTE: Commerce’s 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.

\* If the ITC makes a negative preliminary determination of injury, the investigation is terminated.

\*\*This will take place only in the event of a final affirmative determination from Commerce.

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

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

**IMPORT STATISTICS:**

CHINA	2015	2016	2017
Quantity (number)	4,330,903	1,825,675	4,606,465
Value (USD)	376,728,891	172,192,246	436,530,303

Source: U.S. Census Bureau, accessed through Global Trade Atlas (Harmonized Tariff Schedule of the United States (HTSUS) 9404.21.0010, 9404.21.0013, 9404.21.0090, 9404.29.1005, 9404.29.1013, 9404.29.1090, 9404.29.9085, 9404.29.9087, and 9404.29.9091). Prior to 2016, some of the HTSUS subheadings used to classify mattresses were basket categories that covered both human-sized mattresses and other mattresses (such as pet beds). Therefore, the above import statistics for 2015 may be overstated, as they reflect imports of mattresses under certain HTSUS subheadings that covered both subject and non-subject imports. 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. These HTSUS subheadings are basket categories and may cover a significant amount of non-subject merchandise; therefore, they have not been used for purposes of reporting the import statistics in the above table

<sup>1</sup> These alleged margins were derived from information including average unit values from import statistics and an invoice demonstrating pricing of \$18 per mattress for the sale of Chinese-origin adult-sized mattresses in the United States.