

July 19, 2006

To: ALL INTERESTED PARTIES

Re: Quantity and Value Questionnaire for Certain Polyester Staple Fiber from
the People's Republic of China

Dear Sir or Madam:

On July 13, 2005, the Department of Commerce ("the Department") initiated an antidumping duty investigation to determine whether certain polyester staple fiber from the People's Republic of China ("PRC") is being sold in the United States at less than fair value. The notice of initiation can be viewed our website: <http://ia.ita.doc.gov/ia-highlights-and-news.html>. The period of investigation ("POI") is October 1, 2005 through March 31, 2006.

In advance of the issuance of the antidumping questionnaire, we ask that you respond to the questions in Attachment I requesting information on the quantity and U.S. dollar sales value of all exports to the United States of certain polyester staple fiber during the POI. A definition of the merchandise covered by the scope of this investigation is included in Attachment II. General instructions for responding to this letter are contained in Attachment III. **Please be advised that receipt of this letter does not indicate that the recipient manufacturer or exporter will be chosen as a mandatory respondent or guaranteed separate rates status. A response to this letter may be subject to on-site verification by Department officials.**

The response to the Department's Quantity and Value ("Q&V") questionnaire in Attachment I is due no later than **August 18, 2006**.

Please note that all submissions to the Department must be served on all interested parties. The service instructions are included in Attachment III. The list of interested parties may be found at <http://www.ia.ita.doc.gov/apo/apo-svc-lists.html>.

The Department requires NME exporters of certain polyester staple fiber to submit a separate-rate application no later than September 19, 2006 in addition to submitting a response to this Q&V questionnaire to receive consideration for a separate rate. The separate-rate application is available on the Department's website at <http://ia.ita.doc.gov/ia-highlights-and-news.html>. In other words, the Department will not give consideration to any separate rate-status application made by parties that failed to respond to this

questionnaire within the established deadline.

We appreciate your attention to these matters. Please contact me at 202-482-3208 if you have any questions or comments.

Sincerely,

Alex Villanueva
Program Manager, Office 9
AD/CVD Operations

Enclosure

ATTACHMENT I

Where it is not practicable to examine all known producers/exporters of subject merchandise, section 777A(c)(2) of the Tariff Act of 1930 (as amended) permits us to investigate 1) a sample of exporters, producers, or types of products that is statistically valid based on the information available at the time of selection, or 2) exporters and producers accounting for the largest volume and value of the subject merchandise that can reasonably be examined.

In the chart below, please provide the total quantity and total value of all your sales of merchandise covered by the scope of this investigation (see attachment II of this document), produced in the PRC, and exported/shipped to the United States during the period October 1, 2005, through March 31, 2006.

| Market | Total Quantity | Terms of Sale | Total Value |
|--|----------------|---------------|-------------|
| United States | | | |
| 1. Export Price Sales | | | |
| 2. a. Exporter name b. Address c. Contact d. Phone No. e. Fax No. | | | |
| 3. Constructed Export Price Sales | | | |
| 4. Further Manufactured | | | |
| Total Sales | | | |

Total Quantity:

- Please report quantity on a metric ton basis. If any conversions were used, please provide the conversion formula and source.

Terms of Sales:

- Please report all sales on the same terms (e.g., free on board).

Total Value:

- All sales values should be reported in U.S. dollars. Please indicate any exchange rates used and their respective dates and sources.

Export Price Sales:

- Generally, a U.S. sale is classified as an export price sale when the first sale to an unaffiliated person occurs before importation into the United States.
- Please include any sales exported by your company directly to the United States.

- Please include any sales exported by your company to a third-country market economy reseller where you had knowledge that the merchandise was destined to be resold to the United States.
- If you are a producer of subject merchandise, please include any sales manufactured by your company that were subsequently exported by an affiliated exporter to the United States.
- Please **do not** include any sales of merchandise manufactured in Hong Kong in your figures.

Constructed Export Price Sales:

- Generally, a U.S. sale is classified as a constructed export price sale when the first sale to an unaffiliated person occurs after importation. However, if the first sale to the unaffiliated person is made by a person in the United States affiliated with the foreign exporter, constructed export price applies even if the sale occurs prior to importation.
- Please include any sales exported by your company directly to the United States.
- Please include any sales exported by your company to a third-country market economy reseller where you had knowledge that the merchandise was destined to be resold to the United States.
- If you are a producer of subject merchandise, please include any sales manufactured by your company that were subsequently exported by an affiliated exporter to the United States.
- Please **do not** include any sales of merchandise manufactured in Hong Kong in your figures.

Further Manufactured:

- Further manufacture or assembly costs include amounts incurred for direct materials, labor and overhead, plus amounts for general and administrative expense, interest expense, and additional packing expense incurred in the country of further manufacture, as well as all costs involved in moving the product from the U.S. port of entry to the further manufacturer.

ATTACHMENT II

Scope of Investigation

The merchandise subject to this proceeding is synthetic staple fibers, not carded, combed or otherwise processed for spinning, of polyesters measuring 3.3 decitex (3 denier, inclusive) or more in diameter. This merchandise is cut to lengths varying from one inch (25 mm) to five inches (127 mm). The subject merchandise may be coated, usually with a silicon or other finish, or not coated. PSF is generally used as stuffing in sleeping bags, mattresses, ski jackets, comforters, cushions, pillows, and furniture.

The following products are excluded from the scope: (1) PSF of less than 3.3 decitex (less than 3 denier) currently classifiable in the Harmonized Tariff Schedule of the United States ("HTSUS") at subheading 5503.20.0025 and known to the industry as PSF for spinning and generally used in woven and knit applications to produce textile and apparel products; (2) PSF of 10 to 18 denier that are cut to lengths of 6 to 8 inches and that are generally used in the manufacture of carpeting; and (3) low-melt PSF defined as a bi-component fiber with an outer, non-polyester sheath that melts at a significantly lower temperature than its inner polyester core (classified at HTSUS 5503.20.0015).

Certain PSF is classifiable under the HTSUS subheadings 5503.20.0045 and 5503.20.0065. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under the orders is dispositive.

ATTACHMENT III

Instructions for Filing the Response

The following information concerns the procedures interested parties must use the when submitting information regarding the antidumping duty investigation on certain polyester staple fiber from the PRC:

1. The submission must be properly labeled for submission to the official record in accordance with section 351.303(d)(2) of the Department's regulations.

All submissions that you file with the Department during the course of this investigation must contain a case heading in the upper right-hand corner of first page of the document. The case heading should appear as follows:

A-570-905

Total Pages: XX

POI: 10/01/05-03/31/06

NME/IA/IX

Proprietary Document, Public Document, or Public Version (please choose one)

Document may be released under APO (if a proprietary document)

The Departments notes that the period of investigation ("POI") is October 1, 2005 through March 31, 2006.

2. The submission must be properly addressed. All future submissions that you file with the Department for the minor alterations inquiry should be addressed, as follows, to:

Secretary of Commerce

Attn: Import Administration

Central Records Unit, Room 1870

14th Street and Constitution Avenue, NW

Washington, DC 20230

(attn. Alex Villanueva, room 4003)

3. **Proprietary versions** of the response should be submitted on the day specified in the cover letter. The **public version** of the response may be filed one business day after the proprietary version.
4. File the original and six copies of the proprietary version. However, if you file an electronic copy of the proprietary version in Word Perfect for Windows format or Microsoft Word, you need file only the original version and four copies. In case of any difference between the hardcopy narrative response and the content of the electronic media, the hardcopy narrative response is the controlling version.

File the original and three copies of the public version of your narrative response and attachments, including sample printouts.

5. Submit the required certification of accuracy. Providers of information and the person(s) submitting it, if different (e.g., a legal representative), must certify that they have read the submission and that the information submitted is accurate and complete. The Department cannot accept responses to the letter that do not contain the certification statements. A form for such certification is included at Attachment III(A). You may photocopy this form and submit a completed copy with each of your submissions.
6. The submission must be served on all other persons on the service list and accompanied by a proper certificate of service for this case in accordance with section 351.303(f)(1)-(2) of the Department's regulations, which states:

(1)(i) *In General.* Except as provided in § 351.202(c) (filing of petition), § 351.207(f)(1) (submission of proposed suspension agreement), and paragraph (f)(3) of this section, a person filing a document with the Department simultaneously must serve a copy of the document on all other persons on the service list by personal service or first class mail.

(ii) *Service of public versions or a party's own business proprietary information.* Notwithstanding paragraphs (f)(1)(i) and (f)(3) of this section, service of the public version of a document or of the business proprietary version of a document containing only the server's own business proprietary information, on persons on the service list, may be made by facsimile transmission or other electronic transmission process, with the consent of the person to be served.

(2) *Certificate of Service.* Each document filed with the Department must include a certificate of service listing each person served (including agents), the type of document served, and the date and method of service on each person. The Secretary may refuse to accept any document that is not accompanied by a certificate of service.

This public service list contains the names of parties which have not waived their service rights in the review. When you submit a proprietary document to the Department, you must serve a copy of this document to **each party listed on the APO service list**. When you submit a public document or a public version of a proprietary document to the Department, you must serve a copy of this document on each party listed on the public service list. In addition, you must provide the Department with a certificate of service that documents that you have served the appropriate documents to the parties on the service lists. A form for such certification is included in Attachment III(B).

The list of interested parties you need to serve with a copy of your minor alteration anticircumvention request, in accordance with 351.225(n), can also be found on our website at: <http://www.ia.ita.doc.gov/apo/apo-svc-lists.html>.

Start at “Active APOs and Service Lists.” Begin your search with the product. Search alphabetically for “polyester staple fiber.” Once you click on “polyester staple fiber,” you will see the People’s Republic of China (A-570-904). You should then click on People’s Republic of China (A-570-904). There will be several options. Select “Investigation” to find the most up-to-date service list.

7. Request **proprietary treatment** for information submitted that you do not wish to be made publicly available. As a general rule, the Department places all correspondence and submissions received in the course of an antidumping proceeding in a public reading file. However, information deemed to be **proprietary information** will not be made available to the public. If you wish to make a request for proprietary treatment for particular information, refer to sections 351.304 and 351.304(a)(2) of the Department's **regulations**. Submit the request for proprietary treatment no later than one business day following the submission of the proprietary version of your response to the letter accompanied by:
 - (1) a non-proprietary (public) version of your response that is in sufficient detail to permit a reasonable understanding of the information submitted in confidence,³ and/or
 - (2) an itemization of particular information that you believe you are unable to summarize. State the reasons why you cannot summarize each piece of information.

Responses, or portions thereof, that are not adequately summarized may be returned to you and not used.

8. Submit the statements required regarding limited release of proprietary information under the provisions of an **administrative protective order** ("APO"). U.S. law permits limited disclosure to representatives of parties (e.g., legal counsel) of certain business proprietary information, including electronic business proprietary information, under an APO. (Note that data received under an APO cannot be shared with others who are not covered by the APO.) Under the provisions governing APO disclosure, you must submit either:
 - (1) a statement agreeing to permit the release under APO of information submitted by you in confidence during the course of the proceeding, or
 - (2) a statement itemizing those portions of the information which you believe should not be released under APO, together with arguments supporting your objections to that release.

³ Generally, numerical data are adequately summarized if grouped or presented in terms of indices or figures ranged within ten percent of the actual figure. If a particular portion of the data is voluminous, use ranged figures for at least one percent of the voluminous portion.

We are required by our regulations to reject, at the time of filing, submissions of business proprietary information that do not contain one of these statements. You must state in the upper right-hand corner of the cover letter accompanying your response whether you agree or object to release of the submitted information under APO. (See section 351.303)⁴

9. Place brackets ("[...]") around information for which you request business proprietary treatment. Place double brackets ("[[...]]") around information for which you request proprietary treatment and which you do not agree to release under APO.
10. Provide to all parties whose representatives have been granted an APO (as listed in the cover letter or as listed in a subsequent letter from the Department) a complete copy of the submission, proprietary and public versions, except for that information which you do not agree to release under APO. If you exclude information because you do not agree to release it under APO, submit with your response to the Department a certificate of service and a copy of the APO version of the document containing the information that you agree may be released under APO. For parties that do not have access to information under APO, please provide a public version only.
11. Prepare your response in typed form and in English. Repeat the question to which you are responding in your narrative submission and place your answer directly below it.

⁴ If you do not agree to release under APO all or part of the proprietary information, but we determine that the information should be released, you will have the opportunity to withdraw the information (see section 351.340(d) of our regulations). However, any information which you withdraw will be taken out of the official record and will not be used in our determination

ATTACHMENT III(A)

COMPANY OFFICIAL CERTIFICATION

I, _____, currently employed
(name and title)

by _____, certify that (1) I have
(Interested Party)

read the attached submission, and (2) the information contained in

this submission is, to the best of my knowledge, complete and

accurate.

(signature of certifying official)

ATTACHMENT III(B)
CERTIFICATE OF SERVICE

I, _____, hereby certify that a copy of the
(name of certifying official)

foregoing submission on behalf of _____,
(company name)

dated _____, was served by first class mail or by hand delivery (circle the method
used) on the following parties:

(Business Proprietary Version)

On Behalf of

Name and address

(Public Version)

On Behalf of

Name and address

(signature of certifying official)