

FACT SHEET

Final Determinations in the Antidumping and Countervailing Duty Investigations on Imports of Bottle-Grade Polyethylene Terephthalate Resin from India, Indonesia, Taiwan, and Thailand

On March 15, 2005, the Department of Commerce (the Department) announced its final determinations in the above-referenced investigations. In the antidumping investigations, we found that Indian, Indonesian, and Thai producers/exporters sold Bottle-Grade Polyethylene Terephthalate (BG PET) Resin from India, Indonesia, and Thailand in the U.S. market at less than fair value, with margins ranging from 21.05 to 52.54 percent for India, 0.00 to 27.61 percent for Indonesia, and 24.83 to 41.28 percent for Thailand. For Taiwan, we calculated a *de minimis* dumping margin of 0.10 percent, and have determined that producers/exporters have not sold BG PET Resin in the U.S. market at less than fair value. Therefore, we have terminated the antidumping investigation on imports from Taiwan.

In the countervailing duty investigations, we found that countervailable subsidies were provided to producers/exporters of BG PET Resin from India, with net subsidy rates ranging from 6.15 percent to 20.26 percent, but found that subsidies provided to Thai producers/exporters were *de minimis* (less than two percent) and have therefore terminated the countervailing duty investigation on imports from Thailand.

Next Steps: The United States International Trade Commission (ITC) is currently scheduled to announce its final injury determinations on or before April 28. If the ITC makes an affirmative final determinations that imports of BG PET Resin from any of the investigated countries are materially injuring, or threatening material injury to, the domestic industry, the Department will issue antidumping and countervailing duty orders and will instruct U.S. Customs and Border Protection to collect cash deposits on imports of subject merchandise. If the ITC makes negative injury determinations, the investigations will be terminated and no orders will be issued. Because of the Department's negative determinations in the countervailing duty investigation on imports from Thailand and in the antidumping investigation on imports from Taiwan, the ITC will not make injury determinations for these investigations.

Petitioners: The petition requesting these investigations was filed on March 24, 2004, by the United States PET Resin Producers Coalition, an *ad hoc* association of domestic producers of BG PET Resin. Individual members of the coalition include: DAK Americas, LLC (PA); Nan Ya Plastics Corporation America (SC); Voridian (TN); and Wellman, Inc.(NJ).

Product Description: The merchandise covered by these investigations is BG PET Resin. BG PET Resin is commonly used to manufacture bottles, sheet, and strapping, whose applications include packaging for consumer goods such as soft drinks, water, juice, fresh fruit, as well as cosmetics and household cleaners.

The scope includes BG PET Resin that contains various additives introduced in the manufacturing process. The scope of the investigations does not include post-consumer recycled or post-industrial recycled PET Resin, waste and scrap PET Resin, and fiber-grade PET Resin. Additional information on the scope of the investigations may be found in the Department's Notice of Final Determination, to be published in the *Federal Register*.

The merchandise subject to these investigations is properly classified under subheading 3907.60.0010 of the

Harmonized Tariff Schedule of the United States (HTSUS); however, merchandise classified under HTSUS subheading 3907.60.0050 that otherwise meets the written description of the scope is also subject to these investigations. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.

Final Dumping Margins::

COUNTRY	PRODUCER/EXPORTER	MARGIN
India	South Asia Petrochem Ltd.	21.05%
	Reliance Industries Ltd.	52.54%
	All Others	21.05%
Indonesia	P.T. Indorama Synthetics Tbk	0.00%
	P.T. Polypet Karyapersada	27.61%
	P.T. SK Keris	27.61%
	All Others	18.41%
Taiwan	Far Eastern Textile	0.10% (<i>de minimis</i>)
	All Others	0.10% (<i>de minimis</i>)
Thailand	Bangkok Polyester Public Company, Ltd.	24.83%
	Thai Shinkong Industry Corporation, Ltd.	41.28%
	All Others	24.83%

Final Countervailing Net Subsidy Rates:

Country	Producer/Exporter	Net Subsidy Rate
India	Reliance Industries Ltd.	20.26%
	South Asia Petrochem Ltd.	19.08%
	Futura Polyesters Ltd.	6.15%
	Elque Polyesters Ltd.	12.41%
	All Others	14.63%
Thailand	Thai Shinkong Industry Corporation Ltd.	0.31% (<i>de minimis</i>)
	Bangkok Polyester Public Company Ltd.	0.73% (<i>de minimis</i>)
	Indopet (Thailand) Ltd.	0.70% (<i>de minimis</i>)
	All Others	0.47% (<i>de minimis</i>)

Case Calenders:

EVENT	ANTIDUMPING DUTY INVESTIGATION	COUNTERVAILING DUTY INVESTIGATION
Petitions Filed	March 24, 2004	March 24, 2004
Initiation Date	April 13, 2004	April 13, 2004
ITC Preliminary	May 10, 2004	May 10, 2004
ITA Preliminary	October 20, 2004	August 23, 2004
ITA Final	March 14, 2005	March 14, 2005
ITC Final*	April 28, 2005	April 28, 2005
Signature of Order**	May 5, 2005	May 5, 2005

* The ITC will not make final determinations with respect to the antidumping duty investigation of Taiwan and the countervailing duty investigation of Thailand since the respondents received *de minimis* dumping margin in the final determination, in the case of Taiwan, and *de minimis* net subsidy rates in the final determination, in the case of Thailand.

** This will take place only in the event of a final affirmative determination from the International Trade Commission.

Import Statistics:

COUNTRY	2001	2002	2003
India			
Volume (Kgs)	7,137,765	15,901,101	35,622,020
Value (\$US)	\$6,797,575	\$11,732,331	\$32,235,618
Indonesia			
Volume (Kgs)	16,024,899	50,471,780	37,062,941
Value (\$US)	\$13,499,919	\$37,990,396	\$30,762,827
Taiwan			
Volume (Kgs)	1,612,689	4,783,272	29,241,870
Value (\$US)	\$1,457,736	\$3,754,600	\$26,013,155
Thailand			
Volume (Kgs)	21,261,088	50,188,399	93,149,855
Value (\$US)	\$19,730,865	\$40,301,572	\$78,141,312

Source: U.S. ITC Trade DataWeb for HTS 3907.60.0010. (Note: merchandise classified under HTSUS subheading 3907.60.0050 that otherwise meets the written description of the scope is also subject to these investigations).