



FACT SHEET

Commerce Preliminarily Finds Dumping of Certain Stilbenic Optical Brightening Agents from the People's Republic of China and Taiwan

- On October 28, 2011, the Department of Commerce (Commerce) announced its affirmative preliminary determinations in the antidumping duty (AD) investigations of imports of certain stilbenic optical brightening agents (brightening agents) from the People's Republic of China (China) and Taiwan.
- For purposes of AD investigations, dumping occurs when a foreign company sells a product in the United States at less than normal value.
- Commerce preliminarily determined that Chinese and Taiwan producers/exporters have sold brightening agents in the United States at margins ranging from 106.22 to 141.08 percent and 12.03 percent, respectively.
- In the China investigation, mandatory respondents Zhejiang Hongda Chemicals Co., Ltd. and Zhejiang Transfar Whyyon Chemical Co., Ltd. received a preliminary dumping rate of 106.22 and 126.25 percent, respectively.
- All other Chinese exporters received a preliminary dumping rate of 141.08 percent.
- In the Taiwan investigation, mandatory respondent Teh Fong Min International, Co., Ltd received a preliminary dumping rate of 12.03 percent. Mandatory respondent Sun Rise Chemical Ind. Co., Ltd. will be subject to the all others rate because it had no sales of subject merchandise during the period of investigation.
- Since Teh Fong Min International Co., Ltd. was the only respondent assigned a preliminary rate, all other Taiwan exporters received a preliminary dumping rate of 12.03 percent.
- As a result of these preliminary determinations, Commerce will instruct U.S. Customs and Border Protection to collect a cash deposit or bond based on these preliminary rates.
- The petitioner for these investigations is Clariant Corporation (NC).
- The merchandise covered by these investigations are all forms (whether free acid or salt) of compounds known as triazinylaminostilbenes (*i.e.*, all derivatives of 4,4'-bis [1,3,5- triazin-2-yl] amino-2,2'-stilbenedisulfonic acid), except for compounds listed in the following paragraph. The certain stilbenic optical brightening agents covered by these investigations include final optical brightening agent products, as well as intermediate products that are themselves triazinylaminostilbenes produced during the synthesis of final optical brightening agent products.
- Excluded from these investigations are all forms of 4,4'-bis[4-anilino-6-morpholino-1,3,5-triazin-2-yl] amino-2,2'-stilbenedisulfonic acid, C₄₀H₄₀N₁₂O₈S₂ (Fluorescent Brightener 71).

- These investigations cover the above-described compounds in any state (including but not limited to powder, slurry, or solution), of any concentrations of active certain stilbenic optical brightening ingredient, as well as any compositions regardless of additives (*i.e.*, mixtures or blends, whether of certain stilbenic optical brightening agents with each other, or of certain stilbenic optical brightening agents with additives that are not certain stilbenic optical brightening agents), and in any type of packaging.
- Imports of the subject merchandise are classifiable under subheading 3204.20.8000 of the Harmonized Tariff Schedule of the United States (HTSUS), but may also enter under subheadings 2933.69.6050, 2921.59.4000 and 2921.59.8090. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope is dispositive.
- In 2010, imports of brightening agents from China and Taiwan were valued at an estimated \$38.9 million and \$18.9 million, respectively. However, brightening agents subject to these investigations are classified within HTSUS basket categories that contain products beyond the scope of the investigations.

NEXT STEPS

- Commerce is currently scheduled to make its final determinations in March 2012.
- If Commerce makes affirmative final determinations, and the International Trade Commission (ITC) makes affirmative final determinations that imports of brightening agents from China and/or Taiwan materially injure, or threaten material injury to, the domestic industry, Commerce will issue antidumping duty orders. The ITC is scheduled to make its final injury determinations in April 2012.

PRELIMINARY DUMPING MARGINS:

COUNTRY	EXPORTER/PRODUCER	MARGIN
CHINA	Zhejiang Hongda Chemicals Co., Ltd.	106.22%
	Zhejiang Transfar Whyyon Chemical Co., Ltd.	126.25%
	China-Wide	141.08%

COUNTRY	PRODUCER/EXPORTER	MARGIN
TAIWAN	Teh Fong Min International Co., Ltd.	12.03%
	All Others Rate (including Sun Rise Chemical Ind. Co., Ltd.)	12.03%

CASE CALENDAR:

EVENT	AD INVESTIGATION
Petition Filed	March 31, 2011
DOC Initiation Date	April 20, 2011
ITC Preliminary Determination	May 16, 2011
DOC Preliminary Determinations	October 27, 2011
DOC Final Determinations*	March 12, 2012
ITC Final Determination**	April 24, 2012
Issuance of Order***	May 1, 2012

*This deadline is 135 days after the publication of the DOC preliminary determinations.

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

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IMPORT STATISTICS:

CHINA	2008	2009	2010
Volume (metric tons)	21,000	17,000	17,000
Value (US\$)	46,951,000	32,508,000	38,868,000

TAIWAN	2008	2009	2010
Volume (metric tons)	4,000	5,000	9,000
Value (US\$)	8,418,000	11,583,000	18,864,000

Source: U.S. Bureau of Census, accessed through Global Trade Atlas. (HTSUS 3204.20.8000, 2921.59.4000, 2933.69.6050, and 2921.59.8090). Some HTSUS subheadings include basket categories and may cover both subject and non-subject merchandise.