



Preliminary Affirmative Determination in Low Melt Polyester Staple Fiber from Korea and Taiwan

August 23, 2017

On August 10th, the U.S. International Trade Commission (“ITC”) unanimously determined that there is a reasonable indication that a U.S. industry is materially injured by reason of unfairly traded imports of low melt polyester staple fiber (“PSF”) from Korea and Taiwan. Low melt PSF is a synthetic (manmade) staple fiber, not carded, combed or otherwise processed for spinning, made entirely of polyester. It can be used in nonwoven products for a broad spectrum of downstream industries, including automotive (door trim, dash pads, wheel guards, carpets, trunk and hood liners), industrial purposes (soundproofing and insulation for construction, water and air filtration), and hygienic products (wipes, diapers, sanitary and medical goods, etc.).

Kelley Drye represents petitioner Nan Ya Plastics Corporation, America in this case.

The petition prepared by Kelley Drye, filed on June 27th, alleged that subject imports – at estimated dumping margins of 39.24 to 52.3 percent (Korea) and 28.47 to 73.21 percent (Taiwan) – were able to penetrate the U.S. market and capture an increasing share of the U.S. market by significantly undercutting U.S. prices. The petition also alleged that as a result of increasing and low-priced imports, the domestic industry has suffered significant declines in production, shipments, prices, and profits. The ITC held a public preliminary conference on July 18th to hear testimony from domestic industry, foreign producer, and U.S. importer parties in the investigation. Based on witness testimony, post-conference briefs, and the data obtained in the case, the Commissioners reached a unanimous affirmative preliminary injury determination. The [report will be available on the ITC’s website](#) after September 8, 2017.

As a result of the ITC’s affirmative determination, the U.S. Department of Commerce’s (“Commerce”) antidumping investigations, initiated on July 17th, will proceed. Commerce’s preliminary antidumping determinations are due on or about December 4, 2017, unless fully extended to January 23, 2018. The entire investigation will take approximately one year, and will culminate with final dumping margin determinations at Commerce and with a final injury investigation and hearing at the ITC. If the domestic industry prevails, Commerce will issue orders imposing antidumping duties at the determined rates on imports of low melt PSF from Korea and Taiwan.