

MESSAGE NO: 9320203 MESSAGE DATE: 11/16/1999  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: PRE-Preliminary PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-580-839

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/10/1999 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTICE OF PRELIMINARY DETERMINATION IN THE ANTIDUMPING  
INVESTIGATION OF CERTIN POLYESTER STAPLE FIBER FROM THE REPUBLIC OF KOREA  
(A-580-839)

MESSAGE NO: 9320203

DATE: 11 16 1999

CATEGORY: ADA

TYPE: PRE

REFERENCE:

REFERENCE DATE:

CASES: A - 580 - 839

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PERIOD COVERED: 08 10 1999 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: NOTICE OF PRELIMINARY DETERMINATION IN THE ANTIDUMPING  
INVESTIGATION OF CERTIN POLYESTER STAPLE FIBER FROM  
THE REPUBLIC OF KOREA (A-580-839)

1. ON NOVEMBER 8, 1999 THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE IN THE ANTIDUMPING INVESTIGATION OF CERTAIN POLYESTER STAPLE FIBER FROM THE REPUBLIC OF KOREA.

2. IMPORTS COVERED BY THIS INVESTIGATION ARE SHIPMENTS OF CERTAIN POLYESTER STAPLE FIBER. CERTAIN POLYESTER STAPLE FIBER IS DEFINED AS 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 MERCHANDISE SUBJECT TO THIS INVESTIGATION MAY BE COATED, USUALLY WITH A SILICON OR OTHER FINISH, OR NOT COATED. CERTAIN POLYESTER STAPLE FIBER IS GENERALLY USED AS STUFFING IN SLEEPING BAGS, MATTRESSES, SKI JACKETS, COMFORTERS, CUSHIONS, PILLOWS, AND FURNITURE. MERCHANDISE OF LESS THAN 3.3 DECITEX (LESS THAN 3 DENIER) CLASSIFIED UNDER THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS") AT SUBHEADING 5503.20.00.20 IS SPECIFICALLY EXCLUDED FROM THIS INVESTIGATION. ALSO SPECIFICALLY EXCLUDED FROM THIS INVESTIGATION ARE POLYESTER STAPLE FIBERS OF 10 TO 18 DENIER THAT ARE CUT TO LENGTHS OF 6 TO 8 INCHES (FIBERS USED IN THE MANUFACTURE OF CARPETING).

THE MERCHANDISE SUBJECT TO THIS INVESTIGATION IS CLASSIFIED IN THE HTSUS AT SUBHEADINGS 5503.20.00.40 AND 5503.20.00.60. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE MERCHANDISE UNDER INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-580-839.

4. WE HAVE PRELIMINARILY DETERMINED THAT CRITICAL CIRCUMSTANCES EXIST WITH RESPECT TO POLYESTER STAPLE FIBER EXPORTED BY SAMYANG CORPORATION (SAMYANG), SAM YOUNG SYNTHETICS CO., LTD. (SAM YOUNG), AND GEUM POONG CORPORATION (GEUM POONG). THEREFORE, FOR THE THREE COMPANIES LISTED ABOVE, THE CUSTOMS SERVICE SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER AUGUST 10, 1999, WHICH IS 90 DAYS PRIOR OF PUBLICATION OF THE PRELIMINARY DETERMINATION IN THE FEDERAL REGISTER.

5. WE HAVE PRELIMINARILY DETERMINED THAT CRITICAL CIRCUMSTANCES DO NOT EXIST WITH RESPECT TO POLYESTER STAPLE FIBER EXPORTED BY

COMPANIES OTHER THAN THE THREE COMPANIES NAMED IN THE PARAGRAPH 4, ABOVE. THEREFORE, FOR COMPANIES NOT NAMED IN PARAGRAPH 4, THE CUSTOMS SERVICE SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER

NOVEMBER 8, 1999, WHICH IS THE DATE OF PUBLICATION OF THE PRELIMINARY DETERMINATION IN THE FEDERAL REGISTER.

6. EFFECTIVE IMMEDIATELY, CUSTOMS SHALL REQUIRE A CASH DEPOSIT OR THE POSTING OF A BOND FOR ENTRIES OF CERTAIN POLYESTER STAPLE FIBER FROM THE REPUBLIC OF KOREA EQUAL TO THE MARGINS SHOWN BELOW:

MFR/PRODUCER EXPORTER	CUSTOMS ID NUMBER	MARGIN PERCENT	CRITICAL CIRCUMSTANCES
SAMYANG	A-580-839-001	3.51	YES
SAM YOUNG	A-580-839-002	6.33	YES
GEUM POONG	A-580-839-003	26.39	YES
ALL OTHERS	A-580-839-000	7.99	NO

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT CRAIG MATNEY, OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-1778.

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party