

MESSAGE NO: 7036201 MESSAGE DATE: 02/05/2007
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: ADM PUBLIC NON-PUBLIC
SUB-TYPE:

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REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-905

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 09/28/2006 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: CRITICAL CIRCUMSTANCES - PRELIMINARY AFFIRMATIVE DETERMINATION IN
ADD INVESTIGATION OF CERTAIN POLYESTER STAPLE FIBER FROM CHINA- FAR
EASTERN IND. A-570-905-002

MESSAGE NO: 7036201

DATE: 02 05 2007

CATEGORY: ADA

TYPE: ADM

REFERENCE:

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CASES: A - 570 - 905

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PERIOD COVERED: 09 28 2006 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: CRITICAL CIRCUMSTANCES - PRELIMINARY AFFIRMATIVE

DETERMINATION IN ADD INVESTIGATION OF CERTAIN POLYESTER

STAPLE FIBER FROM CHINA- FAR EASTERN IND. A-570-905-002

1. ON DECEMBER 26, 2006, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER (71 FR 77373) ITS AFFIRMATIVE PRELIMINARY DETERMINATION OF CRITICAL CIRCUMSTANCES IN THE ANTIDUMPING DUTY INVESTIGATION OF CERTAIN POLYESTER STAPLE FIBER (PSF) FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC) FOR FAR EASTERN INDUSTRIES (SHANGHAI) LTD. (A-570-905-002).

2. U.S. CUSTOMS AND BORDER PROTECTION (CBP) SHALL SUSPEND

LIQUIDATION OF FAR EASTERN INDUSTRIES (SHANGHAI) LTD., ENTRIES OF PSF FROM THE PRC THAT ARE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 09/28/2006 (90 DAYS PRIOR TO 12/26/2006 -THE DATE OF PUBLICATION OF THE PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE IN THE FEDERAL REGISTER). CBP SHALL REQUIRE A CASH DEPOSIT OR POSTING OF A BOND EQUAL TO THE ESTIMATED PRELIMINARY DUMPING MARGIN (10.45 PERCENT) REFLECTED IN THE PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE PUBLISHED IN THE FEDERAL REGISTER (71 FR 77373)

3. SCOPE LANGUAGE

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.

4. FOR FURTHER REPORTING PURPOSES, THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-570-905.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION , U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY 09:PW).

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

CATHY SAUCEDA

Company Details

*Party Indicator Value:

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