

MESSAGE NO: 0095202 MESSAGE DATE: 04/04/2000
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: FIN-Final Determination 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: 03/30/2000 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

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

MESSAGE NO: 0095202 DATE: 04 04 2000

CATEGORY: ADA TYPE: FIN

REFERENCE: REFERENCE DATE:

CASES: A - 580 - 839 - -

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PERIOD COVERED: 03 30 2000 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

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

1. ON MARCH 30, 2000, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS FINAL DETERMINATION OF SALES AT LESS THAN FAIR VALUE IN THE ANTIDUMPING DUTY INVESTIGATION OF CERTAIN POLYESTER STAPLE FIBER FROM THE REPUBLIC OF KOREA.

2. FOR PURPOSES OF THIS INVESTIGATION, THE PRODUCT COVERED IS 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. OR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-580-839.

4. EFFECTIVE MARCH 30, 2000, FOR SUCH ENTRIES, CUSTOMS SHALL REQUIRE A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS SHOWN BELOW:

MFR/PRODUCER EXPORTER	CUSTOMS ID NUMBER	MARGIN PERCENT	CRITICAL CIRCUMSTANCES
SAM YOUNG	A-580-839-002	7.96%	NO
GEUM POONG	A-580-839-003	14.10%	NO
ALL OTHERS (EXCEPT THE FIRM SPECIFICALLY NAMED	A-580-839-000	11.38%	NO

IN PARAGRAPH 6)

FOR IMPORTS OF CERTAIN POLYESTER STAPLE FIBER FROM THE REPUBLIC OF KOREA, THE CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER NOVEMBER 8, 1999.

5. BECAUSE THE DEPARTMENT OF COMMERCE NOW DETERMINES THAT CRITICAL CIRCUMSTANCES DO NOT EXIST, THE RETROACTIVE SUSPENSION OF LIQUIDATION ORDERED AT THE TIME OF THE PRELIMINARY DETERMINATION IS DISCONTINUED. ACCORDINGLY, CUSTOMS IS DIRECTED TO DISCONTINUE THE SUSPENSION OF LIQUIDATION FOR ALL SHIPMENTS OF CERTAIN POLYESTER STAPLE FIBER FROM THE REPUBLIC OF KOREA, ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION PRIOR TO NOVEMBER 8, 1999 AND TO REFUND ANY CASH DEPOSITS AND RELEASE ANY BONDS OR OTHER SECURITY. INTEREST PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930 DO NOT APPLY.

6. THE DEPARTMENT OF COMMERCE FOUND THAT NO FINAL MARGIN EXISTS WITH RESPECT TO CERTAIN POLYESTER STAPLE FIBER MANUFACTURED BY SAMYANG CORPORATION. ACCORDINGLY, CUSTOMS IS DIRECTED TO DISCONTINUE THE SUSPENSION OF LIQUIDATION OF SHIPMENTS OF CERTAIN POLYESTER STAPLE FIBER MANUFACTURED BY SAMYANG CORPORATION 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. ANY BOND OR SECURITY POSTED SHOULD BE RELEASED AND ANY CASH DEPOSIT SHOULD BE REFUNDED. INTEREST PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930 DO NOT APPLY.

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