

September 19, 2012
News Release 12-101
Inv. No. 731-TA-1104 (Review)
Contact: Peg O'Laughlin, 202-205-1819

USITC MAKES DETERMINATION IN FIVE-YEAR (SUNSET) REVIEW CONCERNING POLYESTER STAPLE FIBER FROM CHINA

The U.S. International Trade Commission (USITC) today determined that revoking the existing antidumping duty order on polyester staple fiber from China would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.

As a result of the Commission's affirmative determination, the existing order on imports of this product from China will remain in place.

Chairman Irving A. Williamson and Commissioners Daniel R. Pearson, Shara L. Aranoff, Dean A. Pinkert, and David S. Johanson voted in the affirmative. Commissioner Meredith Broadbent did not participate in this review.

Today's action comes under the five-year (sunset) review process required by the Uruguay Round Agreements Act. See the attached page for background on this five-year (sunset) review.

The Commission's public report *Polyester Staple Fiber from China* (Inv. No. 731-TA-1104 (Review), USITC Publication 4351, September 2012) will contain the views of the Commission and information developed during the review.

Copies may be requested after October 19, 2012, by emailing pubrequest@usitc.gov, calling 202-205-2000, or writing to the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Requests may be made by fax at 202-205-2104.

BACKGROUND

The Uruguay Round Agreements Act requires the Department of Commerce to revoke an antidumping or countervailing duty order, or terminate a suspension agreement, after five years unless the Department of Commerce and the USITC determine that revoking the order or terminating the suspension agreement would be likely to lead to continuation or recurrence of dumping or subsidies (Commerce) and of material injury (USITC) within a reasonably foreseeable time.

The Commission's institution notice in five-year reviews requests that interested parties file responses with the Commission concerning the likely effects of revoking the order under review as well as other information. Generally within 95 days from institution, the Commission will determine whether the responses it has received reflect an adequate or inadequate level of interest in a full review. If responses to the USITC's notice of institution are adequate, or if other circumstances warrant a full review, the Commission conducts a full review, which includes a public hearing and issuance of questionnaires.

The Commission generally does not hold a hearing or conduct further investigative activities in expedited reviews. Commissioners base their injury determination in expedited reviews on the facts available, including the Commission's prior injury and review determinations, responses received to its notice of institution, data collected by staff in connection with the review, and information provided by the Department of Commerce.

The five-year (sunset) review concerning *Polyester Staple Fiber from China* was instituted on May 1, 2012.

On August 6, 2012, the Commission voted to conduct an expedited review. All six Commissioners concluded that the

domestic group response for this review was adequate and the respondent group response was inadequate and voted for an expedited review.

A record of the Commission's vote to conduct an expedited review is available from the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Requests may be made by telephone by calling 202-205-1802.

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