

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC

Investigation Nos. 701-TA-612-613 and 731-1429-1430 (Preliminary)

Polyester Textured Yarn from China and India

DETERMINATIONS

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports of polyester textured yarn from China and India, provided for in subheadings 5402.33.30 and 5402.33.60 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (“LTFV”) and to be subsidized by the governments of China and India.²

COMMENCEMENT OF FINAL PHASE INVESTIGATIONS

Pursuant to section 207.18 of the Commission’s rules, the Commission also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling, which will be published in the *Federal Register* as provided in section 207.21 of the Commission’s rules, upon notice from the U.S. Department of Commerce (“Commerce”) of affirmative preliminary determinations in the investigations under sections 703(b) or 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in those investigations under sections 705(a) or 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigations need not enter a separate appearance for the final phase of the investigations. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

BACKGROUND

¹ The record is defined in sec. 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR 207.2(f)).

² *Polyester Textured Yarn from India and the People’s Republic of China: Initiation of Countervailing Duty Investigations*, 83 FR 58232, November 19, 2018; *Polyester Textured Yarn from India and the People’s Republic of China: Initiation of Less-Than-Fair-Value Investigations*, 83 FR 58223, November 19, 2018.

On October 18, 2018, Unifi Manufacturing, Inc., Greensboro, North Carolina; and Nan Ya Plastics Corp. America, Lake City, South Carolina filed petitions with the Commission and Commerce, alleging that an industry in the United States is materially injured or threatened with material injury by reason of subsidized imports of polyester textured yarn from China and India and LTFV imports of polyester textured yarn from China and India. Accordingly, effective October 18, 2018, the Commission, pursuant to sections 703(a) and 733(a) of the Act (19 U.S.C. 1671b(a) and 1673b(a)), instituted countervailing duty investigation Nos. 701-TA-612-613 and antidumping duty investigation Nos. 731-TA-1429-1430 (Preliminary).

Notice of the institution of the Commission's investigations and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the *Federal Register* of October 25, 2018 (83 FR 53899). The conference was held in Washington, DC, on November 8, 2018, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission made these determinations pursuant to sections 703(a) and 733(a) of the Act (19 U.S.C. 1671b(a) and 1673b(a)). It completed and filed its determinations in these investigations on December 3, 2018. The views of the Commission are contained in USITC Publication 4858 (December 2018), entitled *Polyester Textured Yarn from China and India: Investigation Nos. 701-TA-612-613 and 731-TA-1429-1430 (Preliminary)*.

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

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