Dioctyl Terephthalate (DOTP) from Malaysia, Poland, Taiwan, and Turkey

Investigation Nos. 731–TA–1675–1678 (Final)

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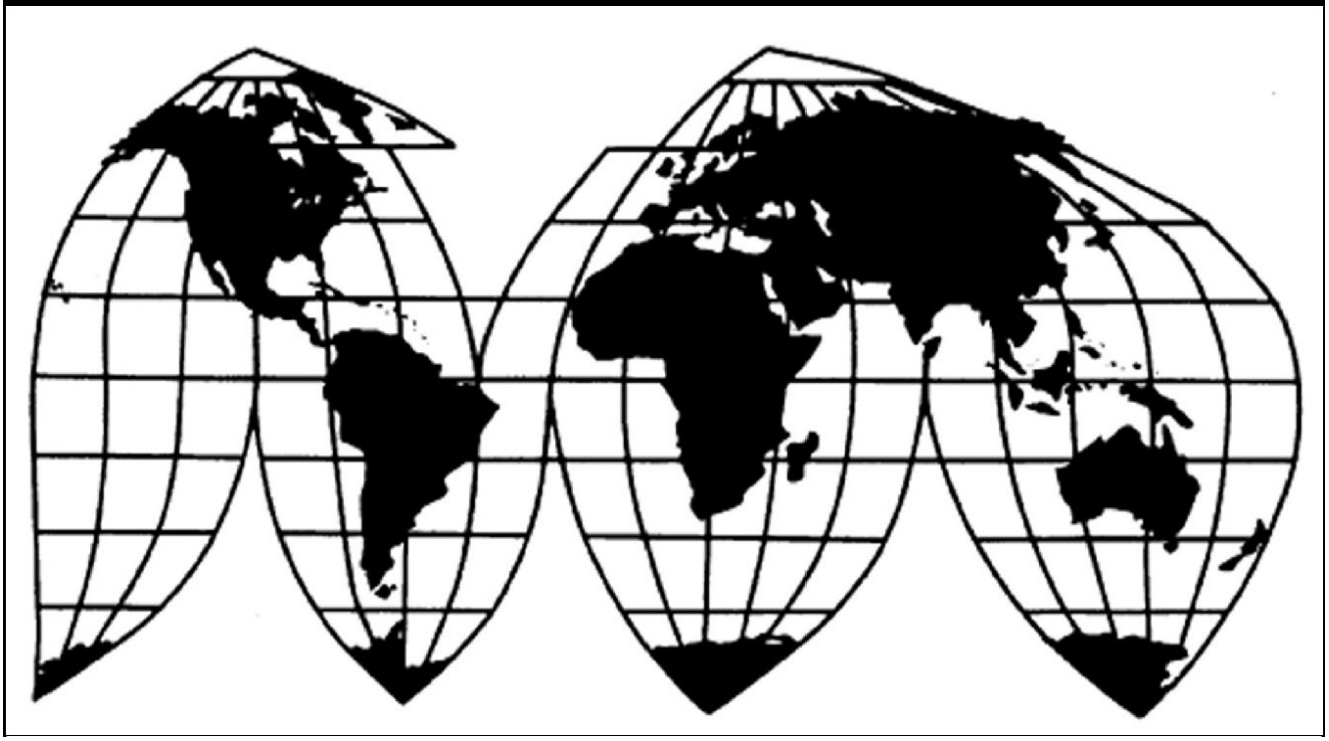
U.S. International Trade Commission



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Note.—Information that would reveal confidential operations of individual firms may not be published. Such information is identified by brackets ([ ]) in confidential reports and is deleted and replaced with asterisks (***) in public reports. Zeroes, null values, and undefined calculations are suppressed and shown as em dashes (—) in tables. If using a screen reader, we recommend increasing the verbosity setting.

UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation Nos. 731-TA-1675-1678 (Final)

Dioctyl Terephthalate (DOTP) from Malaysia, Poland, Taiwan, and Turkey

DETERMINATIONS

On the basis of the record[1] developed in the subject investigations, the United States International Trade Commission ("Commission") determines, pursuant to the Tariff Act of 1930 ("the Act"), that an industry in the United States is materially injured by reason of imports of dioctyl terephthalate from Malaysia, Poland, Taiwan, and Turkey, provided for in subheadings 2917.39.20, 2917.39.70, or 3812.20.10 of the Harmonized Tariff Schedule of the United States, that have been found by the U.S. Department of Commerce ("Commerce") to be sold in the United States at less than fair value ("LTFV").[2]

BACKGROUND

The Commission instituted these investigations effective March 26, 2024, following receipt of a petitions filed with the Commission and Commerce by Eastman Chemical Company, Kingsport, Tennessee. The Commission scheduled the final phase of the investigations following notification of preliminary determinations by Commerce that imports of dioctyl terephthalate from Malaysia, Poland, Taiwan, and Turkey were being sold at LTFV within the meaning of § 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigations and of a public hearing 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 November 19, 2024 (89 FR 91423). The public hearing in connection with the investigations, originally scheduled for March 25, 2025, was cancelled.[3]

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[1] The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

[2] 90 FR 14073, 90 FR 14117, 90 FR 14069, 90 FR 14071, March 28, 2025.

[3] 90 FR 13880, March 27, 2025.

Views of the Commission

Based on the record in the final phase of these investigations, we determine that an industry in the United States is materially injured by reason of imports of dioctyl terephthalate ("DOTP") from Malaysia, Poland, Taiwan, and Turkey found by the U.S. Department of Commerce ("Commerce") to be sold in the United States at less than fair value.

I. Background

Eastman Chemical Company ("Eastman," or "Petitioner"), a domestic producer of dioctyl terephthalate ("DOTP"), filed the petitions in these investigations on March 26, 2024.[1] Eastman submitted a prehearing brief, a posthearing brief in which it responded to Commission questions *in lieu* of a hearing, and final comments.[2] No respondent entities participated in these investigations.

U.S. industry data are based on the questionnaire responses of Eastman and BASF (together, "Domestic Producers"), which accounted for all known U.S. production of DOTP in

[1] Petition Volume I at 1.

[2] Eastman Prehearing Brief, EDIS Doc. 846101 (Mar. 18, 2025) ("Eastman Prehearing Br.") at 1; Eastman Posthearing Brief, EDIS Doc. 847506, (Apr. 1, 2025) ("Eastman Posthearing Br.") at 1; Eastman Final Comments, EDIS Doc. 849099 (Apr. 18, 2025). On March 20, 2025, Eastman requested that the Commission cancel the hearing scheduled for March 25, 2025. Eastman Request to Cancel Hearing, EDIS Doc. 846341 (Mar. 20, 2025). U.S. DOTP producer BASF Corporation ("BASF") subsequently withdrew its request to appear at the hearing and no other party requested to appear at the hearing. As a result, the Commission cancelled its hearing for the final phase of these investigations on March 21, 2025. Granting Request to Cancel Hearing, EDIS Doc. 846462 (Mar. 21, 2025); *Dioctyl Terephthalate (DOTP) From Malaysia, Poland, Taiwan, and Turkey; Cancellation of Hearing for Antidumping Duty Investigations*, 90 Fed. Reg. 13880 (Mar. 27, 2025).

BASF *** the petitions and provided information on the record in Eastman's prehearing and posthearing briefs. Confidential Staff Report, INV-XX-043 (April 10, 2025) EDIS Doc. 848389, and Revision, INV-XX-048 (Apr. 21, 2025) EDIS Doc. 849166 ("CR"); *Dioctyl Terephthalate ("DOTP") from Malaysia, Poland, Taiwan, and Turkey*, Inv. Nos. 731-TA-1675-1678 (Final), USITC Pub. 5616 (May 2025) ("PR") at 3.1; Eastman Prehearing Br. at Exhibit 1 (contemporaneous business documents); Eastman Posthearing Br. at Exhibit 1, Attachment 1 (declaration of ***).

2023.[3] U.S. import data are based on the questionnaire responses of 16 U.S. importers and from Commerce import statistics.[4] Responding importers represented ****** percent of U.S. imports from subject sources and *** percent of U.S. imports from nonsubject sources in 2023, based on official Commerce import statistics adjusted to remove certain out-of-scope imports.[5] Responding importers represented *** percent of U.S. imports from Malaysia, *** percent from Poland, *** percent of subject imports from Taiwan, and *** percent from Turkey in 2023.[6] The Commission received usable questionnaire responses from two foreign producers/exporters of subject merchandise accounting for *** percent of DOTP production in Malaysia and *** percent of DOTP production in Poland in 2023.[7] The Commission did not receive usable questionnaire responses from foreign producers/exporters of subject merchandise in Taiwan or Turkey.[8]

II. Domestic Like Product

A. In General

In determining whether an industry in the United States is materially injured or threatened with material injury by reason of imports of subject merchandise, the Commission first defines the "domestic like product" and the "industry."[9] Section 771(4)(A) of the Tariff Act

[3] CR/PR at 3.1.

[4] CR/PR at 4.1. Official import statistics are for "plasticizers" under Harmonized Tariff Schedule of the United States ("HTSUS") subheading 2917.39.2000, which is a basket category including both in-scope DOTP and out-of-scope merchandise. CR/PR at 4.1 n.2, Table 4.8 Note.

[5] CR/PR at 4.1. *See* CR/PR at 4.1 n.4 (nearly all imports of plasticizers under HTSUS subheading 2917.39.2000 from Mexico, Canada, and South Korea are products outside the scope of these investigations).

[6] CR/PR at 4.1.

[7] CR/PR at Table 7.1. These two firms represented *** and *** percent of all exports of DOTP from Malaysia and Poland to the United States in 2023, respectively. *Id*.

[8] CR/PR at 7.3, Table 7.1.

[9] 19 U.S.C. § 1677(4)(A).

of 1930, as amended ("the Tariff Act"), defines the relevant domestic industry as the "producers as a whole of a domestic like product, or those producers whose collective output of a domestic like product constitutes a major proportion of the total domestic production of the product."[10] In turn, the Tariff Act defines "domestic like product" as "a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation."[11]

By statute, the Commission's "domestic like product" analysis begins with the "article subject to an investigation," *i.e.*, the subject merchandise as determined by Commerce.[12] Therefore, Commerce's determination as to the scope of the imported merchandise that is subsidized and/or sold at less than fair value is "necessarily the starting point of the Commission's like product analysis."[13] The Commission then defines the domestic like product in light of the imported articles Commerce has identified.[14] The decision regarding the appropriate domestic like product(s) in an investigation is a factual determination, and the

[10] 19 U.S.C. § 1677(4)(A).

[11] 19 U.S.C. § 1677(10).

[12] 19 U.S.C. § 1677(10). The Commission must accept Commerce's determination as to the scope of the imported merchandise that is subsidized and/or sold at less than fair value. *See*, *e.g.*, *USEC, Inc. v. United States*, 34 Fed. App'x 725, 730 (Fed. Cir. 2002) ("The ITC may not modify the class or kind of imported merchandise examined by Commerce."); *Algoma Steel Corp. v. United States,* 688 F. Supp. 639, 644 (Ct. Int'l Trade 1988), *aff'd*, 865 F.3d 240 (Fed. Cir.), *cert. denied*, 492 U.S. 919 (1989).

[13] *Cleo Inc. v. United States*, 501 F.3d 1291, 1298 (Fed. Cir. 2007); see also *Hitachi Metals, Ltd. v. United States*, Case No. 19-1289, slip op. at 8-9 (Fed. Circ. Feb. 7, 2020) (the statute requires the Commission to start with Commerce's subject merchandise in reaching its own like product determination).

[14] *Cleo*, 501 F.3d at 1298 n.1 ("Commerce's {scope} finding does not control the Commission's {like product} determination."); *Hosiden Corp. v. Advanced Display Mfrs.,* 85 F.3d 1561, 1568 (Fed. Cir. 1996) (the Commission may find a single like product corresponding to several different classes or kinds defined by Commerce); *Torrington Co. v. United States*, 747 F. Supp. 744, 748–52 (Ct. Int'l Trade 1990), *aff'd*, 938 F.2d 1278 (Fed. Cir. 1991) (affirming the Commission's determination defining six like products in investigations where Commerce found five classes or kinds).

Commission has applied the statutory standard of "like" or "most similar in characteristics and uses" on a case-by-case basis.[15] No single factor is dispositive, and the Commission may consider other factors it deems relevant based on the facts of a particular investigation.[16] The Commission looks for clear dividing lines among possible like products and disregards minor variations.[17]

B. Product Description

Commerce defined the imported merchandise within the scope of these investigations as follows:

> . . . {D}ioctyl terephthalate (DOTP), regardless of form. DOTP that has been blended with other products is included within this scope when such blends include constituent parts that have not been chemically reacted with each other to produce a different product. For such blends, only the DOTP component of the mixture is covered by the scope of these investigations.
>
> DOTP that is otherwise subject to this investigation is not excluded when commingled with DOTP from sources not subject to this investigation. Commingled refers to the mixing of subject and non-subject DOTP. Only the subject component of such commingled products is covered by the scope of these investigations.

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[15] *See, e.g., Cleo Inc*. v. United States, 501 F.3d 1291, 1299 (Fed. Cir. 2007); *NEC Corp. v. Dep't of Commerce,* 36 F. Supp. 2d 380, 383 (Ct. Int'l Trade 1998*); Nippon Steel Corp. v. United States*, 19 CIT 450, 455 (1995); *Torrington Co. v. United States*, 747 F. Supp. 744, 749 n.3 (Ct. Int'l Trade 1990), aff'd, 938 F.2d 1278 (Fed. Cir. 1991) ("every like product determination 'must be made on the particular record at issue' and the 'unique facts of each case'"). The Commission generally considers a number of factors, including the following: (1) physical characteristics and uses; (2) interchangeability; (3) channels of distribution; (4) customer and producer perceptions of the products; (5) common manufacturing facilities, production processes, and production employees; and, where appropriate, (6) price. *See Nippon,* 19 CIT at 455 n.4; *Timken Co. v. United States*, 913 F. Supp. 580, 584 (Ct. Int'l Trade 1996).

[16] *See*, *e.g.*, S. Rep. No. 96-249 at 90-91 (1979).

[17] *Nippon*, 19 CIT at 455; *Torrington*, 747 F. Supp. at 748-49; *see also* S. Rep. No. 96-249 at 90-91 (Congress has indicated that the like product standard should not be interpreted in "such a narrow fashion as to permit minor differences in physical characteristics or uses to lead to the conclusion that the product and article are not 'like' each other, nor should the definition of 'like product' be interpreted in such a fashion as to prevent consideration of an industry adversely affected by the imports under consideration.").

> DOTP has the general chemical formulation $C_6H_4(C_8H_{17}COO)_2$ and a chemical name of "bis (2-ethylhexyl) terephthalate" and has a Chemical Abstract Service (CAS) registry number of 6422-86-2. Regardless of the label, all DOTP is covered by these investigations.[18]

DOTP is a colorless, almost odorless, slightly viscous liquid that is used to make resins more flexible and easier to process as plastics. It is a synthetic organic chemical and part of a group of chemical products, known as plasticizers, that are used in the manufacture of plastics.[19]

C. Analysis

In its *Preliminary Determinations*, the Commission defined a single domestic like product consisting of DOTP, coextensive with Commerce's scope.[20] The Commission found that DOTP covered by the scope shared the same basic physical characteristics and end uses, was manufactured using the same facilities, processes, and employees, and could be used interchangeably. In addition, DOTP was sold through similar channels of distribution, perceived as a single category of products by customers and producers, and sold for similar prices.[21]

Eastman argues that for the reasons detailed in its preliminary determination, the Commission should continue to define a single domestic like product co-extensive with the

[18] *See* Appendices of *Dioctyl Terephthalate from Poland: Final Affirmative Determination of Sales at Less Than Fair Value*, 90 Fed. Reg. 14117 (March 28, 2025) ("*Poland Final AD Determination*"); *Dioctyl Terephthalate from Malaysia: Final Affirmative Determination of Sales at Less Than Fair Value*, 90 Fed. Reg. 14073 (March 28, 2025) ("*Malaysia Final AD Determination*"); *Dioctyl Terephthalate from Taiwan: Final Affirmative Determination of Sales at Less Than Fair Value*, 90 Fed. Reg. 14069 (March 28, 2025 ("*Taiwan Final AD Determination*"); *Dioctyl Terephthalate from the Republic of Türkiye: Final Affirmative Determination of Sales at Less Than Fair Value*, 90 Fed. Reg. 14071 (March 28, 2025) ("*Turkey Final AD Determination*"); CR/PR at 1.6.

[19] CR/PR at 1.7-10.

[20] *Dioctyl Terephthalate from Malaysia, Poland, Taiwan, and Turkey*, Inv. Nos. 731-TA-1675-1678 (Preliminary), USITC Pub. 5505 (May 2024) ("*Preliminary Determinations*") at 8, 11.

[21] *Preliminary Determinations*, USITC Pub. 5505 at 8, 11.

scope.[22] The record in the final phase of these investigations does not contain any new information or argument concerning the characteristics and uses of DOTP suggesting that the Commission should revisit its definition of the domestic like product from the *Preliminary Determinations*.[23] Accordingly, we again define a single domestic like product consisting of DOTP, coextensive with the scope.

III. Domestic Industry

The domestic industry is defined as the domestic "producers as a whole of a domestic like product, or those producers whose collective output of a domestic like product constitutes a major proportion of the total domestic production of the product."[24] In defining the domestic industry, the Commission's general practice has been to include in the industry producers of all domestic production of the like product, whether toll-produced, captively consumed, or sold in the domestic merchant market.

Eastman argues that the Commission should again define the domestic industry as consisting only of Eastman and BASF.[25] There are no related parties or other domestic industry issues in the final phase of these investigations.[26] Accordingly, consistent with our definition of

[22] Eastman Prehearing Br. at 10-12.

[23] *See generally* CR/PR at 1.7-10.

[24] 19 U.S.C. § 1677(4)(A).

[25] Eastman Prehearing Br. at 3.

[26] The record indicates that Eastman did not import or purchase subject merchandise during the January 2021 through September 2024 period of investigation ("POI"), and that it is not related to importers or exporters of subject merchandise. CR/PR at 3.1-2, Table 3.2. The Commission found in the *Preliminary Determinations* that *** did not qualify for possible exclusion under the related parties provision given that *** did not directly import subject merchandise and that its *** in 2023 did not show that ***. *Preliminary Determinations*, USITC Pub. 5505 at n.40; *Confidential Preliminary Determinations,* EDIS Doc. 821911 (May 20, 2024) ("*Confidential Preliminary Determination*") at 12 n.40. *** reported no

(Continued...)

the domestic like product and in the absence of any argument to the contrary, we define the domestic industry as all U.S. producers of DOTP, comprising of Eastman and BASF.

IV. Cumulation[27]

For purposes of evaluating the volume and effects for a determination of material injury by reason of subject imports, section 771(7)(G)(i) of the Tariff Act requires the Commission to cumulate subject imports from all countries as to which petitions were filed and/or investigations self-initiated by Commerce on the same day, if such imports compete with each other and with the domestic like product in the U.S. market. In assessing whether subject imports compete with each other and with the domestic like product, the Commission generally has considered four factors:

(1) the degree of fungibility between subject imports from different countries and between subject imports and the domestic like product, including consideration of specific customer requirements and other quality related questions;
(2) the presence of sales or offers to sell in the same geographic markets of subject imports from different countries and the domestic like product;

*** in January through September ("interim") 2024. *See* CR/PR at Table 3.10. The record in the final phase of these investigations does not contain any new information or argument concerning *** of subject merchandise suggesting that the Commission should revisit this finding. *See* CR/PR at Table 3.10; Eastman Prehearing Br. at 3; Eastman Posthearing Br. at 2.

[27] Pursuant to section 771(24) of the Tariff Act, imports from a subject country of merchandise corresponding to a domestic like product shall be deemed negligible if they account for less than three percent (or four percent in the case of a developing country in a countervailing duty investigation) of all such merchandise imported into the United States during the most recent 12 months for which data are available preceding the filing of the petition. 19 U.S.C. §§ 1677(24)(A)(i) and 1677(24)(A)(ii).

Importers' questionnaire data indicate that from March 2023 through February 2024, the most recent 12-month period preceding the filing of the petitions, subject imports from Malaysia, Poland, Taiwan, and Turkey accounted for *** percent, *** percent, *** percent, and *** percent of total imports, respectively. CR/PR at Table 4.5. No party argues that the Commission should rely on official Commerce import statistics of plasticizers, a basket category that includes in-scope DOTP and out-of-scope merchandise, to assess negligibility. As subject imports from each of the four subject countries are above the statutory threshold, we recommend that the Commission find that imports from Malaysia, Poland, Taiwan, and Turkey subject to the antidumping duty investigations are not negligible.

(3) the existence of common or similar channels of distribution for subject imports from different countries and the domestic like product; and
(4) whether the subject imports are simultaneously present in the market.[28]

While no single factor is necessarily determinative, and the list of factors is not exhaustive, these factors are intended to provide the Commission with a framework for determining whether the subject imports compete with each other and with the domestic like product.[29] Only a "reasonable overlap" of competition is required.[30]

Eastman argues that the Commission should cumulatively assess subject imports from all four subject countries. It asserts that DOTP is a fungible commodity product regardless of source, and that subject imports from all four subject countries and the domestic like product competed in the same geographic markets, shared the same channels of distribution, and were simultaneously present in the U.S. market during the POI.[31]

We consider subject imports from Malaysia, Poland, Taiwan, and Turkey on a cumulated basis because the statutory criteria for cumulation are satisfied.[32] As an initial matter, Eastman filed the antidumping duty petitions with respect to all four countries on the same day, March

[28] *See Certain Cast-Iron Pipe Fittings from Brazil, the Republic of Korea, and Taiwan*, Inv. Nos. 731-TA-278-280 (Final), USITC Pub. 1845 (May 1986), *aff'd*, *Fundicao Tupy, S.A. v. United States*, 678 F. Supp. 898 (Ct. Int'l Trade), aff'd, 859 F.2d 915 (Fed. Cir. 1988).

[29] *See*, *e.g.*, *Wieland Werke, AG v. United State*s, 718 F. Supp. 50 (Ct. Int'l Trade 1989).

[30] The Statement of Administrative Action (SAA) to the Uruguay Round Agreements Act (URAA), expressly states that "the new section will not affect current Commission practice under which the statutory requirement is satisfied if there is a reasonable overlap of competition." H.R. Rep. No. 103-316, Vol. I at 848 (1994) (*citing Fundicao Tupy, S.A. v. United States*, 678 F. Supp. at 902; *see Goss Graphic Sys., Inc. v. United States*, 33 F. Supp. 2d 1082, 1087 (Ct. Int'l Trade 1998) ("cumulation does not require two products to be highly fungible"); *Wieland Werke, AG*, 718 F. Supp. at 52 ("Completely overlapping markets are not required.").

[31] Eastman Prehearing Br. at 4-7.

[32] None of the statutory exceptions to cumulation applies in these investigations. 19 U.S.C. § 1677(7)(G)(ii).

26, 2024.[33] The record also supports finding a reasonable overlap of competition between and among imports from all four subject countries and the domestic like product, for the reasons discussed below.

Fungibility. The record indicates that domestically produced DOTP and subject imports from each subject country are highly fungible. The vast majority of responding U.S. producers, importers, and purchasers reported that DOTP from domestic and subject sources was always or frequently interchangeable.[34] Consistent with those responses, majorities of purchasers reported that domestically produced DOTP was comparable to subject imports from Taiwan with respect to all 15 enumerated purchasing factors and comparable to subject imports from Malaysia, Poland, and Turkey with respect to most of the 15 purchasing factors.[35]

Furthermore, the record indicates that subject imports from each subject country overlapped with the domestic like product in terms of packaging types. Specifically, in 2023, *** of U.S. shipments by the domestic industry and *** U.S. shipments of imports from all subject countries were of DOTP in 20 metric ton containers.[36]

Thus, the record indicates that there is a high degree of fungibility between and among subject imports from Malaysia, Poland, Taiwan, and Turkey and the domestic like product for purposes of cumulation.

Channels of Distribution. The domestic like product and subject imports from each subject country were sold through the same channels of distribution during the POI, with

[33] CR/PR at Table 1.1.
[34] CR/PR at Tables 2.15-17.
[35] CR/PR at Table 2.14.
[36] CR/PR at Table 4.6. Specifically, *** percent of U.S. shipments by domestic producers in 2023 were of DOTP in 20 metric ton containers. *Id.*

virtually all U.S. shipments going to end users and the remainder going to distributors.[37] Furthermore, significant volumes of the U.S. shipments to end users from each source, except those from Turkey, were made to the "all other" sub-category of end users.[38]

Geographic Overlap. Domestic Producers reported selling DOTP to *** United States during the POI.[39] Importers reported selling DOTP from Poland and Turkey in the *** regions and DOTP from Taiwan in all regions except the Mountains region.[40]

Simultaneous Presence in Market. As reflected by the pricing data, the domestic like product was present in the U.S. market in all quarters of the POI.[41] Imports of plasticizers (including DOTP and out-of-scope products) from Malaysia, Poland, Taiwan, and Turkey were present in 26, 15, 43, and 29 months of the 45-month POI, respectively.[42]

Conclusion. The record indicates that subject imports from Malaysia, Poland, Taiwan, and Turkey are highly fungible with the domestic like product and each other. The record also indicates that imports from each of the subject countries and the domestic like product were sold in overlapping channels of distribution and geographic markets and were simultaneously

[37] Specifically, *** percent of Domestic Producers' U.S. shipments, *** percent of U.S. shipments of subject imports from Malaysia, *** U.S. shipments of subject imports from Poland, *** percent of U.S. shipments of subject imports from Taiwan, and *** percent of U.S. shipments of subject imports from Turkey, were made to end users. CR/PR at Table 2.1.

[38] CR/PR at Table 2.1. Specifically, in 2023, while *** percent of Domestic Producers' U.S. shipments were sold to flooring end users, *** percent were sold to "all other" end users. *Id*. During the same period, *** subject imports from Malaysia and Taiwan, *** percent of subject imports from Poland, and *** percent of subject imports from Turkey were sold to "all other" end users. *Id*.

[39] CR/PR at Table 2.2.

[40] CR/PR at Tables 2.2, 4.7. No firms provided responses regarding the geographic markets of shipments of subject imports from Malaysia. *Id*.

[41] CR/PR at Tables 5.4-5.

[42] CR/PR at Table 4.8.

present in the U.S. market during the POI. Because the record indicates that there was a reasonable overlap of competition between and among imports from each subject country and domestically produced DOTP, we cumulate subject imports from Malaysia, Poland, Taiwan, and Turkey for purposes of our analysis of present material injury.

V. Material Injury by Reason of Subject Imports

Based on the record in the final phase of these investigations, we find that an industry in the United States is materially injured by reason of imports of DOTP from Malaysia, Poland, Taiwan, and Turkey found by Commerce to be sold in the United States at less than fair value.

A. Legal Standards

In the final phase of antidumping and countervailing duty investigations, the Commission determines whether an industry in the United States is materially injured or threatened with material injury by reason of the imports under investigation.[43] In making this determination, the Commission must consider the volume of subject imports, their effect on prices for the domestic like product, and their impact on domestic producers of the domestic like product, but only in the context of U.S. production operations.[44] The statute defines "material injury" as "harm which is not inconsequential, immaterial, or unimportant."[45] In assessing whether the domestic industry is materially injured by reason of subject imports, we consider all relevant economic factors that bear on the state of the industry in the United

[43] 19 U.S.C. §§ 1671d(b), 1673d(b).

[44] 19 U.S.C. § 1677(7)(B). The Commission "may consider such other economic factors as are relevant to the determination" but shall "identify each {such} factor ... and explain in full its relevance to the determination." 19 U.S.C. § 1677(7)(B).

[45] 19 U.S.C. § 1677(7)(A).

States.[46] No single factor is dispositive, and all relevant factors are considered "within the context of the business cycle and conditions of competition that are distinctive to the affected industry."[47]

Although the statute requires the Commission to determine whether the domestic industry is "materially injured or threatened with material injury by reason of" unfairly traded imports,[48] it does not define the phrase "by reason of," indicating that this aspect of the injury analysis is left to the Commission's reasonable exercise of its discretion.[49] In identifying a causal link, if any, between subject imports and material injury to the domestic industry, the Commission examines the facts of record that relate to the significance of the volume and price effects of the subject imports and any impact of those imports on the condition of the domestic industry. This evaluation under the "by reason of" standard must ensure that subject imports are more than a minimal or tangential cause of injury and that there is a sufficient causal, not merely a temporal, nexus between subject imports and material injury.[50]

[46] 19 U.S.C. § 1677(7)(C)(iii).

[47] 19 U.S.C. § 1677(7)(C)(iii).

[48] 19 U.S.C. §§ 1671d(b), 1673d(b).

[49] *Angus Chemical Co. v. United States*, 140 F.3d 1478, 1484-85 (Fed. Cir. 1998) ("{T}he statute does not 'compel the commissioners' to employ {a particular methodology}."), *aff'g,* 944 F. Supp. 943, 951 (Ct. Int'l Trade 1996).

[50] The Federal Circuit, in addressing the causation standard of the statute, observed that "{a}s long as its effects are not merely incidental, tangential, or trivial, the foreign product sold at less than fair value meets the causation requirement." *Nippon Steel Corp. v. USITC*, 345 F.3d 1379, 1384 (Fed. Cir. 2003). This was further ratified in *Mittal Steel Point Lisas Ltd. v. United States*, 542 F.3d 867, 873 (Fed. Cir. 2008), where the Federal Circuit, quoting *Gerald Metals, Inc. v. United States*, 132 F.3d 716, 722 (Fed. Cir. 1997), stated that "this court requires evidence in the record 'to show that the harm occurred "by reason of" the LTFV imports, not by reason of a minimal or tangential contribution to material harm caused by LTFV goods.'" *See also Nippon Steel Corp. v. United States*, 458 F.3d 1345, 1357 (Fed. Cir. 2006); *Taiwan Semiconductor Industry Ass'n v. USITC*, 266 F.3d 1339, 1345 (Fed. Cir. 2001).

In many investigations, there are other economic factors at work, some or all of which may also be having adverse effects on the domestic industry. Such economic factors might include nonsubject imports; changes in technology, demand, or consumer tastes; competition among domestic producers; or management decisions by domestic producers. The legislative history explains that the Commission must examine factors other than subject imports to ensure that it is not attributing injury from other factors to the subject imports, thereby inflating an otherwise tangential cause of injury into one that satisfies the statutory material injury threshold.[51] In performing its examination, however, the Commission need not isolate the injury caused by other factors from injury caused by unfairly traded imports.[52] Nor does

[51] SAA at 851-52 ("{T}he Commission must examine other factors to ensure that it is not attributing injury from other sources to the subject imports."); S. Rep. 96-249 at 75 (1979) (the Commission "will consider information which indicates that harm is caused by factors other than less-than-fair-value imports."); H.R. Rep. 96-317 at 47 (1979) ("in examining the overall injury being experienced by a domestic industry, the ITC will take into account evidence presented to it which demonstrates that the harm attributed by the petitioner to the subsidized or dumped imports is attributable to such other factors;" those factors include "the volume and prices of nonsubsidized imports or imports sold at fair value, contraction in demand or changes in patterns of consumption, trade restrictive practices of and competition between the foreign and domestic producers, developments in technology and the export performance and productivity of the domestic industry"); *accord Mittal Steel*, 542 F.3d at 877.

[52] SAA at 851-52 ("{T}he Commission need not isolate the injury caused by other factors from injury caused by unfair imports."); *Taiwan Semiconductor Industry Ass'n,* 266 F.3d at 1345 ("{T}he Commission need not isolate the injury caused by other factors from injury caused by unfair imports . . . Rather, the Commission must examine other factors to ensure that it is not attributing injury from other sources to the subject imports." (emphasis in original)); *Asociacion de Productores de Salmon y Trucha de Chile AG v. United States*, 180 F. Supp. 2d 1360, 1375 (Ct. Int'l Trade 2002) ("{t}he Commission is not required to isolate the effects of subject imports from other factors contributing to injury" or make "bright-line distinctions" between the effects of subject imports and other causes.); *see also Softwood Lumber from Canada*, Inv. Nos. 701-TA-414 and 731-TA-928 (Remand), USITC Pub. 3658 at 100-01 (Dec. 2003) (Commission recognized that "{i}f an alleged other factor is found not to have or threaten to have injurious effects to the domestic industry, *i.e*., it is not an 'other causal factor,' then there is nothing to further examine regarding attribution to injury"), *citing Gerald Metals,* 132 F.3d at 722 (the statute "does not suggest that an importer of LTFV goods can escape countervailing duties by finding some tangential or minor cause unrelated to the LTFV goods that contributed to the harmful effects on domestic market prices.").

the "by reason of" standard require that unfairly traded imports be the "principal" cause of injury or contemplate that injury from unfairly traded imports be weighed against other factors, such as nonsubject imports, which may be contributing to overall injury to an industry.[53] It is clear that the existence of injury caused by other factors does not compel a negative determination.[54]

Assessment of whether material injury to the domestic industry is "by reason of" subject imports "does not require the Commission to address the causation issue in any particular way" as long as "the injury to the domestic industry can reasonably be attributed to the subject imports."[55] The Commission ensures that it has "evidence in the record" to "show that the harm occurred 'by reason of' the LTFV imports," and that it is "not attributing injury from other sources to the subject imports." [56] The Federal Circuit has examined and affirmed various Commission methodologies and has disavowed "rigid adherence to a specific formula."[57]

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[53] S. Rep. 96-249 at 74-75; H.R. Rep. 96-317 at 47.

[54] *See Nippon Steel Corp*., 345 F.3d at 1381 ("an affirmative material-injury determination under the statute requires no more than a substantial-factor showing. That is, the 'dumping' need not be the sole or principal cause of injury.").

[55] *Mittal Steel*, 542 F.3d at 876, 878; *see also id.* at 873 ("While the Commission may not enter an affirmative determination unless it finds that a domestic industry is materially injured 'by reason of' subject imports, the Commission is not required to follow a single methodology for making that determination ... {and has} broad discretion with respect to its choice of methodology."), *citing United States Steel Group v. United States*, 96 F.3d 1352, 1362 (Fed. Cir. 1996) and S. Rep. 96-249 at 75. In its decision in *Swiff-Train v. United States*, 793 F.3d 1355 (Fed. Cir. 2015), the Federal Circuit affirmed the Commission's causation analysis as comporting with the Court's guidance in *Mittal*.

[56] *Mittal Steel*, 542 F.3d at 873 (quoting from *Gerald Metals*, 132 F.3d at 722), 877-79. We note that one relevant "other factor" may involve the presence of significant volumes of price-competitive nonsubject imports in the U.S. market, particularly when a commodity product is at issue. In appropriate cases, the Commission collects information regarding nonsubject imports and producers in nonsubject countries in order to conduct its analysis.

[57] *Nucor Corp. v. United States*, 414 F.3d 1331, 1336, 1341 (Fed. Cir. 2005); *see also Mittal Steel*, 542 F.3d at 879 ("*Bratsk* did not read into the antidumping statute a Procrustean formula for determining whether a domestic injury was 'by reason' of subject imports.").

The question of whether the material injury threshold for subject imports is satisfied notwithstanding any injury from other factors is factual, subject to review under the substantial evidence standard.[58] Congress has delegated this factual finding to the Commission because of the agency's institutional expertise in resolving injury issues.[59]

B. Conditions of Competition

The following conditions of competition inform our analysis of whether there is material injury by reason of subject imports.

1. Demand Considerations

U.S. demand for DOTP is driven by demand for U.S.-produced downstream products that use DOTP and generally tracks overall economic conditions, as well as demand in the construction and petrochemical sectors.[60] Such downstream products include those related to construction, automotive applications, medical applications, flooring, furniture, wires, cables, and children's toys.[61] According to data from the Federal Reserve, the construction of new privately owned housing units decreased irregularly by 4.3 percent and domestic automotive production decreased irregularly by 19.9 percent over the 2021-2023 period.[62] One domestic

[58] We provide in our discussion below a full analysis of other factors alleged to have caused any material injury experienced by the domestic industry.

[59] *Mittal Steel*, 542 F.3d at 873; *Nippon Steel Corp*., 458 F.3d at 1350, *citing U.S. Steel Group*, 96 F.3d at 1357; S. Rep. 96-249 at 75 ("The determination of the ITC with respect to causation is ... complex and difficult, and is a matter for the judgment of the ITC.").

[60] CR/PR at 2.9-10.

[61] CR/PR at 1.7-8, 2.1. In 2023, *** percent of U.S. shipments by Domestic Producers and *** percent of U.S. shipments of subject imports went to end users in the flooring sector. *Id.* at Table 2.1. In 2023, *** and *** percent of U.S. shipments by Domestic Producers went to distributors and "all other" end users, respectively, while *** and *** percent of shipments of subject imports went to distributors and "all other" end users, respectively. *Id*.

[62] CR/PR at Tables 2.6-7. These housing units decreased irregularly by 17.3 percent, while domestic automotive production decreased irregularly by 35.0 percent over the POI. *Id*.

producer reported that U.S. demand for DOTP *** since January 1, 2021.[63] An equal number of responding purchasers reported that U.S. demand for DOTP either increased or decreased during the POI.[64] While importers' responses were also mixed, a majority of responding importers reported an increasing trend for U.S. demand of DOTP during the POI.[65] *** U.S. producers and a large majority of importers (nine of 11) reported that the U.S. DOTP market is subject to business cycles, while a majority of purchasers (14 of 25) reported that the market is not subject to business cycles.[66] Firms reporting seasonality generally reported that demand is highest in the spring and summer months.[67]

During the POI, apparent U.S. consumption of DOTP decreased by *** percent from 2021 to 2023, decreasing from *** metric tons in 2021, to *** metric tons in 2022, and *** metric tons in 2023.[68]

[63] CR/PR at Table 2.5.

[64] CR/PR at Table 2.5. Specifically, five purchasers reported that U.S. demand for DOTP steadily increased, three reported that U.S. demand fluctuated upward, six reported that it did not change, four reported that it fluctuated downward, and four reported that it steadily decreased. *Id*.

[65] CR/PR at Table 2.5. Specifically, three importers reported that U.S. demand for DOTP steadily increased, two reported that U.S. demand fluctuated upward, two reported that it did not change, and three importers reported that it fluctuated downward. *Id*.

[66] CR/PR at 2.10.

[67] CR/PR at 2.10. One importer reported that demand for PVC compounding is stronger in the first half of a given year. *Id*.

[68] CR/PR at Tables 4.9, C.1. Apparent U.S. consumption was *** percent higher in interim 2024, at *** metric tons, than in interim 2023, at *** metric tons. *Id*. Eastman asserts that apparent U.S. consumption in 2023 is understated because purchasers significantly overstocked inventory of subject imports in 2022 that was actually utilized in 2023. Eastman Prehearing Br. at 11, 14; Eastman Posthearing Br. at Exhibit 1, pg. 17 & n.78.

2. Supply Considerations

The domestic industry was the largest source of supply of DOTP to the U.S. market during the POI. Eastman and BASF accounted for *** percent and *** percent of domestic DOTP production in 2023, respectively.[69] The domestic industry's share of apparent U.S. consumption decreased irregularly by *** percentage points between 2021 and 2023, decreasing from *** percent in 2021 to *** percent in 2022, before increasing to *** percent in 2023.[70]

The domestic industry's practical production capacity remained stable between 2021 and 2023, ranging from *** metric tons to *** metric tons.[71] Its practical capacity utilization rate declined throughout this period from *** percent in 2021, to *** percent in 2022, and *** percent in 2023.[72] Eastman reported that the domestic industry produces DOTP using a 24-hour, seven-day-a-week, continuous production process that is designed to operate at a high rate of capacity utilization, maximizing efficiency by spreading unit fixed costs over possible output.[73]

Subject imports were the second largest source of DOTP in the U.S. market. Subject imports as a share of apparent U.S. consumption increased irregularly by *** percentage

[69] CR/PR at Table 3.1.

[70] CR/PR at Tables 4.9, C.1. The industry's share of apparent U.S. consumption was *** percentage points higher in interim 2024, at *** percent, than in interim 2023, at *** percent. *Id*.

[71] CR/PR at Tables 3.4, C.1. Its capacity was lower in interim 2024 at *** metric tons than in interim 2023 at *** metric tons. *Id*.

[72] CR/PR at Tables 3.6, C.1. The industry's capacity utilization rate was higher in interim 2024, at *** percent, than in interim 2023, at *** percent. *Id*.

[73] CR/PR at 3.4 n.6.

points between 2021 and 2023, increasing from *** percent in 2021 to *** percent in 2022, before decreasing to *** percent in 2023.[74]

Nonsubject imports were minimal and the smallest source of DOTP in the U.S. market throughout the POI. Their share of apparent U.S. consumption declined by *** percentage points between 2021 and 2023, declining from *** percent in 2021, to *** percent in 2022, and *** percent in 2023; it was higher in interim 2024 at *** percent than in interim 2023 at *** percent.[75]

*** and majorities of purchasers and importers reported experiencing no supply constraints in any year of the POI.[76] On the other hand, *** and minorities of importers and purchasers reported experiencing supply constraints in 2021 and 2022.[77] *** and few importers and purchasers reported experiencing supply constraints in 2023 and interim 2024.[78] Domestic Producers reported that ***, which led to it putting some customers on allocation.[79] Eastman contends that this event had no effect on its ability to supply its customers with sufficient DOTP to meet all promised U.S. customer volumes.[80] BASF reports that its supply

[74] CR/PR at Tables 4.9, C.1. This share was *** percentage points lower in interim 2024, at *** percent, than in interim 2023, at *** percent. *Id*.

[75] CR/PR at Tables 4.9, C.1.

[76] CR/PR at Table 2.4.

[77] CR/PR at Table 2.4. A majority of the purchasers reporting supply constraints during these periods, reported constraints of domestically produced DOTP rather than imported DOTP. *Id*.

[78] CR/PR at Table 2.4. A majority of the purchasers reporting supply constraints during 2023 and the pre-petition period of 2024, reported that the constraints involved domestically produced DOTP rather than imported DOTP. *Id*.

[79] CR/PR at 2.8. Eastman confirmed that *** declared *force majeure* as a result of Winter Storm Uri. *See* Eastman Posthearing Br. at Exhibit 1, pp. 1, 5, 7, 29-30.

[80] Eastman Posthearing Br. at Exhibit 1, p. 5.

constraints due to Winter Storm Uri ended completely after the second quarter of 2022.[81] Eleven purchasers reported that U.S. producers had refused, declined, or been unable to supply them with DOTP during the POI, and seven purchasers reported that importers or foreign producers had refused, declined, or been unable to supply them with DOTP.[82]

3. Substitutability and Other Conditions

We find that there is a high degree of substitutability between the domestic like product and subject imports.[83] Eastman states that DOTP is a commodity product.[84] *** U.S. producers and a large majority of importers reported that subject imports were always or frequently interchangeable with the domestic like product.[85] A majority of purchasers reported that subject imports were always interchangeable with the domestic like product.[86] Further, as discussed above in section IV, majorities of purchasers reported that domestically produced DOTP was comparable to subject imports from Taiwan with respect to all 15 purchasing factors and comparable to subject imports from Malaysia, Poland, and Turkey with respect to most of the 15 purchasing factors.[87] In comparing the domestic like product with subject imports from

[81] Eastman Posthearing Br. at Exhibit 1, pp. 1-2, 7-8, Attachment 1.

[82] CR/PR at 2.8. Reasons purchasers cited for the reported unavailability of domestic DOTP include Eastman and BASF having raw material shortages and BASF declaring *force majeure* as a result of Winter Storm Uri. CR/PR at 2.8. Cited reasons for unavailability of imports include tight global demand, COVID-19 related shortages, and exiting the market after the filing of the petitions in 2024 due to the "antidumping duty threat." *Id*. Six purchasers reported that the domestic industry placed them on allocation in 2021 and 2022. *Id*. at 2.6.

[83] Factors that may have limited the substitutability of domestically produced DOTP and subject imports included differences in availability and lead times during 2021 and 2022 due to the effects of Winter Storm Uri on *** operations. CR/PR at 2.6-8, 2.14, 2.26, Tables 3.3, D.1, D.3. As explained above in section V.B.2, any effects of Winter Storm Uri on the domestic industry were temporary and resolved before 2023.

[84] Eastman Prehearing Br. at 1, 7, 20.

[85] CR/PR at Tables 2.15-16.

[86] CR/PR at Table 2.17.

[87] CR/PR at Table 2.14.

each subject country, *** Domestic Producers reported that differences other than price are either sometimes or never significant.[88] Responses from importers and purchasers were more mixed. A majority of responding importers indicated that differences other than price were sometimes or never significant between the domestic like product and subject imports from all subject countries except Malaysia.[89] However, a majority of responding purchasers indicated that differences other than price between the domestic like product and imports from each subject country were always or frequently significant.[90]

We find that price is the most important factor in purchasing decisions. Responding purchasers most frequently ranked price (24 firms) followed by availability (19 firms) and quality (12 firms) as among their top three factors in purchasing decisions for DOTP.[91] Price was also most frequently ranked as the top purchasing factor (10 firms).[92] The vast majority of purchasers (22 of 25) reported that price was a very important purchasing factor while no purchasers reported that price was not an important purchasing factor.[93] Finally, a majority of responding purchasers (13 of 25) reported that they usually purchase the lowest-priced product.[94]

[88] CR/PR at Table 2.18.

[89] CR/PR at Table 2.19. An equal number of importers reported that differences other than price were sometimes significant as those that responded that they were always significant between the domestic like product and subject imports from Malaysia. *Id*.

[90] CR/PR at Table 2.20.

[91] CR/PR at Table 2.10.

[92] CR/PR at Table 2.10.

[93] CR/PR at Table 2.11. Twenty-two purchasers reported that product consistency was very important while 24 purchasers reported that reliability of supply and availability were very important. *Id*.

[94] CR/PR at 2.15.

Domestic Producers reported that *** of their commercial U.S. shipments was sold through spot sales in 2023 (*** percent), while they also reported selling through long-term contracts (*** percent) and annual contracts *** percent).[95] Domestic Producers reported that their contracts allow for price renegotiation and *** prices to raw materials.[96] Eastman also reported that many of its sales contracts contain "meet-or-release" clauses allowing for customers to buy lower-priced DOTP from competitors if Eastman is unable to match their prices.[97] Importers reported that *** percent of their commercial U.S. shipments were sold through short-term contracts with the remaining *** percent sold through spot sales in 2023.[98] Importers did not report that their short-term contracts allowed for price renegotiation or are indexed to raw materials.[99]

U.S. producers sold *** of their DOTP from inventories with lead times averaging *** days.[100] Importers sold a large majority (75 percent) of their DOTP from U.S. inventories with lead times averaging 14 days.[101] The remainder of importers' commercial U.S. shipments were from foreign inventories, with lead times averaging 30 days.[102]

***,[103] six of 10 importers, and 15 of 25 purchasers reported the existence of substitutes in at least some end-use applications for DOTP, and most of those firms

[95] CR/PR at Table 5.3.

[96] CR/PR at 5.5-6. Fifteen of 26 purchasers reported that they were familiar with raw material prices with 11 of 24 responding purchasers reporting that raw material prices affected contracts. CR/PR at 5.1.

[97] CR/PR at 5.5-6.

[98] CR/PR at Table 5.3.

[99] CR/PR at 5.6.

[100] CR/PR at 2.16.

[101] CR/PR at 2.16.

[102] CR/PR at 2.16.

[103] CR/PR at 2.12-13, Table 2.8. *** reported that DINP is a substitute for DOTP in some cases and reported no other product as substitutes for DOTP. *Id*.

reported that diisononyl phthalate ("DINP") was substitutable in at least some end-use applications.[104] Other plasticizers reported as possible substitutes include dioctyl phthalate ("DOP") and di-(2-propylheptyl) phthalate ("DPHP").[105] However, only small minorities of importers and purchasers reported that either DINP, DOP, DPHP, or "other products" are substitutable with DOTP in all or most end use applications.[106] Eastman reported that prior to the POI, a number of major manufacturers of consumer products and major retailers shifted from using ortho-phthalate plasticizers to using DOTP,[107] a non-phthalate plasticizer, because of toxicity concerns.[108] Finally, no U.S. producer and small minorities of purchasers and importers reported that these possible substitutes impacted DOTP prices.[109]

The primary raw materials for DOTP production are 2-ethylhexanol ("2-EH"), dimethyl terephthalate ("DMT"), and purified terephthalic acid ("PTA").[110] Raw material costs represent U.S. producers' largest component of total cost of goods sold ("COGS"); as a percentage of total

[104] CR/PR at 2.12-13, Table 2.8.

[105] CR/PR at 2.12-13.

[106] CR/PR at Table 2.8.

[107] Eastman Posthearing Br. at Exhibit 1, p. 2. Ortho-phthalates include DINP, DOP, Di(2-ethylhexyl)phthalate ("DEHP"), and DPHP.

[108] Eastman Posthearing Br. at Exhibit 1, p. 2; *See Dioctyl Terephthalate (DOTP) from Korea*, Inv. No. 731-TA-1330 (Final), USITC Pub. 4713 (Aug. 2017) ("*DOTP I*") at 12-13; *Dioctyl Terephthalate from South Korea*, Inv. No. 731-TA-1330 (Review), USITC Pub. 5433 at 17, 19-20; CR/PR at 2.1 n.2. These concerns included the Consumer Product Safety Commission banning the use of ortho-phthalate plasticizers in toys and certain childcare articles, as well as California regulatory authorities listing several ortho-phthalate plasticizers, including DINP, as chemicals that may cause cancer, birth defects, or reproductive harm pursuant to the state's Proposition 65. CR/PR at 2.1 n.2. Under Proposition 65, firms whose products incorporate such listed chemicals in amounts above specified "safe use" levels must post warning labels on the product to inform consumers of the health risks. *DOTP I*, USITC Pub. 4713 at 12; CR/PR at 2.1 n.2.

[109] CR/PR at Table 2.8. Notably, only one purchaser reported that DINP or DOP prices affect DOTP prices, and no purchaser reported that DPHP or other products affect DOTP prices. *Id*.

[110] CR/PR at 5.1, Table 6.4. In 2023, 2-EH, DMT, and PTA accounted for ***, ***, and *** percent of the domestic industry's raw material costs, respectively. *Id*.

COGS, their raw material costs decreased from *** percent in 2021 to *** percent in 2022, before increasing to *** percent in 2023.[111] DMT and PTA are made from paraxylene while 2-EH is made from propylene and other chemicals.[112] According to data from ***, from January 2021 to December 2023 the average monthly prices for paraxylene and crude oil fluctuated but increased overall by *** and *** percent, respectively.[113]

DOTP from Malaysia, Poland, Taiwan, and Turkey entered for consumption, or withdrawn from warehouse for consumption, on or after April 5, 2025, is subject to additional 10 percent *ad valorem* duties under the International Emergency Economic Powers Act ("IEEPA").[114]

[111] CR/PR at Table 6.1. This percentage was higher in interim 2024, at *** percent, than in interim 2023, at *** percent. *Id*. *** Domestic Producers reported that raw material prices fluctuated but decreased overall during the POI. CR/PR at 5.1. Four importers reported that raw materials prices fluctuated but ended the POI higher than in the beginning while one importer reported that raw materials prices decreased steadily during the POI and five reported that it fluctuated but ended the POI lower than in the beginning. CR/PR at 5.1. The domestic industry's per-unit raw material costs increased irregularly by *** percent from 2021 to 2023, increasing from $*** per metric ton in 2021 to $*** per metric ton in 2022 before decreasing to $*** per metric ton in 2023; they were *** percent higher in interim 2024 at $*** per metric ton than in interim 2023 at $*** per metric ton. CR/PR at Table 6.1.

[112] CR/PR at 5.1.

[113] CR/PR at Table 5.1. From January 2021 to September 2024, the average monthly prices for paraxylene and crude oil fluctuated but increased overall by *** and *** percent, respectively. *Id*.

[114] *See Presidential Proclamation: Regulating Imports with a Reciprocal Tariff to Rectify Trade Practices that Contribute to Large and Persistent Annual United States Goods Trade Deficits* (April 2, 2025). The *ad valorem* tariff rate for DOTP from Malaysia and Taiwan increased to 24 and 32 percent, respectively, on April 9, 2025. *Id*. However, on April 9, 2025, the increases related to imports from Malaysia and Taiwan were suspended until July 9, 2024. *Executive Order: Modifying Reciprocal Tariff Rates to Reflect Trading Partner Retaliation and Alignment* (April 9, 2025).

C. Volume of Subject Imports

Section 771(7)(C)(i) of the Tariff Act provides that the "Commission shall consider whether the volume of imports of the merchandise, or any increase in that volume, either in absolute terms or relative to production or consumption in the United States, is significant."[115]

The volume of cumulated subject imports increased irregularly by *** percent from 2021 to 2023, increasing from *** metric tons in 2021 to *** metric tons in 2022, before decreasing to *** metric tons in 2023.[116] As a share of apparent U.S. consumption, subject imports increased irregularly by *** percentage points from 2021 to 2023, increasing from *** percent in 2021 to *** percent in 2021, before decreasing to *** percent in 2023.

[115] 19 U.S.C. § 1677(7)(C)(i).

[116] CR/PR at Tables 4.2, 4.3. Subject import volume was *** percent lower in interim 2024, at *** metric tons, than in interim 2023, at *** metric tons. *Id.* Subject imports as a share of apparent U.S. consumption were *** percentage points lower in interim 2024, at *** percent, than in interim 2023, at *** percent. *Id*. at Tables 4.9, C.1.

In a final phase investigation, the statute requires the Commission to consider whether changes in volume, price effects, or impact are related to the pendency of the investigation. 19 U.S.C. § 1677(7)(I). *Id.* We attribute the lower volume and market share of subject imports in interim 2024 compared to interim 2023 to the filing of the petitions in March 2024. Some purchasers reported that importers and foreign producers had refused, declined, or been unable to supply them with DOTP after the filing of the petitions in 2024 because importers and foreign producers exited the market or would not supply due to the threat of antidumping duties. CR/PR at 2.8. While cumulated subject import volume increased by *** percent from 2021 to 2023, it was *** percent lower in interim 2024 compared to interim 2023. CR/PR at Tables 4.3, C.1. Cumulated subject imports' market share was *** percentage points lower in interim 2024 compared to interim 2023. CR/PR at Tables 4.3, C.1. Based on official Commerce import statistics, imports of plasticizers from the subject countries averaged 797 metric tons per month in the first quarter of 2024, which dropped dramatically in the second and third quarters of 2024, averaging 252 metric tons per month and reached their lowest levels of the POI in May, August, and September 2024. CR/PR at 4.26, Table 4.8. The domestic industry reported that after the filing of the petitions, it secured increased shipments and ***. *See* Eastman Prehearing Br. at 15 & n.59, Exhibits 2, 6. We note that according to the pricing data, the domestic industry's reported sales volume was higher, while subject importers' reported sales volume was lower, in the quarters after the petitions were filed (the second and third quarters of 2024) compared to the prior two quarters (fourth quarter of 2023 and first quarter of 2024). *See* CR/PR at Tables 5.3-4. For these reasons as well as those discussed in section V.D below, we exercise our discretion to reduce the weight we are according to the interim 2024 data regarding the volume, price, and impact of subject imports on the U.S. industry, pursuant to 19 U.S.C. § 1677(7)(I).

Based on the foregoing, we find that the volume of cumulated subject imports, and the increase in that volume, are significant in absolute terms and relative to consumption in the United States.[117]

D. Price Effects of the Subject Imports

Section 771(7)(C)(ii) of the Tariff Act provides that, in evaluating the price effects of the subject imports, the Commission shall consider whether

> (I) there has been significant price underselling by the imported merchandise as compared with the price of domestic like products of the United States, and
>
> (II) the effect of imports of such merchandise otherwise depresses prices to a significant degree or prevents price increases, which otherwise would have occurred, to a significant degree.[118]

As previously discussed in section V.B.3, we find that there is a high degree of substitutability between the domestic like product and subject imports, and that price is the most important factor in purchasing decisions for DOTP.

The Commission collected quarterly pricing data for the total quantity and delivered value (including U.S.-inland transportation costs) of two products shipped by U.S. producers and importers to unrelated customers during the POI.[119] Both U.S. producers and eight importers provided usable pricing data for sales of the requested products, although not all firms reported

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[117] Notwithstanding the abovementioned post-petition effects on the volume of subject imports, subject import volume remained substantial in interim 2024 in absolute terms and relative to apparent U.S. consumption.

[118] 19 U.S.C. § 1677(7)(C)(ii).

[119] The four pricing products were as follows:

Product 1. — DOTP in 20 MT containers, including tank trucks, flexitanks or flexitainers, and/or isotanks; and

Product 2. — DOTP in bulk, including railcars and bulk liftings. CR/PR at 5.7.

We collected pricing data on a delivered basis in the final phase of these investigations because U.S. producers and importers typically quote prices on *** basis. CR/PR at 5.6.

pricing for all products for all quarters.[120] Pricing data reported by these firms accounted for virtually all commercial U.S. shipments of the domestic like product and subject imports from Malaysia and Poland, *** percent of commercial U.S. shipments of subject imports Taiwan, and *** percent of commercial U.S. shipments of subject imports from Turkey.[121]

The pricing data show that although subject imports oversold the domestic like product in a majority of quarterly comparisons during the POI, corresponding to a majority of reported subject import sales volume, underselling by subject imports intensified as the 2021-2023 period progressed. During the POI, subject imports undersold the domestic like product in 16 of 42 quarterly comparisons, or 38.1 percent of the time, corresponding to *** percent of reported subject import sales volume (*** metric tons), with underselling margins ranging from *** to *** percent and averaging *** percent.[122] Subject imports oversold the domestic like product in 26 of 42 quarterly comparisons, or 61.9 percent of the time, corresponding to *** percent of reported subject import volume (*** metric tons), with overselling margins ranging from *** percent to *** percent and averaging *** percent.[123]

As subject imports increased in terms of volume and market share from 2021 to 2023, their underselling also increased in terms of quarterly comparisons, reported sales volume in

[120] CR/PR at 5.7.

[121] CR/PR at 5.7.

[122] CR/PR at Table 5.8.

[123] CR/PR at Table 5.8. Eastman contends that DOTP is a price-sensitive and highly fungible commodity product and that in investigations involving such products, the Commission regularly finds underselling to be significant where the record shows "mixed" underselling and overselling. *See* Eastman Prehearing Br. at 20-22 ("{i}n fact, a 'mixed' record of underselling and overselling is expected in a case involving a highly fungible commodity product{}") (emphasis in original).

quarters of underselling, and average underselling margins.[124] Specifically, the percentage of quarterly comparisons involving underselling increased from zero percent in 2021, to 33.3] percent in 2022, and 62.5 percent in 2023.[125] The volume of reported subject import sales in quarters of underselling increased from *** metric tons in 2021, to *** metric tons in 2022 (*** percent of reported subject import sales that year), and *** metric tons in 2023 (*** percent of reported subject import sales that year).[126] Finally, average underselling margins also increased from *** percent in 2021, to *** percent in 2022, and *** percent in 2023.[127]

We have also considered lost sales. Of the 24 responding purchasers, 14 reported that they had purchased subject merchandise instead of the domestic like product during the POI, and nine of which reported that subject import prices were lower than prices for the domestic

[124] CR/PR at Table 5.9. In 2021, subject imports undersold the domestic like product in zero of eight quarterly comparisons. *Id*. In 2022, subject imports undersold the domestic like product in 4 of 12 quarterly comparisons, or 33.3 percent of the time, corresponding to *** percent of reported subject import sales volume (*** metric tons), with underselling margins ranging from *** to *** percent and averaging *** percent. *Id*. In 2023, subject imports undersold the domestic like product in 10 of 16 quarterly comparisons, or 62.5 percent of the time, corresponding to *** percent of reported subject import sales volume (*** metric tons), with underselling margins ranging from *** to *** percent and averaging *** percent. *Id*. In interim 2024, subject imports undersold the domestic like product in 2 of 6 quarterly comparisons, or 33.3 percent of the time, corresponding to *** percent of reported subject import sales volume (*** metric tons), with underselling margins ranging from *** to *** percent and averaging *** percent. *Id*.

We note that subject import and U.S. producer prices increased after the filing of the petitions. *See* CR/PR at Table 5.4-5. The domestic industry reported that after the filing of the petitions, it secured higher prices for sales to purchasers that previously used subject imports to receive price concessions. Eastman Posthearing Br. at Exhibit 1 pp. 12-15. We therefore find that increased DOTP prices and the lower prevalence of underselling in interim 2024 resulted from the filing of the petitions and reduce the weight we are according to the price effects of subject imports for interim 2024, pursuant to 19 U.S.C. § 1677(7)(I).

[125] CR/PR at Table 5.9. In interim 2024, subject imports undersold the domestic like in 33.3 percent of comparisons. *Id*.

[126] CR/PR at Table 5.9.

[127] CR/PR at Table 5.9.

like product.[128] Five of these nine purchasers reported purchasing *** metric tons of subject imports instead of domestically produced DOTP primarily because of their lower price,[129] representing *** percent of responding purchasers' total purchases of subject imports, *** percent of importers' U.S. shipments of subject imports, and *** percent of apparent U.S. consumption during the POI.[130] Additionally, Domestic Producers provided contemporaneous sales documentation, including ***, showing that ***.[131]

Based on the foregoing, including the high degree of substitutability between domestically produced DOTP and subject imports, the importance of price in purchasing decisions, and the intensification of subject import underselling during the 2021-2023 period, we find that cumulated subject imports significantly undersold the domestic like product during the POI. The underselling led to subject imports taking sales and market share from the domestic industry between 2021 and 2023.[132]

[128] CR/PR at Table 5.11.

[129] *Derived from* CR/PR at Tables 5.11-12.

[130] *Derived from* CR/PR at Tables 4.9, 5.10-12, C.1.

[131] Petitioner's Prehearing. Br. at 22-29, Exhibits 1 and 2 (***); Eastman Posthearing Br. at 6-7.

[132] CR/PR at Tables 4.9, C.1. Subject imports captured *** percentage points of market share from the domestic industry between 2021 and 2023. *Id*.

We have also considered price trends.[133] Prices increased irregularly over the POI. Between the first and last quarters of the POI, the domestic industry's sales prices increased by *** percent for product 1 and *** percent for product 2.[134] Over the same period, price trends for subject imports are generally unavailable, due to the absence of pricing data covering the first and last quarters of the POI, but the sales prices of subject imports from Taiwan of product 1 increased by *** percent.[135]

Notwithstanding the increase in domestic prices between the first and last quarters of the POI, however, domestic sales prices peaked in mid-2022 before declining considerably throughout 2023.[136] Specifically, domestic sales prices decreased for pricing product 1, from $*** per metric ton in the third quarter of 2022 to $*** per metric ton in the fourth quarter of 2023 (by *** percent), and for pricing product 2, from $*** per metric ton in the third quarter of 2022 to $*** per metric ton in the fourth quarter of 2023 (by ***

[133] Of the 10 responding purchasers with knowledge, half reported that U.S. producers reduced prices to compete with lower-priced subject imports. CR/PR at Table 5.13. The reported price reductions ranged from *** to *** percent and averaged *** percent. *Id*.

[134] CR/PR at Table 5.6. Generally, the domestic industry's sales prices for product 1 increased through the first half of 2022 before peaking in the third quarter of 2022 and then decreasing through the fourth quarter of 2023. CR/PR at Table 5.4, Fig. 5.2. They remained relatively stable through the remainer of the POI. *Id*. Regarding product 2, the industry's sales prices increased through the first half of 2022 before peaking in the second quarter of 2022 and then decreasing for the remainder of 2022. They decreased irregularly from the first quarter of 2023 through the reminder of the POI. CR/PR at Table 5.5, Fig. 5.3.

[135] *See* CR/PR at Table 5.4. Generally, the sales prices of subject imports for product 1 increased throughout 2021, peaked in the last quarter of that year, and then declined through the second quarter of 2024. CR/PR at Table 5.4, Fig. 5.2. Sales prices for subject imports of product 1 from Taiwan then increased significantly from the second quarter of 2024 to the third quarter of 2024. *Id*. No subject import data was reported regarding product 2. CR/PR at Table 5.5

[136] CR/PR at Tables 5.3-4, figs. 5.2-3.

percent).[137] Generally, prices of subject imports followed similar trends, increasing in 2021 before declining throughout the remainder of the 2022-2023 period.[138] These price declines are consistent with declarations and contemporaneous sales documentation submitted by Domestic Producers, indicating that low-priced subject imports began exerting downward pressure on domestic prices in mid-2022.[139] Indeed, of the five purchasers reporting that U.S. producers reduced prices in order to compete with subject imports, ***.[140] As noted above, subject import underselling intensified in 2022 and 2023 as sales prices for subject imports declined faster than sales prices for the domestic like product. Furthermore, as domestic sales prices declined at a faster rate than declines in the domestic industry's per-unit raw material costs and COGS from 2022 to 2023, the industry experienced a cost-price-squeeze.[141] Although apparent U.S. consumption also

[137] *Derived from* CR/PR at 5.4-5. Further, the average unit value ("AUV") of Domestic Producers' U.S. shipments declined by *** percent from 2022 to 2023 and were *** percent lower in interim 2024 compared to interim 2023. CR/PR at Table C.1.

Domestic prices were significantly lower in the last quarter of the POI than in mid-2022. *Id*. Specifically, U.S. Producers' prices for Product 1 decreased from $*** in the third quarter of 2022 to $*** in the third quarter of 2024 (by *** percent) and for Product 2 from $*** in the third quarter of 2022 to $*** in the third quarter of 2024 (by *** percent). *Id*.

[138] *See, e.g.*, CR/PR at Table 5.4. Subject import prices for Product 1 increased overall during the POI. *Id*. Furthermore, while they increased throughout 2021, they generally declined throughout the remainder of the POI except in the third quarter of 2024. CR/PR at Table 5.4, Fig. 5.2.

[139] Eastman Prehearing. Br. at 29-31, Exhibits 1-2 (***), Eastman Posthearing Br. at 6-7, Exhibit 1, Attachment 1 (declaration of ***) and Exhibit 1, Attachment 2.

[140] CR/PR at Table 5.13.

[141] The domestic industry's per-unit raw material costs decreased by $*** per metric ton (*** percent), while its total unit COGS decreased by $*** per metric ton (*** percent), from 2022 through 2023. CR/PR at Tables 6.2, C.1. By comparison, the AUVs of its net sales and U.S. shipments decreased by $*** per metric ton (*** percent) and by $*** per metric ton (*** percent) from 2022 to 2023, respectively. *Id*.

The domestic industry's raw material costs per metric ton was *** percent higher in interim 2024 than in interim 2023, while its COGS per metric ton was *** percent lower in interim 2024 than in (Continued…)

declined during that period, the steeper declines in subject import prices than domestic prices, along with the increasing average underselling margin, indicate that the decline in apparent U.S. consumption does not fully explain the domestic price declines.[142] We therefore conclude that subject imports depressed prices for the domestic like product to a significant degree during the POI.

We have also considered whether subject imports prevented price increases for the domestic like product which otherwise would have occurred to a significant degree. The domestic industry's COGS-to-net-sales ratio increased from *** percent in 2021, to *** percent 2022, and *** percent in 2023.[143] This occurred as the domestic industry's net sales AUVs, per-unit COGS, and raw material costs increased from 2021 to 2022 and then decreased from 2022 to 2023.[144] Specifically, the industry's total net sales AUVs increased by $*** per metric ton (*** percent) from 2021 to 2022, before decreasing by $*** per metric ton (*** percent) from 2022 to 2023, for an overall decrease of $*** per metric ton from 2021 to

interim 2023. *Id*. By comparison, the AUVs of its net sales and U.S. shipments were *** and *** percent lower in interim 2024 than interim 2023, respectively. However, as explained above, we find that price changes and the lesser prevalence of underselling in interim 2024 resulted from the pendency of these investigations, and therefore attach reduced weight to interim 2024 data pursuant to 19 U.S.C. § 1677(7)(I).

[142] CR/PR at Tables 5.4, 5.9. As noted above, market participants' views on demand trends over the POI varied. One domestic producer reported that U.S. demand for DOTP *** since January 1, 2021. CR/PR at Table 2.5. An equal number of responding purchasers reported that U.S. demand for DOTP either increased or decreased during the POI. *Id*. While importers' responses were also mixed, a majority of responding importers reporting a change in demand reported an increasing trend for U.S. demand of DOTP during the POI. *Id*.

[143] CR/PR at Tables 6.1-2, C.1. This ratio was *** percentage points lower in interim 2024 at *** percent than in interim 2023 at *** percent. *Id*.

[144] CR/PR at Tables 6.1-2, C.1.

2023 (*** percent).[145] The industry's per-unit total COGS increased by $*** per metric ton (*** percent) from 2021 to 2022, before decreasing by $*** per metric ton (*** percent) from 2022 to 2023, for an overall increase of $*** per metric ton (*** percent) from 2021 to 2023.[146] Raw material costs, which accounted for a majority of the industry's total COGS, increased by $*** per metric ton (*** percent) from 2021 to 2022 before decreasing by $*** per metric ton (*** percent) from 2022 to 2023, for an overall increase of $*** per metric ton from 2021 to 2023.[147] Thus, from 2021 to 2022 the domestic industry's net sales AUV increased by $*** more than its per-unit COGS, while from 2022 to 2023 the domestic industry's net sales AUV declined by $*** more than its per-unit COGS.[148] The decrease in net sales AUVs relative to the much smaller decrease in unit COGS led to a significant worsening of its COGS-to-net-sales ratio from 2022 to 2023. As reviewed above, subject import and domestic producer prices declined starting in the third quarter of 2022 through the end of the POI, which is consistent with the declining trend in domestic producer net sales AUVs. In view of the

[145] CR/PR at Tables 6.1-2, C.1. The domestic industry's total net sales AUVs increased from $*** per metric ton in 2021, to $*** per metric ton in 2022, before decreasing to $*** per metric ton in 2023; it was lower in interim 2024 at $*** per metric ton than in interim 2023 at $*** per metric ton. CR/PR at Tables 6.1, C.1. The domestic industry's U.S. shipment AUVs increased irregularly by $*** per metric ton (*** percent) from 2021 to 2023, increasing from $*** per metric ton in 2021, to $*** per metric ton in 2022, before decreasing to $*** per metric ton in 2023; it was lower in interim 2024 at $*** per metric ton than in interim 2023 at $*** per metric ton. CR/PR at Tables 4.9, C.1

[146] CR/PR at Tables 6.1-2, C.1. The domestic industry's total COGS per metric ton increased from $*** in 2021, to $*** in 2022, before decreasing to $*** in 2023; it was lower in interim 2024 at $*** than in interim 2023 at $***. CR/PR at Tables 6.1, C.1.

[147] CR/PR at Tables 6.1-2, C.1. The domestic industry's raw material costs per metric ton increased from $*** in 2021 to $*** in 2022, before decreasing to $*** in 2023; it was higher in interim 2024 at $*** than interim 2023 at $***. *Id*.

[148] CR/PR at Table 6.2.

declining COGS and apparent U.S. consumption from 2022 to 2023, we do not find that subject imports prevented price increases that otherwise would have occurred to a significant degree.

In sum, we find that the significant underselling by subject imports caused subject imports to take sales and market share from the domestic industry and depressed prices for the domestic like product to a significant degree. We therefore find that cumulated subject imports had significant price effects.

E. Impact of the Subject Imports[149]

Section 771(7)(C)(iii) of the Tariff Act provides that examining the impact of subject imports, the Commission "shall evaluate all relevant economic factors which have a bearing on the state of the industry."[150] These factors include output, sales, inventories, capacity utilization, market share, employment, wages, productivity, gross profits, net profits, operating profits, cash flow, return on investment, return on capital, ability to raise capital, ability to service debts, research and development ("R&D"), and factors affecting domestic prices. No

[149] The statute instructs the Commission to consider the "magnitude of the dumping margin" in an antidumping proceeding as part of its consideration of the impact of imports. 19 U.S.C. § 1677(7)(C)(iii)(V). In its final determinations, Commerce found dumping margins of 7.50 percent for subject imports from Malaysia, 57.88 percent for subject imports from Poland, 18.73 to 32.94 percent for subject imports from Taiwan, and 61.61 to 80.71 percent for subject imports from Turkey. CR/PR at Tables 1.3-6; *Poland Final AD Determination*, 90 Fed. Reg. 14117; *Malaysia Final AD Determination*, 90 Fed. Reg. 14073; *Taiwan Final AD Determination*, 90 Fed. Reg. 14070; *Turkey Final AD Determination*, 90 Fed. Reg. 14071 at 14072.

We take into account in our analysis the fact that Commerce has made final findings that all subject producers in each subject country are selling subject imports in the United States at less than fair value. Further, our analysis of the significant underselling of subject imports, particularly in 2023, described in both the price effects discussion in section V.D and below, is particularly probative to our assessment of the impact of the subject imports.

[150] 19 U.S.C. § 1677(7)(C)(iii); *see also* SAA at 851 and 885 ("In material injury determinations, the Commission considers, in addition to imports, other factors that may be contributing to overall injury. While these factors, in some cases, may account for the injury to the domestic industry, they also may demonstrate that an industry is facing difficulties from a variety of sources and is vulnerable to dumped or subsidized imports.").

single factor is dispositive and all relevant factors are considered "within the context of the business cycle and conditions of competition that are distinctive to the affected industry."[151]

The domestic industry's performance declined by most measures from 2021 to 2023 as intensifying competition from low-priced subject imports exacerbated the effects of declining demand on the industry.[152] Specifically, as the domestic industry lost sales and market share to subject imports during the 2021-2023 period, most of its output indicia—including production, U.S. shipments, and net sales—declined by greater percentages than the *** percent decline in apparent U.S. consumption, and its financial performance sharply deteriorated.[153]

The domestic industry's practical capacity remained relatively stable throughout the POI, increasing by *** percent from 2021 to 2023, as its production declined *** percent, resulting in a *** percentage point decline in the industry's rate of practical capacity utilization.[154] Specifically, the domestic industry's practical capacity decreased from *** metric tons in 2021 to *** metric tons in 2022, before increasing to *** metric tons in 2023.[155] Its DOTP production declined by *** percent from 2021 to 2023, decreasing from *** metric tons in 2021 to *** metric tons in 2022, and *** metric tons in 2023.[156] Consequently, the industry's practical capacity utilization decreased from *** percent in 2021, to *** percent in 2022, and *** percent in 2023.[157]

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[151] 19 U.S.C. § 1677(7)(C)(iii).

[152] *See generally* CR/PR at Table C.1.

[153] *See* CR/PR at Table C.1.

[154] CR/PR at Tables 3.4, C.1.

[155] CR/PR at Tables 3.4, C.1. Its practical production capacity was *** percent lower in interim 2024 at *** metric tons than in interim 2023 at *** metric tons. *Id*.

[156] CR/PR at Tables 3.4, C.1. Its DOTP production was *** percent higher in interim 2024 at *** metric tons than in interim 2023 at *** metric tons. *Id*.

[157] CR/PR at Tables 3.4, C.1. Its capacity utilization rate was *** percentage points higher in interim 2024 at *** percent than in interim 2023 at *** percent. *Id*.

Most of the domestic industry's employment indicators, with the exception of hourly wages and productivity, improved overall from 2021 to 2023, although most of these factors declined from 2022 to 2023.[158] Its number of production and related workers ("PRWs") increased irregularly by *** percent from 2021 to 2023, increasing from *** PRWs in 2021 to *** PRWs in 2022, before decreasing to *** PRWs in 2023.[159] The industry's total hours worked increased irregularly by *** percent from 2021 to 2023, increasing from *** hours in 2021 to *** hours in 2022, before decreasing to *** hours in 2023.[160] Its wages paid increased by *** percent from 2021 to 2023, increasing from $*** in 2021, to $*** in 2022, and $*** in 2023.[161] The industry's productivity per hour declined by *** percent from 2021 to 2023, declining from *** metric tons per hour in 2021, to *** metric tons per hour in 2022, and *** metric tons per hour in 2023.[162]

The quantity of the domestic industry's U.S. shipments declined by *** percent from 2021 to 2023, decreasing from *** metric tons in 2021, to *** metric tons in 2022, and *** metric tons in 2023.[163] Its market share declined irregularly by *** percentage points from 2021 to 2023, decreasing from *** percent in 2021 to *** percent in 2022,

[158] CR/PR at Tables 3.12, C.1. Employment indicators generally declined in interim 2024 compared to interim 2023. *Id*.

[159] CR/PR at Tables 3.12, C.1. PRWs were *** percent lower in interim 2024 at *** PRWs than in interim 2023 at *** PRWs. *Id*.

[160] CR/PR at Tables 3.12, C.1. These hours worked were *** percent lower in interim 2024 at *** hours than interim 2023 at *** hours. *Id*.

[161] CR/PR at Tables 3.12, C.1. Wages paid were $*** than interim 2023 and interim 2024. *Id*.

[162] CR/PR at Tables 3.12, C.1. Productivity was *** percent higher in interim 2024 at *** metric tons per hour than interim 2023 at *** metric tons per hour.

[163] CR/PR Tables 3.7, 4.9, C.1. U.S. shipments were *** percent higher in interim 2024 at *** metric tons than in interim 2023 at *** metric tons. *Id*.

before *** increasing to *** percent in 2023.[164] The industry's end-of-period inventories increased irregularly by *** percent from 2021 to 2023, decreasing from *** metric tons in 2021 to *** metric tons in 2022, before increasing to *** metric tons in 2023.[165] Its end-of-period inventories as a ratio of U.S. shipments increased throughout the POI from *** percent in 2021, to *** percent in 2022, and *** percent in 2023.[166]

The domestic industry's financial indicators worsened throughout the 2021 to 2023 period.[167] Its net sales quantity declined by *** percent from 2021 to 2023, declining from *** metric tons in 2021, to *** metric tons in 2022, and *** metric tons in 2023.[168] Its net sales value declined by *** percent from 2021 to 2023, declining from $*** in 2021, to $*** in 2022, and $*** in 2023.[169] Its gross profit declined by *** percent from 2021 to 2023, declining from $*** in 2021, to $*** in 2022, and $*** in 2023.[170] The industry's operating income declined by *** percent from 2021 to 2023, declining from $*** in 2021, to $*** in 2022, and $*** in 2023.[171] Its net income declined by *** percent from 2021 to

[164] CR/PR Tables 4.9, C.1. The domestic industry's market share was *** percentage points higher in interim 2024 at *** percent than interim 2023 at *** percent. *Id*.

[165] CR/PR at Tables 3.9, C.1. Its end-of-period inventories were *** percent higher in interim 2024 at *** metric tons than in interim 2023 at *** metric tons. *Id*.

[166] CR/PR at Tables 3.9, C.1. This ratio was higher in interim 2024 at *** percent than in interim 2023 at *** percent. *Id*.

[167] These financial indicators generally improved in interim 2024 compared to interim 2023.

[168] CR/PR at Tables 6.1, C.1. Its net sales quantity was *** percent higher in interim 2024 at *** metric tons than in interim 2023 at *** metric tons. *Id*.

[169] CR/PR at Tables 6.1, C.1. Its net sales value was *** percent higher in interim 2024 at $*** than interim 2023 at $***. *Id*.

[170] CR/PR at Tables 6.1, C.1. Its gross profit was *** percent higher in interim 2024 at $*** than interim 2023 at $***. *Id*.

[171] CR/PR at Tables 6.1, C.1. Its operating income was *** percent higher in interim 2024 at $*** than interim 2023 at $***. *Id*.

2023, declining from $*** in 2021, to $*** in 2022, and $*** in 2023.[172] The industry's operating income as a share of net sales declined by *** percentage points from 2021 to 2023, declining from *** percent in 2021, to *** percent in 2022, and *** percent in 2023.[173] Its net income as a share of net sales declined by *** percentage points from 2021 to 2023, declining from *** percent in 2021, to *** percent in 2022, and *** percent in 2023.[174] The domestic industry's total assets increased from $*** in 2021 to $*** in 2022, before declining to $*** in 2023.[175] Its return on assets decreased from *** percent in 2021, to *** percent in 2022, and *** percent in 2023.[176]

The domestic industry's capital expenditures increased irregularly by *** percent from 2021 to 2023, increasing from $*** in 2021 to $*** in 2022, before decreasing to $***.[177] Its research and development expenses decreased from 2021 to 2023 by *** percent, declining from $*** in 2021 and 2022 to $*** in 2023.[178] ***

[172] CR/PR at Tables 6.1, C.1. Its net income was *** percent higher in interim 2024 at $*** than interim 2023 at $***. *Id*.

[173] CR/PR at Tables 6.1, C.1. This margin was *** percentage points higher in interim 2024 at *** percent than interim 2023 at *** percent. *Id*.

[174] CR/PR at Tables 6.1, C.1. This ratio was *** percentage points higher in interim 2024 at *** percent than interim 2023 at *** percent. *Id*.

[175] CR/PR at Tables 6.9, C.1. Data regarding the domestic industry's total net assets in the interim periods were unavailable. *Id*.

[176] CR/PR at Table 6.10. Data regarding the domestic industry's return on assets in the interim periods were unavailable. *Id*.

[177] CR/PR at Tables 6.5, C.1. Its capital expenditures were *** percent higher in interim 2024 at $*** than interim 2023 at $***. *Id*.

[178] CR/PR at Tables 6.7, C.1. Its research and development expenditures were *** percent higher in interim 2024 at $*** than interim 2023 at $***. *Id*.

*** reported that they experienced negative effects on investments, growth, and development due to competition with subject imports.[179]

As discussed above in sections V.C-D, significant and increasing volumes of cumulated subject imports increasingly undersold the domestic like product between 2021 and 2023, capturing *** percentage points of market share from the domestic industry over the period.[180] As the domestic industry lost market share to subject imports, its production, capacity utilization, employment, U.S. shipments, sales, market share, and profits were lower than they otherwise would have been. Furthermore, as discussed in section V.D above, subject imports significantly depressed domestic prices from 2022 to 2023, causing the domestic industry to experience a cost-price squeeze as the industry's net sales AUVs declined to a greater extent than its unit COGS.[181] The domestic industry's declining capacity utilization, coupled with the cost-price squeeze, worsened its financial performance during the POI. In sum, we find that subject imports had a significant adverse impact on the domestic industry.

We have considered whether there are other factors that may have impacted the domestic industry to ensure that we are not attributing injury from other factors to subject imports. As discussed in section V.B.2 above, the market share of nonsubject imports was minimal during the POI, declining from *** percent in 2021, to *** percent in 2022, and ***

[179] CR/PR at Table 6.12.

[180] CR/PR at Tables 4.9, C.1.

[181] As we explain above in section V.D above, contemporaneous business documents submitted by Eastman show that purchasers used low-priced subject imports to place downward pressure on domestic prices, particularly in 2023. *See* Eastman Prehearing Br. at Exhibits 1-2; Eastman Posthearing Br. at Exhibit. 1, Attachment 2.

percent in 2023.[182] The record also indicates that the AUVs of U.S. shipments of nonsubject imports were higher than the AUVs of U.S. shipments of subject imports throughout the POI.[183] Thus, nonsubject imports cannot explain the injury to the domestic industry that we have attributed to subject imports.

We recognize that apparent U.S. consumption declined by *** percent from 2021 to 2023.[184] As an initial matter, responding U.S. producers, U.S. importers, and purchasers were divided on whether actual demand for DOTP increased or decreased during the POI, with equal numbers of U.S. producers and purchasers reporting that actual demand increased or decreased and a greater number of U.S. importers reporting that demand increased.[185] In any case, declining apparent U.S. consumption cannot explain the effects that cumulated subject imports had on the domestic industry by taking sales and market share from the industry. Indeed, the domestic industry's declines in production, U.S. shipments, and net sales quantities all outpaced declines in apparent U.S. consumption from 2021 to 2023.[186] Moreover, responding purchasers

[182] CR/PR at Tables 4.9, C.1. Their share of apparent U.S. consumption was higher in interim 2024 at *** percent than in interim 2023 at *** percent. *Id*.

[183] CR/PR at Tables 4.2, C.1. On a delivered basis, the AUVs of U.S. shipments of nonsubject imports were $*** per metric tons in 2021, $*** per metric ton in 2022, and $*** per metric ton in interim 2024 while the AUVs of U.S. shipments of subject imports were $*** per metric ton in 2021, $*** per metric ton in 2022, $*** per metric in 2023, $*** per metric ton in interim 2023, and $*** per metric ton in interim 2024. *Id*.

[184] We note that as apparent U.S. consumption increased in the interim 2024 period, the domestic industry recorded notable improvements in production, capacity utilization, and the quantities of net sales and U.S. shipments, while the industry's ratio of COGS to net sales decreased and its operating margin increased. At the same time, subject imports declined in absolute terms and relative to consumption. As discussed above, we find that there are post-petition effects that account for the improvements registered by the domestic industry in interim 2024.

[185] CR/PR at Table 2.5.

[186] CR/PR at Table C.1 (percentage declines in production, U.S. shipments, net sales quantities, operating income, and net income were all higher than the *** percent decline in apparent U.S. consumption from 2021 to 2023).

confirmed that U.S. producers reduced prices in order to compete with lower-priced subject imports.[187]

In sum, based on the record of the final phase of these investigations, we find that cumulated subject imports had a significant impact on the domestic industry.

VI. Conclusion

For the reasons stated above, we determine that an industry in the United States is materially injured by reason of imports of DOTP from Malaysia, Poland, Taiwan, and Turkey that are sold in the United States at less than fair value.

[187] CR/PR at Table 5.13.

Part 1: Introduction

Background

These investigations result from petitions filed with the U.S. Department of Commerce ("Commerce") and the U.S. International Trade Commission ("USITC" or "Commission") by Eastman Chemical Company ("Eastman"), Kingsport, Tennessee, on March 26, 2024, alleging that an industry in the United States is materially injured and threatened with material injury by reason of less-than-fair-value ("LTFV") imports of dioctyl terephthalate ("DOTP")[1] from Malaysia, Poland, Taiwan, and Turkey. Table 1.1 presents information relating to the background of these investigations.[2] [3]

Table 1.1 DOTP: Information relating to the background and schedule of this proceeding

Effective date	Action
March 26, 2024	Petitions filed with Commerce and the Commission; institution of the Commission's investigations (89 FR 22450, April 1, 2024)
April 15, 2024	Commerce's notice of initiation of its LTFV investigations with respect to Malaysia, Poland, Taiwan and Turkey (89 FR 29285, April 22, 2024)
May 10, 2024	Commission's preliminary determinations (89 FR 42899, May 16, 2024)
November 5, 2024	Commerce's preliminary LTFV determinations with respect to Malaysia, Poland, Taiwan, and Turkey (89 FR 87848, 89 FR 87844, 89 FR 87846, and 89 FR 87855, November 5, 2024); scheduling of final phase of Commission investigations (89 FR 91423, November 19, 2024)
March 25, 2025	Scheduled date for the Commission's hearing. The hearing was subsequently cancelled (90 FR 13880, March 27, 2025)
March 28, 2025	Commerce's final LTFV determinations with respect to Malaysia, Poland, Taiwan, and Turkey (90 FR 14073, 90 FR 14117, 90 FR 14069, and 90 FR 14071, March 28, 2025)
April 23, 2025	Commission's vote
May 9, 2025	Commission's views

[1] See the section entitled "The subject merchandise" in Part 1 of this report for a complete description of the merchandise subject in this proceeding.

[2] Pertinent Federal Register notices are referenced in appendix A, and may be found at the Commission's website (www.usitc.gov).

[3] Appendix B presents the Federal Register notice cancelling the Commission's hearing.

Statutory criteria

Section 771(7)(B) of the Tariff Act of 1930 (the "Act") (19 U.S.C. § 1677(7)(B)) provides that in making its determinations of injury to an industry in the United States, the Commission--

> *shall consider (I) the volume of imports of the subject merchandise, (II) the effect of imports of that merchandise on prices in the United States for domestic like products, and (III) the impact of imports of such merchandise on domestic producers of domestic like products, but only in the context of production operations within the United States; and. . . may consider such other economic factors as are relevant to the determination regarding whether there is material injury by reason of imports.*

Section 771(7)(C) of the Act (19 U.S.C. § 1677(7)(C)) further provides that--[4]

> *In evaluating the volume of imports of merchandise, the Commission shall consider whether the volume of imports of the merchandise, or any increase in that volume, either in absolute terms or relative to production or consumption in the United States is significant.. . .In evaluating the effect of imports of such merchandise on prices, the Commission shall consider whether. . .(I) there has been significant price underselling by the imported merchandise as compared with the price of domestic like products of the United States, and (II) the effect of imports of such merchandise otherwise depresses prices to a significant degree or prevents price increases, which otherwise would have occurred, to a significant degree.. . . In examining the impact required to be considered under subparagraph (B)(i)(III), the Commission shall evaluate (within the context of the business cycle and conditions of competition that are distinctive to the affected industry) all relevant economic factors which have a bearing on the state of the industry in the United States, including, but not limited to. . . (I) actual and potential decline in output, sales, market share, gross profits, operating profits, net profits, ability to service debt, productivity, return on investments, return on assets, and utilization of capacity, (II) factors affecting domestic prices, (III) actual and potential negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital, and investment, (IV) actual and potential negative effects on the existing development and production efforts of the domestic industry, including efforts to develop a derivative or more advanced version of the domestic like product, and (V) in {an antidumping investigation}, the magnitude of the margin of dumping.*

[4] Amended by PL 114-27 (as signed, June 29, 2015), Trade Preferences Extension Act of 2015.

In addition, Section 771(7)(J) of the Act (19 U.S.C. § 1677(7)(J)) provides that—[5]

(J) EFFECT OF PROFITABILITY.—The Commission may not determine that there is no material injury or threat of material injury to an industry in the United States merely because that industry is profitable or because the performance of that industry has recently improved.

Organization of report

Part 1 of this report presents information on the subject merchandise, dumping margins, and domestic like product. Part 2 of this report presents information on conditions of competition and other relevant economic factors. Part 3 presents information on the condition of the U.S. industry, including data on capacity, production, shipments, inventories, and employment. Parts 4 and 5 present the volume of subject imports and pricing of domestic and imported products, respectively. Part 6 presents information on the financial experience of U.S. producers. Part 7 presents the statutory requirements and information obtained for use in the Commission's consideration of the question of threat of material injury as well as information regarding nonsubject countries.

Market summary

DOTP is generally used to make resins more flexible and easier to process as plastics.[6] The leading U.S. producer of DOTP is Eastman, while leading producers of DOTP outside the United States include Grupa Azoty ZAK S.A. ("Grupa Azoty") in Poland, Nan Ya Plastics Corporation ("Nan Ya") in Taiwan, and UPC Chemicals (Malaysia) Sdn Bhd. ("UPC") in Malaysia. The leading U.S. importers of DOTP from Malaysia and Poland are ALAC International Inc. ("ALAC") and Grupa Azoty, while the leading importers of DOTP from Taiwan and Turkey are ALAC and BGN INT US LLC ("BGN"). Leading importers of DOTP from nonsubject sources include Chemstock Inc. ("Chemstock"). U.S. purchasers of DOTP include firms in a variety of industries, including flooring, laminates, sealants, and chemical compounding; the leading responding purchasers include ***.

[5] Amended by PL 114-27 (as signed, June 29, 2015), Trade Preferences Extension Act of 2015.
[6] Petition, p. 7.

Apparent U.S. consumption of DOTP totaled *** metric tons ($***) in 2023. Currently, two firms are known to produce DOTP in the United States: Eastman and BASF Corporation ("BASF"). U.S. producers' U.S. shipments of DOTP totaled *** metric tons ($***) in 2023, and accounted for *** percent of apparent U.S. consumption by quantity and *** percent by value. U.S. shipments of subject imports totaled *** metric tons ($***) in 2023 and accounted for *** percent of apparent U.S. consumption by quantity and *** percent by value. U.S. shipments of nonsubject imports totaled *** metric tons ($***) in 2023 and accounted for *** percent of apparent U.S. consumption by quantity and *** percent by value.

Summary data and data sources

A summary of data collected in these investigations is presented in appendix C, table C.1. The Commission's questionnaires collected data for the years 2021, 2022, and 2023 and interim periods January to September of 2023 ("interim 2023") and January to September of 2024 ("interim 2024"). Except as noted, U.S. industry data are based on questionnaire responses of two firms that accounted for all known U.S. production of DOTP during 2023. U.S. imports are based on questionnaire responses from 13 firms.

Previous and related investigations

DOTP has been the subject of a prior antidumping duty investigation in the United States as presented in table 1.2.

Table 1.2 DOTP: Previous and related Commission proceedings and current status

Date	Number	Country	ITC original determination	Current status
2016	731-TA-1330	South Korea	Affirmative	Order continued after first review, August 2023

Nature and extent of subsidies and sales at LTFV

Sales at LTFV

On November 5, 2024, Commerce published notices in the Federal Register of its final determinations of sales at LTFV with respect to imports from Malaysia, Poland, Taiwan, and Turkey.[7] Tables 1.3 through 1.6 present Commerce's final dumping margins with respect to imports of DOTP from Malaysia, Poland, Taiwan, and Turkey.

Table 1.3 DOTP: Commerce's final weighted-average LTFV margins with respect to imports from Malaysia

Exporter/producer	Final dumping margin (percent)
UPC Chemicals (Malaysia) Sdn Bhd.	7.50
All others	7.50

Source: 90 FR 14073, March 28, 2025.

Table 1.4 DOTP: Commerce's final weighted-average LTFV margins with respect to imports from Poland

Exporter/producer	Final dumping margin (percent)
Grupa Azoty Zaklady Azotowy	57.88
All others	57.88

Source: 90 FR 14117, March 28, 2025.

Table 1.5 DOTP: Commerce's final weighted-average LTFV margins with respect to imports from Taiwan

Exporter/producer	Final dumping margin (percent)
Nan Ya Plastics Corporation	18.73
Oxyde Chemicals Singapore Pte. Ltd.	32.94
Fortune Chemical Corp., Ltd.	32.94
All others	18.73

Source: 90 FR 14069, March 28, 2025.

Table 1.6 DOTP: Commerce's final weighted-average LTFV margins with respect to imports from Turkey

Exporter/producer	Final dumping margin (percent)
By Petrokimya Sanayi Ve Ticaret A.S.	80.71
All others	61.61

Source: 90 FR 14071, March 28, 2025.

[7] 90 FR 14073, 90 FR 14117, 90 FR 14069, and 90 FR 14071, March 28, 2025.

The subject merchandise

Commerce's scope

In the current proceeding, Commerce has defined the scope as follows:[8]

> *The merchandise covered by this investigation is dioctyl terephthalate (DOTP), regardless of form. DOTP that has been blended with other products is included within this scope when such blends include constituent parts that have not been chemically reacted with each other to produce a different product. For such blends, only the DOTP component of the mixture is covered by the scope of the investigations.*
>
> *DOTP that is otherwise subject to this investigation is not excluded when commingled with DOTP from sources not subject to this investigation. Commingled refers to the mixing of subject and non-subject DOTP. Only the subject component of such commingled products is covered by the scope of this investigation.*
>
> *DOTP has the general chemical formulation of $C_6H_4(C_8H_{17}COO)_2$ and a chemical name of "bis (2-ethylhexyl) terephthalate" and has a Chemical Abstract Service (CAS) registry number of 6422-86-2. Regardless of the label, all DOTP is covered by this investigation.*

Tariff treatment

Based upon the scope set forth by Commerce, information available to the Commission indicates that the merchandise subject to these investigations is classifiable under subheading 2917.39.20 ("Plasticizers of aromatic polycarboxylic acids, their anhydrides, halides, peroxides, peroxyacids and their derivatives"). The 2025 general rate of duty for this subheading is 6.5 percent *ad valorem*. Subject merchandise may also be imported under subheadings 2917.39.70 ("Other aromatic polycarboxylic acids, their anhydrides, halides, peroxides, peroxyacids and their derivatives") or 3812.20.10 ("Compound plasticizers for rubber or plastics, containing any aromatic or modified aromatic plasticizer"). The 2025 general rate of duty for these subheadings is also 6.5 percent *ad valorem*. Decisions on the tariff classification and treatment of imported goods are within the authority of U.S. Customs and Border Protection.

[8] 90 FR 14073, 90 FR 14117, 90 FR 14069, and 90 FR 14071, March 28, 2025.

The product

Description and applications

DOTP is a colorless, almost odorless, slightly viscous liquid that is used to make resins more flexible and easier to process as plastics.[9] It is a synthetic organic chemical and part of a group of chemical products, known as plasticizers, that perform this role in the manufacturing of plastics. DOTP is a general-purpose non-phthalate plasticizer used as an additive in multiple applications, which can be grouped generally into the following categories: rigid flooring, flexible flooring, deco sheet, vinyl wall covering, PVC compound, sealing, tarpaulin and banner, PVC mats, toys, medical, and other.[10] The most significant end use in the United States is in flexible flooring.[11]

There are dozens of plasticizers (and an even greater number of formulations that contain a blend of plasticizers) available for commercial use, and the decision to use a particular plasticizer is influenced by the physical-chemical interaction of the plasticizer with the resin (primarily PVC resins in the U.S. market); the desired performance characteristics of the finished product, ranging from stiff to soft; material cost; and the ease and speed of processing. Frequently, a specifically formulated plasticizer will be used to fulfill detailed, unique requirements in the production process or the final product.[12]

Plasticizers are used to enhance either the properties of an end product itself (such as PVC flexibility) or the ability to process the intermediate polymers while fabricating a product. Flexible PVC, a primary use of plasticizers like DOTP, is used in a broad range of applications: construction (flooring), electrical components (wire sheathing), consumer goods (toys), packaging, transportation (throughout vehicles), furnishings, and medical uses (tubes). Demand for DOTP generally follows construction cycles and automotive production.

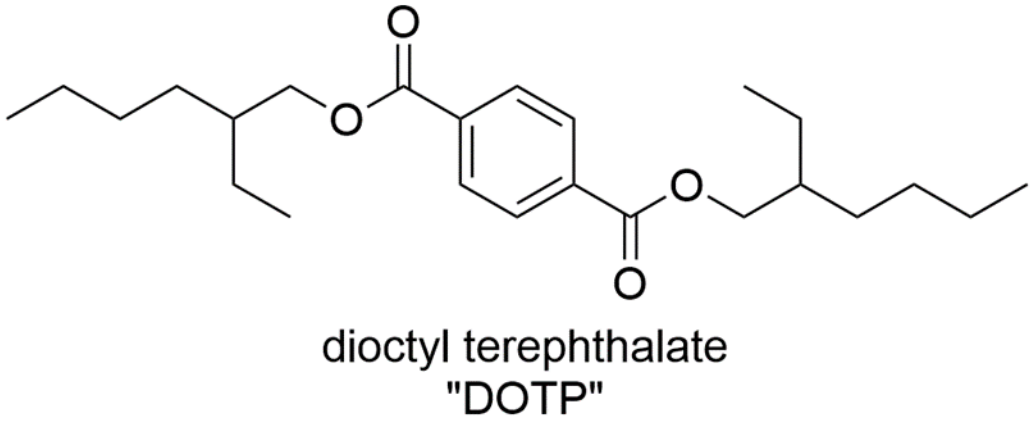
[9] Petition, p. 7.
[10] Petition, p. 7.
[11] Petition, p. 8.
[12] Dioctyl Terephthalate from South Korea, Inv. No. 731-TA-1330 (Review), USITC Publication 5433, June 2023, p. 1.13.

There are two primary groups of plasticizers: phthalates (also called ortho-phthalates) and non-phthalates (also but infrequently called para-phthalates). The "ortho-" and "para-" prefixes refer to the plasticizer's molecular structure, which has a direct relationship to the likelihood that the plasticizer may become separated from the plastic and be a health risk, particularly for children. For example, the plasticizers di-2-ethylhexyl phthalate (DEHP) and DOTP have the same chemical formula ($C_{24}H_{38}O_4$), but their structural differences make DEHP a phthalate plasticizer and DOTP a non-phthalate plasticizer.[13]

Because phthalate plasticizers do not "bond" with the resins when plastics are made, they are more easily released into the environment and inhaled or ingested. Congress passed legislation in 2008 that banned the use of certain phthalates in children's toys and other products and temporarily banned the use of other phthalates. DOTP has a more favorable toxicological prolife than phthalate plasticizers, so it has experienced an increase in demand.[14]

All DOTP (figure 1.1) has the same molecular formula ($C_{24}H_{38}O_4$) and structure, and there is no chemical distinction that would prevent DOTP from any source from being used in any application that called for DOTP.

Figure 1.1 DOTP: Molecular structure



Source: Prepared by staff based on information provided by petitioner.

In the United States, both domestically produced DOTP and subject imports are sold to distributors and end users, primarily original equipment manufacturers ("OEMs") and intermediary producers of PVC compounds.

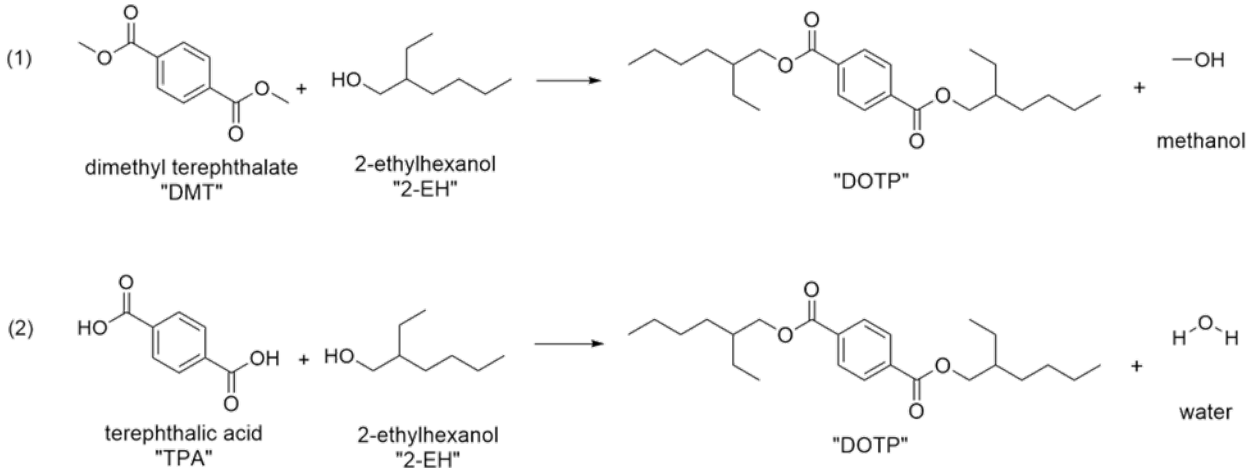
[13] Dioctyl Terephthalate from South Korea, Inv. No. 731-TA-1330 (Review), USITC Publication 5433, June 2023, p. 1.14.

[14] Petition, p. 8.

Manufacturing processes

DOTP may be produced via two methods (figure 1.2). Eastman uses a transesterification process from the reaction of dimethyl terephthalate (DMT) and 2-ethylhexanol (2-EH), in which methanol is produced as a by-product.[15] BASF produces DOTP in a direct esterification process in which terephthalic acid (TPA) is reacted with 2-EH.[16] In the direct esterification process, water is the by-product instead of methanol.[17] Based on available information, it is believed that all subject producers use the direct esterification process to produce DOTP. While there are various methods for achieving the final mix, with either process, the final product contains the same chemical compound.[18]

Figure 1.2 DOTP: Mechanisms for production[19]



Source: Prepared by staff based on information provided by petitioners.

Note: Synthesis (1) represents the transesterification process. Synthesis (2) represents the direct esterification process.

[15] Petition, p. 7.

[16] Petition, p. 7, and email from ***, April 24, 2024.

[17] Petition, pp. 7-8.

[18] Petition, p. 8.

[19] The chemical equation for the transesterification process is as follows:

2 $C_8H_{17}OH$ (2-EH) + $C_6H_4(CO)_2(OCH_3)_2$ (DMT) $\longrightarrow$ $C_6H_4(C_8H_{17}COO)_2$ (DOTP) + 2 CH_3OH (methanol).

The chemical equation for the direct esterification process is as follows:

2 $C_8H_{17}OH$ (2-EH) + $C_6H_4(CO_2H)_2$ (TPA) $\longrightarrow$ $C_6H_4(C_8H_{17}COO)_2$ (DOTP) + 2 H_2O (water). Petitioner's postconference brief, exh. 8.

Petitioner produces the two primary raw materials at its Longview, Texas (2-EH) and Kingsport, Tennessee facilities (DMT) and purchases other minor inputs from unrelated suppliers.[20] Petitioner's process produces methanol as a by-product, and the value of the methanol is credited in its cost of goods sold.[21] BASF produces 2-EH but purchases TPA.[22]

Domestic like product issues

The petitioner contends that there is a single domestic like product consisting of all DOTP, coextensive with the scope of these investigations.[23] Respondent parties did not submit prehearing or posthearing briefs and thus did not comment on the definition of the domestic like product. In its preliminary determinations, the Commission defined a single domestic like product, coextensive with the scope.[24] No parties requested data or other information necessary for the analysis of the domestic like product.

[20] Petition, p. 8.
[21] Petition, p. 8.
[22] Email from ***, April 24, 2024.
[23] Petitioner's prehearing brief, p. 2.
[24] Dioctyl Terephthalate from Malaysia, Poland, Taiwan, and Turkey (Preliminary), USITC Publication 5505, May 2024, p. 9.

Part 2: Conditions of competition in the U.S. market

U.S. market characteristics

DOTP is a plasticizer that is used in the production of PVC (polyvinyl chloride) flooring, PVC compounds, houses, toys, and other plastic products. It is added to plastics to impart softness, making them easier to handle.[1] Petitioner stated that DOTP has represented a larger share of the plasticizer market due to trends favoring more environmentally friendly compounds (away from phthalate plasticizers such as diisononyl phthalate (DINP) and di-2-ethylhexyl phthalate (DOP) that are listed in California Proposition 65 as materials known to cause cancer).[2]

*** U.S. producers, 7 of 11 importers, and 18 of 23 purchasers indicated that the market was not subject to distinctive conditions of competition. ***. Four importers reported that there were distinctive conditions of competition, noting the concentration of U.S. producers, with one specifically noting that Eastman is trying to eliminate competition and another (***) reporting that a domestic producer "implied to an end user that if it purchased DOTP from offshore sources, it would harm the domestic producer's willingness to supply the end user, especially in times of need." Purchasers reported that the regulatory environment impacts demand for DOTP but that it is well-established in the United States and has not changed since January 1, 2021.

Apparent U.S. consumption of DOTP decreased during January 2021-December 2023. Overall, apparent U.S. consumption (by quantity) in 2023 was *** percent lower than in 2021; apparent U.S. consumption was *** percent higher in January- September 2024 than in the interim period in 2023.

[1] Conference transcript, p. 12 (Dijkman).

[2] Conference transcript, pp. 13, 19, 20 (Djikman, Taylor). Proposition 65 requires California to publish a list of chemicals known to cause cancer, birth defects or other reproductive harm. This list, which must be updated at least once a year, has grown to include approximately 900 chemicals since it was first published in 1987. (California Office of Environmental Health Hazard Assessment, https://oehha.ca.gov/proposition-65/about-proposition-65, accessed May 2, 2024.

U.S. purchasers

The Commission received 26 usable questionnaire responses from firms that had purchased DOTP during January 2021 to September 2024.[3] [4] [5] Five responding purchasers are distributors, eight are flooring end users, nine are other end users (including compounders), and five are "other" (including producers of caulking and sealants, flexibly vinyl products, wallcoverings, and inks). In general, responding U.S. purchasers were located in the Northeast, Midwest, and Southeast. The responding purchasers represented firms in a variety of domestic industries, including PVC compounders and processors, polymer customers, office retail, consumer goods, food service, ink producers, and flooring. Large purchasers of DOTP include ***.[6] Three purchasers (***) reported competing with their suppliers for sales.

Impact of section 301 tariffs

U.S. producers and importers were asked to report the impact of section 301 tariffs on overall demand, supply, prices, or raw material costs. *** U.S. producers and two importers reported that there had not been an impact on the U.S. market due to the tariffs. Three importers reported that there had been an impact and seven importers reported that they did not know. Importer *** reported that due to the tariffs, Chinese-origin DOTP was not readily

[3] The following firms provided purchaser questionnaire responses: ***.

[4] Of the 25 responding purchasers, 20 purchased the domestic DOTP, zero purchased imports of the subject merchandise from Malaysia, 4 purchased imports of the subject merchandise from Poland, 11 purchased imports of the subject merchandise from Taiwan, 10 purchased imports of the subject merchandise from Turkey, and 12 purchased imports of DOTP from other sources.

[5] Twenty-two purchasers indicated they had marketing/pricing knowledge of domestic product, 3 of Malaysian product, 6 of Polish product, 13 of product from Taiwan, 15 of Turkish product, and 13 of product from nonsubject countries.

[6] Staff adjusted purchaser ***'s purchases data because it appeared as though purchases were reported in pounds instead of metric tons. Staff did not receive a response to its request to the firm. EDIS Doc. 841240. Without this adjustment, *** would be the largest purchaser, by far.

available to relieve supply constraints in the United States in 2021 and importer *** reported that these tariffs have created higher costs in the overall market.

Channels of distribution

U.S. producers sold mainly to *** (***) and importers sold mainly to end users as shown in table 2.1. Importers of product from Malaysia, Poland, and Taiwan reported selling the vast majority of their imports to *** end users ***, while importers of product from Turkey reported selling the majority of their imports to *** end users.

During the preliminary phase of these investigations, Petitioner Eastman stated that the largest end use for its DOTP is flexible flooring products that are sold through major retailers such as Home Depot, Lowe's, Menard's, and Lumber Liquidators.[7]

[7] Conference transcript, p. 26 (Davis).

Table 2.1 DOTP: Share of U.S. shipments by source, channel of distribution, and period

Shares in percent; interim is January to September

Source	Channel	2021	2022	2023	Interim 2023	Interim 2024
United States	Distributors / brokers	***	***	***	***	***
United States	Flooring end users	***	***	***	***	***
United States	All other end users	***	***	***	***	***
Malaysia	Distributors / brokers	***	***	***	***	***
Malaysia	Flooring end users	***	***	***	***	***
Malaysia	All other end users	***	***	***	***	***
Poland	Distributors / brokers	***	***	***	***	***
Poland	Flooring end users	***	***	***	***	***
Poland	All other end users	***	***	***	***	***
Taiwan	Distributors / brokers	***	***	***	***	***
Taiwan	Flooring end users	***	***	***	***	***
Taiwan	All other end users	***	***	***	***	***
Turkey	Distributors / brokers	***	***	***	***	***
Turkey	Flooring end users	***	***	***	***	***
Turkey	All other end users	***	***	***	***	***
Subject sources	Distributors / brokers	***	***	***	***	***
Subject sources	Flooring end users	***	***	***	***	***
Subject sources	All other end users	***	***	***	***	***
Nonsubject sources	Distributors / brokers	***	***	***	***	***
Nonsubject sources	Flooring end users	***	***	***	***	***
Nonsubject sources	All other end users	***	***	***	***	***
All imports	Distributors / brokers	***	***	***	***	***
All imports	Flooring end users	***	***	***	***	***
All imports	All other end users	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "—".

Geographic distribution

U.S. producers reported selling DOTP to *** (table 2.2). Importers reported selling to all regions, with the majority of importers reporting shipments to the Northeast, Midwest, and Southeast. For U.S. producers, *** percent of sales were between 101 and 1,000 miles and *** percent were between 501 and 1,000 miles, and *** percent were over 1,000 miles. Importers sold *** percent within 100 miles of their U.S. point of shipment, *** percent between 101 and 500 miles, *** percent were between 501 and 1,000 miles, and *** percent over 1,000 miles.

Table 2.2 DOTP: Count of U.S. producers' and U.S. importers' geographic markets

Count in number of firms reporting

Region	U.S. producers	Malaysia	Poland	Taiwan	Turkey	Subject sources
Northeast	***	***	***	5	***	7
Midwest	***	***	***	3	***	5
Southeast	***	***	***	3	***	6
Central Southwest	***	***	***	1	***	1
Mountains	***	***	***	0	***	0
Pacific Coast	***	***	***	2	***	2
Other	***	***	***	0	***	0
All regions (except Other)	***	***	***	0	***	0
Reporting firms	2	0	1	5	2	7

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Other U.S. markets include AK, HI, PR, and VI.

Supply and demand considerations

U.S. supply

Table 2.3 provides a summary of the supply factors regarding DOTP from U.S. producers and from responding producers from subject sources. No responses were received from producers in Taiwan and Turkey.

Table 2.3 DOTP: Supply factors that affect the ability to increase shipments to the U.S. market, by country

Quantity in metric tons; ratio and share in percent

Factor	Measure	United States	Malaysia	Poland	Taiwan	Turkey	Subject suppliers
Capacity 2021	Quantity	***	***	***	***	***	***
Capacity 2023	Quantity	***	***	***	***	***	***
Capacity utilization 2021	Ratio	***	***	***	***	***	***
Capacity utilization 2023	Ratio	***	***	***	***	***	***
Inventories to total shipments 2021	Ratio	***	***	***	***	***	***
Inventories to total shipments 2023	Ratio	***	***	***	***	***	***
Home market shipments 2023	Share	***	***	***	***	***	***
Non-US export market shipments 2023	Share	***	***	***	***	***	***
Ability to shift production	Count	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Counts equal the number of firms reporting "yes".

Note: Responding U.S. producers accounted for all of U.S. production of DOTP in 2023. Responding foreign producer/exporter firms accounted for *** percent of U.S. imports of DOTP from Malaysia and *** percent of U.S. imports of DOTP from Poland during 2023. For additional data on the number of responding firms and their share of U.S. production and of U.S. imports from each subject country, please refer to Part 1, “Summary Data and Data Sources.”

Domestic production

Based on available information, U.S. producers of DOTP have the ability to respond to changes in demand with large changes in the quantity of shipments of U.S.-produced DOTP to the U.S. market. The main contributing factors to this degree of responsiveness of supply are the ***. One factor mitigating responsiveness of supply is the ***.

Domestic production capacity remained relatively constant between 2021 and 2023 and capacity utilization fell by nearly *** percentage points over the period. Approximately *** of U.S. producers’ shipments were exported to non-U.S. markets in 2023. U.S. producers reported an inability to shift production away from other products. U.S. producer ***. Six purchasers reported that U.S. producers (including both BASF and Eastman) had put them on allocation in 2021 and 2022 due to Winter Storm Uri and other factors.[8]

[8] Petitioner Eastman stated that ***. Petitioner’s posthearing brief, Attachment 2, p. 2.

Imports from subject sources

Based on the available information from one foreign producer from Malaysia, producers of DOTP from Malaysia may have the ability to respond to changes in demand with moderate-to-large changes in the quantity of shipments to the U.S. market. Factors contributing to the responsiveness in supply include ***.

Based on available information from one foreign producer from Poland, producers of DOTP from Poland have the ability to respond to changes in demand with small-to-moderate changes in the quantity of shipments of DOTP to the U.S. market. Factors mitigating responsiveness of supply include *** contribute to the foreign producer's ability to respond to price changes.

No foreign producers from Taiwan or Turkey responded to the Commission's questionnaires.

Imports from nonsubject sources

Nonsubject imports accounted for less than one percent of total U.S. imports in 2023. The largest sources of nonsubject imports during the period of investigation were Canada and Mexico, although this share is likely understated.[9]

Supply constraints

*** U.S. producers and most responding importers and purchasers reported that they had not experienced supply constraints since January 1, 2023. As shown in table 2.4, reported supply constraints were concentrated in 2021 and 2022, particularly for domestically produced DOTP. Four responding purchasers reported that they experienced supply constraints from foreign sources of DOTP after the filing of the petition in 2024.

[9] This share is likely understated as nearly all imports from Mexico and Canada, which collectively accounted for nearly 90 percent of all imports from nonsubject sources classified under HTS statistical reporting number 2917.39.2000, are products outside the scope of these investigations.

Table 2.4 DOTP: Count of firms' responses regarding supply constraints, by period and firm type

Count in number of firms reporting

Period of constraint	U.S. producers	Importers	Purchasers: Domestic	Purchasers: Foreign / imported
2021	***	3	8	2
2022	***	3	9	2
2023	***	2	2	1
2024: Pre-petition	***	1	2	0
2024: Post-petition	***	1	2	4

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. producer ***. Importers that reported experiencing supply constraints reported shortages due to Winter Storm Uri, COVID-19 pandemic related demand increases, and shipping container issues.

Eleven purchasers reported that U.S. producers had refused, declined, or been unable to supply them with DOTP, particularly during 2021-2022. Purchasers reported a variety of issues including:

- U.S. producer Eastman had limited available feedstocks for DOTP production because of other products that it produces, such as PET
- U.S. producer BASF implemented allocations due to a terephthalic acid shortage
- Both U.S. producers declared a force majeure due to Winter Storm Uri

Seven purchasers reported that importers or foreign producers had refused, declined, or been unable to supply them with DOTP, particularly after the filing of the petition in 2024, because importers and foreign producers exited the market or "would not supply due to the antidumping duty threat." Two purchasers each reported experiencing supply constraints in 2021 and 2022, and one purchaser reported constraints in 2023, citing tight global demand, COVID-19 related shortages, and one plant specific turnaround (NanYa) that temporarily limited availability.

New suppliers

Eight of 26 purchasers indicated that new suppliers entered the U.S. market since January 1, 2021. Purchasers cited ALAC (Malaysia and Taiwan), BGN International (Turkey), EZ Chem, and Grupa Azoty (Poland).

U.S. demand

Based on available information, the overall demand for DOTP is likely to experience moderate changes in response to changes in price. The main contributing factors are the availability of limited substitute products in certain applications and the moderate cost share of DOTP in most of its end-use products.

During the preliminary phase, Petitioner stated that demand for DOTP is derived primarily from the manufacture of consumer products, including those related to construction and building cycles, but more generally, a demand driver has been the regulatory framework in the United States and the resulting shift by brand owners toward DOTP as a non-phthalate plasticizer.[10]

End uses and cost share

U.S. demand for DOTP depends on the demand for U.S.-produced downstream products, particularly in the construction, automotive, and medical industries. Purchasers reported a variety of responses regarding the demand for end use products.[11]

DOTP accounts for a moderate share of the cost of the end-use products in which it is used. Reported cost shares for some end uses included:

- Carpet (5-15 percent)
- Vinyl flooring and wallcoverings (5-12 percent)
- Caulking (*** percent)
- Adhesives (10-44 percent)
- Anti-fatigue mats and cushion vinyl (13-25 percent)
- Hoses and tubes (15-30 percent)
- PVC compounds (25-45 percent)
- Sound barriers (*** percent)
- Wire and cable (*** percent)
- Inks and pigments (30-70 percent)

[10] Petitioner's postconference brief, p. 14.

[11] Four purchasers reported that demand for end use products increased steadily since January 1, 2021, three reported that demand fluctuated upwards, five reported no change in demand, five reported that demand for end uses fluctuated downwards, and four reported that demand decreased steadily.

Business cycles

*** U.S. producers, 9 of 11 importers, and 11 of 25 purchasers indicated that the market was subject to business cycles. Specifically, DOTP demand tracks overall demand in the construction sector, which tends to be higher in the spring and summer months. It also tracks overall general economic and petrochemical demand trends. Importer *** reported that there is stronger demand for PVC compounding during the first half of the year and importer *** reported that during the COVID-19 pandemic, demand for DOTP was especially high for medical applications.

Demand trends

Most firms reported mixed experiences of U.S. demand for DOTP since January 1, 2021 (table 2.5). U.S. producers reported that U.S. demand fluctuated ***, most importers reported steadily or fluctuating increases in demand, and purchasers' experiences varied. Firms attributed some increases in demand for DOTP to regulatory and customer perceptions that have contributed to a shift from non-phthalate plasticizers, and others cited increased demand due to COVID-19 related increases in construction and home repair.

Table 2.5 DOTP: Count of firms' responses regarding overall domestic and foreign demand, by firm type

Count in number of firms reporting

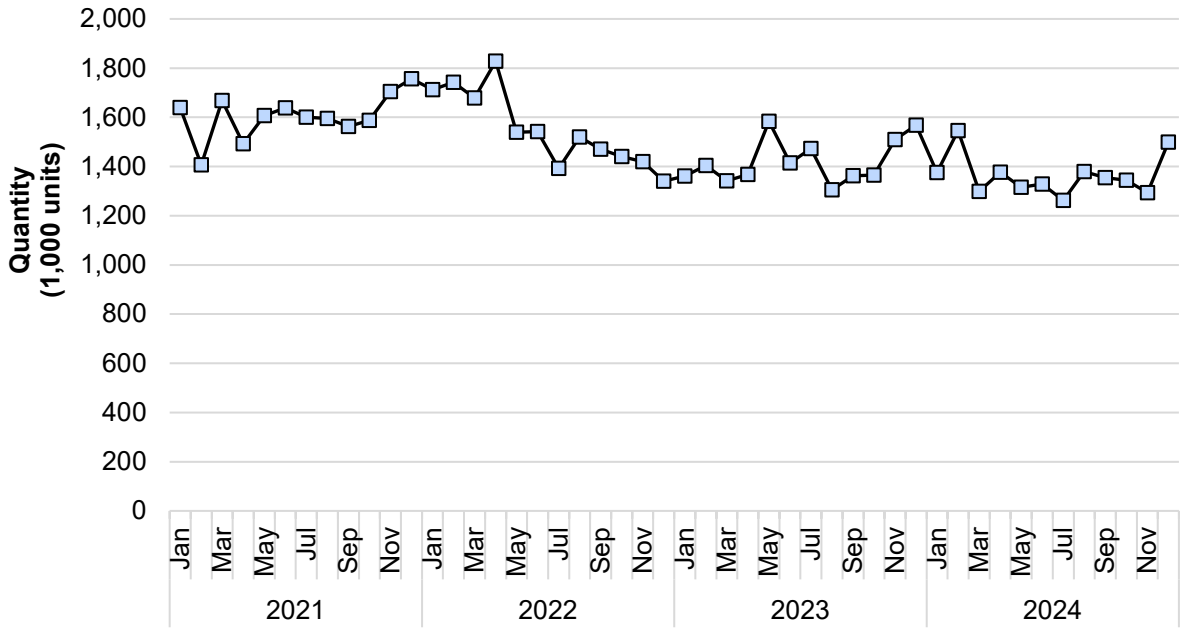
Market	Firm type	Steadily Increase	Fluctuate Up	No change	Fluctuate Down	Steadily Decrease
Domestic demand	U.S. producers	***	***	***	***	***
Domestic demand	Importers	3	2	2	3	0
Domestic demand	Purchasers	5	3	6	4	4
Foreign demand	U.S. producers	***	***	***	***	***
Foreign demand	Importers	3	3	1	2	0
Foreign demand	Purchasers	3	2	5	5	2
Demand for end use products	Purchasers	4	3	5	5	4

Source: Compiled from data submitted in response to Commission questionnaires.

Both construction and automotive sectors experienced declines in production since January 2021. As shown in figure 2.1 (and table 2.6), production of new privately-owned housing units fluctuated upwards through the first quarter of 2022, at which point, they fluctuated downwards and experienced an overall decrease of 8.5 percent. As shown in figure 2.2 (and table 2.7), domestic automotive production decreased drastically from January 2021

through September 2021. Overall, domestic automotive production decreased by 43.2 percent over the period of investigation.

Figure 2.1 Construction: New privately-owned housing units started, seasonally adjusted, monthly, January 2021-December 2024



Source: Federal Reserve Economic Data, Economic Research Division, New Privately-Owned Housing Units Started: Total Units, Thousands of Units, Monthly, Seasonally Adjusted Annual Rate. https://fred.stlouisfed.org, Accessed January 30, 2025.

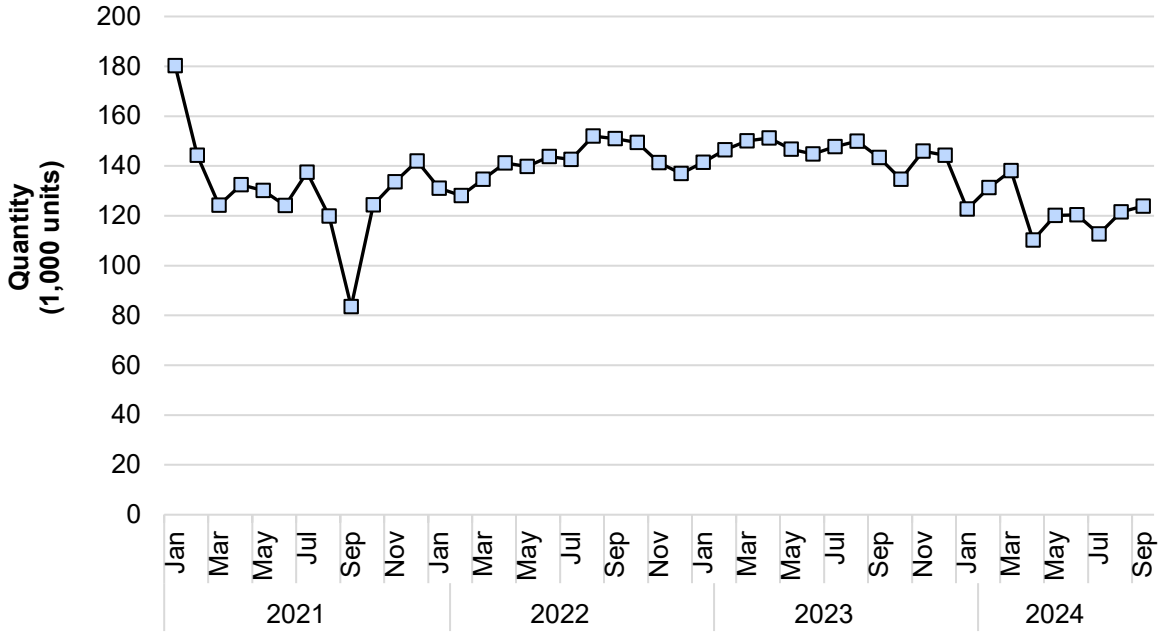
Table 2.6 Construction: New privately-owned housing units started, seasonally adjusted, monthly, January 2021-December 2024

Housing starts in 1,000 units

Month	2021	2022	2023	2024
January	1,639	1,712	1,361	1,376
February	1,407	1,742	1,404	1,546
March	1,668	1,678	1,342	1,299
April	1,492	1,828	1,368	1,377
May	1,607	1,540	1,583	1,315
June	1,638	1,542	1,415	1,329
July	1,600	1,392	1,473	1,262
August	1,595	1,520	1,305	1,379
September	1,563	1,470	1,363	1,355
October	1,587	1,440	1,365	1,344
November	1,704	1,420	1,510	1,294
December	1,757	1,340	1,568	1,499

Source: Federal Reserve Economic Data, Economic Research Division, New Privately-Owned Housing Units Started: Total Units, Thousands of Units, Monthly, Seasonally Adjusted Annual Rate. https://fred.stlouisfed.org, accessed January 30, 2025.

Figure 2.2 Auto production: Domestic auto production, seasonally adjusted, monthly, January 2021-December 2024



Source: Federal Reserve Economic Data, Economic Research Division, Domestic Auto Production, Thousands of Units, Monthly, Seasonally Adjusted. https://fred.stlouisfed.org, Accessed April 9, 2025.

Table 2.7 Auto production: Domestic auto production, seasonally adjusted, monthly, January 2021-December 2024

Auto production in 1,000 units

Month	2021	2022	2023	2024
January	180.2	131.0	141.5	122.7
February	144.3	128.1	146.5	131.3
March	124.2	134.6	150.0	138.1
April	132.4	141.2	151.2	110.2
May	130.2	139.8	146.7	120.1
June	124.1	143.8	144.8	120.4
July	137.5	142.6	147.8	106.9
August	119.9	152.0	149.9	115.6
September	83.5	151.0	143.4	117.1
October	124.4	149.4	134.7	122.8
November	133.6	141.3	146.0	118.2
December	142.0	136.9	144.3	102.2

Source: Federal Reserve Economic Data, Economic Research Division, Domestic Auto Production, Thousands of Units, Monthly, Seasonally Adjusted. https://fred.stlouisfed.org, accessed April 9, 2025.

Substitute products

Substitutes for DOTP are limited by regulations and strong customer preference for non-phthalate plasticizers. Technically, DINP, DOP, and DPHP are possible substitutes. *** U.S. producers, 5 of 10 importers, and 15 of 25 purchasers reported that there are substitutes

for DOTP and a few firms noted that the price of these substitutes in limited applications have some impact on the price of DOTP.

However, many firms reported that these substitutes are limited because they are not Proposition 65 compliant, are not environmentally friendly, are hazardous, and many customers prohibit usage of these chemicals in their products. Firms were asked specifically about the substitutability of DINP, DOP, DPHP, and other products, if they were substitutable in all, most, some, or no end use applications, and if the prices of these possible substitutes impact the price of DOTP (table 2.8). PVC based applications were the most commonly cited end use for which substitute products could be used in place of DOTP.

Table 2.8 DOTP: Count of firms' responses regarding frequency that substitute products can be used and if the substitute impacted price, by product and firm type

Count in number of firms reporting

Substitute product	Firm type	All	Most	Some	None	Substitute product impacted price of DOTP
DINP	U.S. producers	***	***	***	***	***
DINP	Importers	1	1	4	0	3
DINP	Purchasers	3	2	8	2	1
DOP	U.S. producers	***	***	***	***	***
DOP	Importers	0	0	2	3	2
DOP	Purchasers	2	2	5	3	1
DPHP	U.S. producers	***	***	***	***	***
DPHP	Importers	0	0	2	3	1
DPHP	Purchasers	1	2	3	6	0
Other	U.S. producers	***	***	***	***	***
Other	Importers	0	2	0	2	2
Other	Purchasers	3	0	3	3	0

Source: Compiled from data submitted in response to Commission questionnaires.

Substitutability issues

This section assesses the degree to which U.S.-produced DOTP and imports of DOTP from subject countries can be substituted for one another by examining the importance of certain purchasing factors and the comparability of DOTP from domestic and imported sources based on those factors. Based on available data, staff believes that there is a moderately high degree of substitutability between domestically produced DOTP and DOTP imported from

subject sources.[12] Factors contributing to this level of substitutability include similar quality, comparability on most purchase factors, little preference for particular country of origin or producers, interchangeability between domestic and subject sources, and limited significant factors other than price. Although there was limited availability and longer lead times for U.S.-produced DOTP during 2021 and 2022, purchasers reported improved availability in 2023 and 2024.

Factors affecting purchasing decisions

Purchaser decisions based on source

As shown in table 2.9, most purchasers and their customers never make purchasing decisions based on the producer or country of origin, and neither do their customers. Of the eight purchasers that reported that they always or usually make decisions based the manufacturer, four firms cited a strong preference for U.S.-produced product if it is available, and two reported choosing suppliers based on the service, quality, and predictability of pricing.

Table 2.9 DOTP: Count of purchasers' responses regarding frequency of purchasing decisions based on producer and country of origin

Count in number of firms reporting

Firm making decision	Decision based on	Always	Usually	Sometimes	Never
Purchaser	Producer	4	4	2	15
Customer	Producer	0	1	4	17
Purchaser	Country	3	2	1	19
Customer	Country	0	0	3	19

Source: Compiled from data submitted in response to Commission questionnaires.

Importance of purchasing domestic product

All responding purchasers reported that most or all of their purchases did not require purchasing U.S.-produced product. No purchasers reported that domestic product was required by law, one reported it was required by their customers (for 0.1 to 24.9 percent of their purchases), and one reported other preferences for domestic product. Reasons cited for preferring domestic product included FDA and NSF certifications. When asked if purchasers' customers have a country preference, four indicated that their customers preferred U.S.-

[12] The degree of substitution between domestic and imported DOTP depends upon the extent of product differentiation between the domestic and imported products and reflects how easily purchasers can switch from domestically produced DOTP to the DOTP imported from subject countries (or vice versa) when prices change. The degree of substitution may include such factors as quality differences (e.g., grade standards, defect rates, etc.), and differences in sales conditions (e.g., lead times between order and delivery dates, reliability of supply, product services, etc.).

produced product due to shorter lead times, lower shipping costs, consistent supply, and "country support." One purchaser reported that its customers prefer European sources over Asian sources because prices are more stable and predictable.

Most important purchase factors

The most often cited top three factors firms consider in their purchasing decisions for DOTP were price/cost/discounts (24 firms), availability (19 firms), and quality (12 firms) as shown in table 2.10. Price was the most frequently cited first-most important factor (cited by 10 firms), followed by availability and quality (4 firms each); availability was the most frequently reported second-most important factor (9 firms); and price was the most frequently reported third-most important factor (11 firms).

Table 2.10 DOTP: Count of ranking of factors used in purchasing decisions as reported by purchasers, by factor

Factor	First	Second	Third	Total
Price / Cost / Discounts	10	4	11	24
Availability	4	9	6	19
Quality	4	7	1	12
All other factors	8	5	9	NA

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Other factors listed in as top three factors include delivery / fulfillment locations / lead times (6 purchasers), traditional suppliers / strategic partnerships or contracts (5), reliability (3), regulatory compliance or approvals (2), suitability for use, specifications, credit terms, and service (1 each). Other factors that purchasers listed as important (but not in the top three) include: payment terms (3), ease of doing business, technical support, customer relationships, delivery, reliability, consistency, and quality (1 each).

The majority of purchasers (13 of 25) reported that they usually purchase the lowest-priced product.

Importance of specified purchase factors

Purchasers were asked to rate the importance of 15 factors in their purchasing decisions (table 2.11). The factors rated as very important by more than half of responding purchasers were availability and reliability of supply (24 firms each), price and product consistency (22 firms each), quality meeting industry standards (21), delivery time (19), and U.S. transportation costs (17).

Table 2.11 DOTP: Count of purchasers' responses regarding importance of purchase factors, by factor

Factor	Very important	Somewhat important	Not important
Availability	24	1	0
Delivery terms	14	9	1
Delivery time	19	6	0
Discounts offered	9	15	1
Minimum quantity requirements	3	13	8
Packaging	11	9	4
Payment terms	11	13	0
Price	22	3	0
Product consistency	22	3	0
Product range	3	14	7
Quality meets industry standards	21	4	0
Quality exceeds industry standards	6	13	5
Reliability of supply	24	1	0
Technical support/service	9	9	6
U.S. transportation costs	17	6	2

Source: Compiled from data submitted in response to Commission questionnaires.

Lead times

DOTP is primarily sold from inventory. U.S. producers reported that *** of their commercial shipments were sold from inventory, with lead times averaging *** days. U.S. importers reported that 75 percent of their commercial shipments came from U.S. inventories, with lead times averaging 14 days. The remaining 25 percent of their commercial shipments came from foreign inventories with lead times averaging 30 days.

Supplier certification

Twenty-two of 26 responding purchasers require their suppliers to become certified or qualified to sell DOTP to their firm. Purchasers reported that the time to qualify a new supplier ranged from 1 to 180 days, although more than half of responding purchasers reported that qualification takes a month or less. Two purchasers reported that Turkish suppliers (BGN and Plastay) had failed to qualify DOTP, or had lost their approved status since 2021, due to reports of odor and color issues.

Minimum quality specifications

As can be seen from table 2.12, 19 responding purchasers reported that domestically produced product always met minimum quality specifications. Ten responding purchasers reported that the DOTP imported from Taiwan always met minimum quality specifications, 7 reported that product from Turkey always met minimum quality specifications, 3 reported the

same for Poland, and 2 reported similarly for Malaysia. Eight purchasers reported that product from nonsubject countries always met minimum quality specifications.

Table 2.12 DOTP: Count of purchasers' responses regarding suppliers' ability to meet minimum quality specifications, by source

Source of purchases	Always	Usually	Sometimes	Rarely or never	Don't Know
United States	19	0	0	0	5
Malaysia	2	0	0	0	18
Poland	3	0	0	0	17
Taiwan	10	0	0	0	13
Turkey	7	1	2	0	12
Nonsubject sources	8	0	0	0	8

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Purchasers were asked how often domestically produced or imported DOTP meets minimum quality specifications for their own or their customers' uses.

Twenty-five of 26 responding purchasers reported factors that determined quality including color (reported by 9 purchasers), compliance with regulatory standards and conformance to technical specifications (8), purity and water content (6 each), ester content (4), viscosity, performance, specific gravity (3 each), appearance, volatility, acid value, clarity, and consistency (2 each).

Changes in purchasing patterns

Thirteen purchasers reported that they had changed suppliers since January 1, 2021, while 12 reported that they had not. Specifically, firms dropped or reduced purchases from U.S. producer Eastman because of customer service complaints, high prices, and availability issues; many purchasers reported a variety of changes in suppliers of imports generally due to pricing, lack of availability, and extended lead times.

Purchasers were also asked about changes in their purchasing patterns from different countries since January 1, 2021 (table 2.13). Eleven reported increased (either steadily or fluctuating upwards) purchases of U.S.-produced product because of increased availability of U.S.-produced DOTP after the shortages in 2021 and 2022, short lead times, competitiveness of the DOTP, and better pricing. The purchasers that reported decreased purchases of U.S.-produced product cited lower demand, and that U.S. DOTP was too expensive. Most responding purchasers reported no change in their purchases of DOTP produced in Malaysia and Poland and decreased (either steadily or fluctuating downward) purchases of DOTP produced in Taiwan, Turkey, and nonsubject sources. Four purchasers reported that their

decreased demand resulted from drawing down on their inventories. Purchasers cited increased availability of domestic DOTP and improved U.S. pricing.

Table 2.13 DOTP: Count of purchasers' responses regarding changes in purchase patterns from U.S., subject, and nonsubject countries

Source of purchases	Steadily Increase	Fluctuate Up	No change	Fluctuate Down	Steadily Decrease	Did not purchase
United States	4	7	4	5	3	3
Malaysia	0	0	1	0	0	15
Poland	1	0	4	0	1	11
Taiwan	0	3	1	4	4	6
Turkey	0	3	2	5	2	7
Nonsubject sources	2	2	3	4	2	5
Unknown sources	1	0	0	3	2	8

Source: Compiled from data submitted in response to Commission questionnaires.

Purchase factor comparisons of domestic products, subject imports, and nonsubject imports

Purchasers were asked a number of questions comparing DOTP produced in the United States, subject countries, and nonsubject countries. First, purchasers were asked for a country-by-country comparison on the same 15 factors (table 2.14) for which they were asked to rate the importance.

Most purchasers reported that U.S.-produced DOTP and DOTP imported from Malaysia, Poland, Taiwan, and Turkey were comparable on most factors that were reported as very important by purchasers (availability, delivery time, price, product consistency, quality meets industry standards, reliability of supply, and U.S. transportation costs). Purchasers reported that U.S.-produced DOTP and DOTP from Malaysia is comparable on all very important factors except price, for which U.S. DOTP is inferior (more expensive), and U.S. transportation costs, for which one purchaser ranked U.S. DOTP superior. Most purchasers reported U.S. DOTP and DOTP from Poland is comparable on all factors except availability, for which purchasers' responses were split between ranking U.S. DOTP as superior and comparable. Most purchasers reported that U.S.-produced DOTP and DOTP from Taiwan were comparable on all seven very important factors. Most or a plurality of purchasers reported that U.S.-produced DOTP and DOTP from Turkey are comparable on all very important factors except delivery time.

Table 2.14 DOTP: Count of purchasers' responses comparing U.S.-produced and imported product, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	U.S. vs Malaysia	0	2	0
Delivery terms	U.S. vs Malaysia	0	2	0
Delivery time	U.S. vs Malaysia	0	2	0
Discounts offered	U.S. vs Malaysia	0	1	1
Minimum quantity requirements	U.S. vs Malaysia	0	2	0
Packaging	U.S. vs Malaysia	0	2	0
Payment terms	U.S. vs Malaysia	0	1	1
Price	U.S. vs Malaysia	0	0	2
Product consistency	U.S. vs Malaysia	0	2	0
Product range	U.S. vs Malaysia	1	1	0
Quality meets industry standards	U.S. vs Malaysia	0	2	0
Quality exceeds industry standards	U.S. vs Malaysia	1	1	0
Reliability of supply	U.S. vs Malaysia	0	2	0
Technical support/service	U.S. vs Malaysia	1	1	0
U.S. transportation costs	U.S. vs Malaysia	1	1	0

Table continued.

Table 2.14 (Continued) DOTP: Count of purchasers' responses comparing U.S.-produced and imported product, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	U.S. vs Poland	2	2	0
Delivery terms	U.S. vs Poland	1	3	0
Delivery time	U.S. vs Poland	1	2	1
Discounts offered	U.S. vs Poland	0	4	0
Minimum quantity requirements	U.S. vs Poland	0	3	1
Packaging	U.S. vs Poland	0	4	0
Payment terms	U.S. vs Poland	0	2	2
Price	U.S. vs Poland	0	3	1
Product consistency	U.S. vs Poland	0	4	0
Product range	U.S. vs Poland	1	3	0
Quality meets industry standards	U.S. vs Poland	0	4	0
Quality exceeds industry standards	U.S. vs Poland	0	4	0
Reliability of supply	U.S. vs Poland	1	3	0
Technical support/service	U.S. vs Poland	2	2	0
U.S. transportation costs	U.S. vs Poland	1	3	0

Table continued.

Table 2.14 (Continued) DOTP: Count of purchasers' responses comparing U.S.-produced and imported product, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	U.S. vs Taiwan	2	8	1
Delivery terms	U.S. vs Taiwan	3	7	1
Delivery time	U.S. vs Taiwan	3	6	2
Discounts offered	U.S. vs Taiwan	1	6	4
Minimum quantity requirements	U.S. vs Taiwan	1	7	3
Packaging	U.S. vs Taiwan	1	9	1
Payment terms	U.S. vs Taiwan	1	7	3
Price	U.S. vs Taiwan	1	7	3
Product consistency	U.S. vs Taiwan	0	11	0
Product range	U.S. vs Taiwan	2	8	0
Quality meets industry standards	U.S. vs Taiwan	0	11	0
Quality exceeds industry standards	U.S. vs Taiwan	2	9	0
Reliability of supply	U.S. vs Taiwan	3	7	0
Technical support/service	U.S. vs Taiwan	3	7	1
U.S. transportation costs	U.S. vs Taiwan	3	8	0

Table continued.

Table 2.14 (Continued) DOTP: Count of purchasers' responses comparing U.S.-produced and imported product, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	U.S. vs Turkey	3	7	1
Delivery terms	U.S. vs Turkey	2	7	1
Delivery time	U.S. vs Turkey	5	4	2
Discounts offered	U.S. vs Turkey	2	7	2
Minimum quantity requirements	U.S. vs Turkey	1	9	1
Packaging	U.S. vs Turkey	1	10	0
Payment terms	U.S. vs Turkey	1	8	2
Price	U.S. vs Turkey	3	5	3
Product consistency	U.S. vs Turkey	1	10	0
Product range	U.S. vs Turkey	1	9	1
Quality meets industry standards	U.S. vs Turkey	1	10	0
Quality exceeds industry standards	U.S. vs Turkey	2	9	0
Reliability of supply	U.S. vs Turkey	2	8	1
Technical support/service	U.S. vs Turkey	2	8	1
U.S. transportation costs	U.S. vs Turkey	3	6	2

Table continued.

Table 2.14 (Continued) DOTP: Count of purchasers' responses comparing U.S.-produced and imported product, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	U.S. vs Nonsubject	1	7	1
Delivery terms	U.S. vs Nonsubject	1	8	0
Delivery time	U.S. vs Nonsubject	2	6	1
Discounts offered	U.S. vs Nonsubject	0	7	2
Minimum quantity requirements	U.S. vs Nonsubject	1	7	1
Packaging	U.S. vs Nonsubject	0	9	0
Payment terms	U.S. vs Nonsubject	0	8	1
Price	U.S. vs Nonsubject	0	7	2
Product consistency	U.S. vs Nonsubject	0	9	0
Product range	U.S. vs Nonsubject	0	9	0
Quality meets industry standards	U.S. vs Nonsubject	0	9	0
Quality exceeds industry standards	U.S. vs Nonsubject	1	8	0
Reliability of supply	U.S. vs Nonsubject	0	9	0
Technical support/service	U.S. vs Nonsubject	0	9	0
U.S. transportation costs	U.S. vs Nonsubject	1	7	1

Source: Compiled from data submitted in response to Commission questionnaires.

Note: With respect to cost/price factors, a rating of superior means that the cost/price for the first source in the country pair is generally lower. For example, if a firm reported "U.S. superior," it meant that the U.S. product was generally priced lower than the imported product.

Comparison of U.S.-produced and imported DOTP

In order to determine whether U.S.-produced DOTP can generally be used in the same applications as imports from Malaysia, Poland, Taiwan, and/or Turkey, U.S. producers, importers, and purchasers were asked whether the products can always, frequently, sometimes, or never be used interchangeably. As shown in tables 2.15 to 2.17, U.S. producers reported that U.S.-produced DOTP and DOTP from subject sources are *** interchangeable. Most importers reported that U.S.-produced DOTP and DOTP from Taiwan and Turkey are always interchangeable and U.S.-produced DOTP and DOTP from Malaysia and Poland are always or frequently interchangeable. Most purchasers reported that U.S.-produced DOTP and DOTP from subject sources is always interchangeable.

Few firms cited limitations to interchangeability, including some Turkish DOTP plants not producing to the quality standards needed in the United States and that transferring to the reputation of all Turkish producers, and that "customer formulation determines if product is interchangeable."

Table 2.15 DOTP: Count of U.S. producers reporting the interchangeability between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. Malaysia	***	***	***	***
United States vs. Poland	***	***	***	***
United States vs. Taiwan	***	***	***	***
United States vs. Turkey	***	***	***	***
Malaysia vs. Poland	***	***	***	***
Malaysia vs. Taiwan	***	***	***	***
Malaysia vs. Turkey	***	***	***	***
Poland vs. Taiwan	***	***	***	***
Poland vs. Turkey	***	***	***	***
Taiwan vs. Turkey	***	***	***	***
United States vs. Other	***	***	***	***
Malaysia vs. Other	***	***	***	***
Poland vs. Other	***	***	***	***
Taiwan vs. Other	***	***	***	***
Turkey vs. Other	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table 2.16 DOTP: Count of importers reporting the interchangeability between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. Malaysia	2	2	0	0
United States vs. Poland	3	2	1	0
United States vs. Taiwan	8	2	0	0
United States vs. Turkey	5	3	1	0
Malaysia vs. Poland	1	2	0	0
Malaysia vs. Taiwan	1	2	0	0
Malaysia vs. Turkey	2	2	0	0
Poland vs. Taiwan	3	2	0	0
Poland vs. Turkey	3	3	1	0
Taiwan vs. Turkey	5	3	0	0
United States vs. Other	4	4	0	0
Malaysia vs. Other	1	2	0	0
Poland vs. Other	3	2	0	0
Taiwan vs. Other	3	3	0	0
Turkey vs. Other	4	3	0	0

Source: Compiled from data submitted in response to Commission questionnaires.

Table 2.17 DOTP: Count of purchasers reporting the interchangeability between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. Malaysia	3	2	0	0
United States vs. Poland	5	1	0	0
United States vs. Taiwan	9	3	0	1
United States vs. Turkey	7	4	2	0
Malaysia vs. Poland	3	1	0	0
Malaysia vs. Taiwan	4	1	0	0
Malaysia vs. Turkey	3	2	0	0
Poland vs. Taiwan	4	1	0	0
Poland vs. Turkey	3	1	0	0
Taiwan vs. Turkey	7	2	1	0
United States vs. Other	10	3	0	0
Malaysia vs. Other	4	1	0	0
Poland vs. Other	3	1	0	0
Taiwan vs. Other	8	1	0	0
Turkey vs. Other	7	2	0	0

Source: Compiled from data submitted in response to Commission questionnaires.

In addition, U.S. producers, importers, and purchasers were asked to assess how often differences other than price were significant in sales of DOTP from the United States, subject, or nonsubject countries. As seen in tables 2.18 to 2.20, U.S. producers reported that differences other than price were *** significant. U.S. importers' responses were split between always and only sometimes significant differences other than price between U.S.-produced DOTP and DOTP from Malaysia and Poland; most importers reported that differences other than price were sometimes or never significant when comparing U.S. DOTP with DOTP from Taiwan or Turkey. Most purchasers reported that differences other than price are always or frequently significant when comparing U.S.-produced DOTP with DOTP from subject sources.

Of the firms reporting significant differences other than price, importers cited availability, lead time, credit and payment terms, previously established supplier relationships, technical support, and product testing. Importer *** reported that it provides a "vital backup supply option…{and allows} them to diversify their supply chains." Purchasers reported significant differences including availability (reported by 3 purchasers), service, quality, and compliance with REACH standards.

Table 2.18 DOTP: Count of U.S. producers reporting the significance of differences other than price between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. Malaysia	***	***	***	***
United States vs. Poland	***	***	***	***
United States vs. Taiwan	***	***	***	***
United States vs. Turkey	***	***	***	***
Malaysia vs. Poland	***	***	***	***
Malaysia vs. Taiwan	***	***	***	***
Malaysia vs. Turkey	***	***	***	***
Poland vs. Taiwan	***	***	***	***
Poland vs. Turkey	***	***	***	***
Taiwan vs. Turkey	***	***	***	***
United States vs. Other	***	***	***	***
Malaysia vs. Other	***	***	***	***
Poland vs. Other	***	***	***	***
Taiwan vs. Other	***	***	***	***
Turkey vs. Other	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table 2.19 DOTP: Count of importers reporting the significance of differences other than price between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. Malaysia	2	0	2	0
United States vs. Poland	2	0	2	1
United States vs. Taiwan	2	0	3	3
United States vs. Turkey	1	0	3	4
Malaysia vs. Poland	1	0	2	0
Malaysia vs. Taiwan	1	0	2	0
Malaysia vs. Turkey	1	0	2	1
Poland vs. Taiwan	1	0	2	1
Poland vs. Turkey	2	0	2	2
Taiwan vs. Turkey	1	0	2	3
United States vs. Other	1	1	3	2
Malaysia vs. Other	1	0	2	0
Poland vs. Other	1	0	2	1
Taiwan vs. Other	1	0	2	2
Turkey vs. Other	1	0	2	3

Source: Compiled from data submitted in response to Commission questionnaires.

Table 2.20 DOTP: Count of purchasers reporting the significance of differences other than price between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. Malaysia	1	2	1	1
United States vs. Poland	2	2	1	1
United States vs. Taiwan	5	5	2	2
United States vs. Turkey	4	4	4	2
Malaysia vs. Poland	1	1	1	1
Malaysia vs. Taiwan	1	2	1	2
Malaysia vs. Turkey	1	2	1	2
Poland vs. Taiwan	1	1	1	2
Poland vs. Turkey	1	1	1	2
Taiwan vs. Turkey	3	4	2	2
United States vs. Other	4	4	4	2
Malaysia vs. Other	1	2	1	2
Poland vs. Other	1	1	1	2
Taiwan vs. Other	3	3	2	2
Turkey vs. Other	3	3	2	2

Source: Compiled from data submitted in response to Commission questionnaires.

Elasticity estimates

This section discusses elasticity estimates; parties were encouraged to comment on these estimates and none did so.

U.S. supply elasticity

The domestic supply elasticity for DOTP measures the sensitivity of the quantity supplied by U.S. producers to changes in the U.S. market price of DOTP. The elasticity of domestic supply depends on several factors including the level of excess capacity, the existence of inventories, and the availability of alternate markets for U.S.-produced DOTP. Analysis of these factors above indicates that the U.S. industry has the ability to greatly increase or decrease shipments to the U.S. market; an estimate in the range of 6 to 10 is suggested.

U.S. demand elasticity

The U.S. demand elasticity for DOTP measures the sensitivity of the overall quantity demanded to a change in the U.S. market price of DOTP. This estimate depends on factors discussed above such as the existence, availability, and commercial viability of substitute products, as well as the component share of the DOTP in the production of any downstream products. Based on the available information, the aggregate demand for DOTP is likely to be moderately inelastic; a range of -0.5 to -1.0 is suggested.

Substitution elasticity

The elasticity of substitution depends upon the extent of product differentiation between the domestic and imported products.[13] Product differentiation, in turn, depends upon such factors as quality (e.g., chemistry, appearance, etc.) and conditions of sale (e.g., availability, sales terms/discounts/promotions, etc.). Based on available information, the elasticity of substitution between U.S.-produced DOTP and imported DOTP is likely to be in the range of 4 to 6. Factors contributing to this level of substitutability include similar quality, comparability on most purchase factors, little preference little preference for particular country of origin or producers, interchangeability between domestic and subject sources, and limited significant factors other than price. Factors reducing substitutability during the period of investigation include limited availability and longer lead times for U.S.-produced DOTP during 2021 and 2022.

[13] The substitution elasticity measures the responsiveness of the relative U.S. consumption levels of the subject imports and the domestic like products to changes in their relative prices. This reflects how easily purchasers switch from the U.S. product to the subject products (or vice versa) when prices change.

Part 3: U.S. producers' production, shipments, and employment

The Commission analyzes a number of factors in making injury determinations (see 19 U.S.C. §§ 1677(7)(B) and 1677(7)(C)). Information on the dumping margins was presented in Part 1 of this report and information on the volume and pricing of imports of the subject merchandise is presented in Part 4 and Part 5. Information on the other factors specified is presented in this section and/or Part 6 and (except as noted) is based on the questionnaire responses of two firms that accounted for all U.S. production of DOTP during 2023.

U.S. producers

The Commission issued a U.S. producers' questionnaire to Eastman and BASF based on information contained in the petitions. Both firms provided usable data on their operations. Table 3.1 lists U.S. producers of DOTP, their production locations, positions on the petitions, and shares of total production.

Table 3.1 DOTP: U.S. producers, their positions on the petitions, production locations, and shares of reported production, 2023

Share in percent

Firm	Position on petitions	Production location(s)	Share of production
BASF	***	Pasadena, TX	***
Eastman	Petitioner	Kingsport, TN Texas City, TX	***
All firms	Various	Various	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Table 3.2 presents information on U.S. producers' ownership, related and/or affiliated firms. Neither responding U.S. producer is related to a foreign producer of the subject merchandise or to a U.S. importer of the subject merchandise. As discussed in greater detail below, *** purchased the in-scope merchandise from U.S. importers.

Table 3.2 DOTP: U.S. producers' ownership, related and/or affiliated firms

Reporting firm	Relationship type and related firm	Details of relationship
***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Producers in the United States were asked to report any change in the character of their operations or organization relating to the production of DOTP since 2021. Eastman and BASF indicated in their questionnaires that they had experienced such changes. Table 3.3 presents the changes identified by these producers.

Table 3.3 DOTP: U.S. producers' reported changes in operations, since January 1, 2021

Item	Firm name and narrative response on changes in operations
Production curtailments	***
Weather-related or force majeure events	***
Other	***

Source: Compiled from data submitted in response to Commission questionnaires.

On December 1, 2023, Eastman sold its manufacturing site in Texas City, Texas to Ineos, but retained ownership of its plasticizer business at the site.[1] ***.[2] ***.

[1] "Eastman completes sale of Texas City Operations", https://www.eastman.com/en/media-center/news-stories/2023/eastman-completes-sale-texas-city-operations, accessed February 27, 2025.

[2] Petitioner's postconference brief, exh.1.

U.S. production, capacity, and capacity utilization

Table 3.4 presents U.S. producers' installed and practical capacity and production on the same equipment. U.S. producers' installed overall capacity was *** metric tons in 2021, 2022, and 2023. U.S. producers' practical overall capacity was relatively steady from 2021 to 2023, staying between *** metric tons and *** metric tons during that period. Their installed overall capacity was slightly higher in interim 2024 than in interim 2023, while their practical overall capacity was lower.

Table 3.4 DOTP: U.S. producers' installed and practical capacity, production, and utilization on the same equipment as in-scope production, by period

Capacity and production in metric tons; utilization in percent; interim is January through September

Item	Measure	2021	2022	2023	Interim 2023	Interim 2024
Installed overall	Capacity	***	***	***	***	***
Installed overall	Production	***	***	***	***	***
Installed overall	Utilization	***	***	***	***	***
Practical overall	Capacity	***	***	***	***	***
Practical overall	Production	***	***	***	***	***
Practical overall	Utilization	***	***	***	***	***
Practical DOTP	Capacity	***	***	***	***	***
Practical DOTP	Production	***	***	***	***	***
Practical DOTP	Utilization	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table 3.5 presents U.S. producers' reported narratives regarding practical capacity constraints.

Table 3.5 DOTP: U.S. producers' reported constraints to practical overall capacity since January 1, 2021

Item	Firm name and narrative response on constraints to practical overall capacity
Production bottlenecks	***
Fuel or energy	***
Other constraints	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table 3.6 and figure 3.1 present data on U.S. producers' production, capacity, and capacity utilization. U.S. producers' practical capacity was largely unchanged from 2021 to 2023, remaining between *** metric tons and *** metric tons. It was *** percent lower in interim 2024 than in interim 2023.[3] Their production decreased yearly from 2021 to 2023, ending *** percent lower.[4] U.S. producers' production was *** percent higher in interim 2024 than in interim 2023.[5] U.S. producers' average capacity utilization also decreased yearly from 2021 to 2023, ending *** percentage points lower.[6] The yearly decrease in capacity utilization largely reflects *** operations as ***. U.S. producers' capacity utilization was *** percentage points higher in interim 2024 than in interim 2023 as ***.

[3] ***. Email from ***, February 4, 2025.

[4] ***. Emails from ***, April 12, 2024 and February 4, 2025. ***. Email from ***, April 12, 2024.

[5] The difference in production between the interim periods is largely attributable to ***. Representatives from ***. Email from ***, February 4, 2025.

[6] Eastman representatives reported that it produces DOTP using a 24-hour, seven-day-a-week, continuous production process with minimum stoppages designed to operate at a high rate of capacity utilization. Conference transcript, p. 27 (Davis).

Table 3.6 DOTP: U.S. producers' output, by firm and period

Practical capacity

Capacity in metric tons; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 3.6 (Continued) DOTP: U.S. producers' output, by firm and period

Production

Production in metric tons; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 3.6 (Continued) DOTP: U.S. producers' output, by firm and period

Capacity utilization

Capacity utilization in percent; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Note: Capacity utilization ratio represents the ratio of the U.S. producer's production to its production capacity.

Table continued.

Table 3.6 (Continued) DOTP: U.S. producers' output, by firm and period

Share of production

Share in percent; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Figure 3.1 DOTP: U.S. producers' capacity, production, and capacity utilization, by period

* * * * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Alternative products

Neither responding U.S. producer reported production of other products using the same equipment to produce DOTP.

U.S. producers' U.S. shipments and exports

Table 3.7 presents data on U.S. producers' U.S. shipments, export shipments, and total shipments. U.S. shipments accounted for the majority of U.S. producers' total shipments from 2021 to 2023.[7] The quantity of their U.S. shipments decreased yearly from 2021 to 2023, ending *** percent lower. The decrease reflects ***.[8] U.S. producers' U.S. shipments were *** percent higher in interim 2024 than in interim 2023, with *** accounting for most of the change between those periods.[9] The value of U.S. producers' U.S. shipments fluctuated, increasing from 2021 to 2022 then decreasing more noticeably from 2022 to 2023, ending *** percent lower overall. It was *** percent higher in interim 2024 than in interim 2023.

The average unit value of U.S. producers' U.S. shipments increased from 2021 to 2022 as value increased, while quantity decreased. It then decreased from 2022 to 2023 as value decreased at a higher rate than quantity, ending *** percent higher overall. The unit values of both responding U.S. producers' U.S. shipments increased from 2021 to 2022 then decreased in 2023. The unit value of *** shipments ended *** overall, while the unit value of *** shipments ended *** overall.[10] The average unit value was *** percent lower in interim 2024 than in interim 2023 as both firms reported lower unit values.

[7] ***.

[8] ***. Email from ***, April 12, 2024. ***. Email from ***, April 12, 2024.

[9] ***. Email from ***, February 4, 2025.

[10] ***. Email from ***, April 12, 2024 and email from ***, April 12, 2024.

Table 3.7 DOTP: U.S. producers' shipments, by destination and period

Quantity in metric tons; value in 1,000 dollars; unit value in dollars per metric ton; share in percent; interim is January through September

Item	Measure	2021	2022	2023	Interim 2023	Interim 2024
U.S. shipments	Quantity	***	***	***	***	***
Export shipments	Quantity	***	***	***	***	***
Total shipments	Quantity	***	***	***	***	***
U.S. shipments	Value	***	***	***	***	***
Export shipments	Value	***	***	***	***	***
Total shipments	Value	***	***	***	***	***
U.S. shipments	Unit value	***	***	***	***	***
Export shipments	Unit value	***	***	***	***	***
Total shipments	Unit value	***	***	***	***	***
U.S. shipments	Share of quantity	***	***	***	***	***
Export shipments	Share of quantity	***	***	***	***	***
Total shipments	Share of quantity	100.0	100.0	100.0	100.0	100.0
U.S. shipments	Share of value	***	***	***	***	***
Export shipments	Share of value	***	***	***	***	***
Total shipments	Share of value	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: U.S. shipment value data includes U.S. inland shipping costs to the point of delivery.

By quantity, export shipments accounted for a minority share of U.S. producers' total shipments during the period for which data were collected. The quantity of their export shipments decreased by *** percent from 2021 to 2022 and remained largely unchanged from 2022 to 2023. It was *** percent higher in interim 2024 than in interim 2023. The value of U.S. producers' export shipments decreased yearly from 2021 to 2023, ending *** percent lower. It was *** percent higher in interim 2024 than in interim 2023. The unit value of U.S. producers' export shipments fluctuated, increasing from 2021 to 2022 then decreasing more noticeably from 2022 to 2023, ending *** percent lower overall.

Table 3.8 presents the value of U.S. shipments on an f.o.b. basis and the inland U.S. freight costs of those shipments. Inland U.S. freight costs represented between *** percent and *** percent of the total value of U.S. shipments during the period for which data were collected. The f.o.b. value of U.S. shipments and the inland U.S. freight costs each fluctuated year to year, increasing from 2021 to 2022, then decreasing from 2022 to 2023, ending lower overall. They were higher in interim 2024 than in interim 2023.

Table 3.8 DOTP: U.S. producers' U.S. shipments f.o.b. value and inland U.S. freight costs, by period

Quantity in metric tons; value in 1,000 dollars; unit value in dollars per metric ton; share in percent; interim is January through September

Item	Measure	2021	2022	2023	Interim 2023	Interim 2024
U.S. shipments	Quantity	***	***	***	***	***
U.S. shipments: F.o.b. point of shipment	Value	***	***	***	***	***
U.S. shipments: In-land U.S. freight costs	Value	***	***	***	***	***
U.S. shipment: Delivered	Value	***	***	***	***	***
U.S. shipments: F.o.b. point of shipment	Unit value	***	***	***	***	***
U.S. shipments: In-land U.S. freight costs	Unit value	***	***	***	***	***
U.S. shipment: Delivered	Unit value	***	***	***	***	***
U.S. shipments: F.o.b. point of shipment	Share of value	***	***	***	***	***
U.S. shipments: In-land U.S. freight costs	Share of value	***	***	***	***	***
U.S. shipment: Delivered	Share of value	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. producers' inventories

Table 3.9 presents U.S. producers' end-of-period inventories and the ratio of their inventories to production, U.S. shipments, and total shipments**.** U.S. producers' end-of-period inventories fluctuated, decreasing from 2021 to 2022 then increasing more noticeably from 2022 to 2023, ending *** percent higher overall.[11] They were *** percent higher in interim 2024 than in interim 2023.[12] The ratios of U.S. producers' end-of-period inventories to their U.S. production, U.S. shipments, and total shipments each increased yearly from 2021 to 2023, ending *** percentage points, *** percentage points, and *** percentage points higher, respectively. The ratios of U.S. producers' end-of-period inventories to their U.S, production, U.S. shipments, and total shipments were *** percentage points, *** percentage points, and *** percentage points higher in interim 2024 than in interim 2023.

Table 3.9 DOTP: U.S. producers' end-of-period inventories and their ratio to select items, by period

Quantity in metric tons; ratio in percent; interim is January through September

Item	2021	2022	2023	Interim 2023	Interim 2024
End-of-period inventory quantity	***	***	***	***	***
Inventory ratio to U.S. production	***	***	***	***	***
Inventory ratio to U.S. shipments	***	***	***	***	***
Inventory ratio to total shipments	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

[11] ***. Email from ***, April 12, 2024 and email from ***, April 12, 2024.

[12] ***. Email from ***, February 4, 2025.

U.S. producers' purchases of imports from subject sources

U.S. producers' purchases of imports from subject sources are presented in table 3.10 and the reasons for those purchases are presented in table 3.11. *** reported a small quantity of purchases of U.S. imports from *** imported by *** in 2023.

Table 3.10 DOTP: * U.S. production and purchases of imports from subject sources, by source and period**

Quantity in metric tons; ratio in percent; interim is January through September

Item	Measure	2021	2022	2023	Interim 2023	Interim 2024
U.S. production	Quantity	***	***	***	***	***
Purchases of U.S. imports from ***	Quantity	***	***	***	***	***
U.S. imports from ***	Quantity	***	***	***	***	***
Ratio1: Purchases of imports from *** relative to U.S. importer *** U.S. imports from ***	Ratio	***	***	***	***	***
Overall imports from ***	Quantity	***	***	***	***	***
Ratio2: U.S. importer *** U.S. imports from *** relative to overall imports from ***	Ratio	***	***	***	***	***
Ratio 3: U.S. importer *** U.S. imports from *** relative to ***'s U.S. production	Ratio	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "—".

Table 3.11 DOTP: * reasons for purchasing imports from subject sources**

Item	Narrative response on reasons for purchasing
***'s reason for purchasing	***

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. employment, wages, and productivity

Table 3.12 shows U.S. producers' employment-related data. The number of production-related workers ("PRWs") increased by *** percent from 2021 to 2023. It was *** percent lower in interim 2024 than in interim 2023. Productivity decreased by *** percent from 2021 to 2023, with nearly all the decrease occurring from 2021 to 2022. It was *** percent higher in interim 2024 than in interim 2023. Unit labor costs and total hours worked increased from 2021 to 2023, ending *** percent and *** percent higher, respectively. They were *** percent and *** percent lower, respectively, in interim 2024 than in interim 2023. Hours worked per PRW, wages paid, and hourly wages all increased from 2021 to 2023. Hourly wages and wages paid were higher in interim 2024 than in interim 2023, while hours worked per PRW were largely the same.

Table 3.12 DOTP: U.S. producers' employment-related information, by item and period

Interim is January through September

Item	2021	2022	2023	Interim 2023	Interim 2024
Production and related workers (PRWs) (number)	***	***	***	***	***
Total hours worked (1,000 hours)	***	***	***	***	***
Hours worked per PRW (hours)	***	***	***	***	***
Wages paid ($1,000)	***	***	***	***	***
Hourly wages (dollars per hour)	***	***	***	***	***
Productivity (metric tons per hour)	***	***	***	***	***
Unit labor costs (dollars per metric ton)	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Part 4: U.S. imports, apparent U.S. consumption, and market shares

U.S. importers

The Commission issued importer questionnaires to 16 firms believed to be importers of subject DOTP, as well as to all U.S. producers of DOTP.[1] Based on official Commerce statistics, U.S. importers' questionnaire data accounted for *** percent of subject imports and *** percent[2] of total imports classified under HTS statistical reporting number 2917.39.2000. Firms responding to the Commission's questionnaire accounted for the following shares of imports (as a share of official Commerce statistics, by quantity) in 2023. [3]

- *** percent of imports from Malaysia
- *** percent of imports from Poland
- *** percent of imports from Taiwan
- *** percent of imports from Turkey
- *** percent of imports from nonsubject sources.[4]

Table 4.1 lists all responding U.S. importers of DOTP from Malaysia, Poland, Taiwan, and Turkey, their locations, and their shares of U.S. imports, in 2023

[1] The Commission issued questionnaires to those firms identified in the petitions; staff research; and proprietary, Census-edited Customs' import records.

[2] This share is likely understated, because official import statistics may be overstated as HTS statistical reporting number 2917.39.2000 includes out-of-scope merchandise.

[3] Subject import coverage was calculated as a share of subject imports, as reported in questionnaire responses, divided by official import statistics from Commerce. ***.

[4] Nonsubject source coverage was calculated using official import statistics excluding imports from nearly all imports from Mexico, Canada, and South Korea. Imports from those sources classified under HTS statistical reporting number 2917.39.2000, are products outside the scope of these investigations.

Table 4.1 DOTP: U.S. importers, their headquarters, and share of imports within each source, 2023

Share in percent

Firm	Headquarters	Malaysia	Poland	Taiwan	Turkey
ALAC	New York, NY	***	***	***	***
BASF	Florham Park, NJ	***	***	***	***
Beauflor	White, GA	***	***	***	***
BGN	Houston, TX	***	***	***	***
Chemstock	Farmingdale, NJ	***	***	***	***
Grupa Azoty	Kędzierzyn-Koźle, Poland	***	***	***	***
ICC Chemical	New York, NY	***	***	***	***
Innua	Burlington, ON	***	***	***	***
Mexichem	Leominster, MA	***	***	***	***
Silver Fern	Seattle, WA	***	***	***	***
TCC	Jamestown, RI	***	***	***	***
TRiiSO	Del Mar, CA	***	***	***	***
Westdry	Westfield, NJ	***	***	***	***
All firms	Various	100.0	100.0	100.0	100.0

Table continued.

Table 4.1 (Continued) DOTP: U.S. importers, their headquarters, and share of total imports within a given source by firm, 2023

Shares in percent

Firm	Headquarters	Subject sources	Nonsubject sources	All import sources
ALAC	New York, NY	***	***	***
BASF	Florham Park, NJ	***	***	***
Beauflor	White, GA	***	***	***
BGN	Houston, TX	***	***	***
Chemstock	Farmingdale, NJ	***	***	***
Grupa Azoty	Kędzierzyn-Koźle, Poland	***	***	***
ICC Chemical	New York, NY	***	***	***
Innua	Burlington, ON	***	***	***
Mexichem	Leominster, MA	***	***	***
Silver Fern	Seattle, WA	***	***	***
TCC	Jamestown, RI	***	***	***
TRiiSO	Del Mar, CA	***	***	***
Westdry	Westfield, NJ	***	***	***
All firms	Various	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "—".

U.S. imports

Table 4.2 presents data for U.S. imports of DOTP from Malaysia, Poland, Taiwan, Turkey, and nonsubject sources. Figure 4.1 presents data on quantity and unit values of U.S. imports from subject and nonsubject sources over the period. Imports from Malaysia decreased from 2022 into 2023; ***. Polish imports picked up in 2023, but between interim 2023 and interim 2024 the amount imported was lower. Imports from Taiwan came down from 2021 to 2022 and the trend continued in 2023; however, import quantity in interim 2023 and interim 2024 periods were relatively stable. Imports from Turkey increased in 2022 and then declined in 2023. Import quantity from Turkey lowered from interim 2023 levels in interim 2024. Imports from all subject sources increased irregularly from 2021 to 2023. Imports from all subject sources increase in 2022 was driven primarily by the increase in import quantities from Turkey in 2022. Between 2022 and 2023 import quantities have declined from subject sources. Unit value across all subject sources increased in 2022 following 2021 and have since declined, leveling out in 2023 and 2024 interim periods. Nonsubject sources' unit values, however, have continued to decline after 2022 into 2024 reaching below 2021 unit values. Imports from nonsubject sources decreased from 2021 to 2023; however, in interim 2024 imports from nonsubject sources were higher than any other period.

Table 4.2 DOTP: U.S. imports by source and period

Quantity in metric tons; value in 1,000 dollars; unit value in dollars per metric ton; interim is January through September

Source	Measure	2021	2022	2023	Interim 2023	Interim 2024
Malaysia	Quantity	***	***	***	***	***
Poland	Quantity	***	***	***	***	***
Taiwan	Quantity	***	***	***	***	***
Turkey	Quantity	***	***	***	***	***
Subject sources	Quantity	***	***	***	***	***
Nonsubject sources	Quantity	***	***	***	***	***
All import sources	Quantity	***	***	***	***	***
Malaysia	Value	***	***	***	***	***
Poland	Value	***	***	***	***	***
Taiwan	Value	***	***	***	***	***
Turkey	Value	***	***	***	***	***
Subject sources	Value	***	***	***	***	***
Nonsubject sources	Value	***	***	***	***	***
All import sources	Value	***	***	***	***	***
Malaysia	Unit value	***	***	***	***	***
Poland	Unit value	***	***	***	***	***
Taiwan	Unit value	***	***	***	***	***
Turkey	Unit value	***	***	***	***	***
Subject sources	Unit value	***	***	***	***	***
Nonsubject sources	Unit value	***	***	***	***	***
All import sources	Unit value	***	***	***	***	***

Table continued.

Table 4.2 (Continued) DOTP: Share of U.S. imports by source and period

Share and ratio in percent; interim is January through September

Source	Measure	2021	2022	2023	Interim 2023	Interim 2024
Malaysia	Share of quantity	***	***	***	***	***
Poland	Share of quantity	***	***	***	***	***
Taiwan	Share of quantity	***	***	***	***	***
Turkey	Share of quantity	***	***	***	***	***
Subject sources	Share of quantity	***	***	***	***	***
Nonsubject sources	Share of quantity	***	***	***	***	***
All import sources	Share of quantity	100.0	100.0	100.0	100.0	100.0
Malaysia	Share of value	***	***	***	***	***
Poland	Share of value	***	***	***	***	***
Taiwan	Share of value	***	***	***	***	***
Turkey	Share of value	***	***	***	***	***
Subject sources	Share of value	***	***	***	***	***
Nonsubject sources	Share of value	***	***	***	***	***
All import sources	Share of value	100.0	100.0	100.0	100.0	100.0
Malaysia	Ratio	***	***	***	***	***
Poland	Ratio	***	***	***	***	***
Taiwan	Ratio	***	***	***	***	***
Turkey	Ratio	***	***	***	***	***
Subject sources	Ratio	***	***	***	***	***
Nonsubject sources	Ratio	***	***	***	***	***
All import sources	Ratio	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Share of quantity is the share of U.S. imports by quantity; share of value is the share of U.S. imports by value; ratio are U.S. imports to production.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as “—“.

Figure 4.1 DOTP: U.S. import quantities and average unit values, by source and period

* * * * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Imports from Malaysia decreased by *** percent from 2022 to 2023 and were *** lower in interim 2024 than interim 2023.[5] Imports from Poland fluctuated year over year, increasing overall between 2021 and 2023, decreasing by *** percent from 2021 to 2022.[6] It was *** percent lower from interim 2023 in interim 2024. Import quantities from Taiwan decreased year over year excluding a *** percent between interim 2023 and interim 2024.[7] Import quantity from Turkey increased *** percent from 2021 to 2022 and decreased by *** percent from 2022 to 2023 and again by *** percent from interim 2023 to interim

[5] The decline in imports from Malaysia are driven by ***. Questionnaire response from ***.
[6] The decline in imports from Poland in 2021 was driven by ***. Email from ***, January 27, 2025.
[7] The decline in imports from Taiwan are driven by ***. Questionnaire response from ***.

2024.[8] Total import quantity from subject sources increased by *** percent across all years with an increase of *** percent from 2021 to 2022 and a decrease of *** percent in the following year. Imports from nonsubject countries decreased *** percent from 2021 to 2023. Between interim periods 2023 and 2024 nonsubject country imports increased by *** percent. This large increase in imports from nonsubject sources was driven in most part ***.

The value of imports from Malaysia was *** percent lower in 2023 than in 2022. In comparing interim periods 2023 and 2024, import value from Malaysia decreased by *** percent. The value of imports from Poland in 2023 was *** percent higher than the value in 2021. Polish imports were *** percent lower by value in interim 2024 than in interim 2023. The value of imports from Taiwan decreased every year from 2021 to 2023, ending *** percent lower. Between the interim periods, the value of imports from Taiwan moved up *** percent. The value of imports from Turkey widely fluctuated year to year, increasing from 2021 to 2022 then decreasing from 2022 to 2023, ending *** percent higher in 2023 than in 2021. Between interim periods, the value from Turkey decreased *** percent. The value of nonsubject imports decreased every year from 2021 to 2023, ending *** percent lower. The value of nonsubject sources increased *** percent from interim 2023 to 2024.

The unit value of imports from Malaysia decreased by *** percent from 2022 to 2023. As with the quantity and value, the unit value of imports from Malaysia decreased *** percent between interim periods. The unit value of imports from Poland decreased by *** percent from 2021 to 2023 and between interim periods it decreased *** percent. The unit values of imports from Taiwan and Turkey fluctuated in the same direction, increasing from 2021 to 2022 then decreasing more noticeably from 2022 to 2023, ending *** percent and *** percent lower, respectively, in 2023 than in 2021. Unit value between interim periods increased by *** percent from Taiwan and by *** percent from Turkey. The unit value of nonsubject imports fluctuated year to year, increasing from 2021 to 2022 by *** percent then decreasing from 2022 to 2023 by *** percent. Between interim periods nonsubject source unit values again decreased, this time by *** percent. Table 4.3 presents data on the changes in import quantity, value, and unit value between comparison periods.

[8] ***. Email from ***, January 27, 2025.

Table 4.3 DOTP: Changes in U.S. imports quantity, value and unit value, by source and period

Changes (%Δ)in percent; Interim period is January through September

Source	Measure	2021 to 2023	2021 to 2022	2022 to 2023	Interim 2023 to 2024
Malaysia	%Δ Quantity	▲***	▲***	▼***	▼***
Poland	%Δ Quantity	▲***	▼***	▲***	▼***
Taiwan	%Δ Quantity	▼***	▼***	▼***	▲***
Turkey	%Δ Quantity	▲***	▲***	▼***	▼***
Subject sources	%Δ Quantity	▲***	▲***	▼***	▼***
Nonsubject sources	%Δ Quantity	▼***	▼***	▼***	▲***
All import sources	%Δ Quantity	▲***	▲***	▼***	▼***
Malaysia	%Δ Value	▲***	▲***	▼***	▼***
Poland	%Δ Value	▲***	▼***	▲***	▼***
Taiwan	%Δ Value	▼***	▼***	▼***	▲***
Turkey	%Δ Value	▲***	▲***	▼***	▼***
Subject sources	%Δ Value	▲***	▲***	▼***	▼***
Nonsubject sources	%Δ Value	▼***	▼***	▼***	▲***
All import sources	%Δ Value	▼***	▲***	▼***	▼***
Malaysia	%Δ Unit value	▲***	▲***	▼***	▼***
Poland	%Δ Unit value	▼***	▼***	▲***	▼***
Taiwan	%Δ Unit value	▼***	▲***	▼***	▲***
Turkey	%Δ Unit value	▼***	▲***	▼***	▲***
Subject sources	%Δ Unit value	▼***	▲***	▼***	▲***
Nonsubject sources	%Δ Unit value	▼***	▲***	▼***	▼***
All import sources	%Δ Unit value	▼***	▲***	▼***	▲***

Table continued.

Table 4.3 (Continued) DOTP: Changes in U.S. imports, by source and period

Changes (ppt Δ) in percentage points; interim period is January through September

Source	Measure	2021 to 2023	2021 to 2022	2022 to 2023	Interim 2023 to 2024
Malaysia	ppt Δ Quantity	▲***	▲***	▲***	▼***
Poland	ppt Δ Quantity	▲***	▼***	▲***	▲***
Taiwan	ppt Δ Quantity	▼***	▼***	▼***	▲***
Turkey	ppt Δ Quantity	▲***	▲***	▼***	▼***
Subject sources	ppt Δ Quantity	▲***	▲***	▲***	▼***
Nonsubject sources	ppt Δ Quantity	▼***	▼***	▼***	▲***
All import sources	ppt Δ Quantity	***	***	***	***
Malaysia	ppt Δ Value	▲***	▲***	▲***	▼***
Poland	ppt Δ Value	▲***	▼***	▲***	▼***
Taiwan	ppt Δ Value	▼***	▼***	▼***	▲***
Turkey	ppt Δ Value	▲***	▲***	▼***	▼***
Subject sources	ppt Δ Value	▲***	▲***	▲***	▼***
Nonsubject sources	ppt Δ Value	▼***	▼***	▼***	▲***
All import sources	ppt Δ Value	***	***	***	***
Malaysia	ppt Δ Ratio	▲***	▲***	▼***	▼***
Poland	ppt Δ Ratio	▲***	▼***	▲***	▼***
Taiwan	ppt Δ Ratio	▼***	▼***	▼***	▼***
Turkey	ppt Δ Ratio	▲***	▲***	▼***	▼***
Subject sources	ppt Δ Ratio	▲***	▲***	▼***	▼***
Nonsubject sources	ppt Δ Ratio	▼***	▼***	▼***	▲***
All import sources	ppt Δ Ratio	▲***	▲***	▼***	▼***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "—". Period changes preceded by a "▲" represent an increase, while period changes preceded by a "▼" represent a decrease.

Subject sources' inland freight costs were *** percent of delivered value in 2023. Between 2021 and 2023 the share fluctuated from year to year decreasing from 2021 to 2022 then increasing from 2022 to 2023. Between interim periods 2023 and 2024 the share increased ***.[9] Inland freight value from subject sources has declined over the years since 2021.[10]

Table 4.4 DOTP: U.S. importers' U.S. shipments f.o.b. value and freight costs from Malaysia, by period

Quantity in metric tons; Value in 1,000 dollars; Unit values in dollars per metric ton; Shares in percent; Interim period is January through September

Source / item	Measure	2021	2022	2023	Interim 2023	Interim 2024
Malaysia: U.S. shipments	Quantity	***	***	***	***	***
Malaysia: U.S. shipments: F.o.b. point of shipment	Value	***	***	***	***	***
Malaysia: U.S. shipments: In-land U.S. freight costs	Value	***	***	***	***	***
Malaysia: U.S. shipment: Delivered	Value	***	***	***	***	***
Malaysia: U.S. shipments: F.o.b. point of shipment	Unit value	***	***	***	***	***
Malaysia: U.S. shipments: In-land U.S. freight costs	Unit value	***	***	***	***	***
Malaysia: U.S. shipment: Delivered	Unit value	***	***	***	***	***
Malaysia: U.S. shipments: F.o.b. point of shipment	Share of value	***	***	***	***	***
Malaysia: U.S. shipments: In-land U.S. freight costs	Share of value	***	***	***	***	***
Malaysia: U.S. shipment: Delivered	Share of value	—	100.0	100.0	100.0	100.0

Table continued.

[9] ***, January 27, 2025. ***. Email from ***, January 27, 2025.

[10] *** Email from ***, January 29, 2025.

Table 4.4 (Continued) DOTP: U.S. importers' U.S. shipments f.o.b. value and freight costs from Poland, by period

Quantity in metric tons; Value in 1,000 dollars; Unit values in dollars per metric ton; Shares in percent; Interim period is January through September

Source / item	Measure	2021	2022	2023	Interim 2023	Interim 2024
Poland: U.S. shipments	Quantity	***	***	***	***	***
Poland: U.S. shipments: F.o.b. point of shipment	Value	***	***	***	***	***
Poland: U.S. shipments: In-land U.S. freight costs	Value	***	***	***	***	***
Poland: U.S. shipment: Delivered	Value	***	***	***	***	***
Poland: U.S. shipments: F.o.b. point of shipment	Unit value	***	***	***	***	***
Poland: U.S. shipments: In-land U.S. freight costs	Unit value	***	***	***	***	***
Poland: U.S. shipment: Delivered	Unit value	***	***	***	***	***
Poland: U.S. shipments: F.o.b. point of shipment	Share of value	***	***	***	***	***
Poland: U.S. shipments: In-land U.S. freight costs	Share of value	***	***	***	***	***
Poland: U.S. shipment: Delivered	Share of value	100.0	—	100.0	100.0	100.0

Table continued.

Table 4.4 (Continued) DOTP: U.S. importers' U.S. shipments f.o.b. value and freight costs from Taiwan, by period

Quantity in metric tons; Value in 1,000 dollars; Unit values in dollars per metric ton; Shares in percent; Interim period is January through September

Source / Item	Measure	2021	2022	2023	Interim 2023	Interim 2024
Taiwan: U.S. shipments	Quantity	***	***	***	***	***
Taiwan: U.S. shipments: F.o.b. point of shipment	Value	***	***	***	***	***
Taiwan: U.S. shipments: In-land U.S. freight costs	Value	***	***	***	***	***
Taiwan: U.S. shipment: Delivered	Value	***	***	***	***	***
Taiwan: U.S. shipments: F.o.b. point of shipment	Unit value	***	***	***	***	***
Taiwan: U.S. shipments: In-land U.S. freight costs	Unit value	***	***	***	***	***
Taiwan: U.S. shipment: Delivered	Unit value	***	***	***	***	***
Taiwan: U.S. shipments: F.o.b. point of shipment	Share of value	***	***	***	***	***
Taiwan: U.S. shipments: In-land U.S. freight costs	Share of value	***	***	***	***	***
Taiwan: U.S. shipment: Delivered	Share of value	100.0	100.0	100.0	100.0	100.0

Table continued.

Table 4.4 (Continued) DOTP: U.S. importers' U.S. shipments f.o.b. value and freight costs from Turkey, by period

Quantity in metric tons; Value in 1,000 dollars; Unit values in dollars per metric ton; Shares in percent; Interim period is January through September

Source / item	Measure	2021	2022	2023	Interim 2023	Interim 2024
Turkey: U.S. shipments	Quantity	***	***	***	***	***
Turkey: U.S. shipments: F.o.b. point of shipment	Value	***	***	***	***	***
Turkey: U.S. shipments: In-land U.S. freight costs	Value	***	***	***	***	***
Turkey: U.S. shipment: Delivered	Value	***	***	***	***	***
Turkey: U.S. shipments: F.o.b. point of shipment	Unit value	***	***	***	***	***
Turkey: U.S. shipments: In-land U.S. freight costs	Unit value	***	***	***	***	***
Turkey: U.S. shipment: Delivered	Unit value	***	***	***	***	***
Turkey: U.S. shipments: F.o.b. point of shipment	Share of value	***	***	***	***	***
Turkey: U.S. shipments: In-land U.S. freight costs	Share of value	***	***	***	***	***
Turkey: U.S. shipment: Delivered	Share of value	100.0	100.0	100.0	100.0	100.0

Table continued.

Table 4.4 (Continued) DOTP: U.S. importers' U.S. shipments f.o.b. value and freight costs from subject sources, by period

Quantity in metric tons; Value in 1,000 dollars; Unit values in dollars per metric ton; Shares in percent; Interim period is January through September

Source / item	Measure	2021	2022	2023	Interim 2023	Interim 2024
Subject sources: U.S. shipments	Quantity	***	***	***	***	***
Subject sources: U.S. shipments: F.o.b. point of shipment	Value	***	***	***	***	***
Subject sources: U.S. shipments: In-land U.S. freight costs	Value	***	***	***	***	***
Subject sources: U.S. shipment: Delivered	Value	***	***	***	***	***
Subject sources: U.S. shipments: F.o.b. point of shipment	Unit value	***	***	***	***	***
Subject sources: U.S. shipments: In-land U.S. freight costs	Unit value	***	***	***	***	***
Subject sources: U.S. shipment: Delivered	Unit value	***	***	***	***	***
Subject sources: U.S. shipments: F.o.b. point of shipment	Share of value	***	***	***	***	***
Subject sources: U.S. shipments: In-land U.S. freight costs	Share of value	***	***	***	***	***
Subject sources: U.S. shipment: Delivered	Share of value	100.0	100.0	100.0	100.0	100.0

Table continued.

Table 4.4 (Continued) DOTP: U.S. importers' U.S. shipments f.o.b. value and freight costs from nonsubject sources, by period

Quantity in metric tons; Value in 1,000 dollars; Unit values in dollars per metric ton; Shares in percent; Interim period is January through September

Source / item	Measure	2021	2022	2023	Interim 2023	Interim 2024
Nonsubject sources: U.S. shipments	Quantity	***	***	***	***	***
Nonsubject sources: U.S. shipments: F.o.b. point of shipment	Value	***	***	***	***	***
Nonsubject sources: U.S. shipments: In-land U.S. freight costs	Value	***	***	***	***	***
Nonsubject sources: U.S. shipment: Delivered	Value	***	***	***	***	***
Nonsubject sources: U.S. shipments: F.o.b. point of shipment	Unit value	***	***	***	***	***
Nonsubject sources: U.S. shipments: In-land U.S. freight costs	Unit value	***	***	***	***	***
Nonsubject sources: U.S. shipment: Delivered	Unit value	***	***	***	***	***
Nonsubject sources: U.S. shipments: F.o.b. point of shipment	Share of value	***	***	***	***	***
Nonsubject sources: U.S. shipments: In-land U.S. freight costs	Share of value	***	***	***	***	***
Nonsubject sources: U.S. shipment: Delivered	Share of value	100.0	100.0	—	—	100.0

Table continued.

Table 4.4 (Continued) DOTP: U.S. importers' U.S. shipments f.o.b. value and freight costs from all import sources, by period

Quantity in metric tons; Value in 1,000 dollars; Unit values in dollars per metric ton; Shares in percent; Interim period is January through September

Source / item	Measure	2021	2022	2023	Interim 2023	Interim 2024
All sources: U.S. shipments	Quantity	***	***	***	***	***
All sources: U.S. shipments: F.o.b. point of shipment	Value	***	***	***	***	***
All sources: U.S. shipments: In-land U.S. freight costs	Value	***	***	***	***	***
All sources: U.S. shipment: Delivered	Value	***	***	***	***	***
All sources: U.S. shipments: F.o.b. point of shipment	Unit value	***	***	***	***	***
All sources: U.S. shipments: In-land U.S. freight costs	Unit value	***	***	***	***	***
All sources: U.S. shipment: Delivered	Unit value	***	***	***	***	***
All sources: U.S. shipments: F.o.b. point of shipment	Share of value	***	***	***	***	***
All sources: U.S. shipments: In-land U.S. freight costs	Share of value	***	***	***	***	***
All sources: U.S. shipment: Delivered	Share of value	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "—". Data are inclusive of in-land U.S. delivery and freight costs.

Negligibility

The statute requires that an investigation be terminated without an injury determination if imports of the subject merchandise are found to be negligible.[11] Negligible imports are generally defined in the Act, as amended, as imports from a country of merchandise corresponding to a domestic like product where such imports account for less than three percent of the volume of all such merchandise imported into the United States in the most recent 12-month period for which data are available that precedes the filing of the petition or the initiation of the investigation. However, if there are imports of such merchandise from a number of countries subject to investigations initiated on the same day that individually account for less than three percent of the total volume of the subject merchandise, and if the imports from those countries collectively account for more than seven percent of the volume of all such merchandise imported into the United States during the applicable 12-month period,

[11] Sections 703(a)(1), 705(b)(1), 733(a)(1), and 735(b)(1) of the Act (19 U.S.C. §§ 1671b(a)(1), 1671d(b)(1), 1673b(a)(1), and 1673d(b)(1)).

then imports from such countries are deemed not to be negligible.[12] Imports from Malaysia, Poland, Taiwan, and Turkey as a percent of total imports of DOTP by quantity during March 2023 through February 2024 were ***, ***, ***, and *** percent respectively. Imports from all other sources made up the remainder *** percent of total imports during the same period.

Table 4.5 DOTP: U.S. imports in the twelve-month period preceding the filing of the petition, March 2023 to February 2024

Quantity in metric tons; share in percent

Source of imports	Quantity	Share of quantity
Malaysia	***	***
Poland	***	***
Taiwan	***	***
Turkey	***	***
All other sources	***	***
All import sources	***	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Cumulation considerations

In assessing whether imports should be cumulated, the Commission determines whether U.S. imports from the subject countries compete with each other and with the domestic like product and has generally considered four factors: (1) fungibility, (2) presence of sales or offers to sell in the same geographical markets, (3) common or similar channels of distribution, and (4) simultaneous presence in the market. Information regarding channels of distribution, market areas, and interchangeability appear in Part 2. Additional information concerning fungibility, geographical markets, and simultaneous presence in the market is presented below.

Fungibility

Table 4.6 and figure 4.2 present data on U.S. producers' and U.S. importers' U.S. shipments of DOTP by packaging type/delivery method in 2023. The majority of U.S. producers' U.S. shipments were in 20 metric ton containers. All or nearly all U.S. shipments of imports were in 20 metric ton containers. U.S. shipments of imports from *** were also delivered in other containers.

[12] Section 771 (24) of the Act (19 U.S.C § 1677(24)).

Table 4.6 DOTP: U.S. producers' and U.S. importers' U.S. shipments, by source and containers type / delivery method, 2023

Quantity in metric tons

Source	Bulk, railcars and bulk liftings	20 MT containers, tanks	Other containers	All container types / delivery methods
U.S. producers	***	***	***	***
Malaysia	***	***	***	***
Poland	***	***	***	***
Taiwan	***	***	***	***
Turkey	***	***	***	***
Subject sources	***	***	***	***
Nonsubject sources	***	***	***	***
All import sources	***	***	***	***
All sources	***	***	***	***

Table continued.

Table 4.6 (Continued) DOTP: U.S. producers' and U.S. importers' U.S. shipments, by source and containers type / delivery method, 2023

Share across in percent

Source	Bulk, railcars and bulk liftings	20 MT containers, tanks	Other containers	All container types / delivery methods
U.S. producers	***	***	***	100.0
Malaysia	***	***	***	100.0
Poland	***	***	***	100.0
Taiwan	***	***	***	100.0
Turkey	***	***	***	100.0
Subject sources	***	***	***	100.0
Nonsubject sources	***	***	***	—
All import sources	***	***	***	100.0
All sources	***	***	***	100.0

Table continued.

Table 4.6 (Continued) DOTP: U.S. producers' and U.S. importers' U.S. shipments, by source and containers type / delivery method, 2023

Share down in percent

Source	Bulk, railcars and bulk liftings	20 MT containers, tanks	Other containers	All container types / delivery methods
U.S. producers	***	***	***	***
Malaysia	***	***	***	***
Poland	***	***	***	***
Taiwan	***	***	***	***
Turkey	***	***	***	***
Subject sources	***	***	***	***
Nonsubject sources	***	***	***	***
All import sources	***	***	***	***
All sources	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "—".

Figure 4.2 DOTP: U.S. producers' and U.S. importers' U.S. shipments, by source and container types / delivery methods, 2023

* * * * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Geographical markets

Table 4.7 shows U.S producers and U.S. shipments by source and geographical shipments in 2023. Subject source product was shipped to each geographical location in 2023 excluding the Mountains. ***.[13] The majority of domestic like product and subject imports were shipped to the Northeast, Midwest, and Southeast.

Table 4.7 DOTP: U.S. producers' and U.S. importers' U.S. shipments, by source and geographical shipments, 2023

Quantity in metric tons

Source	Northeast	Midwest	Southeast	Central Southwest	Mountains	Pacific Coast	All regions
U.S. producers	***	***	***	***	***	***	***
Malaysia	***	***	***	***	***	***	***
Poland	***	***	***	***	***	***	***
Taiwan	***	***	***	***	***	***	***
Turkey	***	***	***	***	***	***	***
Subject sources	***	***	***	***	***	***	***
U.S. producers and subject sources combined	***	***	***	***	***	***	***

Table continued.

[13] ***.

Table 4.7 (Continued) DOTP: U.S. producers' and U.S. importers' U.S. shipments, by source and geographical shipments, 2023

Share across in percent

Source	Northeast	Midwest	Southeast	Central Southwest	Mountains	Pacific Coast	All regions
U.S. producers	***	***	***	***	***	***	100.0
Malaysia	***	***	***	***	***	***	—
Poland	***	***	***	***	***	***	100.0
Taiwan	***	***	***	***	***	***	100.0
Turkey	***	***	***	***	***	***	100.0
Subject sources	***	***	***	***	***	***	100.0
U.S. producers and subject sources combined	***	***	***	***	***	***	100.0

Table continued.

Table 4.7 (Continued) DOTP: U.S. producers' and U.S. importers' U.S. shipments, by source and geographical shipments, 2023

Share across in percent

Source	Northeast	Midwest	Southeast	Central Southwest	Mountains	Pacific Coast	All regions
U.S. producers	***	***	***	***	***	***	***
Malaysia	***	***	***	***	***	***	***
Poland	***	***	***	***	***	***	***
Taiwan	***	***	***	***	***	***	***
Turkey	***	***	***	***	***	***	***
Subject sources	***	***	***	***	***	***	***
U.S. producers and subject sources combined	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as “—“.

Figure 4.3 DOTP: U.S. producers' and U.S. importers' U.S. shipments, by source and geographical shipments, 2023

* * * * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Presence in the market

U.S. imports of DOTP and other plasticizers from Taiwan were present in all but 2 of the 45 months between January 2021 and September 2024. U.S. imports were present in 29 of the 45 months from Turkey, 26 from Malaysia, and 15 from Poland. Overall, imports from subject sources were present in all but one month between January 2021 and September 2024. Table 4.8 and figures 4.4 and 4.5 present monthly data for imports of DOTP and other plasticizers between January 2021 and September 2024.

Table 4.8 DOTP and other plasticizers: Quantity of U.S. imports, by source and month

Quantity in metric tons

Year	Month	Malaysia	Poland	Taiwan	Turkey
2021	January	—	137	619	170
2021	February	60	205	176	140
2021	March	40	—	225	86
2021	April	44	—	755	166
2021	May	—	68	512	105
2021	June	20	137	1,567	—
2021	July	121	—	196	80
2021	August	—	—	313	476
2021	September	141	112	1,437	645
2021	October	61	90	394	374
2021	November	120	—	1,442	325
2021	December	40	—	1,448	243
2022	January	16	—	673	343
2022	February	16	100	1,290	448
2022	March	40	40	2,436	2,555
2022	April	161	—	324	496
2022	May	80	—	1,340	3,078
2022	June	1,317	79	317	572
2022	July	16	40	37	277
2022	August	1,175	—	96	19
2022	September	—	—	1,011	1,968
2022	October	80	—	292	776
2022	November	1,085	—	368	—
2022	December	20	—	199	—

Table continued.

Table 4.8 (Continued) DOTP and other plasticizers: Quantity of U.S. imports, by source and month

Quantity in metric tons

Year	Month	Malaysia	Poland	Taiwan	Turkey
2023	January	1,060	1,410	397	—
2023	February	43	—	198	—
2023	March	20	—	767	2,100
2023	April	1,033	—	337	—
2023	May	—	—	522	—
2023	June	40	—	454	44
2023	July	—	202	245	1
2023	August	—	1,204	374	—
2023	September	820	—	40	20
2023	October	—	—	119	36
2023	November	—	166	135	—
2023	December	—	—	278	—
2024	January	—	—	633	92
2024	February	—	1,135	258	—
2024	March	—	—	254	20
2024	April	—	—	334	—
2024	May	—	—	—	18
2024	June	—	—	803	—
2024	July	—	—	246	—
2024	August	—	—	—	—
2024	September	—	—	113	—

Table continued.

Table 4.8 (Continued) DOTP and other plasticizers: Quantity of U.S. imports, by source and month

Quantity in metric tons

Year	Month	Subject sources	Nonsubject sources	All import sources
2021	January	926	1,401	2,328
2021	February	580	1,645	2,225
2021	March	352	1,796	2,147
2021	April	965	1,499	2,464
2021	May	685	1,746	2,431
2021	June	1,724	1,943	3,667
2021	July	397	1,444	1,841
2021	August	789	2,562	3,351
2021	September	2,335	1,732	4,066
2021	October	919	1,802	2,721
2021	November	1,887	2,236	4,123
2021	December	1,732	1,524	3,256
2022	January	1,032	1,873	2,905
2022	February	1,853	1,545	3,399
2022	March	5,071	2,103	7,174
2022	April	981	1,805	2,786
2022	May	4,498	2,176	6,674
2022	June	2,285	1,918	4,203
2022	July	370	2,071	2,440
2022	August	1,290	2,244	3,535
2022	September	2,979	2,199	5,178
2022	October	1,148	1,847	2,995
2022	November	1,453	1,255	2,708
2022	December	219	1,524	1,742

Table continued.

Table 4.8 (Continued) DOTP and other plasticizers: Quantity of U.S. imports, by source and month

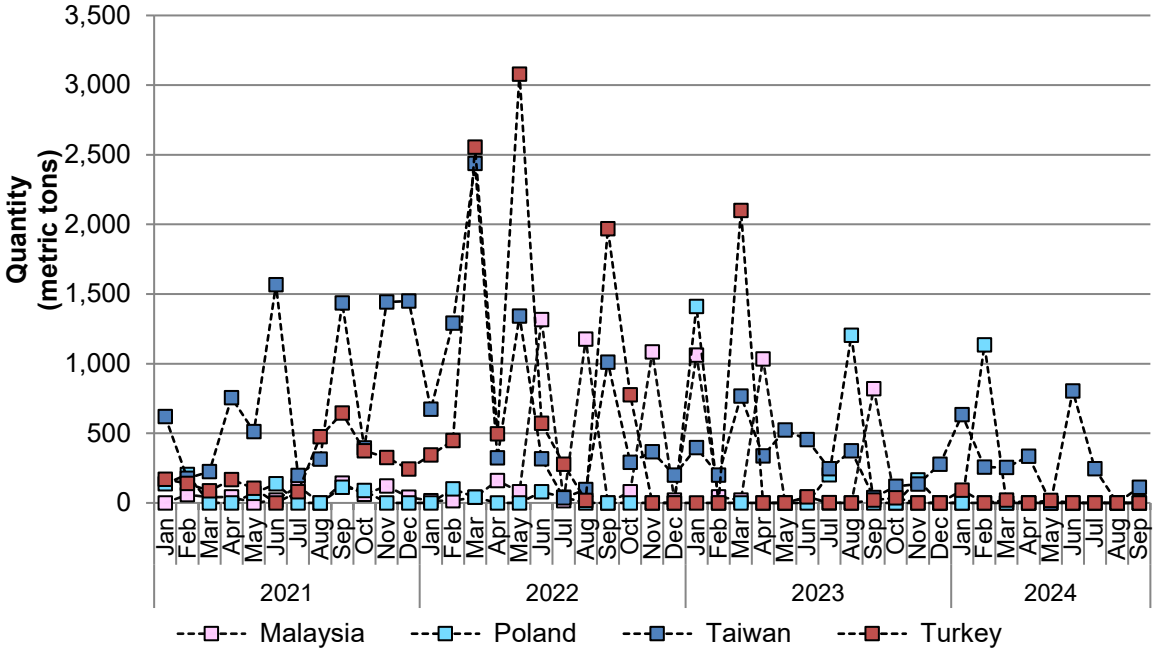
Quantity in metric tons

Year	Month	Subject sources	Nonsubject sources	All import sources
2023	January	2,867	1,735	4,603
2023	February	241	1,357	1,597
2023	March	2,887	1,834	4,722
2023	April	1,370	1,560	2,930
2023	May	522	1,711	2,233
2023	June	538	1,481	2,019
2023	July	448	1,234	1,682
2023	August	1,579	1,646	3,224
2023	September	880	1,123	2,003
2023	October	155	1,897	2,053
2023	November	301	1,293	1,594
2023	December	278	1,285	1,563
2024	January	725	1,672	2,398
2024	February	1,392	1,897	3,289
2024	March	274	1,852	2,127
2024	April	334	1,332	1,666
2024	May	18	1,824	1,842
2024	June	803	2,217	3,020
2024	July	246	3,536	3,782
2024	August	—	3,369	3,369
2024	September	113	2,493	2,606

Source: Compiled from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 2917.39.2000, accessed December 30, 2024. Imports are based on the imports for consumption data series.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "—". HTS statistical reporting number 2917.39. 2000 is a basket category that includes DOTP and other plasticizers.

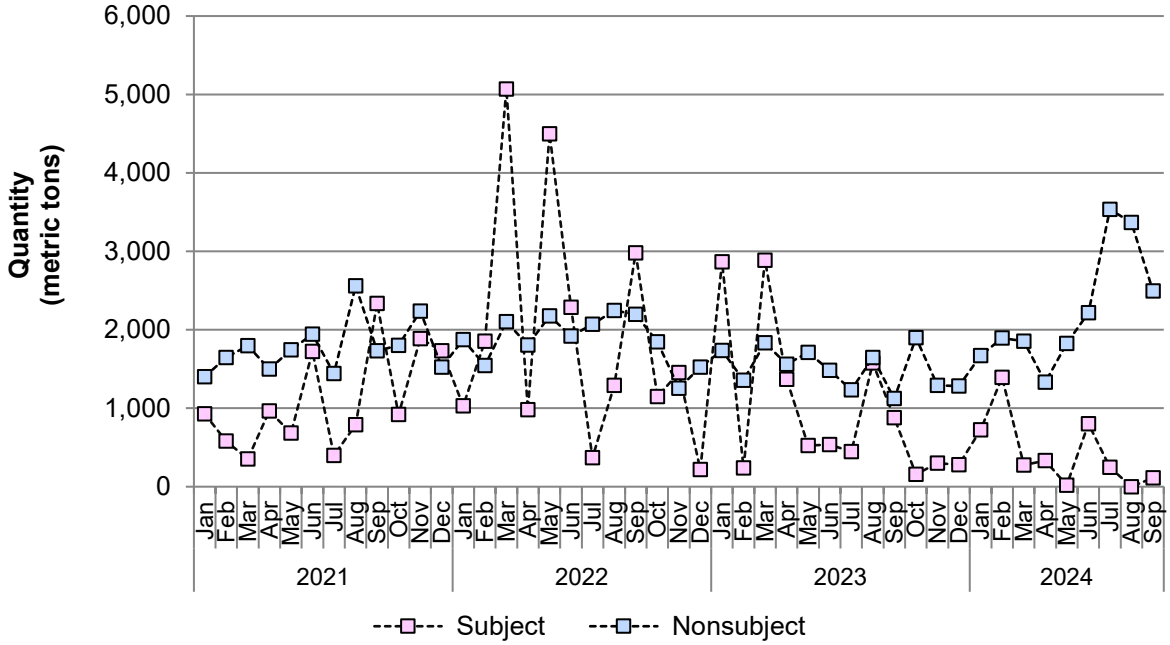
Figure 4.4 DOTP: U.S. imports from individual subject sources, by source and by month



Source: Compiled from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 2917.39.2000, accessed December 30, 2024. Imports are based on the imports for consumption data series.

Note: HTS statistical reporting number 2917.39.2000 is a basket category that includes DOTP and other plasticizers.

Figure 4.5 DOTP: U.S. imports from aggregated subject and nonsubject sources, by month



Source: Compiled from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 2917.39.2000, accessed December 30, 2024. Imports are based on the imports for consumption data series.

Note: HTS statistical reporting number 2917.39.2000 is a basket category that includes DOTP and other plasticizers.

Apparent U.S. consumption and market shares

Quantity

Table 4.9 and figure 4.6 present data on apparent U.S. consumption and U.S. market shares for DOTP, by quantity. Apparent U.S. consumption decreased by *** percent between 2021 and 2023. The decrease in apparent consumption during this period largely reflects the yearly decreases in U.S. producers' U.S. shipments and U.S. shipments of imports from Taiwan, which collectively were larger, than the total increases in U.S. shipments of imports from Malaysia, Poland, and Turkey.[14] U.S. apparent consumption increased by *** percent in interim 2024 than in interim 2023. The domestic industry's volume was higher in interim 2024 than in interim 2023, and only one other source (***) shipped a greater volume in interim 2024 than in interim 2023. Nonsubject imports were *** in 2023 but interim 2024 volume was higher than at any other point from 2021 to interim 2024.

[14] For more detailed discussion on the trends in U.S. producers' U.S. shipments, see Part III and for more detailed discussion on trends in subject and nonsubject imports, see the section entitled "U.S. imports."

Table 4.9 DOTP: Apparent U.S. consumption and market shares based on quantity, by source and period

Quantity in metric tons; Shares in percent; Interim period is January through September

Source	Measure	2021	2022	2023	Interim 2023	Interim 2024
U.S. producers	Quantity	***	***	***	***	***
Malaysia	Quantity	***	***	***	***	***
Poland	Quantity	***	***	***	***	***
Taiwan	Quantity	***	***	***	***	***
Turkey	Quantity	***	***	***	***	***
Subject sources	Quantity	***	***	***	***	***
Nonsubject sources	Quantity	***	***	***	***	***
All import sources	Quantity	***	***	***	***	***
All sources	Quantity	***	***	***	***	***
U.S. producers	Share	***	***	***	***	***
Malaysia	Share	***	***	***	***	***
Poland	Share	***	***	***	***	***
Taiwan	Share	***	***	***	***	***
Turkey	Share	***	***	***	***	***
Subject sources	Share	***	***	***	***	***
Nonsubject sources	Share	***	***	***	***	***
All import sources	Share	***	***	***	***	***
All sources	Share	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as “---“.

Figure 4.6 DOTP: Apparent U.S. consumption based on quantity data, by source and period

* * * * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. producers' market share fluctuated between 2021 and 2023, decreasing from 2021 to 2022 then increasing from 2022 to 2023, ending *** percentage points lower in 2023 than in 2021. Comparing the interim periods, U.S. producers' market share was *** percentage points higher in interim 2024 than in interim 2023. The market shares of U.S. shipments of imports from Malaysia and U.S. shipments of imports from Poland increased by *** percentage points and *** percentage points, respectively, from 2021 to 2023. Between interim periods the share of apparent U.S. consumption from Malaysia fell *** percentage points and while the share from Poland halved.

The market share of U.S. shipments of imports from Taiwan decreased in each year from 2021 and 2023, ending *** percentage points lower. Between interim periods the share of U.S. shipments from Taiwan remained steady. The market share of U.S. shipments of imports from Turkey fluctuated year to year, increasing from 2021 to 2022 then increasing from 2022 to 2023, ending *** percentage points higher in 2023 than in 2021. Market share for subject imports from Turkey fell to *** percent in interim 2024. The market share of imports from nonsubject sources was *** percent in each year from 2021 to 2023. Nonsubject source imports were *** percent in interim 2024.

Value

Table 4.10 and figure 4.7 present data on apparent U.S. consumption and U.S. market shares for DOTP, by value. Apparent U.S. consumption from all sources fluctuated year to year between 2021 and 2023, increasing from 2021 to 2022 then decreasing more noticeably from 2022 to 2023, ending *** percent lower in 2023. Between interim periods 2023 and 2024 the total apparent U.S. consumption by value was higher while import sources were lower overall driven primarily by the reduction in total subject source import value which offset an increase in nonsubject source imports. The year-to-year fluctuation in the value of apparent consumption largely reflects the changes in U.S. producers' U.S. shipments and U.S. shipments of imports from Turkey.

Table 4.10 DOTP: Apparent U.S. consumption and market shares based on value data, by source and period

Value in 1,000 dollars; Shares in percent; Interim period is January through September

Source	Measure	2021	2022	2023	Interim 2023	Interim 2024
U.S. producers	Value	***	***	***	***	***
Malaysia	Value	***	***	***	***	***
Poland	Value	***	***	***	***	***
Taiwan	Value	***	***	***	***	***
Turkey	Value	***	***	***	***	***
Subject sources	Value	***	***	***	***	***
Nonsubject sources	Value	***	***	***	***	***
All import sources	Value	***	***	***	***	***
All sources	Value	***	***	***	***	***
U.S. producers	Share	***	***	***	***	***
Malaysia	Share	***	***	***	***	***
Poland	Share	***	***	***	***	***
Taiwan	Share	***	***	***	***	***
Turkey	Share	***	***	***	***	***
Subject sources	Share	***	***	***	***	***
Nonsubject sources	Share	***	***	***	***	***
All import sources	Share	***	***	***	***	***
All sources	Share	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "—".

Figure 4.7 DOTP: Apparent U.S. consumption based on value data, by source and period

* * * * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. producers' market share declined irregularly from 2021 to 2023 for an overall decline of *** percentage points. Between the interim periods U.S. producers' market share was *** percentage points higher. The market share of U.S. shipments of imports from Malaysia was *** percentage points in 2023, up from *** percentage points in 2022. Imports from Malaysia *** in 2021. The market share of U.S. shipments of imports from Poland was *** percentage points higher in 2023 from 2021. The market share of imports from Poland was *** percentage points lower in interim 2024 from interim 2023. The market share of U.S. shipments of imports from Taiwan decreased in each year from 2021 to 2023, ending *** percentage points lower, while the market share of U.S. shipments of imports from Turkey fluctuated year to year, ending *** percentage points higher in 2023 than in 2021. Overall, the market share of U.S. shipments of subject imports fluctuated year to year, ending *** percentage points higher in 2023 than in 2021. Between interim periods the market share of U.S. shipments of subject imports was lower by *** percentage points. The market share of U.S. shipments of imports from nonsubject sources decreased from *** percent to *** percent from 2021 to 2023, but the market share was *** percentage points higher in interim 2024 compared to interim 2023.

Part 5: Pricing data

Factors affecting prices

Raw material costs

The primary raw materials used to manufacture DOTP are 2-ethylhexanol (2-EH), dimethyl terephthalate (DMT), and purified terephthalic acid (PTA).[1] Petitioner Eastman's production vertically integrates the production of the raw materials 2-EH, DMT, and PTA into its production of DOTP.[2] Two U.S. producers and five importers reported that raw material prices fluctuated downwards or decreased steadily since 2021; one U.S. producer and four importers reported that raw material prices fluctuated upwards. U.S. producers reported that raw material cost accounted for *** percent of the cost of goods sold in 2023 and was relatively constant over the period of investigation. Fifteen of 26 purchasers reported that they are familiar with raw material costs and 11 of 24 responding purchasers reported that raw material costs affect contract negotiations. Purchaser *** reported that negotiation was more difficult during the allocation period with U.S. producers.

2-EH is made from propylene and other chemicals, while DMT and PTA are made from paraxylene and other chemicals. Propylene and paraxylene are both petrochemicals, and the industry standard ties raw material costs to these upstream products.[3]

As shown in figure 5.1 (and table 5.1), paraxylene and crude oil prices increased from January 2021 to a peak in June 2022, at which point they began to decline. However, prices for paraxylene and crude oil were *** percent and *** percent higher in December 2024 than in January 2021, respectively.

[1] Conference transcript, pp. 20-21 (Taylor). Dioctyl Terephthalate from Korea, Inv. No. 731-TA-1330 (Final), USITC Publication 4713, August 2017, p. 5.1.

[2] Conference transcript, pp. 20-21 (Taylor).

[3] Conference transcript, pp. 20-21, 58, 60 (Taylor, Davis). Dioctyl Terephthalate from Korea, Inv. No. 731-TA-1330 (Final), USITC Publication 4713, August 2017, p. 5.1.

Figure 5.1 Raw materials: Paraxylene and crude oil prices, monthly, January 2021 through December 2024

* * * * * * *

Source: ***, submitted by Petitioner. EDIS Doc. 844376.

Table 5.1 Raw materials: Paraxylene and crude oil prices, monthly, January 2021 through December 2024

Paraxylene price in dollars per metric ton; crude oil price, in dollars per barrel

Year	Month	Paraxylene	Crude oil
2021	January	***	***
2021	February	***	***
2021	March	***	***
2021	April	***	***
2021	May	***	***
2021	June	***	***
2021	July	***	***
2021	August	***	***
2021	September	***	***
2021	October	***	***
2021	November	***	***
2021	December	***	***
2022	January	***	***
2022	February	***	***
2022	March	***	***
2022	April	***	***
2022	May	***	***
2022	June	***	***
2022	July	***	***
2022	August	***	***
2022	September	***	***
2022	October	***	***
2022	November	***	***
2022	December	***	***

Table continued.

Table 5.1 (Continued) Raw materials: Paraxylene and crude oil prices, monthly, January 2021 through December 2024

Paraxylene in dollars per metric ton; crude oil, in dollars per barrel

Year	Month	Paraxylene	Crude oil
2023	January	***	***
2023	February	***	***
2023	March	***	***
2023	April	***	***
2023	May	***	***
2023	June	***	***
2023	July	***	***
2023	August	***	***
2023	September	***	***
2023	October	***	***
2023	November	***	***
2023	December	***	***
2024	January	***	***
2024	February	***	***
2024	March	***	***
2024	April	***	***
2024	May	***	***
2024	June	***	***
2024	July	***	***
2024	August	***	***
2024	September	***	***
2024	October	***	***
2024	November	***	***
2024	December	***	***

Source: ***, submitted by Petitioner. EDIS Doc. 844376.

Transportation costs to the U.S. market

Transportation costs for DOTP shipped from subject countries to the United States averaged 0.9 percent for Malaysia, 7.7 percent for Poland, 8.7 percent for Taiwan, and 0.6 percent for Turkey during 2023. These estimates were derived from official import data and represent the transportation and other charges on imports.[4]

U.S. inland transportation costs

*** responding U.S. producers and 9 of 13 importers reported that they typically arrange transportation to their customers. U.S. producers reported that their U.S. inland

[4] The estimated transportation costs were obtained by subtracting the customs value from the c.i.f. value of the imports for 2023 and then dividing by the customs value based on the HTS statistical reporting number 2917.39.2000.

transportation costs ranged from *** percent to *** percent while importers reported transportation costs that ranged from 1.2 percent to 10.0 percent.

Pricing practices

Pricing methods

U.S. producers reported setting prices through *** and importers reported setting prices using transaction-by-transaction negotiations and contracts (table 5.2).

Table 5.2 DOTP: Count of U.S. producers' and importers' reported price setting methods

Count in number of firms reporting

Method	U.S. producers	Importers
Transaction-by-transaction	***	12
Contract	***	2
Set price list	***	0
Other	***	0
Responding firms	2	12

Source: Compiled from data submitted in response to Commission questionnaires.

Note: The sum of responses down may not add up to the total number of responding firms as each firm was instructed to check all applicable price setting methods employed.

U.S. producers reported selling *** percent of their DOTP shipments as spot sales, *** percent through long term contracts, and *** percent through annual contracts. Importers reported selling the vast majority of their DOTP through short-term contracts, and the remaining *** percent of shipments was sold on the spot market (table 5.3).

Table 5.3 DOTP: U.S. producers' and importers' shares of commercial U.S. shipments by type of sale, 2023

Share in percent

Type of sale	U.S. producers	Subject importers
Long-term contracts	***	***
Annual contracts	***	***
Short-term contracts	***	***
Spot sales	***	***
Total	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Because of rounding, figures may not add to the totals shown.

U.S. producers reported that their long-term contracts ***. ***

reported that their contracts allow for price renegotiation and are indexed to raw materials. During the preliminary phase, U.S. producer Eastman reported that it has a significant number of contracts that contain "meet-or-release" clauses, through which its customers may present a competitive quote and Eastman will either lower its price or allow for the customer to buy a certain volume from the competitor.[5]

Two importers reported some sales through short-term contracts in 2023. These two responding importers reported that their contracts do not allow for price renegotiation and one importer reported that its short term contracts fix for quantity. No responding importers reported that prices were indexed to raw materials.

U.S. producers were asked about their pricing formulas. BASF reported that ***. Eastman reported that ***.

Nine purchasers purchase DOTP on a monthly basis, eight purchase on a weekly basis, three purchase on a quarterly basis, and three purchase annually. Fourteen of 26 responding purchasers reported that their purchasing frequency had not changed since 2021. Most purchasers (19 of 26) contact between one and five suppliers before making a purchase.

Sales terms and discounts

U.S. producers and importers typically quote prices on *** basis. *** reported offering total volume discounts and *** reported offering quantity discounts. Most responding importers (9 of 13) reported that they offer no discounts.

Price leadership

Purchasers were asked which firms, if any, exhibited price leadership in the DOTP market. Thirteen purchasers reported that Eastman was a leader and seven reported that BASF was a price leader. Eleven purchasers reported that there were no price leaders in the DOTP market. Purchasers most frequently noted these firms were the first to establish a price because of their share of domestic supply. For example, purchaser *** reported that "because of the concentration in the domestic market, when one of these firms announces a price change, the other sometimes follows."

[5] Conference transcript, p. 26 (Davis).

Price data

The Commission requested U.S. producers and importers to provide quarterly data for the total quantity and delivered value (including U.S.-inland transportation costs) of the following DOTP products shipped to unrelated U.S. customers from January 2021 through December 2023.

Product 1.— DOTP in 20 MT containers, including tank trucks, flexitanks or flexitainers, and/or isotanks

Product 2. — DOTP in bulk, including railcars and bulk liftings

Two U.S. producers and eight importers provided usable pricing data for sales of the requested products, although not all firms reported pricing for all products for all quarters.[6] No responding importers provided price data for pricing product 2 (bulk). Pricing data reported by these firms accounted for virtually all of U.S. producers' commercial U.S. shipments of DOTP. Pricing data reported by importers accounted for virtually all of commercial U.S. shipments of imports from Malaysia and Poland, *** percent of commercial U.S. shipments from Taiwan, and *** percent of commercial U.S. shipments from Turkey in 2023.[7] Importer ***, which accounted for *** percent of the reported price data for Turkey, reported that *** percent of its sales were delivered duty paid and that it was unable to exclude transportation costs from its sales prices.

Price data for products 1 and 2 are presented in tables 5.4 and 5.5 and figures 5.2 and 5.3.

[6] Per-unit pricing data are calculated from total quantity and total value data provided by U.S. producers and importers. The precision and variation of these figures may be affected by rounding, limited quantities, and producer or importer estimates.

[7] Pricing coverage is based on U.S. shipments reported in questionnaires.

Table 5.4 DOTP: Weighted-average delivered prices and quantities of domestic and imported product 1 and margins of underselling/(overselling), by source and quarter

Price in dollars per metric ton, quantity in metric tons, margin in percent.

Period	U.S. price	U.S. quantity	Malaysia price	Malaysia quantity	Malaysia margin	Poland price	Poland quantity	Poland margin
2021 Q1	***	***	***	***	***	***	***	***
2021 Q2	***	***	***	***	***	***	***	***
2021 Q3	***	***	***	***	***	***	***	***
2021 Q4	***	***	***	***	***	***	***	***
2022 Q1	***	***	***	***	***	***	***	***
2022 Q2	***	***	***	***	***	***	***	***
2022 Q3	***	***	***	***	***	***	***	***
2022 Q4	***	***	***	***	***	***	***	***
2023 Q1	***	***	***	***	***	***	***	***
2023 Q2	***	***	***	***	***	***	***	***
2023 Q3	***	***	***	***	***	***	***	***
2023 Q4	***	***	***	***	***	***	***	***
2024 Q1	***	***	***	***	***	***	***	***
2024 Q2	***	***	***	***	***	***	***	***
2024 Q3	***	***	***	***	***	***	***	***

Table continued.

Table 5.4 (Continued) DOTP: Weighted-average delivered prices and quantities of domestic and imported product 1 and margins of underselling/(overselling), by source and quarter

Price in dollars per metric ton, quantity in metric tons, margin in percent.

Period	U.S. price	U.S. quantity	Taiwan price	Taiwan quantity	Taiwan margin	Turkey price	Turkey quantity	Turkey margin
2021 Q1	***	***	***	***	***	***	***	***
2021 Q2	***	***	***	***	***	***	***	***
2021 Q3	***	***	***	***	***	***	***	***
2021 Q4	***	***	***	***	***	***	***	***
2022 Q1	***	***	***	***	***	***	***	***
2022 Q2	***	***	***	***	***	***	***	***
2022 Q3	***	***	***	***	***	***	***	***
2022 Q4	***	***	***	***	***	***	***	***
2023 Q1	***	***	***	***	***	***	***	***
2023 Q2	***	***	***	***	***	***	***	***
2023 Q3	***	***	***	***	***	***	***	***
2023 Q4	***	***	***	***	***	***	***	***
2024 Q1	***	***	***	***	***	***	***	***
2024 Q2	***	***	***	***	***	***	***	***
2024 Q3	***	***	***	***	***	***	***	***

Table continued.

Table 5.4 (Continued) DOTP: Weighted-average delivered prices and quantities of domestic and imported product 1 and margins of underselling/(overselling), by source and quarter

Price in dollars per metric ton, quantity in metric tons, margin in percent.

Period	U.S. price	U.S. quantity	Subject sources price	Subject sources quantity	Subject sources margin
2021 Q1	***	***	***	***	***
2021 Q2	***	***	***	***	***
2021 Q3	***	***	***	***	***
2021 Q4	***	***	***	***	***
2022 Q1	***	***	***	***	***
2022 Q2	***	***	***	***	***
2022 Q3	***	***	***	***	***
2022 Q4	***	***	***	***	***
2023 Q1	***	***	***	***	***
2023 Q2	***	***	***	***	***
2023 Q3	***	***	***	***	***
2023 Q4	***	***	***	***	***
2024 Q1	***	***	***	***	***
2024 Q2	***	***	***	***	***
2024 Q3	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 1: DOTP in 20 MT containers, including tank trucks, flexitanks or flexitainers, and/or isotanks.

Note: Importer *** was the only importer to report data for Taiwan in Q3 2024. Staff followed up to confirm its accuracy, but did not receive a response. Email to ***, March 3, 2025.

Figure 5.2 DOTP: Weighted-average delivered prices and quantities of domestic and imported product 1, by source and quarter

Price of product 1

* * * * * * *

Volume of product 1

* * * * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 1: DOTP in 20 MT containers, including tank trucks, flexitanks or flexitainers, and/or isotanks

Note: Importer *** was the only importer to report data for Taiwan in Q3 2024. Staff followed up to confirm its accuracy, but did not receive a response. Email to ***, March 3, 2025.

Table 5.5 DOTP: Weighted-average delivered prices and quantities of domestic and imported product 2 and margins of underselling/(overselling), by source and quarter

Price in dollars per metric ton, quantity in metric tons, margin in percent.

Period	U.S. price	U.S. quantity
2021 Q1	***	***
2021 Q2	***	***
2021 Q3	***	***
2021 Q4	***	***
2022 Q1	***	***
2022 Q2	***	***
2022 Q3	***	***
2022 Q4	***	***
2023 Q1	***	***
2023 Q2	***	***
2023 Q3	***	***
2023 Q4	***	***
2024 Q1	***	***
2024 Q2	***	***
2024 Q3	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 2: DOTP in bulk, including railcars and bulk liftings.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "—".

Figure 5.3 DOTP: Weighted-average delivered prices and quantities of domestic and imported product 2, by source and quarter

Price of product 2

* * * * * * *

Volume of product 2

* * * * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 2: DOTP in bulk, including railcars and bulk liftings.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "—".

Price trends

In general, prices increased from January 2021 to September 2024. Table 5.6 summarizes the price trends, by country and by product. As shown in the table, domestic price increases ranged from *** percent to *** percent from January 2021 to September 2024.

Table 5.6 DOTP: Summary of price data, by product and source, January 2021 to September 2024 Quantity in metric tons, price in dollars per metric ton, change in percent

Product	Source	Number of quarters	Quantity	Low price	High price	First quarter price	Last quarter price	Change over period
Product 1	United States	15	***	***	***	***	***	***
Product 1	Malaysia	8	***	***	***	***	***	***
Product 1	Poland	6	***	***	***	***	***	***
Product 1	Taiwan	15	***	***	***	***	***	***
Product 1	Turkey	13	***	***	***	***	***	***
Product 2	United States	15	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "—". Percent change is the change from the first quarter to the last quarter of the data collection period.

Price comparisons

Most price comparisons of domestic prices and prices for imported DOTP show overselling. As shown in table 5.7, in 26 instances (*** metric tons), prices for product from subject countries were between *** percent and *** percent above prices for the domestic product. Prices for DOTP imported from subject countries were below those for U.S.-produced DOTP in 16 of 42 instances (*** metric tons); margins of underselling ranged from *** percent to *** percent.

As shown in table 5.8, most imports from Malaysia and Taiwan oversold domestic prices (by both number of instances and quantity). Prices for DOTP from Turkey oversold in the count of instances, but not by quantity. There were no instances of overselling of imports of DOTP from Poland. Most underselling occurred in 2023 and most overselling occurred in 2021 and 2022 (table 5.9).

Table 5.7 DOTP: Instances of underselling and overselling and the range and average of margins, by product Quantity in metric tons; margin in percent

Products	Type	Number of instances	Quantity	Average margin	Min margin	Max margin
Product 1	Underselling	16	***	***	***	***
Product 1	Overselling	26	***	***	***	***

Source**:** Compiled from data submitted in response to Commission questionnaires.

Note: These data include only quarters in which there is a comparison between the U.S. and subject product. Zeroes, null values, and undefined calculations are suppressed and shown as "—".

Table 5.8 DOTP: Instances of underselling and overselling and the range and average of margins, by source Quantity in metric tons; margin in percent

Sources	Type	Number of instances	Quantity	Average margin	Min margin	Max margin
Malaysia	Underselling	2	***	***	***	***
Poland	Underselling	6	***	***	***	***
Taiwan	Underselling	2	***	***	***	***
Turkey	Underselling	6	***	***	***	***
All subject sources	Underselling	16	***	***	***	***
Malaysia	Overselling	6	***	***	***	***
Poland	Overselling	—	***	***	***	***
Taiwan	Overselling	13	***	***	***	***
Turkey	Overselling	7	***	***	***	***
All subject sources	Overselling	26	***	***	***	***

Source**:** Compiled from data submitted in response to Commission questionnaires.

Note: These data include only quarters in which there is a comparison between the U.S. and subject product. Zeroes, null values, and undefined calculations are suppressed and shown as "—".

Table 5.9 DOTP: Instances of underselling and overselling and the range and average of margins, by year

Quantity in metric tons; margin in percent

Period	Type	Number of instances	Quantity	Average margin	Min margin	Max margin
2021	Underselling	—	***	***	***	***
2022	Underselling	4	***	***	***	***
2023	Underselling	10	***	***	***	***
January through September 2024	Underselling	2	***	***	***	***
All periods	Underselling	16	***	***	***	***
2021	Overselling	8	***	***	***	***
2022	Overselling	8	***	***	***	***
2023	Overselling	6	***	***	***	***
January through September 2024	Overselling	4	***	***	***	***
All periods	Overselling	26	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: These data include only quarters in which there is a comparison between the U.S. and subject product.

Lost sales and lost revenue

In the preliminary phase of these investigations, the Commission requested that U.S. producers of DOTP report purchasers with which they experienced instances of lost sales or revenue due to competition from imports of DOTP from Malaysia, Poland, Taiwan and/or Turkey during January 2021 to December 2023. *** U.S. producers submitted lost sales and lost revenue allegations. The responding U.S. producers identified 20 firms (some firms were reported by multiple producers) with which they lost sales or revenue (6 consisting lost sales allegations, 6 consisting of lost revenue allegations, and 10 consisting of both types of allegations). Allegations spanned all four subject countries and all years in the period of investigation.

In the final phase of these investigations, *** reported that they had to reduce prices, roll back announced price increases, and lost sales.

Staff contacted 78 purchasers and received responses from 26 purchasers. Responding purchasers reported purchasing *** metric tons of DOTP from January 2021 through September 2024 (table 5.10).

Table 5.10 DOTP: Purchasers' reported purchases and imports, by firm and source Quantity in metric tons, share in percent

Purchaser	Domestic quantity	Subject quantity	All other quantity	Change in domestic share	Change in subject country share	Change in all other share
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
Total	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: All other includes all other sources and unknown sources. Change is the percentage point change in the share of the firm's total purchases of domestic and/or subject country imports between first and last years.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "—".

Of the 26 purchasers that submitted questionnaire responses, 14 reported that, since 2021, they had purchased imported DOTP from Malaysia, Poland, Taiwan, and/or Turkey instead of U.S.-produced product. Nine of these purchasers reported that subject import prices were lower than U.S.-produced DOTP, and five of these purchasers reported that price was a primary reason for the decision to purchase imported product rather than U.S.-produced DOTP.

Seven purchasers estimated the quantity of DOTP from Malaysia, Poland, Taiwan, and Turkey purchased instead of domestic product; quantities ranged from *** metric tons to *** metric tons (table 5.11). Purchasers identified availability, lack of domestic supply, and reliability as non-price reasons for purchasing imported rather than U.S.-produced DOTP. Additionally, one firm ***, reported that in some cases subject imports were priced lower, but in other cases it purchased subject imports to diversify its sources of supply.

Of 26 responding purchasers, 5 reported that U.S. producers had reduced prices in order to compete with lower-priced imports from Malaysia, Poland, Taiwan, and Turkey; 15 reported that they did not know (table 5.12). The reported estimated price reduction ranged from *** to *** percent (table 5.13). In describing the price reductions, one purchaser indicated that prices were reduced during the period when they began importing product. However, it said that price of imports, while a factor in the price reductions, was not the only factor.

Table 5.11 DOTP: Purchasers' responses to purchasing subject imports instead of domestic product, by firm

Quantity in metric tons

Purchaser	Purchased subject imports instead of domestic	Imports priced lower	Choice based on price	Quantity	Explanation
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***

Table continued.

Table 5.11 (Continued) DOTP: Purchasers' responses to purchasing subject imports instead of domestic product, by firm

Quantity in metric tons

Purchaser	Purchased subject imports instead of domestic	Imports priced lower	Choice based on price	Quantity	Explanation
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
Total	Yes—14; No—10	Yes—9; No—6	Yes—5; No—7	***	NA

Source: Compiled from data submitted in response to Commission questionnaires.

Table 5.12 DOTP: Purchasers' responses to purchasing subject imports instead of domestic product, by source Quantity in metric tons

Source	Count of purchasers reporting subject instead of domestic	Count of purchasers reported that imports were priced lower	Count of purchasers reporting that price was a primary reason for shift	Quantity
Malaysia	2	2	0	***
Poland	4	4	2	***
Taiwan	11	4	2	***
Turkey	10	4	2	***
Subject sources	14	9	5	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table 5.13 DOTP: Purchasers' responses to U.S. producer price reductions, by firm

Purchaser	Reported producers lowered prices	Estimated percent of U.S. price reduction	Explanation
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***

Table continued.

Table 5.13 (Continued)DOTP: Purchasers' responses to U.S. producer price reductions, by firm

Purchaser	Reported producers lowered prices	Estimated percent of U.S. price reduction	Explanation
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***

Table continued.

Table 5.13 (Continued) DOTP: Purchasers' responses to U.S. producer price reductions, by firm

Purchaser	Reported producers lowered prices	Estimated percent of U.S. price reduction	Explanation
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
All firms	Yes—5; No—5	***	NA

Source: Compiled from data submitted in response to Commission questionnaires.

Table 5.14 DOTP: Purchasers' responses to U.S. producer price reductions, by source

Source	Count of purchasers reporting U.S. producers reduced prices	Average percent of estimated U.S. price reduction	Range of percent of estimated U.S. price reductions
Malaysia	1	***	***
Poland	3	***	***
Taiwan	2	***	***
Turkey	3	***	***
Subject sources	5	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Part 6: Financial experience of U.S. producers

Background[1]

Two U.S. producers provided usable financial results on their DOTP operations. Both U.S. producers reported financial data for a fiscal year ending December 31.[2] BASF reported its financial data on the basis of *** and Eastman reported its financial data on the basis of ***.[3] BASF began producing DOTP at its Pasadena, Texas plant in July 2017.

Figure 6.1 presents Eastman's and BASF's shares of the total reported net sales quantity in 2023.

[1] The following abbreviations are used in the tables and/or text of this section: generally accepted accounting principles ("GAAP"), fiscal year ("FY"), net sales ("NS"), cost of goods sold ("COGS"), selling, general, and administrative expenses ("SG&A expenses"), average unit values ("AUVs"), research and development expenses ("R&D expenses"), and return on assets ("ROA").

[2] Except for a difference due to rounding, the trade and financial sections reconciled.

[3] Staff verified the results of Eastman with its corporate records and all adjustments were incorporated into this report. Eastman's U.S. producer questionnaire response was revised as follows: ***. Staff verification report, Eastman, March 28, 2025.

Figure 6.1 DOTP: U.S. producers' share of sales quantity in 2023

* * * * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Operations on DOTP

Table 6.1 presents data on U.S. producers' total operations in relation to DOTP, while table 6.2 presents corresponding changes in AUVs. Table 6.3 presents selected company-specific financial data.

Table 6.1 DOTP: U.S. producers' results of operations, by item and period

Quantity in metric tons; value in 1,000 dollars; ratio in percent; interim period is January through September

Item	Measure	2021	2022	2023	Interim 2023	Interim 2024
Total net sales	Quantity	***	***	***	***	***
Total net sales	Value	***	***	***	***	***
COGS: Raw materials	Value	***	***	***	***	***
COGS: Direct labor	Value	***	***	***	***	***
COGS: Other factory	Value	***	***	***	***	***
COGS: Total	Value	***	***	***	***	***
Gross profit or (loss)	Value	***	***	***	***	***
SG&A expenses	Value	***	***	***	***	***
Operating income or (loss)	Value	***	***	***	***	***
All other expenses	Value	***	***	***	***	***
All other income	Value	***	***	***	***	***
Net income or (loss)	Value	***	***	***	***	***
Depreciation/amortization	Value	***	***	***	***	***
Cash flow	Value	***	***	***	***	***
COGS: Raw materials	Ratio to NS	***	***	***	***	***
COGS: Direct labor	Ratio to NS	***	***	***	***	***
COGS: Other factory	Ratio to NS	***	***	***	***	***
COGS: Total	Ratio to NS	***	***	***	***	***
Gross profit	Ratio to NS	***	***	***	***	***
SG&A expense	Ratio to NS	***	***	***	***	***
Operating income or (loss)	Ratio to NS	***	***	***	***	***
Net income or (loss)	Ratio to NS	***	***	***	***	***

Table continued.

Table 6.1 (Continued) DOTP: U.S. producers' results of operations, by item and period

Share in percent; unit values in dollars per metric ton; count in number of firms reporting; interim is January through September

Item	Measure	2021	2022	2023	Interim 2023	Interim 2024
COGS: Raw materials	Share of COGS	***	***	***	***	***
COGS: Direct labor	Share of COGS	***	***	***	***	***
COGS: Other factory	Share of COGS	***	***	***	***	***
COGS: Total	Share of COGS	100.0	100.0	100.0	100.0	100.0
Total net sales	Unit value	***	***	***	***	***
COGS: Raw materials	Unit value	***	***	***	***	***
COGS: Direct labor	Unit value	***	***	***	***	***
COGS: Other factory	Unit value	***	***	***	***	***
COGS: Total	Unit value	***	***	***	***	***
Gross profit or (loss)	Unit value	***	***	***	***	***
SG&A expenses	Unit value	***	***	***	***	***
Operating income or (loss)	Unit value	***	***	***	***	***
Net income or (loss)	Unit value	***	***	***	***	***
Operating losses	Count	***	***	***	***	***
Net losses	Count	***	***	***	***	***
Data	Count	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "—" except for counts.

Table 6.2 DOTP: Changes in AUVs between comparison periods

Change in percent; interim is January through September

Item	2021 to 2023	2021 to 2022	2022 to 2023	Interim 2023 to 2024
Total net sales	▼***	▲***	▼***	▼***
COGS: Raw materials	▲***	▲***	▼***	▲***
COGS: Direct labor	▲***	▲***	▲***	▼***
COGS: Other factory	▲***	▲***	▼***	▼***
COGS: Total	▲***	▲***	▼***	▼***

Table continued.

Table 6.2 (Continued) DOTP: Changes in AUVs between comparison periods

Changes in dollars per metric ton; interim is January through September

Item	2021 to 2023	2021 to 2022	2022 to 2023	Interim 2023 to 2024
Total net sales	▼***	▲***	▼***	▼***
COGS: Raw materials	▲***	▲***	▼***	▲***
COGS: Direct labor	▲***	▲***	▲***	▼***
COGS: Other factory	▲***	▲***	▼***	▼***
COGS: Total	▲***	▲***	▼***	▼***
Gross profit or (loss)	▼***	▲***	▼***	▼***
SG&A expense	▲***	▲***	▲***	▼***
Operating income or (loss)	▼***	▲***	▼***	▲***
Net income or (loss)	▼***	▲***	▼***	▲***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Period changes preceded by a "▲" represent an increase, while period changes preceded by a "▼" represent a decrease.

Table 6.3 DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Net sales quantity

Quantity in metric tons; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Net sales value

Value in 1,000 dollars; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

COGS

Value in 1,000 dollars; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Gross profit or (loss)

Value in 1,000 dollars; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

SG&A expenses

Value in 1,000 dollars; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Operating income or (loss)

Value in 1,000 dollars; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Net income or (loss)

Value in 1,000 dollars; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

COGS to net sales ratio

Ratio in percent; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Gross profit or (loss) to net sales ratio

Ratio in percent; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

SG&A expenses to net sales ratio

Ratio in percent; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Operating income or (loss) to net sales ratio

Ratio in percent; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Net income or (loss) to net sales ratio

Ratio in percent; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Unit net sales value

Unit values in dollars per metric ton; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Unit raw material costs

Unit values in dollars per metric ton; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Unit direct labor costs

Unit values in dollars per metric ton; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Unit other factory costs

Unit values in dollars per metric ton; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Unit COGS

Unit values in dollars per metric ton; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Unit gross profit or (loss)

Unit values in dollars per metric ton; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Unit SG&A expenses

Unit values in dollars per metric ton; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Unit operating income or (loss)

Unit values in dollars per metric ton; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table 6.3 (Continued) DOTP: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Unit net income or (loss)

Unit values in dollars per metric ton; interim is January through September

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Net sales

Total net sales, by quantity and value, decreased from 2021 to 2023 and were higher in interim 2024 than in interim 2023. The average unit value of total net sales decreased irregularly from 2021 to 2023 and was lower in interim 2024 than in interim 2023.[4] [5] As shown

[4] Total net sales data include commercial sales, internal consumption, and transfers to related firms. *** percent of total net sales throughout the POI. Because the vast majority of all sales reflect commercial sales, only the net amount is shown in total net sales in tables 6.1, 6.2, and 6.3.***. Petitioner's preliminary postconference brief, exh. 1, p. 8.

[5] ***. Petitioner's preliminary postconference brief, exh. 1 pp. 5-7. ***. Email from ***, February 28, 2025.

in table 6.3, ***.

Cost of goods sold and gross profit or loss

Raw material costs were the largest component of COGS in each period of the POI, accounting for between *** percent (in interim 2023) and *** percent (in interim 2024) of total COGS. On a per-metric ton basis, raw material costs increased irregularly from 2021 to 2023 and were higher in interim 2024 compared to interim 2023. As a ratio to total net sales, raw material costs increased from *** percent in 2021 to *** percent in 2022 then to *** percent in 2023 and were higher in interim 2024 at *** percent compared to interim 2023 at *** percent.

For its raw materials, Eastman utilizes 2-EH and DMT for its inputs into the chemical process to generate DOTP, while BASF uses 2-EH and PTA. Eastman produces 2-EH and DMT, while BASF produces 2-EH and purchases PTA.[6] 2-EH is made from the upstream main raw material propylene, which Eastman produces.[7] DMT and PTA are made from para-xylene, and Eastman does not produce para-xylene.[8] Eastman's production process leads to the output generation of the in-scope product plus methanol, which is recycled back into the input raw material production. BASF's production process generates the in-scope product plus water.[9] Eastman stated that its production process with methanol is one of the most efficient in the world and is more cost effective than the production process with water.[10] The company-specific trends for unit raw material costs between 2021 and 2023 were

[6] Conference transcript, p. 62 (Taylor).

[7] Conference transcript, p. 64-65 (Dijkman).

[8] Conference transcript, p. 69 (Dijkman); Tomás, Rogério A. F.; Bordado, João C. M.; Gomes, João F. P. (2013). "p-Xylene Oxidation to Terephthalic Acid: A Literature Review Oriented toward Process Optimization and Development." *Chemical Reviews*. 113 (10): 7421–69. doi:10.1021/cr300298j.

[9] Conference transcript, p. 21 (Taylor).

[10] Conference transcript, p. 62 (Taylor).

***.[11] [12] Table 6.4 presents raw material costs, by type, in 2023. DMT and 2-EH were the largest raw material inputs (together accounting for *** percent of raw material costs, followed by PTA, which accounted for *** percent of raw material costs).

Table 6.4 DOTP: U.S. producers' total market raw material costs in 2023

Value in 1,000 dollars; share of value in percent

Item	Value	Share of value
2-ethylhexanol (2-EH)	***	***
Dimethyl terephthalate (DMT)	***	***
Purified terephthalic acid (PTA)	***	***
Other material inputs	***	***
All raw materials	***	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Direct labor costs were the smallest component of COGS in each period of the POI, accounting for between *** percent (in interim 2024) and *** percent (in 2022 and interim 2023) of total COGS. On a per-metric ton basis, direct labor costs increased overall from $*** in 2021 to $*** in 2022 to $*** in 2023 and was lower in interim 2024 at $*** compared to

[11] The raw material costs varied due to the use of different chemicals for inputs and due to different chemical reactions utilized by the two firms. Eastman was more vertically integrated, as it produced most of the chemicals used in its production processes. BASF's 2-EH and PTA accounted for approximately *** percent and *** percent, respectively, of raw material costs in 2023, while Eastman's 2-EH and DMT accounted for approximately *** percent and *** percent of its raw materials in the same year. Eastman combines ***. ***. U.S. producers' questionnaire responses of ***, 3.9a, 3.9b and 3.9f; Email from ***, February 28, 2025; Petitioner's preliminary postconference brief, exh. 8.

[12] ***. Email from ***, February 28, 2025.

interim 2023 at $***. Eastman and BASF showed similar overall directional trends on a per-metric ton basis.[13]

Lastly, other factory costs (OFC), the second largest component of COGS in each yearly period, accounted for between *** percent (interim 2024) and *** percent (2022) of total COGS during the POI. On a per metric ton basis, OFC increased overall from $*** in 2021 to $*** in 2023 and were lower in interim 2024 at $*** compared to interim 2023 at $***. As for the trend on a per metric ton basis, both companies showed an increase from 2021 to 2022, then a decrease from 2022 to 2023, ***.[14] BASF's unit OFC were *** in interim 2024 compared to interim 2023, while Eastman's were ***.

[13] ***. Email from ***, February 28, 2025.

***. Email from ***, February 28, 2025.

[14] ***. U.S. producers' questionnaire response of ***, 3.10; Petitioner's preliminary postconference brief, exh. 1, p. 8; Email from ***, February 28, 2025.

***. Email from ***, February 28, 2025.

On a per metric ton basis, total COGS (unit values) increased irregularly from 2021 to 2023 and were lower in interim 2024 compared to interim 2023. The COGS to net sales ratio increased from *** percent in 2021 to *** percent in 2022 to *** percent in 2023 and was lower in interim 2024 at *** percent compared to interim 2023 at *** percent.

As shown in table 6.1, the industry's gross profit declined from $*** in 2021 to $*** in 2022 to $*** in 2023 and was higher in interim 2024 at $*** compared to interim 2023 at $***. As shown in table 6.3, ***.

SG&A expenses and operating income or loss

The U.S. producers' SG&A expenses decreased between 2021 and 2023 (from $*** to $***) and were higher in interim 2024 ($***) than in interim 2023 ($***). The ratio of SG&A expenses to total net sales was between *** percent in 2022 to *** percent in 2023 and interim 2023. SG&A expenses on a per-metric ton basis increased from $*** in 2021 to $*** in 2023 and were lower in interim 2024 at $*** compared to interim 2023 at $***.

***. U.S. producers' questionnaire response of ***, 3.10; Petitioner's preliminary postconference brief, exh. 1, p. 8; Email from ***, February 28, 2025.

***. Email from ***, February 28, 2025.

The trends of the firms' SG&A expenses varied from 2021 to 2022. ***. The firms trended similarly between the interim periods, with lower SG&A expenses on a per metric ton basis in interim 2024 compared to interim 2023.

The industry's operating income declined overall from $*** in 2021 to $*** in 2022 to $*** in 2023, a *** percent decrease from 2021 to 2023, which reflected a ***. Operating income was higher in interim 2024 at $*** compared to interim 2023 at $***. Between 2021 and 2022, *** operating income ***. Between 2022 and 2023, *** operating income ***. ***.

The industry's operating income ratio reflected the underlying trends of the value data, declining from *** percent in 2021 to *** percent in 2022 and then to *** percent in 2023. However, the operating income ratio was higher in interim 2024 at *** percent, compared to interim 2023 at *** percent. The per-unit value of operating income increased from 2021 to 2022 and decreased in 2023, for an overall decrease between 2021 and 2023. The per-unit value of operating income was higher in interim 2024 compared to interim 2023.

All other expenses and net income or loss

Table 6.1 presents interest expense, other expense, and other income, which are classified below the operating income level and often allocated to the product line from high levels in the corporation. ***.[16]

[16] ***. Email from ***, April 24, 2024. ***. Email from ***, February 28, 2025.

***.[17]

The industry's directional trends for net income were similar to the directional trends in its operating income. Net income decreased overall from $*** in 2021 to $*** in 2022 to $*** in 2023, a *** percent decrease from 2021 to 2023. Net income was higher in interim 2024 ($***) compared to interim 2023 ($***).[18] [19]

[17] Email from ***, March 3, 2025.

[18] ***.

[19] A variance analysis is not presented here because of ***.

Capital expenditures and research and development expenses

Table 6.5 presents capital expenditures, by firm, and table 6.6 presents U.S. producers' narrative descriptions of their capital expenditures. Table 6.7 presents R&D expenses, by firm and table 6.8 presents U.S. producers' narrative description of their R&D expenses. For capital expenditures, there was *** of *** percent for the industry from 2021 to 2023 and expenditures were higher in interim 2024 *** compared to interim 2023. For R&D expenses, there was *** of *** percent from 2021 to 2023 and expenses were higher in interim 2024 *** compared to interim 2023.

Table 6.5 DOTP: U.S. producers' capital expenditures, by item and period

Value in 1,000 dollars

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "—".

Table 6.6 DOTP: U.S. producers' narrative descriptions of their capital expenditures, by firm

Firm	Narrative on capital expenditures
BASF	***
Eastman	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table 6.7 DOTP: U.S. producers' R&D expenses, by firm and period

Value in 1,000 dollars

Firm	2021	2022	2023	Interim 2023	Interim 2024
BASF	***	***	***	***	***
Eastman	***	***	***	***	***
All firms	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "—".

Table 6.8 DOTP: U.S. producers' narrative descriptions of their R&D expenses, by firm

Firm	Narrative on R&D expenses
BASF	***
Eastman	***

Source: Compiled from data submitted in response to Commission questionnaires.

Assets and return on assets

Table 6.9 presents data on the U.S. producers' total assets while table 6.10 presents their operating ROA.[20] Table 6.11 presents U.S. producers' narrative responses explaining their major asset categories and any significant changes in asset levels over time. For assets in the industry, there was *** of *** percent from 2021 to 2023.

Table 6.9 DOTP: U.S. producers' total net assets, by firm and period

Value in 1,000 dollars

Firm	2021	2022	2023
BASF	***	***	***
Eastman	***	***	***
All firms	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

[20] The operating ROA is calculated as operating income divided by total assets. With respect to a firm's overall operations, the total asset value reflects an aggregation of a number of assets which are generally not product specific. Thus, high-level allocations are generally required in order to report a total asset value on a product-specific basis. ***. Email from ***, May 2, 2024.

Table 6.10 DOTP: U.S. producers' ROA, by firm and period

Ratio in percent

Firm	2021	2022	2023
BASF	***	***	***
Eastman	***	***	***
All firms	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table 6.11 DOTP: U.S. producers' narrative descriptions of their total net assets, by firm

Firm	Narrative on assets
BASF	***
Eastman	***

Source: Compiled from data submitted in response to Commission questionnaires.

Capital and investment

The Commission requested U.S. producers of DOTP to describe any actual or potential negative effects of imports of DOTP from Malaysia, Poland, Taiwan, and Turkey on their firms' growth, investment, ability to raise capital, development and production efforts, or the scale of capital investments. Table 6.12 presents the impact in each category and table 6.13 presents U.S. producers' narrative responses.[21]

[21] BASF and Eastman reported that with reference to COVID-19, ***. U.S. producer questionnaire response, section 3.18.

Table 6.12 DOTP: U.S. producers' count indicating actual and anticipated negative effects of imports from subject sources on investment, growth, and development since January 1, 2021, by effect

Number of firms reporting

Effect	Category	Count
Cancellation, postponement, or rejection of expansion projects	Investment	***
Denial or rejection of investment proposal	Investment	***
Reduction in the size of capital investments	Investment	***
Return on specific investments negatively impacted	Investment	***
Other investment effects	Investment	***
Any negative effects on investment	Investment	***
Rejection of bank loans	Growth	***
Lowering of credit rating	Growth	***
Problem related to the issue of stocks or bonds	Growth	***
Ability to service debt	Growth	***
Other growth and development effects	Growth	***
Any negative effects on growth and development	Growth	***
Anticipated negative effects of imports	Future	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table 6.13 DOTP: U.S. producers' narratives relating to actual and anticipated negative effects of imports on investment, growth, and development, since January 1, 2021, by effect

Item	Firm name and narrative on impact of imports
***	***
***	***
***	***

Table continued.

Item	Firm name and narrative on impact of imports
***	***
***	***
***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Part 7: Threat considerations and information on nonsubject countries

Section 771(7)(F)(i) of the Act (19 U.S.C. § 1677(7)(F)(i)) provides that—

> *In determining whether an industry in the United States is threatened with material injury by reason of imports (or sales for importation) of the subject merchandise, the Commission shall consider, among other relevant economic factors*[1]*--*
>
> *(I) if a countervailable subsidy is involved, such information as may be presented to it by the administering authority as to the nature of the subsidy (particularly as to whether the countervailable subsidy is a subsidy described in Article 3 or 6.1 of the Subsidies Agreement), and whether imports of the subject merchandise are likely to increase,*
>
> *(II) any existing unused production capacity or imminent, substantial increase in production capacity in the exporting country indicating the likelihood of substantially increased imports of the subject merchandise into the United States, taking into account the availability of other export markets to absorb any additional exports,*
>
> *(III) a significant rate of increase of the volume or market penetration of imports of the subject merchandise indicating the likelihood of substantially increased imports,*
>
> *(IV) whether imports of the subject merchandise are entering at prices that are likely to have a significant depressing or suppressing effect on domestic prices, and are likely to increase demand for further imports,*
>
> *(V) inventories of the subject merchandise,*

[1] Section 771(7)(F)(ii) of the Act (19 U.S.C. § 1677(7)(F)(ii)) provides that "The Commission shall consider {these factors} . . . as a whole in making a determination of whether further dumped or subsidized imports are imminent and whether material injury by reason of imports would occur unless an order is issued or a suspension agreement is accepted under this title. The presence or absence of any factor which the Commission is required to consider . . . shall not necessarily give decisive guidance with respect to the determination. Such a determination may not be made on the basis of mere conjecture or supposition."

(VI) the potential for product-shifting if production facilities in the foreign country, which can be used to produce the subject merchandise, are currently being used to produce other products,

(VII) in any investigation under this title which involves imports of both a raw agricultural product (within the meaning of paragraph (4)(E)(iv)) and any product processed from such raw agricultural product, the likelihood that there will be increased imports, by reason of product shifting, if there is an affirmative determination by the Commission under section 705(b)(1) or 735(b)(1) with respect to either the raw agricultural product or the processed agricultural product (but not both),

(VIII) the actual and potential negative effects on the existing development and production efforts of the domestic industry, including efforts to develop a derivative or more advanced version of the domestic like product, and

(IX) any other demonstrable adverse trends that indicate the probability that there is likely to be material injury by reason of imports (or sale for importation) of the subject merchandise (whether or not it is actually being imported at the time).[2]

Information on the nature of the alleged subsidies was presented earlier in this report; information on the volume and pricing of imports of the subject merchandise is presented in Parts 4 and 5; and information on the effects of imports of the subject merchandise on U.S. producers' existing development and production efforts is presented in Part 6. Information on inventories of the subject merchandise; foreign producers' operations, including the potential for "product-shifting;" any other threat indicators, if applicable; and any dumping in third-country markets, follows. Also presented in this section of the report is information obtained for consideration by the Commission on nonsubject countries.

[2] Section 771(7)(F)(iii) of the Act (19 U.S.C. § 1677(7)(F)(iii)) further provides that, in antidumping investigations, ". . . the Commission shall consider whether dumping in the markets of foreign countries (as evidenced by dumping findings or antidumping remedies in other WTO member markets against the same class or kind of merchandise manufactured or exported by the same party as under investigation) suggests a threat of material injury to the domestic industry."

Subject countries

The Commission issued foreign producers' or exporters' questionnaires to four firms believed to produce and/or export DOTP from Malaysia, Poland, Taiwan, and Turkey.[3] Usable responses to the Commission's questionnaire were received from two firms in total. Table 7.1 presents the number of foreign producers that responded to questionnaires by subject country, their approximate share of production, and their exports to the United States as a share of imports to the Unites States from that country.

Table 7.1: DOTP: Number of responding producers/exporters, approximate share of production, and exports to the United States as a share of U.S. imports, by subject foreign industry, 2023

Subject foreign industry	Number of responding firms	Approximate share of production (percent)	Exports as a share of U.S. imports from subject country (percent)
Malaysia	1	***	***
Poland	1	***	***
Taiwan	—	***	***
Turkey	—	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "—".

[3] These firms were identified through a review of information submitted in the petitions and presented in third-party sources.

Table 7.2 presents the producers and exporters that responded to the Commission's questionnaire, their estimated share of total production of DOTP, and their exports to the United States as a share of U.S. imports, by each subject country in 2023. No producers in Taiwan or Turkey provided questionnaire responses. Based on information available from the Chemical Economics Handbook, there are three DOTP producers in Taiwan and nine in Turkey. The Taiwanese producers have a total capacity of *** metric tons.[4] Most of this capacity is swing capacity for multiple plasticizers with only *** metric tons dedicated to DOTP production.[5] The nine Turkish producers have a total capacity of *** metric tons.[6] Most of these plants in Turkey, like those in Taiwan, are swing plants capable of making various plasticizers.

Table 7.2 DOTP: Summary data for subject foreign producers, by firm, 2023

Subject foreign industry: Producer	Production (metric tons)	Share of reported production (percent)	Exports to the United States (metric tons)	Share of reported exports to the United States (percent)	Total shipments (metric tons)	Share of firm's total shipments exported to the United States (percent)
Malaysia: UPC	***	***	***	***	***	***
Poland: Grupa Azoty	***	***	***	***	***	***
All individual producers	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

There were no major developments in the DOTP industries in the subject countries since January 1, 2021, and no relevant information from outside sources was found.

[4] Chemical Economics Handbook, "Plasticizers," December 2024, pp. 162 to 163. The Taiwanese capacity presented above does not include ***.

[5] Chemical Economics Handbook, "Plasticizers," December 2024, pp. 162 to 163.

[6] Chemical Economics Handbook, "Plasticizers," December 2024, pp. 113 to 114.

Changes in operations

Subject producers were asked to report any change in the character of their operations or organization relating to the production of DOTP since 2021. Table 7.3 presents the changes reported.

Table 7.3 DOTP: Reported changes in operations in subject foreign industries since January 1, 2021, by reported change category and firm

Item	Subject foreign industry, firm name and accompanying narrative response regarding changes in operations
Prolonged shutdowns	***
Production curtailments	***
Weather-related or force majeure events	***

Source: Compiled from data submitted in response to Commission questionnaires.

Installed and practical overall capacity

Table 7.4 presents data on subject producers' installed capacity, practical overall capacity, and practical DOTP capacity and production on the same equipment. *** indicated a decrease in overall practical capacity year over year from 2021 to 2023 with no change in installed overall capacity. Between the interim periods *** indicated no change within either installed or practical overall capacity. *** indicated an increase in both installed and practical overall capacity between 2021 and 2023. Both of *** reported overall capacities remained mostly unchanged between the interim periods. These changes resulted in an increase of *** percent in installed overall capacity between 2021 and 2023 and decrease of *** percent in practical overall capacity on the aggregate. Practical capacity utilization decreased irregularly from 2021 through 2023 and was lower in interim 2024 than in interim 2023.[7] Each firm produced alternative products on this same equipment used to produce DOTP. ***. The capacity utilization for DOTP was higher than that of capacity utilization for overall production.

[7] ***.

Table 7.4 DOTP: Subject producers' installed and practical capacity and production on the same equipment as subject production, by period

Capacity and production in metric tons; utilization in percent; Interim period is January through September

Item	Measure	2021	2022	2023	Interim 2023	Interim 2024
Installed overall	Capacity	***	***	***	***	***
Installed overall	Production	***	***	***	***	***
Installed overall	Utilization	***	***	***	***	***
Practical overall	Capacity	***	***	***	***	***
Practical overall	Production	***	***	***	***	***
Practical overall	Utilization	***	***	***	***	***
Practical DOTP	Capacity	***	***	***	***	***
Practical DOTP	Production	***	***	***	***	***
Practical DOTP	Utilization	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Constraints on capacity

Table 7.5 presents subject producers' reported production and capacity constraints since January 1, 2021. Grupa Azoty and UPC both provided explanations of production constraints since January 1, 2021.

Table 7.5 DOTP: Subject producers' reported constraints to practical overall capacity since January 1, 2021, by subject foreign industry, firm, and type of constraint

Type of constraint	Subject foreign industry, firm name, and narrative response on constraints to practical overall capacity
Production bottlenecks	***
Supply of material inputs	***
Other constraints	***

Source: Compiled from data submitted in response to Commission questionnaires.

Operations on DOTP

Aggregate DOTP operations in the subject countries

Table 7.6 presents information on the DOTP operations of the responding producers/exporters (aggregate data for all subject foreign industries). From 2021 to 2023 capacity decreased each year, ending *** percent lower in 2023 from 2021 levels. Interim 2024 increased by *** percent from interim 2023 levels. Projections for 2024 increase from 2023 and the trend continues with a further projected increase in 2025. From 2021 through 2023 production decreased but was higher in interim 2024 than in interim 2023, and production was projected to increase in 2024 from 2023 and increase again in 2025 from 2024. From 2021 to 2023 end of period inventories increased. This trend continued with interim period 2024 inventories higher than interim period 2023. Inventories were expected to increase further in the projections for 2024 and then decline in projection 2025. Ratios of inventories to production increased from 2021 to 2023 ending *** percentage points higher in 2023 compared to 2021. Ratio of inventories to shipments also increased year over year from 2021 to 2023, ending *** percentage points higher in 2023 compared to 2021 levels. Exports to the United States fluctuated through the years from 2021 to 2023 with an increase of *** percent from 2021 to 2022, followed by a decline of *** percent in 2023. Exports to the United States declined between interim 2023 and interim 2024 by *** percent with a decrease projected into 2024 of *** percent. As a share of total production, exports to the United States increased every year from 2021 to 2023. Interim 2024 compared to interim 2023 showed a decrease of *** percentage points from the previous period with the share of total production going to United States exports expected to increase by *** percentage points into 2025 while the share of home markets shipments declines.

Table 7.6 DOTP: Data on subject foreign industries, by item and period

Quantity in metric tons; Interim period is January through September

Item	2021	2022	2023	Interim 2023	Interim 2024	Projection 2024	Projection 2025
Capacity	***	***	***	***	***	***	***
Production	***	***	***	***	***	***	***
End-of-period inventories	***	***	***	***	***	***	***
Internal consumption	***	***	***	***	***	***	***
Commercial home market shipments	***	***	***	***	***	***	***
Home market shipments	***	***	***	***	***	***	***
Exports to the United States	***	***	***	***	***	***	***
Exports to all other markets	***	***	***	***	***	***	***
Export shipments	***	***	***	***	***	***	***
Total shipments	***	***	***	***	***	***	***

Table continued.

Table 7.6 (Continued) DOTP: Data on subject foreign industries, by item and period

Shares and ratios in percent; Interim period is January through September

Item	2021	2022	2023	Interim 2023	Interim 2024	Projection 2024	Projection 2025
Capacity utilization ratio	***	***	***	***	***	***	***
Inventory ratio to production	***	***	***	***	***	***	***
Inventory ratio to total shipments	***	***	***	***	***	***	***
Internal consumption share	***	***	***	***	***	***	***
Commercial home market shipments share	***	***	***	***	***	***	***
Home market shipments share	***	***	***	***	***	***	***
Exports to the United States share	***	***	***	***	***	***	***
Exports to all other markets share	***	***	***	***	***	***	***
Export shipments share	***	***	***	***	***	***	***
Total shipments share	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "—".

Practical DOTP capacity and production by subject foreign industry

Table 7.7 presents information on subject producers' production, capacity, and capacity utilization by subject country. Capacity in Malaysia increased between 2021 and 2023 each year. Capacity also increased when comparing interim periods 2023 and 2024 with a projected increase in capacity from 2023 to 2024 and a decrease in capacity in 2025. Capacity in Poland decreased from 2021 to 2023 by *** percent. Capacity was higher in interim 2024 than it was in 2023. The projection for 2024 remained unchanged from 2023 capacity and there is a projection for capacity increase in 2025. On the aggregate capacity decreased year over year from 2021 to 2023 with a total decrease of *** percent from 2021 capacity. When comparing interim periods 2023 and 2024 capacity increased *** percent. There is a projection of a *** percent increase in aggregate capacity from 2023 to 2024 and a *** percent increase into 2025. The share of capacity utilized by the Malaysian producer declined irregularly from 2021 to 2023, decreasing in 2022 then increasing in 2023. Utilization increased between interim periods 2023 and 2024 although the projection for full year 2024 was that the utilization share would decrease compared to the 2023 share. For 2025 the producer in Malaysia anticipates a *** percent utilization. The share of capacity utilized by the Polish producer declined from 2021 to 2023. The utilization rate for all subject foreign industries was lower in interim 2024 than in interim 2023. These rates are lower in projected 2024 than in 2023 but rates are projected to be higher in 2025 than in projections for 2024.

Table 7.7 DOTP: Subject foreign industries' output: Practical capacity, by subject foreign industry and period

Capacity

Quantity in metric tons; Interim period is January through September

Subject foreign industry	2021	2022	2023	Interim 2023	Interim 2024	Projection 2024	Projection 2025
Malaysia	***	***	***	***	***	***	***
Poland	***	***	***	***	***	***	***
Taiwan	***	***	***	***	***	***	***
Turkey	***	***	***	***	***	***	***
All subject foreign industries	***	***	***	***	***	***	***

Table continued.

Table 7.7 (Continued) DOTP: Subject foreign industries' output: Production, by subject foreign industry and period

Production

Quantity in metric tons; Interim period is January through September

Subject foreign industry	2021	2022	2023	Interim 2023	Interim 2024	Projection 2024	Projection 2025
Malaysia	***	***	***	***	***	***	***
Poland	***	***	***	***	***	***	***
Taiwan	***	***	***	***	***	***	***
Turkey	***	***	***	***	***	***	***
All subject foreign industries	***	***	***	***	***	***	***

Table continued.

Table 7.7 (Continued) DOTP: Subject foreign industries' output: Capacity utilization ratio, by subject foreign industry and period

Capacity utilization

Ratio in percent; Interim period is January through September

Subject foreign industry	2021	2022	2023	Interim 2023	Interim 2024	Projection 2024	Projection 2025
Malaysia	***	***	***	***	***	***	***
Poland	***	***	***	***	***	***	***
Taiwan	***	***	***	***	***	***	***
Turkey	***	***	***	***	***	***	***
All subject foreign industries	***	***	***	***	***	***	***

Table continued.

Note: Capacity utilization ratio represents the ratio of the subject producer’s production to its production capacity.

Table 7.7 (Continued) DOTP: Subject foreign industries' output: Share of production, by subject foreign industry and period

Share of production

Share in percent; Interim period is January through September

Subject foreign industry	2021	2022	2023	Interim 2023	Interim 2024	Projection 2024	Projection 2025
Malaysia	***	***	***	***	***	***	***
Poland	***	***	***	***	***	***	***
Taiwan	***	***	***	***	***	***	***
Turkey	***	***	***	***	***	***	***
All subject foreign industries	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as “—“.

DOTP exports, by subject country

Table 7.8 presents information on subject producers' exports of DOTP by subject country. Subject producers' combined exports to the United States increased irregularly from 2021 to 2023 having decreased from 2022 to 2023. Their combined exports to the United States projections for 2024 and 2025 show lover volumes compared to 2022 and 2023. Exports to the Unites States from subject producers in Malaysia decreased in 2023 from 2022 after increasing in 2022 from 2021. These exports from Malaysia were *** in interim 2024 and were *** in projection 2024, with quantities *** in projections for 2025. Subject producers' exports from Poland to the United States increased irregularly from 2021 to 2023, having decreased from 2021 to 2022. Between interim periods exports to the United States from subject producers in Poland decreased. These quantities decrease from 2023 to projection 2024, and *** in Projection 2025.

Table 7.8 DOTP: Subject foreign industries' exports: Exports to the United States, by subject foreign industry and period

Exports to the United States

Quantity in metric tons; Interim period is January through September

Subject foreign industry	2021	2022	2023	Interim 2023	Interim 2024	Projection 2024	Projection 2025
Malaysia	***	***	***	***	***	***	***
Poland	***	***	***	***	***	***	***
Taiwan	***	***	***	***	***	***	***
Turkey	***	***	***	***	***	***	***
All subject foreign industries	***	***	***	***	***	***	***

Table continued.

Table 7.8 (Continued) DOTP: Subject foreign industries' exports: Share of total shipments exported to the United States, by subject foreign industry and period

Share of total shipments exported to the United States

Share in percent; Interim period is January through September

Subject foreign industry	2021	2022	2023	Interim 2023	Interim 2024	Projection 2024	Projection 2025
Malaysia	***	***	***	***	***	***	***
Poland	***	***	***	***	***	***	***
Taiwan	***	***	***	***	***	***	***
Turkey	***	***	***	***	***	***	***
All subject foreign industries	***	***	***	***	***	***	***

Table continued.

Table 7.8 (Continued) DOTP: Subject foreign industries' exports: Total exports, by subject foreign industry and period

Total exports

Quantity in metric tons; Interim period is January through September

Subject foreign industry	2021	2022	2023	Interim 2023	Interim 2024	Projection 2024	Projection 2025
Malaysia	***	***	***	***	***	***	***
Poland	***	***	***	***	***	***	***
Taiwan	***	***	***	***	***	***	***
Turkey	***	***	***	***	***	***	***
All subject foreign industries	***	***	***	***	***	***	***

Table continued.

Table 7.8 (Continued) DOTP: Subject foreign industries' exports: Share of total shipments exported, by subject foreign industry and period

Share of total shipments exported

Share in percent; Interim period is January through September

Subject foreign industry	2021	2022	2023	Interim 2023	Interim 2024	Projection 2024	Projection 2025
Malaysia	***	***	***	***	***	***	***
Poland	***	***	***	***	***	***	***
Taiwan	***	***	***	***	***	***	***
Turkey	***	***	***	***	***	***	***
All subject foreign industries	***	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "—".

DOTP inventories, by subject foreign industry

Table 7.9 presents information on ending inventory of the responding producers by subject foreign country. All subject foreign industries' combined ending inventories rose from 2021 to 2023. In interim period 2024 they increased from interim 2023. They were projected to be higher in projection 2024 than in 2023, and lower in projection 2025 than in projection 2024. Quantity for ending inventories for all subject inventories combined were projected to remain close to 2023 levels in both 2024 and lower in 2025. Ending inventories for the foreign producer in Malaysia decreased irregularly year over year from 2021 to 2023, decreasing in 2022 and then increasing in 2023. Comparing interim periods 2023 and 2024, ending inventory was higher in 2024. Projection for 2024 was lower than 2023 and projection for 2025 is higher than projections for 2024. Ending inventories for the foreign producer in Poland increased year over

year from 2021 to 2023 with 2023 inventories approaching *** that of 2021 inventories. This trend of increasing inventories continued when comparing the interim periods 2023 and 2024. Projections for inventories were higher in 2024 than inventories in 2023 and lower in 2025 projections than 2024 projections.

Table 7.9 DOTP: Subject foreign industries' inventories: End of period inventories, by subject foreign industry and period

Quantity in metric tons; Interim period is January through September

Subject foreign industry	2021	2022	2023	Interim 2023	Interim 2024	Projection 2024	Projection 2025
Malaysia	***	***	***	***	***	***	***
Poland	***	***	***	***	***	***	***
Taiwan	***	***	***	***	***	***	***
Turkey	***	***	***	***	***	***	***
All subject foreign industries	***	***	***	***	***	***	***

Table continued.

Table 7.9 (Continued) DOTP: Subject foreign industries' inventories: Ratio of inventories to total shipments, by subject foreign industry and period

Ratio in percent; Interim period is January through September

Subject foreign industry	2021	2022	2023	Interim 2023	Interim 2024	Projection 2024	Projection 2025
Malaysia	***	***	***	***	***	***	***
Poland	***	***	***	***	***	***	***
Taiwan	***	***	***	***	***	***	***
Turkey	***	***	***	***	***	***	***
All subject foreign industries	***	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "—".

Alternative products

As shown in Table 7.10, responding firms in subject countries produced other products on the same equipment and machinery used to produce DOTP. Other products which were made with the same equipment as subject product made up an increasing share of production from 2021 to 2023. This share was lower in interim 2024 than in interim 2023.

Table 7.10 DOTP: Subject producers' overall production on the same equipment as subject production, by product type and period

Quantities in metric tons; shares and Ratios in percent; Interim period is January through September

Product type	Measure	2021	2022	2023	Interim 2023	Interim 2024
DOTP	Quantity	***	***	***	***	***
Other products	Quantity	***	***	***	***	***
All products	Quantity	***	***	***	***	***
DOTP	Share	***	***	***	***	***
Other products	Share	***	***	***	***	***
All products	Share	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Exports

Table 7.11 presents Global Trade Atlas ("GTA") data for exports of DOTP from subject countries to the United States and to all destination markets. Exports from Malaysia to the United States increased in 2022 then declined in 2023 with an overall increase of more than 200.0 percent since 2021. Exports from Poland declined in 2022 then increased in 2023 having increased by nearly 300.0 percent since 2021. Exports from Taiwan decreased each year from 2021 to 2023. Exports from Turkey increased in 2022 then decreased in 2023 below 2021 levels. The share of global exports from subject exporters to the United States increased by 1.9 percent from 2021 to 2023 having fluctuated higher in 2022.

Table 7.11 DOTP and other plasticizers: Global exports from subject exporters: Exports to the United States, by exporter and period

Quantity in metric tons

Exporter	Measure	2021	2022	2023
Malaysia	Quantity	663	4,631	2,021
Poland	Quantity	749	258	2,982
Taiwan	Quantity	12,071	14,079	10,891
Turkey	Quantity	4,416	10,334	2,349
Subject exporters	Quantity	17,900	29,302	18,242

Table continued.

Table 7.11 (Continued) DOTP and other plasticizers: Global exports from subject exporters: Exports to all destination markets, by exporter and period

Quantity in metric tons

Exporter	Measure	2021	2022	2023
Malaysia	Quantity	16,427	12,760	15,113
Poland	Quantity	36,943	34,214	25,679
Taiwan	Quantity	246,564	210,012	212,732
Turkey	Quantity	76,449	80,362	66,802
Subject exporters	Quantity	376,383	337,348	320,326

Table continued.

Table 7.11 (Continued) DOTP and other plasticizers: Global exports from subject exporters: Share of exports exported to the United States, by exporter and period

Shares in percent

Exporter	Measure	2021	2022	2023
Malaysia	Share	4.0	36.3	13.4
Poland	Share	2.0	0.8	11.6
Taiwan	Share	4.9	6.7	5.1
Turkey	Share	5.8	12.9	3.5
Subject exporters	Share	4.8	8.7	5.7

Source: Official exports statistics for Malaysia, Taiwan and Turkey and official global imports statistics from Poland (constructed exports) under HS subheading 2917.39 as reported by various national statistical authorities in the Global Trade Atlas Suite database, accessed January 6, 2025.

Note: Shares represent the shares of value exported to the United States out of all destination markets.

U.S. inventories of imported merchandise

Table 7.12 presents data on U.S. importers' reported inventories of DOTP. Overall, end-of-period inventories of subject imports fluctuated year to year, increasing from 2021 to 2022 then decreasing from 2022 to 2023, ending *** percent lower in 2023 than in 2021. End-of-period inventories once again fell between interim periods 2023 and 2024 by *** percent as end-of period inventories decreased for each subject country when comparing interim periods. The ratio of inventories to imports, U.S. shipments, and total shipments each declined from 2021 to 2023 and were substantially lower in interim 2024 than the high ratios in interim 2023.

Imports from Taiwan accounted for the largest share of U.S. importers' end-of-period inventories in 2021, 2023 as well as interim 2024. Imports from Turkey accounted for the largest share in 2022. End-of-period inventories of imports from Malaysia were present only in 2022 and 2023, including interim period 2023. End-of-period inventories of imports from Malaysia decreased by *** percent from 2022 to 2023 and fell to *** between interim periods 2023 and 2024. End-of-period inventories of imports from Poland were only present in 2023, interim period 2023, and interim 2024. End-of-period inventories of imports from Taiwan decreased year to year, ending *** percent lower in 2023 than in 2021. In interim period 2023, volume was higher than in interim 2024. End-of-period inventories of imports from Turkey widely fluctuated year to year, increasing from 2021 to 2022 then decreasing from 2022 to 2023, ending *** percent higher in 2023 than in 2021. End-of-period inventories between interim periods 2023 and 2024 in Turkey fell *** percent. End-of-period inventories of nonsubject imports were not present in 2021, from 2022 to 2023 it increased by *** percent. End-of-period inventories for nonsubject sources in interim 2023 were *** metric tons and increased to *** metric tons in interim 2024.

Table 7.12 DOTP: U.S. importers' inventories and their ratio to select items, by source and period

Quantity in metric tons; Ratio in percent; Interim period is January through September

Measure	Source	2021	2022	2023	Interim 2023	Interim 2024
Inventories quantity	Malaysia	***	***	***	***	***
Ratio to imports	Malaysia	***	***	***	***	***
Ratio to U.S. shipments of imports	Malaysia	***	***	***	***	***
Ratio to total Shipments of imports	Malaysia	***	***	***	***	***
Inventories quantity	Poland	***	***	***	***	***
Ratio to imports	Poland	***	***	***	***	***
Ratio to U.S. shipments of imports	Poland	***	***	***	***	***
Ratio to total Shipments of imports	Poland	***	***	***	***	***
Inventories quantity	Taiwan	***	***	***	***	***
Ratio to imports	Taiwan	***	***	***	***	***
Ratio to U.S. shipments of imports	Taiwan	***	***	***	***	***
Ratio to total Shipments of imports	Taiwan	***	***	***	***	***
Inventories quantity	Turkey	***	***	***	***	***
Ratio to imports	Turkey	***	***	***	***	***
Ratio to U.S. shipments of imports	Turkey	***	***	***	***	***
Ratio to total Shipments of imports	Turkey	***	***	***	***	***

Table continued.

Table 7.12 (Continued) DOTP: U.S. importers' inventories and their ratio to select items, by source and period

Quantity in metric tons; Ratio in percent; Interim period is January through September

Measure	Source	2021	2022	2023	Interim 2023	Interim 2024
Inventories quantity	Subject sources	***	***	***	***	***
Ratio to imports	Subject sources	***	***	***	***	***
Ratio to U.S. shipments of imports	Subject sources	***	***	***	***	***
Ratio to total Shipments of imports	Subject sources	***	***	***	***	***
Inventories quantity	Nonsubject sources	***	***	***	***	***
Ratio to imports	Nonsubject sources	***	***	***	***	***
Ratio to U.S. shipments of imports	Nonsubject sources	***	***	***	***	***
Ratio to total Shipments of imports	Nonsubject sources	***	***	***	***	***
Inventories quantity	All import sources	***	***	***	***	***
Ratio to imports	All import sources	***	***	***	***	***
Ratio to U.S. shipments of imports	All import sources	***	***	***	***	***
Ratio to total Shipments of imports	All import sources	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "—".

U.S. importers' outstanding orders

The Commission requested all importers to indicate whether they imported or arranged for the importation of DOTP after September 30, 2024. Their reported data are presented in table 7.13. *** importer indicated arranged imports from subject countries. At least two importers reported discontinuing trade altogether or from subject sources specifically.[8] Five importers reported arranged imports from nonsubject sources. ***. No arranged imports were reported for Q2 or Q3 2025 by any import questionnaire respondent.

[8] ***. Email from ***, February 21, 2025. ***. Email from ***, January 27, 2025.

Table 7.13 DOTP: Arranged imports, by source and by period

Quantity in metric tons

Source	Q4 2024	Q1 2025	Q2 2025	Q3 2025	Total
Malaysia	***	***	***	***	***
Poland	***	***	***	***	***
Taiwan	***	***	***	***	***
Turkey	***	***	***	***	***
Subject sources	***	***	***	***	***
Nonsubject sources	***	***	***	***	***
All import sources	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Third-country trade actions

There are no known trade remedy actions on DOTP in third-country markets against any of the subject countries.

Information on nonsubject countries

The global plasticizer market continues to move away from phthalate plasticizers, with their attendant environmental and health concerns, to nonphthalate plasticizers, including DOTP. However, DOTP production is significant in only a few nonsubject countries. South Korea has substantial production capacity, but it is already under a U.S. AD order.[9] China is the largest producer and consumer of DOTP with numerous plants entering and exiting the market in China.[10] In 2020, DOTP became the leading plasticizer used in China, and the country is a net importer.[11] In 2019, Sibur opened a DOTP production facility in Russia with an annual capacity of 100,000 metric tons.[12] Mexico has some DOTP production capacity at swing plants, but the producers do not seem focused on DOTP production.[13] Canada does not produce DOTP and only one producer in Western Europe, Valtris Specialty Chemicals in France, produces a small

[9] See table 1.2 for more information on the status of the antidumping duty order on DOTP from Korea.

[10] Chemical Economics Handbook, "Plasticizers," December 2024, pp. 128 to 135 and 137.

[11] Chemical Economics Handbook, "Plasticizers," December 2024, p. 15.

[12] "SIBUR Shortens Timeline, Reduces Cost," https://www.sibur.com:443/en/press-center/articles-interviews/sibur_shortens_timeline_reduces_cost_of_largescale_petchem_project_in_russias_far_east/, accessed February 21, 2025.

[13] Chemical Economics Handbook, "Plasticizers," December 2024, p. 73.

amount of DOTP.[14] Plasticizer producers in Canada and Western Europe may, however, be capable of producing compound plasticizers containing DOTP.

Table 7.14 presents GTA data for global exports of aromatic polycarboxylic acids, their anhydrides, halides, peroxides, peroxyacids and their derivatives under HS subheading 2917.39 (an HS classification that includes DOTP and out-of-scope goods). Based on GTA data, South Korea was the dominant global exporter of these plasticizers in 2023, followed by Taiwan, China, and Spain. Although Spain is listed as the fourth-largest exporter of products in this basket category of plasticizers, as mentioned earlier the countries of Western Europe do not produce significant volumes of DOTP.

[14] Chemical Economics Handbook, "Plasticizers," December 2024, pp. 68, 91, and 102. Valtris Specialty Chemicals, "CEREPLAS™ 100XS," https://portal.valtris.com/store/valtris-plasticizers/product/cereplasTM-100xs, accessed February 21, 2025.

Table 7.14 DOTP and other plasticizers: Global exports by exporter and period

Quantity in metric tons; value in 1,000 dollars

Exporting country	Measure	2021	2022	2023
United States	Quantity	98,803	83,459	76,280
Malaysia	Quantity	16,427	12,760	15,113
Poland	Quantity	36,943	34,214	25,679
Taiwan	Quantity	246,564	210,012	212,732
Turkey	Quantity	76,449	80,362	66,802
Subject exporters	Quantity	376,383	337,348	320,326
South Korea	Quantity	481,354	496,728	554,911
China	Quantity	134,383	154,247	172,245
Spain	Quantity	172,044	140,840	107,370
Japan	Quantity	56,966	53,011	56,599
All other exporters	Quantity	358,418	266,262	213,889
Nonsubject exporters	Quantity	1,203,164	1,111,088	1,105,013
All reporting exporters	Quantity	1,678,350	1,531,895	1,501,618
United States	Value	212,413	220,153	190,994
Malaysia	Value	34,175	22,252	21,694
Poland	Value	71,411	82,402	43,937
Taiwan	Value	300,108	260,597	235,634
Turkey	Value	159,881	153,607	101,200
Subject exporters	Value	565,575	518,858	402,466
South Korea	Value	612,776	633,672	629,991
China	Value	353,085	415,849	340,082
Spain	Value	231,819	241,774	172,542
Japan	Value	103,740	93,884	87,200
All other exporters	Value	646,287	621,684	482,456
Nonsubject exporters	Value	1,947,708	2,006,864	1,712,271
All reporting exporters	Value	2,725,697	2,745,876	2,305,732

Table continued.

Table 7.14 (Continued) DOTP and other plasticizers: Global exports by exporter and period

Unit value in dollars per metric ton; share in percent

Exporting country	Measure	2021	2022	2023
United States	Unit value	2,150	2,638	2,504
Malaysia	Unit value	2,080	1,744	1,435
Poland	Unit value	1,933	2,408	1,711
Taiwan	Unit value	1,217	1,241	1,108
Turkey	Unit value	2,091	1,911	1,515
Subject exporters	Unit value	1,503	1,538	1,256
South Korea	Unit value	1,273	1,276	1,135
China	Unit value	2,627	2,696	1,974
Spain	Unit value	1,347	1,717	1,607
Japan	Unit value	1,821	1,771	1,541
All other exporters	Unit value	5,434	7,537	8,005
Nonsubject exporters	Unit value	1,803	2,335	2,256
All reporting exporters	Unit value	1,624	1,792	1,535
United States	Share of quantity	5.9	5.4	5.1
Malaysia	Share of quantity	1.0	0.8	1.0
Poland	Share of quantity	2.2	2.2	1.7
Taiwan	Share of quantity	14.7	13.7	14.2
Turkey	Share of quantity	4.6	5.2	4.4
Subject exporters	Share of quantity	22.4	22.0	21.3
South Korea	Share of quantity	28.7	32.4	37.0
China	Share of quantity	8.0	10.1	11.5
Spain	Share of quantity	10.3	9.2	7.2
Japan	Share of quantity	3.4	3.5	3.8
All other exporters	Share of quantity	21.4	17.4	14.2
Nonsubject exporters	Share of quantity	71.7	72.5	73.6
All reporting exporters	Share of quantity	100.0	100.0	100.0

Source: Official export statistics and official global imports statistics from Poland (constructed exports) under HS subheading 2917.39 as reported by various national statistical authorities in the Global Trade Atlas Suite database, accessed January 6, 2025.

Note: United States is shown at the top followed by the countries under investigation, all remaining top exporting countries in descending order of quantity in 2023.

APPENDIX A

FEDERAL REGISTER NOTICES

The Commission makes available notices relevant to its investigations and reviews on its website, www.usitc.gov. In addition, the following tabulation presents, in chronological order, Federal Register notices issued by the Commission and Commerce during the current proceeding.

Citation	Title	Link
89 FR 22450, April 1, 2024	*Dioctyl Terephthalate ("DOTP") From Malaysia, Poland, Taiwan, and Turkey; Notice of Institution of Antidumping Duty Investigations and Scheduling of Preliminary Phase Investigations*	https://www.govinfo.gov/content/pkg/FR-2024-04-01/pdf/2024-06791.pdf
89 FR 29285, April 22, 2024	*Dioctyl Terephthalate From Malaysia, Poland, Taiwan, and the Republic of Türkiye: Initiation of Less-Than-Fair-Value Investigations*	https://www.govinfo.gov/content/pkg/FR-2024-04-22/pdf/2024-08449.pdf
89 FR 42899, May 16, 2024	*Dioctyl Terephthalate (DOTP) From Malaysia, Poland, Taiwan, and Turkey; Determinations*	https://www.govinfo.gov/content/pkg/FR-2024-05-16/pdf/2024-10663.pdf
89 FR 87848, November 5, 2024	*Dioctyl Terephthalate From Malaysia: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*	https://www.govinfo.gov/content/pkg/FR-2024-11-05/pdf/2024-25640.pdf
89 FR 87844, November 5, 2024	*Dioctyl Terephthalate From Poland: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*	https://www.govinfo.gov/content/pkg/FR-2024-11-05/pdf/2024-25641.pdf

Citation	Title	Link
89 FR 87846, November 5, 2024	*Dioctyl Terephthalate From Taiwan: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*	https://www.govinfo.gov/content/pkg/FR-2024-11-05/pdf/2024-25642.pdf
89 FR 87855, November 5, 2024	*Dioctyl Terephthalate From the Republic of Türkiye: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*	https://www.govinfo.gov/content/pkg/FR-2024-11-05/pdf/2024-25643.pdf
89 FR 91423, November 19, 2024	*Dioctyl Terephthalate (DOTP) From Malaysia, Poland, Taiwan, and Turkey; Scheduling of the Final Phase of Antidumping Duty Investigations*	https://www.govinfo.gov/content/pkg/FR-2024-11-19/pdf/2024-26884.pdf
90 FR 13880, March 27, 2025	*Dioctyl Terephthalate (DOTP) From Malaysia, Poland, Taiwan, and Turkey; Cancellation of Hearing for Antidumping Duty Investigations*	https://www.govinfo.gov/content/pkg/FR-2025-03-27/pdf/2025-05271.pdf
90 FR 14073, March 28, 2025	*Dioctyl Terephthalate From Malaysia: Final Affirmative Determination of Sales at Less Than Fair Value*	https://www.govinfo.gov/content/pkg/FR-2025-03-28/pdf/2025-05315.pdf
90 FR 14117, March 28, 2025	*Dioctyl Terephthalate From Poland: Final Affirmative Determination of Sales at Less Than Fair Value*	https://www.govinfo.gov/content/pkg/FR-2025-03-28/pdf/2025-05316.pdf

Citation	Title	Link
90 FR 14069 March 28, 2025	*Dioctyl Terephthalate From Taiwan: Final Affirmative Determination of Sales at Less Than Fair Value*	https://www.govinfo.gov/content/pkg/FR-2025-03-28/pdf/2025-05317.pdf.
90 FR 14071, March 28, 2025	*Dioctyl Terephthalate From the Republic of Türkiye: Final Affirmative Determination of Sales at Less Than Fair Value*	https://www.govinfo.gov/content/pkg/FR-2025-03-28/pdf/2025-05318.pdf.

APPENDIX B

FEDERAL REGISTER NOTICE: CANCELLATION OF HEARING

United States, the sale for importation, and the sale within the United States after importation of certain video game consoles, routers and gateways, and components thereof by reason of the infringement of certain claims of U.S. Patent No. 10,917,272 (''the '272 patent''); U.S. Patent No. 11,646,927 (''the '927 patent''); U.S. Patent No. 11,777,776 (''the '776 patent''); and U.S. Patent No. 12,063,134 (''the '134 patent''). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute. The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.*

FOR FURTHER INFORMATION CONTACT: Pathenia M. Proctor, The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205–2560.

SUPPLEMENTARY INFORMATION:

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2025).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on March 21, 2025, *ordered that*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claims 1 and 11 of the '272 patent; claims 1 and 2 of the '927 patent; claims 1–6 of the '776 patent; and claims 1–7 of the '134 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and Procedure, 19 CFR 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is ''video game consoles, routers, and gateways, and components thereof'';

(3) Pursuant to Commission Rule 210.50(b)(l), 19 CFR 210.50(b)(1), the presiding administrative law judge shall take evidence or other information and hear arguments from the parties or other interested persons with respect to the public interest in this investigation, as appropriate, and provide the Commission with findings of fact and a recommended determination on this issue, which shall be limited to the statutory public interest factors set forth in 19 U.S.C. 1337(d)(l), (f)(1), (g)(1);

(4) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

The complainant is: AX Wireless, LLC, 2025 Guadalupe Street, Suite 260, Austin, TX 78705.

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Sony Interactive Entertainment Inc., 1–7–1 Konan, Minato-ku, Tokyo, Japan 108–0075

Sony Interactive Entertainment LLC, 2207 Bridgepointe Parkway, San Mateo, CA 94404

Vantiva SA, 10, Boulevard De Grenelle, Paris, Ile-de-France, France 75015

Vantiva USA, LLC, 4855 Peachtree Industrial Blvd., Suite 200, Norcross, GA 30092

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW, Suite 401, Washington, DC 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

Issued: March 21, 2025.

Sharon Bellamy,

Supervisory Hearings and Information Officer.

[FR Doc. 2025–05172 Filed 3–26–25; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731–TA–1675–1678 (Final)]

Dioctyl Terephthalate (DOTP) From Malaysia, Poland, Taiwan, and Turkey; Cancellation of Hearing for Antidumping Duty Investigations

AGENCY: United States International Trade Commission.

ACTION: Notice.

DATES: March 21, 2025.

FOR FURTHER INFORMATION CONTACT: Jesse Sanchez ((202) 205–2402), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*http://www.usitc.gov*). The public record for these investigations may be viewed on the Commission's electronic docket (EDIS) at *http://edis.usitc.gov.*

SUPPLEMENTARY INFORMATION: On November 5, 2024, the Commission

established a schedule for the final phase of the antidumping duty investigations (89 FR 91423, November 19, 2024). On March 19, 2025, counsel for Eastman Chemical Company (''Eastman'') and counsel for BASF Corporation (''BASF'') filed requests to appear at the hearing. No other parties submitted a request to appear at the hearing. On March 20, 2025, counsel for Eastman filed a request that the Commission cancel the scheduled hearing for these investigations and withdrew its request to appear at the hearing. On March 20, 2025, counsel for BASF withdrew its request to appear at the hearing. Counsel indicated a willingness to respond to any Commission questions in lieu of an actual hearing. Consequently, the public hearing in connection with these investigations, scheduled to begin at 9:30 a.m. on Tuesday, March 25, 2025, is cancelled. Parties to these investigations should respond to any written questions posed by the Commission in their posthearing briefs, which are due to be filed on April 1, 2025.

For further information concerning these investigations see the Commission's notice cited above and the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

Authority: These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.21 of the Commission's rules.

By order of the Commission.

Issued: March 24, 2025.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2025–05271 Filed 3–26–25; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–1526]

Bulk Manufacturer of Controlled Substances Application; Promega Corporation

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Promega Corporation has applied to be registered as a bulk manufacturer of basic class(es) of controlled substance(s). Refer to **SUPPLEMENTARY INFORMATION** listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants, therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before May 27, 2025. Such persons may also file a written request for a hearing on the application on or before May 27, 2025.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to *https://www.regulations.gov* and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on *https://www.regulations.gov.* If you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on February 26, 2025, Promega Corporation, 3075 Sub Zero Parkway, Fitchburg, Wisconsin 53719, applied to be registered as bulk manufacturer of the following basic class(es) of controlled substance(s):

Controlled substance	Drug code	Schedule
Psilocybin	7437	I
Psilocyn	7438	I

The company plans to bulk manufacture the listed controlled substances as Active Pharmaceutical Ingredients (API) for sale to its customers. No other activities for these drug codes are authorized for this registration.

Matthew Strait,

Deputy Assistant Administrator.

[FR Doc. 2025–05283 Filed 3–26–25; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 25–19]

Willard J. Davis, D.O.; Decision and Order

On November 13, 2024, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Willard J. Davis, D.O., of Round Rock, Texas (Respondent). OSC, at 1, 4. The OSC proposed the revocation of Respondent's DEA Certificate of Registration No. BD9134254, alleging that Respondent's DEA registration should be revoked because Respondent is ''without authority to handle controlled substances in the State of Texas, the state in which [he is] registered with DEA.'' *Id.* at 2 (citing 21 U.S.C. 824(a)(3)).

On December 10, 2024 Respondent filed a request for a hearing. On December 30, 2024, the Government filed a Motion for Summary Disposition, which Respondent opposed. On January 23, 2025, Administrative Law Judge Teresa A. Wallbaum (the ALJ) granted the Government's Motion for Summary Disposition and recommended the revocation of Respondent's registration, finding that because Respondent lacks state authority to handle controlled substances in Texas, the state in which he is registered with DEA, ''[t]here is no genuine issue of material fact in this case.'' Order Granting the Government's Motion for Summary Disposition, and Recommended Rulings, Findings of Fact, Conclusions of Law, and Decision of the Administrative Law Judge (RD), at 6. Respondent did not file exceptions to the RD.

Having reviewed the entire record, the Agency adopts and hereby incorporates by reference the entirety of the ALJ's rulings, findings of fact, conclusions of law, and recommended sanction as found in the RD and summarizes and expands upon portions thereof herein.

Findings of Fact

On May 16, 2024, the Texas Medical Board suspended Respondent's Texas medical license. RD, at 3.[1] According to Texas online records, of which the Agency takes official notice, Respondent's Texas medical license remains suspended.[2] Texas Medical Board Healthcare Provider Search, *https://profile.tmb.state.tx.us* (last visited date of signature of this Order).

Accordingly, the Agency finds that Respondent is not currently licensed to

[1] *See also* Government's Notice of Filing of Evidence and Motion for Summary Disposition, Exhibit 1, at 3–6.

[2] Under the Administrative Procedure Act, an agency ''may take official notice of facts at any stage in a proceeding—even in the final decision.'' United States Department of Justice, Attorney General's Manual on the Administrative Procedure Act 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979).

APPENDIX C

SUMMARY DATA

Table C.1
DOTP: Summary data concerning the U.S. market, by item and period

Quantity=metric tons; Value=1,000 dollars; Unit values, unit labor costs, and unit expenses=dollars per metric ton; Period changes=percent--exceptions noted; Interim period is January through September

	Reported data					Period change comparisons			
	Calendar year			Interim		Calendar year			Interim
Item	2021	2022	2023	2023	2024	2021–23	2021–22	2022–23	2023–24
U.S. consumption quantity:									
Amount	***	***	***	***	***	▼***	▼***	▼***	▲***
Producers' share (fn1)	***	***	***	***	***	▼***	▼***	▲***	▲***
Importers' share (fn1):									
Malaysia	***	***	***	***	***	▲***	▲***	▲***	▼***
Poland	***	***	***	***	***	▲***	▼***	▲***	▼***
Taiwan	***	***	***	***	***	▼***	▼***	▼***	▲***
Turkey	***	***	***	***	***	▲***	▲***	▼***	▼***
Subject sources	***	***	***	***	***	▲***	▲***	▼***	▼***
Nonsubject sources	***	***	***	***	***	▼***	▼***	▼***	▲***
All import sources	***	***	***	***	***	▲***	▲***	▼***	▼***
U.S. consumption value:									
Amount	***	***	***	***	***	▼***	▲***	▼***	▲***
Producers' share (fn1)	***	***	***	***	***	▼***	▼***	▲***	▲***
Importers' share (fn1):									
Malaysia	***	***	***	***	***	▲***	▲***	▲***	▼***
Poland	***	***	***	***	***	▲***	▼***	▲***	▼***
Taiwan	***	***	***	***	***	▼***	▼***	▼***	▲***
Turkey	***	***	***	***	***	▲***	▲***	▼***	▼***
Subject sources	***	***	***	***	***	▲***	▲***	▼***	▼***
Nonsubject sources	***	***	***	***	***	▼***	▼***	▼***	▲***
All import sources	***	***	***	***	***	▲***	▲***	▼***	▼***
U.S. importers' U.S. shipments of imports from:									
Malaysia:									
Quantity	***	***	***	***	***	▲***	▲***	▲***	▼***
Value	***	***	***	***	***	▲***	▲***	▼***	▼***
Unit value	***	***	***	***	***	▲***	▲***	▼***	▼***
Ending inventory quantity	***	***	***	***	***	▲***	▲***	▼***	▼***
Poland:									
Quantity	***	***	***	***	***	▲***	▼***	▲***	▼***
Value	***	***	***	***	***	▲***	▼***	▲***	▼***
Unit value	***	***	***	***	***	▼***	▼***	▲***	▲***
Ending inventory quantity	***	***	***	***	***	▲***	***	▲***	▼***
Taiwan:									
Quantity	***	***	***	***	***	▼***	▼***	▼***	▲***
Value	***	***	***	***	***	▼***	▼***	▼***	▲***
Unit value	***	***	***	***	***	▼***	▲***	▼***	▲***
Ending inventory quantity	***	***	***	***	***	▼***	▼***	▼***	▼***
Turkey:									
Quantity	***	***	***	***	***	▲***	▲***	▼***	▼***
Value	***	***	***	***	***	▲***	▲***	▼***	▼***
Unit value	***	***	***	***	***	▼***	▼***	▼***	▲***
Ending inventory quantity	***	***	***	***	***	▲***	▲***	▼***	▼***
Subject sources:									
Quantity	***	***	***	***	***	▲***	▲***	▼***	▼***
Value	***	***	***	***	***	▲***	▲***	▼***	▼***
Unit value	***	***	***	***	***	▼***	▼***	▼***	▲***
Ending inventory quantity	***	***	***	***	***	▼***	▲***	▼***	▼***
Nonsubject sources:									
Quantity	***	***	***	***	***	▼***	▼***	▼***	▲***
Value	***	***	***	***	***	▼***	▼***	▼***	▲***
Unit value	***	***	***	***	***	▼***	▲***	▼***	▲***
Ending inventory quantity	***	***	***	***	***	▲***	▲***	▲***	▲***
All import sources:									
Quantity	***	***	***	***	***	▲***	▲***	▼***	▼***
Value	***	***	***	***	***	▼***	▲***	▼***	▼***
Unit value	***	***	***	***	***	▼***	▼***	▼***	▲***
Ending inventory quantity	***	***	***	***	***	▼***	▲***	▼***	▼***

Table continued

Table C.1 Continued
DOTP: Summary data concerning the U.S. market, by item and period
Quantity=metric tons; Value=1,000 dollars; Unit values, unit labor costs, and unit expenses=dollars per metric ton; Period changes=percent--exceptions noted; Interim period is January through September

	Reported data					Period change comparisons			
	Calendar year			Interim		Calendar year			Interim
Item	2021	2022	2023	2023	2024	2021–23	2021–22	2022–23	2023–24
U.S. producers':									
Practical capacity quantity	***	***	***	***	***	▲***	▼***	▲***	▼***
Production quantity	***	***	***	***	***	▼***	▼***	▼***	▲***
Capacity utilization (fn1)	***	***	***	***	***	▼***	▼***	▼***	▲***
U.S. shipments:									
Quantity	***	***	***	***	***	▼***	▼***	▼***	▲***
Value	***	***	***	***	***	▼***	▲***	▼***	▲***
Unit value	***	***	***	***	***	▲***	▲***	▼***	▼***
Export shipments:									
Quantity	***	***	***	***	***	▼***	▼***	▲***	▲***
Value	***	***	***	***	***	▼***	▼***	▼***	▲***
Unit value	***	***	***	***	***	▼***	▲***	▼***	▼***
Ending inventory quantity	***	***	***	***	***	▲***	▼***	▲***	▲***
Inventories/total shipments (fn1)	***	***	***	***	***	▲***	▲***	▲***	▲***
Production workers	***	***	***	***	***	▲***	▲***	▼***	▼***
Hours worked (1,000s)	***	***	***	***	***	▲***	▲***	▼***	▼***
Wages paid ($1,000)	***	***	***	***	***	▲***	▲***	▲***	▲***
Hourly wages (dollars per hour)	***	***	***	***	***	▲***	▲***	▲***	▲***
Productivity (metric tons per hour)	***	***	***	***	***	▼***	▼***	▼***	▲***
Unit labor costs	***	***	***	***	***	▲***	▲***	▲***	▼***
Net sales:									
Quantity	***	***	***	***	***	▼***	▼***	▼***	▲***
Value	***	***	***	***	***	▼***	▼***	▼***	▲***
Unit value	***	***	***	***	***	▼***	▲***	▼***	▼***
Cost of goods sold (COGS)	***	***	***	***	***	▼***	▲***	▼***	▲***
Gross profit or (loss) (fn2)	***	***	***	***	***	▼***	▼***	▼***	▲***
SG&A expenses	***	***	***	***	***	▼***	▼***	▼***	▲***
Operating income or (loss) (fn2)	***	***	***	***	***	▼***	▼***	▼***	▲***
Net income or (loss) (fn2)	***	***	***	***	***	▼***	▼***	▼***	▲***
Unit COGS	***	***	***	***	***	▲***	▲***	▼***	▼***
Unit SG&A expenses	***	***	***	***	***	▲***	▲***	▲***	▼***
Unit operating income or (loss) (fn2)	***	***	***	***	***	▼***	▲***	▼***	▲***
Unit net income or (loss) (fn2)	***	***	***	***	***	▼***	▲***	▼***	▲***
COGS/sales (fn1)	***	***	***	***	***	▲***	▲***	▲***	▼***
Operating income or (loss)/sales (fn1)	***	***	***	***	***	▼***	▼***	▼***	▲***
Net income or (loss)/sales (fn1)	***	***	***	***	***	▼***	▼***	▼***	▲***
Capital expenditures	***	***	***	***	***	▲***	▲***	▼***	▲***
Research and development expenses	***	***	***	***	***	▼***	▲***	▼***	▲***
Total assets	***	***	***	***	***	▼***	▲***	▼***	***

Source: Compiled from data submitted in response to Commission questionnaires. 508-compliant tables containing these data are contained in parts 3, 4, 6, and 7 of this report.

Note.--U.S. producers' and importers' U.S. shipments are on a delivered basis (inclusive of U.S. inland shipping costs). Shares and ratios shown as “0.0” percent represent non-zero values less than “0.05” percent (if positive) and greater than “(0.05)” percent (if negative). Zeroes, null values, and undefined calculations are suppressed and shown as “—“. Period changes preceded by a “▲” represent an increase, while period changes preceded by a “▼” represent a decrease.

fn1.--Reported data are in percent and period changes are in percentage points.
fn2.--Percent changes only calculated when both comparison values represent profits; The directional change in profitability provided when one or both comparison values represent a loss.

APPENDIX D

SUPPLY CONSTRAINTS NARRATIVE RESPONSES

TableD.1 DOTP: U.S. producers' narratives on the existence of supply constraints during the specified periods, by firm

Year	Firm	Firm's narrative explanation
2021	***	***
2022	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table D.2 DOTP: U.S. importers' narratives on the existence of supply constraints during the specified periods, by firm

Year	Firm	Firm's narrative explanation
2021	***	***
2021	***	***
2021	***	***
2021	***	***
2022	***	***
2022	***	***
2022	***	***
2022	***	***
2023	***	***
2023	***	***
2024	***	***
2024	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table D.3 DOTP: U.S. purchasers' narratives on the existence of supply constraints during the specified periods, by firm

Year	Firm	Firm's narrative explanation
2021	***	***
2021	***	***
2021	***	***
2021	***	***
2021	***	***
2021	***	***
2021	***	***
2021	***	***
2021	***	***
2022	***	***
2022	***	***
2022	***	***
2022	***	***
2022	***	***
2022	***	***

Table continued.

Table D.3 DOTP: U.S. purchasers' narratives on the existence of supply constraints during the specified periods, by firm (continued)

Year	Firm	Firm's narrative explanation
2022	***	***
2022	***	***
2022	***	***
2022	***	***
2023	***	***
2023	***	***
2023	***	***
2023	***	***
2024	***	***
2024	***	***
2024	***	***
2024	***	***
2024	***	***
2024	***	***
2024	***	***
2024	***	***
2024	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

APPENDIX E

U.S. PRODUCERS' AND U.S. IMPORTERS' STORAGE CAPACITY

Table E.1 DOTP: U.S. producers' and U.S. importers' storage capacity, 2023

Quantity in metric tons; ratio in percent

Firm type: item	Measure	2023
U.S. producers: Ending period inventory	Quantity	***
U.S. producers: Storage capacity	Quantity	***
U.S. producers: Storage capacity utilization	Ratio	***
U.S. importers: Ending period inventory	Quantity	***
U.S. producers: Storage capacity	Quantity	***
U.S. producers: Storage capacity utilization	Ratio	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table E.2 DOTP: Count of U.S. producers' and U.S. importers' responses regarding type of storage change

Count in number of firms reporting

Type of storage change	Firm type	No	Yes
Overall change in storage capacity	U.S. producers	***	***
Overall change in storage capacity	Importers	8	4
Ran out of storage or procured additional	U.S. producers	***	***
Action to mitigate storage constraints	U.S. producers	***	***
Action to mitigate storage constraints	Importers	7	3

Source: Compiled from data in response to Commission questionnaires

Note: The importer questionnaire did not request information on whether firms ran out of storage capacity or procured additional storage capacity. However, as presented in table E.4, *** firms reported taking actions to mitigate storage constraints since January 1, 2021.

Table E.3 DOTP: U.S. producers' and U.S. importers' narratives on changes in storage capacity or locations

Firm	Firm type	Narrative on changes in storage capacity or locations
***	U.S. producer	***
***	U.S. importer	***
***	U.S. importer	***
***	U.S. importer	***
***	U.S. importer	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table E.4 DOTP: U.S. importers' narratives on actions to mitigate storage constraints since January 1, 2021

Item	Firm name and narrative on actions to mitigate storage constraints
Rented, leased, or procured temporary storage	***
Arranged for advanced customer DOTP deliveries	***
Slowed or curtailed new DOTP importation	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: *** reported actions to mitigate storage constraints.