

EXPLANATION OF COMMISSION DETERMINATIONS ON ADEQUACY

in

Polyethylene Terephthalate Film, Sheet, and Strip from India and Taiwan Inv. Nos. 701-TA-415 and 731-TA-933-934 (Third Review)

On October 4, 2019, the Commission determined to conduct full reviews in the subject five-year reviews pursuant to section 751(c)(5) of the Tariff Act of 1930, as amended, 19 U.S.C. § 1675(c)(5).

The Commission received a joint response to its notice of institution on behalf of four domestic producers of polyethylene terephthalate film, sheet, and strip (PET film): DuPont Teijin Films; Mitsubishi Polyester Film, Inc.; SKC, Inc.; and Toray Plastics (America), Inc. The Commission received two additional responses from Terphane LLC and Polyplex USA LLC, both domestic producers of PET film. The Commission determined that the responses from the domestic producers were individually adequate. The Commission further determined that the domestic interested party group response was adequate because the domestic interested parties accounted for a substantial share of domestic production of PET film in 2018.

The Commission also received responses to its notice of institution from Polyplex USA LLC, a U.S. importer of PET film from India, Polyplex Corporation Limited, a producer of PET film in India, and Jindal Poly Films Ltd., a producer and U.S. importer of PET film from India. The Commission determined that the individual responses were adequate.

With respect to the orders on PET film from India, Chairman David S. Johanson and Commissioner Randolph J. Stayin determined that the respondent interested party group response was adequate, and therefore voted to conduct full reviews of the orders. Commissioner Jason E. Kearns determined that the respondent group response was inadequate with respect to the orders; however, he found that changes in the conditions of competition warranted full reviews of these orders. Consequently, the Commission determined to conduct full reviews of the antidumping and countervailing duty orders on PET film from India.¹

The Commission did not receive a response to the notice of institution from any respondent interested party with respect to the antidumping duty order on PET film from Taiwan. The Commission therefore determined that the respondent interested party group response was inadequate with respect to that review. The Commission determined, however, to conduct a full review of that order in order to promote administrative efficiency in light of its determination to conduct full reviews of the orders on PET film from India.²

A record of the Commissioners' votes is available from the Office of the Secretary and at the Commission's website (www.usitc.gov).

¹ Commissioners Rhonda K. Schmittlein and Amy A. Karpel determined that the respondent interested party group response was inadequate and voted to conduct expedited reviews of the orders on PET film from India.

² Commissioners Rhonda K. Schmittlein and Amy A. Karpel voted to conduct an expedited review of the order on PET film from Taiwan.