



## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-895, A-583-861]

### Low Melt Polyester Staple Fiber from the Republic of Korea and Taiwan: Continuation of Antidumping Duty Orders

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** As a result of the determinations by the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC) that revocation of the antidumping duty (AD) orders on low melt polyester staple fiber (low melt PSF) from the Republic of Korea (Korea) and Taiwan would likely lead to the continuation or recurrence of dumping and material injury to an industry in the United States, Commerce is publishing a notice of continuation of these AD orders.

**DATES:** Applicable December 19, 2023.

**FOR FURTHER INFORMATION CONTACT:** Andrew Hart, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1058.

### SUPPLEMENTARY INFORMATION:

#### Background

On August 16, 2018, Commerce published in the *Federal Register* the AD orders on low melt PSF from Korea and Taiwan.<sup>1</sup> On July 3, 2023, the ITC instituted,<sup>2</sup> and Commerce

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<sup>1</sup> See *Low Melt Polyester Staple Fiber from the Republic of Korea and Taiwan: Antidumping Duty Orders*, 83 FR 40752 (August 16, 2018) (*Orders*).

<sup>2</sup> See *Low Melt Polyester Staple Fiber from South Korea and Taiwan; Institution of Five-Year Reviews*, 88 FR 42748 (July 3, 2023).

initiated,<sup>3</sup> the first sunset review of the *Orders*, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act). As a result of its reviews, Commerce determined that revocation of the *Orders* would likely lead to the continuation or recurrence of dumping, and therefore, notified the ITC of the magnitude of the margins of dumping likely to prevail should the *Orders* be revoked.<sup>4</sup>

On December 19, 2023, the ITC published its determination, pursuant to sections 751(c) and 752(a) of the Act, that revocation of the *Orders* would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.<sup>5</sup>

#### Scope of the *Orders*

The merchandise subject to the *Orders* is synthetic staple fibers, not carded or combed, specifically bi-component polyester fibers having a polyester fiber component that melts at a lower temperature than the other polyester fiber component (low melt PSF). The scope includes bi-component polyester staple fibers of any denier or cut length. The subject merchandise may be coated, usually with a finish or dye, or not coated.

Low melt PSF is classifiable under the Harmonized Tariff Schedule of the United States (HTSUS) subheading 5503.20.0015. Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of the *Orders* is dispositive.

#### Continuation of the *Orders*

As a result of the determinations by Commerce and the ITC that revocation of the *Orders* would likely lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, Commerce hereby orders the

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<sup>3</sup> See *Initiation of Five-Year (Sunset) Reviews*, 88 FR 42688 (July 3, 2023).

<sup>4</sup> See *Low Melt Polyester Staple Fiber from the Republic of Korea and Taiwan: Final Results of the Expedited First Sunset Review of the Antidumping Duty Orders*, 88 FR 72045 (October 19, 2023), and accompanying Issues and Decision Memorandum.

<sup>5</sup> See *Low Melt Polyester Staple Fiber from South Korea and Taiwan*, 88 FR 87814 (December 19, 2023).

continuation of the *Orders*. U.S. Customs and Border Protection will continue to collect AD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise.

The effective date of the continuation of the *Orders* will be December 19, 2023.<sup>6</sup>

Pursuant to section 751(c)(2) of the Act and 19 CFR 351.218(c)(2), Commerce intends to initiate the next five-year reviews of the *Orders* not later than 30 days prior to fifth anniversary of the date of the last determination by the ITC.

#### Administrative Protective Order (APO)

This notice also serves as a final reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

#### Notification to Interested Parties

These five-year (sunset) reviews and this notice are in accordance with sections 751(c) and 751(d)(2) of the Act and published in accordance with section 777(i) of the Act, and 19 CFR 351.218(f)(4).

Dated: December 19, 2023.

**James Maeder,**  
*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

[FR Doc. 2023-28266 Filed: 12/21/2023 8:45 am; Publication Date: 12/22/2023]

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<sup>6</sup> *Id.*