: 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-523-810]

Polyethylene Terephthalate Resin from the Sultanate of Oman: Amended Final Results of Antidumping Duty Administrative Review; 2023-2024

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

SUMMARY: The U.S. Department of Commerce (Commerce) is amending the final results of the administrative review of the antidumping duty (AD) order on polyethylene terephthalate resin (PET resin) from the Sultanate of Oman (Oman) to correct a ministerial error. The period of review (POR) is May 1, 2023, through April 30, 2024. The review covers one producer and exporter of subject merchandise, OCTAL SAOC FZC (OCTAL).

DATES: Applicable **[INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].**

FOR FURTHER INFORMATION CONTACT: Dylan Hill, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1197.

SUPPLEMENTARY INFORMATION:

Background

On May 18, 2026, Commerce published the *Finals Results* of the 2023-2024 administrative review of the AD order on PET resin from Oman in the *Federal Register*.[1] On May 26, 2026, Commerce received a timely filed allegation of a ministerial error from APG

[1] *See Polyethylene Terephthalate Resin from the Sultanate of Oman: Final Results of Antidumping Duty Administrative Review; 2023– 2024*, 91 FR 28554 (May 18, 2026) (*Final Results*) *see also Certain Polyethylene Terephthalate Resin from Canada, the People's Republic of China, India, and the Sultanate of Oman: Amended Final Affirmative Antidumping Determination (Sultanate of Oman) and Antidumping Duty Orders*, 81 FR 27979 (May 6, 2016) (*Order*).

Polytech LLC, Indorama Ventures USA, Inc. and Nan Ya Plastics Corporation, America (collectively, the petitioners).[2] No parties rebutted the petitioners' ministerial error allegation.

<u>Legal Framework</u>

Section 751(h) of the Tariff Act of 1930, as amended (the Act), defines a "ministerial error" as "errors in addition, subtraction, or other arithmetic function, clerical errors resulting from inaccurate copying, duplication, or the like, and any other type of unintentional error which {Commerce} considers ministerial."[3] Any issue raised by an interested party as a ministerial error4 which is, in fact, the result of a methodological decision by Commerce will not be considered a ministerial error because it would not meet the definition of the term in the controlling statute and regulation.[5]

Commerce's regulations stipulate that agency will disclose its calculations to parties to the proceeding and that those parties may submit comments concerning any ministerial error in such calculations.[6] Commerce will analyze any comments received and, if appropriate, correct any ministerial error by amending the final results of review.[7]

<u>Ministerial Error</u>

The petitioners allege that instead of recalculating inventory carrying costs using costs from OCTAL's most recent cost database, as Commerce intended, it set U.S. inventory carrying costs for certain sales equal to an incorrect value.[8] According to the petitioners, this is the type of unintentional error which Commerce considers ministerial and it should be corrected.[9]

We agree with the petitioners. In the *Final Results*, although Commerce intended to recalculate U.S. inventory carrying costs using costs from OCTAL's most recent cost database, it

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[2] *See* Petitioners' Letter, "Petitioners' Comments on Ministerial Errors in OCTAL's Final Results Margin Calculations," dated May 26, 2026 (Petitioners' Ministerial Error Comments).
3 Commerce' regulations mirror the statutory definition of "ministerial error." *See* 19 CFR 351.224(f).
4 *See* 19 CFR 351.224(c) and (d).
5 *See, e.g., Alloy Piping Products v. United States*, 201 F. Supp. 2d 1267, 1285 (CIT 2002); *see also* section 735(e) of the Act; *see also* 19 CFR 351.224(f).
6 *See* 19 CFR 351.224(b) and (c)(1) ("Comments concerning ministerial errors made in the preliminary results of a review should be included in a party's case brief.").
7 *See* 19 CFR 351.224(e).
[8] *See* Petitioners' Ministerial Error Comments at 2-3.
[9] *Id*. at 3.

inadvertently did not recalculate those costs but instead simply set the costs equal to a value that is incorrect.[10] This was an oversight that was unintended and, thus, is a clerical error which Commerce considers to be ministerial in nature. Consistent with 19 CFR 351.224(e), we are correcting for this error by recalculating inventory carrying costs using costs from OCTAL's most recent cost database and amending the *Final Results*.[11]

Amended Final Results of Review

As a result of correcting the ministerial error described above, Commerce determines that the following weighted-average dumping margin exists for the period, May 1, 2023, through April 30, 2024:

Producer or Exporter	**Weighted-Average Dumping Margin (percent)**
OCTAL SAOC FZC	3.02

Disclosure

Commerce intends to disclose the calculations performed in connection with these amended final results of review to the interested parties within five days after the date of any public announcement of the amended final results of review or, if there is no public announcement of the amended final results of review, within five days after the date of publication of this notice in the *Federal Register* in accordance with 19 CFR 351.224(b).

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(1), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise during the POR. Commerce will instruct CBP to assess antidumping duties on all appropriate entries covered by this review where an importer-specific assessment rate is not zero or *de minimis*.[12]

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[10] *See Final Results*, 91 FR 28554; *see also* Memorandum "Final Results Analysis Memorandum," at Attachment 6.
[11] *See* Memorandum, "Amended Final Results Analysis Memorandum," dated concurrently with this notice.
[12] *See Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification*, 77 FR 8101, 8102-03 (February 14, 2012).

Pursuant to a refinement to Commerce's assessment practice, where sales of subject merchandise that was produced or exported by OCTAL were not reported in the U.S. sales data, but the merchandise was entered for consumption into the United States during the POR, we will instruct CBP to liquidate any entries of such merchandise at the all-others rate (*i.e.*, 7.62 percent)[13] if there is no rate for the intermediate company(ies) involved in the transaction.[14]

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of this notice of the amended final results of review in the *Federal Register*. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of this notice in the *Federal Register*, as provided by section 751(a)(2)(C) of the Act: (1) the amended cash deposit rate for OCTAL will be the weighted-average dumping margin in the table above; (2) for merchandise exported by a company that is not under review that has a company-specific cash deposit rate from a completed segment of this proceeding, the cash deposit rate will continue to be the company's cash deposit rate from the most recently completed segment of the proceeding in which the company was under review; (3) if the exporter of the subject merchandise is not covered by this review or a previously completed segment of this proceeding, but the producer of the subject merchandise is/was covered, then the cash deposit rate will be equal to the producer's cash deposit rate from the most recently completed segment of this proceeding in which the producer of the subject merchandise was under review; and (4) if neither the exporter nor the producer of the subject

[13] *See Order*, 81 FR at 27982.

[14] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

merchandise is covered by this review or a previously completed segment of this proceeding, then the cash deposit rate will be 7.62 percent *ad valorem*[15], the all-others rate established in the less-than-fair-value investigation in this proceeding. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

Administrative Protective Order (APO)

This notice serves as the only reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under the 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 the terms of an APO is a violation subject to sanction.

Notification to Interested Parties

We are issuing and publishing these amended final results of review and this notice in accordance with sections 751(h) and 777(i)(1) of the Act, and 19 CFR 351.224(e).

Dated: August 26, 2026.

Christopher Abbott,
Deputy Assistant Secretary
for Policy and Negotiations,
performing the non-exclusive functions and duties
of the Assistant Secretary for Enforcement and Compliance.
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[15] *See Order*, 81 FR at 27982.