Orders: Certain Polyester Staple Fiber From the Republic of Korea and Taiwan, 76 FR 11202 (March 1, 2011). As a result of the sunset reviews, the Department determined that revocation of the antidumping duty orders would likely lead to continuation or recurrence of dumping and, therefore, notified the ITC of the magnitude of the margins likely to prevail should the orders be revoked. See Certain Polyester Staple Fiber From the Republic of Korea and Taiwan: Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders, 76 FR 38612 (July 1, 2011). On August 30, 2011, pursuant to section 751(c) of the Act, the ITC determined that revocation of the antidumping duty orders on polyester staple fiber from Korea and Taiwan would likely lead to continuation or recurrence of dumping and material injury to an industry in the United States within a reasonably foreseeable time. See Certain Polyester Staple Fiber From Korea and Taiwan, Inv. Nos. 731–TA–825 and 826 (Second Review), USITC Publication 4257 (September 13, 2011). See also Certain Polyester Staple Fiber From Korea and Taiwan, 76 FR 58040 (September 19, 2011).

Scope of the Orders
The product covered by the orders is polyester staple fiber (PSF). PSF is defined as synthetic staple fibers, not carded, combed or otherwise processed for spinning, of polyesters measuring 3.3 decitex (3 denier, inclusive) or more in diameter. This merchandise is cut to lengths varying from one inch (25 mm) to five inches (127 mm). The merchandise subject to the orders may be coated, usually with a silicon or other finish, or not coated. PSF is generally used as stuffing in sleeping bags, mattresses, ski jackets, comforters, cushions, pillows, and furniture. Merchandise of less than 3.3 decitex (less than 3 denier) currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) at subheading 5503.20.00.20 is specifically excluded from the orders. Also specifically excluded from the orders are PSF of 10 to 18 denier that are cut to lengths of 6 to 8 inches (fibers used in the manufacture of carpeting). In addition, low-melt PSF is defined as a bi-component fiber with an outer sheath that melts at a significantly lower temperature than its inner core.

The merchandise subject to the orders is currently classifiable in the HTSUS at subheadings 5503.20.00.45 and 5503.20.00.65. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to the orders is dispositive.

Continuation of the Orders
As a result of the determinations by the Department and the ITC that revocation of the antidumping duty 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, the Department hereby orders the continuation of the antidumping duty orders on PSF from Korea and Taiwan.

U.S. Customs and Border Protection will continue to collect antidumping duty cash deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of continuation of these orders will be the date of publication in the Federal Register of this notice of continuation. Pursuant to section 751(c)(2) of the Act, the Department intends to initiate the next five-year reviews of these orders not later than 30 days prior to the fifth anniversary of the effective date of continuation. These five-year sunset reviews and this notice are in accordance with sections 751(c) and 777(i)(1) of the Act.

Dated: September 23, 2011.
Ronald K. Lorentzen,
Deputy Assistant Secretary for Import Administration.

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