

January 31, 2018

New Antidumping and Countervailing Duty Petitions on Rubber Bands from Thailand, China and Sri Lanka

By Douglas J. Heffner and Richard P. Ferrin

Alliance Rubber Co., on January 30, 2018, filed antidumping (AD) and countervailing duty (CVD) petitions on rubber bands from Thailand, China and Sri Lanka.

The U.S. AD law imposes special tariffs to counteract imports that are sold in the United States at less than “normal value.” The U.S. CVD law imposes special tariffs to counteract imports that are sold in the United States with the benefit of foreign government subsidies. For AD/CVD duties to be imposed, the U.S. government must determine not only that dumping and/or subsidies are occurring, but also that there is “material injury” (or threat thereof) because of the dumped and/or subsidized imports. Importers are liable for any potential AD/CVD duties imposed. In addition, these investigations could impact purchasers by increasing prices and/or decreasing supply of rubber bands.

Scope

The products subject to these investigations are bands made of vulcanized rubber, with a flat length, as measured end-to-end by the band lying flat, no less than 1/2 inch and no greater than 10 inches; with a width, which measures the dimension perpendicular to the length, of at least 3/64 inch and no greater than 2 inches; and a wall thickness from .020 inch to .125 inch. Vulcanized rubber has been chemically processed into a more durable material by the addition of sulfur or other equivalent curatives or accelerators. Subject products are included regardless of color or inclusion of printed material. The scope includes vulcanized rubber bands which are contained or otherwise exist in various forms and packages, such as, without limitation, vulcanized rubber bands included within a desk accessory set or other type of set or package, and vulcanized rubber band balls, but excludes Bedford Elastitags®, and bands that are being used at the time of import to fasten an imported product.

Merchandise covered by these proceedings is currently classified in the Harmonized Tariff System of the United States (“HTSUS”) under subheading 4016.99.35.10 (Rubber Bands Made of Vulcanized Rubber, Except Hard Rubber, of Natural Rubber). The subheading includes only vulcanized rubber bands. This HTSUS subheading is provided for convenience and customs purposes; the written description of the scope of these proceedings is dispositive.

Alleged Dumping Margins

The petitioner alleges that the following dumping margins exist:

- Thailand: 60.82 percent
- China: 27.16 percent
- Sri Lanka: 48.63 percent

Estimated Schedule of Investigations

The petitioners allege that the following dumping margins exist:

- January 30, 2018 – Petition is filed
- February 20, 2018 – DOC initiates investigation
- February 21, 2018 – ITC staff conference
- March 16, 2018 – Deadline for ITC preliminary injury determinations
- April 26, 2018 – Deadline for DOC preliminary CVD determinations, if not postponed
- July 10, 2018 – Deadline for DOC preliminary CVD determination, if fully postponed
- August 29, 2018 – Deadline for DOC preliminary AD determination, if not postponed
- January 11, 2019 – Deadline for DOC final AD and CVD determinations, if both the preliminary and final AD determinations are postponed and the CVD investigation is aligned
- February 25, 2019 – Deadline for ITC final injury determination, if DOC deadlines are all fully postponed

For further information, contact one of the authors below, or any other member of the Customs and International Trade Team.

Customs and International Trade Team

Primary Contacts



Douglas J. Heffner
Partner
Washington, D.C.
(202) 230-5802
douglas.heffner@dbr.com



Richard P. Ferrin
Counsel
Washington, D.C.
(202) 230-5803
richard.ferrin@dbr.com

Drinker Biddle

www.drinkerbiddle.com

CALIFORNIA | DELAWARE | ILLINOIS | NEW JERSEY | NEW YORK | PENNSYLVANIA | TEXAS | WASHINGTON DC | LONDON

© 2018 Drinker Biddle & Reath LLP. All rights reserved. A Delaware limited liability partnership. Promotional Materials 2018. One Logan Square, Ste. 2000, Philadelphia, PA 19103-6996 (215) 988-2700 office (215) 988-2757 fax
Jonathan I. Epstein and Andrew B. Joseph., Partners in Charge of the Princeton and Florham Park, N.J., offices, respectively.