

February 19, 2019

The United States and Mexico Agree in Principle to a New Trade Agreement

By Douglas J. Heffner, Richard P. Ferrin and Jared A. Angle

The Coalition for Acetone Fair Trade, on behalf of AdvanSix Inc., Altivia Petrochemicals, LLC, and Olin Corporation (“petitioners”), on February 19, 2019, filed an antidumping (AD) petition on imports of acetone from Belgium, Korea, Saudi Arabia, Singapore, South Africa and Spain.

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

Scope

The merchandise covered by this petition is all grades of liquid or aqueous acetone. Acetone is also known under the International Union of Pure and Applied Chemistry (IUPAC) name propan-2-one. In addition to the IUPAC name, acetone is also referred to as β-ketopropane (or “beta-ketopropane”), ketone propane, methyl ketone, dimethyl ketone, DMK, dimethyl carbonyl, propanone, 2-propanone, dimethyl formaldehyde, pyroacetic acid, pyroacetic ether, and pyroacetic spirit. Acetone is an isomer of the chemical formula C₃H₆O, with a specific molecular formula of CH₃COCH₃ or (CH₃)₂CO.

The scope includes acetone that is combined or mixed with other products, including, but not limited to, benzene, diethyl ether, methanol, chloroform, and ethanol. For such combined products, only the acetone component is covered by the scope of these investigations. Acetone that has been combined with other products is included within the scope, regardless of whether the combining occurs in third countries.

Acetone that is otherwise subject to these investigations is not excluded when commingled with acetone from sources not subject to these investigations. Only the subject merchandise component of such commingled products is covered by the scope of these investigations.

The Chemical Abstracts Service (CAS) registry number for acetone is 67-64-1.

The merchandise covered by these investigations is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 2914.11.1000

and 2914.11.5000. Although these HTSUS subheadings and CAS registry number are provided for convenience and customs purposes, the written description of the scope of these investigations is dispositive.

Alleged Dumping Margins

The petitioners allege the following dumping margins:

- Belgium: 35.76 percent to 85.96 percent
- Korea: 113.46 percent to 176.61 percent
- Saudi Arabia: 40.08 percent to 75.11 percent
- Singapore: 48.96 percent to 200.29 percent
- South Africa: 12.83 percent to 410.22 percent
- Spain: 124.49 percent to 200.94 percent

Estimated Schedule of Investigations

- February 19, 2019 – Petition is filed
- March 11, 2019 – DOC initiates investigation
- March 12, 2019 – ITC staff conference
- April 5, 2019 – Deadline for ITC preliminary injury determinations
- July 29, 2019 – Deadline for DOC preliminary AD determination, if not postponed
- September 17, 2019 – Deadline for DOC preliminary AD determination, if fully postponed
- January 30, 2020 – Deadline for DOC final AD determinations, if both preliminary and final determinations are fully postponed
- March 16, 2020 – Deadline for ITC final injury determinations, assuming fully postponed DOC deadlines

For further information, contact Douglas J. Heffner, Richard P. Ferrin or any other member of the Customs and International Trade Team.

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