

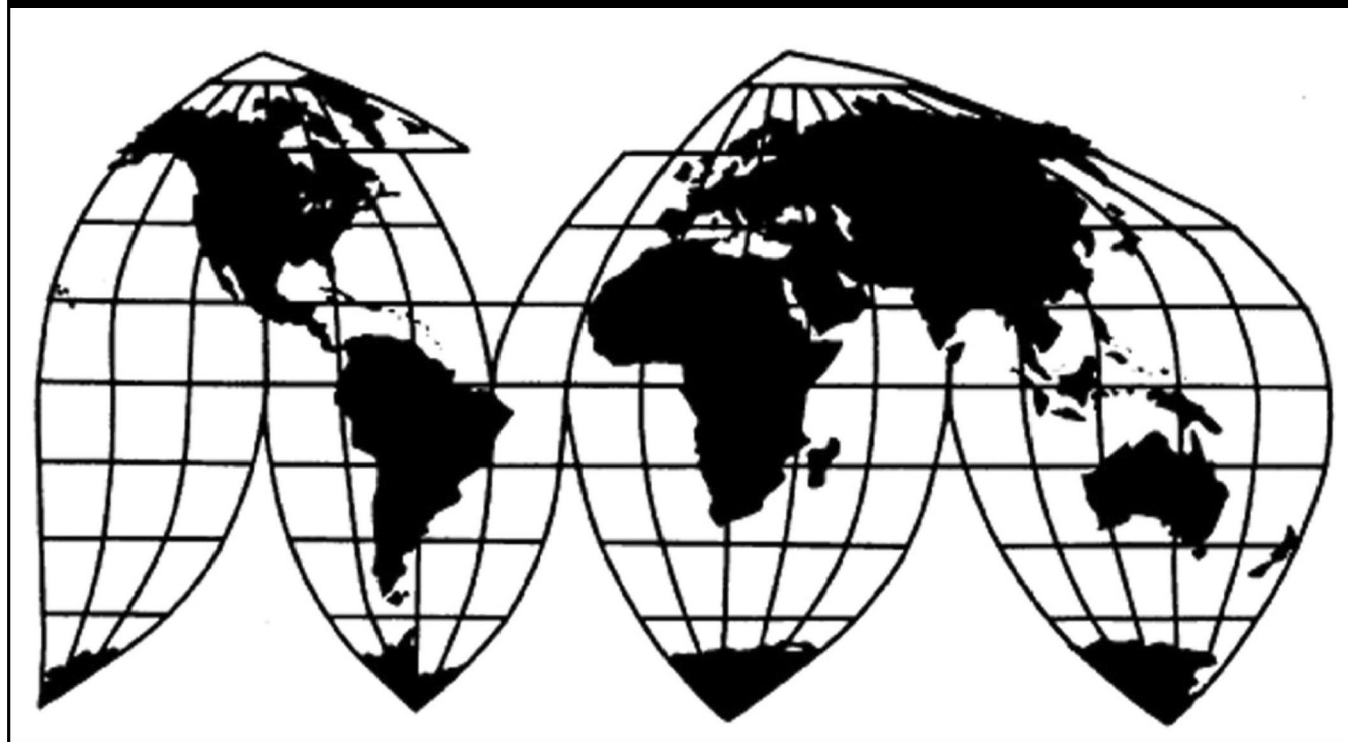
# Rubber Bands from Thailand

Investigation No. 731-TA-1410 (Final)

Publication 4887

April 2019

**U.S. International Trade Commission**



Washington, DC 20436

# U.S. International Trade Commission

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# U.S. International Trade Commission

Washington, DC 20436  
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# UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation No. 731-TA-1410 (Final)

Rubber Bands from Thailand

## DETERMINATION

On the basis of the record<sup>1</sup> developed in the subject investigation, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that an industry in the United States is materially injured by reason of imports of rubber bands from Thailand, provided for in subheading 4016.99.35<sup>2</sup> of the Harmonized Tariff Schedule of the United States, that have been found by the U.S. Department of Commerce (“Commerce”) to be sold in the United States at less than fair value (“LTFV”).<sup>3</sup>

## BACKGROUND

The Commission, pursuant to section 735(b) of the Act (19 U.S.C. 1673d(b)), instituted this investigation effective January 30, 2018, following receipt of a petition filed with the Commission and Commerce by Alliance Rubber Co., Hot Springs, Arkansas. Effective August 29, 2018, the Commission established a general schedule for the conduct of the final phase of its investigations on rubber bands following notification of a preliminary determination by Commerce that imports of rubber bands from China and Thailand were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission’s investigation and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the *Federal Register* on September 17, 2018 (83 FR 46969).<sup>4</sup> The hearing was held in Washington, DC, on November 13, 2018, and all persons who requested the opportunity were permitted to appear in person or by counsel. On February 11, 2019, the Commission issued final affirmative determinations in its antidumping and countervailing duty investigations of rubber bands from

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<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR 207.2(f)).

<sup>2</sup> Merchandise covered by the scope of this investigation may also be imported under HTSUS subheading 4016.99.60.

<sup>3</sup> *Rubber Bands From Thailand: Final Determination of Sales at Less Than Fair Value*, 84 FR 8304, March 7, 2019.

<sup>4</sup> Due to the lapse in appropriations and ensuing cessation of Commission operations, all import injury investigations conducted under authority of Title VII of the Tariff Act of 1930 accordingly were tolled pursuant to 19 U.S.C. §§ 1671d(b)(2), 1673d(b)(2).

China.<sup>5</sup> Following notification of a final determination by Commerce that imports of rubber bands from Thailand were being sold at LTFV within the meaning of section 735(a) of the Act (19 U.S.C. 1673d(a)), notice of the supplemental scheduling of the final phase of the Commission's antidumping duty investigation was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the *Federal Register* of March 29, 2019 (84 FR 12001).

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<sup>5</sup> *Rubber Bands from China; Determinations*, 84 FR 4534, February 15, 2019; *Rubber Bands from China, Inv. Nos. 701-TA-598 and 731-TA-1408 (Final)*, USITC Publication 4863, February 2019.



## Views of the Commission

Based on the record in the final phase of this investigation, we determine that an industry in the United States is materially injured by reason of imports of rubber bands from Thailand found by the U.S. Department of Commerce (“Commerce”) to be sold in the United States at less than fair value (“LTFV”).

### I. Background

The petition in this investigation, as well as petitions for antidumping and countervailing duty investigations of imports of rubber bands from China and a countervailing duty investigation of imports of rubber bands from Thailand, was filed on January 30, 2018 by Alliance Rubber Co., a domestic producer of rubber bands (“Petitioner”). Commerce initially aligned all four investigations.<sup>1</sup> The investigation schedules became staggered, however, when Commerce subsequently postponed its final antidumping and countervailing duty determinations regarding imports of rubber bands from Thailand,<sup>2</sup> but not from China,<sup>3</sup> thereby necessitating earlier final Commission determinations in the final antidumping and countervailing duty investigations regarding rubber bands from China. Commerce issued its final affirmative determinations regarding subsidized and LTFV imports of rubber bands from China on November 20, 2018,<sup>4</sup> and the Commission issued its final affirmative determinations regarding subsidized and LTFV imports from China on February 11, 2019.<sup>5</sup>

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<sup>1</sup> *Rubber Bands From the People’s Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Determination*, 83 Fed. Reg. 31729 (July 9, 2018). Commerce made a preliminary negative countervailing duty determination with respect to rubber bands from Thailand. *Rubber Bands From Thailand: Preliminary Negative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination*, 83 Fed. Reg. 31728 (July 9, 2018).

<sup>2</sup> *Rubber Bands From Thailand: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 83 Fed. Reg. 45220 (Sept. 6, 2018). In this preliminary determination, Commerce found imports of rubber bands exported by Liang Hah Heng International Rubber Co., Ltd./Hah Shung Heng Co. (“LHH”) to have a zero antidumping duty margin. 83 Fed. Reg. at 45221.

<sup>3</sup> *Less-Than-Fair-Value Investigation of Rubber Bands From the People’s Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value and Preliminary Affirmative Determination of Critical Circumstances*, 83 Fed. Reg. 45213 (Sept. 6, 2018).

<sup>4</sup> *Rubber Bands From the People’s Republic of China: Final Determination of Sales at Less Than Fair Value*, 83 Fed. Reg. 58547, 58548 (Nov. 20, 2018). *Rubber Bands From the People’s Republic of China: Final Affirmative Countervailing Duty Determination*, 83 Fed. Reg. 58538, 58539 (Nov. 20, 2018).

<sup>5</sup> *Rubber Bands from China; Determinations*, 84 Fed. Reg. 4534 (Feb. 15, 2019). *Rubber Bands from China*, Inv. Nos. 701-TA-598 and 731-TA-1408 (Final), USITC Pub. 4863 (Feb. 2019) (“*Rubber Bands-China Final Determinations*”).

Commerce issued a final negative countervailing duty determination regarding imports of rubber bands from Thailand on March 7, 2019.<sup>6</sup> Accordingly, the Commission terminated its countervailing duty investigation regarding imports of rubber bands from Thailand.<sup>7</sup> Commerce issued its final affirmative determination with respect to LTFV imports of rubber bands from Thailand on March 7, 2019.<sup>8</sup> Pursuant to the statutory provision on staggered investigations, the record for the current investigation on LTFV rubber bands from Thailand closed on December 7, 2018, the same time as that for the investigations on subsidized and LTFV rubber bands from China, except that the final Commerce antidumping duty determination on rubber bands from Thailand and the parties' final comments concerning that determination have been added to the record.<sup>9</sup>

## II. Material Injury by Reason of Subject Imports

Section 771(7)(G)(iii) of the Tariff Act of 1930, as amended ("the Act"), provides that the Commission must make its material injury determination in the instant investigation on the basis of the same record as that in the antidumping and countervailing duty investigations regarding rubber bands from China, except to the extent discussed above.<sup>10</sup> Therefore, in these investigations, we adopt the findings and analyses from our determinations and views regarding subject imports from China with respect to the issues of domestic like product,

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<sup>6</sup> *Rubber Bands from Thailand: Final Negative Countervailing Duty Determination*, 84 Fed. Reg. 8302, 8303 (March 7, 2019).

<sup>7</sup> *Rubber Bands from Thailand; Termination of Investigation*, 84 Fed. Reg. 12003 (March 29, 2019).

<sup>8</sup> *Rubber Bands from Thailand: Final Determination of Sales at Less Than Fair Value*, 84 Fed. Reg. 8304, 8305 (March 7, 2019).

<sup>9</sup> See 19 U.S.C. § 1677(7)(G)(iii).

<sup>10</sup> 19 U.S.C. § 1677(7)(G)(iii).

domestic industry, cumulation, conditions of competition, and material injury by reason of cumulated subject imports.<sup>11 12 13</sup>

Accordingly, we determine that the domestic industry producing rubber bands is materially injured by reason of subject imports from Thailand found by Commerce to be sold in the United States at LTFV.

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<sup>11</sup> *Rubber Bands from China; Determinations*, 84 Fed. Reg. 4534 (Feb. 15, 2019). *Rubber Bands-China Final Determinations*. Imports from Thai exporter LHH were ineligible for cumulation in the determinations on subject imports from China, in light of Commerce’s negative preliminary determinations concerning those imports, *see* 19 U.S.C. §1677(7)(G)(ii)(I), and are similarly ineligible for cumulation in this determination because they are no longer subject to investigation. *Rubber Bands from Thailand: Final Determination of Sales at Less Than Fair Value*, 84 Fed. Reg. 8304, 8305 (March 7, 2019).

<sup>12</sup> Pursuant to Section 771(24) of the Tariff Act, imports from a subject country of merchandise corresponding to a domestic like product that account for less than 3 percent of all such merchandise imported into the United States during the most recent 12 months for which data are available preceding the filing of the petition shall generally be deemed negligible. 19 U.S.C. § 1677(24)(A)(i). During the 12-month period prior to the filing of the petition, January 2017 through December 2017, subject imports from Thailand accounted for \*\*\* percent of the quantity of total rubber band imports, and were therefore above the 3 percent individual subject country statutory negligibility threshold applicable to an antidumping investigation. *Rubber Bands from Thailand*, Inv. No. 731-TA-1410 (Final Confidential Report, INV-RR-020 (April 1, 2019) at I-4. *See also Rubber Bands from China and Thailand*, Inv. Nos. 701-TA-598 and 600 and 731-TA-1408 and 1410 (Final), Confidential Report, INV-QQ-145 (December 3, 2018) at IV-12-13 and Table IV-5. Accordingly, we find that the subject imports from Thailand are not negligible.

<sup>13</sup> The statute additionally instructs the Commission to consider the “magnitude of the margin of dumping” in an antidumping proceeding as part of its consideration of the impact of imports. 19 U.S.C. § 1677(7)(C)(iii)(V). In its final antidumping duty determination with regard to LTFV imports from Thailand, Commerce calculated an antidumping duty margin of 5.87 percent for U. Yong Industry, Inc., a zero margin for LHH, and a 5.87 percent margin for all others. *Rubber Bands from Thailand: Final Determination of Sales at Less Than Fair Value*, 84 Fed. Reg. 8304, 8305 (March 7, 2019).

We have taken the magnitude of these dumping margins into account, as well as other factors affecting domestic prices, and they do not require modification of the analysis in *Rubber Bands – China Final Determinations*. *See* USITC Pub.4863 at 24, n.117. Specifically our analysis of the price effects of the subject imports, particularly the significant underselling, as set out in *Rubber Bands – China Final Determinations*, is especially probative to an assessment of the impact of subject imports and the significant lost sales experienced by the domestic industry. *Rubber Bands-China Final Determinations*, USITC Pub. 4863 at 22-26.



## PART I: INTRODUCTION

### BACKGROUND

This investigation results from petitions filed with the U.S. Department of Commerce (“Commerce”) and the U.S. International Trade Commission (“USITC” or “Commission”) by Alliance Rubber Co. (“Alliance”), Hot Springs, Arkansas, on January 30, 2018, alleging that an industry in the United States is materially injured and threatened with material injury by reason of subsidized and less-than-fair-value (“LTFV”) imports of rubber bands<sup>1</sup> from China, Sri Lanka, and Thailand.<sup>2 3</sup> The following tabulation provides information relating to the background of this investigation.<sup>4 5</sup>

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<sup>1</sup> For a complete description of the merchandise subject in this proceeding, see the section entitled “The Subject Merchandise” in *Part I of Rubber Bands from China*, Investigation Nos. 701-TA-598 and 731-TA-1408 (Final), USITC Publication 4863, February 2019.

<sup>2</sup> On March 19, 2018, the Commission determined that LTFV imports of rubber bands from Sri Lanka were negligible and its antidumping and countervailing duty investigations with regard to rubber bands from Sri Lanka were thereby terminated. *Rubber Bands From China, Sri Lanka, and Thailand; Determinations*, 83 FR 12594, March 22, 2018.

<sup>3</sup> On March 7, 2019, Commerce determined that countervailable subsidies were not being provided to producers and exporters of rubber bands from Thailand.<sup>3</sup> Accordingly, the Commission’s countervailing duty investigation concerning rubber bands from Thailand was terminated on March 7, 2019. *Rubber Bands From Thailand; Termination of Investigation*, 84 FR 12003, March 29, 2019.

<sup>4</sup> Pertinent *Federal Register* notices are referenced in appendix A, and may be found at the Commission’s website ([www.usitc.gov](http://www.usitc.gov)).

<sup>5</sup> A list of witnesses appearing at the hearing is presented in appendix B of this report.

| <b>Effective date</b>    | <b>Action</b>   |
|--------------------------|---|
| <b>January 30, 2018</b>  | Petitions filed with Commerce and the Commission; institution of the Commission's investigations (83 FR 5143, February 5, 2018)   |
| <b>February 20, 2018</b> | Commerce's notices of initiation  |
| <b>March 19, 2018</b>    | Commission's preliminary determinations   |
| <b>July 2, 2018</b>      | Commerce's preliminary CVD determinations (83 FR 31728, 83 FR 31729, July 9, 2018)  |
| <b>August 29, 2018</b>   | Commerce's preliminary LTFV determinations (83 FR 45213, 83 FR 45217, 83 FR 45220, September 6, 2018); scheduling of final phase of Commission investigations (83 FR 46969; September 17, 2018) |
| <b>November 13, 2018</b> | Commerce's final CVD determination (China) (83 FR 58538, November 20, 2018); Commerce's final LTFV determination (China) (83 FR 58547, November 20, 2018)                                       |
| <b>November 13, 2018</b> | Commission's hearing  |
| <b>December 14, 2018</b> | Commission's vote on China  |
| <b>February 11, 2019</b> | Commission's determination and views on China (84 FR 4534, February 15, 2019)   |
| <b>March 7, 2019</b>     | Commerce's final CVD determination (Thailand) (84 FR 8302); Commerce's final LTFV determination (Thailand) (84 FR 8304)   |
| <b>March 7, 2019</b>     | Commission's Thailand CVD termination (84 FR 12003, March 29, 2019)   |
| <b>April 9, 2019</b>     | Commission's vote on Thailand   |
| <b>April 22, 2019</b>    | Commission's views on Thailand  |

The information contained in this report is intended to be used in conjunction with data presented in the Commission's report on *Rubber Bands from China (Final)*, USITC Publication 4863, February 2019, and its corresponding confidential staff report contained in memorandum No. INV-QQ-145, Investigation Nos. 701-TA-598 and 600 and 731-TA-1408 and 1410 (Final): *Rubber Bands from China and Thailand*. No new information except for Commerce's final determinations concerning rubber bands from Thailand, and party comments<sup>6</sup> thereon is included in the record for this proceeding.

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<sup>6</sup> Party comments were filed on behalf of Alliance Rubber Co.

## NATURE AND EXTENT OF SALES AT LTFV

### Sales at LTFV

On March 7, 2019, Commerce published a notice in the *Federal Register* of its final determination of sales at LTFV with respect to imports from Thailand.<sup>7</sup> Table I-1 presents Commerce's dumping margins.

**Table I-1**

**Rubber bands: Commerce's preliminary and final weighted-average LTFV margins**

| Entity  | Preliminary dumping margin (percent) | Final dumping margin (percent) |
|---|--------------------------------------|--------------------------------|
|   | <b>Thailand</b>                      |                                |
| U. Yong Industry Co., Ltd.                                      | 5.86                                 | 5.87                           |
| Lian Hah Heng International Rubber Co., Ltd./Hah Shung Heng Co. | 0.00                                 | 0.00                           |
| All others  | 5.86                                 | 5.87                           |

Source: 83 FR 45220, September 6, 2018 and 84 FR 8304, March 7, 2019.

### NEGLIGENCE

The statute requires that an investigation be terminated without an injury determination if imports of the subject merchandise are found to be negligible.<sup>8</sup> Negligible imports are generally defined in the Act, as amended, as imports from a country of merchandise corresponding to a domestic like product where such imports account for less than 3 percent of the volume of all such merchandise imported into the United States in the most recent 12-month period for which data are available that precedes the filing of the petition or the initiation of the investigation. However, if there are imports of such merchandise from a number of countries subject to investigations initiated on the same day that individually account for less than 3 percent of the total volume of the subject merchandise, and if the imports from those countries collectively account for more than 7 percent of the volume of all such merchandise imported into the United States during the applicable 12-month period, then imports from such countries are deemed not to be negligible.<sup>9</sup> Subject imports from Thailand accounted for \*\*\* percent of total imports of rubber bands by quantity from January 2017 to December 2017.

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<sup>7</sup> *Rubber Bands From Thailand: Final Determination of Sales at Less Than Fair Value*, 84 FR 8304, March 7, 2019.

<sup>8</sup> Sections 703(a)(1), 705(b)(1), 733(a)(1), and 735(b)(1) of the Act (19 U.S.C. §§ 1671b(a)(1), 1671d(b)(1), 1673b(a)(1), and 1673d(b)(1)).

<sup>9</sup> Section 771 (24) of the Act (19 U.S.C § 1677(24)).





**APPENDIX A**

***FEDERAL REGISTER* NOTICES**



The Commission makes available notices relevant to its investigations and reviews on its website, [www.usitc.gov](http://www.usitc.gov). In addition, the following tabulation presents, in chronological order, *Federal Register* notices issued by the Commission and Commerce during the current proceeding.

| <b>Citation</b>                     | <b>Title</b>  | <b>Link</b>   |
|-------------------------------------|---|---|
| 83 FR 5143<br>January 30,<br>2018   | <i>Rubber Bands From China, Sri Lanka, and Thailand; Institution of Antidumping and Countervailing Duty Investigations and Scheduling of Preliminary Phase Investigations</i>   | <a href="https://www.gpo.gov/fdsys/pkg/FR-2018-02-05/pdf/2018-02176.pdf">https://www.gpo.gov/fdsys/pkg/FR-2018-02-05/pdf/2018-02176.pdf</a> |
| 83 FR 8424<br>February 20,<br>2018  | <i>Rubber Bands From the People's Republic of China, Sri Lanka, and Thailand: Initiation of Less-Than-Fair-Value Investigations</i>   | <a href="https://www.gpo.gov/fdsys/pkg/FR-2018-02-27/pdf/2018-03923.pdf">https://www.gpo.gov/fdsys/pkg/FR-2018-02-27/pdf/2018-03923.pdf</a> |
| 83 FR 8429<br>February 20,<br>2018  | <i>Rubber Bands From Thailand, the People's Republic of China, and Sri Lanka: Initiation of Countervailing Duty Investigations</i>  | <a href="https://www.gpo.gov/fdsys/pkg/FR-2018-02-27/pdf/2018-03922.pdf">https://www.gpo.gov/fdsys/pkg/FR-2018-02-27/pdf/2018-03922.pdf</a> |
| 83 FR 12594<br>March 22,<br>2018    | <i>Rubber Bands From China, Sri Lanka, and Thailand; Determinations</i>   | <a href="https://www.gpo.gov/fdsys/pkg/FR-2018-03-22/pdf/2018-05834.pdf">https://www.gpo.gov/fdsys/pkg/FR-2018-03-22/pdf/2018-05834.pdf</a> |
| 83 FR 29748<br>June 26, 2018        | <i>Rubber Bands From The People's Republic Of China and Thailand: Postponement Of Preliminary Determinations In The Less-Than-Fair-Value Investigations</i>   | <a href="https://www.gpo.gov/fdsys/pkg/FR-2018-06-26/pdf/2018-13672.pdf">https://www.gpo.gov/fdsys/pkg/FR-2018-06-26/pdf/2018-13672.pdf</a> |
| 83 FR 31729<br>July 7, 2018         | <i>Rubber Bands From The People's Republic Of China: Preliminary Affirmative Countervailing Duty Determination and Alignment Of Final Determination With Final Antidumping Determination</i>  | <a href="https://www.gpo.gov/fdsys/pkg/FR-2018-07-09/pdf/2018-14633.pdf">https://www.gpo.gov/fdsys/pkg/FR-2018-07-09/pdf/2018-14633.pdf</a> |
| 83 FR 31728<br>July 7, 2018         | <i>Rubber Bands From Thailand: Preliminary Negative Countervailing Duty Determination and Alignment Of Final Determination With Final Antidumping Duty Determination</i>  | <a href="https://www.gpo.gov/fdsys/pkg/FR-2018-07-09/pdf/2018-14634.pdf">https://www.gpo.gov/fdsys/pkg/FR-2018-07-09/pdf/2018-14634.pdf</a> |
| 83 FR 45217<br>September 6,<br>2018 | <i>Rubber Bands From The People's Republic Of China: Preliminary Affirmative Determination Of Critical Circumstances, In Part, In The Countervailing Duty Investigation, and Amendment To The Scope Of The Preliminary Determination In The Countervailing Duty Investigation</i> | <a href="https://www.gpo.gov/fdsys/pkg/FR-2018-09-06/pdf/2018-19335.pdf">https://www.gpo.gov/fdsys/pkg/FR-2018-09-06/pdf/2018-19335.pdf</a> |

| Citation                             | Title   | Link  |
|--------------------------------------|---|---|
| 83 FR 45213<br>September 6,<br>2018  | <i>Less-Than-Fair-Value Investigation Of Rubber Bands From The People's Republic Of China: Preliminary Affirmative Determination Of Sales At Less Than Fair Value and Preliminary Affirmative Determination Of Critical Circumstances</i> | <a href="https://www.gpo.gov/fdsys/pkg/FR-2018-09-06/pdf/2018-19333.pdf">https://www.gpo.gov/fdsys/pkg/FR-2018-09-06/pdf/2018-19333.pdf</a>             |
| 83 FR 45220<br>September 6,<br>2018  | <i>Rubber Bands From Thailand: Preliminary Affirmative Determination Of Sales At Less Than Fair Value, Postponement Of Final Determination, and Extension Of Provisional Measures</i>   | <a href="https://www.gpo.gov/fdsys/pkg/FR-2018-09-06/pdf/2018-19332.pdf">https://www.gpo.gov/fdsys/pkg/FR-2018-09-06/pdf/2018-19332.pdf</a>             |
| 83 FR 46969<br>September 17,<br>2018 | <i>Rubber Bands From China And Thailand; Scheduling Of The Final Phase Of Countervailing Duty and Anti-Dumping Duty Investigations</i>  | <a href="https://www.gpo.gov/fdsys/pkg/FR-2018-09-17/pdf/2018-20086.pdf">https://www.gpo.gov/fdsys/pkg/FR-2018-09-17/pdf/2018-20086.pdf</a>             |
| 83 FR 58538<br>November 20,<br>2018  | <i>Rubber Bands From the People's Republic of China: Final Affirmative Countervailing Duty Determination</i>  | <a href="https://www.gpo.gov/fdsys/pkg/FR-2018-11-20/pdf/2018-25296.pdf">https://www.gpo.gov/fdsys/pkg/FR-2018-11-20/pdf/2018-25296.pdf</a>             |
| 83 FR 58547<br>November 20,<br>2018  | <i>Rubber Bands From the People's Republic of China: Final Determination of Sales at Less Than Fair Value</i>   | <a href="https://www.gpo.gov/fdsys/pkg/FR-2018-11-20/pdf/2018-25294.pdf">https://www.gpo.gov/fdsys/pkg/FR-2018-11-20/pdf/2018-25294.pdf</a>             |
| 84 FR 8302<br>March 7, 2019.         | <i>Rubber Bands From Thailand: Final Negative Countervailing Duty Determination</i>   | <a href="https://www.govinfo.gov/content/pkg/FR-2019-03-07/pdf/2019-04126.pdf">https://www.govinfo.gov/content/pkg/FR-2019-03-07/pdf/2019-04126.pdf</a> |
| 84 FR 8304<br>March 7, 2019.         | <i>Rubber Bands From Thailand: Final Determination of Sales at Less Than Fair Value</i>   | <a href="https://www.govinfo.gov/content/pkg/FR-2019-03-07/pdf/2019-04127.pdf">https://www.govinfo.gov/content/pkg/FR-2019-03-07/pdf/2019-04127.pdf</a> |
| 84 FR 12003<br>March 29, 3029.       | <i>Rubber Bands From Thailand; Termination of Investigation</i>   | <a href="https://www.govinfo.gov/content/pkg/FR-2019-03-29/pdf/2019-06066.pdf">https://www.govinfo.gov/content/pkg/FR-2019-03-29/pdf/2019-06066.pdf</a> |

**APPENDIX B**  
**HEARING WITNESSES**



**CALENDAR OF PUBLIC HEARING**

Those listed below appeared as witnesses at the United States International Trade Commission’s hearing:

**Subject:** Rubber Bands from China and Thailand  
**Inv. Nos.:** 701-TA-598 and 600 and 731-TA-1408 and 1410 (Final)  
**Date and Time:** November 13, 2018 - 9:30 a.m.

Sessions were held in connection with these investigations in the Main Hearing Room (Room 101), 500 E Street, SW., Washington, DC.

**OPENING REMARKS:**

Petitioner (**Roy Goldberg**, Stinson Leonard Street LLP)

**In Support of the Imposition of  
Antidumping and Countervailing Duty Orders:**

Stinson Leonard Street LLP  
Washington, DC  
on behalf of

Alliance Rubber Co.

**Bonnie Swayze**, President, Alliance Rubber Co.

**Jason Risner**, Director of Business Strategy, Alliance Rubber Co.

**Roy Goldberg** )  
 ) – OF COUNSEL  
**Denyse Zosa** )

**INTERESTED PARTY IN OPPOSITION:**

Encore Packages, LLC  
Vernon Hills, IL

**Timothy Nelson**, Principal, Encore Packaging

**REBUTTAL/CLOSING REMARKS:**

Petitioner (**Roy Goldberg**, Stinson Leonard Street LLP)

**-END-**





**APPENDIX C**  
**SUMMARY DATA**



**Table C-1**

**Rubber bands: Summary data concerning the U.S. market, 2015-17, January to June 2017, and January to June 2018**

(Quantity=1,000 pounds; Value=1,000 dollars; Unit values, unit labor costs, and unit expenses=dollars per pound; Period changes=percent--exceptions noted)

|                                | Reported data |      |      |                 |      | Period changes   |         |         |         |
|--------------------------------|---------------|------|------|-----------------|------|------------------|---------|---------|---------|
|                                | Calendar year |      |      | January to June |      | Comparison years |         |         | Jan-Jun |
|                                | 2015          | 2016 | 2017 | 2017            | 2018 | 2015-17          | 2015-16 | 2016-17 | 2017-18 |
| U.S. consumption quantity:     |               |      |      |                 |      |                  |         |         |         |
| Amount.....                    | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Producers' share (fn1).....    | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Importers' share (fn1):        |               |      |      |                 |      |                  |         |         |         |
| China.....                     | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Thailand subject.....          | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Subject sources.....           | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Thailand nonsubject.....       | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| All other sources.....         | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Nonsubject sources.....        | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| All import sources.....        | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| U.S. consumption value:        |               |      |      |                 |      |                  |         |         |         |
| Amount.....                    | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Producers' share (fn1).....    | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Importers' share (fn1):        |               |      |      |                 |      |                  |         |         |         |
| China.....                     | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Thailand subject.....          | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Subject sources.....           | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Thailand nonsubject.....       | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| All other sources.....         | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Nonsubject sources.....        | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| All import sources.....        | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| U.S. imports from:             |               |      |      |                 |      |                  |         |         |         |
| China:                         |               |      |      |                 |      |                  |         |         |         |
| Quantity.....                  | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Value.....                     | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Unit value.....                | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Ending inventory quantity..... | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Thailand subject:              |               |      |      |                 |      |                  |         |         |         |
| Quantity.....                  | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Value.....                     | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Unit value.....                | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Ending inventory quantity..... | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Subject sources:               |               |      |      |                 |      |                  |         |         |         |
| Quantity.....                  | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Value.....                     | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Unit value.....                | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Ending inventory quantity..... | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Thailand nonsubject:           |               |      |      |                 |      |                  |         |         |         |
| Quantity.....                  | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Value.....                     | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Unit value.....                | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Ending inventory quantity..... | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| All other sources:             |               |      |      |                 |      |                  |         |         |         |
| Quantity.....                  | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Value.....                     | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Unit value.....                | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Ending inventory quantity..... | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Nonsubject sources:            |               |      |      |                 |      |                  |         |         |         |
| Quantity.....                  | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Value.....                     | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Unit value.....                | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Ending inventory quantity..... | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| All import sources:            |               |      |      |                 |      |                  |         |         |         |
| Quantity.....                  | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Value.....                     | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Unit value.....                | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Ending inventory quantity..... | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |

Table continued on next page

**Table C-1--Continued**

**Rubber bands: Summary data concerning the U.S. market, 2015-17, January to June 2017, and January to June 2018**

(Quantity=1,000 pounds; Value=1,000 dollars; Unit values, unit labor costs, and unit expenses=dollars per pound; Period changes=percent--exceptions noted)

|  | Reported data |      |      |                 |      | Period changes   |         |         |         |
|--|---------------|------|------|-----------------|------|------------------|---------|---------|---------|
|  | Calendar year |      |      | January to June |      | Comparison years |         |         | Jan-Jun |
|  | 2015          | 2016 | 2017 | 2017            | 2018 | 2015-17          | 2015-16 | 2016-17 | 2017-18 |
| U.S. producers':                           |               |      |      |                 |      |                  |         |         |         |
| Average capacity quantity.....             | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Production quantity.....                   | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Capacity utilization (fn1).....            | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| U.S. shipments:                            |               |      |      |                 |      |                  |         |         |         |
| Quantity.....                              | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Value.....                                 | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Unit value.....                            | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Export shipments:                          |               |      |      |                 |      |                  |         |         |         |
| Quantity.....                              | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Value.....                                 | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Unit value.....                            | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Ending inventory quantity.....             | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Inventories/total shipments (fn1).....     | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Production workers.....                    | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Hours worked (1,000s).....                 | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Wages paid (\$1,000).....                  | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Hourly wages (dollars per hour).....       | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Productivity (pounds per hour).....        | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Unit labor costs.....                      | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Net sales:                                 |               |      |      |                 |      |                  |         |         |         |
| Quantity.....                              | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Value.....                                 | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Unit value.....                            | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Cost of goods sold (COGS).....             | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Gross profit or (loss).....                | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| SG&A expenses.....                         | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Operating income or (loss).....            | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Net income or (loss).....                  | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Capital expenditures.....                  | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Unit COGS.....                             | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Unit SG&A expenses.....                    | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Unit operating income or (loss).....       | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Unit net income or (loss).....             | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| COGS/sales (fn1).....                      | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Operating income or (loss)/sales (fn1).... | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |
| Net income or (loss)/sales (fn1).....      | ***           | ***  | ***  | ***             | ***  | ***              | ***     | ***     | ***     |

Notes:

fn1.--Reported data are in percent and period changes are in percentage points.

fn2.--Undefined.

Source: Compiled from data submitted in response to Commission questionnaires.

**APPENDIX D**  
**DATA ON THAILAND-LHH**



**Appendix D-1**

**Rubber bands: Data on Nonsubject foreign industry, 2015-17, January to June 2017, and January to June 2018 and projection calendar years 2018 and 2019**

| Item                             | Actual experience                  |      |      |                 |      | Projections   |      |
|----------------------------------|------------------------------------|------|------|-----------------|------|---------------|------|
|                                  | Calendar year                      |      |      | January to June |      | Calendar year |      |
|                                  | 2015                               | 2016 | 2017 | 2017            | 2018 | 2018          | 2019 |
|                                  | <b>Quantity (1,000 pounds)</b>     |      |      |                 |      |               |      |
| Capacity                         | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |
| Production                       | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |
| End-of-period inventories        | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |
| Shipments:                       |                                    |      |      |                 |      |               |      |
| Home market shipments:           |                                    |      |      |                 |      |               |      |
| Internal consumption/ transfers  | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |
| Commercial home market shipments | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |
| Total home market shipments      | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |
| Export shipments to:             |                                    |      |      |                 |      |               |      |
| United States                    | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |
| All other markets                | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |
| Total exports                    | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |
| Total shipments                  | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |
|                                  | <b>Ratios and shares (percent)</b> |      |      |                 |      |               |      |
| Capacity utilization             | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |
| Inventories/production           | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |
| Inventories/total shipments      | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |
| Share of shipments:              |                                    |      |      |                 |      |               |      |
| Home market shipments:           |                                    |      |      |                 |      |               |      |
| Internal consumption/ transfers  | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |
| Commercial home market shipments | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |
| Total home market shipments      | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |
| Export shipments to:             |                                    |      |      |                 |      |               |      |
| United States                    | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |
| All other markets                | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |
| Total exports                    | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |
| Total shipments                  | ***                                | ***  | ***  | ***             | ***  | ***           | ***  |

Note.--Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent.

Source: Compiled from data submitted in response to Commission questionnaires.

