

Market Memo; see also "Selection of Comparison Market" section, below.

In November and December 2002 and February 2003, we issued supplemental questionnaires to East Young and Huvis. We received responses to these supplemental questionnaires in December 2002 and January and February 2003.

On January 9, 2003, in accordance with section 751(a)(3)(A) of the Act, we published a notice extending the time limit for the completion of the preliminary results in this case by 120 days (*i.e.*, until no later than June 2, 2003). (See 68 FR 1177).

Scope of the Order

For the purposes of this order, the product covered is certain 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 this order 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 under the *Harmonized Tariff Schedule of the United States* ("HTSUS") at subheading 5503.20.00.20 is specifically excluded from this order. Also specifically excluded from this order are polyester staple fibers 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 excluded from this order. 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 this order 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 under order is dispositive.

Partial Rescission

As noted above, Sunglim, Sam Young, Mijung, Keon Baek, Estal, and Daeyang withdrew their requests for review, and Stein Fibers withdrew its request for review of Sam Young, Mijung, Keon Baek, Daeyang, and Estal. Because these withdrawals were timely filed and no other party requested a review of these companies, pursuant to 19 CFR

351.213(d)(1) we are rescinding this review with respect to these companies. We will instruct the U.S. Bureau of Customs and Border Protection ("BCBP") to liquidate any entries from these companies during the period of review and to assess antidumping duties at the rate that was applied at the time of entry.

Verification

As provided in section 782(i) of the Act, in March and May 2003, we verified information provided by East Young and Huvis using standard verification procedures, including on-site inspection of the manufacturers' facilities, examination of relevant sales, cost and financial records, and selection of original documentation containing relevant information. The Department reported its findings from the sales verifications on May 12, 2003. See Memorandum to the File, "*Verification of the Sales Response of East Young Co., Ltd.*," dated May 12, 2003 ("*East Young Verification Report*"), and Memorandum to the File, "*Verification of the Sales Response of Huvis Corporation*," dated May 12, 2003 ("*Huvis Sales Verification Report*"), which are on file in the CRU. Due to the timing of the cost verification of Huvis, the Department will report its findings from the cost verification after the preliminary results.

Fair Value Comparisons

To determine whether sales of PSF by the respondents to the United States were made at less than NV, we compared, as appropriate, export price ("EP"), to NV, as described in the "Export Price" and "Normal Value" sections of this notice.

Pursuant to section 777A(d)(2) of the Act, we compared the EPs of individual U.S. transactions to the weighted-average NV of the foreign like product where there were sales made in the ordinary course of trade, as discussed in the "Cost of Production Analysis" section below.

Product Comparisons

In accordance with section 771(16) of the Act, we considered all products produced by the respondents covered by the description in the "Scope of the Order" section, above, to be foreign like products for purposes of determining appropriate product comparisons to U.S. sales. In accordance with section 773(a)(1)(C)(ii) of the Act, in order to determine whether there was a sufficient volume of sales in the home market to serve as a viable basis for calculating NV, we compared each respondent's volume of home market

sales of the foreign like product to the volume of its U.S. sales of the subject merchandise. (For further details, see the "Normal Value" section, below.)

We compared U.S. sales to sales made in the appropriate comparison market within the contemporaneous window period, which extends from three months prior to the POR until two months after the POR. Where there were no sales of identical merchandise in the comparison market made in the ordinary course of trade to compare to U.S. sales, we compared U.S. sales to sales of the most similar foreign like product made in the ordinary course of trade. Where there were no sales of identical or similar merchandise made in the ordinary course of trade in the comparison market to compare to U.S. sales, we compared U.S. sales to constructed value ("CV"). In making product comparisons, consistent with our final determination in the original investigation, we matched foreign like products based on the physical characteristics reported by the respondents in the following order: (1) composition; (2) type; (3) grade; (4) cross section; (5) finish; and (6) denier (see *Notice of Final Determination of Sales at Less Than Fair Value: Certain Polyester Staple Fiber From the Republic of Korea*, 65 FR 16880, 16881 (March 30, 2000)).

Date of Sale

In its original questionnaire responses, East Young reported comparison market and U.S. sales using invoice date as the date of sale. Based on the description of the sales process provided by East Young, we note that, in the company's normal commercial practice, the sales invoice is normally issued after the date of shipment. Because the date of shipment almost always precedes the reported date of sale, we preliminarily find that the date of shipment better reflects the date on which East Young established the material terms of sale, in accordance with 19 CFR 351.401(i). Accordingly, we have relied on the date of shipment as the date of sale.

Export Price

For sales to the United States, we calculated EP, in accordance with section 772(a) of the Act, because the merchandise was sold prior to importation by the exporter or producer outside the United States to the first unaffiliated purchaser in the United States and because constructed export price methodology was not otherwise warranted. We calculated EP based on the FOB, C&F, CIF, EDDP (ex-dock duty paid), or CFR packed price to