



*INTERNATIONAL TRADE COMMISSION  
MINISTRY OF ECONOMIC AFFAIRS*

8F., No.317, Songjiang Rd., Jhongshan  
District, Taipei City 10483,  
Taiwan(R.O.C.)

TEL: 886-2- 2506-6670, ext. 521  
FAX: 886-2- 25029557  
e-mail : itc@mail.moeaitc.gov.tw

**MOEAITC-ID-10204605710**

**Date: October 18 , 2013**

**RE: Initiation of the Safeguard Investigation on High Density Polyethylene and  
Linear Low Density Polyethylene**

**COMPANY NAME:**

**ADDRESS:**

**TELEPHONE NUMBER:**

**FACSIMILE NUMBER:**

**To whom it may concern:**

In compliance with the decision of the Ministry of Economic Affairs (MOEA) to initiate the safeguard investigation concerning high density polyethylene (HDPE) and linear low density polyethylene (LLDPE), the investigating authority International Trade Commission (ITC) is hereby sending you this summarized English notice along with the original copy of our official notice in Chinese.

**Background**

On July 17, 2013, a petition was filed with the MOEA by Taiwan Synthetic Resins Manufacturers Association on behalf of the domestic industry for applying safeguard measures on imports of HDPE and LLDPE. On October 8, the ITC determined that there is sufficient evidence to justify the initiation of an investigation pursuant to the Rules for Handling Import Relief Cases. The public notice of initiation of the investigation was published in the Government Gazette

on October 18, 2013.

Our legislation, the Rules for Handling Import Relief Cases (hereinafter referred to as the Rules), can be found on our website:

<http://www.moeaitc.gov.tw/ITCWEB/webform/wfrmSite.aspx?pagestyle=2&programid=255>.

### **Product concerned**

The products concerned are high density polyethylene (HDPE) and linear low density polyethylene (LLDPE), currently classified under 3901200000 and 3901100010 of C.C.C. Code respectively.

### **Reasons for the initiation**

1. The petitioner, Taiwan Synthetic Resins Manufacturers Association, is qualified as required in Article 6 of the Rules;
2. The petition meets the requirements stipulated in Article 8 of the Rules;
3. The petitioner claims that the subject imports have increased from 62,189 tons to 79,883 tons for HDPE and from 62,341 tons to 121,052 tons for LLDPE over the period of 2009 to 2012. The increased imports have caused or are threatening to cause serious injury to the domestic industry producing like products or directly competitive products. The information and evidence contained in the petition support the initiation.

### **Investigation procedure**

Pursuant to Article 18 of the Rules, the ITC shall make a decision as to whether the industry has been injured within 120 days from the date the petitioner is notified of the initiation of the investigation by the MOEA. If necessary, the time limit may be extended by up to 60 days. In case of an affirmative decision that the industry has been injured, the ITC shall, within 30 days from the date the decision is made, hold a hearing on the safeguard measures it intends to adopt, and thereafter submit to the MOEA a recommendation as to whether safeguard measures shall be adopted. Once agreeing to the ITC's recommendation, the MOEA will give a public notice of implementation of the safeguard measures and report to the Executive Yuan for record.

If the ITC, in its preliminary investigation under Article 16bis of the Rules, determines that there is clear evidence that increased imports have caused or are

threatening to cause serious injury to the domestic industry, and that the situation is critical in which delay to take measures would cause injury which would be difficult to remedy, the ITC may submit to the MOEA a proposal for a provisional increase of tariffs before its final determination. The said proposal shall be made within 70 days from the date of notification of the initiation of the investigation by the MOEA. Once agreeing to the ITC's recommendation, the MOEA will report to the Executive Yuan for approval. The implementation period shall not exceed 200 days.

A copy of the flowchart of the investigation procedure is enclosed. The ITC will keep updating the investigation proceeding, such as the date of public hearing, at its website:

<http://www.moeaitc.gov.tw/ITCWEB/webform/wfrmNews.aspx?pagestyle=2&programid=250>.

### **Registration for participation and written submission**

The ITC is inviting the interested parties to participate in the investigation. Those who wish to participate in the investigation, other than those listed in the public notice in Chinese, must make themselves known by filling out a registration form and sending it back to the ITC within 20 days after the date of the initiation by email, mail or fax. Registration form can be found on our website:

<http://www.moeaitc.gov.tw/ITCWEB/webform/wfrmNews.aspx?pagestyle=2&programid=250>.

The interested parties will be kept informed about the progress of the investigation and are welcome to submit their views on this case, such as the existence of serious injury to the domestic industry, the causation between the increased imports and serious injury, proposed measures to take, and the effect of safeguard measures on the public interest pursuant to Article 23 of the Rules.

The Chinese version of non-confidential petition is available on our website: <http://www.moeaitc.gov.tw/itcweb/ic/wFrmIcCase1.aspx?programid=21>.

If you have any questions about this case, please contact the following correspondents.

Mr. Sheu (Cherng-shyan Sheu)      Tel: 886-2-2506-6670 ext. 511

Ms. Chang (Pi-feng Chang)

Tel: 886-2-2506-6670 ext. 521

Sincerely yours,



Herbert C.H.Juan

Acting Executive Secretary,

International Trade Commission, Ministry of Economic Affairs

Enclosure

Cc:

Ministry of Foreign Affairs

Taiwan-Iran Business Association

Saudi Arabian Trade Office

Thailand Trade And Economic Office

Singapore Trade Office in Taipei

Interchange Association (Japan), Taipei Office

American Institute in Taiwan (The Commercial Section)

Canadian Trade Office in Taipei

Economic Division, Taipei Economic and Cultural Office in Canada

Economic Division, Taipei Economic and Cultural Representative Office in the United States

Economic Division, Taipei Economic and Cultural Representative Office in Japan

Economic Division, Taipei Representative Office in Singapore

Economic Division, Taipei Economic and Cultural Office in Thailand

Commercial Office of the Republic of China to Dubai

Economic Division, Taipei Economic and Cultural Representative Office in the Kingdom of Saudi Arabia

Taipei Commercial Representative Office in the State of Kuwait