

EXPLANATION OF COMMISSION DETERMINATION ON ADEQUACY

in

Pressure Sensitive Plastic Tape from Italy, Inv. No. AA1921-167 (Third Review)

On August 4, 2009, the Commission determined that it should proceed to a full review in the subject five-year review pursuant to section 751(c)(5) of the Tariff Act of 1930 (19 U.S.C. §1675(c)(5)).

The Commission received a single response filed by 3M Company (“3M”), a domestic producer of pressure sensitive plastic tape (PSPT); 3M’s response also contains information submitted on behalf of two other U.S. producers of PSPT, Shurtape Technologies, LLC and Intertape Polymer Group, Inc. The Commission found the individual response of each of these domestic PSPT producers, which contained company-specific data, to be adequate. Because the three producers that provided company-specific data collectively account for a substantial proportion of domestic production of PSPT, the Commission further determined that the domestic interested party group response was adequate.

The Commission did not receive a response to the notice of institution from any respondent interested party. The Commission determined that the respondent interested party group response was inadequate in this review.

Notwithstanding the Commission’s determination that the respondent interested party group response was inadequate, the Commission determined to conduct a full review in light of information regarding possible changes in conditions of competition.¹ These include trends in U.S. demand; the nature of U.S. supply, particularly concerning the presence in the U.S. market of nonsubject imports from China and Taiwan; and the structure and market orientation of the Italian PSPT industry.

A record of the Commissioners’ votes is available from the Office of the Secretary and the Commission’s web site (www.usitc.gov).

¹ Commissioners Williamson and Pinkert voted to conduct an expedited review, citing both the lack of adequate respondent participation and their finding that the record in this adequacy phase did not indicate sufficient changes in the conditions of competition since the original investigation and the first and second five-year reviews to warrant conducting a full review.