



## FACT SHEET

### **Commerce Finds Dumping of Imports of Ferrosilicon from Venezuela and No Dumping of Imports of Ferrosilicon from the Russian Federation**

- On July 25, 2014, the Department of Commerce (Commerce) announced its affirmative final determination in the antidumping duty (AD) investigation of imports of ferrosilicon from Venezuela and negative final determination in the AD investigation of imports of ferrosilicon from the Russian Federation (Russia).
- The AD law provides U.S. businesses and workers with a transparent and internationally accepted mechanism to seek relief from the market-distorting effects caused by injurious dumping of imports into the United States, establishing an opportunity to compete on a level playing field.
- For the purpose of AD investigations, dumping occurs when a foreign company sells a product in the United States at less than its fair value.
- In the Russia investigation, mandatory respondent RFA International LP, received a final dumping margin of 0.00 percent. Because this final determination is negative, Commerce has not calculated a weighted-average dumping margin for all other producers or exporters in Russia. As a result of this negative final determination, the investigation has been terminated.
- In the Venezuela investigation, mandatory respondent FerroAtlantica de Venezuela received a final dumping margin of 22.84 percent. All other producers/exporters in Venezuela also received a final dumping margin of 22.84 percent.
- As a result of the final affirmative determination for Venezuela, Commerce will instruct U.S. Customs and Border Protection (CBP) to collect cash deposits equal to the applicable weighted-average dumping margin.
- The petitioners for these investigations are Globe Specialty Metals, Inc. (NY); CC Metals and Alloys, LLC (KY); the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (PA); and the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) (MI).
- The merchandise covered by the scope of these investigations is all forms and sizes of ferrosilicon, regardless of grade, including ferrosilicon briquettes. Ferrosilicon is a ferroalloy containing by weight 4 percent or more iron, more than 8 percent but not more than 96 percent silicon, 3 percent or less phosphorus, 30 percent or less manganese, less than 3 percent magnesium, and 10 percent or less any other element. The merchandise covered also includes product described as slag, if the product meets these specifications. Ferrosilicon is currently classified under U.S. Harmonized Tariff Schedule (HTSUS) subheadings 7202.21.1000, 7202.21.5000, 7202.21.7500, 7202.21.9000, 7202.29.0010, and 7202.29.0050. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

- In 2013, imports of ferrosilicon from Russia and Venezuela were valued at an estimated \$117.5 million and \$43.3 million, respectively.

#### **NEXT STEPS**

- The ITC is scheduled to make its final injury determination with regard to imports from Venezuela on September 7, 2014. Because Commerce’s final determination with regards to imports from Russia was negative, the ITC will not be making a final determination with respect to the Russian proceeding.
- If the ITC makes an affirmative final determination that imports of ferrosilicon from Venezuela materially injure, or threaten material injury to, the domestic industry, Commerce will issue an AD order. If the ITC makes a negative determination of injury, the investigation will be terminated.

#### **FINAL DUMPING MARGINS:**

<b>COUNTRY</b>	<b>EXPORTER/PRODUCER</b>	<b>DUMPING MARGINS</b>
<b>Russia</b>	<b>RFA International LP</b>	<b>0.00%</b>

<b>COUNTRY</b>	<b>EXPORTER/PRODUCER</b>	<b>DUMPING MARGINS</b>
<b>Venezuela</b>	<b>FerroAtlantica de Venezuela</b>	<b>22.84%</b>
	<b>All Others</b>	<b>22.84%</b>

## CASE CALENDAR:

EVENT	DATE
<b>Petition Filed</b>	<b>July 19, 2013</b>
<b>DOC Initiation Date</b>	<b>August 8, 2013</b>
<b>ITC Preliminary Determination</b>	<b>October 22, 2013</b>
<b>DOC Preliminary Determination<sup>^</sup></b>	<b>March 4, 2014</b>
<b>DOC Final Determination<sup>^</sup></b>	<b>July 25, 2014</b>
<b>ITC Final Determination</b>	<b>September 7, 2014<sup>†</sup></b>
<b>Issuance of Order*<sup>^</sup></b>	<b>September 14, 2014<sup>†</sup></b>

NOTE: Commerce preliminary and final determination deadlines are governed by statute. For AD investigations, the deadlines are set forth in sections 733(b) and 735(a) of the Tariff Act of 1930, as amended. These deadlines may be extended under certain circumstances.

<sup>^</sup> As explained in the Memorandum for the Record from Paul Piquado, Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Shutdown of the Federal Government" (October 18, 2013), Commerce has exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from October 1, through October 16, 2013. Therefore, the initiation date for these investigations has been tolled by 16 days and all other deadlines have been adjusted accordingly.

<sup>†</sup> Where the deadline falls on a weekend/holiday, the appropriate date is the next business day.

\*This will take place only in the event of final affirmative determinations by Commerce and the ITC.

## IMPORT STATISTICS:

<b>RUSSIA</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
<b>Volume (metric tons)</b>	85,100	112,400	85,400
<b>Value (USD)</b>	134,341,000	153,418,000	117,468,000
<b>VENEZUELA</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
<b>Volume (metric tons)</b>	21,100	28,100	31,300
<b>Value (USD)</b>	32,475,000	39,473,000	43,259,000

Source: U.S. Census Bureau, accessed through Global Trade Atlas. (HTSUS 7202.21.1000, 7202.21.5000, 7202.21.7500, 7202.21.9000, 7202.29.0010, and 7202.29.0050) . Some HTSUS subheadings are basket categories and may cover both subject and non-subject merchandise.