



## FACT SHEET

### **Commerce Finds Dumping of Imports of Grain-Oriented Electrical Steel from the Czech Republic**

- On September 23, 2014, the Department of Commerce (Commerce) announced its affirmative final determination in the antidumping duty (AD) investigation of imports of grain-oriented electrical steel (GOES) from the Czech Republic.
- 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.
- Commerce determined that imports of GOES from the Czech Republic have been sold in the United States at dumping margins ranging from 13.76 percent to 35.93 percent.
- Mandatory respondent ArcelorMittal Frydek-Mistek A.S. received a final dumping margin of 13.76 percent. Mandatory respondent Sujani Enterprises, Inc. (Sujani) received a final dumping margin of 35.93 percent based on adverse facts available because it failed to cooperate by not acting to the best of its ability. All other producers/exporters in the Czech Republic received a final dumping margin of 13.76 percent.
- As a result of the final affirmative determination, Commerce will instruct U.S. Customs and Border Protection (CBP) to collect cash deposits equal to the applicable weighted-average dumping margins.
- The petitioners for this investigation are AK Steel Corporation (OH), Allegheny Ludlum, LLC (PA), and the United Steelworkers (PA).
- On February 24, 2014, the petitioners filed an allegation of critical circumstances for the Czech Republic. Commerce made a final negative critical circumstances determination for ArcelorMittal Frydek-Mistek A.S. and companies covered by the “all others” rate. However, Commerce made an affirmative critical circumstances determination for Sujani. As a result of the affirmative critical circumstances determination, Commerce will instruct CBP to impose provisional measures retroactively on Sujani’s entries of subject GOES on or after February 8, 2014, which is 90 days prior to our preliminary determination.
- The scope of this investigation covers GOES. GOES is a flat-rolled alloy steel product containing by weight at least 0.6 percent but not more than 6 percent of silicon, not more than 0.08 percent of carbon, not more than 1.0 percent of aluminum, and no other element in an amount that would give the steel the characteristics of another alloy steel, in coils or in straight lengths. The GOES that is subject to this investigation is currently classifiable under subheadings 7225.11.0000, 7226.11.1000, 7226.11.9030, and 7226.11.9060 of the Harmonized Tariff Schedule of the United States (HTSUS).

Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

Excluded are flat-rolled products not in coils that, prior to importation into the United States, have been cut to a shape and undergone all punching, coating, or other operations necessary for classification in Chapter 85 of the HTSUS as a transformer part (i.e., laminations).

- In 2013, imports of GOES from the Czech Republic were valued at an estimated \$9.2 million.

#### **NEXT STEPS**

- The U.S. International Trade Commission (ITC) is scheduled to make its final injury determination on or before November 6, 2014.
- If the ITC makes an affirmative final determination that imports of GOES from the Czech Republic 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>Czech Republic</b>	<b>ArcelorMittal Frydek-Mistek A.S.</b>	<b>13.76%</b>
	<b>Sujani Enterprises Inc.</b>	<b>35.93%</b>
	<b>All Others</b>	<b>13.76%</b>

## CASE CALENDAR:

EVENT	DATE
Petition Filed	September 18, 2013
DOC Initiation Date	October 24, 2013
ITC Preliminary Determination	November 26, 2013
DOC Preliminary Determination	May 2, 2014
DOC Final Determination	September 22, 2014
ITC Final Determination	November 6, 2014
Issuance of Order*	November 13, 2014

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.

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

## IMPORT STATISTICS:

CZECH REPUBLIC	2011	2012	2013
Volume (short tons)	4,207	3,196	4,756
Value (USD \$1000)	10,551	7,713	9,183