



## FACT SHEET

### **Commerce Initiates Antidumping Duty and Countervailing Duty Investigations of Imports of 1,1,1,2-Tetrafluoroethane from the People's Republic of China**

- On December 3, 2013, the Department of Commerce (Commerce) announced the initiation of antidumping duty (AD) and countervailing duty (CVD) investigations of imports of 1,1,1,2-tetrafluoroethane from the People's Republic of China (China).
- The AD and CVD laws provide U.S. businesses and workers with a transparent and internationally approved mechanism to seek relief from the market-distorting effects caused by injurious dumping and unfair subsidization 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. For the purpose of CVD investigations, countervailable subsidies are financial assistance from foreign governments that benefit the production of goods from foreign companies and are limited to specific enterprises or industries, or are contingent either upon export performance or upon the use of domestic goods over imported goods.
- The petitioner for these investigations is Mexichem Fluor, Inc. (LA).
- The merchandise subject to these investigations is 1,1,1,2-Tetrafluoroethane, R-134a, or its chemical equivalent, regardless of form, type, or purity level. The chemical formula for 1,1,1,2-tetrafluoroethane is  $\text{CF}_3\text{-CH}_2\text{F}$ , and the Chemical Abstracts Service ("CAS") registry number is CAS 811-97-2.

1,1,1,2-Tetrafluoroethane is sold under a number of trade names including Klea 134a and Zephex 134a (Mexichem Fluor); Genetron 134a (Honeywell); Suva 134a, Dymel 134a, and Dymel P134a (DuPont); Solkane 134a (Solvay); and Forane 134a (Arkema). Generically, 1,1,1,2-tetrafluoroethane has been sold as Fluorocarbon 134a, R-134a, HFC-134a, HF A-134a, Refrigerant 134a, and UN3159.

Merchandise covered by the scope of these investigations is currently classified in the Harmonized Tariff Schedule of the United States ("HTSUS") at subheading 2903.39.2020. Although the HTSUS subheading and CAS registry number are provided for convenience and customs purposes, the written description of the scope is dispositive..

- In 2012, imports of 1,1,1,2-tetrafluoroethane from China were valued at an estimated \$53.2 million.

### **NEXT STEPS**

- The U.S. International Trade Commission (ITC) is scheduled to make its preliminary injury determinations on or before December 13, 2013.

- If the ITC determines that there is a reasonable indication that imports of 1,1,1,2-tetrafluoroethane from China materially injures, or threatens material injury to, the domestic industry, the investigations will continue and Commerce will be scheduled to make its preliminary CVD determination in February 2014 and its preliminary AD determination in April 2014, unless the statutory deadlines are extended. If the ITC's preliminary determinations are negative, the investigations will be terminated.

### **Alleged Dumping Margin:**

<b>COUNTRY</b>	<b>DUMPING MARGIN</b>
<b>China</b>	<b>198.52 percent</b>

### **Estimated Subsidy Rate:**

<b>COUNTRY</b>	<b>SUBSIDY RATE</b>
<b>China</b>	<b>Above <i>de minimis</i>*</b>

\* *de minimis* = less than 1% for developed countries, less than 2% for developing countries.

### **CASE CALENDAR:**

<b>EVENT</b>	<b>AD INVESTIGATION</b>	<b>CVD INVESTIGATION</b>
<b>Petitions Filed</b>	<b>October 22, 2013</b>	<b>October 22, 2013</b>
<b>DOC Initiation Date</b>	<b>December 2, 2013<sup>^</sup></b>	<b>December 2, 2013<sup>^</sup></b>
<b>ITC Preliminary Determinations*</b>	<b>December 13, 2013</b>	<b>December 13, 2013</b>
<b>DOC Preliminary Determinations</b>	<b>April 21, 2014</b>	<b>February 5, 2014</b>
<b>DOC Final Determinations</b>	<b>July 7, 2014<sup>†</sup></b>	<b>April 21, 2014</b>
<b>ITC Final Determinations**</b>	<b>August 19, 2014</b>	<b>June 5, 2014</b>
<b>Issuance of Orders***</b>	<b>August 26, 2014</b>	<b>June 12, 2014</b>

NOTE: Commerce preliminary and final determination deadlines are governed by statute. For CVD investigations, the deadlines are set forth in sections 703(b) and 705(a)(1) of the Tariff Act of 1930, as amended (the Act). For AD investigations, the deadlines are set forth in sections 733(b) and 735(a) of the Act. These deadlines may be extended under certain circumstances.

<sup>^</sup> See Notice of Extension of the Deadline for Determining the Adequacy of the Antidumping Duty and Countervailing Duty Petitions: 1,1,1,2-Tetrafluoroethane from the People's Republic of China, 78 FR 66894 (November 7, 2013).

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

\* If the ITC makes negative preliminary determinations of injury, the investigations are terminated.

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

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

**IMPORT STATISTICS:**

CHINA	2010	2011	2012
Volume (metric tons)	4,000	10,400	11,700
Value (USD)	23,048,000	86,524,000	53,166,000

Source: U.S. Census Bureau, accessed Through Global Trade Atlas. (HTSUS 2903.39.2020)