



FACT SHEET

Commerce Preliminarily Finds Dumping of Imports of Silicomanganese from Australia

- On September 18, 2015, the Department of Commerce (Commerce) announced its affirmative preliminary determination in the antidumping duty (AD) investigation of imports of silicomanganese from Australia.
- 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.
- The sole mandatory respondent, Tasmanian Electro Metallurgical Company Pty Ltd. (TEMCO), received a preliminary dumping margin of 11.93 percent. Because there were no other respondents, TEMCO's margin also serves as the preliminary dumping margin for all other producers/exporters in Australia.
- As a result of the preliminary affirmative determination, Commerce will instruct U.S. Customs and Border Protection to require cash deposits based on these preliminary rates.
- The petitioner for this investigation is Felman Production, LLC (FL).
- The scope of this investigation covers all forms, sizes and compositions of silicomanganese, except low-carbon silicomanganese, including silicomanganese briquettes, fines, and slag. Silicomanganese is a ferroalloy composed principally of manganese, silicon, and iron, and normally contains much smaller proportions of minor elements, such as carbon, phosphorus, and sulfur. Silicomanganese is sometimes referred to as ferrosilicon manganese.

Silicomanganese generally contains by weight not less than 4 percent iron, more than 30 percent manganese, more than 8 percent silicon and not more than 0.2 percent phosphorus. Silicomanganese is properly classifiable under subheading 7202.30.0000 of the Harmonized Tariff Schedule of the United States (HTSUS).

Low-carbon silicomanganese is excluded from the scope of this investigation. It is sometimes referred to as ferromanganese-silicon. The low-carbon silicomanganese excluded from this investigation is a ferroalloy with the following chemical specifications by weight: minimum 55 percent manganese, minimum 27 percent silicon, minimum 4 percent iron, maximum 0.10 percent phosphorus, maximum 0.10 percent carbon, and maximum 0.05 percent sulfur. Low-carbon silicomanganese is classifiable under HTSUS subheading 7202.30.0000.

The HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope is dispositive.

- In 2014, imports of silicomanganese from Australia were valued at an estimated \$76.9 million.

NEXT STEPS

- Commerce is scheduled to announce its final determination on or about December 1, 2015; unless the statutory deadline is extended.
- If Commerce makes an affirmative final determination, and the U.S. International Trade Commission (ITC) makes an affirmative final determination that imports of silicomanganese from Australia materially injure, or threaten material injury to, the domestic industry, Commerce will issue an AD order. If either Commerce or the ITC final determinations are negative, no AD order will be issued. The ITC is scheduled to make its final injury determination 45 days after the Department's final determination, *i.e.*, on or about January 15, 2016.

PRELIMINARY DUMPING MARGINS:

COUNTRY	EXPORTER/PRODUCER	DUMPING MARGINS
Australia	Tasmanian Electro Metallurgical Company Pty Ltd.	11.93%
	All Others	11.93%

CASE CALENDAR:

EVENT	DATE
Petition Filed	February 19, 2015
DOC Initiation Date	March 11, 2015
ITC Preliminary Determination*	April 7, 2015†
DOC Preliminary Determination	September 17, 2015
DOC Final Determination	December 1, 2015
ITC Final Determination**	January 15, 2016
Issuance of Order***	January 22, 2016

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.

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

* If the ITC makes a negative preliminary determination of injury, the investigation is terminated.

**This will take place only in the event of a final affirmative determination from Commerce.

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IMPORT STATISTICS:

AUSTRALIA	2012	2013	2014
Volume (metric tons)	26,400	75,300	70,800
Value (USD)	27,745,000	69,105,000	76,887,000

Source: U.S. Census Bureau, accessed through Global Trade Atlas. (HTSUS 7202.30.0000)