



FACT SHEET

Commerce Finds Dumping of Imports of Silicomanganese from Australia

- On February 16, 2016, the Department of Commerce (Commerce) announced its affirmative final 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.
- Commerce determined that imports of silicomanganese from Australia have been sold in the United States at a dumping margin of 12.03 percent.
- The sole mandatory respondent, Tasmanian Electro Metallurgical Company Pty Ltd. (TEMCO), received a final dumping margin of 12.03 percent. Because there were no other respondents, TEMCO's margin also serves as the final dumping margin for all other producers/exporters in Australia.
- 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 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

- The U.S. International Trade Commission (ITC) is scheduled to make its final injury determination on March 28, 2016.
- If the 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 the ITC makes a negative determination of injury, the investigation will be terminated.

FINAL DUMPING MARGINS:

COUNTRY	EXPORTER/PRODUCER	DUMPING MARGINS
Australia	Tasmanian Electro Metallurgical Company Pty Ltd.	12.03%
	All Others	12.03%

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	February 12, 2016
ITC Final Determination	March 28, 2016
Issuance of Order**	April 4, 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.

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

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)