



FACT SHEET

Commerce Preliminarily Finds Dumping of Imports of Magnesium from Israel

- On July 2, 2019, the Department of Commerce (Commerce) announced its affirmative preliminary determination in the antidumping duty (AD) investigation of imports of magnesium from Israel.
- The AD law provides U.S. businesses and workers with a transparent, quasi-judicial, 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 an imported product in the United States at less than fair value.
- Commerce assigned a preliminary dumping rate of 193.24 percent to the sole mandatory respondent Dead Sea Magnesium, Ltd. Commerce assigned a preliminary dumping rate of 193.24 percent for all other producers and exporters from Israel.
- As a result of the preliminary affirmative determination for Israel, Commerce will instruct U.S. Customs and Border Protection (CBP) to require cash deposits from importers of magnesium from Israel based on these preliminary rates.
- The petitioner is US Magnesium LLC (Salt Lake City, UT).
- The products covered by this investigation are primary and secondary pure and alloy magnesium metal, regardless of chemistry, raw material source, form, shape, or size (including, without limitation, magnesium cast into ingots, slabs, t-bars, rounds, sows, billets, and other shapes, and magnesium ground, chipped, crushed, or machined into raspings, granules, turnings, chips, powder, briquettes, and any other shapes). Magnesium is a metal or alloy containing at least 50 percent by actual weight the element magnesium. Primary magnesium is produced by decomposing raw materials into magnesium metal. Secondary magnesium is produced by recycling magnesium-based scrap into magnesium metal. The magnesium covered by this investigation also includes blends of primary magnesium, scrap, and secondary magnesium.

The subject merchandise includes the following pure and alloy magnesium metal products made from primary and/or secondary magnesium: (1) products that contain at least 99.95 percent magnesium, by actual weight (generally referred to as “ultra-pure” or “high purity” magnesium); (2) products that contain less than 99.95 percent but not less than 99.8 percent magnesium, by actual weight (generally referred to as “pure” magnesium); and (3) chemical combinations of magnesium and other material(s) in which the magnesium content is 50 percent or greater, but less than 99.8 percent, by actual weight, whether or not conforming to an “ASTM Specification for Magnesium Alloy.”

The scope of this investigation excludes mixtures containing 90 percent or less magnesium in granular or powder form by actual weight and one or more of certain non-magnesium granular materials to make magnesium-based reagent mixtures, including lime, calcium metal, calcium silicon, calcium carbide, calcium carbonate, carbon, slag coagulants, fluorspar, nepheline syenite, feldspar, alumina (A1203), calcium aluminate, soda ash, hydrocarbons, graphite, coke, silicon, rare earth metals/mischmetal, cryolite, silica/fly ash, magnesium oxide, periclase, ferroalloys, dolomite lime, and colemanite.

- The merchandise subject to this investigation is classifiable under items 8104.11.0000, 8104.19.0000, and 8104.30.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS items are provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.
- In 2018, imports of magnesium from Israel were valued at an estimated \$38.9 million.
- The Preliminary Decision Memorandum is on file electronically via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>, and to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. Please refer to case number A-508-812.

NEXT STEPS

- Commerce is scheduled to announce its final determination on or about November 22, 2019.
- If Commerce makes an affirmative final determination, and the U.S. International Trade Commission (ITC) makes an affirmative final determination that imports of Magnesium from Israel materially injure, or threaten material injury to, the domestic industry, Commerce will issue an AD order. If either Commerce or the ITC issue negative final determinations, no AD order will be issued. The ITC is scheduled to make its final injury determination approximately 45 days after Commerce issues its final determination, if affirmative.

PRELIMINARY DUMPING RATES:

EXPORTER/PRODUCER	DUMPING RATES
Dead Sea Magnesium, Ltd.	193.24%
All Others	193.24%

CASE CALENDAR:

EVENT	AD INVESTIGATIONS
Petitions Filed	October 24, 2018
DOC Initiation Date	November 13, 2018
ITC Preliminary Determinations	December 10, 2018†
DOC Preliminary Determination	July 1, 2019
DOC Final Determinations	November 21, 2019
ITC Final Determinations**	January 6, 2020
Issuance of Order***	January 13, 2020

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)(1) 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 affirmative final determinations from Commerce.

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

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

IMPORT STATISTICS:

ISRAEL	2016	2017	2018
Volume (metric tons)	11,335	11,450	10,664
Value (USD)	46,519,663	43,508,386	38,897,839

Source: U.S. Census Bureau, accessed through Global Trade Atlas (HTSUS 8104.11.0000, 8104.19.0000, and 8104.30.0000).