



## FACT SHEET

### Commerce Finds Dumping of Imports of Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel from Japan

- On April 4, 2014, the Department of Commerce (Commerce) announced its affirmative final determination in the antidumping duty (AD) investigation of imports of diffusion-annealed, nickel-plated flat-rolled steel from Japan.
- The AD law provides U.S. businesses and workers with a transparent and internationally approved 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 diffusion-annealed, nickel-plated flat-rolled steel from Japan have been sold in the United States at dumping margins ranging from 45.42 to 77.70 percent.
- Mandatory respondents Toyo Kohan Co., Ltd. and Nippon Steel & Sumitomo Metal Corporation received final dumping margins of 45.42 percent and 77.70, respectively. Nippon Steel & Sumitomo Metal Corporation's margin is based on adverse facts available because it failed to respond to the Department's questionnaire. All other producers/exporters in Japan received a final dumping margin of 45.42 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 petitioner for this investigation is Thomas Steel Strip Corporation (OH).
- The products covered by the scope of this investigation are flat-rolled, cold-reduced steel products, regardless of chemistry; whether or not in coils; either plated or coated with nickel or nickel-based alloys and subsequently annealed (*i.e.*, "diffusion-annealed"); whether or not painted, varnished or coated with plastics or other metallic or nonmetallic substances; and less than or equal to 2.0 mm in nominal thickness. For purposes of this investigation, "nickel-based alloys" include all nickel alloys with other metals in which nickel accounts for at least 80 percent of the alloy by volume.

Imports of merchandise included in the scope of this investigation are classified primarily under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7212.50.0000 and 7210.90.6000, but may also be classified under HTSUS subheadings 7210.70.6090, 7212.40.1000, 7212.40.5000, 7219.90.0020, 7219.90.0025, 7219.90.0060, 7219.90.0080, 7220.90.0010, 7220.90.0015, 7225.99.0090, or 7226.99.0180. The foregoing HTSUS subheadings are provided only for convenience and customs purposes. The written description of the scope of this investigation is dispositive.

- In 2013, imports of diffusion-annealed, nickel-plated flat-rolled steel products from Japan were valued at an estimated \$12.6 million.

#### **NEXT STEPS**

- The ITC is scheduled to make its final injury determination on or about May 16, 2014.
- If the ITC makes an affirmative final determination that imports of diffusion-annealed, nickel-plated flat-rolled steel products from Japan 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>Japan</b>	<b>Toyo Kohan Co., Ltd.</b>	<b>45.42%</b>
	<b>Nippon Steel &amp; Sumitomo Metal Corporation</b>	<b>77.70%</b>
	<b>All Others</b>	<b>45.42%</b>

## CASE CALENDAR:

EVENT	DATE
<b>Petition Filed</b>	<b>March 27, 2013</b>
<b>DOC Initiation Date</b>	<b>April 16, 2013</b>
<b>ITC Preliminary Determination</b>	<b>May 13, 2013</b>
<b>DOC Preliminary Determination<sup>^</sup></b>	<b>November 8, 2013</b>
<b>DOC Final Determination<sup>+</sup></b>	<b>April 3, 2014</b>
<b>ITC Final Determination</b>	<b>May 16, 2014</b>
<b>Issuance of Order<sup>*</sup></b>	<b>May 23, 2014</b>

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.

<sup>^</sup> As explained in the Memorandum for the Record from Paul Piquado, Assistant Secretary for Enforcement and Compliance, “Deadlines Affected by the Shutdown of the Federal Government” (October 18, 2013), Commerce exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from October 1, through October 16, 2013. Therefore, the preliminary determination deadline for this investigation was tolled by 16 days and all other deadlines have been adjusted accordingly.

<sup>+</sup> The DOC Final Determination was postponed by 60 days.

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

### IMPORT STATISTICS:

Japan	2011	2012	2013
Volume (metric tons)	9,100	11,400	6,600
Value (USD)	19,543,000	24,104,000	12,620,000

Source: U.S. Census Bureau, accessed through Global Trade Atlas. (HTSUS 7212.50.0000). This HTSUS subheading may cover both subject and non-subject merchandise. Subject merchandise may also enter under HTSUS 7210.90.6000, 7210.70.6090, 7212.40.1000, 7212.40.5000, 7219.90.0020, 7219.90.0025, 7219.90.0060, 7219.90.0080, 7220.90.0010, 7220.90.0015, 7225.99.0090, or 7226.99.0180, which cover significant amounts of non-subject merchandise. Therefore, these HTSUS subheadings have not been used for purposes of reporting import statistics.