



FACT SHEET

Commerce Preliminarily Finds Dumping of Imports of Phosphor Copper from the Republic of Korea

- On October 6, 2016, the Department of Commerce (Commerce) announced its affirmative preliminary determination in the antidumping duty (AD) investigation of imports of phosphor copper from the Republic of Korea (Korea).
- 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 an AD investigation dumping occurs when a foreign company sells a product in the United States at less than its fair value.
- Commerce preliminarily found that dumping has occurred by mandatory respondent Bongsan Co., Ltd. at a preliminary dumping margin of 3.79 percent. Commerce calculated a preliminary dumping margin of 3.79 percent for all other producers/exporters in Korea.
- As a result of the preliminary affirmative determination, Commerce will instruct U.S. Customs and Border Protection (CBP) to collect cash deposits based on these preliminary rates.
- The petitioner is Metallurgical Products Company (PA).
- The merchandise covered by this investigation is master alloys¹ of copper containing between five percent and 17 percent phosphorus by nominal weight, regardless of form (including but not limited to shot, pellet, waffle, ingot, or nugget), and regardless of size or weight. Subject merchandise consists predominantly of copper (by weight), and may contain other elements, including but not limited to iron (Fe), lead (Pb), or tin (Sn), in small amounts (up to one percent by nominal weight). Phosphor copper is frequently produced to JIS H2501 and ASTM B-644, Alloy 3A standards or higher; however, merchandise covered by this investigation includes all phosphor copper, regardless of whether the merchandise meets, fails to meet, or exceeds these standards.
- Merchandise covered by this investigation is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheading 7405.00.1000. This HTSUS subheading is provided for convenience and customs purposes; the written description of the scope of this investigation is dispositive.
- In 2015, imports of phosphor copper from Korea were valued at an estimated \$4.3 million.

NEXT STEPS

- Commerce is scheduled to announce its final determination on or about December 20, 2016.

¹ A “master alloy” is a base metal, such as copper, to which a relatively high percentage of one or two other elements is added.

- If Commerce makes an affirmative final determination, and the U.S. International Trade Commission (ITC) makes an affirmative final determination that imports of phosphor copper from Korea materially injure, or threaten material injury to, the domestic industry, Commerce will issue an AD order. If either Commerce's or the ITC's final determination is negative, no AD order will be issued. The ITC is scheduled to make its final injury determination in February 2017.

PRELIMINARY DUMPING MARGINS:

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Korea	Bongsan Co., Ltd.	3.79 %
	All others	3.79%

CASE CALENDAR:

EVENT	DATE
Petitions Filed	March 9, 2016
DOC Initiation Date	March 29, 2016
ITC Preliminary Determination	April 29, 2016
DOC Preliminary Determination	October 5, 2016
DOC Final Determination	December 19, 2016
ITC Final Determination*	February 2, 2017
Issuance of Order**	February 9, 2017

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 a final affirmative determination by Commerce.

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

IMPORT STATISTICS:

KOREA	2013	2014	2015
Volume (metric tons)	500	600	700
Value (USD)	4,122,000	4,499,000	4,305,000

Source: U.S. Census Bureau, accessed through Global Trade Atlas. (HTSUS 7405.00.1000)