



FACT SHEET

Commerce Finds Dumping of Imports of Carbon and Alloy Steel Cut-To-Length Plate from Austria, Belgium, France, Germany, Italy, Japan, Republic of Korea (Korea), and Taiwan and Subsidization of Imports from Korea

- On March 30, 2017, the Department of Commerce (Commerce) announced its affirmative final determinations in the antidumping duty (AD) investigations of imports of certain carbon and alloy steel cut-to-length plate (CTL plate) from Austria, Belgium, France, Germany, Italy, Japan, Korea, and Taiwan and affirmative final determination in the countervailing duty (CVD) investigation of imports from 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. The CVD law provides U.S. business and workers with a transparent, quasi-judicial, and internationally accepted mechanism to seek relief from the market distorting effects caused by injurious subsidization 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 its fair value. For the purpose of a CVD investigation, a countervailable subsidy is financial assistance from foreign governments that benefits the production of goods from foreign companies and is limited to specific enterprises or industries, or is contingent either upon export performance or upon the use of domestic goods over imported goods.
- In the Austria investigation, Commerce found that dumping has occurred by the sole mandatory respondent Bohler Edelstahl GmbH & Co KG, Bohler Bleche GmbH & Co KG, Bohler International GmbH, voestalpine Grobblech GmbH, and voestalpine Steel Service Center GmbH (collectively, voestalpine) at a dumping margin of 53.72 percent. Commerce calculated a dumping margin of 53.72 percent for all other producers/exporters in Austria.
- In the Belgium investigation, Commerce found that dumping has occurred by mandatory respondent Industeel Belgium S.A. at a final dumping margin of 5.40 percent. Additionally, Commerce established a dumping margin of 51.78 percent, based on adverse facts available, for mandatory respondent NLMK Clabecq S.A., NLMK Plate Sales S.A., NLMK Sales Europe S.A., NLMK Manage Steel Center S.A., and NLMK La Louviere S.A. (collectively, NLMK Belgium). Commerce calculated a dumping margin of 5.40 percent for all other producers/exporters in Belgium.
- In the France investigation, Commerce found that dumping has occurred by mandatory respondent Dillinger France S.A. at a final dumping margin of 8.62 percent. Additionally, Commerce established a dumping margin of 148.02 percent, based on adverse facts available, for mandatory respondent Industeel France S.A. Commerce calculated a dumping margin of 8.62 percent for all other producers/exporters in France.

- In the Germany investigation, Commerce found that dumping has occurred by mandatory respondent AG der Dillinger Hüttenwerke at a final dumping margin of 5.38 percent, and dumping occurred by respondent Ilsenburger Grobblech GmbH, Salzgitter Mannesmann Grobblech GmbH, Salzgitter Flachstahl GmbH, and Salzgitter Mannesmann International GmbH (collectively, Salzgitter) at a final dumping margin of 22.90 percent. Commerce calculated a dumping margin of 21.03 percent for all other producers/exporters in Germany.
- In the Italy investigation, Commerce found that dumping has occurred by mandatory respondent Officine Tecnosider s.r.l. at a final dumping margin of 6.08 percent. Additionally, Commerce established a dumping margin of 22.19 percent, based on adverse facts available, for mandatory respondents Marcegaglia SpA and NLMK Verona SpA. Commerce calculated a dumping margin of 6.08 percent for all other producers/exporters in Italy.
- In the Japan investigation, Commerce found that dumping has occurred by mandatory respondent Tokyo Steel Manufacturing Co., Ltd., at a dumping margin of 14.79 percent. Additionally, Commerce established a dumping margin of 48.67 percent, based on adverse facts available, for mandatory respondents JFE Steel Corporation and Shimabun Corporation. Commerce calculated a dumping margin of 14.79 percent for all other producers/exporters in Japan.
- In the Korea AD investigation, Commerce found that dumping has occurred by mandatory respondent POSCO at a dumping margin of 7.39 percent. Commerce calculated a dumping margin of 7.39 percent for all other producers/exporters in Korea. In accordance with the scope of this investigation, the application of POSCO's margin to all-other producers/exporters applies only to subject CTL plate not within the description of cut-to-length carbon quality steel plate in the 1999 Korea AD Order (*See Notice of Final Determination of Sales at Less Than Fair Value: Certain Cut-To-Length Carbon-Quality Steel Plate Products from Korea*, 64 FR 73196 (December 29, 1999), as amended, 65 FR 6585 (February 10, 2000)).
- In the Taiwan investigation, Commerce found that dumping has occurred by mandatory respondents Shang Chen Steel Co., Ltd. and China Steel Corp. at dumping margins of 3.62 percent and 6.95 percent, respectively. Commerce calculated a dumping margin of 5.29 percent for all other producers/exporters in Taiwan.
- In the Korea CVD investigation, Commerce calculated a subsidy rate of 4.31 percent for mandatory respondent POSCO. Commerce calculated a subsidy rate of 4.31 percent for all other producers/exporters in Korea. In accordance with the scope of this investigation, this application of POSCO's subsidy rate to all-other producers/exporters applies only to subject CTL plate not within the description of cut-to-length carbon quality steel plate in the 1999 Korea CVD Order (*See Final Affirmative Countervailing Duty Determination: Certain Cut-to-Length Carbon-Quality Steel Plate from the Republic of Korea*, 64 FR 6587 (December 29, 1999), as amended, 65 FR 6587 (February 10, 2000)).
- As a result of the affirmative determinations, Commerce will instruct U.S. Customs and Border Protection (CBP) to collect cash deposits based on these final rates.
- Critical circumstances were alleged with respect to imports of CTL plate from Austria, Belgium, Italy, Korea, and Taiwan. Commerce is making a final determination that critical circumstances exist

with respect to certain exporters from Austria, Belgium, and Italy. Consequently, CBP will be instructed to impose provisional measures retroactively on entries of CTL plate from Austria, Belgium, and Italy, effective 90 days prior to publication of the preliminary determinations in the Federal Register, for the affected exporters.

- The petitioners are ArcelorMittal USA LLC (IL), Nucor Corporation (NC) and SSAB Enterprises, LLC (IL).
- The products covered by these investigations are certain carbon and alloy steel hot-rolled or forged flat plate products not in coils, whether or not painted, varnished, or coated with plastics or other non-metallic substances (cut-to-length plate). Subject merchandise includes plate that is produced by being cut-to-length from coils or from other discrete length plate and plate that is rolled or forged into a discrete length. The products covered include (1) Universal mill plates (*i.e.*, flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 mm but not exceeding 1250 mm, and of a thickness of not less than 4 mm, which are not in coils and without patterns in relief), and (2) hot-rolled or forged flat steel products of a thickness of 4.75 mm or more and of a width which exceeds 150 mm and measures at least twice the thickness, and which are not in coils, whether or not with patterns in relief. The covered products described above may be rectangular, square, circular or other shapes and include products of either rectangular or non-rectangular cross-section where such non-rectangular cross-section is achieved subsequent to the rolling process, *i.e.*, products which have been “worked after rolling”, (*e.g.*, products which have been beveled or rounded at the edges).

For purposes of the width and thickness requirements referenced above, the following rules apply:

(1) except where otherwise stated where the nominal and actual thickness or width measurements vary, a product from a given subject country is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above unless the product is already covered by an order existing on that specific country (*e.g.*, orders on hot-rolled flat-rolled steel); and

(2) where the width and thickness vary for a specific product (*e.g.*, the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, etc.), the measurement at its greatest width or thickness applies.

Steel products included in the scope of these investigations are products in which: (1) iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is 2 percent or less by weight.

Subject merchandise includes cut-to-length plate that has been further processed in the subject country or a third country, including but not limited to pickling, oiling, levelling, annealing, tempering, temper rolling, skin passing, painting, varnishing, trimming, cutting, punching, beveling, and/or slitting, or any other processing that would not otherwise remove the merchandise from the scope of the investigations if performed in the country of manufacture of the cut-to-length plate.

All products that meet the written physical description are within the scope of these investigations unless specifically excluded or covered by the scope of an existing order. The following products are outside of, and/or specifically excluded from, the scope of these investigations:

- (1) products clad, plated, or coated with metal, whether or not painted, varnished or coated with plastic or other non-metallic substances;
- (2) military grade armor plate certified to one of the following specifications or to a specification that references and incorporates one of the following specifications:
 - MIL-A-12560,
 - MIL-DTL-12560H,
 - MIL-DTL-12560J,
 - MIL-DTL-12560K,
 - MIL-DTL-32332,
 - MIL-A-46100D,
 - MIL-DTL-46100-E,
 - MIL-46177C,
 - MIL-S-16216K Grade HY80,
 - MIL-S-16216K Grade HY100,
 - MIL-S-24645A HSLA-80;
 - MIL-S-24645A HSLA-100,
 - T9074-BD-GIB-010/0300 Grade HY80,
 - T9074-BD-GIB-010/0300 Grade HY100,
 - T9074-BD-GIB-010/0300 Grade HSLA80,
 - T9074-BD-GIB-010/0300 Grade HSLA100, and
 - T9074-BD-GIB-010/0300 Mod. Grade HSLA115,

except that any cut-to-length plate certified to one of the above specifications, or to a military grade armor specification that references and incorporates one of the above specifications, will not be excluded from the scope if it is also dual- or multiple-certified to any other non-armor

specification that otherwise would fall within the scope of these investigations;

- (3) stainless steel plate, containing 10.5 percent or more of chromium by weight and not more than 1.2 percent of carbon by weight;
- (4) CTL plate meeting the requirements of ASTM A-829, Grade E 4340 that are over 305 mm in actual thickness;
- (5) Alloy forged and rolled CTL plate greater than or equal to 152.4 mm in actual thickness meeting each of the following requirements:

(a) Electric furnace melted, ladle refined & vacuum degassed and having a chemical composition (expressed in weight percentages):

- Carbon 0.23-0.28,
- Silicon 0.05-0.20,
- Manganese 1.20-1.60,
- Nickel not greater than 1.0,
- Sulfur not greater than 0.007,
- Phosphorus not greater than 0.020,
- Chromium 1.0-2.5,
- Molybdenum 0.35-0.80,
- Boron 0.002-0.004,
- Oxygen not greater than 20 ppm,
- Hydrogen not greater than 2 ppm, and
- Nitrogen not greater than 60 ppm;

(b) With a Brinell hardness measured in all parts of the product including mid thickness falling within one of the following ranges:

- (i) 270-300 HBW,
- (ii) 290-320 HBW, or
- (iii) 320-350HBW;

- (c) Having cleanliness in accordance with ASTM E45 method A (Thin and Heavy): A not exceeding 1.5, B not exceeding 1.0, C not exceeding 0.5, D not exceeding 1.5; and
- (d) Conforming to ASTM A578-S9 ultrasonic testing requirements with acceptance criteria 2 mm flat bottom hole;
- (6) Alloy forged and rolled steel CTL plate over 407 mm in actual thickness and meeting the following requirements:
- (a) Made from Electric Arc Furnace melted, Ladle refined & vacuum degassed, alloy steel with the following chemical composition (expressed in weight percentages):
- Carbon 0.23-0.28,
 - Silicon 0.05-0.15,
 - Manganese 1.20-1.50,
 - Nickel not greater than 0.4,
 - Sulfur not greater than 0.010,
 - Phosphorus not greater than 0.020,
 - Chromium 1.20-1.50,
 - Molybdenum 0.35-0.55,
 - Boron 0.002-0.004,
 - Oxygen not greater than 20 ppm,
 - Hydrogen not greater than 2 ppm, and
 - Nitrogen not greater than 60 ppm;
- (b) Having cleanliness in accordance with ASTM E45 method A (Thin and Heavy): A not exceeding 1.5, B not exceeding 1.5, C not exceeding 1.0, D not exceeding 1.5;
- (c) Having the following mechanical properties:
- (i) With a Brinell hardness not more than 237 HBW measured in all parts of the product including mid thickness; and having a Yield Strength of 75ksi min and UTS 95ksi or more, Elongation of 18% or more and Reduction of area 35% or more; having charpy V at -75 degrees F in the longitudinal direction equal or greater than 15 ft. lbs (single value) and equal or greater

than 20 ft. lbs (average of 3 specimens) and conforming to the requirements of NACE MR01-75; or

(ii) With a Brinell hardness not less than 240 HBW measured in all parts of the product including mid thickness; and having a Yield Strength of 90 ksi min and UTS 110 ksi or more, Elongation of 15% or more and Reduction of area 30% or more; having charpy V at -40 degrees F in the longitudinal direction equal or greater than 21 ft. lbs (single value) and equal or greater than 31 ft. lbs (average of 3 specimens);

(d) Conforming to ASTM A578-S9 ultrasonic testing requirements with acceptance criteria 3.2 mm flat bottom hole; and

(e) Conforming to magnetic particle inspection in accordance with AMS 2301;

(7) Alloy forged and rolled steel CTL plate over 407 mm in actual thickness and meeting the following requirements:

(a) Made from Electric Arc Furnace melted, ladle refined & vacuum degassed, alloy steel with the following chemical composition (expressed in weight percentages):

- Carbon 0.25-0.30,
- Silicon not greater than 0.25,
- Manganese not greater than 0.50,
- Nickel 3.0-3.5,
- Sulfur not greater than 0.010,
- Phosphorus not greater than 0.020,
- Chromium 1.0-1.5,
- Molybdenum 0.6-0.9,
- Vanadium 0.08 to 0.12
- Boron 0.002-0.004,
- Oxygen not greater than 20 ppm,
- Hydrogen not greater than 2 ppm, and
- Nitrogen not greater than 60 ppm.

(b) Having cleanliness in accordance with ASTM E45 method A (Thin and Heavy): A not exceeding 1.0(t) and 0.5(h), B not exceeding 1.5(t) and 1.0(h), C not exceeding 1.0(t) and 0.5(h), and D not exceeding 1.5(t) and 1.0(h);

(c) Having the following mechanical properties: A Brinell hardness not less than 350 HBW measured in all parts of the product including mid thickness; and having a Yield Strength of 145ksi or more and UTS 160ksi or more, Elongation of 15% or more and Reduction of area 35% or more; having charpy V at -40 degrees F in the transverse direction equal or greater than 20 ft. lbs (single value) and equal or greater than 25 ft. lbs (average of 3 specimens);

(d) Conforming to ASTM A578-S9 ultrasonic testing requirements with acceptance criteria 3.2 mm flat bottom hole; and

(e) Conforming to magnetic particle inspection in accordance with AMS 2301.

The products subject to the investigations are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7208.40.3030, 7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7225.40.1110, 7225.40.1180, 7225.40.3005, 7225.40.3050, 7226.20.0000, and 7226.91.5000.

The products subject to the investigations may also enter under the following HTSUS item numbers: 7208.40.6060, 7208.53.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.19.1500, 7211.19.2000, 7211.19.4500, 7211.19.6000, 7211.19.7590, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7214.10.0000, 7214.30.0010, 7214.30.0080, 7214.91.0015, 7214.91.0060, 7214.91.0090, 7225.11.0000, 7225.19.0000, 7225.40.5110, 7225.40.5130, 7225.40.5160, 7225.40.7000, 7225.99.0010, 7225.99.0090, 7226.11.1000, 7226.11.9060, 7226.19.1000, 7226.19.9000, 7226.91.0500, 7226.91.1530, 7226.91.1560, 7226.91.2530, 7226.91.2560, 7226.91.7000, 7226.91.8000, and 7226.99.0180.

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

- At the time of the filing of the petition, there were existing AD and CVD orders on certain cut-to-length carbon-quality steel plate products from Korea. *See* 1999 Korea AD and CVD Orders. The scope of the AD and CVD duty investigations with regard to cut-to-length plate from Korea covers only (1) subject cut-to-length plate not within the physical description of cut-to-length carbon quality steel plate in the 1999 Korea AD and CVD Orders, regardless of producer or exporter; and (2) cut-to-length plate produced and/or exported by those companies that were excluded or revoked from the 1999 Korea AD and CVD Orders as of April 8, 2016. The only revoked or excluded company is Pohang Iron and Steel Company, also known as POSCO.
- In 2015, imports of CTL plate from Austria, Belgium, France, Germany, Italy, Japan, Korea, and Taiwan were valued at an estimated \$14.2 million, \$19.8 million, \$179 million, \$196.2 million, \$37 million, \$54.9 million, \$210 million, and \$21 million, respectively.

NEXT STEPS

- The U.S. International Trade Commission (ITC) is scheduled to make its final injury determinations on or about May 15, 2017.
- If the ITC makes affirmative final determinations that imports of CTL plate from Austria, Belgium, France, Germany, Italy, Japan, Korea, and/or Taiwan materially injure, or threaten material injury to, the domestic industry, Commerce will issue AD and CVD orders. If the ITC makes negative determinations of injury, the investigations will be terminated.

FINAL DUMPING MARGINS:

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Austria	Bohler Edelstahl GmbH & Co KG (BEG), Bohler Bleche GmbH & Co KG (BBG), Bohler International GmbH (BIG), voestalpine Grobblech GmbH (Grobblech), and voestalpine Steel Service Center GmbH (SSC) (collectively, voestalpine)	53.72%
	All others	53.72%

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Belgium	Industeel Belgium S.A.	5.40%
	NLMK Clabecq S.A., NLMK Plate Sales S.A., NLMK Sales Europe S.A., NLMK Manage Steel Center S.A., and NLMK La Louviere S.A. (collectively, NLMK Belgium)	51.78%*
	All others	5.40%

* Based on adverse facts available

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
France	Dillinger France S.A.	8.62%
	Industeel France S.A.	148.02%*
	All others	8.62%

* Based on adverse facts available

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Germany	AG der Dillinger Hüttenwerke	5.38%
	Ilseburger Grobblech GmbH, Salzgitter Mannesmann Grobblech GmbH, Salzgitter Flachstahl GmbH, and Salzgitter Mannesmann International GmbH (collectively, Salzgitter)	22.90%
	All others	21.03%

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Italy	NLMK Verona SpA	22.19%*
	Officine Tecosider	6.08%
	Marcegaglia SpA	22.19%*
	All others	6.08%

* Based on adverse facts available

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Japan	Tokyo Steel Manufacturing Co., Ltd.	14.79%
	JFE Steel Corporation	48.67%*
	Shimabun Corporation	48.67%*
	All others	14.79%

* Based on adverse facts available

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Korea	POSCO	7.39%
	All others	7.39%

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Taiwan	Shang Chen Steel Co., Ltd.	3.62%
	China Steel Corp.	6.95%
	All others	5.29%

FINAL SUBSIDY RATES:

COUNTRY	EXPORTER/PRODUCER	SUBSIDY RATES
Korea	POSCO	4.31%
	All Others	4.31%

CASE CALENDAR:

EVENT	AD	CVD
Petitions Filed	April 8, 2016	April 8, 2016
DOC Initiation Date	April 28, 2016	April 28, 2016
ITC Preliminary Determinations	May 23, 2016	May 23, 2016
DOC Preliminary Determinations	November 4, 2016	September 6, 2016
DOC Final Determinations	March 29, 2016	March 29, 2016
ITC Final Determinations	May 15, 2017	May 15, 2017
Issuance of Orders*	May 22, 2017	May 22, 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.

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

IMPORT STATISTICS:

AUSTRIA	2013	2014	2015
Volume (metric tons)	45,600	47,200	12,100
Value (USD)	48,312,000	46,464,000	14,193,000
BELGIUM			
	2013	2014	2015
Volume (metric tons)	7,100	29,400	19,100
Value (USD)	8,079,000	30,608,000	19,830,000
Value (USD)	14,030,000	90,815,000	26,652,000
FRANCE			
	2013	2014	2015
Volume (metric tons)	84,200	105,500	207,000
Value (USD)	92,711,000	113,953,000	178,973,000
GERMANY			
	2013	2014	2015
Volume (metric tons)	125,700	66,400	224,900
Value (USD)	126,243,000	95,380,000	196,165,000
ITALY			
	2013	2014	2015
Volume (metric tons)	42,200	88,300	53,900
Value (USD)	31,610,000	65,348,000	37,031,000

JAPAN	2013	2014	2015
Volume (metric tons)	44,400	70,200	71,200
Value (USD)	47,395,000	59,248,000	54,859,000
KOREA	2013	2014	2015
Volume (metric tons)	71,200	280,400	300,000
Value (USD)	49,516,000	202,915,000	210,028,000
TAIWAN	2013	2014	2015
Volume (metric tons)	31,100	53,000	32,200
Value (USD)	20,740,000	37,144,000	21,020,000

Source: U.S. Census Bureau, accessed through Global Trade Atlas. ((HTSUS 7208.40.3030, 7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7225.40.1110, 7225.40.1115, 7225.40.1180, 7225.40.1190, 7225.40.3005, 7225.40.3050, 7226.20.0000, and 7226.91.5000.)) The above HTSUS subheadings may cover both subject and non-subject merchandise.

Imports of certain carbon and alloy steel cut-to-length plate may also enter under 7208.40.6060, 7208.53.0000, 7210.70.3000, 7210.90.9000, 7211.19.1500, 7211.19.2000, 7211.19.4500, 7211.19.6000, 7211.19.7590, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7214.10.0000, 7214.30.0010, 7214.30.0080, 7214.91.0015, 7214.91.0060, 7214.91.0090, 7225.11.0000, 7225.19.0000, 7225.40.5110, 7225.40.5130, 7225.40.5160, 7225.40.7000, 7225.99.0010, 7225.99.0090, 7206.11.1000, 7226.11.9060, 7229.19.1000, 7226.19.9000, 7226.91.0500, 7226.91.1530, 7226.91.1560, 7226.91.2530, 7226.91.2560, 7226.91.7000, 7229.91.8000, and 7226.99.0180. These HTSUS subheadings may cover a significant amount of non-subject merchandise and therefore have been excluded for purposes of reporting import statistics.

Note: Currently, there are AD and CVD orders on certain cut-to-length carbon-quality plate products from Korea. The above import statistics are based on HTSUS subheadings that may also cover products subject to the AD and CVD orders; therefore, with respect to the AD/CVD investigations of certain carbon and alloy steel cut-to-length plate from Korea, the above import statistics may be overstated.