



FACT SHEET

Commerce Preliminarily Finds Dumping of Imports of Ferrosilicon from Venezuela and No Dumping of Imports of Ferrosilicon from the Russian Federation

- On March 5, 2014, the Department of Commerce (Commerce) announced its affirmative preliminary determination in the antidumping duty (AD) investigation of imports of ferrosilicon from Venezuela and negative preliminary determination in the AD investigation of imports of ferrosilicon from the Russian Federation (Russia).
- 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.
- In the Russia investigation, mandatory respondent RFA International LP received a preliminary dumping margin of 0.00 percent. Commerce has not calculated a weighted-average dumping margin for all other producers or exporters in Russia because its preliminary determination is negative.
- In the Venezuela investigation, mandatory respondent FerroAtlantica de Venezuela, as well as all other producers/exporters in Venezuela, received a preliminary dumping margin of 27.27 percent.
- As a result of the preliminary affirmative determination in the Venezuela investigation, Commerce will instruct U.S. Customs and Border Protection (CBP) to require cash deposits based on the preliminary rate. However, because the preliminary determination in the Russia investigation is negative, Commerce will not instruct CBP to collect cash deposits on imports of ferrosilicon from Russia.
- The petitioners for these investigations are Globe Specialty Metals, Inc. (NY); CC Metals and Alloys, LLC (KY); the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (PA); and the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) (MI).
- The merchandise covered by the scope of these investigations is all forms and sizes of ferrosilicon, regardless of grade, including ferrosilicon briquettes. Ferrosilicon is a ferroalloy containing by weight 4 percent or more iron, more than 8 percent but not more than 96 percent silicon, 3 percent or less phosphorus, 30 percent or less manganese, less than 3 percent magnesium, and 10 percent or less any other element. The merchandise covered also includes product described as slag, if the product meets these specifications. Ferrosilicon is currently classified under U.S. Harmonized Tariff Schedule ("HTSUS") subheadings 7202.21.1000, 7202.21.5000, 7202.21.7500, 7202.21.9000, 7202.29.0010, and 7202.29.0050. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

- In 2013, imports of ferrosilicon from Russia and Venezuela were valued at an estimated \$117.5 million and \$43.3 million, respectively.

NEXT STEPS

- Commerce is scheduled to announce its final determinations in the Russia investigation and Venezuela investigation on or about May 20, 2014 and July 18, 2014, respectively. The final determination date in the Venezuela investigation has been fully extended. However, Commerce may still extend the final determination date in the Russia investigation, in accordance with the governing statute.
- If Commerce makes affirmative final determinations, and the U.S. International Trade Commission (ITC) makes affirmative final determinations that imports of ferrosilicon from Russia and/or Venezuela materially injure, or threaten material injury to, the domestic industry, Commerce will issue AD orders. If Commerce's or the ITC's final determinations are negative, AD orders will not be issued. The ITC is scheduled to make its final injury determinations in the Russia investigation and Venezuela investigation in July 2014 and September 2014, respectively.

PRELIMINARY DUMPING MARGINS:

COUNTRY	EXPORTER/PRODUCER	DUMPING MARGIN
Russia	RFA International LP	0.00%
COUNTRY	EXPORTER/PRODUCER	DUMPING MARGINS
Venezuela	FerroAtlantica de Venezuela	27.27%
	All Others	27.27%

CASE CALENDAR:

EVENT	RUSSIA INVESTIGATION	VENEZUELA INVESTIGATION
Petitions Filed	July 19, 2013	July 19, 2013
DOC Initiation Date	August 8, 2013	August 8, 2013
ITC Preliminary Determination	October 22, 2013	October 22, 2013
DOC Preliminary Determination [^]	March 4, 2014	March 4, 2014
DOC Final Determination [^]	May 19, 2014	July 17, 2014 [†]
ITC Final Determination [*]	September 2, 2014 [†]	July 3, 2014
Issuance of Order ^{**^}	September 9, 2014	July 10, 2014

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.

[^] 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 deadlines in this investigation have been extended by 16 days.

[†] 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:

RUSSIA	2011	2012	2013
Volume (metric tons)	85,100	112,400	85,400
Value (USD)	134,341,000	153,418,000	117,468,000
VENEZUELA	2011	2012	2013
Volume (metric tons)	21,100	28,100	31,300
Value (USD)	32,475,000	39,473,000	43,259,000

Source: U.S. Census Bureau, accessed through Global Trade Atlas. (HTSUS 7202.21.1000, 7202.21.5000, 7202.21.7500, 7202.21.9000, 7202.29.0010, and 7202.29.0050) . Some HTSUS subheadings are basket categories and may cover both subject and non-subject merchandise.