



FACT SHEET

Commerce Initiates Antidumping Duty and Countervailing Duty Investigations of Imports of Silicon Metal from Australia, Brazil, Kazakhstan, and Norway

- On March 29, 2017, the Department of Commerce (Commerce) announced the initiation of antidumping duty (AD) and countervailing duty (CVD) investigations of imports of silicon metal from Australia and Brazil, an AD investigation of imports from Norway, and a CVD investigation of imports from Kazakhstan.
- The AD and CVD laws provide 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 and unfair 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 a product in the United States at less than its fair value. For the purpose of CVD investigations, a countervailable subsidy is financial assistance from a foreign government 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.
- The petitioner is Globe Specialty Metals, Inc. Its production facilities are located in Alabama, New York, Ohio, and West Virginia.
- The scope of these investigations covers all forms and sizes of silicon metal, including silicon metal powder. Silicon metal contains at least 85.00 percent but less than 99.99 percent silicon, and less than 4.00 percent iron, by actual weight. Semiconductor grade silicon (merchandise containing at least 99.99 percent silicon by actual weight and classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheading 2804.61.0000) is excluded from the scope of these investigations.
- Silicon metal is currently classifiable under subheadings 2804.69.1000 and 2804.69.5000 of the HTSUS.
- While HTSUS numbers are provided for convenience and customs purposes, the written description of the scope remains dispositive.
- In 2016, imports of silicon metal from Australia, Brazil, Kazakhstan, and Norway were valued at an estimated \$33.9 million, \$60.0 million, \$17.5 million, and \$26.1 million, respectively.

NEXT STEPS

- The U.S. International Trade Commission (ITC) is scheduled to make its preliminary injury determinations on or before April 24, 2017.
- If the ITC determines that there is a reasonable indication that imports of silicon metal from Australia, Brazil, Kazakhstan, and/or Norway materially injure, or threaten material injury to, the domestic industry in the United States, the investigations will continue, and the Department will be scheduled to

announce its preliminary CVD determinations in June 2017 and its preliminary AD determinations in August 2017, though these dates may be extended. If the ITC's determinations are negative, the investigations will be terminated.

ALLEGED DUMPING MARGIN:

COUNTRY	DUMPING MARGINS
Australia	28.58 – 52.81 percent
Brazil	15.41 – 134.92 percent
Norway	32.25 and 45.66 percent

ESTIMATED SUBSIDY RATE:

COUNTRY	SUBSIDY RATE
Australia	Above <i>de minimis</i>*
Brazil	Above <i>de minimis</i>*
Kazakhstan	Above <i>de minimis</i>*

* *de minimis* = less than 1% for developed countries, less than 2% for developing countries.

CASE CALENDAR:

EVENT	AD INVESTIGATIONS	CVD INVESTIGATIONS
Petitions Filed	March 8, 2017	March 8, 2017
DOC Initiation Date	March 28, 2017	March 28, 2017
ITC Preliminary Determinations*	April 24, 2017†	April 24, 2017†
DOC Preliminary Determinations	August 15, 2017	June 1, 2017
DOC Final Determinations	October 30, 2017†	August 15, 2017
ITC Final Determinations**	December 13, 2017	September 29, 2017
Issuance of Orders***	December 20, 2017	October 6, 2017

NOTE: Commerce preliminary and final determination deadlines are governed by statute. For CVD investigations, the deadlines are set forth in sections 703(b) and 705(a)(1) of the Tariff Act of 1930, as amended (the Act). For AD investigations, the deadlines are set forth in sections 733(b) and 735(a) of the Act. These deadlines may be extended under certain circumstances.

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

* If the ITC makes a negative preliminary determination of injury, the investigations are terminated.

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

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

IMPORT STATISTICS:

AUSTRALIA	2014	2015	2016
Volume (metric tons)	18,384	19,844	16,860
Value (USD)	50,860,953	55,896,521	33,850,510
BRAZIL	2014	2015	2016
Volume (metric tons)	39,811	19,801	25,564
Value (USD)	105,724,398	53,816,598	60,019,651
KAZAKHSTAN	2014	2015	2016
Volume (metric tons)	0	2,710	9,555
Value (USD)	0	6,579,490	17,468,129
NORWAY	2014	2015	2016
Volume (metric tons)	8,446	14,490	12,356
Value (USD)	26,645,276	38,936,848	26,133,289

Source: U.S. Census Bureau, accessed through Global Trade Atlas. (HTSUS 2804.69.1000 and 2804.69.5000)