



FACT SHEET

Commerce Finds Dumping and Subsidization of Imports of Certain Aluminum Foil from China

- On February 27, 2018, the Department of Commerce (Commerce) announced its affirmative final determinations in the antidumping duty (AD) and countervailing duty (CVD) investigations of imports of certain aluminum foil from China.
- 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 subsidization 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. 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 AD investigation, Commerce found that the mandatory respondents, Jiangsu Dingsheng New Materials Joint-Stock Co., Ltd./Hangzhou Teemful Aluminum Co., Ltd./Hangzhou Five Star Aluminum Co., Ltd./Dingsheng Aluminum Industries (Hong Kong) Trading Co. Ltd./Hangzhou Dingsheng Import & Export Co., Ltd./Walson (HK) Trading Co., Limited/Inner Mongolia Liansheng New Energy Material Joint-Stock Co., Ltd. (collectively, Dingsheng), and Jiangsu Zhongji Lamination Materials Stock Co., Ltd./ Jiangsu Huafeng Aluminum Industry Co., Ltd. (collectively, Zhongji) were dumping at margins of 106.09 percent and 48.64 percent, respectively. Commerce also found that 14 companies are entitled to a separate rate of 84.94 percent, and all other companies are assigned the China-wide entity dumping margin of 106.09 percent based on adverse facts available due to the China-wide entity's failure to respond to Commerce's questionnaire.
- In the CVD investigation, Commerce has calculated subsidy rates of 19.98 percent for Dingsheng Aluminum Industries (Hong Kong) Trading Co., Ltd, 17.14 percent for Jiangsu Zhongji Lamination Materials Co., Ltd., 80.97 percent for Loften Aluminum (Hong Kong) Limited, and 80.97 percent for both Manakin Industries LLC and Suzhou Manakin Aluminum Processing Technology Co., Ltd. The subsidy rates for Loften Aluminum (Hong Kong), Manakin Industries LLC, and Suzhou Manakin Aluminum Processing Technology Co., Ltd. were determined entirely on the basis of adverse facts available due to their failure to provide information as requested by Commerce. All other companies are assigned the "all-others" subsidy rate of 18.56 percent.
- Upon publication of the final affirmative AD and CVD determinations, Commerce will instruct U.S. Customs and Border Protection (CBP) to collect cash deposits equal to the applicable final weighted-average dumping margin and the final subsidy rate.
- The petitioner is the Aluminum Association Trade Enforcement Working Group.

- The merchandise covered by these investigations is aluminum foil having a thickness of 0.2 mm or less, in reels exceeding 25 pounds, regardless of width. Aluminum foil is made from an aluminum alloy that contains more than 92 percent aluminum. Aluminum foil may be made to ASTM specification ASTM B479, but can also be made to other specifications. Regardless of specification, however, all aluminum foil meeting the scope description is included in the scope, including aluminum foil to which lubricant has been applied to one or both sides of the foil.

Excluded from the scope of these investigations is aluminum foil that is backed with paper, paperboard, plastics, or similar backing materials on one side or both sides of the aluminum foil, as well as etched capacitor foil and aluminum foil that is cut to shape.

- Where the nominal and actual measurements vary, a product 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. The products under investigation are currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7607.11.3000, 7607.11.6000, 7607.11.9030, 7607.11.9060, 7607.11.9090, and 7607.19.6000. Further, merchandise that falls within the scope of this proceeding may also be entered into the United States under HTSUS subheadings 7606.11.3060, 7606.11.6000, 7606.12.3045, 7606.12.3055, 7606.12.3090, 7606.12.6000, 7606.91.3090, 7606.91.6080, 7606.92.3090, and 7606.92.6080. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of these proceedings is dispositive.
- In 2016, imports of certain aluminum foil from China were valued at an estimated \$389 million.

NEXT STEPS

- The U.S International Trade Commission (ITC) is scheduled to make its final determinations on or about April 12, 2018.
- If the ITC makes affirmative final determinations that imports of certain aluminum foil from China 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	CASH DEPOSIT**
China	Dingsheng	106.09%	94.73%
	Zhongji	48.64%	37.99%
	Separate Rate Companies*	84.94%	73.84%
	China-Wide Rate	106.09%	95.44%

*The separate rate companies are Alcha International Holdings Limited, Jianguyin Dolphin Pack Ltd. Co., Granges Aluminum (Shanghai) Co., Ltd., Huaфон Nikkei Aluminium Corporation, Hunan Suntown Marketing Limited, Luoyang Longding Aluminium Industries Co., Ltd., Shandong Yuanrui Metal Material Co., Ltd., SNTO International Trade Limited, Suzhou Manakin Aluminum Processing Technology Co., Ltd., Xiamen Xiashun Aluminium Foil Co. Ltd., Yantai Jintai International Trade Co., Ltd., Yinbang Clad Material Co., Ltd., Zhejiang Zhongjin Aluminum Industry Co., Ltd.

** NOTE: The difference between the dumping margins and the cash deposit rates represents the adjustment for the export subsidies and the domestic subsidy “pass through” identified in the companion CVD investigation.

FINAL SUBSIDY RATES:

COUNTRY	EXPORTER/PRODUCER	SUBSIDY RATES
China	Dingsheng Aluminum Industries (Hong Kong) Trading Co., Ltd.	19.98%
	Jiangsu Zhongji Lamination Materials Co., Ltd.	17.14%
	Loften Aluminum (Hong Kong) Limited	80.97%
	Manakin Industries LLC and Suzhou Manakin Aluminum Processing Technology Co., Ltd.	80.97%
	All Others	18.56%

CASE CALENDAR:

EVENT	CVD INVESTIGATION	AD INVESTIGATION
Petitions Filed	March 9, 2017	March 9, 2017
DOC Initiation Date	March 29, 2017	March 29, 2017
ITC Preliminary Determinations	April 24, 2017	April 24, 2017
DOC Preliminary Determinations	August 7, 2017	October 26, 2017
DOC Final Determinations	February 26, 2018	February 26, 2018
ITC Final Determinations	April 12, 2018	April 12, 2018
Issuance of Orders*	April 19, 2018	April 19, 2018

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. For CVD investigations, the deadlines are set forth in sections 703(b) and 705(a) of the Tariff Act of 1930, as amended. These deadlines may be extended under certain circumstances.

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

IMPORT STATISTICS:

CHINA	2014	2015	2016
Volume (metric tons)	99,143	119,135	137,582
Value (USD)	323,128,660	370,966,600	388,796,209

Source: U.S. Census Bureau, accessed through Global Trade Atlas. (HTSUS 7607.11.3000, 7607.11.6000, 7607.11.9030, 7607.11.9060, 7607.11.9090, and 7607.19.6000)