



## FACT SHEET

### Commerce Preliminarily Finds Dumping of Imports of Certain Glass Containers from China

- On April 23, 2020, the Department of Commerce (Commerce) announced its affirmative preliminary determination in the antidumping duty (AD) investigation of imports of certain glass containers from China.
- 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 AD investigations, dumping occurs when a foreign company sells an imported product in the United States at less than fair value.
- Commerce calculated a preliminary dumping rate of 24.90 percent for mandatory respondent Guangdong Huaxing Glass Co., Ltd. and 7.60 percent for mandatory respondent Qixia Changyu Glass Co., Ltd. Commerce assigned a preliminary dumping rate of 13.76 percent to those companies not individually examined that were found to be eligible for a separate rate. Commerce assigned a preliminary dumping rate of 255.68 percent to all other producers/exporters of certain glass containers from China.
- As a result of the preliminary affirmative determination, Commerce will instruct U.S. Customs and Border Protection (CBP) to require, where appropriate, cash deposits for imports of certain glass containers from China based on these preliminary rates.
- The petitioner is American Glass Packaging Coalition, whose members are Anchor Glass Container Corporation (Tampa, FL) and Ardagh Glass, Inc. (Chicago IL).
- The scope of this investigation is listed in Appendix 1.
- In 2018, imports of certain glass containers from China were valued at an estimated \$370.8 million.
- The Preliminary Decision Memorandum is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. Please refer to case number A-570-114.

### NEXT STEPS

- Commerce is scheduled to announce its final determination by September 12, 2020.
- If Commerce makes an affirmative final determination, and the U.S. International Trade Commission (ITC) makes an affirmative final determination that imports of certain glass containers from China materially injure, or threaten material injury to, the domestic industry, Commerce will issue an AD order. If either Commerce or the ITC issues a negative final determination, no AD order will be issued. The

ITC is scheduled to make its final injury determination approximately 45 days after Commerce issues its final determination, if affirmative.

**PRELIMINARY DUMPING RATES:**

COUNTRY	EXPORTER/PRODUCER	DUMPING RATE	CASH DEPOSIT RATE
China	Guangdong Huaxing Glass Co., Ltd.	24.90%	14.36%
	Qixia Changyu Glass Co., Ltd.	7.60%	0.00%
	Separate Rate Companies	13.76%	3.22%
	All Others	255.68%	245.14%

**CASE CALENDAR:**

EVENT	AD INVESTIGATION
Petition Filed	September 25, 2019
DOC Initiation Date	October 15, 2019
ITC Preliminary Determination	November 12, 2019
DOC Preliminary Determination	April 22, 2020
DOC Final Determination	September 11, 2020
ITC Final Determination**	October 26, 2020
Issuance of Order***	November 2, 2020

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)(1) 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 an affirmative final determination from Commerce.

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

**IMPORT STATISTICS:**

China	2016	2017	2018
Volume (Gross)	11,014,156	12,565,901	14,231,997
Value (USD)	288,281,629	330,907,927	370,751,144

Source: U.S. Census Bureau, accessed through Global Trade Atlas (Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7010.90.5005, 7010.90.5009, 7010.90.5015, 7010.90.5019, 7010.90.5025, 7010.90.5029, 7010.90.5035, 7010.90.5039, 7010.90.5045, 7010.90.5049, and 7010.90.5055).

## **Appendix 1:**

The merchandise covered by this investigation is certain glass containers with a nominal capacity of 0.059 liters (2.0 fluid ounces) up to and including 4.0 liters (135.256 fluid ounces) and an opening or mouth with a nominal outer diameter of 14 millimeters up to and including 120 millimeters. The scope includes glass jars, bottles, flasks and similar containers; with or without their closures; whether clear or colored; and with or without design or functional enhancements (including, but not limited to, handles, embossing, labeling, or etching).

Excluded from the scope of the investigation are: (1) glass containers made of borosilicate glass, meeting United States Pharmacopeia requirements for Type 1 pharmaceutical containers; (2) glass containers without “mold seams,” “joint marks,” or “parting lines;” and (3) glass containers without a “finish” (i.e., the section of a container at the opening including the lip and ring or collar, threaded or otherwise compatible with a type of closure to seal the container’s contents, including but not limited to a lid, cap, or cork).

Glass containers subject to this investigation are specified within the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings 7010.90.5005, 7010.90.5009, 7010.90.5015, 7010.90.5019, 7010.90.5025, 7010.90.5029, 7010.90.5035, 7010.90.5039, 7010.90.5045, 7010.90.5049, and 7010.90.5055. The HTSUS subheadings are provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.