



## FACT SHEET

### Commerce Preliminarily Finds Dumping of Imports of Common Alloy Aluminum Sheet from China

- On June 18, 2018, the Department of Commerce (Commerce) announced its affirmative preliminary determination in the antidumping duty (AD) investigation of imports of common alloy aluminum sheet 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 assigned a preliminary dumping margin of 167.16 percent for Henan Mingtai Al Industrial Co., Ltd. and Zhengzhou Mingtai Industry Co., Ltd. Commerce also assigned a preliminary dumping margin of 167.16 percent for the companies eligible for a separate rate. Commerce preliminarily assigned Nanjie Resources Co., Limited; Yong Jie New Material Co., Ltd.; Zhejiang Yongjie Aluminum Co., Ltd.; Zhejiang GKO Aluminium Stock Co., Ltd.; and the China-wide entity a dumping rate of 167.16 percent, based on adverse facts available, due to their failure to cooperate to the best of their ability.
- As a result of the preliminary affirmative determination, Commerce will instruct U.S. Customs and Border Protection (CBP) to require cash deposits based on these preliminary rates.
- The domestic interested parties alleged critical circumstances with regard to imports of common alloy aluminum sheet from China. Commerce preliminarily found that critical circumstances do not exist for Henan Mingtai Al Industrial Co., Ltd. and Zhengzhou Mingtai Industry Co., Ltd. Due to their failure to cooperate, Commerce also preliminarily found that critical circumstances exist for Nanjie Resources Co., Limited; Yong Jie New Material Co., Ltd.; Zhejiang Yongjie Aluminum Co., Ltd.; Zhejiang GKO Aluminium Stock Co., Ltd.; and the China-wide entity, based on adverse facts available. Finally, Commerce preliminarily found that critical circumstances exist for the companies eligible for a separate rate.
- The merchandise covered by this investigation is common alloy aluminum sheet, which is a flat-rolled aluminum product having a thickness of 6.3 mm or less, but greater than 0.2 mm, in coils or cut-to-length, regardless of width. Common alloy aluminum sheet within the scope of this investigation includes both not clad aluminum sheet, as well as multi-alloy, clad aluminum sheet. With respect to not clad aluminum sheet, common alloy sheet is manufactured from a 1XXX-, 3XXX-, or 5XXX-series alloy as designated by the Aluminum Association. With respect to multi-alloy, clad aluminum sheet, common alloy sheet is produced from a 3XXX-series core, to which cladding layers are applied to either one or both sides of the core.

Common alloy sheet may be made to ASTM specification B209-14, but can also be made to other specifications. Regardless of specification, however, all common alloy sheet meeting the scope description is included in the scope. Subject merchandise includes common alloy sheet that has been further processed in a third country, including but not limited to annealing, tempering, painting, varnishing, trimming, cutting, punching, 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 common alloy sheet.

Excluded from the scope of this investigation is aluminum can stock, which is suitable for use in the manufacture of aluminum beverage cans, lids of such cans, or tabs used to open such cans. Aluminum can stock is produced to gauges that range from 0.200 mm to 0.292 mm, and has an H-19, H-41, H-48, or H-391 temper. In addition, aluminum can stock has a lubricant applied to the flat surfaces of the can stock to facilitate its movement through machines used in the manufacture of beverage cans. Aluminum can stock is properly classified under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7606.12.3045 and 7606.12.3055.

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 for the above.

Common alloy sheet is currently classifiable under HTSUS subheadings 7606.11.3060, 7606.11.6000, 7606.12.3090, 7606.12.6000, 7606.91.3090, 7606.91.6080, 7606.92.3090, and 7606.92.6080. Further, merchandise that falls within the scope of these investigations may also be entered into the United States under HTSUS subheadings 7606.11.3030, 7606.12.3030, 7606.91.3060, 7606.91.6040, 7606.92.3060, 7606.92.6040, 7607.11.9090. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of these investigations is dispositive.

- In 2017, imports of common alloy aluminum sheet from China were valued at an estimated \$897.9 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>, and to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. Please refer to case number A-570-073.

#### **NEXT STEPS**

- Commerce is scheduled to announce its final determination on or about October 30, 2018.
- If Commerce makes an affirmative final determination, and the U.S. International Trade Commission (ITC) makes an affirmative final determination that imports of common alloy aluminum sheet 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 45 days after Commerce issues its final determination, if affirmative.

## PRELIMINARY DUMPING RATES:

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
China	Henan Mingtai Al Industrial Co., Ltd./Zhengzhou Mingtai Industry Co., Ltd.	167.16%
	Nanjie Resources Co., Limited/Yong Jie New Material Co., Ltd./Zhejiang Yongjie Aluminum Co., Ltd.	167.16%
	Zhejiang GKO Aluminium Stock Co., Ltd.	167.16%
	Separate Rate Companies*	167.16%
	China-Wide Entity	167.16%

\*See Attachment 1.

## CASE CALENDAR:

EVENT	DATE
DOC Initiation Date	December 4, 2017
ITC Preliminary Determination	January 16, 2018
DOC Preliminary Determination	June 15, 2018 <sup>^</sup>
DOC Final Determination	October 29, 2018 <sup>†</sup>
ITC Final Determination*	December 12, 2018 <sup>†</sup>
Issuance of Order**	December 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)(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 affirmative final determination from Commerce.

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

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

<sup>^</sup> As explained in the Memorandum for the Record from Christian Marsh, Deputy Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Shutdown of the Federal Government" (January 23, 2018), Commerce has exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from January 20, through January 22, 2018. Therefore, the preliminary date for this investigation has been tolled by 3 days and all other deadlines have been adjusted accordingly.

**IMPORT STATISTICS:**

<b>Quantity (LB)</b>	2015	2016	2017
China	592,984,673	606,539,245	781,818,724

<b>Customs Value (USD)</b>	2015	2016	2017
China	\$683,988,553	\$603,560,933	\$897,883,926

Source: U.S. Census Bureau, accessed through Global Trade Atlas. We obtained the volume (converted from kilograms to pounds) and customs value of imports of common alloy aluminum sheet using Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7606.11.3060, 7606.11.6000, 7606.12.3090, 7606.12.6000, 7606.91.3090, 7606.91.6080, 7606.92.3090, and 7606.92.6080.

## Attachment 1

### Separate Rate Companies

<b>Exporter</b>	<b>Producer</b>	<b>Weighted-Average Dumping Margin</b>
Alcha International Holdings Limited	Jiangsu Alcha Aluminium Co., Ltd.	167.16%
Alumax Composite Material (Jiangyin) Co., Ltd.	Chalco Ruimin Co., Ltd.	167.16%
Granges Aluminum (Shanghai) Co., Ltd.	Granges Aluminum (Shanghai) Co., Ltd.	167.16%
Henan Founder Beyond Industry Co., Ltd.	Henan Xintai Aluminum Industry Co., Ltd.	167.16%
Huaфон Nikkei Aluminium Corporation	Huaфон Nikkei Aluminium Corporation	167.16%
Jiangsu Lidao New Material Co., Ltd.	Henan Jinyang Luyue Co., Ltd.	167.16%
Jiangsu Lidao New Material Co., Ltd.	Jiangsu Zhong He Aluminum Co., Ltd.	167.16%
Jiangyin Litai Ornamental Materials Co., Ltd.	Jiangyin Litai Ornamental Materials Co., Ltd.	167.16%
Jiangyin New Alumax Composite Material Co. Ltd.	Chalco Ruimin Co., Ltd.	167.16%

Shandong Fuhai Industrial Co., Ltd.	Shandong Fuhai Industrial Co., Ltd.	167.16%
Tianjin Zhongwang Aluminium Co., Ltd.	Tianjin Zhongwang Aluminium Co., Ltd.	167.16%
Xiamen Xiashun Aluminum Foil Co., Ltd.	Xiamen Xiashun Aluminum Foil Co., Ltd.	167.16%
Yantai Jintai International Trade Co., Ltd.	Shandong Nanshan Aluminium Co., Ltd.	167.16%
Yinbang Clad Material Co., Ltd.	Yinbang Clad Material Co., Ltd.	167.16%
Zhengzhou Silverstone Limited	Henan Zhongyuan Aluminum Co., Ltd.	167.16%
Zhengzhou Silverstone Limited	Luoyang Xinlong Aluminum Co., Ltd.	167.16%
Zhengzhou Silverstone Limited	Shanghai Dongshuo Metal Trade Co., Ltd.	167.16%
Zhengzhou Silverstone Limited	Zhengzhou Mingtai Industry Co., Ltd.	167.16%