



FACT SHEET

Commerce Preliminarily Finds Dumping of Imports of Silica Bricks and Shapes from the People's Republic of China

- On June 14, 2013, the Department of Commerce (Commerce) announced its affirmative preliminary determination in the antidumping duty (AD) investigation of imports of silica bricks and shapes from the People's Republic of China (China).
- 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.
- Commerce preliminarily determined that producers/exporters in China sold silica bricks and shapes in the United States at dumping margins ranging from 84.89 percent to 91.16 percent.
- The mandatory respondent, the New Century Group, which Commerce preliminarily determined to be the single entity consisting of Tianjin New Century Refractories Co., Ltd.; Tianjin New World Import & Export Trading Co., Ltd.; and XinYi American Advanced Material Co., Ltd., preliminarily received a dumping margin of 84.89 percent. All other exporters in China received the China-wide preliminary dumping margin of 91.16 percent.
- As a result of the preliminary affirmative determination, Commerce will instruct U.S. Customs and Border Protection to require cash deposits based on these preliminary rates.
- The petitioner for this investigation is Utah Refractories Corporation (Lehi, Utah).
- The merchandise subject to this investigation is refractory bricks and shapes, regardless of size, containing at least 90 percent silica (also known as silicon dioxide (SiO_2)), where at least 50 percent of the silica content, by weight, is crystalline silica, regardless of other materials contained in the bricks and shapes. Refractory refers to nonmetallic materials having those chemical and physical properties that make them applicable for structures, or as components of systems, that are exposed to environments above 1000 degrees Fahrenheit (538 degrees Celsius).
- The products covered by the scope of this investigation are currently classified under Harmonized Tariff Schedule of the United States ("HTSUS") subheadings 6902.20.1020 and 6902.20.5020. Because the definition of "refractory" in the HTSUS differs from that in the scope of this investigation, products covered by the scope of this investigation may also enter under HTSUS number 6909.19.5095. The HTSUS categories include basket categories and may cover both subject and non-subject merchandise. These HTSUS categories are provided for convenience and Customs purposes only; the written description of the scope is dispositive. The scope of this investigation does not cover refractory bricks and shapes, regardless of size, that are made, in part, from non-crystalline

silica (commonly referred to as fused silica) where the silica content is less than 50 percent, by weight, crystalline silica.

- In 2012, imports of silica bricks and shapes from China were valued at an estimated \$25.7 million. However, the silica bricks and shapes subject to this investigation are classified within HTSUS basket categories that contain products beyond the scope of the investigation.

NEXT STEPS

- Commerce is scheduled to make its final determination in November 2013.
- If Commerce makes an affirmative final determination, and the U.S. International Trade Commission (ITC) makes an affirmative final determination that imports of silica bricks and shapes from China materially injure, or threaten material injury to, the domestic industry, Commerce will issue an AD order. If either Commerce's or the ITC's final determination is negative, no AD order will be issued. The ITC will make its final injury determination in December 2013.

PRELIMINARY DUMPING MARGINS:

COUNTRY	EXPORTER	PRODUCER	DUMPING MARGINS
China	Tianjin New Century Refractories Co., Ltd.; Tianjin New World Import & Export Trading Co., Ltd.; and XinYi American Advanced Material Co., Ltd.	Dengfeng Yuzhong Refractories Co. Ltd.	84.89%
	China-Wide Entity		91.16%

CASE CALENDAR:

EVENT	AD INVESTIGATION
Petition Filed	November 15, 2012
DOC Initiation Date	December 5, 2012
ITC Preliminary Determination	December 28, 2012
DOC Preliminary Determination	June 13, 2013
DOC Final Determination [†]	November 4, 2013
ITC Final Determination*	December 19, 2013
Issuance of Order**	December 26, 2013

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

[†]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:

CHINA	2010	2011	2012
Value (USD)	14,067,000	43,244,000	25,701,000

Source: U.S. Census Bureau, accessed through Global Trade Atlas. (HTSUS 6902.20.1020 and 6902.20.5020). These HTSUS subheadings may cover both subject and non-subject merchandise. Subject imports may also enter under HTSUS 6909.19.5095, which may include significant amounts of non-subject merchandise. Therefore, this HTSUS code has not been used for purposes of reporting import statistics. The volume could not be calculated, as imports of subject merchandise are reported in multiple units of measure.