



FACT SHEET

Commerce Preliminarily Finds Dumping of Imports of Carbon and Alloy Steel Cut-To-Length Plate from Austria, Belgium, China, France, Germany, Italy, Japan, Korea, and Taiwan

- On November 7, 2016, the Department of Commerce (Commerce) announced its affirmative preliminary determinations in the antidumping duty (AD) investigations of imports of certain carbon and alloy steel cut-to-length plate (CTL plate) from Austria, Belgium, China, France, Germany, Italy, Japan, Korea, and Taiwan.
- 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 an AD investigation, dumping occurs when a foreign company sells an imported product in the United States at less than its fair value.
- In the Austria investigation, Commerce preliminarily found that dumping has occurred by the sole mandatory respondent Bohler Edelstahl GmbH & Co KG, Bohler Bleche GmbH & Co KG, Bohler International GmbH, voestalpine Grobblech GmbH, and voestalpine Steel Service Center GmbH (collectively, voestalpine) at a preliminary dumping margin of 41.97 percent. As voestalpine is the only respondent for which the Department calculated a company-specific rate, for purposes of determining the “all others” rate, we are using the estimated weighted-average dumping margin calculated for voestalpine. Therefore, Commerce calculated a preliminary dumping margin of 41.97 percent for all other producers/exporters in Austria.
- In the Belgium investigation, Commerce preliminarily found that dumping has occurred by mandatory respondents Industeel Belgium S.A. and NLMK Clabecq S.A., NLMK Plate Sales S.A., NLMK Sales Europe S.A., NLMK Manage Steel Center S.A., and NLMK La Louvier S.A. (collectively, NLMK Belgium) at preliminary dumping margins of 2.41 percent and 8.98 percent, respectively. Commerce calculated a preliminary dumping margin of 8.50 percent for all other producers/exporters in Belgium.
- In the China investigation, Commerce preliminarily found that the sole mandatory respondent, Jiangyin Xingcheng Special Steel Works Co., Ltd., is not eligible for a rate separate from the China-wide entity. Additionally, Commerce established a preliminary dumping margin of 68.27 percent, as adverse facts available, for the China-wide entity’s failure to cooperate. Because Jiangyin Xingcheng Special Steel Works Co., Ltd. is the only respondent company in this investigation, Commerce did not determine a rate for all other producers/exporters in China. Further, Commerce did not postpone the deadline for the final determination because no interested parties requested a postponement.
- In the France investigation, Commerce preliminarily found that dumping has occurred by mandatory respondents Dillinger France S.A. and Industeel France S.A. at preliminary dumping margins of 12.97 percent and 4.26 percent, respectively. Commerce calculated a preliminary dumping margin of 8.62 percent for all other producers/exporters in France.

- In the Germany investigation, Commerce preliminarily found that dumping has occurred by mandatory respondent AG der Dillinger Hüttenwerke at a preliminary dumping margin of 6.56 percent. Commerce preliminarily found no dumping by mandatory respondent Salzgitter. Commerce calculated a preliminary dumping margin of 6.56 percent for all other producers/exporters in Germany.
- In the Italy investigation, Commerce preliminarily found that dumping has occurred by mandatory respondents NLMK Verona SpA and Officine Tecnosider s.r.l. at preliminary dumping margins of 12.53 percent and 6.10 percent, respectively. Mandatory respondent Marcegaglia SpA notified Commerce that they would not participate in this investigation. As a result, Commerce established a preliminary dumping margin of 130.63 percent, based on adverse facts available, for Marcegaglia SpA. Commerce calculated a preliminary dumping margin of 8.34 percent for all other producers/exporters in Italy.
- In the Japan investigation, Commerce preliminarily found that dumping has occurred by mandatory respondent Tokyo Steel Manufacturing Co., Ltd., at a preliminary dumping margin of 14.96 percent. Mandatory respondents JFE Steel Corporation and Shimabun Corporation notified Commerce that they would not participate in this investigation. As a result, Commerce established a preliminary dumping margin of 48.64 percent, based on adverse facts available, for these companies. Commerce calculated a preliminary dumping margin of 14.96 percent for all other producers/exporters in Japan.
- In the Korea investigation, Commerce preliminarily found that dumping has occurred by mandatory respondent POSCO at a preliminary dumping margin of 6.82 percent. Commerce calculated a preliminary dumping margin of 6.82 percent for all other producers/exporters in Korea.
- In the Taiwan investigation, Commerce preliminarily found that dumping has occurred by mandatory respondents Shang Chen Steel Co., Ltd. and China Steel Corp. at preliminary dumping margins of 3.51 percent and 28.00 percent, respectively. Commerce established a preliminary dumping margin of 28.00 percent, based on adverse facts available, for China Steel Corp.'s failure to cooperate to the best of its ability. Commerce calculated a preliminary dumping margin of 3.51 percent for all other producers/exporters in Taiwan.
- As a result of the preliminary affirmative determinations, Commerce will instruct U.S. Customs and Border Protection (CBP) to collect cash deposits based on these preliminary rates.
- Critical circumstances were alleged with respect to imports of CTL plate from Austria, Belgium, Italy, Korea, and Taiwan. On September 7, 2016, Commerce preliminarily found that critical circumstances exist with respect to certain exporters from Austria, Belgium, and Taiwan; Commerce also preliminarily determined that critical circumstances exist for certain exporters from Italy, as part of its preliminary determination in that case. Consequently, CBP will be instructed to impose provisional measures retroactively on entries of CTL plate from Austria, Belgium, Italy, and Taiwan, effective 90 days prior to publication of the preliminary determinations in the Federal Register, for the affected exporters.
- The petitioners are ArcelorMittal USA LLC (IL), Nucor Corporation (NC) and SSAB Enterprises, LLC (IL).

- The products covered by these investigations are certain carbon and alloy steel hot-rolled or forged flat plate products not in coils, whether or not painted, varnished, or coated with plastics or other non-metallic substances (cut-to-length plate). Subject merchandise includes plate that is produced by being cut-to-length from coils or from other discrete length plate and plate that is rolled or forged into a discrete length. The products covered include (1) Universal mill plates (*i.e.*, flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 mm but not exceeding 1250 mm, and of a thickness of not less than 4 mm, which are not in coils and without patterns in relief), and (2) hot-rolled or forged flat steel products of a thickness of 4.75 mm or more and of a width which exceeds 150 mm and measures at least twice the thickness, and which are not in coils, whether or not with patterns in relief. The covered products described above may be rectangular, square, circular or other shapes and include products of either rectangular or non-rectangular cross-section where such non-rectangular cross-section is achieved subsequent to the rolling process, *i.e.*, products which have been “worked after rolling”, (*e.g.*, products which have been beveled or rounded at the edges).

For purposes of the width and thickness requirements referenced above, the following rules apply:

(1) except where otherwise stated where the nominal and actual thickness or width measurements vary, a product from a given subject country 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 unless the product is already covered by an order existing on that specific country (*e.g.*, orders on hot-rolled flat-rolled steel); and

(2) where the width and thickness vary for a specific product (*e.g.*, the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, etc.), the measurement at its greatest width or thickness applies.

Steel products included in the scope of these investigations are products in which: (1) iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is 2 percent or less by weight.

Subject merchandise includes cut-to-length plate that has been further processed in the subject country or a third country, including but not limited to pickling, oiling, levelling, annealing, tempering, temper rolling, skin passing, painting, varnishing, trimming, cutting, punching, beveling, 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 cut-to-length plate.

All products that meet the written physical description are within the scope of these investigations unless specifically excluded or covered by the scope of an existing order. The following products are outside of, and/or specifically excluded from, the scope of these investigations:

- (1) products clad, plated, or coated with metal, whether or not painted, varnished or coated with plastic or other non-metallic substances;

(2) military grade armor plate certified to one of the following specifications or to a specification that references and incorporates one of the following specifications:

- MIL-A-12560,
- MIL-DTL-12560H,
- MIL-DTL-12560J,
- MIL-DTL-12560K,
- MIL-DTL-32332,
- MIL-A-46100D,
- MIL-DTL-46100-E,
- MIL-46177C,
- MIL-S-16216K Grade HY80,
- MIL-S-16216K Grade HY100,
- MIL-S-24645A HSLA-80;
- MIL-S-24645A HSLA-100,
- T9074-BD-GIB-010/0300 Grade HY80,
- T9074-BD-GIB-010/0300 Grade HY100,
- T9074-BD-GIB-010/0300 Grade HSLA80,
- T9074-BD-GIB-010/0300 Grade HSLA100, and
- T9074-BD-GIB-010/0300 Mod. Grade HSLA115,

except that any cut-to-length plate certified to one of the above specifications, or to a military grade armor specification that references and incorporates one of the above specifications, will not be excluded from the scope if it is also dual- or multiple-certified to any other non-armor specification that otherwise would fall within the scope of this order;

(3) stainless steel plate, containing 10.5 percent or more of chromium by weight and not more than 1.2 percent of carbon by weight;

(4) CTL plate meeting the requirements of ASTM A-829, Grade E 4340 that are over 305 mm in actual thickness;

(5) Alloy forged and rolled CTL plate greater than or equal to 152.4 mm in actual thickness meeting each of the following requirements:

(a) Electric furnace melted, ladle refined & vacuum degassed and having a chemical composition (expressed in weight percentages):

- Carbon 0.23-0.28,
- Silicon 0.05-0.20,
- Manganese 1.20-1.60,
- Nickel not greater than 1.0,
- Sulfur not greater than 0.007,
- Phosphorus not greater than 0.020,
- Chromium 1.0-2.5,
- Molybdenum 0.35-0.80,
- Boron 0.002-0.004,
- Oxygen not greater than 20 ppm,
- Hydrogen not greater than 2 ppm, and
- Nitrogen not greater than 60 ppm;

(b) With a Brinell hardness measured in all parts of the product including mid thickness falling within one of the following ranges:

(i) 270-300 HBW,

(ii) 290-320 HBW, or

(iii) 320-350HBW;

(c) Having cleanliness in accordance with ASTM E45 method A (Thin and Heavy): A not exceeding 1.5, B not exceeding 1.0, C not exceeding 0.5, D not exceeding 1.5; and

(d) Conforming to ASTM A578-S9 ultrasonic testing requirements with acceptance criteria 2 mm flat bottom hole;

(6) Alloy forged and rolled steel CTL plate over 407 mm in actual thickness and meeting the following requirements:

(a) Made from Electric Arc Furnace melted, Ladle refined & vacuum degassed, alloy steel with the following chemical composition (expressed in weight percentages):

- Carbon 0.23-0.28,
- Silicon 0.05-0.15,
- Manganese 1.20-1.50,
- Nickel not greater than 0.4,
- Sulfur not greater than 0.010,
- Phosphorus not greater than 0.020,
- Chromium 1.20-1.50,
- Molybdenum 0.35-0.55,
- Boron 0.002-0.004,
- Oxygen not greater than 20 ppm,
- Hydrogen not greater than 2 ppm, and
- Nitrogen not greater than 60 ppm;

(b) Having cleanliness in accordance with ASTM E45 method A (Thin and Heavy): A not exceeding 1.5, B not exceeding 1.5, C not exceeding 1.0, D not exceeding 1.5;

(c) Having the following mechanical properties:

(i) With a Brinell hardness not more than 237 HBW measured in all parts of the product including mid thickness; and having a Yield Strength of 75ksi min and UTS 95ksi or more, Elongation of 18% or more and Reduction of area 35% or more; having charpy V at -75 degrees F in the longitudinal direction equal or greater than 15 ft. lbs (single value) and equal or greater than 20 ft. lbs (average of 3 specimens) and conforming to the requirements of NACE MR01-75; or

(ii) With a Brinell hardness not less than 240 HBW measured in all parts of the product including mid thickness; and having a Yield Strength of 90 ksi min and UTS 110 ksi or more, Elongation of 15% or more and Reduction of area 30% or more; having charpy V at -40 degrees F in the longitudinal direction equal or greater than 21 ft. lbs (single value) and equal or greater than 31 ft. lbs (average of 3 specimens);

(d) Conforming to ASTM A578-S9 ultrasonic testing requirements with acceptance criteria 3.2 mm flat bottom hole; and

(e) Conforming to magnetic particle inspection in accordance with AMS 2301;

(7) Alloy forged and rolled steel CTL plate over 407 mm in actual thickness and meeting the following requirements:

(a) Made from Electric Arc Furnace melted, ladle refined & vacuum degassed, alloy steel with the following chemical composition (expressed in weight percentages):

- Carbon 0.25-0.30,
- Silicon not greater than 0.25,
- Manganese not greater than 0.50,
- Nickel 3.0-3.5,
- Sulfur not greater than 0.010,
- Phosphorus not greater than 0.020,
- Chromium 1.0-1.5,
- Molybdenum 0.6-0.9,
- Vanadium 0.08 to 0.12
- Boron 0.002-0.004,
- Oxygen not greater than 20 ppm,
- Hydrogen not greater than 2 ppm, and
- Nitrogen not greater than 60 ppm.

(b) Having cleanliness in accordance with ASTM E45 method A (Thin and Heavy): A not exceeding 1.0(t) and 0.5(h), B not exceeding 1.5(t) and 1.0(h), C not exceeding 1.0(t) and 0.5(h), and D not exceeding 1.5(t) and 1.0(h);

(c) Having the following mechanical properties: A Brinell hardness not less than 350 HBW measured in all parts of the product including mid thickness; and having a Yield Strength of 145ksi or more and UTS 160ksi or more, Elongation of 15% or more and Reduction of area 35% or more; having charpy V at -40 degrees F in the transverse direction equal or greater than 20 ft. lbs (single value) and equal or greater than 25 ft. lbs (average of 3 specimens);

(d) Conforming to ASTM A578-S9 ultrasonic testing requirements with acceptance criteria 3.2 mm flat bottom hole; and

(e) Conforming to magnetic particle inspection in accordance with AMS 2301.

The products subject to the investigations are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7208.40.3030, 7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7225.40.1110, 7225.40.1180, 7225.40.3005, 7225.40.3050, 7226.20.0000, and 7226.91.5000.

The products subject to the investigations may also enter under the following HTSUS item numbers: 7208.40.6060, 7208.53.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.19.1500, 7211.19.2000, 7211.19.4500, 7211.19.6000, 7211.19.7590, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7214.10.0000, 7214.30.0010, 7214.30.0080, 7214.91.0015, 7214.91.0060, 7214.91.0090, 7225.11.0000, 7225.19.0000, 7225.40.5110, 7225.40.5130, 7225.40.5160, 7225.40.7000, 7225.99.0010, 7225.99.0090, 7226.11.1000, 7226.11.9060, 7226.19.1000, 7226.19.9000, 7226.91.0500, 7226.91.1530, 7226.91.1560, 7226.91.2530, 7226.91.2560, 7226.91.7000, 7226.91.8000, and 7226.99.0180.

The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the investigations is dispositive.

- In 2015, imports of CTL plate from Austria, Belgium, China, France, Germany, Italy, Japan, Korea, and Taiwan were valued at an estimated \$14.2 million, \$19.8 million, \$70.3 million, \$179 million, \$196.2 million, \$37 million, \$54.9 million, \$210 million, and \$21 million, respectively.

NEXT STEPS

- Commerce is scheduled to announce its final determinations on or about March 29, 2017. For China, Commerce is scheduled to announce its final determination on or about January 18, 2017.
- If Commerce makes affirmative final determinations, and the U.S. International Trade Commission (ITC) makes affirmative final determinations that imports of CTL plate from Austria, Belgium, China, France, Germany, Italy, Japan, Korea, and/or Taiwan materially injure, or threaten material injury to, the domestic industry, Commerce will issue AD orders. If either Commerce's or the ITC's final determinations are negative, no AD order will be issued. The ITC is scheduled to make its final injury determinations in May 2017. For China, the ITC is scheduled to make its final injury determination in March 2017.

PRELIMINARY DUMPING MARGINS:

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Austria	Bohler Edelstahl GmbH & Co KG (BEG), Bohler Bleche GmbH & Co KG (BBG), Bohler International GmbH (BIG), voestalpine Grobblech GmbH (Grobblech), and voestalpine Steel Service Center GmbH (SSC) (collectively, voestalpine)	41.97%
	All others	41.97%

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Belgium	Industeel Belgium S.A.	2.41%
	NLMK Clabecq S.A., NLMK Plate Sales S.A., NLMK Sales Europe S.A., NLMK Manage Steel Center S.A., and NLMK La Louvier S.A. (collectively, NLMK Belgium)	8.98%
	All others	8.50%

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
China	China-Wide Rate	68.27%*

* Based on adverse facts available

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
France	Dillinger France S.A.	12.97%
	Industeel France S.A.	4.26%
	All others	8.62%

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Germany	AG der Dillinger Hüttenwerke	6.56%
	Ilseburger Grobblech GmbH, Salzgitter Mannesmann Grobblech GmbH, Salzgitter Flachstahl GmbH, and Salzgitter Mannesmann International GmbH (collectively, Salzgitter)	0.00%
	All others	6.56%

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Italy	NLMK Verona SpA	12.53%
	Officine Tecosider	6.10%
	Marcegaglia SpA	130.63%*
	All others	8.34%

* Based on adverse facts available

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Japan	Tokyo Steel Manufacturing Co., Ltd.	14.96%
	JFE Steel Corporation	48.64%*
	Shimabun Corporation	48.64%*
	All others	14.96%

* Based on adverse facts available

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Korea	POSCO	6.82%
	All others	6.82%

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Taiwan	Shang Chen Steel Co., Ltd.	3.51%
	China Steel Corp.	28.00%*
	All others	3.51%

* Based on adverse facts available

CASE CALENDAR:

EVENT	DATE
Petitions Filed	April 8, 2016
DOC Initiation Date	April 28, 2016
ITC Preliminary Determinations	May 23, 2016
DOC Preliminary Determinations	November 4, 2016
DOC Final Determinations	March 29, 2016
DOC Final Determination (China Only)	January 18, 2017
ITC Final Determinations*	May 15, 2017
ITC Final Determination* (China Only)	March 6, 2017†
Issuance of Orders**	May 21, 2017
Issuance of Order**(China Only)	March 13, 2017†

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. 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:

AUSTRIA	2013	2014	2015
Volume (metric tons)	45,600	47,200	12,100
Value (USD)	48,312,000	46,464,000	14,193,000
BELGIUM	2013	2014	2015
Volume (metric tons)	7,100	29,400	19,100
Value (USD)	8,079,000	30,608,000	19,830,000
Value (USD)	14,030,000	90,815,000	26,652,000
CHINA	2013	2014	2015
Volume (metric tons)	26,700	43,500	65,500
Value (USD)	46,865,000	60,599,000	70,263,000
FRANCE	2013	2014	2015
Volume (metric tons)	84,200	105,500	207,000
Value (USD)	92,711,000	113,953,000	178,973,000
GERMANY	2013	2014	2015
Volume (metric tons)	125,700	66,400	224,900
Value (USD)	126,243,000	95,380,000	196,165,000
ITALY	2013	2014	2015
Volume (metric tons)	42,200	88,300	53,900
Value (USD)	31,610,000	65,348,000	37,031,000
JAPAN	2013	2014	2015
Volume (metric tons)	44,400	70,200	71,200
Value (USD)	47,395,000	59,248,000	54,859,000
KOREA	2013	2014	2015
Volume (metric tons)	71,200	280,400	300,000
Value (USD)	49,516,000	202,915,000	210,028,000
TAIWAN	2013	2014	2015
Volume (metric tons)	31,100	53,000	32,200
Value (USD)	20,740,000	37,144,000	21,020,000

Source: U.S. Census Bureau, accessed through Global Trade Atlas. ((HTSUS 7208.40.3030, 7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7225.40.1110, 7225.40.1115, 7225.40.1180, 7225.40.1190, 7225.40.3005, 7225.40.3050, 7226.20.0000, and 7226.91.5000.)) The above HTSUS subheadings may cover both subject and non-subject merchandise.

Imports of certain carbon and alloy steel cut-to-length plate may also enter under 7208.40.6060, 7208.53.0000, 7210.70.3000, 7210.90.9000, 7211.19.1500, 7211.19.2000, 7211.19.4500, 7211.19.6000, 7211.19.7590, 7211.90.0000, 7212.40.1000,

7212.40.5000, 7212.50.0000, 7214.10.0000, 7214.30.0010, 7214.30.0080, 7214.91.0015, 7214.91.0060, 7214.91.0090, 7225.11.0000, 7225.19.0000, 7225.40.5110, 7225.40.5130, 7225.40.5160, 7225.40.7000, 7225.99.0010, 7225.99.0090, 7206.11.1000, 7226.11.9060, 7229.19.1000, 7226.19.9000, 7226.91.0500, 7226.91.1530, 7226.91.1560, 7226.91.2530, 7226.91.2560, 7226.91.7000, 7229.91.8000, and 7226.99.0180. These HTSUS subheadings may cover a significant amount of non-subject merchandise and therefore have been excluded for purposes of reporting import statistics.

Note: Currently, there are AD and CVD orders on certain cut-to-length carbon-quality plate products from Korea and an AD order on certain cut-to-length carbon steel plate products from China. The above import statistics are based on HTSUS subheadings that may also cover products subject to the AD and CVD orders; therefore, with respect to the AD/CVD investigations of certain carbon and alloy steel cut-to-length plate from Korea and China, the above import statistics may be overstated.