

MESSAGE NO: 3176111 MESSAGE DATE: 06/25/1993
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: ORD-Order PUBLIC NON-PUBLIC
SUB-TYPE:

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REFERENCE
MESSAGE #
(s):

CASE #(s): A-307-807, A-462-104

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/24/1993 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING DUTY ORDERS FOR FERROSILICON FROM THE RUSSIAN
FEDERATION (A-462-104) AND VENEZUELA (A-307-807)

MESSAGE NO: 3176111 DATE: 06 25 1993

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REFERENCE: REFERENCE DATE:

CASES: A - 462 - 104 A - 307 - 807

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PERIOD COVERED: 06 24 1993 TO

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: ANTIDUMPING DUTY ORDERS FOR FERROSILICON FROM THE RUSSIAN
FEDERATION (A-462-104) AND VENEZUELA (A-307-807)

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER
ON JUNE 24, 1993, THE NOTICE OF ITS ANTIDUMPING DUTY ORDERS ON
FERROSILICON FROM THE RUSSIAN FEDERATION AND VENEZUELA.

2. THE MERCHANDISE SUBJECT TO THESE ANTIDUMPING DUTY ORDERS IS
FERROSILICON, FERROSILICON IS A FERROALLOY PRODUCED BY COMBINING,
BY WEIGHT, NOT LESS THAN FOUR PERCENT IRON, MORE THAN EIGHT NOT
LESS THAN FOUR PERCENT IRON, MORE THAN EIGHT PERCENT BUT NOT MORE
THAN 96 PERCENT SILICON, NOT MORE THAN 10 PERCENT CHROMIUM, NOT

MORE THAN 30 PERCENT MANGANESE, NOT MORE THAN THREE PERCENT PHOSPHOROUS, LESS THAN 2.75 PERCENT MAGNESIUM, AND NOT MORE THAN 10 PERCENT CALCIUM OR ANY OTHER ELEMENT.

FERROSILICON IS A FERROALLOY PRODUCED BY COMBINING SILICON AND IRON THROUGH SMELTING IN A SUBMERGE-ARC FURNACE. FERROSILICON IS USED PRIMARILY AS AN ALLOYING AGENT IN THE PRODUCTION OF STEEL AND CAST IRON. IT IS ALSO USED IN THE STEEL INDUSTRY AS A DEOXIDIZER AND A REDUCING AGENT, AND BY CAST IRON PRODUCERS AS AN INOCULANT.

FERROSILICON IS DIFFERENTIATED BY SIZE AND BY GRADE. THE SIZES EXPRESS THE MAXIMUM AND MINIMUM DIMENSIONS OF THE LUMPS OF FERROSILICON FOUND IN A GIVEN SHIPMENT. FERROSILICON GRADES ARE DEFINED BY THE PERCENTAGES BY WEIGHT OF CONTAINED SILICON AND OTHER MINOR ELEMENTS. FERROSILICON IS MOST COMMONLY SOLD TO THE IRON AND STEEL INDUSTRIES IN STANDARD GRADES OF 75 PERCENT AND 50 PERCENT FERROSILICON.

CALCIUM SILICON, FERROCALCIUM SILICON, AND MAGNESIUM FERROSILICON ARE SPECIFICALLY EXCLUDED FROM THE SCOPE OF THESE ORDERS. CALCIUM SILICON IS AN ALLOY CONTAINING, BY WEIGHT, NOT MORE THAN FIVE PERCENT IRON, 60 TO 65 PERCENT SILICON AND 28 TO 32 PERCENT CALCIUM. FERROCALCIUM SILICON IS A FERROALLOY CONTAINING, BY WEIGHT, NOT LESS THAN FOUR PERCENT IRON, 60 TO 65 PERCENT SILICON, AND MORE THAN 10 PERCENT CALCIUM. MAGNESIUM FERROSILICON IS A FERROALLOY CONTAINING, BY WEIGHT, NOT LESS THAN FOUR PERCENT IRON, NOT MORE THAN 55 PERCENT SILICON, AND NOT LESS THAN 2.75 PERCENT MAGNESIUM.

FERROSILICON IS CLASSIFIABLE UNDER THE FOLLOWING SUBHEADINGS OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS): 7202.21.1000, 7202.21.5000, 7202.21.7500, 7202.21.9000, 7202.29.0010, AND 7202.29.0050. THE HTSUS SUBHEADING ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES. OUR WRITTEN DESCRIPTION OF THE SCOPE OF THESE ORDERS IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES, THESE CASES HAVE BEEN ASSIGNED THE FOLLOWING COMMERCE INVESTIGATION NUMBERS: A-821-804 (THE RUSSIAN FEDERATION) AND A-307-807 (VENEZUELA)

4. FOR CUSTOMS PURPOSES ONLY, THE RUSSIAN FEDERATION CASE HAS BEEN ASSIGNED THE FOLLOWING NUMBER: A-462-104

5. THE INTERNATIONAL TRADE COMMISSION (ITC) FOUND THAT A U.S. INDUSTRY IS MATERIALLY INJURED BY REASON OF IMPORTS OF FERROSILICON FROM THE RUSSIAN FEDERATION AND VENEZUELA THAT ARE SOLD IN THE UNITED STATES AT LESS THAN FAIR VALUE.

6. THE CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF ALL MANUFACTURERS, PRODUCERS, AND EXPORTERS THAT ARE ENTERED OR WITH DRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER

DECEMBER 29, 1992. IN ADDITION, EFFECTIVE JUNE 24, 1993, CUSTOMS OFFICIALS SHALL REQUIRE A CASH DEPOSIT EQUAL TO THE ESTIMATED MARGIN PERCENTAGES LISTED BELOW FOR ALL ENTRIES OF THE CONSUMPTION, ON OR AFTER JUNE 24, 1993.

7. IN THE INVESTIGATION INVOLVING THE RUSSIAN FEDERATION ON JUNE 16, 1993, THE ITC NOTIFIED THE DEPARTMENT THAT RETROACTIVE ASSESSMENT OF ANTIDUMPING DUTIES IS NOT NECESSARY TO PREVENT RECURRENCE OF MATERIAL INJURY FROM MASSIVE IMPORTS OVER A SHORT PERIOD. AS A RESULT OF THE ITC'S DETERMINATION, THE CUSTOMS SERVICE SHALL TERMINATE THE RETROACTIVE SUSPENSION OF LIQUIDATION AND RELEASE ANY BOND OR OTHER SECURITY AND REFUND ANY CASH DEPOSIT WITH RESPECT TO ENTRIES OF SUBJECT MERCHANDISE FROM THE RUSSIAN FEDERATION ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION PRIOR TO DECEMBER 29, 1992.

RUSSIAN FEDERATION

MANUFACTURERS/PRODUCERS/EXPORTERS ID NO. PERCENT MARGIN

ALL EXPORTERS THE RUSSIAN

FEDERATION A-462-104-000 104.18%

MANUFACTURER/PRODUCERS/EXPORTERS ID NO. PERCENT MARGIN

VENEZUELA

VENEZOLANA DE FERROSILICIO

(CVG-FESILVEN) A-307-807-001 9.55%

ALL OTHERS A-307-807-000 9.55%

THE MODULE HAS BEEN UPDATED TO REFLECT THE ABOVE INFORMATION.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, THEY SHOULD BE REFERRED TO THE IMPORT SPECIALIST DIVISION, OTHER AGENCY BRANCH, CUSTOMS HEADQUARTERS VIA E-MAIL ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT JAMES TERPSTRA OF THE OFFICE OF ANTIDUMPING INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, TELEPHONE (202) 482-3965.

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party