

MESSAGE NO: 4032112 MESSAGE DATE: 02/01/1994  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: FIN-Final Determination PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-351-820

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/06/1994 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF  
FERROSILICON FROM BRAZIL

MESSAGE NO: 4032112 DATE: 02 01 1994

CATEGORY: ADA TYPE: FIN

REFERENCE: REFERENCE DATE:

CASES: A - 351 - 820 - -

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PERIOD COVERED: 01 06 1994 TO

LIQ SUSPENSION DATE:

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

FROM: DIRECTOR, TRADE COMPLIANCE DIVISION

RE: FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION  
OF FERROSILICON FROM BRAZIL

1. THE DEPARTMENT OF COMMERCE WILL PUBLISH IN THE FEDERAL REGISTER ON JANUARY 6, 1994, NOTICE OF ITS FINAL DETERMINATION THAT FERROSILICON FROM BRAZIL IS BEING SOLD IN THE UNITED STATES AT LESS THAN FAIR VALUE.

2. THE MERCHANDISE SUBJECT TO THIS INVESTIGATION IS FERROSILICON, A FERROALLOY GENERALLY CONTAINING, BY WEIGHT, 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 SUBMERGED 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 THIS INVESTIGATION. 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 SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES. OUR WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

WE DETERMINE THAT SLAG IS INCLUDED WITHIN THE SCOPE OF INVESTIGATION IF IT MEETS GENERALLY, THE CHEMICAL CONTENT

DEFINITION STATED ABOVE AND IS CAPABLE OF BEING USED AS FERROSILICON. PARTIES THAT BELIEVE THEIR IMPORTATIONS OF SLAG DO NOT MEET THESE DEFINITIONS SHOULD CONTACT THE DEPARTMENT AND REQUEST A SCOPE DETERMINATION.

3. FOR FURTHER REPORTING PURPOSES, THIS CASE HAS BEEN ASSIGNED THE FOLLOWING COMMERCE INVESTIGATION NUMBER: A-351-820.

4. BECAUSE THE DEPARTMENT NOW DETERMINES THAT CRITICAL CIRCUMSTANCES DO NOT EXIST, THE RETROACTIVE SUSPENSIONS OF LIQUIDATIONS ORDERED AT THE TIME OF THE PRELIMINARY DETERMINATION ARE TERMINATED FOR ENTRIES OF FERROSILICON EXPORTED BY COMPANHIA BRASILEIRA CARBURETO DE CALCIO (CCBC ) AND ALL OTHERS. ALL CASH DEPOSITS OR BONDS PLACED ON ENTRIES OF FERROSILICON PRIOR TO AUGUST 16, 1993, SHALL BE REFUNDED.

THE DEPARTMENT FOUND THAT NO FINAL DUMPING MARGIN EXISTS WITH RESPECT TO COMPANHIA FERROLIGAS MINAS GERAIS (MINASLIGAS). ACCORDINGLY, CUSTOMS IS DIRECTED TO TERMINATE THE SUSPENSION OF LIQUIDATION FOR ENTRIES OF FERROSILICON FROM MINASLIGAS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER MAY 18, 1993, AND TO RELEASE ANY BOND OR OTHER SECURITY, AND REFUND ANY CASH DEPOSIT.

BECAUSE CRITICAL CIRCUMSTANCES EXIST FOR ALL IMPORTS OF FERROSILICON FROM BRAZIL EXPORTED BY ITALMAGNESIO S.A. INDUSTRIA E COMERCIO (ITALMAGNESIO) THE CUSTOMS SERVICE SHALL SUSPEND LIQUIDATION OF SUCH PRODUCTS THAT ARE ENTERED OR WITHDRAWN FROM WAREHOUSE, ON OR AFTER May 18, 1993, AND SHALL REQUIRE A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE ESTIMATED MARGIN PERCENTAGE LISTED BELOW.

FOR ALL EXPORTS OF FERROSILICON FROM BRAZIL, EXCEPT MINASLIGAS, THE CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF SUCH PRODUCTS THAT ARE ENTERED OR WITHDRAWN FROM WAREHOUSE ON OR AFTER

AUGUST 16, 1993, AND SHALL REQUIRE A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE ESTIMATED MARGIN PERCENTAGES LISTED BELOW:

MANUFACTURER/PRODUCER/ EXPORTER	IDENTIFICATION NUMBER	WEIGHTED-AVERAGE MARGIN PERCENTGAGE
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COMPANHIA BRASILEIRA CARBURETO DE CALCIO	A-351-820-001	2.23%
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ITALMAGNESIO S.A. INDUSTRIA E COMERCIO	A-351-820-002	88.86%
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COMPANHIA FERROLIGAS MINAS GERAIS	A-351-820-003	0.00% EXCLUDED
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ALL OTHER EXPORTERS	A-351-820-000	45.55%
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5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT THE TRADE COMPLIANCE DIVISION, ANTIDUMPING AND COUNTERVAILING DUTY DIVISION BRANCH BY E-MAIL TO ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT KIM HARDIN OF THE OFFICE OF ANTIDUMPING INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, TELEPHONE (202) 482-0371.

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

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## Company Details

\*Party Indicator Value:

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