

MESSAGE NO: 1339201 MESSAGE DATE: 12/05/2001
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: PRE-Preliminary PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-533-823

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/09/2001 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: NOTICE OF PRELIMINARY DETERMINATION IN AN ANTIDUMPING DUTY
INVESTIGATION OF SILICOMANGANESE FROM INDIA (A-533-823)

MESSAGE NO: 1339201 DATE: 12 05 2001

CATEGORY: ADA TYPE: PRE

REFERENCE: REFERENCE DATE:

CASES: A - 533 - 823 - -

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PERIOD COVERED: 11 09 2001 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: NOTICE OF PRELIMINARY DETERMINATION IN AN ANTIDUMPING DUTY
INVESTIGATION OF SILICOMANGANESE FROM INDIA (A-533-823)

1. ON NOVEMBER 09, 2001, THE DEPARTMENT OF COMMERCE PUBLISHED
IN THE FEDERAL REGISTER ITS PRELIMINARY DETERMINATION OF
SALES AT LESS THAN FAIR VALUE IN THE ANTIDUMPING DUTY
INVESTIGATION OF SILICOMANGANESE FROM INDIA.

2. THE PRODUCTS COVERED BY THIS INVESTIGATION ARE
ALL FORMS, SIZES AND COMPOSITIONS OF SILICOMANGANESE, EXCEPT
LOW-CARBON SILICOMANGANESE, INCLUDING SILICOMANGANESE
BRIQUETTES, FINES AND SLAG. SILICOMANGANESE IS A FERROALLOY

COMPOSED PRINCIPALLY OF MANGANESE, SILICON AND IRON, AND NORMALLY CONTAINS MUCH SMALLER PROPORTIONS OF MINOR ELEMENTS, SUCH AS CARBON, PHOSPHOROUS AND SULFUR. SILICOMANGANESE IS SOMETIMES REFERRED TO AS FERROSILICON MANGANESE.

SILICOMANGANESE IS USED PRIMARILY IN STEEL PRODUCTION AS A SOURCE OF BOTH SILICON AND MANGANESE. SILICOMANGANESE GENERALLY CONTAINS BY WEIGHT NOT LESS THAN 4 PERCENT IRON, MORE THAN 30 PERCENT MANGANESE, MORE THAN 8 PERCENT SILICON AND NOT MORE THAN 3 PERCENT PHOSPHOROUS. SILICOMANGANESE IS PROPERLY CLASSIFIABLE UNDER SUBHEADING 7202.30.0000 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS). SOME SILICOMANGANESE MAY ALSO BE CLASSIFIED UNDER HTSUS SUBHEADING 7202.99.5040. THIS SCOPE COVERS ALL SILICOMANGANESE, REGARDLESS OF ITS TARIFF CLASSIFICATION. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND U.S. CUSTOMS PURPOSES, OUR WRITTEN DESCRIPTION OF THE SCOPE REMAINS DISPOSITIVE.

THE LOW-CARBON SILICOMANGANESE EXCLUDED FROM THIS SCOPE IS A FERRO ALLOY WITH THE FOLLOWING CHEMICAL SPECIFICATIONS:

MINIMUM 55 PERCENT MANGANESE, MINIMUM 27 PERCENT SILICON, MINIMUM 4 PERCENT IRON, MAXIMUM 0.10 PERCENT PHOSPHORUS, MAXIMUM 0.10 PERCENT CARBON AND MAXIMUM 0.05 PERCENT SULFUR.

LOW-CARBON SILICOMANGANESE IS USED IN THE MANUFACTURE OF STAINLESS STEEL AND SPECIAL CARBON STEEL GRADES, SUCH AS MOTOR LAMINATION GRADE STEEL, REQUIRING A VERY LOW CARBON CONTENT.

IT IS SOMETIMES REFERRED TO AS FERRO MANGANESE-SILICON.

LOW-CARBON SILICOMANGANESE IS CLASSIFIABLE UNDER HTSUS SUBHEADING 7202.30.0000.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-533-823.

4. FOR IMPORTS OF SILICOMANGANESE FROM INDIA, THE CUSTOMS SERVICE SHALL SUSPEND LIQUIDATIONS OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION, AS FOLLOWS: NAVA

BHARAT FERRO ALLOYS LTD. (NAVA BHARAT), THE CUSTOMS SERVICES

SHOULD SUSPEND LIQUIDATION EFFECTIVE NOVEMBER 09, 2001.
BECAUSE CRITICAL CIRCUMSTANCES EXIST FOR IMPORTS OF SUBJECT
MERCHANDISE FROM UNIVERSAL FERRO AND ALLIED CHEMICALS LTD.,
AND ALL OTHERS, CUSTOMS SHOULD SUSPEND LIQUIDATION EFFECTIVE
AUGUST 11, 2001, WHICH IS 90 DAYS PRIOR TO THE DATE OF
PUBLICATION OF THE PRELIMINARY DETERMINATION IN THE FEDERAL
REGISTER. CUSTOMS SHALL REQUIRE, FOR SUCH ENTRIES, A CASH
DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS SHOWN
BELOW:

MFR/PRODUCER/EXPORTER	CUSTOMS ID NUMBER	MARGIN
NAVA BHARAT FERRO ALLOYS LTD.	A-533-823-002	22.88%
UNIVERSAL FERRO AND ALLIED CHEMICALS LTD.	A-533-823-001	13.24%
ALL OTHERS	A-533-823-000	18.94%

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS
OFFICERS, PLEASE CONTACT, VIA E-MAIL, THROUGH THE APPROPRIATE
SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING
THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER
INTERESTED PARTIES SHOULD CONTACT ABDELALI ELOUARADIA OR SALLY
GANNON, OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION,
INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF
COMMERCE, AT (202) 482-1374 OR
(202) 482-0162, RESPECTIVELY.

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS
INFORMATION.

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

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