



## FACT SHEET

### **Commerce Finds Unfair Dumping of Small Diameter Graphite Electrodes from the People's Republic of China**

- On January 6, the Department of Commerce (Commerce) announced its affirmative final determination in the antidumping duty investigation of imports of small diameter graphite electrodes (graphite electrodes) from the People's Republic of China (China). Graphite electrodes are most commonly used in primary melting, ladle metallurgy, and specialty furnace applications in industries including foundries, smelters, and steel refining operations.
- Commerce determined that Chinese producers/exporters have sold graphite electrodes in the United States at 132.90 to 159.64 percent less than normal value. The final margins for both mandatory respondents are based on adverse facts available as they failed to cooperate to the best of their ability in the investigation.
- Additionally, Commerce determined that critical circumstances exist for all exporters of the subject merchandise. As a result, subject merchandise entered 90 days prior to publication of the preliminary determination (i.e., May 23, 2008) remaining unliquidated will be suspended and, if an AD order is issued, such entries will be subject to antidumping duties at the suspension rate or, if an administrative review is requested, then at the rate determined in the administrative review.
- As a result of this final determination, Commerce will instruct U.S. Customs and Border Protection to collect a cash deposit or bond based on the final rates.
- Petitioners for this investigation are SGL Carbon LLC (NC) and Superior Graphite Co. (IL).
- The scope of this investigation includes all small diameter graphite electrodes of any length, whether or not finished, of a kind used in furnaces, with a nominal or actual diameter of 400 millimeters (16 inches) or less, and whether or not attached to a graphite pin joining system or any other type of joining system or hardware. Also covered by this investigation are graphite pin joining systems, whether or not the graphite pin joining system is attached to, sold with, or sold separately from, the small diameter graphite electrode.
- Small diameter graphite electrodes are classifiable under subheading 8545.11.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). While the HTSUS subheading is provided for convenience and customs purposes, our written description of the scope of this investigation is final and conclusive.
- From 2005 to 2007, imports of graphite electrodes from China increased 81 percent by volume and were valued at an estimated \$45 million in 2007.

**NEXT STEPS**

- The U.S. International Trade Commission (ITC) is scheduled to issue its final injury determination on or before February 19.
- If the ITC makes a final determination that imports of graphite electrodes from China materially injure, or threaten material injury to, the domestic industry, Commerce will issue an antidumping order.

**FINAL DUMPING MARGINS:**

<b>EXPORTER/PRODUCER</b>		<b>MARGIN</b>
<b>Fushun Carbon Co., Ltd.*</b>	<b>Fushun Carbon Co., Ltd.</b>	<b>159.64%</b>
<b>Fangda Carbon New Material Co., Ltd.*</b>	<b>Fangda Carbon New Material Co., Ltd.</b>	<b>159.64%</b>
<b>Beijing Fangda Carbon Tech Co., Ltd.*</b>	<b>Chengdu Rongguang Carbon Co., Ltd.; Fangda Carbon New Material Co., Ltd.; or Fushun Carbon Co., Ltd.</b>	<b>159.64%</b>
<b>Chengdu Rongguang Carbon Co., Ltd.*</b>	<b>Chengdu Rongguang Carbon Co., Ltd.</b>	<b>159.64%</b>
<b>China-Wide Rate (including Fushun Jinly Petrochemical Co., Inc.)</b>		<b>159.64%</b>
<b>Separate Rate Respondents (See Attached)</b>		<b>132.90%</b>

\*Collectively, the Fangda Group

**CASE CALENDAR:**

<b>EVENT</b>	<b>DATE</b>
<b>Petition Filed</b>	<b>January 17, 2008</b>
<b>DOC Initiation Date</b>	<b>February 6, 2008</b>
<b>ITC Preliminary Determination</b>	<b>March 3, 2008</b>
<b>DOC Preliminary Determination</b>	<b>August 14, 2008</b>
<b>DOC Final Determination</b>	<b>January 5, 2009</b>
<b>ITC Final Determination</b>	<b>February 19, 2009</b>
<b>Issuance of Order*</b>	<b>February 26, 2009</b>

\* This will take place only in the event of final affirmative determinations by both Commerce and the ITC.

**IMPORT STATISTICS:**

	<b>2005</b>	<b>2006</b>	<b>2007</b>
<b>Volume (kg)</b>	<b>14,660,311</b>	<b>16,624,544</b>	<b>26,488,991</b>
<b>Value (\$US)</b>	<b>23,032,897</b>	<b>27,940,992</b>	<b>44,647,802</b>

Source: U.S. International Trade Commission, Dataweb (HTS 8545.11.0000)

## SEPARATE RATES

EXPORTER	PRODUCER	MARGIN
Jilin Carbon Import and Export Co.	Sinosteel Jilin Carbon Co., Ltd.	132.90%
Guanghan Shida Carbon Co., Ltd.	Guanghan Shida Carbon Co., Ltd.	132.90%
Xinghe County Muzi Carbon Co. Ltd.	Xinghe County Muzi Carbon Co., Ltd.	132.90%
Brilliant Charter Limited	Nantong Falter New Energy Co., Ltd.; or Shanxi Jinneng Group Co., Ltd.	132.90%
Nantong River-East Carbon Joint Stock Co., Ltd.	Nantong River-East Carbon Co., Ltd.; or Nantong Yangzi Carbon Co., Ltd.	132.90%
Shijiazhuang Huanan Carbon Factory	Shijiazhuang Huanan Carbon Factory	132.90%
Shenyang Jinli Metals & Minerals Imp & Exp Co., Ltd.	Shenyang Jinli Metals & Minerals Imp. & Exp. Co., Ltd.	132.90%
Shanghai Jinneng International Trade Co., Ltd.	Shanxi Jinneng Group Datong Energy Development Co., Ltd.	132.90%
Dalian Thrive Metallurgy Import and Export Co., Ltd.	Linghai Hongfeng Carbon Products Co., Ltd.; Tianzhen Jintian Graphite Electrodes Co., Ltd.; Jiaozuo Zhongzhou Carbon Products Co., Ltd.; Heilongjiang Xinyuan Carbon Products Co., Ltd.; Xuzhou Jianglong Carbon Manufacture Co., Ltd.; or Xinghe Xinyuan Carbon Products Co., Ltd.	132.90%
GES (China) Co., Ltd.	Shanghai GC Co., Ltd.; Fushun Jinli Petrochemical Carbon Co., Ltd.; Xinghe County Muzi Carbon Plant and Linyi County Lubei Carbon Co., Ltd. Shandong Province	132.90%
Qingdao Haosheng Metals & Minerals Imp & Exp Co., Ltd.	Sinosteel Jilin Carbon Co., Ltd.	132.90%