



## FACT SHEET

### **Commerce Preliminarily Finds Dumping of Imports of Utility Scale Wind Towers from the People's Republic of China and the Socialist Republic of Vietnam**

- On July 27, 2012, the Department of Commerce (Commerce) announced its affirmative preliminary determinations in the antidumping duty (AD) investigations of imports of utility scale wind towers from the People's Republic of China (China) and the Socialist Republic of Vietnam (Vietnam).
- For the purposes of AD investigations, dumping occurs when a foreign company sells a product in the United States at less than fair value.
- Commerce preliminarily determined that Chinese and Vietnamese producers/exporters sold utility scale wind towers in the United States at dumping margins of 20.85 percent to 72.69 percent and 52.67 percent to 59.91 percent, respectively.
- In the China investigation, mandatory respondents Chengxi Shipyard Co., Ltd. and Titan Wind Energy (Suzhou) Co., Ltd. received preliminary dumping margins of 30.93 percent and 20.85 percent, respectively. Three other exporters qualified for a separate rate of 26.25 percent. All other Chinese producers/exporters received a preliminary dumping margin of 72.69 percent.
- In the Vietnam investigation, mandatory respondent, CS Wind Corporation and CS Wind Vietnam Co. Ltd. (collectively, "CS Wind Group") received a preliminary dumping margin of 52.67 percent. All other Vietnamese producers/exporters received a preliminary dumping margin of 59.91 percent.
- As a result of the preliminary affirmative determinations, Commerce will instruct U.S. Customs and Border Protection (CBP) to require a cash deposit based on these preliminary rates. Pursuant to a change of practice announced in accordance with Commerce's Trade Law Enforcement Initiative, for investigations based on petitions filed on or after November 2, 2011, Commerce requires importers to post cash deposits rather than bonds to cover estimated duties between the preliminary determination and any subsequent order (76 FR 61042, October 3, 2011).
- The petitioner for these investigations is the Wind Tower Trade Coalition. The Wind Tower Trade Coalition is comprised of the following member companies: Broadwind Towers, Inc. (Manitowoc, WI); DMI Industries (Fargo, ND); Katana Summit LLC (Columbus, NE); and Trinity Structural Towers, Inc. (Dallas, TX).
- The merchandise covered by these investigations is utility scale wind towers which are the steel towers that support the nacelle (an enclosure for an engine) and rotor blades for use in wind turbines that have electrical power generation capacities in excess of 100 kilowatts.
- Specifically excluded from the scope are nacelles and rotor blades, regardless of whether they are attached to the wind tower. Also excluded are any internal or external components which are not attached to the wind towers or sections thereof.

- Imports of the subject merchandise are provided for under the following categories of the Harmonized Tariff Schedule of the United States (HTSUS): HTSUS 7308.20.0020 and 8502.31.0000. Some HTSUS subheadings include basket categories and may cover both subject and non-subject merchandise. Note HTS code 7308.20.0000 was in effect for subject merchandise prior to 2011 and is included for historic data purposes. These HTS numbers are provided for convenience and Customs purposes only; the written description of the scope is dispositive.
- In 2011, imports of utility scale wind towers from China and Vietnam were valued at an estimated \$222 million and \$79 million, respectively.

#### **NEXT STEPS**

- Commerce is currently scheduled to make its final determination for China and Vietnam in December 2012.
- If Commerce makes affirmative final determinations, and the U.S. International Trade Commission (ITC) makes affirmative final determinations that imports of utility scale wind towers from China and/or Vietnam materially injure, or threaten material injury to, the domestic industry, Commerce will issue AD orders. If either Commerce or the ITC's final determination is negative, no AD order will be issued. The ITC will make its final injury determinations in the China and Vietnam investigations in February 2013.

**Preliminary Dumping Margins:**

<b>COUNTRY</b>	<b>EXPORTER/PRODUCER</b>	<b>DUMPING MARGINS</b>
<b>China</b>	<b>Chengxi Shipyard Co., Ltd./Chengxi Shipyard Co., Ltd.</b>	<b>30.93%</b>
	<b>Titan Wind Energy (Suzhou) Co., Ltd./Titan Wind Energy (Suzhou) Co., Ltd.</b>	<b>20.85%</b>
	<b>Titan Wind Energy (Suzhou) Co., Ltd./Titan (Lianyungang) Metal Product Co., Ltd.</b>	<b>20.85%</b>
	<b>Separate Rate Companies*</b>	<b>26.25%</b>
	<b>CS Wind Corporation/CS Wind China Co., Ltd.*</b>	<b>26.25%</b>
	<b>Guodian United Power Technology Baoding Co., Ltd./Guodian United Power Technology Baoding Co., Ltd.*</b>	<b>26.25%</b>
	<b>Sinovel Wind Group Co., Ltd./Sinovel Wind Group Co., Ltd.*</b>	<b>26.25%</b>
	<b>China-Wide Rate</b>	<b>72.69%</b>
	<b>EXPORTER/PRODUCER</b>	<b>DUMPING MARGINS</b>
<b>Vietnam</b>	<b>CS Wind Group</b>	<b>52.67%</b>
	<b>Vietnam-Wide Rate</b>	<b>59.91%</b>

## CASE CALENDAR:

<b>EVENT</b>	<b>CHINA AND VIETNAM AD INVESTIGATIONS</b>
<b>Petitions Filed</b>	<b>December 29, 2011</b>
<b>DOC Initiation Date</b>	<b>January 18, 2012</b>
<b>ITC Preliminary Determinations</b>	<b>February 13, 2012</b>
<b>DOC Preliminary Determinations</b>	<b>July 26, 2012</b>
<b>DOC Final Determinations</b>	<b>December 16, 2012</b>
<b>ITC Final Determinations*</b>	<b>January 31, 2013</b>
<b>Issuance of Orders**</b>	<b>February 7, 2013</b>

NOTE: Commerce preliminary and final determination deadlines are governed by the statute. For AD investigations, the deadline is set forth in section 735(a) of the Tariff Act of 1930, as amended. These deadlines may be extended under certain circumstances.

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

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

## IMPORT STATISTICS:

<b>China</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
<b>Value (USD)</b>	<b>177,732,000</b>	<b>103,572,000</b>	<b>222,085,000</b>
<b>Vietnam</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
<b>Value (USD)</b>	<b>67,741,000</b>	<b>51,852,000</b>	<b>78,754,000</b>

**Source:** U.S. Bureau of Census, accessed through Global Trade Atlas. (HTSUS 7323.99.9060, 7323.99.9080, and 7326.20.0020). Some HTSUS subheadings include basket categories and may cover both subject and non-subject merchandise. Note HTS code 7323.99.9060 was in effect for subject merchandise prior to 2011 and is included for historic data purposes. Volume could not be calculated, as imports of subject merchandise are reported in multiple units of measure.