



FACT SHEET

Commerce Finds Dumping and Subsidization of Certain Potassium Phosphate Salts from the People's Republic of China

- On May 25, the Department of Commerce (Commerce) announced its affirmative final determinations in the antidumping duty (AD) and countervailing duty (CVD) investigations on imports of certain potassium phosphate salts from the People's Republic of China (China).
- Dumping occurs when a foreign company sells a product in the United States at less than fair value. Subsidies are financial assistance from foreign governments that benefit the production, manufacture, or exportation of goods.
- In the AD case, Commerce determined that Chinese producers/exporters have sold certain potassium phosphate salts in the United States at 69.58 to 95.40 percent.
- Mandatory respondents, SD BNI (LYG) Co. Ltd. (SD BNI) and SiChuan Blue Sword Import & Export Co., Ltd. (SiChuan Blue Sword), failed to submit the information required and as a result, Commerce has assigned both mandatory respondents a rate of 95.40 percent as part of the China-wide entity for the final determination. Four companies qualified for a separate rate dumping margin of 69.58 percent. All other exporters will receive a China-wide rate of 95.40 percent.
- In the CVD case Commerce determined Chinese producers/exporters of certain potassium phosphate salts have received net countervailable subsidies of 109.11 percent ad valorem.
- The subsidy rates for mandatory company respondents, Lianyungang Mupro Import Export Co, Ltd. (Mupro), Mianyang Aostar Phosphate Chemicals Industry Co., Ltd. (Aostar), and Shifang Anda Chemicals Co., Ltd. (Anda) are based on adverse facts available because both the government of China and these respondents did not cooperate in the investigation.
- As a result of the final AD and CVD determinations, Commerce will instruct U.S. Customs and Border Protection to continue to collect cash deposits or bonds on imports of certain potassium phosphate salts from China based on the final AD and CVD rates.
- The petitioners for these investigations are ICL Performance Products LP (MO) and Prayon, Inc. (GA).
- The products covered by these investigations are used in industrial and institutional cleaning products, fertilizers, and food additives, among other uses.
- The products covered by these investigations are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under, but not limited to, the following categories: 2835.24.0000 and 2835.39.1000. While the HTSUS subheadings are provided for convenience and customs purposes, Commerce's written description of the subject merchandise governs the scope of these investigations.

- From 2007 to 2009, imports of certain potassium phosphate salts from China increased 100 percent by volume and were valued at an estimated \$11.6 million in 2009.

NEXT STEPS

- The U.S. International Trade Commission (ITC) is currently scheduled to issue its final injury determinations on or before July 8, 2010.
- If the ITC makes affirmative final determinations that imports of certain potassium phosphate salts from China materially injure, or threaten material injury to, the domestic industry, Commerce will issue AD and CVD orders.

FINAL DUMPING MARGINS:

PRODUCER/EXPORTER	DUMPING RATE
SD BNI	95.40 %
SiChuan Blue Sword	95.40 %
SEPARATE RATE COMPANIES	
Snow-Apple Group Limited	69.58%
Wenda Co., Ltd.	69.58%
Yunnan Newswift Company Ltd.	69.58%
Tianjin Chengyi International Trading (Tianjin) Co., Limited	69.58%
China-Wide	95.40%

FINAL SUBSIDY RATES:

PRODUCER/EXPORTER	SUBSIDY RATE
Lianyungang Mupro Import Export Co, Ltd	109.11%
Mianyang Aostar Phosphate Chemicals Industry Co., Ltd	109.11%
Shifang Anda Chemicals Co., Ltd.	109.11%
All Others	109.11%

CASE CALENDAR:

EVENT	CVD INVESTIGATION	AD INVESTIGATION
Petition Filed	September 24, 2009	September 24, 2009
DOC Initiation Date	October 14, 2009	October 14, 2009
ITC Preliminary Determination	November 9, 2009	November 9, 2009
DOC Preliminary Determination	March 1, 2010	March 10, 2010
DOC Final Determination	May 24, 2010	May 24, 2010
ITC Final Determination	July 8, 2010	July 8, 2010
Issuance of Order*	July 15, 2010	July 15, 2010

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

IMPORT STATISTICS:

CHINA	2007	2008	2009
Quantity (Metric Tons)	4,000	9,000	8,000
Value (USD)	3,095,000	16,365,000	11,569,000

Source: US Bureau of Census, accessed through Global Trade Atlas. (HTSUS 2835.24.0000 and 2835.39.1000).