



# NEWS

United States International Trade Commission • Office of External Relations • Washington, DC 20436

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CONTACT: Peg O’Laughlin  
John Greer  
202-205-1819

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Inv. No. 731-TA-472 (Third Review)

## USITC MAKES DETERMINATION IN FIVE-YEAR (SUNSET) REVIEW CONCERNING SILICON METAL FROM CHINA

The U.S. International Trade Commission (USITC) today determined that revoking the existing antidumping duty order on silicon metal from China would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.

As a result of the Commission’s affirmative determination, the existing order on imports of this product from China will remain in place.

Vice Chairman Irving A. Williamson and Commissioners Daniel R. Pearson, Shara L. Aranoff, Dean A. Pinkert, and David S. Johanson voted in the affirmative. Chairman Deanna Tanner Okun did not participate in this review.

Today’s action comes under the five-year (sunset) review process required by the Uruguay Round Agreements Act. See the attached page for background on this five-year (sunset) review.

The Commission’s public report *Silicon Metal from China* (Inv. No. 731-TA-472 (Third Review), USITC Publication 4312, March 2012) will contain the views of the Commission and information developed during the review.

Copies may be requested after April 20, 2012, by emailing [pubrequest@usitc.gov](mailto:pubrequest@usitc.gov), calling 202-205-2000, or writing to the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Requests may be made by fax at 202-205-2104.

## **BACKGROUND**

The Uruguay Round Agreements Act requires the Department of Commerce to revoke an antidumping or countervailing duty order, or terminate a suspension agreement, after five years unless the Department of Commerce and the USITC determine that revoking the order or terminating the suspension agreement would be likely to lead to continuation or recurrence of dumping or subsidies (Commerce) and of material injury (USITC) within a reasonably foreseeable time.

The Commission's institution notice in five-year reviews requests that interested parties file responses with the Commission concerning the likely effects of revoking the order under review as well as other information. Generally within 95 days from institution, the Commission will determine whether the responses it has received reflect an adequate or inadequate level of interest in a full review. If responses to the USITC's notice of institution are adequate, or if other circumstances warrant a full review, the Commission conducts a full review, which includes a public hearing and issuance of questionnaires.

The Commission generally does not hold a hearing or conduct further investigative activities in expedited reviews. Commissioners base their injury determination in expedited reviews on the facts available, including the Commission's prior injury and review determinations, responses received to its notice of institution, data collected by staff in connection with the review, and information provided by the Department of Commerce.

The five-year (sunset) review concerning *Silicon Metal from China* was instituted on November 1, 2011.

On February 6, 2012, the Commission voted to conduct an expedited review. Vice Chairman Irving A. Williamson and Commissioners Daniel R. Pearson, Shara L. Aranoff, Dean A. Pinkert, and David S. Johanson concluded that the domestic group response for this review was adequate and the respondent group response was inadequate and voted for an expedited review. Chairman Deanna Tanner Okun did not participate in this review.

A record of the Commission's vote to conduct an expedited review is available from the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Requests may be made by telephone by calling 202-205-1802.

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