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駐美國代表處經濟組 函

受文者：經濟部國際貿易局

發文日期：中華民國109年12月22日
發文字號：經美字第1090001092號
速別：普通件
密等及解密條件或保密期限：
附件：如文 (經美1090001092_Attach1.pdf)

主旨：陳報美商務部公告對含我國等6國「非方向性電磁鋼片」
將延續反傾銷稅及平衡稅課徵命令事，敬請查照。

說明：

- 一、相關文號：本組本(109)年11月18日經美字第1090000992號函。
- 二、美商務部於本年12月22日公告，商務部及國際貿易委員會(ITC)對旨揭產品進行落日複查後認定，倘去除現有針對含我國等6國之反傾銷稅，以及對我國及中國之平衡稅，可能導致傾銷及補貼繼續或再發生，且將導致美國國內產業在可預見之未來受到實質損害，爰本案反傾銷稅及平衡稅課徵命令將予延續。
- 三、檢附本案公告，併請卓參。

正本：經濟部國際貿易局

副本：電子公文交換
2020/12/23 10:08:27

國際貿易局 109/12/23



1097040720



This document is scheduled to be published in the Federal Register on 12/23/2020 and available online at [federalregister.gov/d/2020-28403](https://www.federalregister.gov/d/2020-28403), and on [govinfo.gov](https://www.govinfo.gov)

: 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-996, A-428-843, A-588-872, A-580-872, A-401-809, A-583-851, C-570-997, C-583-852]

Non-Oriented Electrical Steel from People's Republic of China, Germany, Japan, Republic of Korea, Sweden, and Taiwan: Continuation of Antidumping Duty and Countervailing Duty Orders

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: As a result of the determinations by the Department of Commerce (Commerce) and the International Trade Commission (ITC) that revocation of the antidumping duty (AD) orders on non-oriented electrical steel (NOES) from People's Republic of China (China), Germany, Japan, Republic of Korea (Korea), Sweden, and Taiwan and revocation of the countervailing duty (CVD) orders on NOES from China and Taiwan would likely lead to a continuation or recurrence of dumping, countervailable subsidies, and material injury to an industry in the United States, Commerce is publishing a notice of continuation of these AD and CVD orders.

DATES: Applicable [Insert date of publication in the *Federal Register*].

FOR FURTHER INFORMATION CONTACT: Abdul Alnoor, Eva Kim, or Paola Aleman Ordaz, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-4554, (202) 482-8283, or (202) 482-4031, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 3, 2014, Commerce published in the *Federal Register* the notice of the AD orders on NOES from China, Germany, Japan, Korea, Sweden, and Taiwan¹ and the notice of the CVD orders on NOES from China and Taiwan.² On November 1, 2019, Commerce published the initiation of the first sunset reviews of the *Orders*, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).³ Commerce conducted these sunset reviews on an expedited basis, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), because we received a complete, timely, and adequate response from a domestic interested party but no substantive responses from respondent interested parties.⁴ As a result of Commerce's review, Commerce determined pursuant to sections 751(c)(1) and 752(c) of the Act, that revocation of the *AD Orders* would likely lead to a continuation or recurrence of dumping. Commerce also notified the ITC of the magnitude of the dumping margins likely to prevail should the *AD Orders* be revoked.⁵ Commerce also determined, pursuant to sections 751(c)(1) and 752(b) of the Act, that revocation of the *CVD Orders* on NOES from China and Taiwan would be likely to lead to the continuation or recurrence of countervailable subsidies and notified the ITC of the magnitude of the subsidy rates likely to prevail should the *CVD Orders* be revoked.⁶ On December 16,

¹ See *Non-Oriented Electrical Steel From the People's Republic of China, Germany, Japan, the Republic of Korea, Sweden, and Taiwan: Antidumping Duty Orders*, 79 FR 71741 (December 3, 2014) (*AD Orders*).

² See *Non-Oriented Electrical Steel From the People's Republic of China and Taiwan: Countervailing Duty Orders*, 79 FR 71749 (December 3, 2014) (*CVD Orders*) (collectively, *Orders*).

³ See *Initiation of Five-Year (Sunset) Reviews*, 84 FR 58687 (November 1, 2019).

⁴ See Domestic Interested Party's Substantive Responses, "Five Year ('Sunset') Review of Antidumping Duty Order on Non-Oriented Electrical Steel From the People's Republic of China: Domestic Interested Party Substantive Response," dated November 27, 2019; "Five Year ('Sunset') Review Of Antidumping Duty Order On Non-Oriented Electrical Steel From Germany: Domestic Interested Party Substantive Response," dated November 27, 2019; "Five-Year ('Sunset') Review Of Antidumping Duty Order On Non-Oriented Electrical Steel From The Republic of Korea: Domestic Interested Party Substantive Response," dated November 27, 2019; "Five-Year ('Sunset') Review Of Antidumping Duty Order On Non-Oriented Electrical Steel From Japan: Domestic Interested Party Substantive Response," dated November 27, 2019; "Five Year ('Sunset') Review Of Antidumping Duty Order On Non-Oriented Electrical Steel From Sweden: Domestic Interested Party Substantive Response," dated November 27, 2019; "Five Year ('Sunset') Review of Antidumping Duty Order on Non-Oriented Electrical Steel From Taiwan: Domestic Interested Party Substantive Response," dated November 27, 2019.

⁵ See *Non-Oriented Electrical Steel From People's Republic of China, Germany, Japan, Republic of Korea, Sweden, and Taiwan: Final Results of Expedited First Sunset Reviews of Antidumping Duty Orders*, 85 FR 11337 (February 27, 2020) (Final Results).

⁶ See *Non-Oriented Electrical Steel From the People's Republic of China: Final Results of the Expedited First Sunset Review of the Countervailing Duty Order*, 85 FR 11339 (February 27, 2020); *Non-Oriented Electrical Steel From Taiwan: Final Results of the Expedited Five-Year Sunset Review of the Countervailing Duty Order*, 85 FR 13135 (March 6, 2020).

2020, the ITC published notice of its determination, pursuant to section 751(c) of the Act, that revocation of the *Orders* would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.⁷

Scope of the *Orders*

The merchandise subject to the *Orders* consists of non-oriented electrical steel (NOES), which includes cold-rolled, flat-rolled, alloy steel products, whether or not in coils, regardless of width, having an actual thickness of 0.20 mm or more, in which the core loss is substantially equal in any direction of magnetization in the plane of the material. The term “substantially equal” means that the cross-grain direction of core loss is no more than 1.5 times the straight grain direction (*i.e.*, the rolling direction) of core loss. NOES has a magnetic permeability that does not exceed 1.65 Tesla when tested at a field of 800 A/m (equivalent to 10 Oersteds) along (*i.e.*, parallel to) the rolling direction of the sheet (*i.e.*, B800 value). NOES contains by weight more than 1.00 percent of silicon but less than 3.5 percent of silicon, not more than 0.08 percent of carbon, and not more than 1.5 percent of aluminum. NOES has a surface oxide coating, to which an insulation coating may be applied.

NOES is subject to the *Orders* whether it is fully processed (*i.e.*, fully annealed to develop final magnetic properties) or semi-processed (*i.e.*, finished to final thickness and physical form but not fully annealed to develop final magnetic properties). Fully processed NOES is typically made to the requirements of ASTM specification A 677, Japanese Industrial Standards (JIS) specification C 2552, and/or International Electrotechnical Commission (IEC) specification 60404-8-4. Semi-processed NOES is typically made to the requirements of ASTM specification A 683. However, the scope of the *Orders* is not limited to merchandise meeting the ASTM, JIS, and IEC specifications noted immediately above.

⁷ See *Non-Oriented Electrical Steel from China, Germany, Japan, Korea, Sweden, and Taiwan*, (Investigation Nos. 701-TA-506 and 508 and 731-TA-1238-1243), 85 FR 81486, (December 16, 2020).

NOES is sometimes referred to as cold-rolled non-oriented (CRNO), non-grain oriented (NGO), non-oriented (NO), or cold-rolled non-grain oriented (CRNGO) electrical steel. These terms are interchangeable.

Excluded from the scope of the *Orders* are flat-rolled products not in coils that, prior to importation into the United States, have been cut to a shape and undergone all punching, coating, or other operations necessary for classification in Chapter 85 of the Harmonized Tariff Schedule of the United States (HTSUS) as a part (*i.e.*, lamination) for use in a device such as a motor, generator, or transformer.

The subject merchandise is provided for in subheadings 7225.19.0000, 7226.19.1000, and 7226.19.9000 of the HTSUS. Subject merchandise may also be entered under subheadings 7225.50.8085, 7225.99.0090, 7226.92.5000, 7226.92.7050, 7226.92.8050, 7226.99.0180 of the HTSUS. Although HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope is dispositive.

Continuation of the *Orders*

As a result of the determinations by Commerce and the ITC that revocation of the *Orders* would likely lead to a continuation or recurrence of dumping, countervailable subsidies, and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act and 19 CFR 351.218(a), Commerce hereby orders the continuation of the *Orders*. U.S. Customs and Border Protection will continue to collect AD and CVD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of the continuation of the *Orders* will be the date of publication in the *Federal Register* of this notice of continuation. Pursuant to section 751(c)(2) of the Act and 19 CFR 351.218(c)(2), Commerce intends to initiate the next sunset review of the *Orders* not later than 30 days prior to the fifth anniversary of the effective date of continuation.

Notification to Interested Parties

These five-year sunset reviews and this notice are in accordance with section 751(c) and of the Act and published pursuant to section 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: December 17, 2020.

Jeffrey I. Kessler,
Assistant Secretary
for Enforcement and Compliance.

[FR Doc. 2020-28403 Filed: 12/22/2020 8:45 am; Publication Date: 12/23/2020]