

Wiley Secures Win for Domestic Flange Producers as Commerce Significantly Increases Antidumping and Countervailing Duties on Stainless Steel Flanges from India

August 24, 2021

Washington, DC – Wiley, a preeminent Washington, DC law firm, secured a key victory for domestic flange producers in their efforts to combat dumped and subsidized imports of stainless steel flanges from India. The U.S. Department of Commerce released final results in its first administrative review of the antidumping and countervailing duty orders on stainless steel flanges from India on Monday, assigning combined antidumping and countervailing duties of over 140% on more than 40 Indian producers and exporters of flanges. This represents a significant increase in the duty rates applicable to stainless steel flanges from India.

For the more than 40 Indian firms that these new rates apply to, the duties will go into effect on the date that the final results notice is published in the Federal Register. These duties will be retroactively assessed on stainless steel flanges that entered the United States between 2018 and 2019 and will serve as the cash deposit rate moving forward. Indian stainless steel flanges that entered the United States in 2019 and 2020 are subject to another ongoing review by the Department of Commerce.

Daniel B. Pickard, counsel to the Coalition of American Flange Producers and partner in Wiley’s International Trade Practice, stated that “the U.S. industry is extremely pleased with Commerce’s final results, which underscore the extreme, unfair pricing of Indian flanges. We will continue to monitor these imports to ensure that future duties are assessed at rates to address the full extent of dumping by Indian

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stainless steel producers. This decision is a major victory for the domestic industry and for its American workers.”

The antidumping and countervailing orders have been in place since October 2018, and were secured by the Coalition of American Flange Producers, an ad hoc association of U.S. producers of stainless steel flanges that filed petitions with Commerce and the U.S. International Trade Commission in 2017, alleging that the U.S. stainless steel flange industry had been materially injured by unfairly traded imports from China and India.

These final results evidence the extent to which Indian flange producers have engaged in unfair pricing practices in the United States and also continue to benefit from a range of countervailable subsidy programs provided by the Indian government.

The Coalition is represented by Mr. Pickard and International Trade partner Stephanie M. Bell.

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