

April 11, 2019

## New Antidumping and Countervailing Duty Petitions on Ceramic Tile Products from China

By Douglas J. Heffner, Richard P. Ferrin and Jared A. Angle

The Coalition for Fair Trade in Ceramic Tile (“petitioner”), on April 10, 2019, filed antidumping (AD) and countervailing duty (CVD) petitions on imports of ceramic tile products from China.

The U.S. AD law imposes special tariffs to counteract imports that are sold in the United States at less than “normal value.” The U.S. CVD law imposes special tariffs to counteract imports that are sold in the United States with the benefit of foreign government subsidies. For AD/CVD duties to be imposed, the U.S. government must determine not only that dumping and/or subsidies are occurring, but also that there is “material injury” (or threat thereof) by reason of the dumped and/or subsidized imports. Importers are liable for any potential AD/CVD duties imposed. In addition, these investigations could impact purchasers by increasing prices and/or decreasing supply of ceramic tile products.

### Scope

The merchandise covered by these investigations is ceramic tile. Ceramic tiles are articles containing a mixture of minerals including clay (generally hydrous silicates of alumina or magnesium) that are treated to develop a fired bond. The subject merchandise includes ceramic flooring tile, wall tile, paving tile, hearth tile, porcelain tile, mosaic tile, finishing tile, and the like (hereinafter “ceramic tile”). All ceramic tile is subject to the scope regardless of whether the tile is glazed or unglazed, regardless of size, regardless of the water absorption coefficient by weight, regardless of the extent of vitrification, and regardless of whether or not the tile is on a backing. Ceramic tile is covered by the scope regardless of end use, size, thickness, and weight. For the avoidance of doubt, subject merchandise includes tiles pressed as very large single pieces, up to and exceeding 5’ x 15’.

Subject merchandise includes ceramic tile produces in the People’s Republic of China (PRC) that undergoes minor processing in a third country prior to importation into the United States. Similarly, subject merchandise includes ceramic tile produces in the PRC that undergoes minor processing after importation into the United States. Such minor processing includes, but is not limited to, one or more of the following: beveling, cutting, trimming, staining, painting, polishing, finishing, or any other processing that would otherwise not remove the merchandise from the scope of the investigation if performed in the country of manufacture of the in-scope product.

The scope excludes ceramic bricks properly classified

under HTSUS 6904.10.0010 through 6904.90.0000.

Subject merchandise is currently classified in the Harmonized Tariff Schedule of the United States (“HTSUS”) under the following subheadings of heading 6907: 6907.21.1005, 6907.21.1011, 6907.21.1051, 6907.21.2000, 6907.21.3000, 6907.21.4000, 6907.21.9011, 6907.21.9051, 6907.22.1005, 6907.22.1011, 6907.22.1051, 6907.22.2000, 6907.22.3000, 6907.22.4000, 6907.22.9011, 6907.22.9051, 6907.23.1005, 6907.23.1011, 6907.23.1051, 6907.23.2000, 6907.23.3000, 6907.23.4000, 6907.23.9011, 6907.23.9051, 6907.30.1005, 6907.30.1011, 6907.30.1051, 6907.30.2000, 6907.30.3000, 6907.30.4000, 6907.30.9011, 6907.30.9051, 6907.40.1005, 6907.40.1011, 6907.40.1051, 6907.40.2000, 6907.40.3000, 6907.40.4000, 6907.40.9011, and 6907.40.9051. Subject merchandise may also enter under subheadings of headings 6914 and 6905: 6914.10.8000, 6914.90.8000, 6905.10.0000, and 6905.90.0050. The HTSUS subheadings are provided for convenience and customs purposes only. The written description of the scope of these investigations is dispositive.

### Alleged Dumping Margins

The petitioners allege dumping margins of 178.22 percent to 428.58 percent.

### Estimated Schedule of Investigations

- April 10, 2019 – Petition is filed
- April 30, 2019 – DOC initiates investigation
- May 1, 2019 – ITC staff conference
- May 27, 2019 – Deadline for ITC preliminary injury determinations
- July 5, 2019 – Deadline for DOC preliminary CVD determination, if not postponed
- September 9, 2019 – Deadline for DOC preliminary CVD determination, if fully postponed
- September 17, 2019 – Deadline for DOC preliminary AD determination, if not postponed
- November 6, 2019 – Deadline for DOC preliminary AD determination, if fully postponed

- March 23, 2020 – Deadline for DOC final AD determinations, if both preliminary and final determinations are fully postponed
- May 5, 2020 – Deadline for ITC final injury determinations, assuming fully postponed DOC deadlines

For further information, contact Douglas J. Heffner, Richard P. Ferrin, or any other member of the Customs and International Trade Team.

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