

THOUGHT LEADERSHIP

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Husch Blackwell Files Antidumping and Countervailing Duty Petition for Relief on behalf of American Chrome & Chemicals to Combat Unfairly Traded Imports of Chromic Acid from India and Turkey

National law firm Husch Blackwell, on behalf of American Chrome & Chemicals, Inc., filed today antidumping and countervailing duty petitions with the U.S. International Trade Commission (USITC) and the U.S. Department of Commerce to investigate the potentially unfair trade practices by India and Turkey, which are injuring the sole U.S. domestic producer of chromic acid (also known as chromium trioxide), which are used in coatings and wood preservatives.

“We filed this petition to help the last U.S. producer of chromic acid, which is a critical chemical for wood preservation, metal finishing, catalysts, ceramics, plastics, pigments, and certain defense sectors,” said Nithya Nagarajan, Husch Blackwell partner and lead counsel to American Chrome & Chemicals.

These petitions are filed pursuant to sections 701 and 731 of the Tariff Act of 1930, as amended (“the Act”), 19 USC §§ 1671 and 1673. The petition provides information showing that imports of chromium trioxide from India and Turkey are being, or are likely to be, sold at less than fair value within the meaning of 19 U.S.C. §1673 and that imports from India benefit from countervailable subsidies. This marks the first time that chromic acid from India and Turkey would be investigated if initiated by USITC.

American Chrome & Chemicals is the sole producer of chromic acid in the United States, operating a manufacturing facility in Castle Hayne, North

Carolina, along with four additional facilities in Corpus Christi, Texas; Amarillo, Texas; Dakota, Nebraska; and Milwaukee, Wisconsin.

Husch Blackwell's team representing American Chrome & Chemicals also includes Stephen Brophy, Moushami Joshi, and Dimitri Zografi.

FACT SHEET

Antidumping and Countervailing Duties: Antidumping duties are additional duties imposed on imports that are determined to be sold in the United States at prices lower than their normal value, typically defined as the price of the product in the exporter's domestic market or the cost of production. Countervailing duties are duties levied on imported goods that have benefited from specific subsidies provided by the government of the exporting country. The first step in the analysis is for the Department of Commerce to initiate the investigation. Concurrently the ITC investigates whether or not there is sufficient evidence in the petition to demonstrate that the U.S. domestic industry has been materially injured by reason of imports. The USITC, an independent federal agency, will determine whether the domestic industry has suffered material injury, or is threatened with material injury, as a result of unfairly traded imports. Once the ITC issues its affirmative preliminary determination, the Department of Commerce calculates preliminary dumping margins or subsidy rates, instructing CBP to suspend liquidation, and requiring importers to post cash deposits equal to those estimated rates until a final determination is made. The estimated margins alleged in the petition are 14.7 to 40.9 percent.

Next Steps: The Commerce Department will normally initiate the investigation within 20 days of today's filing, and the USITC will hold a hearing on day 21 and then issue its preliminary determination of material injury or threat of material injury within 45 days. The entire investigative process will then shift to Commerce and take approximately one year. The collection of preliminary countervailing and antidumping duties will begin approximately four months and six months, respectively, after initiation. Final determinations of dumping, subsidization, and injury will likely occur in Fall 2026.

Product Description: The merchandise subject to these investigations is chromium trioxide (Chemical Abstracts Services ("CAS") registry number 1333-82-0), regardless of form (dry or solution). Chromium trioxide is an inorganic compound with the molecular formula CrO₃ and covers chromic acid that is manufactured and exported from India or Turkey.

Petitioner: The petitioner in the case is American Chrome & Chemicals, Inc. The petitioner is represented by Husch Blackwell.