

News Release

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U.S. Fasteners Industry Appeals Negative ITC Decision on Imports from China and Taiwan

December 16, 2009

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Washington, DC – Today, U.S. fastener producer Nucor Fastener Division filed an appeal with the U.S. Court of International Trade, asking the court to overturn a determination by the U.S. International Trade Commission (ITC) that the domestic fasteners industry is not injured or threatened by dumped and subsidized imports from China and Taiwan.

“This decision was clearly erroneous,” said Alan Price, partner in the International Trade Practice of Wiley Rein LLP in Washington and counsel to Nucor Fastener Division. “The ITC’s determination that the U.S. fasteners industry is uninjured is arbitrary, capricious, an abuse of discretion, and otherwise not in accordance with law. The evidence clearly showed that the industry’s operating margins dropped by more than 50 percent and that Chinese and Taiwanese fasteners dramatically undersold U.S.-produced fasteners. We intend to vigorously prosecute this appeal and to pursue all of our other options.”

Nucor Fastener Division filed petitions with the ITC and the U.S. Department of Commerce in September, requesting antidumping investigations into imports of standard steel fasteners from China and Taiwan and a countervailing duty (subsidy) investigation of China. The investigations were terminated after the ITC found no reasonable indication of injury or threat to the U.S. industry. However, the ITC may not legally terminate an investigation if there is a reasonable indication of injury or threat, or if further investigation would support such a finding.

Nucor Fastener Division provided the ITC with detailed evidence of injury due to dumped and subsidized imports, including the following:

- U.S. production and capacity utilization decreased by 50 percent

- Chinese and Taiwanese imports grew to account for 56.8 percent of the market, while pervasively underselling U.S. fasteners by significant margins
- The U.S. industry lost production jobs, along with widespread declines in shipments, capacity, investment, R&D, and operating profit
- Chinese and Taiwanese producers substantially increased capacity and inventories, indicating threat of future import surges at dumped and subsidized prices

“The factual evidence is compelling, and the U.S. fastener industry and its workers deserve a fair opportunity to present their case,” Price said. “We are asking the court to give us that opportunity.”

Nucor Fastener is located in St. Joe, Indiana.

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