

## EXPLANATION OF COMMISSION DETERMINATIONS ON ADEQUACY

in

### *Electrolytic Manganese Dioxide from Australia and China*

Inv. Nos. 731-TA 1124 and 1125 (Review)

On December 20, 2013, the Commission determined to conduct full reviews in the subject five-year reviews pursuant to section 751(c)(5) of the Tariff Act of 1930, as amended, 19 U.S.C. § 1675(c)(5).<sup>1</sup>

The Commission received two responses to the notice of institution from Tronox LLC and Erachem Comilog, Inc., U.S. producers of electrolytic manganese dioxide (“EMD”). The Commission found the response of each producer to be individually adequate. Because the Commission received adequate responses from interested parties accounting for a substantial share of U.S. production of EMD in 2012, the Commission determined that the domestic interested party group response was adequate.

The Commission did not receive a response to the notice of institution from any respondent interested party, and therefore determined that the respondent interested party group response was inadequate with respect to both orders under review.

The Commission found that circumstances warranted conducting full reviews notwithstanding the inadequate respondent interested party group response. In particular, the Commission finds it necessary to further examine current and likely conditions of competition in the U.S. market for EMD, and pertaining to the subject countries, especially as there are apparently no operational EMD facilities producing commercial quantities of EMD in Australia.

A record of the Commissioners’ votes is available from the Office of the Secretary and at the Commission’s website ([www.usitc.gov](http://www.usitc.gov)).

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<sup>1</sup> Chairman Williamson, Commissioner Aranoff, and Commissioner Pinkert did not find any circumstances that would warrant conducting full reviews of the above-referenced orders and therefore voted to expedite the reviews. As the Commission stated in its Notice of Final Rulemaking, 63 Fed. Reg. 30599, 30604 (June 5, 1998), the tie vote provision in section 771(11) of the Act is not applicable to a Commission decision on whether to expedite a review.