

MESSAGE NO: 2249208 MESSAGE DATE: 09/06/2002
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: FIN-Final Determination PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-201-830

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/30/2002 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTICE OF FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF CARBON AND CERTAIN ALLOY STEEL WIRE ROD FROM MEXICO (A-201-830)

MESSAGE NO: 2249208 DATE: 09 06 2002

CATEGORY: ADA TYPE: FIN

REFERENCE: REFERENCE DATE:

CASES: A - 201 - 830 - -

- - - -

- - - -

PERIOD COVERED: 08 30 2002 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NOTICE OF FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF CARBON AND CERTAIN ALLOY STEEL WIRE ROD FROM MEXICO (A-201-830)

1. ON AUGUST 30, 2002, THE DEPARTMENT OF COMMERCE WILL PUBLISH IN THE FEDERAL REGISTER ITS FINAL DETERMINATION OF SALES AT LESS THAN FAIR VALUE IN THE ANTIDUMPING DUTY INVESTIGATION OF CARBON AND CERTAIN ALLOY STEEL WIRE ROD FROM MEXICO.

2. THE MERCHANDISE COVERED BY THIS INVESTIGATION IS CERTAIN HOT-ROLLED PRODUCTS OF CARBON STEEL AND ALLOY STEEL, IN COILS, OF APPROXIMATELY ROUND CROSS SECTION, 5.00 MM OR MORE, BUT LESS THAN 19.00 MM, IN SOLID CROSS-SECTIONAL DIAMETER.

SPECIFICALLY EXCLUDED ARE STEEL PRODUCTS POSSESSING THE ABOVE-NOTED PHYSICAL CHARACTERISTICS AND MEETING THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) DEFINITIONS FOR:

- (A) STAINLESS STEEL;
- (B) TOOL STEEL;
- (C) HIGH NICKEL STEEL;
- (D) BALL BEARING STEEL; AND
- (E) CONCRETE REINFORCING BARS AND RODS.

ALSO EXCLUDED ARE

(F) FREE MACHINING STEEL PRODUCTS (I.E., PRODUCTS THAT CONTAIN BY WEIGHT ONE OR MORE OF THE FOLLOWING ELEMENTS:

- 0.03 PERCENT OR MORE OF LEAD,
- 0.05 PERCENT OR MORE OF BISMUTH,
- 0.08 PERCENT OR MORE OF SULFUR,
- MORE THAN 0.04 PERCENT OF PHOSPHORUS,
- MORE THAN 0.05 PERCENT OF SELENIUM, OR
- MORE THAN 0.01 PERCENT OF TELLURIUM).

ALSO EXCLUDED FROM THE SCOPE ARE 1080 GRADE TIRE CORD QUALITY WIRE ROD AND 1080 GRADE TIRE BEAD QUALITY WIRE ROD. THIS GRADE 1080 TIRE CORD QUALITY ROD IS DEFINED AS:

- (I) GRADE 1080 TIRE CORD QUALITY WIRE ROD MEASURING 5.0 MM OR MORE BUT NOT MORE THAN 6.0 MM IN CROSS-SECTIONAL DIAMETER;
- (II) WITH AN AVERAGE PARTIAL DECARBURIZATION OF NO MORE THAN 70 MICRONS IN DEPTH (MAXIMUM INDIVIDUAL 200 MICRONS);
- (III) HAVING NO INCLUSIONS GREATER THAN 20 MICRONS;
- (IV) HAVING A CARBON SEGREGATION PER HEAT AVERAGE OF 3.0 OR BETTER USING EUROPEAN METHOD NFA 04-114;
- (V) HAVING A SURFACE QUALITY WITH NO SURFACE DEFECTS OF A LENGTH GREATER THAN 0.15 MM;
- (VI) CAPABLE OF BEING DRAWN TO A DIAMETER OF 0.30 MM OR LESS WITH 3 OR FEWER BREAKS PER TON, AND
- (VII) CONTAINING BY WEIGHT THE FOLLOWING ELEMENTS IN THE

PROPORTIONS SHOWN:

- (1) 0.78 PERCENT OR MORE OF CARBON,
- (2) LESS THAN 0.01 PERCENT OF ALUMINUM,
- (3) 0.040 PERCENT OR LESS, IN THE
AGGREGATE, OF PHOSPHORUS AND SULFUR,
- (4) 0.006 PERCENT OR LESS OF NITROGEN,
AND
- (5) NOT MORE THAN 0.15 PERCENT, IN THE
AGGREGATE, OF COPPER, NICKEL AND
CHROMIUM.

THIS GRADE 1080 TIRE BEAD QUALITY ROD IS DEFINED AS:

- (I) GRADE 1080 TIRE BEAD QUALITY WIRE ROD MEASURING 5.5 MM OR MORE BUT NOT MORE THAN 7.0 MM IN CROSS-SECTIONAL DIAMETER;
- (II) WITH AN AVERAGE PARTIAL DECARBURIZATION OF NO MORE THAN 70 MICRONS IN DEPTH (MAXIMUM INDIVIDUAL 200 MICRONS);
- (III) HAVING NO INCLUSIONS GREATER THAN 20 MICRONS;
- (IV) HAVING A CARBON SEGREGATION PER HEAT AVERAGE OF 3.0 OR BETTER USING EUROPEAN METHOD NFA 04-114;
- (V) HAVING A SURFACE QUALITY WITH NO SURFACE DEFECTS OF A LENGTH GREATER THAN 0.2 MM; (VI) CAPABLE OF BEING DRAWN TO A DIAMETER OF 0.78 MM OR LARGER WITH 0.5 OR FEWER BREAKS PER TON; AND
- (VII) CONTAINING BY WEIGHT THE FOLLOWING ELEMENTS IN THE PROPORTIONS SHOWN:

- (1) 0.78 PERCENT OR MORE OF CARBON,
- (2) LESS THAN 0.01 PERCENT OF SOLUBLE
ALUMINUM,
- (3) 0.040 PERCENT OR LESS, IN THE
AGGREGATE, OF PHOSPHORUS AND SULFUR,
- (4) 0.008 PERCENT OR LESS OF NITROGEN, AND
- (5) EITHER NOT MORE THAN 0.15 PERCENT, IN
THE AGGREGATE, OF COPPER, NICKEL AND
CHROMIUM (IF CHROMIUM IS NOT
SPECIFIED), OR

NOT MORE THAN 0.10 PERCENT IN THE

AGGREGATE OF COPPER AND NICKEL AND A
CHROMIUM CONTENT OF 0.24 TO 0.30
PERCENT (IF CHROMIUM IS SPECIFIED).

THE DESIGNATION OF THE PRODUCTS AS "TIRE CORD QUALITY" OR "TIRE BEAD QUALITY" INDICATES THE ACCEPTABILITY OF THE PRODUCT FOR USE IN THE PRODUCTION OF TIRE CORD, TIRE BEAD, OR WIRE FOR USE IN OTHER RUBBER REINFORCEMENT APPLICATIONS SUCH AS HOSE WIRE.

THESE QUALITY DESIGNATIONS ARE PRESUMED TO INDICATE THAT THESE PRODUCTS ARE BEING USED IN TIRE CORD, TIRE BEAD, AND OTHER RUBBER REINFORCEMENT APPLICATIONS, AND SUCH MERCHANDISE INTENDED FOR THE

TIRE CORD, TIRE BEAD, OR OTHER RUBBER REINFORCEMENT APPLICATIONS IS NOT INCLUDED IN THE SCOPE.

HOWEVER, SHOULD PETITIONERS OR OTHER INTERESTED PARTIES PROVIDE A REASONABLE BASIS TO BELIEVE OR SUSPECT THAT THERE EXISTS A PATTERN OF IMPORTATION OF SUCH PRODUCTS FOR OTHER THAN THOSE APPLICATIONS, END-USE CERTIFICATION FOR THE IMPORTATION OF SUCH PRODUCTS MAY BE REQUIRED.

UNDER SUCH CIRCUMSTANCES, ONLY THE IMPORTERS OF RECORD WOULD NORMALLY BE REQUIRED TO CERTIFY THE END USE OF THE IMPORTED MERCHANDISE.

ALL PRODUCTS MEETING THE PHYSICAL DESCRIPTION OF SUBJECT MERCHANDISE THAT ARE NOT SPECIFICALLY EXCLUDED ARE INCLUDED IN THIS SCOPE.

THE PRODUCTS UNDER INVESTIGATION ARE CURRENTLY CLASSIFIABLE UNDER SUBHEADINGS 7213.91.3010, 7213.91.3090, 7213.91.4510, 7213.91.4590, 7213.91.6010, 7213.91.6090, 7213.99.0031, 7213.99.0038, 7213.99.0090, 7227.20.0010, 7227.20.0020, 7227.20.0090, 7227.20.0095, 7227.90.6051, 7227.90.6053, 7227.90.6058, AND 7227.90.6059 OF THE HTSUS.

ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND

CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS PROCEEDING IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-201-830.

4. BECAUSE THE DEPARTMENT OF COMMERCE NOW DETERMINES THAT CRITICAL CIRCUMSTANCES DO NOT EXIST, THE RETROACTIVE SUSPENSION OF LIQUIDATION ORDERED AT THE TIME OF THE PRELIMINARY DETERMINATION IS TERMINATED.

ACCORDINGLY, CUSTOMS IS DIRECTED TO TERMINATE THE SUSPENSION OF LIQUIDATION FOR ALL SHIPMENTS OF CARBON AND CERTAIN ALLOY STEEL WIRE ROD FROM MEXICO, ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR

CONSUMPTION PRIOR TO APRIL 10, 2002 AND TO REFUND ANY CASH DEPOSITS AND RELEASE ANY BONDS OR OTHER SECURITY.

INTEREST PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930 DO NOT APPLY.

FOR IMPORTS OF CARBON AND CERTAIN ALLOY STEEL WIRE ROD FROM MEXICO, THE CUSTOMS SERVICE SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION

ON

OR AFTER APRIL 10, 2002.

EFFECTIVE AUGUST 30, 2002, FOR SUCH ENTRIES, CUSTOMS SHALL REQUIRE A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS SHOWN BELOW:

MFR/PRODUCER EXPORTER	CUSTOMS ID NUMBER	MARGIN PERCENTAGE
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SIDERURGICA LAZARO CARDENAS LAS TRUCHAS S.A. DE C.V. (SICARTSA)	A-201-830-001	20.11
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ALL OTHERS

A-201-830-000 20.11

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT MARIN WEAVER, OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202)482-2336.

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party