

MESSAGE NO: 0192203 MESSAGE DATE: 07/10/2000
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-588-853

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/12/2000 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: FINAL DETERMINATION IN THE ADD INVESTIGATION OF CIRCULAR SEAMLESS STAINLESS STEEL HOLLOW PRODUCTS FROM JAPAN (A-588-853)

MESSAGE NO: 0192203 DATE: 07 10 2000

CATEGORY: ADA TYPE: FIN

REFERENCE: REFERENCE DATE:

CASES: A - 588 - 853 - -

- - - -

- - - -

PERIOD COVERED: 07 12 2000 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: FINAL DETERMINATION IN THE ADD INVESTIGATION OF CIRCULAR SEAMLESS STAINLESS STEEL HOLLOW PRODUCTS FROM JAPAN (A-588-853)

1. ON JULY 12, 2000, 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 CIRCULAR SEAMLESS STAINLESS STEEL HOLLOW PRODUCTS FROM JAPAN.

2. THE PRODUCTS COVERED ARE SEAMLESS STAINLESS STEEL HOLLOW PRODUCTS, INCLUDING PIPES, TUBES, REDRAW HOLLOW, AND HOLLOW BARS, OF CIRCULAR CROSS SECTION, CONTAINING 10.5 PERCENT OR MORE BY WEIGHT CHROMIUM, REGARDLESS OF PRODUCTION PROCESS, OUTSIDE

DIAMETER, WALL THICKNESS, LENGTH, INDUSTRY SPECIFICATION (DOMESTIC, FOREIGN OR PROPRIETARY), GRADE OR INTENDED USE. COMMON SPECIFICATIONS FOR THE SUBJECT SEAMLESS STAINLESS STEEL HOLLOW PRODUCTS INCLUDE, BUT ARE NOT LIMITED TO, ASTM-A-213, ASTM-

A-268, ASTM-A-269, ASTM-A-270, ASTM-A-271, ASTM-A-312, ASTM-A-376, ASTM-A-498, ASTM-A-511, ASTM-A-632, ASTM-A-731, ASTM-A-771, ASTM-A-789, ASTM-A-790, ASTM-A-826 AND THEIR PROPRIETARY OR FOREIGN EQUIVALENTS.

THE MERCHANDISE COVERED BY THIS PETITION IS FOUND IN THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) SUBHEADINGS 7304.10.50.20, 7304.10.50.50, 7304.10.50.80, 7304.41.30.05, 7304.41.30.15, 7304.41.30.45, 7304.41.60.05, 7304.41.60.15, 7304.41.60.45, 7304.49.00.05, 7304.49.00.15, 7304.49.00.45, 7304.49.00.60. ALTHOUGH HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE MERCHANDISE IS DISPOSITIVE.

EXCLUDED FROM THE SCOPE OF THE INVESTIGATION ARE FINISHED OIL COUNTRY TUBULAR GOODS (OCTG) CERTIFIED TO A PROPRIETARY (NON-API) SPECIFICATION IF SUCH OCTG PRODUCTS ARE (1) NOT CERTIFIED, MARKED OR OTHERWISE WARRANTED OR QUALIFIED FOR USE AS A NON-OCTG PRODUCT; (2) PRODUCED TO A COMMON OCTG CASING, TUBING OR DRILL PIPE SIZE AS FOUND IN THE STANDARD SIZE TABLES OF API SPECIFICATIONS 5CT AND 5D, OR PRODUCED TO STANDARD VTI SIZES FOR DEEP-WATER TEMPERATURE-CONTROLLED TUBING; (3) RATED FOR A MINIMUM YIELD STRENGTH OF NOT LESS THAN 85,000 PSI AND A MINIMUM TENSILE STRENGTH OF NOT LESS THAN 100,000 PSI, AS NOTED ON THE MILL CERTIFICATE OR OTHER RELEVANT SALES DOCUMENTATION; (4) CONTINUOUSLY STENCILED WITH THE APPROPRIATE PROPRIETARY OCTG SPECIFICATION, SIZE (E.G., OUTSIDE DIAMETER AND WEIGHT), MINIMUM YIELD AND TENSILE STRENGTH, AND THE PHRASE "OCTG," "OIL COUNTRY TUBULAR GOODS" OR A SIMILAR PHRASE, WITH SUCH INFORMATION ALSO WRITTEN ON THE ENTRY DOCUMENTS; (5) NOT MARKED OR OTHERWISE CERTIFIED AS MEETING A SPECIFICATION OTHER THAN AN API OR PROPRIETARY OCTG SPECIFICATION WHETHER OR NOT ALSO MARKED, WARRANTED OR CERTIFIED TO AN OCTG SPECIFICATION; AND (6) NOT USED IN ANY APPLICATION OTHER THAN A DOWN-HOLE, OCTG APPLICATION.

ALSO EXCLUDED FROM THE SCOPE OF THE INVESTIGATION ARE FINISHED OCTG CERTIFIED TO AN AMERICAN PETROLEUM INSTITUTE (API) SPECIFICATION 5D OR 5CT IF SUCH OCTG PRODUCTS ARE (1) NOT CERTIFIED, MARKED OR OTHERWISE WARRANTED OR QUALIFIED FOR USE AS A NON-OCTG PRODUCT; (2) PRODUCED TO A COMMON OCTG CASING, TUBING OR DRILL PIPE SIZE AS FOUND IN THE STANDARD SIZE TABLES OF API SPECIFICATIONS 5CT AND 5D, OR PRODUCED TO STANDARD VTI SIZES FOR DEEP-WATER TEMPERATURE-CONTROLLED TUBING; (3) DESIGNATED WITH THE APPROPRIATE API OCTG SPECIFICATION AND THE PHRASE "OCTG", "OIL COUNTRY TUBULAR GOODS" OR A SIMILAR PHRASE ON THE ENTRY DOCUMENTS; (4) NOT MARKED OR OTHERWISE CERTIFIED AS MEETING A SPECIFICATION OTHER THAN AN API OCTG SPECIFICATION; AND (5) NOT USED IN ANY APPLICATION OTHER THAN A DOWN-HOLE, OCTG APPLICATION.

ANY OCTG PRODUCTS MARKED, CERTIFIED OR OTHERWISE WARRANTED FOR NON-OCTG USE, OR ACTUALLY USED IN A NON-OCTG APPLICATION, ARE WITHIN THE SCOPE OF THIS INVESTIGATION.

ALSO EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION IS OCTG COUPLING STOCK THAT (1) IS ENTERED WITHIN THE SAME ENTRY AS MATCHING (COMPLIMENTARY) SIZES AND MATCHING GRADES OF EXEMPTED OCTG, OR (2) IS ENTERED WITH DOCUMENTATION LINKING THE ENTERED OCTG COUPLING STOCK PRODUCTS TO ANOTHER ENTRY OF MATCHING SIZES AND GRADES OF OCTG, AND (3) IS ACTUALLY USED IN THE PRODUCTION OF OCTG COUPLINGS OR OTHER OCTG ACCESSORIES. ALL COUPLING STOCK THAT DOES NOT HAVE SUCH "MOTHER - CHILD TRACEABILITY" REMAINS WITHIN THE SCOPE OF THE INVESTIGATION, AND COUPLING STOCK THAT IS TRACEABLE REMAINS WITHIN THE SCOPE IF USED IN AN APPLICATION OTHER THAN THE PRODUCTION OF OCTG COUPLINGS OR ACCESSORIES.

LINE PIPE MARKED, PRODUCED, WARRANTED, OR CERTIFIED ONLY TO API OR PROPRIETARY LINE PIPE SPECIFICATIONS AND USED IN A PIPELINE APPLICATION IS EXCLUDED FROM THE SCOPE OF THE INVESTIGATION.

LINE PIPE PRODUCTS ARE INCLUDED IN THE SCOPE IF (1) MARKED, PRODUCED, WARRANTED, OR CERTIFIED TO ONE OF THE COVERED SEAMLESS STAINLESS STEEL HOLLOW PRODUCTS SPECIFICATIONS LISTED ABOVE (OR THEIR PROPRIETARY OR FOREIGN EQUIVALENTS), WHETHER OR NOT ALSO CERTIFIED TO AN API, PROPRIETARY, OR FOREIGN LINE PIPE

SPECIFICATION, OR (2) ARE USED IN AN APPLICATION OTHER THAN IN AN OIL OR GAS PIPELINE.

ALSO EXCLUDED ARE HOLLOW DRILL BARS AND RODS, CLASSIFIABLE UNDER ITEM NUMBER 7228.80 OF THE HTSUS.

WITH REGARD TO THE EXCLUDED OCTG PRODUCTS, OCTG COUPLING STOCK, AND LINE PIPE USED IN OIL OR GAS PIPELINE APPLICATIONS, THE DEPARTMENT WILL NOT INSTRUCT CUSTOMS TO REQUIRE END-USE CERTIFICATION UNTIL SUCH TIME AS PETITIONER OR OTHER INTERESTED PARTIES PROVIDE A REASONABLE BASIS TO BELIEVE OR SUSPECT THAT IMPORTS OF THESE PRODUCTS ARE NOT BEING USED FOR THEIR INTENDED PURPOSE OF OCTG OR OIL OR GAS LINE PIPE. IF SUCH INFORMATION IS PROVIDED, WE WILL REQUIRE END-USE CERTIFICATION ONLY FOR THE PRODUCT(S) (OR SPECIFICATION(S)) FOR WHICH THE EVIDENCE DEMONSTRATES SUCH NEW USE. FOR EXAMPLE, IF, BASED ON EVIDENCE PROVIDED BY PETITIONER, THE DEPARTMENT FINDS A REASONABLE BASIS TO BELIEVE OR SUSPECT THAT SEAMLESS PIPE PRODUCED TO A PROPRIETARY SPECIFICATION IS BEING USED IN A NON-OCTG APPLICATION, WE WILL REQUIRE END-USE CERTIFICATIONS FOR IMPORTS OF THAT SPECIFICATION. NORMALLY WE WILL REQUIRE ONLY THE IMPORTER OF RECORD TO CERTIFY TO THE END USE OF THE IMPORTED MERCHANDISE. IF IT LATER PROVES NECESSARY FOR ADEQUATE IMPLEMENTATION, WE MAY ALSO REQUIRE PRODUCERS WHO EXPORT SUCH PRODUCTS TO THE UNITED STATES TO PROVIDE SUCH CERTIFICATION ON INVOICES ACCOMPANYING SHIPMENTS TO THE UNITED STATES.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-588-853.

4. FOR IMPORTS OF CIRCULAR SEAMLESS STAINLESS STEEL HOLLOW PRODUCTS FROM JAPAN, THE CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATIONS OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM

WAREHOUSE, FOR CONSUMPTION ON OR AFTER MAY 1, 2000. EFFECTIVE JULY 12, 2000, CUSTOMS SHALL REQUIRE FOR ENTRIES A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS SHOWN BELOW:

MFR/PRODUCER	CUSTOMS ID	MARGIN
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EXPORTER	NUMBER	PERCENTAGE
SANYO SPECIAL TUBE	A-588-853-001	156.81
SUMITOMO METAL INDUSTRIES	A-588-853-002	156.81
ALL OTHERS	A-588-853-000	62.14

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 CONSTANCE HANDLEY, OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0631.

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

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

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