

MESSAGE NO: 2042202 MESSAGE DATE: 02/11/2002  
MESSAGE STATUS: Active CATEGORY: Antidumping  
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SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-549-817

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/29/2001 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: ANTIDUMPING ORDER IN THE INVESTIGATION OF HOT-ROLLED CARBON STEEL  
FLAT PRODUCTS FROM THAILAND (A-549-817)

MESSAGE NO: 2042202 DATE: 02 11 2002

CATEGORY: ADA TYPE: ORD

REFERENCE: REFERENCE DATE:

CASES: A - 549 - 817 - -

- - - -

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PERIOD COVERED: 11 29 2001 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: ANTIDUMPING ORDER IN THE INVESTIGATION OF HOT-ROLLED  
CARBON STEEL FLAT PRODUCTS FROM THAILAND (A-549-817)

1. ON NOVEMBER 29, 2001, THE DEPARTMENT OF COMMERCE PUBLISHED  
IN THE FEDERAL REGISTER ITS ANTIDUMPING DUTY ORDER IN THE  
INVESTIGATION OF CERTAIN HOT-ROLLED CARBON STEEL FLAT PRODUCTS  
FROM THAILAND.

2. FOR PURPOSES OF THIS ORDER, THE PRODUCTS COVERED ARE CERTAIN  
HOT-ROLLED CARBON STEEL FLAT PRODUCTS OF A RECTANGULAR SHAPE, OF  
A WIDTH OF 0.5 INCH OR GREATER, NEITHER CLAD, PLATED, NOR COATED

WITH METAL AND WHETHER OR NOT PAINTED, VARNISHED, OR COATED WITH PLASTICS OR OTHER NON-METALLIC SUBSTANCES, IN COILS (WHETHER OR NOT IN SUCCESSIVELY SUPERIMPOSED LAYERS), REGARDLESS OF THICKNESS, AND IN STRAIGHT LENGTHS OF A THICKNESS OF LESS THAN 4.75 MM AND OF A WIDTH MEASURING AT LEAST 10 TIMES THE THICKNESS. UNIVERSAL MILL PLATE (I.E., FLAT-ROLLED PRODUCTS ROLLED ON FOUR FACES OR IN A CLOSED BOX PASS, OF A WIDTH EXCEEDING 150 MM, BUT NOT EXCEEDING 1250 MM, AND OF A THICKNESS OF NOT LESS THAN 4.0 MM, NOT IN COILS AND WITHOUT PATTERNS IN RELIEF) OF A THICKNESS NOT LESS THAN 4.0 MM IS NOT INCLUDED WITHIN THE SCOPE OF THIS ORDER. SPECIFICALLY INCLUDED WITHIN THE SCOPE OF THIS ORDER ARE VACUUM DEGASSED, FULLY STABILIZED (COMMONLY REFERRED TO AS INTERSTITIAL-FREE (IF)) STEELS, HIGH STRENGTH LOW ALLOY (HSLA) STEELS, AND THE SUBSTRATE FOR MOTOR LAMINATION STEELS. IF STEELS ARE RECOGNIZED AS LOW CARBON STEELS WITH MICRO-ALLOYING LEVELS OF ELEMENTS SUCH AS TITANIUM OR NIOBIUM (ALSO COMMONLY REFERRED TO AS COLUMBIUM), OR BOTH, ADDED TO STABILIZE CARBON AND NITROGEN ELEMENTS. HSLA STEELS ARE RECOGNIZED AS STEELS WITH MICRO-ALLOYING LEVELS OF ELEMENTS SUCH AS CHROMIUM, COPPER, NIOBIUM, VANADIUM, AND MOLYBDENUM. THE SUBSTRATE FOR MOTOR LAMINATION STEELS CONTAINS MICRO-ALLOYING LEVELS OF ELEMENTS SUCH AS SILICON AND ALUMINUM.

STEEL PRODUCTS TO BE INCLUDED IN THE SCOPE OF THIS ORDER, REGARDLESS OF DEFINITIONS IN THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTS), ARE PRODUCTS IN WHICH: I) IRON PREDOMINATES, BY WEIGHT, OVER EACH OF THE OTHER CONTAINED ELEMENTS; II) THE CARBON CONTENT IS 2 PERCENT OR LESS, BY WEIGHT; AND III) NONE OF THE ELEMENTS LISTED BELOW EXCEEDS THE QUANTITY, BY WEIGHT, RESPECTIVELY INDICATED:

1.80 PERCENT OF MANGANESE, OR

2.25 PERCENT OF SILICON, OR

1.00 PERCENT OF COPPER, OR

0.50 PERCENT OF ALUMINUM, OR

1.25 PERCENT OF CHROMIUM, OR

0.30 PERCENT OF COBALT, OR

0.40 PERCENT OF LEAD, OR

1.25 PERCENT OF NICKEL, OR  
0.30 PERCENT OF TUNGSTEN, OR  
0.10 PERCENT OF MOLYBDENUM, OR  
0.10 PERCENT OF NIOBIUM, OR  
0.15 PERCENT OF VANADIUM, OR  
0.15 PERCENT OF ZIRCONIUM.

ALL PRODUCTS THAT MEET THE PHYSICAL AND CHEMICAL DESCRIPTION PROVIDED ABOVE ARE WITHIN THE SCOPE OF THIS ORDER UNLESS OTHERWISE EXCLUDED. THE FOLLOWING PRODUCTS, BY WAY OF EXAMPLE, ARE OUTSIDE OR SPECIFICALLY EXCLUDED FROM THE SCOPE OF THIS ORDER:

-ALLOY HOT-ROLLED STEEL PRODUCTS IN WHICH AT LEAST ONE OF THE CHEMICAL ELEMENTS EXCEEDS THOSE LISTED ABOVE (INCLUDING, E.G., ASTM SPECIFICATIONS A543, A387, A514, A517, A506).

-SOCIETY OF AUTOMOTIVE ENGINEERS (SAE)/AMERICAN IRON AND STEEL INSTITUTE (AISI) GRADES OF SERIES 2300 AND HIGHER.

-BALL BEARINGS STEELS, AS DEFINED IN THE HTS. TOOL STEELS, AS DEFINED IN THE HTS.

-SILICO-MANGANESE (AS DEFINED IN THE HTS) OR SILICON ELECTRICAL STEEL WITH A SILICON LEVEL EXCEEDING 2.25 PERCENT.

-ASTM SPECIFICATIONS A710 AND A736.

-USS ABRASION-RESISTANT STEELS (USS AR 400, USS AR 500).

-ALL PRODUCTS (PROPRIETARY OR OTHERWISE) BASED ON AN ALLOY ASTM SPECIFICATION (SAMPLE SPECIFICATIONS: ASTM A506, A507).

-NON-RECTANGULAR SHAPES, NOT IN COILS, WHICH ARE THE RESULT OF HAVING BEEN PROCESSED BY CUTTING OR STAMPING AND WHICH HAVE ASSUMED THE CHARACTER OF ARTICLES OR PRODUCTS CLASSIFIED OUTSIDE CHAPTER 72 OF THE HTS.

THE MERCHANDISE SUBJECT TO THIS ORDER IS CLASSIFIED IN THE HTS AT SUBHEADINGS: 7208.10.15.00, 7208.10.30.00, 7208.10.60.00, 7208.25.30.00, 7208.25.60.00, 7208.26.00.30, 7208.26.00.60, 7208.27.00.30, 7208.27.00.60, 7208.36.00.30, 7208.36.00.60, 7208.37.00.30, 7208.37.00.60, 7208.38.00.15, 7208.38.00.30, 7208.38.00.90, 7208.39.00.15, 7208.39.00.30, 7208.39.00.90, 7208.40.60.30, 7208.40.60.60, 7208.53.00.00, 7208.54.00.00, 7208.90.00.00, 7211.14.00.90, 7211.19.15.00, 7211.19.20.00, 7211.19.30.00, 7211.19.45.00, 7211.19.60.00, 7211.19.75.30, 7211.19.75.60, AND 7211.19.75.90. CERTAIN HOT-ROLLED FLAT-ROLLED CARBON STEEL FLAT PRODUCTS COVERED BY THIS ORDER, INCLUDING: VACUUM DEGASSED FULLY STABILIZED; HIGH STRENGTH LOW ALLOY; AND THE SUBSTRATE FOR MOTOR LAMINATION STEEL MAY ALSO ENTER UNDER THE FOLLOWING TARIFF NUMBERS: 7225.11.00.00, 7225.19.00.00, 7225.30.30.50, 7225.30.70.00, 7225.40.70.00, 7225.99.00.90, 7226.11.10.00, 7226.11.90.30, 7226.11.90.60, 7226.19.10.00, 7226.19.90.00, 7226.91.50.00, 7226.91.70.00, 7226.91.80.00, AND 7226.99.00.00. SUBJECT MERCHANDISE MAY ALSO ENTER UNDER 7210.70.30.00, 7210.90.90.00, 7211.14.00.30, 7212.40.10.00, 7212.40.50.00, AND 7212.50.00.00. ALTHOUGH THE HTS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND U.S. CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE MERCHANDISE UNDER ORDER IS DISPOSITIVE.

3. FOR REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-549-817.

4. FOR IMPORTS OF CERTAIN HOT-ROLLED CARBON STEEL FLAT PRODUCTS FROM THAILAND, THE CUSTOMS SERVICE SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER MAY 3, 2001. EFFECTIVE NOVEMBER 29, 2001 CUSTOMS SHALL REQUIRE A CASH DEPOSIT EQUAL TO THE MARGINS SHOWN BELOW:

MFR/PRODUCER	CUSTOMS ID	MARGIN
EXPORTER	NUMBER	PERCENTAGE

SAHAVIRIYA STEEL INDUSTRIES	A-549-817-001	3.86
SIAM STRIP MILL PUBLIC	A-549-817-002	19.72
ALL OTHERS	A-549-817-000	3.86

5. ARTICLE VI.5 OF THE GENERAL AGREEMENT ON TARIFFS AND TRADE PROVIDES THAT "NO PRODUCT ... SHALL BE SUBJECT TO BOTH ANTIDUMPING AND COUNTERVAILING DUTIES TO COMPENSATE FOR THE SAME SITUATION OF DUMPING OR EXPORT SUBSIDIZATION." THIS PROVISION IS IMPLEMENTED IN SECTION 772(C)(1)(C) OF THE TARIFF ACT. SINCE ANTIDUMPING DUTIES CANNOT BE ASSESSED ON THE PORTION OF THE MARGIN ATTRIBUTED TO EXPORT SUBSIDIES THERE IS NO REASON TO REQUIRE A CASH DEPOSIT OR BOND FOR THAT AMOUNT. THE DEPARTMENT HAS DETERMINED IN ITS FINAL AFFIRMATIVE COUNTERVAILING DUTY DETERMINATION ON CERTAIN HOT-ROLLED CARBON STEEL FLAT PRODUCTS FROM THAILAND (C-549-818) THAT THE PRODUCT UNDER ORDER BENEFITTED FROM EXPORT SUBSIDIES OFFERED BY THE GOVERNMENT OF THAILAND. WHERE THE PRODUCT UNDER ORDER IS ALSO SUBJECT TO A CONCURRENT COUNTERVAILING DUTY DETERMINATION, WE INSTRUCT THE CUSTOMS SERVICE TO REQUIRE A CASH DEPOSIT TO THE WEIGHTED-AVERAGE MARGIN MINUS THE AMOUNT DETERMINED TO CONSTITUTE ANY EXPORT SUBSIDY. ACCORDINGLY, FOR CASH DEPOSIT PURPOSES WE HAVE SUBTRACTED FROM THE EXPORTERS' WEIGHTED-AVERAGE MARGIN THAT PORTION OF THE RATE ATTRIBUTABLE TO THE EXPORT SUBSIDIES FOUND IN THE COUNTERVAILING DUTY ORDER (I.E. 0.58 PERCENT, AS SHOWN IN THE ABOVE PARAGRAPH. WE MADE THE SAME ADJUSTMENT TO THE "ALL OTHERS" CASH DEPOSIT RATE BY SUBTRACTING THE 0.58 PERCENT RATE ATTRIBUTABLE TO EXPORT SUBSIDIES, SEE ABOVE PARAGRAPH. NO FURTHER ADJUSTMENT TO THE CASH DEPOSIT RATE IS NECESSARY TO ACCOUNT FOR THE EXPORT SUBSIDY.

6. 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 ANGELICA MENDOZA, OFFICE 8 AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-3019.

7. 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