

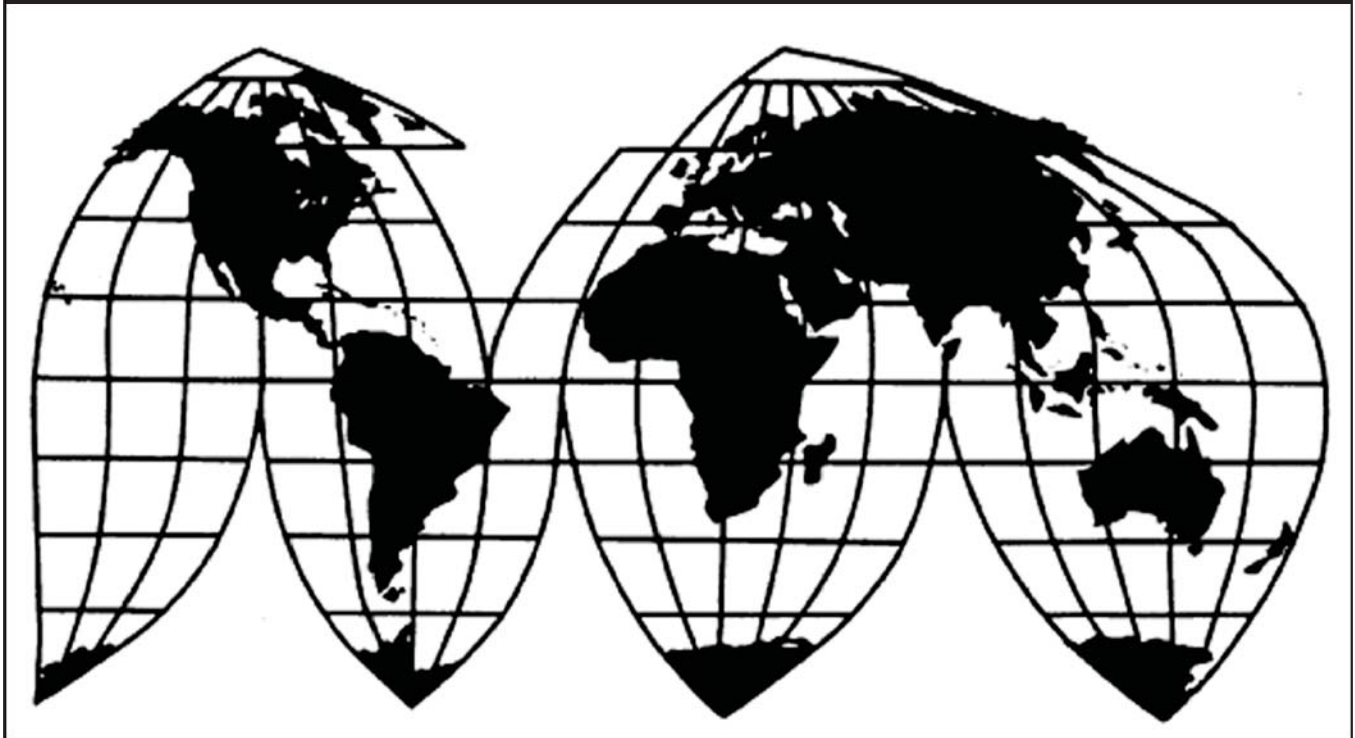
Carbon and Alloy Steel Cut-to-Length Plate from China

Investigation Nos. 701-TA-560 and 731-TA-1320 (Final)

Publication 4675

March 2017

U.S. International Trade Commission



Washington, DC 20436

U.S. International Trade Commission

COMMISSIONERS

Rhonda K. Schmittlein, Chairman

David S. Johanson, Vice Chairman

Irving A. Williamson

Meredith M. Broadbent

F. Scott Kieff

Catherine DeFilippo
Director of Operations

Staff assigned

Carolyn Carlson, Investigator

Karen Taylor, Industry Analyst

Tana von Kessler, Economist

Craig Thomsen, Economist

Jennifer Brinckhaus, Accountant

Russell Duncan, Statistician

Darlene Smith, Statistical Assistant

Heng Loke, Attorney

Peter Sultan, Attorney

Douglas Corkran, Supervisory Investigator

Address all communications to
Secretary to the Commission
United States International Trade Commission
Washington, DC 20436

U.S. International Trade Commission

Washington, DC 20436
www.usitc.gov

Carbon and Alloy Steel Cut-to-Length Plate from China

Investigation Nos. 701-TA-560 and 731-TA-1320 (Final)

Publication 4675



March 2017

CONTENTS

	Page
Determinations	1
Views of the Commission.....	3
Part I: Introduction	I-1
Background.....	I-1
Nature and extent of subsidies and sales at LTFV	I-3
Subsidies	I-3
Sales at LTFV	I-4
 Appendix	
A. <i>Federal Register</i> notices	A-1

Note.--Information that would reveal confidential operations of individual concerns may not be published and therefore has been deleted. Such deletions are indicated by asterisks.

UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation Nos. 701-TA-560 and 731-TA-1320 (Final)
Carbon and Alloy Steel Cut-to-Length Plate from China

DETERMINATION

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that an industry in the United States is materially injured by reason of imports of carbon and alloy steel cut-to-length plate from China, provided for in subheadings 7208.40.30, 7208.51.00, 7208.52.00, 7211.13.00, 7211.14.00, 7225.40.11, 7225.40.30, 7226.20.00, and 7226.91.50 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce (“Commerce”) to be sold in the United States at less than fair value (“LTFV”) and subsidized by the government of China.

BACKGROUND

The Commission, pursuant to section 735(b) of the Act (19 U.S.C. 1673d(b)), instituted these investigations effective April 8, 2016, following receipt of petitions filed with the Commission and Commerce by ArcelorMittal USA LLC (Chicago, Illinois), Nucor Corporation (Charlotte, North Carolina), and SSAB Enterprises, LLC (Lisle, Illinois). The Commission scheduled the final phase of the investigations following notification of a preliminary determination by Commerce that imports of carbon and alloy steel cut-to-length plate from China were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission’s investigation and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the *Federal Register* of October 12, 2016 (81 F.R. 70440). The hearing was held in Washington, DC, on November 30, 2016, and all persons who requested the opportunity were permitted to appear in person or by counsel.

¹ The record is defined in sec. 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR 207.2(f)).

VIEWS OF THE COMMISSION

Based on the record in these investigations, we find that an industry in the United States is materially injured by reason of imports of certain carbon and alloy steel cut-to-length plate (“CTL plate”) from China that are subsidized and sold in the United States at less than fair value.

These investigations and the accompanying investigations of CTL plate from Austria, Belgium, Brazil, France, Germany, Italy, Japan, Korea, South Africa, Taiwan, and Turkey arose out of petitions that ArcelorMittal USA LLC, Nucor Corporation, and SSAB Enterprises, LLC (collectively “Petitioners”) filed on April 8, 2016.

Although the investigations of CTL plate from Austria, Belgium, Brazil, China, France, Germany, Italy, Japan, Korea, South Africa, Taiwan, and Turkey were filed on the same day, the investigation schedules became “staggered” into three stages when the Department of Commerce (“Commerce”): (i) extended the deadline for making preliminary determinations in all investigations, except those concerning CTL plate from Brazil, South Africa, and Turkey, thereby requiring the Commission to make final determinations in those investigations in January 2017; and then (ii) extended the deadline for making final determinations in the remaining investigations, except those concerning CTL plate from China, thereby requiring the Commission to make earlier final determinations in the antidumping and countervailing duty investigations concerning CTL plate from China than in the other remaining investigations. The Commission made affirmative determinations on the basis of cumulated imports from all subject countries in its investigations of CTL plate from Brazil, South Africa, and Turkey.¹

The Commission’s record in all the CTL plate final phase investigations closed on December 22, 2016, except with respect to the final antidumping and countervailing duty determinations by Commerce in the subject investigations other than those involving subject imports from Brazil, South Africa, and Turkey (the “remaining investigations”);² and the final comments of the parties with respect to the remaining investigations.³

Under section 771(7)(G)(iii) of the Tariff Act of 1930, as amended (“the Act”), we are required to make our material injury determinations in the instant investigations on the basis of the same record as that in the investigations regarding imports from Brazil, South Africa, and Turkey, except to the extent discussed above.⁴ Therefore, in these investigations, we adopt the findings and analyses in our determination and views regarding subject imports from Brazil, South Africa, and Turkey with respect to the issues of domestic like product, domestic industry, cumulation, and material injury by reason of cumulated subject imports.

¹ *Carbon and Alloy Steel Cut-to-Length Plate from Brazil, South Africa, and Turkey*, Inv. Nos. 731-TA-1319, 1326, and 1328 (Final), USITC Pub. 4664 (Jan. 2017).

² See 19 U.S.C. § 1677(7)(G)(iii); 82 Fed. Reg. 8507 (Jan. 26, 2017); 82 Fed. Reg. 8510 (Jan. 26, 2017). These materials are summarized in the supplemental Commission report. INV-PP-027 (Feb. 24, 2017).

³ Petitioners filed final comments in the investigations concerning CTL plate from China on February 13, 2017.

⁴ 19 U.S.C. § 1677(7)(G)(iii).

Accordingly, we determine that the domestic industry producing CTL plate is materially injured by reason of subject imports from China that Commerce determined were sold in the U.S. market at less than fair value and subsidized by the government of China.⁵

⁵ Pursuant to Section 771(24) of the Tariff Act, imports from a subject country of merchandise corresponding to a domestic like product that account for less than 3 percent of all such merchandise imported into the United States during the most recent 12 months for which data are available preceding the filing of the petition shall be deemed negligible. 19 U.S.C. §§ 1671b(a), 1673b(a), 1677(24)(A)(i), 1677(24)(B); *see also* 15 C.F.R. § 2013.1 (developing countries for purposes of 19 U.S.C. § 1677(36)). Subject imports from China accounted for 6.9 percent of the quantity of total imports from April 2015 to March 2016, the 12-month period prior to the filing of the petitions, above the 3 percent individual subject country statutory negligibility threshold applicable to the antidumping and countervailing duty investigations concerning China. Memorandum INV-OO-119 at Table IV-4. Accordingly, we find that subject imports are not negligible for purposes of the antidumping and countervailing duty investigations on CTL plate from China.

PART I: INTRODUCTION

BACKGROUND

These investigations result from petitions filed with the U.S. Department of Commerce (“Commerce”) and the U.S. International Trade Commission (“USITC” or “Commission”) by ArcelorMittal USA LLC (Chicago, Illinois), Nucor Corporation (Charlotte, North Carolina), and SSAB Enterprises, LLC (Lisle, Illinois) on April 8, 2016, alleging that an industry in the United States is materially injured and threatened with material injury by reason of less-than-fair-value (“LTFV”) imports of certain carbon and alloy steel cut-to-length plate (“CTL plate”) from Austria, Belgium, Brazil, China, France, Germany, Italy, Japan, Korea, South Africa, Taiwan, and Turkey,¹ and subsidized imports from Brazil,² China, and Korea. The following tabulation provides information relating to the background of these investigations.³

¹ The Commission issued its determination and views with respect to Brazil, South Africa, and Turkey on January 19, 2017.

² In the preliminary phase of these investigations, the Commission determined that allegedly subsidized imports of CTL plate from Brazil are negligible and terminated its countervailing duty investigation on such imports.

³ Pertinent *Federal Register* notices are referenced in appendix A, and may be found at the Commission’s website (www.usitc.gov).

Effective date	Action
April 8, 2016	Petitions filed with Commerce and the Commission; institution of Commission investigation (81 FR 22116, April 14, 2016)
April 28, 2016	Commerce's notices of initiation of its antidumping duty investigations (81 FR 27089, May 5, 2016) and countervailing duty investigations (81 FR 27098, May 5, 2016)
May 23, 2016	Commission's preliminary determinations (81 FR 33705, May 27, 2016)
September 7, 2016	Commerce's preliminary critical circumstances determinations on imports from Austria, Belgium, Brazil, Korea, Taiwan, and Turkey (81 FR 61666)
September 13, 2016	Commerce's preliminary affirmative countervailing duty determination on imports from China and alignment of final determination with final antidumping duty determination (81 FR 62871)
September 14, 2016	Commerce's preliminary negative countervailing duty determination on imports from Korea and alignment of final determination with final antidumping duty determination (81 FR 63168)
September 22, 2016	Commerce's preliminary affirmative antidumping duty determinations on imports from Brazil, South Africa, and Turkey (81 FR 65337)
September 16, 2016	Scheduling of final phase of Commission investigations (81 FR 70440, October 12, 2016)
November 14, 2016	Commerce's preliminary affirmative antidumping duty determinations on imports from Austria (81 FR 79416), Belgium (81 FR 79431), China (81 FR 79450), France (81 FR 79437), Germany (81 FR 79446), Italy (81 FR 79423), Japan (81 FR 79427), Korea (81 FR 79441), and Taiwan (81 FR 79420); Commerce's postponement of final determinations on imports from Austria (81 FR 79416), Belgium (81 FR 79431), France (81 FR 79437), Germany (81 FR 79446), Italy (81 FR 79423), Japan (81 FR 79427), and Korea (81 FR 79441); Commerce's preliminary critical circumstances determination on imports from Italy (81 FR 79423)
November 29, 2016	Commerce's amended preliminary affirmative antidumping duty determination on imports from Germany (81 FR 85930)
November 30, 2016	Commission's hearing
December 2, 2016	Commerce's amended preliminary affirmative antidumping duty determination on imports from France (81 FR 87019)
December 5, 2016	Commerce's final affirmative antidumping duty determinations on imports from Brazil, South Africa, and Turkey, and final affirmative critical circumstances determination on imports from Brazil and Turkey (81 FR 87544)
December 9, 2016	Commerce's corrected amended preliminary affirmative antidumping duty determination on imports from France (81 FR 90780, December 15, 2016)
January 6, 2017	Commission's vote (Brazil, South Africa, Turkey)
January 19, 2017	Commission's determinations and views (Brazil, South Africa, Turkey) (82 FR 8541, January 26, 2017)
January 26, 2017	Commerce's final antidumping and countervailing duty determinations on imports from China (82 FR 8507 and 82 FR 8510)
March 3, 2017	Commission's vote (China)
March 13, 2017	Commission's views (China)

Table continued on next page.

Effective date	Action
March 20, 2017	Scheduled date for Commerce's final antidumping and countervailing duty determinations on imports from Austria, Belgium, France, Germany, Italy, Japan, Korea, and Taiwan
Pending	Scheduled date for Commission's vote (Austria, Belgium, France, Germany, Italy, Japan, Korea, and Taiwan)
Pending	Scheduled date for Commission's views (Austria, Belgium, France, Germany, Italy, Japan, Korea, and Taiwan)

The information contained in this report is intended to be used in conjunction with data presented in the Commission's report on *Carbon and Alloy Steel Cut-to-Length Plate from Brazil, South Africa, and Turkey, Investigation Nos. 731-TA-1319, 1326, and 1328 (Final)*, USITC Publication 4664, January 2017, and its corresponding confidential version contained in memorandum No. INV-OO-119, Investigation No. 701-TA-560-561 and 731-TA-1317-1328 (Final): *Carbon and Alloy Steel Cut-to-Length Plate from Austria, Belgium, Brazil, China, France, Germany, Italy, Japan, Korea, South Africa, Taiwan, and Turkey*. No new information except for Commerce's final determinations concerning CTL plate from China and party comments⁴ thereon is included in the record for this proceeding.

NATURE AND EXTENT OF SUBSIDIES AND SALES AT LTFV

Subsidies

On January 26, 2017, Commerce published a notice in the *Federal Register* of its final determination of countervailable subsidies for producers and exporters of CTL plate from China.⁵ Table I-1 presents Commerce's findings of subsidization of CTL plate in China.

⁴ Party comments were filed on behalf of domestic producers ArcelorMittal USA LLC, Nucor Corporation, and SSAB Enterprises, LLC.

⁵ *Certain Carbon and Alloy Steel Cut-to-Length Plate From the People's Republic of China: Final Affirmative Countervailing Duty Determination*, 82 FR 8507, January 26, 2017.

Table I-1

CTL plate: Commerce's final subsidy determinations with respect to imports from China

Entity	Final countervailable subsidy rate (percent)
Jiangyin Xingcheng Special Steel Works Co. Ltd.	251.00
Hunan Valin Xiangtan Iron & Steel	251.00
Viewer Development Co., Ltd.	251.00
All Others	251.00

Source: *Certain Carbon and Alloy Steel Cut-to-Length Plate From the People's Republic of China: Final Affirmative Countervailing Duty Determination*, 82 FR 8507, January 26, 2017.

Sales at LTFV

On January 26, 2017, Commerce published a notice in the *Federal Register* of its final determination of sales at LTFV with respect to imports from China.⁶ Table I-2 presents these findings.

Table I-2

CTL plate: Commerce's final weighted-average LTFV margins with respect to imports from China

Entity	Final dumping margin (percent)
China	
China-Wide Entity	68.27

Source: *Certain Carbon and Alloy Steel Cut-To-Length Plate From the People's Republic of China: Final Affirmative Determination of Sales at Less Than Fair Value*, 82 FR 8510, January 27, 2017.

⁶ *Certain Carbon and Alloy Steel Cut-To-Length Plate From the People's Republic of China: Final Affirmative Determination of Sales at Less Than Fair Value*, 82 FR 8510, January 27, 2017.

APPENDIX A

***FEDERAL REGISTER* NOTICES**

The Commission makes available notices relevant to its investigations and reviews on its website, www.usitc.gov. In addition, the following tabulation presents, in chronological order, *Federal Register* notices issued by the Commission and Commerce during the current proceeding.

Citation	Title	Link
81 FR 22116 April 14, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From Austria, Belgium, Brazil, China, France, Germany, Italy, Japan, Korea, South Africa, Taiwan, and Turkey; Institution of Antidumping and Countervailing Duty Investigations and Scheduling of Preliminary Phase Investigations</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-04-14/pdf/2016-08543.pdf
81 FR 27089 May 5, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From Austria, Belgium, Brazil, France, the Federal Republic of Germany, Italy, Japan, the Republic of Korea, the People’s Republic of China, South Africa, Taiwan, and the Republic of Turkey: Initiation of Less-Than-Fair Value Investigations</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-05-05/pdf/2016-10627.pdf
81 FR 27098 May 5, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From Brazil, the People’s Republic of China, and the Republic of Korea: Initiation of Countervailing Duty Investigations</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-05-05/pdf/2016-10631.pdf
81 FR 33705 May 27, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From Austria, Belgium, Brazil, China, France, Germany, Italy, Japan, Korea, South Africa, Taiwan, and Turkey; Determinations</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-05-27/pdf/2016-12537.pdf

Citation	Title	Link
81 FR 61666 September 7, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From Austria, Belgium, Brazil, the Republic of Korea, Taiwan, and Turkey; Antidumping and Countervailing Duty Investigations: Preliminary Determinations of Critical Circumstances</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-09-07/pdf/2016-21501.pdf
81 FR 62871 September 13, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-09-13/pdf/2016-21999.pdf
81 FR 63168 September 14, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From the Republic of Korea: Preliminary Negative Countervailing Duty Determination and Alignment of Final Determination With Final Antidumping Duty Determination</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-09-14/pdf/2016-21997.pdf
81 FR 65337 September 22, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From Brazil, South Africa, and the Republic of Turkey: Affirmative Preliminary Determinations of Sales at Less Than Fair Value</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-09-22/pdf/2016-22885.pdf
81 FR 70440 October 12, 2016	<i>Carbon and Alloy Steel Cut-to-Length Plate from Austria, Belgium, Brazil, China, France, Germany, Italy, Japan, Korea, South Africa, Taiwan, and Turkey; Scheduling of the Final Phase Countervailing Duty and Antidumping Duty Investigations</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-10-12/pdf/2016-24566.pdf

Citation	Title	Link
81 FR 79431 November 14, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From Belgium: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27303.pdf
81 FR 79423 November 14, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From Italy: Preliminary Determination of Sales at Less Than Fair Value, Affirmative Determination of Critical Circumstances, and Postponement of Final Determination</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27304.pdf
81 FR 79416 November 14, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From Austria: Preliminary Determination of Sales at Less Than Fair Value and Postponement of the Final Determination</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27305.pdf
81 FR 79420 November 14, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From Taiwan: Preliminary Determination of Sales at Less Than Fair Value</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27306.pdf
81 FR 79441 November 14, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From the Republic of Korea: Affirmative Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27311.pdf
81 FR 79450 November 14, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate from the People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27312.pdf

Citation	Title	Link
81 FR 79446 November 14, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From the Federal Republic of Germany: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27313.pdf
81 FR 79437 November 14, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From France: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27314.pdf
81 FR 79427 November 14, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From Japan: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-11-14/pdf/2016-27316.pdf
81 FR 85930 November 29, 2016	<i>Certain Carbon and Alloy Steel Cut-To-Length Plate From the Federal Republic of Germany: Amended Preliminary Determination of Sales at Less Than Fair Value</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-11-29/pdf/2016-28703.pdf
81 FR 87019 December 2, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From France: Amended Preliminary Determination of Sales at Less Than Fair Value</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-12-02/pdf/2016-28983.pdf
81 FR 87544 December 5, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From Brazil, South Africa, and the Republic of Turkey: Affirmative Final Determinations of Sales at Less Than Fair Value and Affirmative Final Determinations of Critical Circumstances for Brazil and the Republic of Turkey</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-12-05/pdf/2016-29071.pdf

Citation	Title	Link
81 FR 90780 December 15, 2016	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From France: Correction to the Amended Preliminary Determination of Sales at Less Than Fair Value</i>	https://www.gpo.gov/fdsys/pkg/FR-2016-12-15/pdf/2016-30148.pdf
82 FR 8507 January 26, 2017	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From the People's Republic of China: Final Affirmative Countervailing Duty Determination</i>	https://www.gpo.gov/fdsys/pkg/FR-2017-01-26/pdf/2017-01712.pdf
82 FR 8510 January 26, 2017	<i>Certain Carbon and Alloy Steel Cut-to-Length Plate From the People's Republic of China: Final Affirmative Determination of Sales at Less Than Fair Value</i>	https://www.gpo.gov/fdsys/pkg/FR-2017-01-26/pdf/2017-01710.pdf
82 FR 8541 January 26, 2017	<i>Carbon and Alloy Steel Cut-to-Length Plate From Brazil, South Africa, and Turkey</i>	https://www.gpo.gov/fdsys/pkg/FR-2017-01-26/pdf/2017-01740.pdf
82 FR 10026 February 9, 2017	<i>Carbon and Alloy Steel Cut-to-Length Plate From China; Supplemental Schedule for the Subject Investigations</i>	https://www.gpo.gov/fdsys/pkg/FR-2017-02-09/pdf/2017-02675.pdf