

**UNITED STATES INTERNATIONAL TRADE COMMISSION**  
Washington, DC 20436

Investigation Nos. 731-TA-1174-1175 (Preliminary)

**SEAMLESS REFINED COPPER PIPE AND TUBE FROM CHINA AND MEXICO**

**DETERMINATIONS**

On the basis of the record<sup>1</sup> developed in the subject investigations, the United States International Trade Commission (Commission) determines, pursuant to section 733(a) of the Tariff Act of 1930 (19 U.S.C. § 1673b(a)) (the Act), that there is a reasonable indication that an industry in the United States is materially injured<sup>2</sup> or threatened with material injury,<sup>3</sup> by reason of imports from China and Mexico of seamless refined copper pipe and tube, provided for in subheadings 7411.10.10, and 8415.90.80 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (LTFV).

**COMMENCEMENT OF FINAL PHASE INVESTIGATION**

Pursuant to section 207.18 of the Commission's rules, the Commission also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling, which will be published in the *Federal Register* as provided in section 207.21 of the Commission's rules, upon notice from the Department of Commerce (Commerce) of affirmative preliminary determinations in the investigations under section 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in the investigations under section 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigations need not enter a separate appearance for the final phase of the investigations. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

**BACKGROUND**

On September 30, 2009, a petition was filed with the Commission and Commerce by Cerro Flow Products, Inc., St. Louis, MO; Kobe Wieland Copper Products, LLC, Pine Hall, NC; Mueller Copper Tube Products, Inc. and Mueller Copper Tube Company, Inc., Memphis, TN, alleging that an industry in the United States is materially injured or threatened with material injury by reason of LTFV

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<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR § 207.2(f)).

<sup>2</sup> Commissioner Charlotte R. Lane, Commissioner Irving A. Williamson, and Commissioner Dean A. Pinkert determine that there is a reasonable indication that an industry in the United States is materially injured by reason of imports of seamless refined copper pipe and tube from China and Mexico.

<sup>3</sup> Chairman Shara L. Aranoff, Vice Chairman Daniel R. Pearson, and Commissioner Deanna Tanner Okun determine that there is a reasonable indication that an industry in the United States is threatened with material injury by reason of imports of seamless refined copper pipe and tube from China and Mexico.

imports of seamless refined copper pipe and tube from China and Mexico. Accordingly, effective September 30, 2009, the Commission instituted antidumping duty investigation Nos. 731-TA-1174-1175 (Preliminary).

Notice of the institution of the Commission's investigations and of a public conference 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 6, 2009 (74 FR 51318). The conference was held in Washington, DC, on October 21, 2009, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on November 16, 2009. The views of the Commission are contained in USITC Publication 4116 (November 2009), entitled *Seamless Refined Copper Pipe and Tube from China and Mexico: Investigation Nos. 731-TA-1174-1175 (Preliminary)*.

By order of the Commission.

/s/  
William R. Bishop  
Acting Secretary to the Commission

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