

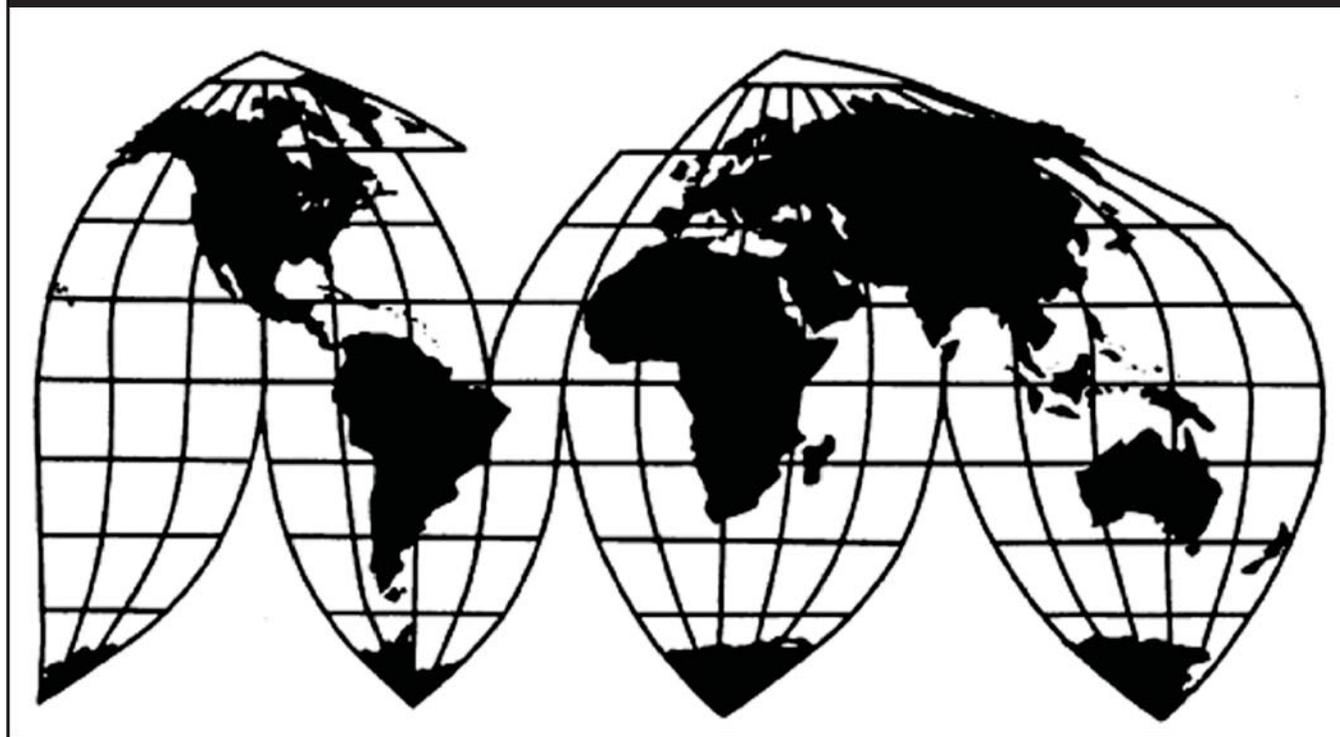
Barium Chloride from China

Investigation No. 731-TA-149 (Fourth Review)

Publication 4574

October 2015

U.S. International Trade Commission



Washington, DC 20436

U.S. International Trade Commission

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UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation No. 731-TA-149 (Fourth Review)

Barium Chloride from China

DETERMINATION

On the basis of the record¹ developed in the subject five-year review, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930, that revocation of the antidumping duty order on barium chloride from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

BACKGROUND

The Commission, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. § 1675(c)), instituted this review on May 1, 2015 (80 FR 24973) and determined on August 4, 2015 that it would conduct an expedited review (80 FR 50869, August 21, 2015).

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 this five-year review, we determine under section 751(c) of the Tariff Act of 1930, as amended (“the Tariff Act”), that revocation of the antidumping duty order on barium chloride from China would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

I. Background

A. The Original Determination

The Commission instituted the original investigation of barium chloride from China in response to a petition filed by Chemical Products Corporation (“CPC”), a domestic producer of barium chloride, in October 1983. In October 1984, the Commission determined that an industry in the United States was materially injured by reason of imports of barium chloride from China that were being sold at less than fair value.¹ Subsequently, the U.S. Department of Commerce (“Commerce”) issued an antidumping duty order covering these imports.²

B. First Five-Year Review

In October 1998, the Commission instituted its first five-year review. The Commission received one response from CPC, which accounted for the vast majority of domestic barium chloride production in 1997. The Commission did not receive any responses from respondent interested parties. The Commission conducted an expedited review and determined that revocation of the order on barium chloride from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.³ Commerce published its notice of continuation of the antidumping duty order in August 1999.⁴

C. Second Five-Year Review

In February 2004, the Commission instituted its second five-year review. The Commission again received one response, from CPC, which continued to account for a significant portion of domestic production of barium chloride. As in the first review, the

¹ *Barium Chloride from China*, Inv. No. 731-TA-149, USITC Pub. 1584 (Oct. 1984) (“Original Determination”).

² *Barium Chloride from China*, 49 Fed. Reg. 40635 (Oct. 17, 1984) (antidumping duty order).

³ *Barium Chloride from China*, Inv. No. 731-TA-149, USITC Pub. 3163 (Mar. 1999) (“First Five-Year Review”).

⁴ *Barium Chloride from China*, 64 Fed. Reg. 42654 (Aug. 5, 1999) (notice of continuation of antidumping duty order).

Commission did not receive any responses from respondent interested parties. The Commission conducted an expedited review and determined that revocation of the order on barium chloride from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.⁵ Commerce published its notice of continuation of the antidumping duty order in August 2004.⁶

D. Third Five-Year Review

In July 2009, the Commission instituted its third five-year review. The Commission again received a single response from CPC. Although the Commission determined that the domestic interested party group response was adequate and that the respondent interested party group response was inadequate, it decided to conduct a full review in light of information regarding possible changes in conditions of competition.⁷ The Commission received questionnaire responses from two domestic producers, including CPC, which accounted for virtually all U.S. production of barium chloride in 2009.⁸ The Commission also received questionnaire responses from eight U.S. importers of barium chloride that were estimated to have accounted for more than 75 percent of subject imports and 95 percent of nonsubject imports during the period of review, and 11 usable purchaser questionnaires.⁹ Based on the record in the third review, the Commission determined that revocation of the order on barium chloride from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.¹⁰ Commerce published its notice of continuation of the antidumping duty order in June 2010.¹¹

E. The Current Review

In May 2015, the Commission instituted this current review.¹² CPC, which currently is the only operating producer of barium chloride in the United States, filed a response to the notice of institution containing company-specific information. The Commission did not receive

⁵ *Barium Chloride from China*, Inv. No. 731-TA-149, USITC Pub. 3702 (July 2004) (“Second Five-Year Review”).

⁶ *Barium Chloride from China*, 69 Fed. Reg. 47405 (Aug. 5, 2004) (notice of continuation of antidumping duty order).

⁷ *Barium Chloride from China*, 74 Fed. Reg. 54069 (Oct. 21, 2009).

⁸ CPC, which accounted for the vast majority of domestic production of barium chloride ***. Barium & Chemicals, ***. *Barium Chloride from China*, Inv. No. 731-TA-149, USITC Pub. 4157 at 3, n. 9 (June 2010) (“Third Five-Year Review”); Confidential Third Review Determination, EDIS Doc. 559952 at 4, n.9.

⁹ None of the 11 potential producers of barium chloride in China responded to the Commission’s foreign producer questionnaire. Third Five-Year Review, USITC Pub. 4157 at 4.

¹⁰ Third Five-Year Review, USITC Pub. 4157 at 3.

¹¹ *Barium Chloride from China*, 75 Fed. Reg. 36629 (June 28, 2010) (notice of continuation of antidumping duty order).

¹² *Barium Chloride from China*, 80 Fed. Reg. 24973 (May 1, 2015).

any responses from producers or exporters of barium chloride in China or any U.S. importers of the subject merchandise. The Commission found the domestic interested party response to the notice of institution to be adequate and the respondent interested party response to be inadequate. The Commission did not find any circumstances that would warrant conducting a full review.¹³ Consequently, the Commission determined that it would conduct an expedited review pursuant to section 751(c)(3) of the Tariff Act.¹⁴ CPC filed final comments pursuant to 19 C.F.R. § 207.62(d) on September 22, 2015.¹⁵

II. Domestic Like Product and Industry

A. Domestic Like Product

In making its determination under section 751(c) of the Tariff Act, the Commission defines the “domestic like product” and the “industry.”¹⁶ The Tariff Act defines “domestic like product” as “a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this subtitle.”¹⁷ The Commission’s practice in five-year reviews is to examine the domestic like product definition from the original investigation and consider whether the record indicates any reason to revisit the prior findings.¹⁸

Commerce has defined the scope of the antidumping duty order as follows:

The merchandise covered by the order is barium chloride, a chemical compound having the formulas $BaCl_2$ or $BaCl_2 \cdot 2H_2O$, currently classifiable under item number 2827.39.45.00 of the Harmonized Tariff Schedule of the United States (“HTSUS”).¹⁹

¹³ *Barium Chloride from China*, 80 Fed. Reg. 50869 (Aug. 21, 2015). The Commission also determined that this review, which is a review of a transition order, was extraordinarily complicated. The Commission therefore decided to exercise its authority to extend the review period pursuant to 19 U.S.C. § 1675(c)(5)(C)(5). *See id.*

¹⁴ 19 U.S.C. § 1675(c)(3).

¹⁵ CPC’s Final Comments (Sept. 22, 2015) (“CPC’s Comments”).

¹⁶ 19 U.S.C. § 1677(4)(A).

¹⁷ 19 U.S.C. § 1677(10); *see, e.g., Cleo Inc. v. United States*, 501 F.3d 1291, 1299 (Fed. Cir. 2007); *NEC Corp. v. Department of Commerce*, 36 F. Supp. 2d 380, 383 (Ct. Int’l Trade 1998); *Nippon Steel Corp. v. United States*, 19 CIT 450, 455 (1995); *Timken Co. v. United States*, 913 F. Supp. 580, 584 (Ct. Int’l Trade 1996); *Torrington Co. v. United States*, 747 F. Supp. 744, 748-49 (Ct. Int’l Trade 1990), *aff’d*, 938 F.2d 1278 (Fed. Cir. 1991); *see also* S. Rep. No. 249, 96th Cong., 1st Sess. 90-91 (1979).

¹⁸ *See, e.g., Internal Combustion Industrial Forklift Trucks from Japan*, Inv. No. 731-TA-377 (Second Review), USITC Pub. 3831 at 8-9 (Dec. 2005); *Crawfish Tail Meat from China*, Inv. No. 731-TA-752 (Review), USITC Pub. 3614 at 4 (July 2003); *Steel Concrete Reinforcing Bar from Turkey*, Inv. No. 731-TA-745 (Review), USITC Pub. 3577 at 4 (Feb. 2003).

¹⁹ *Barium Chloride from China*, 80 Fed. Reg. 36973 (June 29, 2015) (final results of the expedited fourth sunset review of the antidumping duty order).

The scope definition has not changed substantively since the original investigation.

Barium chloride is produced in crystalline and anhydrous form. Crystalline barium chloride is used primarily as an intermediate in the production of molecular catalyst sieves, which in turn are used in oil refinery complexes to separate industrially useful paraxylene molecules from other mixed xylenes. The crystalline form also serves as a cleansing agent in the removal of soluble sulfates in certain chemical and water treatment processes, as a cleansing ingredient in lubricating oil additives, as a raw material in the production of certain chemicals, pigments, and paper coatings, and as a base material for production of ink pigments and other barium intermediate products. The anhydrous form of barium chloride is used primarily as an ingredient in heat-treating salts and metal fluxes.²⁰

In its original investigation, the Commission found that there was one like product, consisting of barium chloride in both its crystalline and anhydrous forms. The Commission reached a determination with respect to only a single like product indicating that the like product it found encompassed all merchandise within the scope.²¹ In the first and second expedited five-year reviews, and third full five-year review, the Commission again defined a single domestic like product as all barium chloride, whether crystalline or anhydrous.²² In the first review, the Commission explained that because high purity barium chloride was not excluded from Commerce's scope and the Commission had not made a separate injury finding for high purity barium chloride in the original investigation, the like product therefore included high purity barium chloride.²³

²⁰ Confidential Report ("CR") at I-4 to I-5, Public Report ("PR") at I-4.

²¹ In a brief footnote to the opinion, the Commission found that high purity barium chloride produced for laboratory use was "not a like product," noting that it was produced "only in very small amounts and at a relatively high price" and that this form of barium chloride "does not compete for general industrial use with the petitioner's or the imported product." Original Determination, USITC Pub. 1584 at 4, n.8. In light of the Commission's affirmative determination concerning a single domestic like product, the passage in question appears to be best construed as a finding that this material was not a separate domestic like product. The Commission is required to include within its injury analysis all domestically produced goods falling within Commerce's scope. See 19 U.S.C. § 1677(10). High purity barium chloride is within Commerce's scope.

²² First Five-Year Review, USITC Pub. 3163 at 4; Second Five-Year Review, USITC Pub. 3702 at 5; Third Five-Year Review, USITC Pub. 4157 at 7.

²³ First Five-Year Review, USITC Pub. 3163 at 4, n.12. Also in the second review, the Commission addressed CPC's argument that the Commission excluded high purity barium chloride from the domestic like product in the original investigation. The Commission stated that it was required to include within its injury analysis all domestically produced goods falling within Commerce's scope. Second Five-Year Review, USITC Pub. 3702 at 5. In the third review, the Commission noted that CPC offered no argument against the domestic like product definition used in the first two reviews, which included high purity barium chloride, and that no basis existed for excluding high purity barium chloride from the domestic like product. Third Five-Year Review, USITC Pub. 4157 at 5, n.25.

In this review, CPC states that it agrees with the definition of domestic like product from the prior proceedings included in the notice of institution. CPC asserts that this definition excludes high purity barium chloride.²⁴ This assertion cannot be reconciled with the Commission's analysis in its prior determinations, with which we concur, that the domestic like product was coextensive with the scope of the order; and that the scope of the order did not previously, and does not now, contain any exclusion for high purity barium chloride.²⁵ To the extent that CPC's position is that high purity barium chloride should be a separate domestic like product, CPC failed to provide any argument on this issue.²⁶ Additionally, there is no new information providing any basis for the Commission to revisit or alter the domestic like product definition used in the prior proceedings.²⁷ We therefore continue to define the domestic like product as all barium chloride, whether crystalline or anhydrous.

B. Domestic Industry

Section 771(4)(A) of the Tariff Act defines the relevant industry as the domestic "producers as a whole of a domestic like product, or those producers whose collective output of a domestic like product constitutes a major proportion of the total domestic production of the product."²⁸ In defining the domestic industry, the Commission's general practice has been to include in the industry producers of all domestic production of the like product, whether toll-produced, captively consumed, or sold in the domestic merchant market.

In the original investigation, first and second expedited reviews, and third full review, the Commission defined the domestic industry to consist of all domestic producers of the domestic like product.²⁹

In the current review, no party requested that the Commission adopt a definition different than that used in the prior proceedings. There are no related party or other domestic industry issues in this review.³⁰ Accordingly, we continue to define the domestic industry as consisting of all domestic producers of barium chloride.

²⁴ CPC's Response to the Notice of Institution at 14 (June 1, 2015) ("CPC's Response").

²⁵ *Barium Chloride from China*, 80 Fed. Reg. 24973, 24974 (May 1, 2015). The notice of institution states that the domestic like product that the Commission previously defined include "all forms of barium chloride, including crystalline, anhydrous, and high purity."

²⁶ CPC's Response at 14.

²⁷ See generally, CR at I-5 to I-6, PR at I-5.

²⁸ 19 U.S.C. § 1677(4)(A). The definitions in 19 U.S.C. § 1677 are applicable to the entire subtitle containing the antidumping and countervailing duty laws, including 19 U.S.C. §§ 1675 and 1675a. See 19 U.S.C. § 1677.

²⁹ Original Determination, USITC Pub. 1584 at 3-4; First Five-Year Review, USITC Pub. 3163 at 4-5; Second Five-Year Review, USITC Pub. 3702 at 6; Third Five-Year Review, USITC Pub. 4157 at 6-7.

³⁰ CPC reports that it did not import subject merchandise and that it is not related to a foreign producer or importer of subject merchandise. CPC's Supplemental Response to the Notice of Institution at 1 (June 8, 2015) ("CPC's Supplemental Response").

III. Revocation of the Antidumping Duty Order Would Likely Lead to Continuation or Recurrence of Material Injury Within a Reasonably Foreseeable Time

A. Legal Standards

In a five-year review conducted under section 751(c) of the Tariff Act, Commerce will revoke an antidumping or countervailing duty order unless (1) it makes a determination that dumping or subsidization is likely to continue or recur and (2) the Commission makes a determination that revocation of the antidumping or countervailing duty order “would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.”³¹ The Uruguay Round Agreements Act Statement of Administrative Action (“SAA”) states that “under the likelihood standard, the Commission will engage in a counterfactual analysis; it must decide the likely impact in the reasonably foreseeable future of an important change in the status quo – the revocation or termination of a proceeding and the elimination of its restraining effects on volumes and prices of imports.”³² Thus, the likelihood standard is prospective in nature.³³ The U.S. Court of International Trade has found that “likely,” as used in the five-year review provisions of the Act, means “probable,” and the Commission applies that standard in five-year reviews.³⁴

The statute states that “the Commission shall consider that the effects of revocation or termination may not be imminent, but may manifest themselves only over a longer period of time.”³⁵ According to the SAA, a “‘reasonably foreseeable time’ will vary from case-to-case, but

³¹ 19 U.S.C. § 1675a(a).

³² H.R. Rep. 103-316, vol. 1 at 883-84 (1994). The SAA states that “{t}he likelihood of injury standard applies regardless of the nature of the Commission’s original determination (material injury, threat of material injury, or material retardation of an industry). Likewise, the standard applies to suspended investigations that were never completed.” *Id.* at 883.

³³ While the SAA states that “a separate determination regarding current material injury is not necessary,” it indicates that “the Commission may consider relevant factors such as current and likely continued depressed shipment levels and current and likely continued {sic} prices for the domestic like product in the U.S. market in making its determination of the likelihood of continuation or recurrence of material injury if the order is revoked.” SAA at 884.

³⁴ See *NMB Singapore Ltd. v. United States*, 288 F. Supp. 2d 1306, 1352 (Ct. Int’l Trade 2003) (“‘likely’ means probable within the context of 19 U.S.C. § 1675(c) and 19 U.S.C. § 1675a(a)”), *aff’d mem.*, 140 Fed. Appx. 268 (Fed. Cir. 2005); *Nippon Steel Corp. v. United States*, 26 CIT 1416, 1419 (2002) (same); *Usinor Industeel, S.A. v. United States*, 26 CIT 1402, 1404 nn.3, 6 (2002) (“more likely than not” standard is “consistent with the court’s opinion;” “the court has not interpreted ‘likely’ to imply any particular degree of ‘certainty’”); *Indorama Chemicals (Thailand) Ltd. v. United States*, 26 CIT 1059, 1070 (2002) (“standard is based on a likelihood of continuation or recurrence of injury, not a certainty”); *Usinor v. United States*, 26 CIT 767, 794 (2002) (“‘likely’ is tantamount to ‘probable,’ not merely ‘possible’”).

³⁵ 19 U.S.C. § 1675a(a)(5).

normally will exceed the ‘imminent’ timeframe applicable in a threat of injury analysis in original investigations.”³⁶

Although the standard in a five-year review is not the same as the standard applied in an original investigation, it contains some of the same fundamental elements. The statute provides that the Commission is to “consider the likely volume, price effect, and impact of imports of the subject merchandise on the industry if the orders are revoked or the suspended investigation is terminated.”³⁷ It directs the Commission to take into account its prior injury determination, whether any improvement in the state of the industry is related to the order or the suspension agreement under review, whether the industry is vulnerable to material injury if an order is revoked or a suspension agreement is terminated, and any findings by Commerce regarding duty absorption pursuant to 19 U.S.C. § 1675(a)(4).³⁸ The statute further provides that the presence or absence of any factor that the Commission is required to consider shall not necessarily give decisive guidance with respect to the Commission’s determination.³⁹

In evaluating the likely volume of imports of subject merchandise if an order under review is revoked and/or a suspended investigation is terminated, the Commission is directed to consider whether the likely volume of imports would be significant either in absolute terms or relative to production or consumption in the United States.⁴⁰ In doing so, the Commission must consider “all relevant economic factors,” including four enumerated factors: (1) any likely increase in production capacity or existing unused production capacity in the exporting country; (2) existing inventories of the subject merchandise, or likely increases in inventories; (3) the existence of barriers to the importation of the subject merchandise into countries other than the United States; and (4) the potential for product shifting if production facilities in the foreign country, which can be used to produce the subject merchandise, are currently being used to produce other products.⁴¹

In evaluating the likely price effects of subject imports if an order under review is revoked and/or a suspended investigation is terminated, the Commission is directed to consider whether there is likely to be significant underselling by the subject imports as compared to the domestic like product and whether the subject imports are likely to enter the

³⁶ SAA at 887. Among the factors that the Commission should consider in this regard are “the fungibility or differentiation within the product in question, the level of substitutability between the imported and domestic products, the channels of distribution used, the methods of contracting (such as spot sales or long-term contracts), and lead times for delivery of goods, as well as other factors that may only manifest themselves in the longer term, such as planned investment and the shifting of production facilities.” *Id.*

³⁷ 19 U.S.C. § 1675a(a)(1).

³⁸ 19 U.S.C. § 1675a(a)(1). Commerce has not made any duty absorption findings regarding imports of barium chloride from China. See Third Five-Year Review, USTIC Pub. 4157 at 7, n.39. There have been no Commerce administrative reviews since the third review.

³⁹ 19 U.S.C. § 1675a(a)(5). Although the Commission must consider all factors, no one factor is necessarily dispositive. SAA at 886.

⁴⁰ 19 U.S.C. § 1675a(a)(2).

⁴¹ 19 U.S.C. § 1675a(a)(2)(A-D).

United States at prices that otherwise would have a significant depressing or suppressing effect on the price of the domestic like product.⁴²

In evaluating the likely impact of imports of subject merchandise if an order under review is revoked and/or a suspended investigation is terminated, the Commission is directed to consider all relevant economic factors that are likely to have a bearing on the state of the industry in the United States, including but not limited to the following: (1) likely declines in output, sales, market share, profits, productivity, return on investments, and utilization of capacity; (2) likely negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital, and investment; and (3) likely negative effects on the existing development and production efforts of the industry, including efforts to develop a derivative or more advanced version of the domestic like product.⁴³ All relevant economic factors are to be considered within the context of the business cycle and the conditions of competition that are distinctive to the industry. As instructed by the statute, we have considered the extent to which any improvement in the state of the domestic industry is related to the order under review and whether the industry is vulnerable to material injury upon revocation.⁴⁴

No respondent interested party participated in this expedited review. Accordingly, for our determination, we have relied on the facts otherwise available, which consist of information from the original investigation and the third full review; information submitted by domestic producers in the prior proceedings and this current review; and information from published sources.

B. Conditions of Competition and the Business Cycle

In evaluating the likely impact of the subject imports on the domestic industry if an order is revoked, the statute directs the Commission to consider all relevant economic factors “within the context of the business cycle and conditions of competition that are distinctive to the affected industry.”⁴⁵ The following conditions of competition inform our determination.

Demand Conditions. In the original investigation, the Commission observed that demand for barium chloride had declined significantly due to the introduction of new products and industrial processes that did not require its use. The Commission found that this long-term

⁴² See 19 U.S.C. § 1675a(a)(3). The SAA states that “[c]onsistent with its practice in investigations, in considering the likely price effects of imports in the event of revocation and termination, the Commission may rely on circumstantial, as well as direct, evidence of the adverse effects of unfairly traded imports on domestic prices.” SAA at 886.

⁴³ 19 U.S.C. § 1675a(a)(4).

⁴⁴ The SAA states that in assessing whether the domestic industry is vulnerable to injury if the order is revoked, the Commission “considers, in addition to imports, other factors that may be contributing to overall injury. While these factors, in some cases, may account for the injury to the domestic industry, they may also demonstrate that an industry is facing difficulties from a variety of sources and is vulnerable to dumped or subsidized imports.” SAA at 885.

⁴⁵ 19 U.S.C. § 1675a(a)(4).

decline appeared to have caused some U.S. barium chloride manufacturers to cease production, leaving CPC as the only significant domestic producer.⁴⁶

In the first and second expedited five-year reviews, the Commission found that the domestic barium chloride market was mature and continuing to decline. As in the original investigation, the Commission linked this decline to the emergence of new products and processes. The record in those reviews indicated that as a result of environmental concerns and regulations, barium chloride had been replaced by calcium chloride in certain pigment production processes, and gasoline producers in the United States had discontinued production of leaded gasoline, which had been identified as a major use of barium chloride in the original investigation.⁴⁷ In the second review, the Commission observed that in 2003, apparent U.S. consumption was ***.⁴⁸

In the third full five-year review, the Commission found that apparent U.S. consumption declined by *** percent over the 2004 – 2009 period of review.⁴⁹ The Commission observed that the principal use for barium chloride was as an intermediate material for the production of molecular catalyst sieves, used by oil refinery complexes to separate paraxylene molecules from other mixed xylenes. Consequently, the Commission expected petroleum prices to affect demand for barium chloride. The Commission also stated that it was unclear to what extent the decline in demand was attributable to the economic downturn beginning in 2008.⁵⁰

In this current review, CPC characterizes the U.S. market for barium chloride as continuing to be mature with a limited number of applications.⁵¹ As a barium compound, barium chloride has become increasingly regulated, which has further affected its handling and production and has limited the number of applications in which it is used.⁵² CPC states that as a result of these environmental regulations, certain prior significant uses for barium chloride, such as use as a base material for the production of pigments, are continuing to decline.⁵³ The two purchasers that responded to the Commission's questionnaire stated that there have not been any changes in the end uses and applications of barium chloride in the U.S. market since 2010 and that no changes were anticipated within a reasonably foreseeable time.⁵⁴

Notwithstanding the increase in the regulatory restrictions on barium compounds, apparent U.S. consumption of barium chloride was higher in 2014 than in 2009. Specifically,

⁴⁶ Original Determination, USITC Pub. 1584 at 4-5.

⁴⁷ First Five-Year Review, USITC Pub. 3163 at 6-7; Second Five-Year Review, USITC Pub. 3702 at 8-9.

⁴⁸ Second Five-Year Review, USITC Pub. 3702 at 8; Confidential Second Review Determination, EDIS Doc. 559951 at 10.

⁴⁹ Third Five-Year Review, USITC Pub. 4157 at 10; Confidential Third Review Determination, EDIS Doc. 559952 at 14.

⁵⁰ Third Five-Year Review, USITC Pub. 4157 at 10.

⁵¹ CPC's Response at 7-8.

⁵² CR/PR at I-3.

⁵³ CPC's Response at 8; CPC's Comments at 13.

⁵⁴ CR/PR at D-4.

apparent U.S. consumption was *** pounds in 2014 compared to *** pounds in 2009.⁵⁵ CPC states, however, that the future market situation for barium chloride is uncertain.⁵⁶ CPC maintains that in light of the strict environmental regulations and controls on barium chloride, the development of new production processes by its traditional customers could further reduce or eliminate the need for barium chloride.⁵⁷

Supply Conditions. In the original investigation, the Commission found CPC to be the only significant U.S. producer of barium chloride.⁵⁸ The Commission further found that subject imports from China increased from 4.0 million pounds in 1981 to 5.3 million pounds in 1983.⁵⁹

In the first and second expedited reviews and third full review, the Commission found that CPC continued to be the only significant domestic producer of barium chloride, accounting for nearly all domestic production and the large majority of overall shipments of barium chloride in the U.S. market.⁶⁰ Subject imports from China had declined to low levels following the imposition of the antidumping duty order in 1984.⁶¹ Nonsubject imports also declined during the first and second reviews but increased during the third review.⁶² Specifically, after ranging between 34,000 pounds and 83,000 pounds from 2004 to 2007, nonsubject imports increased from 563,000 pounds in 2008 to 1.0 million pounds in 2009. The Commission observed that CPC attributed the increase in nonsubject imports to purchases of barium chloride from India by ***.⁶³

In this current review, CPC was the only operating producer of barium chloride in the United States.⁶⁴ It was the largest supplier to the U.S. market in 2014, accounting for *** percent of apparent U.S. consumption.⁶⁵ Nonsubject imports were the next largest supply source in 2014; as a share of apparent U.S. consumption, nonsubject imports accounted for *** percent in 2014.⁶⁶ There were no subject imports in 2014.⁶⁷

⁵⁵ CR/PR at Table I-5. Apparent U.S. consumption in 2014, however, was lower than that for any year from 2004 to 2008. CR/PR, App'x C.

⁵⁶ CPC's Response at 8.

⁵⁷ CPC's Comments at 13.

⁵⁸ Original Determination, USITC Pub. 1584 at 5.

⁵⁹ Original Determination, USITC Pub. 1505 at 6.

⁶⁰ First Five-Year Review, USITC Pub. 3163 at 7; Second Five-Year Review, USITC Pub. 3702 at 9; Third Five-Year Review, USITC Pub. 4157 at 10-11.

⁶¹ Third Five-Year Review, USITC Pub. 4157 at 10.

⁶² First Five-Year Review, USITC Pub. 3163 at 7; Second Five-Year Review, USITC Pub. 3702 at 9; Third Five-Year Review, USITC Pub. 4157 at 10.

⁶³ Third Five-Year Review, USITC Pub. 4157 at 10-11; Confidential Third Review Determination, EDIS Doc. 559952 at 14-15.

⁶⁴ CR at I-12, PR at I-9.

⁶⁵ CR/PR at Table I-5. In 2009, domestically produced barium chloride accounted for *** percent of apparent U.S. consumption. *See id.*

⁶⁶ CR/PR at Table I-5. In 2009, nonsubject imports accounted for *** percent of apparent U.S. consumption.

Substitutability. The Commission in the first and second expedited five-year reviews and third full review found that there was a high degree of substitutability between domestically produced barium chloride and subject imports, and that price was an important consideration in purchasing decisions.⁶⁸

There is no information in this review that indicates that the high substitutability between domestically produced barium chloride and subject imports, or the importance of price, has changed since the original investigation and the prior reviews. Accordingly, we again find that there is a high degree of substitutability between the domestic like product and subject imports and that price continues to be an important consideration in purchasing decisions.

C. Likely Volume of Subject Imports

1. Original Investigation and Prior Reviews

In the original determination, the Commission found that shipments of barium chloride from China increased significantly during the period of investigation, rising from 4.0 million pounds in 1981 to 5.3 million pounds in 1983, and increasing greatly both as a share of domestic consumption and relative to domestic producers' shipments.⁶⁹

In the first expedited five-year review, the Commission found that based on facts available, subject import volume would likely increase significantly and be significant if the order were revoked. Although the volume of subject imports declined to minimal levels in the first review, the Commission found that because conditions of competition were similar to those in existence prior to imposition of the order, it was reasonable to infer that Chinese producers would resume exporting significant volumes of barium chloride to the United States if the order were revoked.⁷⁰ Chinese producers had more than *** their capacity for barium chloride production since the original investigation, and their capacity level was several times greater than apparent consumption in the United States. The Commission found that the record suggested that Chinese producers had ample ability to export significant volumes of barium chloride to the United States if the order were revoked.⁷¹

In the second expedited five-year review, the Commission again found that based on the facts available, subject import volume would likely increase significantly and would be

(...Continued)

⁶⁷ CR/PR at Table I-4.

⁶⁸ First Five-Year Review, USITC Pub. 3163 at 7; Second Five-Year Review, USITC Pub. 3702 at 19; Third Five-Year Review, USITC Pub. 4157 at 11.

⁶⁹ *Original Determination*, USITC Pub. 1584 at 6. The Commission found that subject import volume dropped sharply after Commerce's preliminary affirmative dumping determination in December 1983. Additionally, the Commission found that Chinese shipments to the European Community also dropped sharply after the European Community made an affirmative dumping finding against them. *See id.*

⁷⁰ First Five-Year Review, USITC Pub. 3163 at 8-9.

⁷¹ First Five-Year Review, USITC Pub. 3163 at 9; Confidential First Review Determination, EDIS Doc. 559956 at 15.

significant if the order were revoked. The Commission based its determination on the Chinese producers' significant production capacity, which had increased from the time of the original investigation and the first review, the attractiveness of the U.S. market, and the increase in the volume of subject imports during the period of review despite Commerce's calculation of a higher antidumping duty deposit rate.⁷² The Commission found similarities in the conditions of competition prevailing at the time and those existing prior to the imposition of the order and concluded that it was likely that the barium chloride industry in China would resume shipping significant volumes of barium chloride to the U.S. market in the absence of the antidumping duty order.⁷³

In the third full review, the Commission again determined that the likely volume of subject imports would be significant if the order were revoked. The Commission observed that the Chinese barium chemical industry, which included barium chloride, accounted for approximately *** percent of global output and was the largest in the world.⁷⁴ The Commission determined that the Chinese industry, which had significant production capacity and likely unused capacity, continued to be export oriented and would find the United States to be an attractive market because barium chloride was priced higher in the United States than in other markets. Based on these factors, the Commission concluded that the likely volume of subject imports, both in absolute terms and as a share of the U.S. market, would be significant if the order were revoked.⁷⁵

2. Current Review

The limited evidence in the record of this review indicates that the antidumping duty order has had a restraining effect on the volume of subject imports.⁷⁶ Additionally, the barium chloride industry in China has the means and incentive to export a significant volume of subject merchandise to the U.S. market within a reasonably foreseeable time if the order is revoked.

Specifically, the Chinese barium chloride industry has substantial production capacity. The Commission previously estimated that the Chinese industry's capacity was at least *** pounds in the first review, *** pounds in the second review, and 269.0 million pounds in the

⁷² Second Five-Year Review, USITC Pub. 3702 at 10-11. As a share of the U.S. market, subject import volume increased from *** percent in 1998 to *** percent in 2003. *See id.*; Confidential Second Review Determination, EDIS Doc. 559951 at 13.

⁷³ Second Five-Year Review, USITC Pub. 3702 at 10-11.

⁷⁴ Third Five-Year Review, USITC Pub. 4157 at 12-13; Confidential Third Review Determination, EDIS Doc. 559952 at 16-17.

⁷⁵ Third Five-Year Review, USITC Pub. 4157 at 12-13.

⁷⁶ The volume of subject imports declined from 5.3 million pounds in 1983 to 573,000 pounds in 2003 and to zero in 2009. CR/PR at Table I-4. During the period of review, subject import volume was 176,000 pounds in 2012, 44,000 pounds in 2013, and zero in 2010, 2011, and 2014. CR/PR at Table I-3. Subject imports' market share, based on quantity, declined from *** percent in 1983 to *** percent in 2003 and to *** in 2009 and 2014. CR/PR at Table I-5.

third review.⁷⁷ CPC reports that the current annual capacity of the Chinese industry is now 643.7 million pounds, which is more than double the estimated capacity in 2009, and that subject producers have the ability to supply the entirety of U.S. demand for barium chloride.⁷⁸ Additionally, available data indicate that the industry in China continues to be export oriented.⁷⁹

CPC states that barium chloride prices in the United States are well above those found in the subject producers' home market.⁸⁰ A price quote that CPC obtained in May 2015 from a large Chinese producer offers to supply crystalline barium chloride at *** per metric ton FOB China and anhydrous barium chloride at *** per metric ton FOB China. By contrast, CPC states that its current U.S. prices are *** per metric ton for crystalline and anhydrous barium chloride.⁸¹ This evidence indicates that the United States remains an attractive market to the industry in China.

Based on the volume and market share that subject imports held prior to exiting the U.S. market after imposition of the antidumping duty order, the information available regarding the Chinese barium chloride industry's increasing capacity and export orientation, and the attractiveness of the U.S. market, we conclude that subject import volume would likely be significant, both in absolute terms and relative to U.S. consumption, should the order be revoked.⁸²

D. Likely Price Effects

1. Original Investigation and Prior Reviews

In its original determination, the Commission found that subject imports had significantly undersold the domestic product during every quarter of the period of investigation for which comparisons were available and that prices for the domestically produced product had declined during the latter half of the period as a result of this underselling.⁸³

⁷⁷ CR at I-18, PR at I-13.

⁷⁸ CR at I-18, PR at I-13; CPC's Response at 4 and Exhibit 1; CPC's Comments at 6-7. Total apparent U.S. consumption was *** pounds in 2014. CR/PR at Table I-4.

⁷⁹ CR/PR at Table I-6. Global Trade Atlas data indicate that in 2012, China was the world's largest source of exports for chlorides, a product category that includes but is broader than the subject merchandise. In 2010, 2011, 2013, and 2014, China was the world's second largest source of exports for chlorides.

⁸⁰ CPC's Response at 5.

⁸¹ CPC's Response at 5, Ex. 3.

⁸² The record indicates that barium chloride from China is not subject to antidumping or countervailing duty orders or investigations in other markets. CR at I-18, PR at I-13. No data are available that address existing inventories of subject merchandise and the potential for product-shifting if production facilities in China that are currently being used to produce other products can be used to produce barium chloride.

⁸³ Original Determination, USITC Pub. 1584 at 6-8.

In its first and second expedited five-year reviews, the Commission found that revocation of the antidumping duty order would likely lead to significant price effects, including significant underselling and significant price suppression or depression.⁸⁴ Based largely on the record from the original investigation, the Commission found in both reviews that there was a relatively high level of substitutability between domestically produced barium chloride and the subject imports and that price remained an important factor in purchasing decisions. The Commission reasoned that, given these facts, it was likely that the Chinese producers would offer attractively low prices to U.S. purchasers in order to regain market share if the antidumping duty order were revoked. Indeed, the Commission found in the second review that subject import customs values remained well below those of shipments of domestic like product and nonsubject imports.⁸⁵ Consequently, the Commission concluded in both reviews that prices for domestically produced barium chloride would likely decline significantly in response to the likely significant volumes of substitutable subject imports offered at underselling prices.⁸⁶

In the third full review, the Commission again found that revocation of the antidumping duty order would lead to significant volumes of subject imports from China that likely would undersell domestically produced barium chloride and have significant depressing or suppressing effects on the prices of the domestic like product.⁸⁷ The Commission observed that the record in the review did not call into question prior findings that the domestic like product and the subject imports were highly substitutable and that price was an important factor in purchasing decisions.⁸⁸ The Commission further observed that although quarterly price comparison data were limited because of the subject imports' minimal presence in the U.S. market, the available data showed that subject imports undersold the domestic like product in the majority of comparisons, and thus, continued to compete on the basis of price notwithstanding the antidumping duty order. The Commission concluded that if the order were revoked, the Chinese producers would resume aggressive underselling practices, which had persisted to some extent, to increase market share, leading to significant adverse price effects.⁸⁹

2. Current Review

CPC stated that its current prices for crystalline and anhydrous barium chloride sold in the United States are higher than a single price quote for similar merchandise offered by a large Chinese producer in May 2015.⁹⁰ The record does not contain any additional pricing

⁸⁴ First Five-Year Review, USITC Pub. 3163 at 10-11; Second Five-Year Review, USITC Pub. 3702 at 11-12.

⁸⁵ Second Five-Year Review, USITC Pub. 3702 at 11-12.

⁸⁶ First Five-Year Review, USITC Pub. 3163 at 17; Second Five-Year Review, USITC Pub. 3702 at 15-16.

⁸⁷ Third Five-Year Review, USITC Pub. 4157 at 13-14.

⁸⁸ Third Five-Year Review, USITC Pub. 4157 at 11, 13-14.

⁸⁹ Third Five-Year Review, USITC Pub. 4157 at 13-14.

⁹⁰ CPC's Response at 5, Ex. 3. As previously discussed, a large Chinese producer offered to supply crystalline barium chloride to CPC at *** per metric ton FOB China and anhydrous barium chloride at (Continued...)

comparisons due to the lack of participation from respondent interested parties and the expedited nature of the review. As explained above, we continue to find that domestically produced barium chloride and subject imports are highly substitutable and price is an important factor in purchasing decisions. As previously stated, if the order were revoked, Chinese producers would likely resume exporting significant volumes of barium chloride to the United States. The subject producers would likely sell the subject merchandise at low prices and undersell domestically produced barium chloride to gain market share, as had occurred during the original period of investigation.

Because price is important to purchasing decisions, the presence of significant quantities of subject imports that would likely enter the United States in the event of revocation and that would likely undersell the domestically produced product, would force domestic barium chloride producers to either lower prices or lose sales. In light of these considerations, we conclude that absent the discipline of the order, the subject imports would also likely have significant depressing or suppressing effects on prices for the domestic like product.

E. Likely Impact⁹¹

1. Original Investigation and Prior Reviews

In the original determination the Commission found that the availability of low-priced barium chloride from China displaced domestic production, depressed prices, and affected the profitability of the domestic industry, whose condition had “deteriorated.” Specifically, the Commission found declines in the domestic industry’s production, shipments, and sales as well as in net sales, profitability, and cash flow. The Commission observed that the domestic industry’s improved condition in 1984 was directly related to the decline in subject imports following Commerce’s preliminary determination.⁹²

In the first and second expedited five-year reviews, the Commission found that since the imposition of the antidumping duty order, the domestic industry’s market share had increased as subject imports exited the market.⁹³ By 2003, the domestic industry had a *** percent share

(...Continued)

*** per metric ton FOB China. CPC states that such prices are lower than CPC’s current U.S. prices, which are *** per metric ton for crystalline and anhydrous barium chloride. *See id.* at 5.

⁹¹ Under the statute, “the Commission may consider the magnitude of the margin of dumping” in making its determination in a five-year review. 19 U.S.C. § 1675a(a)(6). The statute defines the “magnitude of the margin of dumping” to be used by the Commission in five-year reviews as “the dumping margin or margins determined by the administering authority under section 1675a(c)(3) of this title.” 19 U.S.C. § 1677(35)(C)(iv); *see also* SAA at 887.

Commerce expedited its antidumping duty review determination and found that revocation of the antidumping duty order would likely lead to continuation or recurrence of dumping at weighted average margins up to 155.5 percent. *Barium Chloride from China*, 80 Fed. Reg. at 36973.

⁹² Original Determination, USITC Pub. 1584 at 5-6.

⁹³ First Five-Year Review, USITC Pub. 3163 at 11-12; Second Five-Year Review, USITC Pub. 3702 at 13.

of the U.S. market, compared to *** percent in 1997.⁹⁴ Prices for barium chloride and unit values of the domestic industry's shipments also increased. The Commission, however, observed a decline in consumption in each review, and a significant decline in domestic industry shipments in the second review.⁹⁵ Although the Commission did not find that CPC was vulnerable to material injury in either the first or second review, it determined that revocation of the antidumping duty order would likely have a significant adverse impact on the domestic industry if the order were revoked. The Commission found in both reviews that upon revocation, it was likely that subject imports would increase significantly in volume and would have significant price-suppressing or -depressing effects. The Commission concluded that the volume and price effects of subject imports would likely have a significant adverse impact on the production, shipments, sales, market share, and revenues of the domestic industry, which, in turn, would have a direct adverse impact on the industry's profitability as well as the domestic industry's ability to raise capital and to make and maintain capital investments.⁹⁶

In the third full review, the Commission found that the condition of the domestic industry, after improving from 2004 to 2007, declined in 2008 and declined even more sharply in 2009.⁹⁷ Taking into account the domestic industry's performance indicators and observing that the industry's performance had been affected by increased production costs that were not fully offset by price increases and by a *** percent decline in apparent U.S. consumption between 2004 and 2009, the Commission found that the domestic industry was vulnerable to material injury if the order were revoked.⁹⁸ The Commission also found that revocation of the order would likely have a significant adverse impact on the domestic industry because revocation would likely lead to significant increases in the volume of subject imports that would aggressively undersell the domestic like product in order to regain market share and significantly depress and/or suppress U.S. prices.⁹⁹

Additionally in the third review, the Commission considered the role of nonsubject imports in the U.S. market and found that although they had increased their market share from *** percent in 2004 to *** percent in 2009, there was no indication on the record that the increased presence of nonsubject imports would prevent subject imports from aggressively re-entering the U.S. market in significant quantities.¹⁰⁰ The Commission observed that the average unit values of nonsubject imports were markedly higher than those of subject imports in each year of the period of review, indicating that subject imports would likely be priced more aggressively than the domestic like product and nonsubject imports if the order were revoked.

⁹⁴ Second Five-Year Review, USITC Pub. 3702 at 13; Confidential Second Review Determination, EDIS Doc. 559951 at 17.

⁹⁵ First Five-Year Review, USITC Pub. 3163 at 11-12; Second Five-Year Review, USITC Pub. 3702 at 13.

⁹⁶ First Five-Year Review, USITC Pub. 3163 at 12; Second Five-Year Review, USITC Pub. 3702 at 13.

⁹⁷ Third Five-Year Review, USITC Pub. 4157 at 15.

⁹⁸ Third Five-Year Review, USITC Pub. 4157 at 15-16; Confidential Third Review Determination, EDIS Doc. 559952 at 23.

⁹⁹ Third Five-Year Review, USITC Pub. 4157 at 16.

¹⁰⁰ Third Five-Year Review, USITC Pub. 4157 at 16; Confidential Third Review Determination, EDIS Doc. 559952 at 24.

The Commission therefore concluded that nonsubject imports would not break the causal link between subject imports and the continuation or recurrence of material injury to the domestic industry in the event of revocation.¹⁰¹

2. Current Review

Because this is an expedited review, information on the record concerning the performance of the domestic industry since the third review pertains only to certain economic factors and is available only for 2014.¹⁰² This limited information is insufficient for us to make a finding on whether the domestic industry is vulnerable to the continuation or recurrence of material injury in the event of revocation of the order.¹⁰³

The information on the record indicates that the domestic industry's capacity was *** pounds in 2014.¹⁰⁴ Production in 2014 was *** pounds and U.S. shipments were *** pounds. Capacity utilization was *** percent in 2014.¹⁰⁵

In 2014, the domestic industry's net sales were \$***.¹⁰⁶ The domestic industry experienced *** and its ratio of operating income to net sales was *** percent. Net sales in 2014 were higher, but operating income and operating margin were lower than in 2009.¹⁰⁷

Based on the information available in this review, we find that revocation of the order would likely lead to a significant increase in the volume of subject imports and that these imports would likely undersell and significantly depress or suppress U.S. prices of domestically produced barium chloride. We find that the intensified subject import competition that would likely occur after revocation of the order would likely have a significant impact on the domestic industry. The domestic industry would likely lose market share to subject imports and experience lower prices due to competition from subject imports, which would adversely impact its production, shipments, sales, and revenue. These reductions would likely have a direct adverse impact on the industry's profitability and employment levels, as well as its ability to raise capital and make and maintain necessary capital investments.

We have also considered the role of factors other than subject imports, including the presence of nonsubject imports, so as not to attribute likely injury from other factors to the subject imports. Although nonsubject imports increased their market share from *** percent

¹⁰¹ Third Five-Year Review, USITC Pub. 4157 at 16-17.

¹⁰² CR/PR at Table I-2.

¹⁰³ Based on the record of this review, Vice Chairman Pinkert finds that the domestic industry is vulnerable to the continuation or recurrence of material injury in the event of revocation of the antidumping duty order. In 2014, CPC *** percent. CR/PR at Table I-2.

¹⁰⁴ CR/PR at Table I-2.

¹⁰⁵ By contrast, in 2009, the domestic producers' capacity was *** million pounds, production was *** pounds, U.S. shipments were *** pounds, and capacity utilization was *** percent. CR/PR at Table I-2.

¹⁰⁶ CR/PR at Table I-2.

¹⁰⁷ CR/PR at Table I-2. In 2009, the domestic industry's net sales were \$***, its ***, and its operating ratio was *** percent. *Id.*

in 2009 to *** percent in 2014,¹⁰⁸ there is no indication or argument on this record that the increased presence of nonsubject imports would prevent subject imports from re-entering the U.S. market in significant quantities upon revocation of the order. Given the high degree of substitutability of barium chloride from different sources and the fact that the domestic industry is currently the largest supplier to the U.S. market, any increase in subject import market share would likely come, at least in substantial proportion, at the expense of the domestic industry. In light of these considerations, we find that any likely effects of imports from nonsubject countries are distinguishable from the likely adverse effects we have attributed to the subject imports.

We therefore conclude that, if the order were revoked, subject imports from China would be likely to have a significant impact on the domestic industry within a reasonably foreseeable time.

IV. Conclusion

For the foregoing reasons, we determine that revocation of the antidumping duty order on barium chloride from China would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

¹⁰⁸ CR/PR at Table I-5.

INFORMATION OBTAINED IN THIS REVIEW

BACKGROUND

On May 1, 2015, the U.S. International Trade Commission (“Commission”) gave notice, pursuant to section 751(c) of the Tariff Act of 1930, as amended (“the Act”),¹ that it had instituted a review to determine whether revocation of antidumping duty order on barium chloride from China would likely lead to the continuation or recurrence of material injury to a domestic industry.² All interested parties were requested to respond to this notice by submitting certain information requested by the Commission.³ The following tabulation presents information relating to the background and schedule of this proceeding:⁴

Effective or statutory date	Action
May 1, 2015	Notice of institution and initiation by Commerce and Commission (80 FR 24900, 24973)
June 29, 2015	Commerce final results of its expedited review (80 FR 36973)
August 4, 2015	Commission vote on adequacy
December 28, 2015	Commission statutory deadline to complete expedited review

¹ 19 U.S.C. 1675(c).

² *Barium Chloride From China; Institution of a Five-Year Review*, 80 FR 24973, May 1, 2015.

In accordance with section 751(c) of the Act, the U.S. Department of Commerce (“Commerce”) published a notice of initiation of a five-year review of the subject antidumping duty order concurrently with the Commission’s notice of institution. *Initiation of Five-Year (“Sunset”) Review*, 80 FR 24900, May 1, 2015.

³ As part of their response to the notice of institution, interested parties were requested to provide a list of three to five leading purchasers in the U.S. market for the subject merchandise. Presented in Appendix D are the responses received from purchaser surveys mailed to the purchasers identified in the adequacy phase of this review.

⁴ Pertinent *Federal Register* notices are referenced in Appendix A, and may be found at the Commission’s website (www.usitc.gov).

RESPONSES TO THE COMMISSION’S NOTICE OF INSTITUTION

Individual responses

The Commission received one submission in response to its notice of institution in the subject review. It was filed on behalf of Chemical Products Corporation (“CPC”), a domestic producer of barium chloride.⁵

A complete response to the Commission’s notice of institution requires that the responding interested party submit to the Commission all the information listed in the notice. Responding firms are given an opportunity to remedy and explain any deficiencies in their responses. A summary of the number of responses and estimates of coverage for each is shown in table I-1 below.

Table I-1

Barium chloride: Summary of Responses to the Commission’s Notice of Institution

Type of interested party	Completed responses	
	Number	Coverage
Domestic	1	***% ¹

¹ The coverage figure represents the domestic interested parties’ estimate of its share of total U.S. production of barium chloride.

Source: *CPC’s Response to the Notice of Institution*, June 1, 2015, p. 10.

⁵ The Commission also received one public comment from Process Enterprises LLC, an industrial user of barium chloride. The company has developed a new process for converting coal fired power plant waste gypsum into commodities, in which it would use large quantities of barium chloride dihydrate. The company does not currently use this process because they allege CPC cannot supply the large quantities of barium chloride it needs for the process. It claims using barium chloride from China is not economically viable with the current antidumping duty in place. In addition, countries other than China either cannot supply sufficient quantities of barium chloride to meet its needs or are cost prohibitive.

Party comments on adequacy

The Commission received one submission from CPC commenting on the adequacy of responses to the notice of institution and whether the Commission should conduct an expedited or full review. In its comments, CPC indicated that since it accounts for all U.S. production of barium chloride and has participated fully in the review, the domestic industry's response to the notice of institution is adequate. CPC urges the Commission to conduct an expedited review based on the failure of any U.S. importer, Chinese exporter or Chinese producer of barium chloride to respond to the notice of institution, and that conditions of competition in the U.S. market for barium chloride remain unchanged from the prior sunset review period.⁶

RECENT DEVELOPMENTS IN THE INDUSTRY

CPC notes that the supply and demand conditions for barium chloride in the United States have not changed much from what they were in 1984, when the antidumping duty order was issued. However, the U.S. market for barium chloride has generally declined over time, as some previously substantial uses have been replaced by other materials. There has also been an increase in the environmental regulation of barium compounds, which has affected the production and handling of barium chloride and limited the applications in which it is used.⁷

⁶ *CPC's Comments on Adequacy*, July 14, 2015, p. 1.

⁷ *CPC's Response to the Notice of Institution*, June 1, 2015, pp. 12-13.

THE PRODUCT

Commerce's scope

Commerce has defined the subject merchandise as:

... barium chloride, a chemical compound having the formulas $BaCl_2$ or $BaCl_2 \cdot 2H_2O$, currently classifiable under item number 2827.39.45.00 of the Harmonized Tariff Schedule of the United States ("HTSUS").

Although the HTSUS item number is provided for convenience and for customs purposes, the written description remains dispositive.⁸

Description and uses⁹

Barium chloride is a solid chemical compound having the formula $BaCl_2$ (if in powdered, or anhydrous, form) or $BaCl_2 \cdot 2H_2O$ (if in crystalline form). The anhydrous form of barium chloride ($BaCl_2$) is used primarily as an ingredient in heat-treating salts and metal fluxes--molten baths used to harden metal parts, usually small specialty steel parts such as tools and dies.

Crystalline barium chloride ($BaCl_2 \cdot 2H_2O$) is used primarily as an intermediate in the production of molecular catalyst sieves, which in turn are used in oil refinery complexes to separate industrially useful paraxylene molecules from other mixed xylenes. Paraxylene is a raw material used in the production of terephthalic acid, a precursor to the polyester PET that is used to make clothing and plastic bottles. Barium chloride in crystalline form also serves as a cleansing agent in the removal of soluble sulfates in certain chemical and water treatment processes; as a cleansing ingredient in lubricating oil additives; and as a raw material in the production of certain chemicals, pigments, and paper coatings. The crystalline form of barium chloride is also used as a base material for production of ink pigments and other barium intermediate products such as barium titanate and barium metaborate.

Barium chloride was previously used in the production of sodium metal, which was an input into leaded gasoline. While this application was once a major use for barium chloride, it has been eliminated as a result of the discontinued production of leaded gasoline in the early 1980s. Also, increased environmental regulation of barium compounds has led to the development of new processes in pigment production that substitute less costly and reportedly more environmentally friendly calcium chloride for barium chloride.

⁸ *Barium Chloride From the People's Republic of China: Continuation of Antidumping Duty Order*, 75 FR 36629, June 28, 2010.

⁹ Unless otherwise noted this information is based on *Barium Chloride from China, Investigation No. 731-TA-149 (Third Review)*, USITC Publication 4157, June 2010 2009, pp. I-13 through I-14.

Manufacturing process¹⁰

Barium chloride is produced by crushing barite ore (naturally occurring barium sulfate), mixing it with petroleum coke, and reducing it at high temperatures to barium sulfide, which is purified and dissolved in water. The barium sulfide solution is then reacted with hydrochloric acid to remove byproduct hydrogen sulfide as a gas. When the resulting solution is evaporated, barium chloride crystals remain. The crystalline form is reduced to the anhydrous form by applying intense heat, which drives off the water that is molecularly bonded in the crystals. CPC indicates that it produces barium chloride in the same way now, using the same raw materials and technology as it did in 1984.¹¹

U.S. tariff treatment

Barium chloride is currently imported under HTS statistical reporting number 2827.39.45.00 (“chlorides, chloride oxides and chloride hydroxides; bromides and bromide oxides; iodides and iodide oxides: other chlorides: of barium”) of the Harmonized Tariff Schedule of the United States (“HTS”). Barium chloride imported from China enters the U.S. market at a column 1-general duty rate 4.2 percent ad valorem.

The definition of the domestic like product

The domestic like product is defined as the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the subject merchandise. In its original determination and first three five-year review determinations, the Commission found one domestic like product, coextensive with the scope, that includes all barium chloride, whether crystalline or anhydrous.¹²

In its notice of institution for this review, the Commission solicited comments from interested parties regarding the appropriate domestic like product. According to their response to the notice of institution, CPC agrees with the definition, “crystalline and anhydrous barium chloride, excluding high purity barium chloride.”^{13 14}

¹⁰ Unless otherwise noted this information is based on *Barium Chloride from China, Investigation No. 731-TA-149 (Third Review)*, USITC Publication 4157, June 2010 2009, pp. I-14 through I-15.

¹¹ *CPC’s Response to the Notice of Institution*, June 1, 2015, p. 12.

¹² *Barium Chloride from China, Investigation No. 731-TA-149 (Third Review)*, USITC Publication 4157, June 2010 2009, pp. 5-6.

¹³ *CPC’s Response to the Notice of Institution*, June 1, 2015, p. 14.

¹⁴ In the original determination, the Commission found that high purity barium chloride produced for laboratory use was not included in the like product, noting that it was produced “only in very small amounts and at a relatively high price” and that this form of barium chloride “does not compete for general industrial use with the petitioner’s or the imported product.” In the subsequent three five-year reviews, the Commission explained that high purity barium chloride was not excluded from Commerce’s scope, the Commission had not made a separate injury finding for high purity barium chloride and,

(continued...)

THE ORIGINAL INVESTIGATION AND SUBSEQUENT REVIEWS¹⁵

The original investigation

The original investigation resulted from a petition filed on October 25, 1983 with Commerce and the Commission by CPC, Cartersville, Georgia. The Commission completed its original investigation in October 1984, determining that an industry in the United States was materially injured by reason of imports of barium chloride from China that were being sold at LTFV.¹⁶ After receipt of the Commission's determination, Commerce issued an antidumping duty order on imports of barium chloride from China, effective October 17, 1984.¹⁷

The first five-year review

In March 1999, the Commission completed an expedited five-year review of the subject order and determined that revocation of the antidumping duty order on barium chloride from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.¹⁸ Following affirmative determinations in the first five-year reviews by Commerce and the Commission, Commerce issued a continuation of the antidumping duty order on imports of barium chloride from China, effective March 10, 1999.¹⁹

The second five-year review

In July 2004, the Commission completed a second expedited five-year review of the subject order and determined that revocation of the antidumping duty order on barium chloride from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.²⁰ Following affirmative determinations in the second five-year reviews by Commerce and the Commission, Commerce

(...continued)

therefore, the like product included high purity barium chloride. *Barium Chloride from China, Investigation No. 731-TA-149 (Third Review)*, USITC Publication 4157, June 2010, p. 5, footnotes 22 and 25.

¹⁵ Data compiled during the original investigation and subsequent reviews are presented in appendix C.

¹⁶ *Barium Chloride From the People's Republic of China*, Investigation No. 731-TA-149 (Final), USITC Publication 1584, October 1984.

¹⁷ *Barium Chloride from the People's Republic of China, Antidumping Duty Order*, 49 FR 40635, October 17, 1984.

¹⁸ *Barium Chloride from China*, 64 FR 10317, March 3, 1999.

¹⁹ *Continuation of Antidumping Duty Order: Barium Chloride From the People's Republic of China*, 64 FR 42654, August 5, 1999.

²⁰ *Barium Chloride from China*, 69 FR 44059, July 23, 2004.

issued a continuation of the antidumping duty order on imports of barium chloride from China, effective August 5, 2004.²¹

The third five-year review

In June 2010, the Commission completed a third full five-year review of the subject order and determined that revocation of the antidumping duty order on barium chloride from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.²² Following affirmative determinations in the third five-year reviews by Commerce and the Commission, Commerce issued a continuation of the antidumping duty order on imports of barium chloride from China, effective June 28, 2010.²³

Prior related investigations

Barium chloride has not been the subject of any prior countervailing or antidumping duty investigations in the United States. The Commission has, however, conducted antidumping duty investigations on a related product, barium carbonate. The Commission made an affirmative final determination with respect to imports of barium carbonate from the Federal Republic of Germany in June 1981,²⁴ and Commerce subsequently issued an antidumping order.²⁵ In November 1998, as part of a five-year review, Commerce revoked the antidumping duty order effective January 1, 2000, because no domestic interested party responded to the notice of initiation by the applicable deadline.²⁶

On October 25, 1983, CPC filed an antidumping duty petition on imports of barium chloride and barium carbonate (precipitated) from China. The Commission made an affirmative preliminary determination on both products;²⁷ however, Commerce made a negative final dumping determination regarding imports of barium carbonate.²⁸

²¹ *Continuation of Antidumping Duty Order: Barium Chloride From the People's Republic of China*, 69 FR 47405, August 5, 2004.

²² *Barium Chloride From China*, 75 FR 33824, June 15, 2010.

²³ *Barium Chloride From the People's Republic of China: Continuation of Antidumping Duty Order*, 75 FR 36629, June 28, 2010.

²⁴ *Precipitated Barium Carbonate From The Federal Republic of Germany*, Investigation No. 731-TA-31 (Final), USITC Publication 1154, June 1981.

²⁵ *Precipitated Barium Carbonate From the Federal Republic of Germany; Antidumping Duty Order*, 46 FR 32864, June 25, 1981.

²⁶ *October 1998 Sunset Reviews: Final Results and Revocations*, 63 FR 64677, November 23, 1998.

²⁷ *Barium Chloride and Barium Carbonate (Precipitated) From The People's Republic of China*, Investigations Nos. 731-TA-149 and 150 (Preliminary), USITC Publication 1458, December 1983.

²⁸ *Final Determination of Sales at Not Less Than Fair Value; Barium Carbonate From the People's Republic of China*, 49 FR 33913, August 27, 1984.

On September 30, 2002, CPC filed an antidumping duty petition on imports of barium carbonate (regardless of form or grade) from China. The Commission made an affirmative final determination with respect to imports of barium carbonate from China in September 2003,²⁹ and Commerce subsequently issued an antidumping duty order.³⁰ In January 2009, as part of a five-year review, Commerce determined that revocation of the order on barium carbonate would likely lead to continuation or recurrence of dumping.³¹ In March 2009, the Commission, in an expedited five-year review, determined that revocation of the antidumping duty order on barium carbonate from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.³² In February 2015, the Commission, in a full second five-year review, determined that revocation of the antidumping duty order on barium carbonate from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.³³

ACTIONS AT COMMERCE

Current review results

Commerce notified the Commission that it had not received adequate responses from respondent interested parties to its notice initiating the current five-year review of the antidumping order on imports of barium chloride from China. Consequently, Commerce conducted an expedited review of the order and issued the final results of that expedited review on June 29, 2015. Commerce determined that that revocation of the antidumping duty order on barium chloride from China would be likely to lead to continuation or recurrence of dumping at weighted average margins up to 155.5 percent.³⁴

In the first five-year review, Commerce calculated a weighted-average dumping margin of 14.5 percent for SINOCEM and 14.5 percent for all others.³⁵ In the second five-year review, Commerce calculated a weighted-average dumping margin of 155.5 percent for SINOCEM and

²⁹ *Barium Carbonate from China*, Investigation No. 731-TA-1020 (Final), USITC Publication 3631, September 2003.

³⁰ *Antidumping Duty Order: Barium Carbonate from the People's Republic of China*, 68 FR 56619, October 1, 2003.

³¹ *Barium Carbonate from the People's Republic of China: Final Results of the Expedited Sunset Review of the Antidumping Duty Order*, 74 FR 882, January 9, 2009.

³² *Barium Carbonate From China*, 74 FR 10278, March 10, 2009.

³³ *Barium Carbonate From China*, 80 FR 6766, February 6, 2015.

³⁴ *Barium Chloride From the People's Republic of China: Final Results of Expedited Fourth Sunset Review of the Antidumping Duty Order*, 80 FR 36973, June 29, 2015.

³⁵ *Barium Chloride From the People's Republic of China, Antidumping Duty Order*, 49 FR 40635, October 17, 1984; *Final Results of Expedited Sunset Review: Barium Chloride From the People's Republic of China (PRC)*, 64 FR 5633, February 4, 1999.

155.5 percent for all others.³⁶ In the third five-year review, Commerce calculated a PRC-wide rate of 155.5; SINOCEM was not listed separately.³⁷

THE INDUSTRY IN THE UNITED STATES

U.S. producers

The structure of the domestic barium chloride industry has not changed substantially since the Commission's original investigation in 1984. At the time of the original investigation, CPC was the only substantial producer of barium chloride. During the first and second expedited five-year reviews, three additional firms were identified as producing small amounts of barium chloride either for internal consumption or for laboratory use only.³⁸ During the third full five-year review, The Commission also received a U.S. producer response from Barium & Chemicals, which identified itself as a ***.³⁹

In response to the Commission's notice of institution in this fourth five-year review, CPC identified itself as the only currently operating producer of barium chloride in the United States.⁴⁰ CPC does not import barium chloride from China and is not related to any exporters or importers of barium chloride from China.⁴¹

Definition of the domestic industry and related parties issues

The domestic industry is defined as the U.S. producers as a whole of the domestic like product, or those producers whose collective output of the domestic like product constitutes a major proportion of the total domestic production of the product. In its original determination and subsequent three five-year reviews, the Commission defined the domestic industry as all U.S. producers of the domestic like product.⁴² In its response to the notice of institution, CPC did not comment on the definition of the domestic industry.⁴³

³⁶ *Barium Chloride From The People's Republic of China; Final Results of the Sunset Review of Antidumping Duty Order*, 69 FR 31791, June 7, 2004.

³⁷ *Barium Chloride From the People's Republic of China: Final Results of Expedited Third Sunset Review of Antidumping Duty Order*, 74 FR 55814, October 29, 2009.

³⁸ *Barium Chloride from China*, Investigation No. 731-TA-149 (Third Review), USITC Publication 4157, June 2010, p. II-15.

³⁹ *Barium Chloride from China, Investigation No. 731-TA-149 (Third Review)*, Memorandum INV-HH-048, May 10, 2010, p. III-1, n. 3.

⁴⁰ CPC's Response to the Notice of Institution, June 1, 2015, p. 8.

⁴¹ CPC's Supplemental Response to the Notice of Institution, June 8, 2015, p. 1.

⁴² *Barium Chloride from China*, Investigation No. 731-TA-149 (Third Review), USITC Publication 4157, June 2010, p. 6.

⁴³ *CPC's Response to the Notice of Institution*, June 1, 2015, p. 14.

U.S. producers' trade and financial data

The Commission asked domestic interested parties to provide trade and financial data in their response to the notice of institution of the current five-year review. Table I-2 presents a compilation of the data submitted from CPC in this current fourth five-year review, as well as trade and financial data submitted by U.S. producers in the previous three five-year reviews and final investigation.

Table I-2:

Barium chloride: Trade and financial data submitted by U.S. producers, 1983, 1997, 2003, 2009, and 2014

* * * * *

U.S. IMPORTS AND APPARENT CONSUMPTION

U.S. importers

During the original investigation, the Commission reported that at least 13 firms imported barium chloride from China.⁴⁴ In the Commission's third five-year review, eight firms indicated that they imported barium chloride during 2004-09, accounting for more than 75 percent of imports of barium chloride from China and more than 95 percent of imports from all other sources.⁴⁵

In its response to the Commission's notice of institution in this review, CPC stated that imports from China are not currently a significant factor in the market and it does not know which companies imported quantities of Chinese barium chloride in 2012 and 2013.⁴⁶

U.S. imports

During the period examined in the original investigation, the volume of U.S. imports of barium chloride from China increased from 4.0 million pounds in 1981 to 5.3 million pounds in 1983, and increased greatly both as a share of domestic consumption and relative to domestic producers' shipments. In its first five-year review, the Commission observed that the volume of subject imports declined to minimal levels after the antidumping duty order was issued. In the

⁴⁴ *Barium Chloride from the People's Republic of China, Investigation No. 731-TA-149 (Final)*, USITC Publication 1584, October 1984, p. A-6

⁴⁵ *Barium Chloride from China, Investigation No. 731-TA-149 (Third Review)*, USITC Publication 4157, June 2010, p. IV-1.

⁴⁶ *CPC's Response to the Notice of Institution*, June 1, 2015, p. 9.

second review, the Commission found that the volume of subject imports would likely return to significant levels absent the restraining effect of the antidumping duty order.⁴⁷

In the third review, the Commission found that the antidumping duty order has had a restraining effect on the volume of subject imports, with the market share of subject imports remaining below *** percent throughout the period examined. The Commission concluded that the subject import volume would likely be significant in the event of revocation of the order.⁴⁸

Table I-3 presents the quantity and value for imports from China as well as the other top sources of U.S. imports.

Table I-3
Barium chloride: U.S. imports, 2010-14

Item	2010	2011	2012	2013	2014
Quantity (1,000 pounds)					
China (subject)	0	0	176	44	0
India	775	1,324	5,640	6,326	2,407
All other imports (nonsubject)	1	17	13	3	29
Total imports	776	1,342	5,830	6,373	2,436
Landed, duty-paid value (\$1,000)					
China (subject)	0	0	48	21	0
India	404	675	2,345	2,800	1,073
All other imports (nonsubject)	28	69	21	27	25
Total imports	432	744	2,413	2,849	1,098

Note.--Because of rounding, figure may not add to total shown.

Source: Compiled from official statistics of Commerce for HTS statistical reporting number 2827.39.4500.

⁴⁷ *Barium Chloride from China*, Investigation No. 731-TA-149 (Third Review), USITC Publication 4157, June 2010, p. 11.

⁴⁸ *Barium Chloride from China*, Investigation No. 731-TA-149 (Third Review), Confidential Commission Opinion, pp. 16-18.

Apparent U.S. consumption and market shares

Table I-4 presents data on U.S. producers' U.S. shipments, U.S. imports, and apparent U.S. consumption, while table I-5 presents data on U.S. market shares of U.S. apparent consumption.

Table I-4

Barium chloride: U.S. producers' U.S. shipments, U.S. imports, and apparent U.S. consumption, 1983, 1997, 2003, 2009, and 2014

Item	Calendar Year				
	1983	1997	2003	2009	2014
	Quantity (1,000 pounds)				
U.S. producers' U.S. shipments	***	***	***	***	***
U.S. imports from—					
China	5,330	243	573	0	0
All other	1,475	2,703	22	1,028	2,436
Total imports	6,805	2,945	594	1,028	2,436
Apparent U.S. consumption	***	***	***	***	***
	Value (1,000 dollars)				
U.S. producers' U.S. shipments	***	***	***	***	***
U.S. imports from—					
China	471	23	104	0	0
All other	230	870	51	567	1,098
Total imports	701	893	155	567	1,098
Apparent U.S. consumption	***	***	***	***	***

Source: Barium Chloride from China, Investigation No. 731-TA-149 (Third Review), Memorandum INV-HH-048, May 10, 2010, pp. I-5-7, and CPC's Response to the Notice of Institution, June 1, 2015, pp. 10-11. U.S. imports are compiled from official Commerce statistics under HTS statistical reporting number 2827.39.4500.

Table I-5
Barium chloride: Apparent U.S. consumption and U.S. market shares, 1983, 1997, 2003, 2009, and 2014

* * * * *

THE INDUSTRY IN CHINA

Foreign producers

During the original investigation, SINOCEM accounted for all of China's known exports of barium chloride to the United States. SINOCEM reported that the annual capacity to produce barium chloride in China at that time was *** pounds and that only three chemical plants in China produced barium chloride for export to the United States.⁴⁹

In the subsequent first, second, and third five-year reviews, no foreign producers responded to the Commission's notice of institution. The Commission estimated the Chinese capacity to produce barium chloride to be at least *** pounds during the first review, *** pounds during the second review, and 269.0 million pounds during the third review.⁵⁰

In this fourth review, the Commission did not receive any responses to the notice of institution from foreign producers or exporters. CPC provided a list of ten firms, with a combined annual capacity of 643.7 million pounds, that they believe currently produce barium chloride in China.⁵¹

ANTIDUMPING OR COUNTERVAILING DUTY ORDERS IN THIRD-COUNTRY MARKETS

Based on available information, barium chloride from China has not been subject to any other import relief investigations in any other countries.

THE GLOBAL MARKET

Table I-6 presents the largest global export sources of chlorides, including barium chloride, as well as top importers of chlorides, during 2010-14.

⁴⁹ Barium Chloride from China, Investigation No. 731-TA-149 (Third Review), Memorandum INV-HH-048, May 10, 2010, p. IV-5.

⁵⁰ Barium Chloride from China, Investigation No. 731-TA-149 (Third Review), Memorandum INV-HH-048, May 10, 2010, pp. IV-6-8

⁵¹ CPC's Response to the Notice of Institution, June 1, 2015, p. 4 and Exhibit 1.

Table I-6**Chlorides (including barium chloride): Exports and imports by major sources, 2010-14**

Item	Calendar Year				
	2010	2011	2012	2013	2014
	Exports, Quantity (1,000 pounds)				
Germany	357,777	237,473	178,301	308,058	332,547
China	191,344	210,773	186,379	203,875	222,875
Belgium	159,590	158,799	151,643	155,651	154,705
Other	468,207	477,181	494,118	536,892	561,221
Total	1,176,918	1,084,226	1,010,440	1,204,475	1,271,349
	Imports, Quantity (1,000 pounds)				
Germany	103,754	111,060	118,357	169,837	135,999
France	113,957	129,601	113,152	110,394	112,173
Belgium	104,889	109,772	112,700	118,763	124,118
Other	955,670	968,183	987,639	1,024,658	1,058,056
Total	1,278,270	1,318,616	1,331,849	1,423,653	1,430,345

Note.--Because of rounding, figures may not add to total shown.

Source: Global Trade Information Services, Inc., *Global Trade Atlas*, HS subheading 282739. Retrieved July 2, 2015.

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
80 FR 24973 May 1, 2015	<i>Barium Chloride From China; Institution of a Five-Year Review</i>	https://federalregister.gov/a/2015-10108
80 FR 24900 May 1, 2015	<i>Initiation of Five-Year ("Sunset") Review</i>	https://federalregister.gov/a/2015-10244
80 FR 36973 June 29, 2015	<i>Barium Chloride From the People's Republic of China: Final Results of Expedited Fourth Sunset Review of the Antidumping Duty Order</i>	https://federalregister.gov/a/2015-15903

APPENDIX B
COMPANY-SPECIFIC DATA

RESPONSE CHECKLIST FOR U.S. PRODUCERS

Item	CPC
	Quantity= 1,000 pounds; value=1,000 dollars; Unit values, unit labor costs, and unit financial data are per pound
Nature of operation	✓
Statement of intent to participate	✓
Statement of likely effects of revoking the order	✓
U.S. producer list	✓
U.S. importer/foreign producer list	✓
List of 3-5 leading purchasers	✓
List of sources for national/regional prices	✓
Production:	
Quantity	***
Percent of total reported	100.0
Capacity	***
Commercial shipments:	
Quantity	***
Value	***
Internal consumption:¹	
Quantity	***
Value	***
Net sales	***
COGS	***
Gross profit or (loss)	***
SG&A expenses	***
Operating income (loss)	***
Changes in supply/demand	✓
<p>¹ ***.</p> <p>Note.—The production, capacity, and shipment data presented are for calendar year 2014. The financial data are for fiscal year ended December 31, 2014.</p> <p>✓ = response proved; ✕ = response not provided; NA = not applicable; ? = indicated that the information was not known.</p>	

APPENDIX C

SUMMARY DATA COMPILED IN PRIOR INVESTIGATIONS

Table I-1

Barium chloride: Summary data from the original investigation, first, second, and current reviews, 1981-83, 1997, 2003, and 2004-09

(Quantity=1,000 pounds; value=1,000 dollars; unit value=per pound)

Item	1981	1982	1983	1997	2003	2004	2005	2006	2007	2008	2009
U.S. consumption quantity: Amount	***	***	***	***	***	***	***	***	***	***	***
Producers' share ¹	***	***	***	***	***	***	***	***	***	***	***
Importer's share: ¹ China	***	***	***	***	***	***	***	***	***	***	***
All other countries	***	***	***	***	***	***	***	***	***	***	***
Total imports	***	***	***	***	***	***	***	***	***	***	***
U.S. consumption value: Amount	***	***	***	***	***	***	***	***	***	***	***
Producers' share ¹	***	***	***	***	***	***	***	***	***	***	***
Importer's share: ¹ China	***	***	***	***	***	***	***	***	***	***	***
All other countries	***	***	***	***	***	***	***	***	***	***	***
Total imports	***	***	***	***	***	***	***	***	***	***	***
U.S. imports from-- China:											
Quantity	3,994	4,319	5,330	243	573	211	174	132	43	0	0
Value	329	322	471	23	104	45	42	29	9	0	0
Unit value	\$0.08	\$0.07	\$0.09	\$0.09	\$0.18	\$0.21	\$0.24	\$0.22	\$0.21	---	---

Table continued on next page.

Table I-1--Continued

Barium chloride: Summary data from the original investigation, first, second, and current reviews, 1981-83, 1997, 2003, and 2004-09

(Quantity=1,000 pounds; value=1,000 dollars; unit value=per pound)

Item	1981	1982	1983	1997	2003	2004	2005	2006	2007	2008	2009
All other countries:											
Quantity	3,209	1,541	1,475	2,703	22	76	34	83	69	563	1,028
Value	530	282	230	870	51	94	101	67	44	319	567
Unit value	\$0.17	\$0.18	\$0.16	\$0.32	\$2.32	\$1.24	\$2.98	\$0.80	\$0.64	\$0.57	\$0.55
All countries:											
Quantity	7,203	5,860	6,805	2,945	594	287	208	215	112	563	1,028
Value	859	604	701	893	155	140	143	96	53	319	567
Unit value	\$0.12	\$0.10	\$0.10	\$0.30	\$0.26	\$0.49	\$0.69	\$0.45	\$0.47	\$0.57	\$0.55
U.S. producers'--											
Capacity quantity	***	***	***	***	(²)	***	***	***	***	***	***
Production quantity	***	***	***	***	***	***	***	***	***	***	***
Capacity utilization ¹	***	***	***	***	(²)	***	***	***	***	***	***
U.S. shipments:											
Quantity	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***
Unit value	\$***	\$***	\$***	\$***	\$***	\$***	\$***	\$***	\$***	\$***	\$***
Export shipments:											
Quantity	***	***	***	(²)	(²)	***	***	***	***	***	***
Value	***	***	***	(²)	(²)	***	***	***	***	***	***
Unit value	\$***	\$***	\$***	(²)	(²)	\$***	\$***	\$***	\$***	\$***	\$***
Ending inventory quantity	***	***	***	(²)	(²)	***	***	***	***	***	***
Inventories/total shipments ¹	***	***	***	(²)	(²)	***	***	***	***	***	***

Table continued on next page.

Table I-1--Continued

Barium chloride: Summary data from the original investigation, first, second, and current reviews, 1981-83, 1997, 2003, and 2004-09

(Quantity=1,000 pounds; value=1,000 dollars; unit value=per pound)

Item	1981	1982	1983	1997	2003	2004	2005	2006	2007	2008	2009
Production workers	***	***	***	(²)	(²)	***	***	***	***	***	***
Hours worked (1,000 hours)	***	***	***	(²)	(²)	***	***	***	***	***	***
Wages paid (1,000 dollars)	***	***	***	(²)	(²)	***	***	***	***	***	***
Hourly wages	\$***	\$***	\$***	(²)	(²)	\$***	\$***	\$***	\$***	\$***	\$***
Productivity (pounds per hour)	***	***	***	(²)	(²)	***	***	***	***	***	***
Net sales:											
Quantity	(²)	***	***	***	***	***	***				
Value	***	***	***	(²)	(²)	***	***	***	***	***	***
Unit value	(²)	\$***	\$***	\$***	\$***	\$***	\$***				
Cost of goods sold	***	***	***	(²)	(²)	***	***	***	***	***	***
Gross profit or (loss)	***	***	***	(²)	(²)	***	***	***	***	***	***
SG&A	***	***	***	(²)	(²)	***	***	***	***	***	***
Operating income or (loss)	***	***	***	(²)	(²)	***	***	***	***	***	***
Unit cost of goods sold	(²)	\$***	\$***	\$***	\$***	\$***	\$***				
Unit operating income or (loss)	(²)	\$***	\$***	\$***	\$***	\$***	\$***				
Cost of goods sold/sales ¹	***	***	***	(²)	(²)	***	***	***	***	***	***
Operating income or (loss)/sales ¹	***	***	***	(²)	(²)	***	***	***	***	***	***

¹ In percent.

² Data not available.

Source: Data for the period 1981-83 are compiled from information presented in the Original Staff Report (September 17, 1984); data for 1997 and 2003 are compiled from information presented in the Second Review Staff Report (INV-BB-070, June 3, 2004); data for 2004-09 are from data submitted in response to Commission questionnaires. Import data are compiled from official Commerce statistics.

Table C-1

Barium chloride: Summary data concerning the U.S. market, 2004-09

(Quantity=1,000 pounds, value=1,000 dollars, unit values, unit labor costs, and unit expenses are per pound; period changes=percent, except where noted)

Item	Reported data						Period changes					
	2004	2005	2006	2007	2008	2009	2004-09	2004-05	2005-06	2006-07	2007-08	2008-09
				*	*	*	*	*	*	*	*	*
U.S. imports from:												
China:												
Quantity	211	174	132	43	0	0	-100.0	-17.3	-24.1	-67.5	-100.0	(2)
Value	45	42	29	9	0	0	-100.0	-7.0	-29.9	-69.9	-100.0	(2)
Unit value	\$0.21	\$0.24	\$0.22	\$0.21	(2)	(2)	(2)	12.5	-7.8	-7.4	(2)	(2)
All other sources:												
Quantity	76	34	83	69	563	1,028	1,252.9	-55.5	145.9	-16.9	714.5	82.5
Value	94	101	67	44	319	567	501.0	6.9	-33.7	-33.8	619.6	77.9
Unit value	\$1.24	\$2.98	\$0.80	\$0.64	\$0.57	\$0.55	-55.6	140.2	-73.1	-20.3	-11.7	-2.5
All sources:												
Quantity	287	208	215	112	563	1,028	258.6	-27.4	3.6	-48.0	402.2	82.5
Value	140	143	96	53	319	567	306.4	2.4	-32.6	-44.8	499.6	77.9
Unit value	\$0.49	\$0.69	\$0.45	\$0.47	\$0.57	\$0.55	13.4	41.1	-35.0	6.1	19.4	-2.5
				*	*	*	*	*	*	*	*	*

(1) "Reported data" are in percent and "period changes" are in percentage points.
 (2) Not applicable.

Note.--Financial data are reported on a fiscal year basis and may not necessarily be comparable to data reported on a calendar year basis. Because of rounding, figures may not add to the totals shown. Unit values and shares are calculated from the unrounded figures.

Source: Compiled from data submitted in response to Commission questionnaires and from official Commerce statistics.

APPENDIX D
PURCHASER QUESTIONNAIRE RESPONSES

As part of their response to the notice of institution, interested parties were asked to provide a list of three to five leading purchasers in the U.S. market for the domestic like product. A response was received from domestic interested parties and it named the following three firms as the top purchasers of barium chloride: ***. Purchaser questionnaires were sent to these three firms and two firms (***) provided responses which are presented below.

1. a.) Have any changes occurred in technology; production methods; or development efforts to produce barium chloride that affected the availability of barium chloride in the U.S. market or in the market for barium chloride in China since 2010?
- b.) Do you anticipate any changes in technology; production methods; or development efforts to produce barium chloride that will affect the availability of barium chloride in the U.S. market or in the market for barium chloride in China within a reasonably foreseeable time?

Purchaser	Changes that have occurred	Anticipated changes
***	No.	No.
***	No.	No.

2. a.) Have any changes occurred in the ability to increase production of barium chloride (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production) that affected the availability of barium chloride in the U.S. market or in the market for barium chloride in China since 2010?
- b.) Do you anticipate any changes in the ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production) that will affect the availability of barium chloride in the U.S. market or in the market for barium chloride in China within a reasonably foreseeable time?

Purchaser	Changes that have occurred	Anticipated changes
***	No.	No.
***	No.	No.

3. a.) Have any changes occurred in factors related to the ability to shift supply of barium chloride among different national markets (including barriers to importation in foreign markets or changes in market demand abroad) that affected the availability of barium chloride in the U.S. market or in the market for barium chloride in China since 2010?
- b.) Do you anticipate any changes in factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad) that will affect the availability of barium chloride in the U.S. market or in the market for barium chloride in China within a reasonably foreseeable time?

Purchaser	Changes that have occurred	Anticipated changes
***	No.	No.
***	No.	No.

4. a.) Have there been any changes in the end uses and applications of barium chloride in the U.S. market or in the market for barium chloride in China since 2010?
- b.) Do you anticipate any changes in the end uses and applications of barium chloride in the U.S. market or in the market for barium chloride in China within a reasonably foreseeable time?

Purchaser	Changes that have occurred	Anticipated changes
***	No.	No.
***	No.	No.

5. a.) Have there been any changes in the existence and availability of substitute products for barium chloride in the U.S. market or in the market for barium chloride in China since 2010?
- b.) Do you anticipate any changes in the existence and availability of substitute products for barium chloride in the U.S. market or in the market for barium chloride in China within a reasonably foreseeable time?

Purchaser	Changes that have occurred	Anticipated changes
***	No.	No.
***	No.	No.

6. a.) Have there been any changes in the level of competition between barium chloride produced in the United States, barium chloride produced in China, and such merchandise from other countries in the U.S. market or in the market for barium chloride in China since 2010?
- b.) Do you anticipate any changes in the level of competition between barium chloride produced in the United States, barium chloride produced in China, and such merchandise from other countries in the U.S. market or in the market for barium chloride in China within a reasonably foreseeable time?

Purchaser	Changes that have occurred	Anticipated changes
***	No.	No.
***	No.	No.

7. a.) Have there been any changes in the business cycle for barium chloride in the U.S. market or in the market for barium chloride in China since 2010?
- b.) Do you anticipate any changes in the business cycle for barium chloride in the U.S. market or in the market for barium chloride in China within a reasonably foreseeable time?

Purchaser	Changes that have occurred	Anticipated changes
***	No.	No.
***	No.	No.