

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN CARBON AND ALLOY STEEL
PRODUCTS**

Investigation No. 337-TA-1002

**NOTICE OF COMMISSION DECISION NOT TO REVIEW
AN INITIAL DETERMINATION FINDING NON-APPEARING RESPONDENTS IN
DEFAULT**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 32), finding certain non-appearing respondents in default.

FOR FURTHER INFORMATION CONTACT: Megan M Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2301. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on June 2, 2016, based on a complaint filed by United States Steel Corporation of Pittsburgh, Pennsylvania ("U.S. Steel"), alleging a violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337. 81 *Fed. Reg.* 35381 (June 2, 2016). The notice of investigation named numerous respondents, including the following: Anshan Iron and Steel Group of Anshan City, China ("Anshan"); Angang Group International Trade Corporation of Anshan, China and Angang Group Hong Kong Co. Ltd. of Hong Kong, China (collectively, "Angang"); Wuhan Iron and Steel Group Corp. of Changqian, China and Wuhan Iron and Steel Co., Ltd. of Wuhan City, China (collectively, "Wuhan"); WISCO America Co., Ltd. of Newport Beach, California ("WISCO"); and Bohai Iron and Steel Group of Tianjin, China, EQ Metal (Shanghai) Co., Ltd. of Shanghai, China, Kunshan Xinbei International Trade Co., Ltd. of Jiangsu, China, Taian JNC Industrial Co.,

Ltd. of Tai'an City, China, Tianjin Pipe (Group) Corporation of Tianjin, China, Tianjin Pipe International Economic & Trading Corporation of Tianjin, China, Tianjin Tiangang Guanye Co., Ltd. of Tianjin, China, Tianjin Xinhai Trade Co., Ltd. of Tianjin, China, Tianjin Xinlianxin Steel Pipe Co., Ltd. of Tianjin, China, Tianjin Xinyue Industrial and Trade Co., Ltd. of Tianjin, China, TPCO America Corporation of Gregory, Texas, TPCO Enterprise, Inc. of Houston, Texas, Wuxi Sunny Xin Rui Science and Technology Co., Ltd. of Wuxi Province, China, and Xian Linkun Materials (Steel Pipe Supplies) Co., Ltd. of Xi'an City, China (collectively, the "Non-Appearing Respondents"). *Id.* at 35382. The Office of Unfair Import Investigations ("OUII") was also named as a party. *Id.* The alleged violation of section 337 is based upon the importation into the United States, or in the sale of certain carbon and alloy steel products by reason of: (1) a conspiracy to fix prices and control output and export volumes, the threat or effect of which is to restrain or monopolize trade and commerce in the United States; (2) misappropriation and use of trade secrets, the threat or effect of which is to destroy or substantially injure an industry in the United States; or (3) false designation of origin or manufacturer, the threat or effect of which is to destroy or substantially injure an industry in the United States. *Id.* at 35381.

On July 1, 2016, U.S. Steel filed a motion for an order to show cause why the Non-Appearing Respondents should not be found in default. On August 9, 2016, the ALJ issued Order No. 20, ordering the parties to respond to the motion no later than August 15, 2016. On August 15, 2016, OUII filed a response in support of the motion. Also on August 15, 2016, respondents Anshan, Angang, Wuhan, and WISCO filed a response, taking no position on the motion but arguing that no adverse inferences be applied in the event of a default.

On August 22, 2016, the ALJ issued Order No. 25, granting U.S. Steel's motion for an order to show cause. The ALJ noted that the Commission issued the Notice of Investigation on May 26, 2016. The ALJ further noted that, on that date, the Office of the Secretary attempted to serve a copy of the Complaint and Notice of Investigation upon each named respondent, and service was successful on each of the Non-Appearing Respondents. U.S. Steel also served discovery requests upon the Non-Appearing Respondents. The ALJ found that none of the Non-Appearing Respondents have answered the Complaint and Notice of Investigation or responded to any discovery requests.

On September 14, 2016, the ALJ issued the subject ID (Order No. 32), finding the Non-Appearing Respondents in default pursuant to Commission rule 210.16(a)(1) (19 C.F.R. § 210.16(a)(1)). The ALJ noted that the Non-Appearing Respondents failed to answer the Complaint and Notice of Investigation and failed to show cause why they should not be found in default. The ALJ also noted that the Non-Appearing Respondents have not entered any appearance in this investigation and did not participate in the teleconference held on September 13, 2016.

No petitions for review were filed and the Commission has determined not to review the subject ID.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 C.F.R. Part 210).

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', with a stylized flourish at the end.

Lisa R. Barton
Secretary to the Commission

Issued: October 14, 2016