

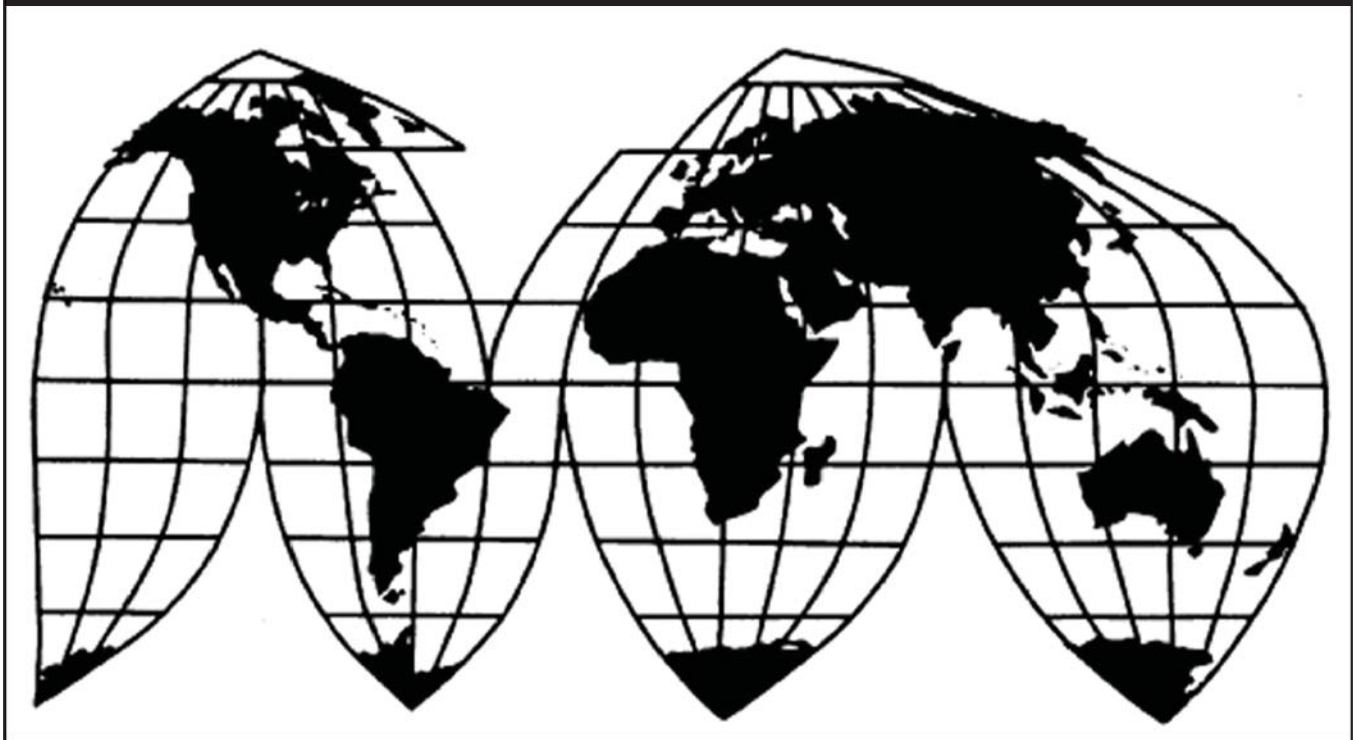
Carbon Steel Butt-Weld Pipe Fittings from Brazil, China, Japan, Taiwan, and Thailand

Investigation Nos. 731-TA-308-310 and 520-521 (Fourth Review)

Publication 4628

August 2016

U.S. International Trade Commission



Washington, DC 20436

U.S. International Trade Commission

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Note.—Information that would reveal confidential operations of individual concerns may not be published and therefore has been deleted.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

UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation Nos. 731-TA-308-310 and 520-521 (Fourth Review)
Carbon Steel Butt-Weld Pipe Fittings from Brazil, China, Japan, Taiwan, and Thailand

DETERMINATIONS

On the basis of the record¹ developed in the subject five-year reviews, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that revocation of the antidumping duty orders on carbon steel butt-weld pipe fittings from Brazil, China, Japan, Taiwan, and Thailand would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.²

BACKGROUND

The Commission, pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)), instituted these reviews on March 1, 2016 (81 F.R. 10656) and determined on June 6, 2016 that it would conduct expedited reviews (81 F.R. 40923, June 23, 2016).

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

² Commissioner Meredith M. Broadbent determines revocation of the antidumping duty order on carbon steel butt-weld pipe fittings from Brazil is not likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Views of the Commission

Based on the record in these five-year reviews, we determine under section 751(c) of the Tariff Act of 1930, as amended (“the Tariff Act”), that revocation of the antidumping duty orders on carbon steel butt-weld pipe fittings (“carbon steel BWPF”) from Brazil, China, Japan, Taiwan, and Thailand would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.¹

I. Background

The Original Investigations and Prior Five-Year Reviews. On February 24, 1986, the Commission instituted investigations on imports of carbon steel BWPF from Brazil, Japan, and Taiwan.² In December 1986, the Commission determined that an industry in the United States was materially injured by reason of carbon steel BWPF from Brazil and Taiwan sold at less-than-fair value (“LTFV”).³ In January 1987, the Commission determined that an industry in the United States was materially injured by reason of LTFV imports of carbon steel BWPF from Japan.⁴ Commerce issued antidumping duty orders with respect to imports from Brazil and Taiwan on December 17, 1986,⁵ and with respect to imports from Japan on February 10, 1987.⁶

On May 22, 1991, the Commission instituted investigations on imports of carbon steel BWPF from China and Thailand.⁷ In June 1992, the Commission determined that an industry in the United States was threatened with material injury by reason of LTFV imports of carbon steel BWPF from China and Thailand.⁸ Commerce issued antidumping duty orders with respect to imports from China and Thailand on July 6, 1992.⁹

¹ Commissioner Broadbent determines that revocation of the antidumping duty order on carbon steel BWPF from Brazil would not be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. She joins these views unless otherwise indicated.

² 51 Fed. Reg. 30557 (Aug. 27, 1986).

³ *Butt-Weld Pipe Fittings from Brazil and Taiwan*, Inv. Nos. 731-TA-308, 310 (Final), USITC Pub. 1918 (Dec. 1986) (“Original Determinations on Brazil and Taiwan, USITC Pub. 1918”).

⁴ *Butt-Weld Pipe Fittings from Japan*, Inv. No. 731-TA-309 (Final), USITC Pub. 1943 (Jan. 1987) (“Original Determination on Japan, USITC Pub. 1943”). Commerce postponed the date for its final determination on subject imports from Japan at the respondent’s request. Original Determinations on Brazil and Taiwan, USITC Pub. 1918 at 1 n.3, 15.

⁵ 51 Fed. Reg. 45152 (Dec. 17, 1986).

⁶ 52 Fed. Reg. 4167 (Feb. 10, 1987).

⁷ 57 Fed. Reg. 2783 (Jan. 23, 1992).

⁸ *Certain Carbon Steel Butt-Weld Pipe Fittings from China and Thailand*, Inv. Nos. 731-TA-520 and 521 (Final), USITC Pub. 2528 (June 1992) (“Original Determinations on China and Thailand, USITC Pub. 2528”).

⁹ 57 Fed. Reg. 29702 (July 6, 1992). One producer in Thailand, Awaji Materia Co., received a *de minimis* dumping margin and is currently excluded from the order. Confidential Report, Memorandum INV-OO-048 (May 23, 2016) (CR) at I-46, Public Report (PR) at I-34.

In December 1999, the Commission completed its expedited first five-year reviews on the antidumping duty orders on carbon steel BWPF from Brazil, China, Japan, Taiwan, and Thailand.¹⁰ It determined that revocation of the orders would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.¹¹ Commerce issued a continuation of these orders on January 6, 2000.¹²

In October 2005, the Commission completed its full second five-year reviews on the antidumping duty orders on carbon steel BWPF from Brazil, China, Japan, Taiwan, and Thailand.¹³ It determined that revocation of the orders would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.¹⁴ Commerce issued a continuation of these orders on November 21, 2005.¹⁵

In April 2011, the Commission completed its expedited third five-year reviews on the antidumping duty orders on carbon steel BWPF from Brazil, China, Japan, Taiwan, and Thailand.¹⁶ It determined that revocation of the orders would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.¹⁷ Commerce issued a continuation of these orders on April 15, 2011.¹⁸

¹⁰ In voting to conduct expedited reviews, the Commission found the domestic interested party group response adequate and the respondent interested party group response inadequate for each subject country. See 64 Fed. Reg. 44536 (Aug. 16, 1999); *Explanation of Commission Determination of Adequacy in Carbon Steel Butt-Weld Pipe Fittings from Brazil, China, Japan, Taiwan, and Thailand*, Inv. Nos. 731-TA-308-310 and 520-521 (Review).

¹¹ *Carbon Steel Butt-Weld Pipe Fittings from Brazil, China, Japan, Taiwan, and Thailand*, Inv. Nos. 731-TA-308-310 and 520-521 (Review), USITC Pub. 3263 (Dec. 1999) (“First Five-Year Reviews, USITC Pub. 3263”).

¹² 65 Fed. Reg. 753 (Jan. 6, 2000).

¹³ In voting to conduct full reviews, the Commission found the domestic interested party group response adequate, and the respondent interested party group response inadequate for each subject country, but determined that other circumstances warranted conducting full reviews. 70 Fed. Reg. 14713 (Mar. 23, 2005); *Explanation of Commission Determination on Adequacy in Carbon Steel Butt-Weld Pipe Fittings from Brazil, China, Japan, Taiwan, and Thailand*, Inv. Nos. 731-TA-308-310 and 520-521 (Second Review).

¹⁴ *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand*, Inv. Nos. 731-TA-308-310, and 520-521 (Second Review), USITC Pub. 3809 (Oct. 2005) (“Second Five-Year Reviews, USITC Pub. 3809”).

¹⁵ 70 Fed. Reg. 70059 (Nov. 21, 2005).

¹⁶ In voting to conduct expedited reviews, the Commission found the domestic interested party group response adequate, and the respondent interested party group response inadequate for each subject country. 76 Fed. Reg. 5205 (Jan. 28, 2011); *Explanation of Commission Determination on Adequacy in Carbon Steel Butt-Weld Pipe Fittings from Brazil, China, Japan, Taiwan, and Thailand*, Inv. Nos. 731-TA-308-310 and 520-521 (Third Review).

¹⁷ *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand*, Inv. Nos. 731-TA-308-10, and 520-521 (Third Review), USITC Pub. 4222 (Apr. 2011) (“Third Five-Year Reviews, USITC Pub. 4222”).

¹⁸ 76 Fed. Reg. 21331 (Apr. 15, 2011).

The Current Reviews: The Commission instituted these reviews on March 1, 2016.¹⁹ The Commission received a joint response to its notice of institution from Tube Forgings of America, Inc. (“Tube Forgings”), Mills Iron Works, Inc. (“Mills”), and Hackney Ladish, Inc. (“Hackney”), and an individual response from Weldbend Corporation (“Weldbend”) (collectively “domestic producers”).²⁰ Each of the responding parties is a domestic producer of carbon steel BWPF. The Commission received no respondent interested party responses to the notice of institution. On June 6, 2016, the Commission determined that the domestic interested party group response to its notice of institution was adequate and that the respondent interested party group response for each review was inadequate.²¹ In the absence of other circumstances warranting full reviews, it determined to conduct expedited reviews.²²

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.”²³ 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.”²⁴ 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.²⁵

Commerce has defined the imported merchandise within the scope of the orders under review as follows:

¹⁹ 81 Fed. Reg. 10656 (Mar. 1, 2016).

²⁰ CR at I-2, PR at I-2.

²¹ *Explanation of Commission Determination on Adequacy in Carbon Steel Butt-Weld Pipe Fittings from Brazil, China, Japan, Taiwan, and Thailand*, Inv. Nos. 731-TA-308-310 and 520-521 (Fourth Review).

²² Commissioners Johanson and Broadbent found that there were additional circumstances to warrant full reviews, and voted to conduct full reviews. 81 Fed. Reg. 40923 (June 23, 2016).

²³ 19 U.S.C. § 1677(4)(A).

²⁴ 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).

²⁵ *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).

. . . certain carbon steel butt-weld type [*sic*] fittings, other than couplings, under 14 inches in diameter, whether finished or unfinished [. . .] currently classified under subheading 7307.93.30 of the Harmonized Tariff Schedule of the United States (“HTS”).²⁶

Butt weld pipe fittings are used to connect pipe sections where conditions require permanent, welded connections. The beveled edges of butt-weld pipe fittings distinguish them from other types of pipe fittings, such as threaded, grooved, or bolted fittings, which rely on different types of fastening methods. When placed against the end of a beveled pipe or another fitting, the beveled edges of a butt-weld pipe fitting form a shallow channel that accommodates the “bead” of the weld that fastens the two adjoining pieces. Butt-weld pipe fittings can be produced from various materials, including carbon steel, alloy steel, and stainless steel.²⁷ Approximately 90 percent of all butt-weld pipe fittings under 14 inches (356 mm) in inside diameter are of carbon steel. Carbon steel BWPF come in several basic shapes, the most common of which are elbows, tees, reducers, and caps.²⁸

Carbon steel BWPF are utilized in residential, commercial, and industrial pipe systems in chemical synthesis, petroleum refining, electric-power generation, construction, and shipbuilding. Butt-weld pipe fittings join pipes in straight lines and change or divide the flow of fluids (oil, water, natural gas or other gasses, or steam). They are welded into permanent, fixed piping systems that convey gases or liquids in plumbing, heating, refrigeration, air-conditioning, automatic fire sprinklers, electric conduit, irrigation, and process-piping systems. Butt-weld pipe fittings are also found in structural applications for construction, where pipes and fittings are used as support members.²⁹

²⁶ 81 Fed. Reg. 44270 (July 7, 2016). In the expanded scope definitions included in Commerce’s issues and decision memorandum accompanying the final results of the expedited reviews, the scope definitions for the orders on carbon steel BWPF from Brazil, Japan, and Taiwan, on the one hand, and the orders on carbon steel BWPF from China and Thailand, on the other, each contain slight variations in wording. *Issues and Decision Memorandum*, ACCESS No. 3482699-01 (June 28, 2016) (“Issues and Decision Memorandum”) at 2-3. This was also the case in prior reviews. See CR at I-4-5, PR at I-3-4. In the second five-year reviews, the Commission observed that Commerce’s definition of the subject merchandise was essentially the same for all five countries. Second Five-Year Reviews, USITC Pub. 3809 at 5 n.10.

²⁷ CR at I-5, PR at I-4. Only those butt-weld pipe fittings produced from carbon steel and which are less than 14 inches (356 mm) in inside diameter are covered by the scope of the orders under review. *Id.*

²⁸ CR at I-5, PR at I-4. Elbows are two-outlet fittings usually having a 45-degree or 90-degree bend, tees are T-shaped fittings having three outlets, and reducers are two-outlet fittings that connect pipes of two different diameters. Caps are used to seal the end of a pipe. There are further variations within each class of fitting based on differences in the size of one or more of the outlets (for example, there are reducing elbows and reducing tees). CR at I-6, PR at I-4.

²⁹ CR at I-8, PR at I-6.

In all of the original investigations, the Commission determined that the domestic like product included both finished and unfinished carbon steel BWPF with an inside diameter of less than 14 inches, coextensive with Commerce's scope.³⁰ In the 1986 original investigations on Brazil, Taiwan, and Japan, the Commission based its determination on the fact that all in-scope carbon steel BWPF met international standards, had similar physical characteristics, and were interchangeable. Moreover, the Commission examined whether unfinished butt-weld pipe fittings and finished butt-weld pipe fittings constituted a single like product, and found that they did.³¹ In the 1992 original investigations on China and Thailand, the Commission again examined whether finished and unfinished carbon steel BWPF constituted a single domestic like product and again found that they did.³² It consequently defined a domestic like product coextensive with the scope.³³

In the expedited first five-year reviews, the full second five-year reviews, and the expedited third five-year reviews, the Commission found that none of the information obtained in the reviews warranted a departure from its original definition of the domestic like product. Consequently, in each of the reviews the Commission defined a single domestic like product encompassing all carbon steel BWPF corresponding to Commerce's scope.³⁴

In the current reviews, there is no new information on the record indicating that the characteristics of the product at issue have changed since the third reviews.³⁵ Domestic producers agree with the Commission's domestic like product definition from the prior proceedings.³⁶ Accordingly, we again define the domestic like product as consisting of all carbon steel BWPF, coextensive with Commerce's scope.

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

³⁰ Original Determinations on Brazil and Taiwan, USITC Pub. 1918 at 6; Original Determination on Japan, USITC Pub. 1943 at 6; Original Determinations on China and Thailand, USITC Pub. 2528 at 4-5.

³¹ Original Determinations on Brazil and Taiwan, USITC Pub. 1918 at 6; Original Determination on Japan, USITC Pub. 1943 at 6. The Commission's single like product determination was based primarily on the lack of any independent market for unfinished pipe fittings and the identical production equipment used in producing finished and unfinished pipe fittings. Original Determinations on Brazil and Taiwan, USITC Pub. 1918 at 6.

³² Original Determinations on China and Thailand, USITC Pub. 2528 at 5.

³³ Original Determinations on China and Thailand, USITC Pub. 2528 at 5.

³⁴ First Five-Year Reviews, USITC Pub. 3263 at 5; Second Five-Year Reviews, USITC Pub. 3809 at 5; Third Five-Year Reviews, USITC Pub. 4222 at 5.

³⁵ See generally CR at I-5-10, PR at I-4-6.

³⁶ Final Comments of Tube Forgings, Mills, and Hackney (July 6, 2016) ("Final Comments, Tube Forgings, Mills, and Hackney") at 3. Weldbend did not provide comments on the domestic like product in its response to the notice of institution or its final comments.

the product.”³⁷ 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 investigations on Brazil, Japan, and Taiwan, the Commission defined a single domestic industry including integrated producers, combination producers, and converters.³⁸ In the original investigations on China and Thailand, the Commission defined the domestic industry to include all domestic producers of carbon steel BWPF except Weldbend and Tube Line, which the Commission excluded as related parties.³⁹

In the first five-year reviews, the Commission defined the domestic industry to include all domestic producers of carbon steel BWPF having an inside diameter of less than 14 inches, whether finished or unfinished, including Weldbend, which the Commission determined was no longer a related party, but again excluding Tube Line as a related party.⁴⁰ In the second five-year reviews, the Commission defined the domestic industry to include all domestic producers of carbon steel BWPF, and determined that circumstances were appropriate to exclude Tube Line and *** from the domestic industry.⁴¹ In the third five-year reviews, the Commission defined the domestic industry as all domestic producers of carbon steel BWPF.⁴²

In the current reviews, Weldbend, the only party to provide comments on the definition of the domestic industry, argued that it should continue to be included in the definition of domestic industry, as it was in the first, second, and third five-year review determinations.⁴³ There are no related party issues in these reviews.⁴⁴ Accordingly, we again define a single domestic industry composed of all producers of the domestic like product.

III. Cumulation

A. Legal Standard

With respect to five-year reviews, section 752(a) of the Tariff Act provides as follows: the Commission may cumulatively assess the volume and effect of imports of the subject merchandise from all countries with respect to which reviews under

³⁷ 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.

³⁸ Original Determinations on Brazil and Taiwan, USITC Pub. 1918 at 7-9; Original Determinations on Japan, USITC Pub. 1943 at 6.

³⁹ Original Determinations on China and Thailand, USITC Pub. 2528 at 16.

⁴⁰ First Five-Year Reviews, USITC Pub. 3263 at 6-7, 6 n.22.

⁴¹ Second Five-Year Reviews, USITC Pub. 3809 at 6-7, Confidential Second Five-Year Reviews at 9.

⁴² Third Five-Year Reviews, USITC Pub. 4222 at 6. No producers were excluded as related parties. *See Id.*

⁴³ Response to Notice of Institution, Weldbend Corporation (Mar. 31, 2016) (“Response, Weldbend”) at 10.

⁴⁴ *See* CR at I-24, PR at I-17.

section 1675(b) or (c) of this title were initiated on the same day, if such imports would be likely to compete with each other and with domestic like products in the United States market. The Commission shall not cumulatively assess the volume and effects of imports of the subject merchandise in a case in which it determines that such imports are likely to have no discernible adverse impact on the domestic industry.⁴⁵

Cumulation therefore is discretionary in five-year reviews, unlike original investigations, which are governed by section 771(7)(G)(i) of the Tariff Act.⁴⁶ The Commission may exercise its discretion to cumulate, however, only if the reviews are initiated on the same day, the Commission determines that the subject imports are likely to compete with each other and the domestic like product in the U.S. market, and imports from each such subject country are not likely to have no discernible adverse impact on the domestic industry in the event of revocation. Our focus in five-year reviews is not only on present conditions of competition, but also on likely conditions of competition in the reasonably foreseeable future.

B. Cumulation in Prior Proceedings

In the original investigations on Brazil, Japan, and Taiwan, the Commission cumulated subject imports of carbon steel BWPF from the three countries. It found that imports from each subject country were simultaneously present in the market and that they competed with each other and the domestic like product.⁴⁷ It found that all carbon steel BWPF must meet industry standards⁴⁸ and could be used interchangeably, and that there were common channels of distribution for finished carbon steel BWPF, with the vast majority of sales to jobbers or distributors.⁴⁹

In the original investigations on China and Thailand, the Commission cumulated imports from the two subject countries. It found that there was a reasonable overlap of competition

⁴⁵ 19 U.S.C. § 1675a(a)(7).

⁴⁶ 19 U.S.C. § 1677(7)(G)(i); *see also, e.g., Nucor Corp. v. United States*, 601 F.3d 1291, 1293 (Fed. Cir. 2010) (Commission may reasonably consider likely differing conditions of competition in deciding whether to cumulate subject imports in five-year reviews); *Allegheny Ludlum Corp. v. United States*, 475 F. Supp. 2d 1370, 1378 (Ct. Int'l Trade 2006) (recognizing the wide latitude the Commission has in selecting the types of factors it considers relevant in deciding whether to exercise discretion to cumulate subject imports in five-year reviews); *Nucor Corp. v. United States*, 569 F. Supp. 2d 1328, 1337-38 (Ct. Int'l Trade 2008).

⁴⁷ Original Determinations on Brazil and Taiwan, USITC Pub. 1918 at 15; Original Determination on Japan, USITC Pub. 1943 at 8.

⁴⁸ These standards were developed by the American National Standards Institute ("ANSI") and the American Society for Testing and Materials ("ASTM"). Original Determinations on Brazil and Taiwan, USITC Pub. 1918 at 14.

⁴⁹ Original Determinations on Brazil and Taiwan, USITC Pub. 1918 at 15; Original Determination on Japan, USITC Pub. 1943 at 8.

among imports from China and Thailand and the domestic like product.⁵⁰ The Commission found that the record clearly established that subject imports from China and Thailand and the domestic like product were simultaneously present in the market, with significant shipments of products from all three sources throughout the period of investigation; all the products used the same channels of distribution; and imports from China and Thailand and the domestic like product were sold in the same geographic market.⁵¹ While the parties disputed whether subject imports from China were fungible with the domestic product, the Commission found that the domestically produced product and subject imports from China and Thailand competed in the non-approved market, which constituted the majority of the total U.S. market.⁵²

In the first five-year reviews, the Commission exercised its discretion to cumulate subject imports from Brazil, China, Japan, Taiwan, and Thailand, based on a likely reasonable overlap of competition and no significant differences in other conditions of competition likely to prevail.⁵³ The Commission observed that all carbon steel BWPF, domestic or imported, must meet ASTM and ANSI specifications and could be used interchangeably, except in certain applications where certification was required.⁵⁴ The Commission recalled its findings in the original investigations, and observed with respect to China and Thailand that subject imports and the domestic like product were sold in the same geographic markets. It found that there was no evidence on the record of those reviews that suggested that subject imports would not compete with each other and the domestic like product if the orders were revoked.⁵⁵ The Commission expected competitive conditions to return to those prior to the existence of the orders, in light of the fact that the industries in the subject countries remained structured as they were during the original investigations, with the possible exception of China.⁵⁶

In the second five-year reviews, the Commission found that subject imports from each of the five subject countries would not be likely to have no discernible adverse impact on the domestic industry if the orders were revoked.⁵⁷ The Commission found a likely reasonable overlap of competition between the domestic like product and imports from all five subject countries.⁵⁸ It found that there was a moderately high level of substitutability between domestically produced carbon steel BWPF and subject imports.⁵⁹ It also found that subject imports and the domestic like product were generally dispersed throughout the United States during the period of review, that subject imports from each country were present in the U.S.

⁵⁰ Original Determinations on China and Thailand, USITC Pub. 2528 at 23.

⁵¹ Original Determinations on China and Thailand, USITC Pub. 2528 at 23.

⁵² Original Determinations on China and Thailand, USITC Pub. 2528 at 23.

⁵³ First Five-Year Reviews, USITC Pub. 3263 at 10-11.

⁵⁴ First Five-Year Reviews, USITC Pub. 3263 at 10.

⁵⁵ First Five-Year Reviews, USITC Pub. 3263 at 10.

⁵⁶ First Five-Year Reviews, USITC Pub. 3263 at 10.

⁵⁷ Second Five-Year Reviews, USITC Pub. 3809 at 9.

⁵⁸ Second Five-Year Reviews, USITC Pub. 3809 at 11.

⁵⁹ Second Five-Year Reviews, USITC Pub. 3809 at 11.

market at least during some months of the review period, and that domestic producers and importers made 100 percent of their sales to distributors.⁶⁰

In the third five-year reviews, the Commission found that there was no new evidence on the record that warranted departure from the Commission's finding in the second five-year reviews that revocation of any of the antidumping duty orders on Brazil, China, Japan, Taiwan, and Thailand would likely have a discernible adverse impact on the domestic industry.⁶¹ According to the Commission, its findings regarding the likely reasonable overlap of competition from the second reviews remained valid as there was no new information on the record suggesting otherwise.⁶² It found further that there was no indication of other significant differences in the likely conditions of competition.⁶³

C. Analysis

In these reviews, the statutory threshold for cumulation is satisfied because all reviews were initiated on the same day, March 1, 2016.⁶⁴ In addition, we consider the following issues in deciding whether to exercise our discretion to cumulate the subject imports: (1) whether imports from any of the subject countries are precluded from cumulation because they are likely to have no discernible adverse impact on the domestic industry; (2) whether there is a likelihood of a reasonable overlap of competition among subject imports from the subject countries and the domestic like product; and (3) whether subject imports are likely to compete in the U.S. market under different conditions of competition.

1. Likelihood of No Discernible Adverse Impact

The statute precludes cumulation if the Commission finds that subject imports from a country are likely to have no discernible adverse impact on the domestic industry.⁶⁵ Neither the statute nor the Uruguay Round Agreements Act ("URAA") Statement of Administrative Action ("SAA") provides specific guidance on what factors the Commission is to consider in determining that imports "are likely to have no discernible adverse impact" on the domestic industry.⁶⁶ With respect to this provision, the Commission generally considers the likely volume of subject imports and the likely impact of those imports on the domestic industry within a reasonably foreseeable time if the orders are revoked. Our analysis for each of the subject countries takes into account, among other things, the nature of the product and the behavior of subject imports in the original investigations.

⁶⁰ Second Five-Year Reviews, USITC Pub. 3809 at 12.

⁶¹ Third Five-Year Reviews, USITC Pub. 4222 at 7.

⁶² Third Five-Year Reviews, USITC Pub. 4222 at 9.

⁶³ Third Five-Year Reviews, USITC Pub. 4222 at 9.

⁶⁴ 81 Fed. Reg. 10656 (Mar. 1, 2016).

⁶⁵ 19 U.S.C. § 1675a(a)(7).

⁶⁶ SAA, H.R. Rep. No. 103-316, vol. I at 887 (1994).

Based on the record in these reviews, we do not find that imports from any of the subject countries would likely have no discernible adverse impact on the domestic industry in the event of revocation.

Brazil. During the original investigations, the share of apparent U.S. consumption held by subject imports from Brazil increased from *** percent in 1983 to *** percent in 1985.⁶⁷ Subject imports from Brazil were *** pounds in 1985.⁶⁸ Since imposition of the order, subject imports from Brazil have been essentially absent from the U.S. market; there were no subject imports from Brazil from 2010 to 2015.⁶⁹ The record indicates that there are currently two producers of carbon steel BWPF in Brazil and that the industry in Brazil exports this product.⁷⁰ Producers in Brazil exported 1.2 million pounds of subject merchandise worldwide in 2014 and 218,000 pounds in 2015.⁷¹ In light of the foregoing, we do not find that subject imports from Brazil would likely have no discernible adverse impact on the domestic industry if the relevant order were revoked.

China. During the original investigations, the share of apparent U.S. consumption held by subject imports from China increased from *** percent in 1989 to *** percent in 1991.⁷² Since imposition of the order, subject imports from China have had a continuous but small presence in the U.S. market; during the current period of review, subject imports from China ranged from a period low of 349,000 pounds in 2012 to a period high of almost 2.1 million pounds in 2013.⁷³ Subject imports from China accounted for 0.5 percent of apparent U.S. consumption in 2015.⁷⁴ China is the world's largest export source for the HTS category that includes carbon steel BWPF, although this category also includes out-of-scope merchandise.⁷⁵ There are believed to be at least six producers of carbon steel BWPF in China, all of which still produce subject merchandise and are focused on exporting abroad.⁷⁶ The worldwide volume of exports of subject merchandise from China increased from 336.5 million pounds in 2012 to 408.2 million pounds in 2014.⁷⁷ Four producers of carbon steel BWPF in China claim to have more than 86.0 million pounds of annual capacity to produce carbon steel BWPF.⁷⁸ In light of the foregoing, we do not find that subject imports from China would likely have no discernible adverse impact on the domestic industry if the relevant order were revoked.

⁶⁷ CR/PR at Appendix C, Table I-6.

⁶⁸ CR/PR at Table I-6.

⁶⁹ CR/PR at Table I-4, Appendix C, Table I-6.

⁷⁰ CR at I-39-40, Table I-9, PR at I-28-29, Table I-9.

⁷¹ CR/PR at Table I-9. We observe that these data may include products not within the scope of these reviews. *Id.*

⁷² CR/PR at Appendix C, Table I-6.

⁷³ CR/PR at Table I-4, Appendix C, Table I-6.

⁷⁴ CR/PR at Table I-6.

⁷⁵ CR/PR at Table I-14.

⁷⁶ Response, Tube Forgings, Mills, and Hackney at 6.

⁷⁷ CR/PR at Table I-10. We observe that these data may include products not within the scope of these reviews. *Id.*

⁷⁸ Response, Tube Forgings, Mills, and Hackney at 8.

Japan. During the original investigations, the share of apparent U.S. consumption held by subject imports from Japan declined from *** percent in 1983 to *** percent in 1985.⁷⁹ Since imposition of the order, subject imports from Japan have been present in the market intermittently in small quantities. Since 1999, the peak reported market penetration of subject imports from Japan was 0.3 percent in 1999.⁸⁰ During the current period of review, the only reported subject imports from Japan were 2,000 pounds in 2011 and 1,000 pounds in 2014.⁸¹ The record indicates that Japan exports substantial volumes of subject merchandise; in 2013 exports of carbon steel BWPF from Japan reached 13.4 million pounds.⁸² There are believed to be four producers of carbon steel BWPF in Japan. Benkan Corporation, one of these producers, participated in Commerce's 2009 administrative review of the antidumping duty order on subject merchandise from Japan and another manufacturer, Awaji Materia Co., Ltd. states that it has the capacity to produce 12.0 million pounds of carbon steel BWPF annually.⁸³ In light of the foregoing, we do not find that subject imports from Japan would likely have no discernible adverse impact on the domestic industry if the relevant order were revoked.

Taiwan. During the original investigations, the share of apparent U.S. consumption held by subject imports from Taiwan increased from *** percent in 1983 to *** percent in 1985.⁸⁴ Since imposition of the order, subject imports from Taiwan have maintained a presence in the U.S. market. During the 1999-2004 period, their market penetration ranged from 1.0 percent in 2002 to 4.8 percent in 1999; it was 1.5 percent in 2009.⁸⁵ During the current period of review, subject imports from Taiwan ranged from 1.4 million pounds in 2011 to 2.8 million pounds in 2013.⁸⁶ Their market penetration in 2015 was 1.2 percent.⁸⁷ The record indicates that there are three known producers of subject merchandise in Taiwan.⁸⁸ The carbon steel BWPF industry in Taiwan is reportedly export oriented and one manufacturer exports 70 percent of its output.⁸⁹ The record indicates that Taiwan exports substantial volumes of subject merchandise.⁹⁰ In light of the foregoing, we do not find that subject imports from Taiwan would likely have no discernible adverse impact on the domestic industry if the relevant order were revoked.

Thailand. During the original investigations, the share of apparent U.S. consumption held by subject imports from Thailand declined from *** percent in 1989 to *** percent in

⁷⁹ CR/PR at Appendix C, Table I-6.

⁸⁰ CR/PR at Appendix C, Table I-6.

⁸¹ CR/PR at Table I-4.

⁸² CR/PR at Table I-11. We observe that these data may include products not within the scope of these reviews. *Id.*

⁸³ CR at I-43-44, PR at I-31-32; Response, Tube Forgings, Mills, and Hackney at 9.

⁸⁴ CR/PR at Appendix C, Table I-6.

⁸⁵ CR/PR at Appendix C, Table I-6.

⁸⁶ CR/PR at Table I-4.

⁸⁷ CR/PR at Table I-6.

⁸⁸ CR at I-45-46, PR at I-33-34.

⁸⁹ Response, Tube Forgings, Mills, and Hackney at 10.

⁹⁰ CR/PR at Table I-12. We observe that these data may include products not within the scope of these reviews. *Id.*

1991.⁹¹ Since imposition of the order, subject imports from Thailand have maintained a presence in the U.S. market. During the 1999-2004 period, their market penetration ranged from *** percent in 2004 to *** percent in 2001; it was *** percent in 2009.⁹² During the current period of review, subject imports from Thailand ranged from *** pounds in 2014 to *** pounds in 2010.⁹³ Their market penetration in 2015 was *** percent.⁹⁴ There are believed to be three subject producers of carbon steel BWPF in Thailand, which advertise their ability to supply the international market.⁹⁵ The carbon steel BWPF industry in Thailand is reportedly highly export oriented.⁹⁶ Worldwide exports of subject merchandise from Thailand were 58.0 million pounds in 2014⁹⁷ and producers in Thailand advertise their production capacity and ability to supply the international market.⁹⁸ In light of the foregoing, we do not find that subject imports from Thailand would likely have no discernible impact on the domestic industry if the relevant order were revoked.

⁹¹ CR/PR at Table I-6, Appendix C, Table I-6.

⁹² CR/PR at Appendix C, Table I-6.

⁹³ CR/PR at Table I-4.

⁹⁴ CR/PR at Table I-6.

⁹⁵ Response, Tube Forgings, Mills, and Hackney at 11; *see also* CR at I-47-48, PR at I-34-36.

⁹⁶ Response, Tube Forgings, Mills, and Hackney at 11.

⁹⁷ CR/PR at Table I-13. Industry-wide data from Thailand would include data for a producer not subject to the antidumping duty order. We observe that these data may include products not within the scope of these reviews. *Id.*

⁹⁸ CR/PR at Table I-13; Response, Tube Forgings, Mills, and Hackney at 11.

2. Likelihood of a Reasonable Overlap of Competition

The Commission generally has considered four factors intended to provide a framework for determining whether subject imports compete with each other and with the domestic like product.⁹⁹ Only a “reasonable overlap” of competition is required.¹⁰⁰ In five-year reviews, the relevant inquiry is whether there likely would be competition even if none currently exists because the subject imports are absent from the U.S. market.¹⁰¹

Fungibility. As observed above, in the first five-year reviews, the Commission found that carbon steel BWPF meeting the ASTM and ANSI specifications were interchangeable for most applications, and in the second and third five-year reviews found that there was a moderately high level of substitutability between domestically produced carbon steel BWPF and subject imports. There is no new information in these reviews to indicate that this interchangeability has changed. Domestic producers allege that, because ASTM and ANSI industry standards still prevail, subject imports and the domestic like product continue to be fungible.¹⁰²

Channels of Distribution. In each of the original investigations and in the first five-year reviews, the Commission found that domestic and subject carbon steel BWPF were sold through the same channels of distribution.¹⁰³ In the second reviews, the Commission found that both domestic producers and importers made 100 percent of their sales to distributors, while in the third reviews it found that almost all domestically produced or subject imported

⁹⁹ The four factors generally considered by the Commission in assessing whether imports compete with each other and with the domestic like product are as follows: (1) the degree of fungibility between subject imports from different countries and between subject imports and the domestic like product, including consideration of specific customer requirements and other quality-related questions; (2) the presence of sales or offers to sell in the same geographical markets of imports from different countries and the domestic like product; (3) the existence of common or similar channels of distribution for subject imports from different countries and the domestic like product; and (4) whether subject imports are simultaneously present in the market with one another and the domestic like product. *See, e.g., Wieland Werke, AG v. United States*, 718 F. Supp. 50 (Ct. Int’l Trade 1989).

¹⁰⁰ *See Mukand Ltd. v. United States*, 937 F. Supp. 910, 916 (Ct. Int’l Trade 1996); *Wieland Werke*, 718 F. Supp. at 52 (“Completely overlapping markets are not required.”); *United States Steel Group v. United States*, 873 F. Supp. 673, 685 (Ct. Int’l Trade 1994), *aff’d*, 96 F.3d 1352 (Fed. Cir. 1996). We note, however, that there have been investigations where the Commission has found an insufficient overlap in competition and has declined to cumulate subject imports. *See, e.g., Live Cattle from Canada and Mexico*, Inv. Nos. 701-TA-386 and 731-TA-812-13 (Preliminary), USITC Pub. 3155 at 15 (Feb. 1999), *aff’d sub nom, Ranchers-Cattlemen Action Legal Foundation v. United States*, 74 F. Supp. 2d 1353 (Ct. Int’l Trade 1999); *Static Random Access Memory Semiconductors from the Republic of Korea and Taiwan*, Inv. Nos. 731-TA-761-62 (Final), USITC Pub. 3098 at 13-15 (Apr. 1998).

¹⁰¹ *See generally, Cheflene Corp. v. United States*, 219 F. Supp. 2d 1313, 1314 (Ct. Int’l Trade 2002).

¹⁰² Response, Tube Forgings, Mills, and Hackney at 13-14.

¹⁰³ Original Determinations on Brazil and Taiwan, USITC Pub. 1918 at 15; Original Determination on Japan, USITC Pub. 1943 at 8; Original Determinations on China and Thailand, USITC Pub. 2528 at 22.

carbon steel BWPF were sold to jobbers or distributors for eventual sale to end users.¹⁰⁴ There is no new information in these reviews to indicate that this pattern will likely change. Domestic producers claim that domestically produced carbon steel BWPF and subject imports will be sold through the same channels of distribution should the orders be revoked.¹⁰⁵

Geographic Overlap. In the original investigations on imports from China and Thailand, the Commission found that subject imports and the domestic like product were sold in the same geographic markets.¹⁰⁶ In the first five-year reviews, the Commission found that “there would be a likely overlap of competition between subject imports and the domestic like product as well as the subject imports from the five countries.”¹⁰⁷ In the second five-year reviews, the Commission found that subject imports and the domestic like product were generally distributed throughout the United States during the period of review.¹⁰⁸ In the third five-year reviews, the Commission observed that subject imports from the five countries entered the United States through ports spread across the country so as to serve the same geographic markets as the domestic industry.¹⁰⁹ In these reviews, the record indicates that the domestic like product was sold nationwide, imports from four subject countries entered the United States from one common port, and imports from multiple subject countries entered at three additional ports.¹¹⁰ Consequently, the record indicates that upon revocation the domestic like product and imports from each subject country would likely be sold in overlapping geographic markets.

¹⁰⁴ Second Five-Year Reviews, USITC Pub. 3809 at 12; Third Five-Year Reviews, USITC Pub. 4222 at 9.

¹⁰⁵ Response, Tube Forgings, Mills, and Hackney at 15-16.

¹⁰⁶ Original Determinations on China and Thailand, USITC Pub. 2528 at 23.

¹⁰⁷ First Five-Year Reviews, USITC Pub. 3263 at 10.

¹⁰⁸ Second Five-Year Reviews, USITC Pub. 3809 at 12.

¹⁰⁹ Third Five-Year Reviews, USITC Pub. 4222 at 9.

¹¹⁰ CR/PR at Table I-8. Imports from four subject countries (China, Japan, Taiwan, and Thailand) entered in Los Angeles, CA; imports from three subject countries (China, Taiwan, and Thailand) entered in Houston, TX; imports from China and Taiwan entered in Savannah, GA; imports from Japan and Taiwan entered in Chicago, IL; and imports from Japan entered in Pembina, ND. *Id.*

Simultaneous Presence in Market. In each of the original investigations, the Commission determined that domestically produced carbon steel BWPF and subject imports were simultaneously present in the U.S. market.¹¹¹ In the first five-year reviews, the Commission found that there was no evidence that this pattern had changed.¹¹² In the second five-year reviews, the Commission determined that subject imports from each country were present in the U.S. market at least during some months of the period of review.¹¹³ In the third five-year reviews, imports from four subject countries were present in the U.S. market in varying degrees, except for Brazil, which reported no subject imports during 2005 to 2010.¹¹⁴ As previously discussed, during the current period of review, subject imports from Brazil were absent from the U.S. market, subject imports from Japan were absent from the market during four of the six years and had a tiny presence during the remaining two years, and subject imports from China, Taiwan, and Thailand were present during each year.¹¹⁵ We found above that, upon revocation, imports from each subject countries are likely to be present in the U.S. market at levels that would not cause no discernible adverse impact. In light of this and past import patterns, upon revocation imports from each subject country and the domestic like product are likely to be simultaneously present in the U.S. market.¹¹⁶

Conclusion. The limited record of the expedited reviews includes no information suggesting that, upon revocation, imports from any subject country would have appreciably different characteristics, distribution patterns, or presence in the market than in the past. Considering this, the Commission's findings based on a similar record in the prior reviews, and the absence of any contrary arguments, we find a likely reasonable overlap of competition among subject imports from Brazil, China, Japan, Taiwan, and Thailand, and between subject imports from each country and the domestic like product, should the orders be revoked.

¹¹¹ Original Determinations on Brazil and Taiwan, USITC Pub. 1918 at 15; Original Determination on Japan, USITC Pub. 1943 at 8; Original Determinations on China and Thailand, USITC Pub. 2528 at 22.

¹¹² First Five-Year Reviews, USITC Pub. 3263 at 10.

¹¹³ Second Five-Year Reviews, USITC Pub. 3809 at 12.

¹¹⁴ Third Five-Year Reviews, USITC Pub. 4222 at 9. The Commission found that subject imports from Thailand were imported into the United States each month during the 2005-10 period, subject imports from Taiwan were imported during the vast majority of those months, and subject imports from China and Japan entered sporadically over the same period. *Id.*

¹¹⁵ CR/PR at Table I-4.

¹¹⁶ Response, Tube Forgings, Mills, and Hackney at 15.

3. Other Likely Conditions of Competition¹¹⁷

In determining whether to exercise our discretion to cumulate the subject imports, we assess whether subject imports from the subject countries would compete under similar or different conditions in the U.S. market if the orders under review were revoked. The record in these reviews does not indicate that there would likely be any significant difference in the

¹¹⁷ Commissioner Broadbent does not join this section. In her view, the record in these reviews indicates that subject imports from Brazil would likely compete under different conditions of competition than subject imports from China, Japan, Taiwan, and Thailand if the orders were revoked. Brazilian producers have demonstrated limited interest in serving the U.S. market, or any market outside of Brazil, since the original period of investigation (January 1983 – June 1986). Subject imports from Brazil have entered the United States only sporadically and in extremely low volumes during each of the past three reviews over the last 17 years, unlike subject imports from China, Japan, Taiwan, and Thailand. CR/PR at Appendix C, Table I-6. There were no subject imports from Brazil during the current period of review, from 2010 to 2015. CR/PR at Table I-4. Of the two Brazilian producers of the subject merchandise, only one producer, Conforja (now known as Uniforja), is reported to have shipped subject imports to the United States, and last appeared in the U.S. market in 2003, when official U.S. import statistics showed U.S. imports of 10,000 pounds from Brazil. CR at I-39, PR at I-28 and CR/PR at Appendix C, Table I-6.

The record also demonstrates that Brazilian producers have not been export oriented since the original period of investigation, in contrast with each of the other four subject countries. First Five-Year Reviews, CR/PR at Table I-5; Second Five-Year Reviews, CR/PR at IV-7; Third Five-Year Reviews, CR/PR at I-26. This trend remained consistent during the current period of review. Data from Global Trade Atlas present each country's exports of iron or steel butt-weld pipe fittings, an HTS subcategory that includes subject merchandise as well as nonsubject merchandise. Even this data, which likely overstates trade in the subject merchandise, shows that global exports from Brazil peaked at 1.2 million pounds in 2014, and by 2015 had declined to 218,000 pounds, equivalent to 0.17 percent of total apparent U.S. consumption of carbon steel BWPF in that year. CR/PR at Table I-6 and Table I-9. Alternatively, China exported 408.2 million pounds of this basket category of goods in 2014, while Japan exported 6.8 million pounds, Taiwan exported 16.5 million pounds, and Thailand exported 58.0 million pounds. CR/PR at Tables I-10-13.

While the order may have a disciplining effect on subject imports from Brazil in the U.S. market, there are no antidumping or countervailing duty orders on subject merchandise from Brazil in third-country markets that would restrain Brazil's ability to ship significant volumes to those markets. CR at I-49-52, PR at I-36-40. Yet, the Global Trade Atlas data suggest that Brazil is not actively exporting significant volumes of subject merchandise to those third-country markets. In light of Brazil's low global exports despite a lack of third-country barriers, it is likely that Brazil's limited participation in the U.S. market would continue if the order were revoked. By contrast, the other subject countries are highly export oriented and remain present in the U.S. market. Notwithstanding the limited information available in these expedited reviews, Commissioner Broadbent finds subject imports from Brazil would likely compete under different conditions of competition than China, Japan, Taiwan, and Thailand. She therefore exercises her discretion to cumulate subject imports from China, Japan, Taiwan, and Thailand, and considers separately the volume and effects of subject imports from Brazil.

conditions of competition among subject imports upon revocation, and no party has argued to the contrary. Accordingly, we exercise our discretion to cumulate subject imports from Brazil, China, Japan, Taiwan, and Thailand.

IV. Revocation of the Antidumping Duty Orders 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.”¹¹⁸ The 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.”¹¹⁹ Thus, the likelihood standard is prospective in nature.¹²⁰ 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.¹²¹

¹¹⁸ 19 U.S.C. § 1675a(a).

¹¹⁹ SAA at 883-84. 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.

¹²⁰ 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.

¹²¹ 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’”).

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.”¹²² According to the SAA, a “‘reasonably foreseeable time’ will vary from case-to-case, but normally will exceed the ‘imminent’ timeframe applicable in a threat of injury analysis in original investigations.”¹²³

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.”¹²⁴ 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).¹²⁵ 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.¹²⁶

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.¹²⁷ 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.¹²⁸

¹²² 19 U.S.C. § 1675a(a)(5).

¹²³ 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.*

¹²⁴ 19 U.S.C. § 1675a(a)(1).

¹²⁵ 19 U.S.C. § 1675a(a)(1). No duty absorption findings have been made for any of the subject countries. Issues and Decision Memorandum at 6.

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

¹²⁷ 19 U.S.C. § 1675a(a)(2).

¹²⁸ 19 U.S.C. § 1675a(a)(2)(A-D).

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 United States at prices that otherwise would have a significant depressing or suppressing effect on the price of the domestic like product.¹²⁹

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.¹³⁰ 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 orders under review and whether the industry is vulnerable to material injury upon revocation.¹³¹

No respondent interested party participated in these expedited reviews. The record, therefore, contains limited new information with respect to the carbon steel BWPF industries in Brazil, China, Japan, Taiwan, and Thailand. There also is limited information on the carbon steel BWPF market in the United States during the period of review. Accordingly, for our determinations, we rely as appropriate on the facts available from the original investigations, the prior five-year reviews, and the limited new information on the record in these fourth five-year reviews.

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

¹²⁹ 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.

¹³⁰ 19 U.S.C. § 1675a(a)(4).

¹³¹ 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.

“within the context of the business cycle and conditions of competition that are distinctive to the affected industry.”¹³² The following conditions of competition inform our determinations.

1. The Original Investigations and Prior Five-Year Reviews

In the original investigations, the Commission did not discuss conditions of competition. In the first five-year reviews, the Commission identified several conditions of competition relevant to its analysis. First, the Commission found that the domestic industry had undergone significant consolidation in the late 1980s, and in the 1990s moved toward integrated production of pipe fittings instead of converting imported, unfinished fittings. Second, the Commission found that demand was derived from end use markets and that apparent U.S. consumption had increased from 79.0 million pounds in 1985 to *** pounds in 1998.¹³³ Finally, the Commission found that the U.S. market was divided into an “approved” segment, consisting of end users in the petroleum, nuclear energy, and power generation industries that purchase pipe fittings for sensitive applications from approved suppliers, and a “non-approved” segment, consisting of end users purchasing pipe fittings for less sensitive applications.¹³⁴

In the second five-year reviews, the Commission found that the carbon steel BWPF market was a mature one, and that demand had been stable over the period examined in the reviews and was not expected to increase significantly in the near future. The domestic industry had consolidated from 12 producers in 1986 to seven producers in 1992 to five producers during the period examined in the reviews. Subject imports had been subject to a safeguards remedy from March 20, 2002 through December 4, 2003. The cost of raw materials, primarily seamless pipe, had surged during the period examined. Finally, the Commission found a moderately high degree of substitutability between the domestic like product, subject imports, and nonsubject imports, and that price was an important factor in purchasing decisions with respect to products meeting the same quality standards.¹³⁵

In the third five-year reviews, the Commission observed that the U.S. market for carbon steel BWPF was mature and that demand was derived from end use markets.¹³⁶ Demand for carbon steel BWPF declined by 34 percent between 2004 and 2009, which the Commission attributed to the severe economic downturn.¹³⁷ Domestic producers, subject imports, and nonsubject imports all supplied the market, with nonsubject imports maintaining a significant presence in the market.¹³⁸ The Commission again found that there was a moderately high

¹³² 19 U.S.C. § 1675a(a)(4).

¹³³ Confidential First Five-Year Reviews at 14.

¹³⁴ First Five-Year Reviews, USITC Pub. 3263 at 13-14.

¹³⁵ Second Five-Year Reviews, USITC Pub. 3809 at 15-18.

¹³⁶ Third Five-Year Reviews, USITC Pub. 4222 at 13. End uses included oil refining, petrochemicals, energy generation, and gas production and transmission, among others. *Id.*

¹³⁷ Third Five-Year Reviews, USITC Pub. 4222 at 13. Apparent U.S. consumption for carbon steel BWPF declined from 118.8 million pounds to 77.8 million pounds from 2004 to 2009. *Id.*

¹³⁸ Third Five-Year Reviews, USITC Pub. 4222 at 13. Nonsubject imports accounted for *** percent of apparent U.S. consumption in 2009. *Id.*

degree of substitutability between the domestic like product, subject imports, and nonsubject imports.¹³⁹

2. The Current Reviews

Demand Conditions. Apparent U.S. consumption of carbon steel BWPF was 130.8 million pounds in 2015, which was greater than during the prior reviews and original investigation periods.¹⁴⁰ The information available indicates that demand for carbon steel BWPF continues to be derived from activity in the industries that use carbon steel BWPF.¹⁴¹ Domestic producers indicate that demand for carbon steel BWPF continues to be affected by a slow recovery from the economic downturn and has also been affected by a current decline in oil prices which negatively affects industries that consume carbon steel BWPF.¹⁴²

Supply Conditions. Domestic producers were the second largest source of supply to the U.S. market after nonsubject imports in 2015.¹⁴³ Domestic producers' market share in 2015 was 23.9 percent.¹⁴⁴ Cumulated subject imports had a small presence in the market, with a 2015 market share of *** percent.¹⁴⁵ Nonsubject imports supplied the remainder of apparent U.S. consumption, and their market share has increased significantly since the original investigations.¹⁴⁶

Substitutability and Other Considerations. There is no indication that the substitutability among subject imports and the domestic like product has changed since the prior investigations and reviews. Accordingly, we again find that subject imports and the domestic like product have a high degree of substitutability and that they compete in the U.S. market on the basis of price.¹⁴⁷

¹³⁹ Third Five-Year Reviews, USITC Pub. 4222 at 13. The Commission observed that all carbon steel BWPF, whether domestic or imported, remained subject to ASTM and ANSI standards and that almost all domestically produced and imported carbon steel BWPF continued to compete in the same channels of distribution, being sold to jobbers or distributors for eventual sale to end users. *See id.*

¹⁴⁰ CR/PR at Table I-6. Prior to the current reviews, apparent U.S. consumption of carbon steel BWPF ranged from a low of 77.8 million pounds in 2009 to a high of 118.8 million pounds in 2004. *Id.*

¹⁴¹ Response, Tube Forgings, Mills, and Hackney at 34; Final Comments, Weldbend at 4.

¹⁴² Response, Tube Forgings, Mills, and Hackney at 34; Response, Weldbend at 9; Final Comments, Weldbend at 5.

¹⁴³ CR/PR at Table I-6.

¹⁴⁴ CR/PR at Table I-6. This was lower than in the original investigations or in any prior review. *Id.*

¹⁴⁵ CR/PR at Table I-6.

¹⁴⁶ CR/PR at Table I-6. Nonsubject imports' market share was *** percent in 2015, up from *** percent in 2009. *Id.* Since 2010, Malaysia and Korea have been the largest sources of nonsubject imports. CR at I-31, PR at I-22.

¹⁴⁷ *See* Response, Tube Forgings, Mills, and Hackney at 22, 35; Response, Weldbend at 3; Final Comments, Weldbend at 5.

C. Revocation of the Antidumping Orders on Subject Imports from Brazil, China, Japan, Taiwan, and Thailand Is Likely to Lead to the Continuation or Recurrence of Material Injury to the Domestic Industry within a Reasonably Foreseeable Time

1. Likely Volume of Subject Imports

The Original Investigations and Prior Five-Year Reviews. In the original determinations on Brazil, Japan, and Taiwan, the Commission found that the absolute volume of cumulated subject imports, at 32 million pounds in 1983 and 51 million pounds in 1985, was significant throughout the period of investigation and that subject imports' market share had increased from 47 percent in 1983 to 65 percent in 1985.¹⁴⁸ In the original determinations on China and Thailand, based on threat of material injury, the Commission found a ten-fold increase in Chinese producers' capacity and production during the period of investigation, a 10 percent increase in Thai producers' capacity, and a 30 percent increase in their production, as well as a significant excess capacity in both countries. The Commission further observed that the cumulated imports' market share had increased slightly, was at all times in excess of one third of the U.S. market, and that the United States was a primary export market for both countries.¹⁴⁹

In the first five-year reviews, the Commission found a likely significant increase in subject import volume in the reasonably foreseeable future if the orders were revoked. It reasoned that, although there was limited information on the record concerning the foreign industries, they appeared to be structured as they were during the original investigations. The Commission found that the orders had had a significant restraining effect on subject imports, and that, in the absence of contrary information or argument, subject imports would likely increase to a significant level and regain U.S. market share without the orders.¹⁵⁰

In the second five-year reviews, the Commission found that the volume of cumulated subject imports likely would be significant if the orders were revoked.¹⁵¹ It observed that cumulated subject import volume and market share was significant during the original investigations, but had subsequently declined to a low level because of the restraining effect of the orders.¹⁵² Notwithstanding the orders, the Commission found that there *** of subject imports in the U.S. market.¹⁵³ It also found that subject producers had an incentive to increase exports of carbon steel BWPF to the U.S. market if the orders were revoked, given their substantial quantity of exports to third country markets, the relatively high prices available in

¹⁴⁸ Original Determinations on Brazil and Taiwan, USITC Pub. 1918 at 16-17; Original Determination on Japan, USITC Pub. 1943 at 9-10.

¹⁴⁹ Original Determinations on China and Thailand, USITC Pub. 2528 at 24-27.

¹⁵⁰ First Five-Year Reviews, USITC Pub. 3263 at 15.

¹⁵¹ Second Five-Year Reviews, USITC Pub. 3809 at 18.

¹⁵² Second Five-Year Reviews, USITC Pub. 3809 at 18-19.

¹⁵³ Second Five-Year Reviews, USITC Pub. 3809 at 19; Confidential Second Five-Year Reviews at 27.

the U.S. market, and the moderately high degree of substitutability between subject imports and the domestic like product.¹⁵⁴

In the third five-year reviews, the Commission found that the volume of cumulated subject imports would likely be significant, both in absolute terms and relative to production and consumption in the United States, and increase significantly absent the restraining effect of the orders.¹⁵⁵ The Commission observed that despite the restraining effect of the orders, cumulated subject imports maintained a presence in the U.S. market throughout the period of review.¹⁵⁶ In light of the expedited nature of the reviews and a lack of information about the subject industries, the Commission found that there was no evidence indicating that the structure of the subject foreign industries had changed since the original investigations.¹⁵⁷ It also found that subject producers exported significant quantities of subject merchandise to markets other than the United States during the period of review and that these producers would likely have an incentive to direct those exports to the U.S. market due to its size and relatively higher prices.¹⁵⁸

The Current Reviews.¹⁵⁹ Subject import volumes peaked during the original investigations.¹⁶⁰ Since the orders were imposed, cumulated subject imports have remained in

¹⁵⁴ Second Five-Year Reviews, USITC Pub. 3809 at 19-20.

¹⁵⁵ Third Five-Year Reviews, USITC Pub. 4222 at 16.

¹⁵⁶ Third Five-Year Reviews, USITC Pub. 4222 at 15.

¹⁵⁷ Third Five-Year Reviews, USITC Pub. 4222 at 15.

¹⁵⁸ Third Five-Year Reviews, USITC Pub. 4222 at 15. According to the Commission, subject producers in China and Thailand had additional incentive to increase their exports to the United States because subject producers in China faced antidumping duty orders in the European Union ("EU") and Mexico, while subject producers in Thailand faced an antidumping duty order in the EU. *Id.*

¹⁵⁹ Commissioner Broadbent joins this discussion as it pertains to subject imports from China, Japan, Taiwan, and Thailand. With respect to Brazil, she notes that during the original investigations, subject imports from Brazil were the smallest in total volume compared to the other subject countries. CR/PR at Appendix C, Table I-6. Subject imports from Brazil reached *** pounds at their peak in 1985, and at most accounted for *** percent of apparent U.S. consumption. CR/PR at Appendix C, Table I-6. Following the imposition of the order, subject imports from Brazil virtually retreated from the U.S. market; other than 10,000 pounds in 2003, there is no evidence that subject imports from Brazil entered the U.S. market in any period of review, a span of 17 years. CR/PR at Appendix C, Table I-6.

As discussed in her analysis of cumulation above, Commissioner Broadbent notes that Brazil has had only minimal exports since the first period of review in 1999, despite not facing any other antidumping or countervailing duty orders in third country markets. Brazil's exports of an HTS subcategory of products which includes the subject merchandise were equivalent to less than 0.2 percent of apparent U.S. consumption in 2015, and therefore were minimal in the context of the overall U.S. market. CR/PR at Table I-6 and Table I-9. The current record contains limited information on the industry in Brazil, including its capacity growth and levels of excess capacity, inventories, and ability to shift production. CR at I-39, PR at I-28-29. In order to develop a more thorough record, Commissioner Broadbent voted to conduct full reviews on these orders. Nevertheless, the information available on this record demonstrates that Brazilian producers are not engaged in exporting significant volumes in an attempt to reduce excess capacity or inventories, and are therefore unlikely to redirect any divertible (Continued...)

the market, albeit at annual quantities (ranging from *** pounds in 2009 to *** pounds in 2001) that are far below those observed in the original investigations.¹⁶¹ Over the current period of review, cumulated subject import volume ranged from a period low of *** pounds in 2012 to a period high of *** pounds in 2013.¹⁶² In 2015, cumulated subject imports were *** pounds and accounted for *** percent of apparent U.S. consumption.¹⁶³

Due to the expedited nature of these reviews, the record contains limited current information on the industries in the five subject countries. Nevertheless, available information in the record indicates that the industries in the subject countries continue to manufacture and export substantial volumes of carbon steel BWPF.¹⁶⁴ There is no information in the current record suggesting a decline in subject producers' capacity or unused capacity since the prior reviews. Consequently, on the basis of the facts available, we find that subject producers continue to have substantial capacity to produce carbon steel BWPF.

The information available indicates that the carbon steel BWPF industries in the subject countries, in light of their total worldwide exports, are export oriented.¹⁶⁵ Producers in subject countries would have an incentive to shift exports to the U.S. market because of its large size, import barriers in third country markets,¹⁶⁶ and their established distribution networks within the United States.¹⁶⁷ We observe that the producer in Thailand not subject to the order has maintained a steady and appreciable presence in the U.S. market since imposition of the order.¹⁶⁸ Accordingly, based on the behavior of subject imports during the original investigations, subject producers' substantial production capacity, export orientation, and the attractiveness of the U.S. market, we find that the likely volume of subject imports, both in absolute terms and as a share of the U.S. market, would be significant in the event of revocation.¹⁶⁹

(...Continued)

capacity to the U.S. market upon revocation of the antidumping duty order. Accordingly, she determines that the volume of subject imports from Brazil would not likely be significant in the reasonably foreseeable future upon revocation of the antidumping duty order.

¹⁶⁰ CR/PR at Table I-6. Cumulated subject import volumes in the original investigations were *** pounds for Brazil, Taiwan, and Japan, and *** pounds for China and Thailand. *Id.*

¹⁶¹ CR/PR at Table I-6.

¹⁶² CR/PR at Table I-4.

¹⁶³ CR/PR at Table I-6.

¹⁶⁴ CR/PR at Tables I-9-13. In aggregate, current export volumes from the five subject countries exceed U.S. production capacity for 2015, which was 72.7 million pounds. *See* CR/PR at Table I-3.

¹⁶⁵ *See* Response, Tube Forgings, Mills, and Hackney at 6-12; CR/PR at Tables I-9-13. We observe that these data may include products not within the scope of these reviews.

¹⁶⁶ Exports of subject carbon steel BWPF from China are subject to antidumping duty orders in Argentina, the EU, Mexico, and Turkey, while exports of subject carbon steel BWPF from Taiwan are subject to an antidumping duty order in the EU. CR/PR at I-50-51.

¹⁶⁷ Final Comments, Welbend at 7.

¹⁶⁸ CR/PR at Tables I-4-5.

¹⁶⁹ The record in the current reviews does not contain any information about inventories of the subject merchandise or the likelihood of product shifting.

2. Likely Price Effects

The Original Investigations and Prior Five-Year Reviews. In the original investigations, the Commission found that subject imports and domestic product were relatively substitutable, price was an important factor in purchasing decisions, subject imports consistently undersold the domestic product by significant margins, and domestic prices declined as a result.¹⁷⁰

In the first five-year reviews, the Commission found that revocation of the orders would likely lead to significant underselling and significant price depression and suppression within a reasonably foreseeable time. It noted that, despite the discipline of the orders, the average unit value for subject imports was lower than that of the domestic like product during the first review period, and the record indicated that competition in the marketplace was still predominantly based on price.¹⁷¹

In the second five-year reviews, the Commission found that limited underselling during the review period, as well as the underselling in the original investigations, made it reasonable to conclude that subject imports would undersell the domestic like product if the orders were revoked.¹⁷² It also found that the average unit value of subject imports was significantly lower than that of the domestic like product during the review period, while recognizing the influence of the product mix.¹⁷³ Given the moderately high level of substitutability between subject imports and the domestic like product, and the importance of price in purchasing decisions, the Commission found that absent the orders, subject import underselling would likely force the domestic industry to either lower its prices or risk losing market share.¹⁷⁴ For these reasons, the Commission concluded that revocation of the orders would likely result in significant subject import underselling and adverse price effects on domestic producers.¹⁷⁵

In the third five-year reviews there were no new pricing comparisons on the record.¹⁷⁶ The Commission found that the average unit values for subject imports from China, Taiwan, and Thailand were significantly lower than that for U.S. shipments reported by domestic producers, and that domestic producers' average unit values were significantly higher in 2009 than any prior period examined.¹⁷⁷ According to the Commission, the market for carbon steel BWPF was price competitive, in light of the market's maturity and the moderately high degree of

¹⁷⁰ Original Determinations on Brazil and Taiwan, USITC Pub. 1918 at 18-20; Original Determination on Japan, USITC Pub. 1943 at 10; Original Determinations on China and Thailand, USITC Pub. 2528 at 27.

¹⁷¹ First Five-Year Reviews, USITC Pub. 3263 at 16.

¹⁷² Second Five-Year Reviews, USITC Pub. 3809 at 21.

¹⁷³ Second Five-Year Reviews, USITC Pub. 3809 at 21.

¹⁷⁴ Second Five-Year Reviews, USITC Pub. 3809 at 21.

¹⁷⁵ Second Five-Year Reviews, USITC Pub. 3809 at 21.

¹⁷⁶ Third Five-Year Reviews, USITC Pub. 4222 at 16.

¹⁷⁷ Third Five-Year Reviews, USITC Pub. 4222 at 16-17. Weldbend claimed that increased prices for the domestic like product reflected an increase in raw material costs. *Id.* at 17. No average unit value data was available at the time of the third reviews for subject imports from Brazil or Japan. *Id.* at 17 n.102.

substitutability between the domestic like product and imports from all sources.¹⁷⁸ The Commission found that, absent the orders, it was likely that underselling by subject imports would resume, as it did in the original investigations, causing domestic producers to either reduce price or relinquish market share.¹⁷⁹ For these reasons, the Commission concluded that revocation of the orders would likely result in underselling and significant adverse price effects on the domestic industry.¹⁸⁰

The Current Reviews.¹⁸¹ The record does not contain current pricing comparisons due to the expedited nature of these reviews. The pattern observed in prior reviews of the cumulated subject imports having substantially lower average unit values than the domestic like product recurred in 2015, the one year for which average unit data are available for the domestic like product.¹⁸² As observed earlier, subject import volume from each subject country would likely increase to significant levels upon revocation. Additionally, subject producers would likely resume the behavior observed in the original investigations, exporting subject merchandise at low prices to gain market share. Accordingly, cumulated subject imports would likely undersell domestically produced carbon steel BWPF, as they did during the original investigations.

As discussed above, we continue to find that subject imports from each subject country are substitutable for each other and for the domestic like product and that price is an important factor in purchasing decisions. The likely significant volume of cumulated subject imports, which would likely undersell the domestic like product, would likely force the domestic industry to either lower prices or lose sales. In light of these considerations, we conclude that, absent the disciplining effect of the orders, cumulated subject imports would likely have significant depressing or suppressing effects on prices for the domestic like product.

¹⁷⁸ Third Five-Year Reviews, USITC Pub. 4222 at 17.

¹⁷⁹ Third Five-Year Reviews, USITC Pub. 4222 at 17.

¹⁸⁰ Third Five-Year Reviews, USITC Pub. 4222 at 17.

¹⁸¹ Commissioner Broadbent joins this discussion as it pertains to subject imports from China, Japan, Taiwan, and Thailand. With respect to Brazil, she notes that subject imports from Brazil did undersell the domestic like product during the original period of investigation. Original Determinations on Brazil and Taiwan, USITC Pub. 1918 at 18 and 20. However, as discussed above, she finds that the likely volume of subject imports that may reenter the U.S. market upon revocation would not be significant. Thus, even if subject imports from Brazil undersell the domestic like product as occurred during the original investigations, she finds that underselling at a minimal volume level would not be likely to have significant adverse effects on domestic prices. Accordingly, she determines that revocation of the antidumping duty order on subject imports from Brazil would not be likely to lead to significant adverse price effects for the domestic like product.

¹⁸² CR/PR at Tables I-3-4. Data regarding average unit values from Brazil and Japan were unavailable, as there were no subject imports from Brazil in 2015 and only a *de minimis* quantity of merchandise classified as BWPF was imported from Japan in 2015, at unit values that indicated the merchandise was either misclassified or involved specialty products. Response, Tube Forgings, Mills, and Hackney at 22 n.73. See CR/PR at Table I-4. We examine average unit value data with caution, as differences in unit values may reflect differences in product mix.

3. Likely Impact

The Original Investigations and Prior Five-Year Reviews. In the 1986 original investigations, the Commission found adverse impact based on the significant volume of subject imports, the consistently high market penetration of subject imports, underselling by subject imports while domestic prices declined, and the unprofitability of the domestic industry.¹⁸³ In the 1992 original determinations, the Commission found the domestic industry threatened with material injury based on the following factors: (1) unused or underutilized capacity in the subject countries and inventory buildup that would lead to an increase in the volume and market share of subject imports; (2) substitutability of the product and price sensitivity of the market which would result in price suppression and depression; and (3) the declining profitability and vulnerability of the domestic industry.¹⁸⁴

In the first five-year reviews, the Commission found that there would likely be a significant adverse impact on the domestic industry if the orders were revoked. It observed that the industry's condition had improved immediately after the orders were imposed, but then began to decline again, and found the domestic industry to be vulnerable to the continuation or recurrence of material injury.¹⁸⁵

In the second five-year reviews, although the Commission did not find the domestic industry vulnerable in light of its increased profitability over the review period, the Commission nevertheless found that the domestic industry's level of profitability was unlikely to continue if the orders were revoked, given its poor or declining performance with respect to sales volume and market share.¹⁸⁶ The Commission found that while the domestic industry raised its prices to cover its increased raw materials costs, it lost market share to nonsubject imports as a result.¹⁸⁷ Consequently, the Commission concluded that the likely significant increase in subject imports coupled with their likely adverse price effects would likely result in a significant adverse impact on the domestic industry within a reasonably foreseeable time.¹⁸⁸

In the third five-year reviews, there was limited information on the record regarding the domestic industry's condition. Although the domestic industry's output, rate of capacity utilization, U.S. shipments, and market share in 2009 were significantly lower than in any other period examined, the industry's net sales value and operating income were higher than in any other period.¹⁸⁹ The Commission did not make a finding on vulnerability, given the limited evidence on the record.¹⁹⁰ It found that the likely volume and price effects of the subject

¹⁸³ Original Determinations on Brazil and Taiwan, USITC Pub. 1918 at 20; Original Determination on Japan, USITC Pub. 1943 at 1-12.

¹⁸⁴ Original Determinations on China and Thailand, USITC Pub. 2528 at 30-31.

¹⁸⁵ First Five-Year Review Determinations, USITC Pub. 3263 at 18.

¹⁸⁶ Second Five-Year Reviews, USITC Pub. 3809 at 22-23.

¹⁸⁷ Second Five-Year Reviews, USITC Pub. 3809 at 23.

¹⁸⁸ Second Five-Year Reviews, USITC Pub. 3809 at 23-24.

¹⁸⁹ Third Five-Year Reviews, USITC Pub. 4222 at 18.

¹⁹⁰ Third Five-Year Reviews, USITC Pub. 4222 at 18.

imports would likely have a significant impact on the industry's production, sales, and revenues and that a significant portion of the expected increase in subject imports would be at the expense of the domestic industry, particularly given the likelihood of subject import underselling and adverse price effects. It accordingly concluded that revocation of the orders under review would likely have a significant adverse impact on the domestic industry.¹⁹¹

The Current Reviews.¹⁹² Because of the expedited nature of these reviews, information on the record concerning the recent performance of the domestic industry producing carbon steel BWPF is limited. The limited record 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 orders.¹⁹³

The information on the record indicates that the domestic industry's capacity was 72.7 million pounds in 2015,¹⁹⁴ its production was 34.9 million pounds,¹⁹⁵ and its capacity utilization was 48.0 percent.¹⁹⁶ U.S. shipments were 31.3 million pounds in 2015.¹⁹⁷ The industry reported an operating income of \$7.5 million, resulting in an operating margin of 6.8 percent in 2015.¹⁹⁸

As previously discussed, revocation of the orders on carbon steel BWPF from Brazil, China, Japan, Taiwan, and Thailand would be likely to lead to a significant increase in the volume of subject imports that would undersell the domestic like product and have significant price effects on the domestic industry. Consequently, given the substitutable nature of the product, the likely significant volume of cumulated subject imports would place pricing pressure on domestic producers, forcing them to cut prices or cede market share to subject imports. The likely significant volume of cumulated subject imports and their price effects would negatively affect the domestic industry's capacity, production, capacity utilization,

¹⁹¹ Third Five-Year Reviews, USITC Pub. 4222 at 18-19.

¹⁹² Commissioner Broadbent joins this discussion as it pertains to subject imports from China, Japan, Taiwan, and Thailand, and writes separately with respect to Brazil. As discussed above, Commissioner Broadbent finds that the record demonstrates that the Brazilian industry is not export oriented, and subject imports from Brazil have been virtually absent since the first period of review in 1999. In light of her findings that neither the volume nor any price effects of subject imports from Brazil are likely to be significant, she further finds that subject imports from Brazil are not likely to have significant adverse effects on the domestic industry's profitability and employment related indicators. She therefore determines that revocation of the antidumping duty order on subject imports from Brazil would not be likely to have a significant impact on the domestic industry within a reasonably foreseeable time.

¹⁹³ Based on the record in these reviews, Commissioner Pinkert finds the evidence on vulnerability to be mixed. Although apparent U.S. consumption has increased since the original investigations, domestic market share has declined to 23.9 percent. The domestic industry had an operating margin of 6.8 percent in 2015, but the margin had been higher in prior reviews. CR/PR at Table I-3 and I-6.

¹⁹⁴ CR/PR at Table I-3.

¹⁹⁵ CR/PR at Table I-3.

¹⁹⁶ CR/PR at Table I-3.

¹⁹⁷ CR/PR at Table I-3.

¹⁹⁸ CR/PR at Table I-3.

shipments, net sales values and quantities, employment levels, operating income, operating income margins, and capital investments.

We have also considered the role of factors other than subject imports, including nonsubject imports, so as not to attribute injury from other factors to the subject imports. We observe that there are several nonsubject countries whose industries supply carbon steel BWPF to the U.S. market. Imports of carbon steel BWPF from nonsubject countries have been present in substantial quantities in the U.S. market since the first reviews.¹⁹⁹ Notwithstanding the large and increasing volume and market penetration of nonsubject imports over the period of review, the domestic industry's production, commercial shipments, and capacity utilization were higher in 2015 than in 2009, and its profitable operating performance contrasts with the operating losses it sustained during the original periods of investigation.²⁰⁰ As a result, the adverse effects that the subject imports will likely cause to the domestic industry's output, prices, and financial performance in the reasonably foreseeable future are distinguishable from those of nonsubject imports.

Accordingly, we conclude that, if the antidumping duty orders on carbon steel BWPF were revoked, cumulated subject imports would likely have a significant impact on domestic producers of carbon steel BWPF within a reasonably foreseeable time.

V. Conclusion

For the above reasons, we determine that revocation of the antidumping duty orders on carbon steel BWPF from Brazil, China, Japan, Taiwan, and Thailand would likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.²⁰¹

¹⁹⁹ CR/PR at Table I-5. Malaysia and Korea were the top sources for U.S. imports of nonsubject carbon steel BWPF in 2015, at 43.3 million and 20.5 million pounds respectively. *Id.*

²⁰⁰ CR/PR at Table I-3.

²⁰¹ Commissioner Broadbent determines that, for the reasons discussed previously, revocation of the antidumping duty order on subject imports from Brazil would not be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

INFORMATION OBTAINED IN THESE REVIEWS

BACKGROUND

On March 1, 2016, 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 reviews to determine whether revocation of antidumping duty orders on carbon steel butt-weld pipe fittings from Brazil, China, Japan, Taiwan, and Thailand 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 ⁴ The following tabulation presents information relating to the background and schedule of this proceeding:

Effective or statutory date	Action
March 1, 2016	Notice of initiation and institution by Commerce and Commission
June 29, 2016	Scheduled date for Commerce results of its expedited reviews
June 6, 2016	Commission vote on adequacy
August 3, 2016	Commission deadline to complete expedited reviews

RESPONSES TO THE COMMISSION’S NOTICE OF INSTITUTION

Individual responses

The Commission received two submissions in response to its notice of institution in the subject reviews. They were filed on behalf of the following entities:

¹ 19 U.S.C. 1675(c).

² *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand; Institution of Five-Year Reviews*; 81 FR 10656, March 1, 2016. In accordance with section 751(c) of the Act, the U.S. Department of Commerce (“Commerce”) published a notice of initiation of five-year reviews of the subject antidumping duty orders concurrently with the Commission’s notice of institution. *Initiation of Five-Year (“Sunset”) Review*, 81 FR 10578, March 1, 2016. Pertinent *Federal Register* notices are referenced in app. A, and may be found at the Commission’s website (www.usitc.gov).

³ As part of their response to the notice of institution, interested parties were requested to provide company-specific information. That information is presented in app. B. Summary data compiled in prior proceedings are presented in app. C.

⁴ Interested parties were also requested to provide a list of three to five leading purchasers in the U.S. market for the subject merchandise. Presented in app. D are the responses received from purchaser surveys transmitted to the purchasers identified in the adequacy phase of these reviews.

1. Tube Forgings of America, Inc. (“Tube Forgings”), Mills Iron Works, Inc. (“Mills”), and Hackney Ladish, Inc. (“Hackney”), domestic producers of carbon steel butt-weld pipe fittings.

2. Weldbend Corporation (“Weldbend”), a domestic producer of carbon steel butt-weld pipe fittings.

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. The Commission did not receive any responses from Brazilian, Chinese, Japanese, Taiwan, or Thai producers or importers of the subject merchandise from Brazil, China, Japan, Taiwan, or Thailand.

Table I-1
Carbon steel butt-weld pipe fittings: Summary of responses to the Commission’s notice of institution

Type of interested party	Completed responses	
	Number	Coverage
Domestic:		
U.S. producers	4	***% ¹
Respondent:		
U.S. importer	0	0%
Foreign producer/exporter	0	0%

¹ The coverage presented, as provided by domestic interested parties in their responses, represents the firms’ aggregate share of total U.S. production of carbon steel butt-weld pipe fittings during 2015.

Party comments on adequacy

The Commission received two submissions from parties commenting on the adequacy of responses to the notice of institution and whether the Commission should conduct expedited or full reviews. These submissions were filed on behalf of the following entities: (1) Tube Forging, Mills, and Hackney and (2) Weldbend. Both parties state that the reviews should be conducted on an expedited basis, and that the administrative record contains ample evidence that revoking the orders will lead to continuation or recurrence of material injury to the domestic industry.⁵ Weldbend notes that the two responses constitute an adequate response on behalf of the domestic industry producing the like product.⁶ Further, both parties note that the Commission received no responses to the notice of institution from any respondent interested party and, accordingly, the respondent interested parties’ response is inadequate.⁷

⁵ *Tube Forgings, Mills, and Hackney U.S. producers’ comments on adequacy*, p. 2 and *Weldbend’s Comments on Adequacy*, p. 2.

⁶ *Weldbend’s Comments on Adequacy*, p. 2.

⁷ *Weldbend’s Comments on Adequacy*, p. 2.

RECENT DEVELOPMENTS IN THE INDUSTRY

Since the Commission's prior five-year reviews, the following developments have occurred in the carbon steel butt-weld pipe fittings industry.

- The decline in oil prices has had a negative impact on the industries that consume carbon steel butt-weld pipe fittings. Accordingly, demand for this product has been adversely affected and is expected to remain so in the foreseeable future.⁸
- As an industry and a product, butt-weld pipe fittings are technologically mature.⁹ There have been no developments in new production techniques or end-use applications, nor have substitute products become available.¹⁰

THE PRODUCT

Commerce's scope

Commerce has defined the subject merchandise with respect to imports from Brazil, Taiwan, and Japan as:

...carbon steel butt-weld pipe fittings, other than couplings, under 14 inches in inside diameter, whether finished or unfinished, that have been formed in the shape of elbows, tees, reducers, caps, etc., and, if forged, have been advanced after forging. These advancements may include any one or more of the following: coining, heat treatment, shot blasting, grinding, die stamping or painting. These imports are currently classifiable under the Harmonized Tariff Schedule of the United States ("HTS") item number 7307.93.30.¹¹

⁸ *Tube Forgings, Mills, and Hackney U.S. producers' response to Commission's notice of institution*, p. 34.

⁹ *Tube Forgings, Mills, and Hackney U.S. producers' response to Commission's notice of institution*, p. 34 and *Weldbend's response to Commission's notice of institution*, p. 9.

¹⁰ *Tube Forgings, Mills, and Hackney response to Commission notice of institution*, p. 35.

¹¹ With respect to the order concerning Japan, induction pipe bends classifiable under item 7307.93.30 which have at one or both ends tangents that equal or exceed 12 inches in length are excluded from the scope. *Certain Carbon Steel Butt-Weld Pipe Fittings From Brazil, Japan, Taiwan, Thailand, and the People's Republic of China: Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders*, 76 FR 7151, February 9, 2011.

Commerce has defined the subject merchandise with respect to imports from Thailand and China as:

...carbon steel butt-weld pipe fittings, having an inside diameter of less than 14 inches, imported in either finished or unfinished form. These formed or forged pipe fittings are used to join sections in piping systems where conditions require permanent, welded connections, as distinguished from fittings based on other fastening methods (e.g., threaded, grooved, or bolted fittings). Carbon steel butt-weld pipe fittings are currently classified under subheading 7307.93.30 of the HTS.¹²

Description and uses¹³

Butt-weld pipe fittings are used to connect pipe sections where conditions require permanent, welded connections. The beveled edges of butt-weld pipe fittings distinguish them from other types of pipe fittings, such as threaded, grooved, or bolted fittings, which rely on different types of fastening methods. When placed against the end of a beveled pipe or another fitting, the beveled edges of a butt-weld pipe fitting form a shallow channel that accommodates the “bead” of the weld that fastens the two adjoining pieces. Butt-weld pipe fittings can be produced from various materials, including carbon steel, alloy steel, and stainless steel; however, only those butt-weld pipe fittings produced from carbon steel and which are under 14 inches (356 mm) in inside diameter are covered by these reviews. Approximately 90 percent of all butt-weld pipe fittings under 14 inches (356 mm) in inside diameter are of carbon steel. Carbon steel butt-weld pipe fittings come in several basic shapes, the most common of which are elbows, tees, reducers, and caps (figure I-1). Elbows are two-outlet fittings usually having a 45-degree or 90-degree bend, tees are T-shaped fittings having three outlets, and reducers are two-outlet fittings that connect pipes of two different diameters. Caps are used to seal the end of a pipe. There are further variations within each class of fitting based on differences in the size of one or more of the outlets (for example, there are reducing elbows and reducing tees).

U.S. producers report that both the subject product and the industry are “technologically mature.”¹⁴ The subject product is “not susceptible to technological advances” and that “production techniques remain essentially unchanged.”¹⁵

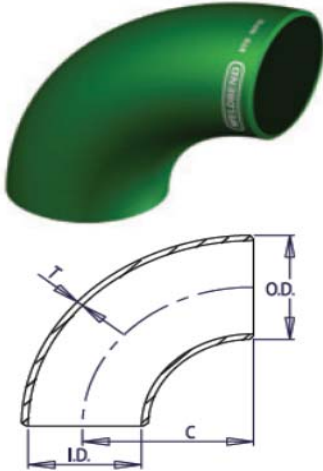
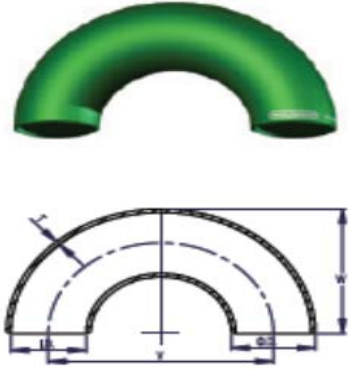


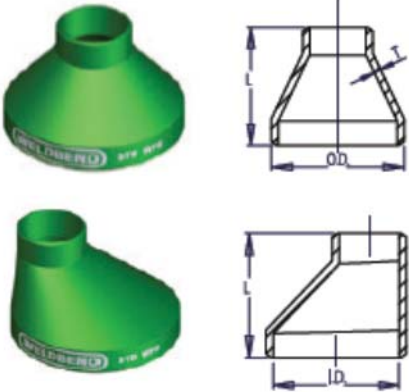

¹² *Certain Carbon Steel Butt-Weld Pipe Fittings From Brazil, Japan, Taiwan, Thailand, and the People’s Republic of China: Continuation of the Antidumping Duty Orders*, 76 FR 21331, April 15, 2011.

¹³ Unless otherwise noted, information in this section is from *Carbon Steel Butt-weld Pipe Fittings from Brazil, China, Japan, Taiwan, and Thailand, Inv. Nos. 731-TA-308-310 and 520-521 (Third Review)*, USITC Publication 4222, April 2011, pp. I-8 to I-10.

¹⁴ *Tube Forgings, Mills, and Hackney U.S. producers’ response to Commission’s notice of institution*, March 31, 2016, p. 35.

¹⁵ *Tube Forgings, Mills, and Hackney U.S. producers’ response to Commission’s notice of institution*, March 31, 2016, p. 35. *Weldbend’s Response to notice of institution*, March 31, 2016, p. 9.

Figure I-1:
Carbon steel butt-weld pipe fittings: Representative products

<p>Elbow with 90 degree bend</p> 	<p>180 degree bend</p> 
<p>Elbow with 45 degree bend</p> 	<p>Tee</p> 
<p>Reducers</p> 	<p>Cap</p> 

Source: Images and drawings excerpted from Weldbend Corp., *Weldbend: Carbon Steel Weld Fitting & Weld Flange Products for Piping and Construction, Sixty-Third Edition, 2010.*
https://www.weldbend.com/Catalog_63_English_Imperial.pdf (accessed April 26, 2016).

The subject product is utilized in residential, commercial, or industrial pipe systems in chemical synthesis, petroleum refining, electric-power generation, construction, and shipbuilding. Butt-weld pipe fittings join pipes in straight lines and change or divide the flow of fluids (oil, water, natural gas or other gases, or steam). They are welded into permanent, fixed piping systems that convey gases or liquids in plumbing, heating, refrigeration, air-conditioning, automatic fire sprinklers, electrical conduit, irrigation, and process-piping systems. Butt-weld pipe fittings are also found in structural applications for construction, where pipes and fittings are used as support members.

Manufacturing process¹⁶

The manufacture of carbon steel butt-weld pipe fittings typically begins with seamless carbon steel pipe which is first transformed into the rough shape of an elbow, tee, reducer, etc., through a cold- or hot-forming (or forging) process. At this stage of production the fittings are considered to be in a rough, “as formed,” state. After forming, the pipe often must undergo a “reforming” or “sizing” operation to ensure that the fitting will match the pipe to which it is to be welded. The finishing steps may include shot blasting, or other cleaning, machine beveling of the fitting edges, boring and tapering, grinding, die stamping, inspection, and painting.

Carbon steel butt-weld pipe fittings historically were manufactured by firms that entered the production process at various stages. Integrated producers generally begin with seamless pipe as the raw material and perform both forming and machining operations. Converters purchase rough formed or semifinished pipe fittings and perform only machining and finishing operations. Combination producers produce some fittings in an integrated process and others in a conversion process. All carbon steel butt-weld pipe fittings, whether imported or domestically produced, must meet American Society for Testing and Materials (“ASTM”) and American National Standards Institute (“ANSI”) specifications.

U.S. tariff treatment

Carbon steel butt-weld pipe fittings is classifiable in the Harmonized Tariff Schedule of the United States (“HTS”) under subheading 7307.93.30 and reported for statistical purposes under statistical reporting numbers 7307.93.3010 and 7307.93.3040. The current normal trade relations rate of duty for this subheading is 6.2 percent ad valorem. In these reviews, “carbon steel” is interpreted to have the same meaning as “non-alloy” steel in the HTS.

¹⁶ Unless otherwise noted, information in this section is from *Carbon Steel Butt-weld Pipe Fittings from Brazil, China, Japan, Taiwan, and Thailand*, Inv. Nos. 731-TA-308-310 and 520-521 (Third Review), USITC Publication 4222, April 2011, pp. I-8 to I-10.

The definition of the domestic like product and domestic industry

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 the original investigations, the expedited first five-year reviews, the full second five-year reviews, and the expedited third five-year reviews, the Commission defined the domestic like product to encompass all carbon steel butt-weld pipe fittings coextensive with Commerce's scope.¹⁷

In its notice of institution for these reviews, the Commission solicited comments from interested parties regarding the appropriate domestic like product and domestic industry. None of the responding domestic producers provided comments on the definition of the domestic like product. Weldbend simply noted in its response that the Commission should reach the same decision it made in the first, second, and third five-year review determinations to include Weldbend in the domestic industry.¹⁸

THE ORIGINAL INVESTIGATIONS AND SUBSEQUENT REVIEWS

The original investigations

On February 24, 1986, a petition was filed with Commerce and the Commission alleging that an industry in the United States was materially injured, or was threatened with material injury by reason of imports sold at less than fair value ("LTFV") from Brazil, Japan, and Taiwan.¹⁹ The Commission completed the original investigations for Brazil and Taiwan (Inv. Nos. 731-TA-308 and 310) in December 1986, determining that an industry in the United States was materially injured by reason of LTFV imports from Brazil and Taiwan.²⁰ Subsequently, in January 1987, the Commission made an affirmative material injury determination regarding imports of carbon steel butt-weld pipe fittings from Japan (Inv. No. 731-TA-309).²¹

¹⁷ *Butt-Weld Pipe Fittings From Brazil and Taiwan, Inv. Nos. 731-TA-308 and 310 (Final)*, USITC Publication 1918, December 1986, p. 5; *Carbon Steel Butt-Weld Pipe Fittings From Japan, Inv. Nos. 731-TA-309 (Final)*, USITC Publication 1943, January 1987, p. 5; *Certain Carbon Steel Butt-Weld Pipe Fittings From China and Thailand, Inv. Nos. 731-TA-520 and 521 (Final)*, USITC Publication 2528, June 1992; pp. 4-5; *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand, Inv. Nos. 731-TA-308-310 and 521-521 (Review)*, USITC Publication 3263, December 1999, p. 5; *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand, Inv. Nos. 731-TA-308-310 and 520-521 (Second Review)*, USITC Publication 3809, October 2005, p. 5; *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand, Inv. Nos. 731-TA-308-310 and 520-521 (Third Review)*, USITC Publication 4222, April 2011, p. 5.

¹⁸ *Weldbend's response to Commission's notice of institution*, p. 10.

¹⁹ The petition was filed by the U.S. Butt-Weld Fittings Committee, an ad hoc organization consisting of U.S. producers Ladish Co., Inc. ("Ladish"); Mills; and Steel Forgings, Inc. ("Steel Forgings").

²⁰ *Butt-Weld Pipe Fittings From Brazil and Taiwan; Determinations*, 51 FR 45188, December 17, 1986.

²¹ *Butt-Weld Pipe Fittings From Japan; Import Investigation*, 52 FR 3498, February 4, 1987.

On May 22, 1991, a petition was filed with Commerce and the Commission alleging that an industry in the United States was materially injured, or was threatened with material injury by reason of imports sold at LTFV from China and Thailand.²² In June 1992, the Commission determined that an industry in the United States was materially injured or threatened with material injury by reason of LTFV imports of carbon steel butt-weld pipe fittings from China and Thailand (Inv. Nos. 731-TA-520-521).²³

Commerce issued antidumping orders on imports of butt-weld pipe fittings from Brazil and Taiwan in December 1986; on imports of such fittings from Japan in February 1987; and on imports of such fittings from China and Thailand in July 1992.^{24 25}

The first five-year reviews

On August 5, 1999, the Commission determined that it would conduct expedited reviews on the antidumping duty orders on carbon steel butt-weld pipe fittings from Brazil, China, Japan, Taiwan, and Thailand.²⁶ On December 16, 1999, the Commission determined that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.²⁷ Following affirmative determinations in the five-year reviews by Commerce and the Commission, effective January 6, 2000, Commerce issued a continuation of the antidumping duty orders on imports of carbon steel butt-weld pipe fittings from Brazil, China, Japan, Taiwan, and Thailand.²⁸

²² The petition was filed by the U.S. Butt-Weld Fittings Group, an ad hoc trade association consisting of U.S. producers Hackney, Inc.; Ladish; Mills; Steel Forgings; and Tube Forgings.

²³ *Certain Carbon Steel Butt-Weld Pipe Fittings From China and Thailand*, 57 FR 29331, July 1, 1992.

²⁴ The order on imports of carbon steel butt-weld pipe fittings from Thailand excluded imports from Awaji Sangyo (Thailand) Co. (“Awaji Thailand”), which Commerce found to have a de minimis dumping margin.

²⁵ *Antidumping Duty Order; Certain Carbon Steel Butt-Weld Pipe Fittings From Brazil*, 51 FR 45152, December 17, 1986; *Antidumping Duty Order; Certain Carbon Steel Butt-Weld Pipe Fittings From Taiwan*, 51 FR 45152, December 17, 1986; *Antidumping Duty Order: Certain Carbon Steel Butt-Weld Pipe Fittings From Japan*, 52 FR 4167, February 10, 1987; *Antidumping Duty Order and Amendment to the Final Determination of Sales at Less Than Fair Value; Certain Carbon Steel Butt-Weld Pipe Fittings From the People’s Republic of China*, 57 FR 29702, July 6, 1992; *Antidumping Duty Order; Certain Carbon Steel Butt-Weld Pipe Fittings From Thailand*, 57 FR 29702, July 6, 1992.

²⁶ *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand*, 64 FR 44536, August 16, 1999. The Commission found that the domestic response was adequate and the respondent foreign industry response was inadequate.

²⁷ *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand*, 64 FR 71830, December 22, 1999.

²⁸ *Continuation of Antidumping Duty Orders: Certain Carbon Steel Butt-Weld Pipe Fittings From Brazil, Taiwan, Japan, Thailand, and the People’s Republic of China*, 65 FR 753, January 6, 2000.

The second five-year reviews

On March 7, 2005, the Commission determined that it would conduct full reviews of the antidumping duty orders on carbon steel butt-weld pipe fittings from Brazil, China, Japan, Taiwan, and Thailand.²⁹ On October 31, 2005, the Commission determined that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.³⁰ Following affirmative determinations in the second five-year reviews by Commerce and the Commission, effective November 21, 2005, Commerce issued a continuation of the antidumping duty orders on imports of carbon steel butt-weld pipe fittings from Brazil, China, Japan, Taiwan, and Thailand.³¹

The third five-year reviews

On January 4, 2011, the Commission determined that it would conduct expedited reviews of the antidumping duty orders on carbon steel butt-weld pipe fittings from Brazil, China, Japan, Taiwan, and Thailand.³² On April 4, 2011, the Commission determined that revocation of the antidumping duty orders 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 Following affirmative determinations in the third five-year reviews by Commerce and the Commission, effective April 15, 2011, Commerce issued a continuation of the antidumping duty orders on imports of carbon steel butt-weld pipe fittings from Brazil, China, Japan, Taiwan, and Thailand.³⁴

²⁹ *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand*, 70 FR 14713, March 23, 2005. The Commission found that the domestic response was adequate and the respondent foreign industry response was inadequate, but nonetheless conducted full reviews due to the age of the orders in question, in addition to examining the changes in the conditions of competition in the market.

³⁰ *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand*, 70 FR 66847, November 3, 2005.

³¹ *Continuation of Antidumping Duty Orders: Certain Carbon Steel Butt-Weld Pipe Fittings From Brazil, Taiwan, Japan, Thailand, and the People's Republic of China*, 70 FR 70059, November 21, 2005.

³² *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand*, 76 FR 5205, January 28, 2011.

³³ *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand*, 76 FR 19788, April 8, 2011.

³⁴ *Certain Carbon Steel Butt-Weld Pipe Fittings From Brazil, Japan, Taiwan, Thailand, and the People's Republic of China: Continuation of Antidumping Duty Orders*, 76 FR 21331, April 15, 2011.

PRIOR RELATED INVESTIGATIONS

Title VII investigations

In February 1994, the U.S. Fittings Group³⁵ filed a petition alleging that LTFV imports of carbon steel butt-weld pipe fittings from France, India, Israel, Malaysia, Korea, Thailand (Awaji Thailand only), the United Kingdom, and Venezuela were materially injuring or threatening to materially injure the domestic industry and that the governments of India and Israel were granting countervailable subsidies to their domestic industries.³⁶ Commerce determined that imports from France, India, Israel, Malaysia, Korea, Thailand (Awaji Thailand only), the United Kingdom, and Venezuela were sold in the United States at LTFV and that the governments of India and Israel were subsidizing their respective domestic industries. However, the Commission determined that the U.S. industry was not materially injured or threatened with material injury by reason of LTFV imports from any of the subject countries nor by reason of subsidized imports from India or Israel.³⁷ Consequently, Commerce did not issue antidumping or countervailing duty orders against U.S. imports of carbon steel butt-weld pipe fittings from these countries.

Safeguard investigation

In 2001, the Commission conducted a safeguard investigation of steel products (Inv. No. TA-201-73) that included carbon steel butt-weld pipe fittings. Following affirmative determinations of serious injury and remedy recommendations by the Commission, the President issued a proclamation on March 5, 2002, imposing temporary import relief, effective March 20, 2002, for a period not to exceed three years and one day, on imports from selected countries.³⁸ Import relief relating to carbon steel butt-weld pipe fittings consisted of an additional tariff of 13 percent ad valorem on imports in the first year, 10 percent in the second year, and 7 percent in the third year.

³⁵ The U.S. Fittings Group was an ad hoc association consisting of U.S. producers Hackney, Inc.; Ladish; Mills; Steel Forgings; and Tube Forgings.

³⁶ *Certain Carbon Steel Butt-Weld Pipe Fittings from France, India, Israel, Malaysia, The Republic of Korea, Thailand, the United Kingdom, and Venezuela, Inv. Nos. 701-TA-360 and 361 and 731-TA-688-695 (Final)*, USITC Publication 2870, April 1995.

³⁷ *Certain Carbon Steel Butt-Weld Pipe Fittings From France, India, Israel, Malaysia, The Republic of Korea, Thailand, The United Kingdom, and Venezuela*, 60 FR 18611, April 12, 1995.

³⁸ *Presidential Proclamation 7529 of March 5, 2002, To Facilitate Positive Adjustment to Competition From Imports of Certain Steel Products*, 67 FR 10553, March 7, 2002. The safeguard measures were applied to imports of subject steel products from all countries except Canada, Israel, Jordan, and Mexico, and developing countries that are members of the World Trade Organization ("WTO"), whose share of total imports of a particular product did not exceed three percent (provided that imports that are the product of all such countries with less than three percent import share collectively accounted for not more than nine percent of total imports of the product).

On March 5, 2003, the Commission instituted a mid-term review of the President's section 203 imports relief, as required by section 204(a)(2) of the Trade Act of 1974.³⁹ The Commission issued its assessment of the relief on September 19, 2003.⁴⁰ The Commission's review noted that, since the safeguard measures were instituted, the U.S. industry producing the pipe fittings increased its market share slightly 39.9 percent from 36.4 percent, that total quantity of imports of pipe fittings declined, and that demand for pipe fittings during the period also declined.⁴¹ On December 4, 2003, the President terminated the steel safeguard tariffs.⁴²

ACTIONS AT COMMERCE

Commerce has not made any company revocations or duty absorption findings since the imposition of the orders. In addition, Commerce has not completed any administrative reviews, new shipper reviews, critical circumstances reviews, changed circumstances reviews, or anti-circumvention findings since the third continuation of the orders in 2011.

Scope rulings

Since the imposition of the antidumping duty orders, Commerce has issued two scope rulings. In 1992, Commerce conducted a scope inquiry with regard to the antidumping duty order on imports from Taiwan. Commerce issued a scope ruling that the "sprink-let" is included within the scope of the antidumping duty order.⁴³

In 2009, Commerce conducted a scope inquiry with regard to the antidumping duty order on imports from China. Commerce issued a scope ruling that pipe fittings for structural use in handrails and fencing were within the scope of the antidumping order.⁴⁴ Subsequently, however, the Court of International Trade remanded Commerce's scope rulings holding that its inclusion of pipe fittings for structural use in handrails and fencing was unsupported by the scope language in the antidumping order.⁴⁵ On January 20, 2011, Commerce amended its original scope ruling to exclude pipe fittings for structural use in handrails and fencing from

³⁹ *Steel: Monitoring Developments in the Domestic Industry*, 68 FR 12380, March 14, 2003.

⁴⁰ *Steel: Monitoring Developments in the Domestic Industry, Inv. No. TA-204-9*, USITC Publication 3632, September 2003.

⁴¹ *Steel: Monitoring Developments in the Domestic Industry, Inv. No. TA-204-9*, Volume I, USITC Publication 3632, September 2003, p. xvii.

⁴² *Presidential Proclamation 7741 of December 4, 2003, To Provide for the Termination of Action Taken With Regard to Imports of Certain Steel Products*, 68 FR 68483, December 8, 2003.

⁴³ *Notice of Scope Rulings*, 57 FR 19602, May 7, 1992.

⁴⁴ *Notice of Scope Rulings*, 75 FR 38081, July 1, 2010.

⁴⁵ *King Supply Co. LLC v. United States*, Slip Op. 10-111 (Court of International Trade, September 30, 2010); see also *King Supply Co. LLC v. United States*, Slip Op. 11-2 (Court of International Trade, January 6, 2011) (sustaining Commerce's redetermination).

coverage of the antidumping duty order on U.S. imports from China.⁴⁶ On August 15, 2012, Commerce reversed its previously amended scope ruling to include all pipe fittings regardless of their end-use applications.⁴⁷

Five-year review results

Table I-2 presents the weighted-average dumping margins calculated by Commerce in its original investigations and its first, second, and third five-year reviews.

Table I-2

Carbon steel butt-weld pipe fittings: Commerce’s weighted-average dumping margins for the original investigations, the first five-year reviews, the second five-year reviews, and the third five-year reviews, by country and firm

Country and firm	Original	First reviews	Second reviews	Third reviews
	Margin (percent)			
Brazil				
All exporters	52.25	52.25	52.25	52.25
China				
China North Industries Corp.	154.72	154.72	154.72	154.72
Jilin Provincial Machinery & Equipment Import & Export Corp.	75.23	75.23	75.23	75.23
Liaoning Machinery & Equipment Import & Export Corp.	134.79	134.79	134.79	134.79
Liaoning Metals	182.90	182.90	182.90	182.90
Liaoning Metal & Minerals Import & Export Corp.	103.70	103.70	103.70	103.70
Shenyang Billiongold Pipe Fittings Co., Ltd.	110.39	110.39	110.39	110.39
Shandong Metals & Minerals Import & Export Corp.	35.06	35.06	35.06	35.06
Shenyang Machinery & Equipment Import & Export Corp.	182.90	182.90	182.90	182.90
Shenzhen Machinery Industry Corp.	182.90	182.90	182.90	182.90
All others	182.90	182.90	182.90	182.90

Table continued on next page.

⁴⁶ *Carbon Steel Butt-Weld Pipe Fittings from the People’s Republic of China: Notice of Court Decision Not in Harmony with Final Scope Ruling and Notice of Amended Final Scope Ruling Pursuant to Court Decision*, 76 FR 4633, January 26, 2011.

⁴⁷ *Certain Carbon Steel Butt-Weld Pipe Fittings From the People’s Republic of China: Notice of Court Decision Not in Harmony With Amended Final Scope Ruling and Notice of Amended Final Scope Ruling in Accordance With Court Decision*, 77 FR 48965, August 15, 2012.

Table I-2--Continued

Carbon steel butt-weld pipe fittings: Commerce's weighted-average dumping margins for the original investigations, the first five-year reviews, the second five-year reviews, and the third five-year reviews, by country and firm

Country and firm	Original	First reviews	Second reviews	Third reviews
	Margin (percent)			
Japan				
Awaji Sangyo, K.K.	30.83	30.83	30.83	30.83
Nippon Benkan Kogyo, Ltd., Co.	65.81	65.81	65.81	65.81
All others	62.79	62.79	62.79	62.79
Taiwan				
Rigid Industries	6.84	6.84	6.84	6.84
Chung Ming Pipe Fitting Manufacturing Co., Ltd.	8.57	8.57	8.57	8.57
Gei Bey Corp.	87.30	87.30	87.30	87.30
Chup Hsin Enterprises	87.30	87.30	87.30	87.30
All others	49.46	49.46	49.46	49.46
Thailand				
Awaji Sangyo (Thailand) Co.	0.22 ¹	38.41	(²)	(²)
TTU Industrial Corp.	10.68	10.68	10.68	12.44
Thai Benken	50.84	50.84	52.60	52.60
All others	39.10	39.10	39.10	40.86

¹ *De minimis*.

² Excluded.

Source: Certain Carbon Steel Butt-Weld Pipe Fittings From Brazil, Final Determination of Sales at Less Than Fair Value, 51 FR 37770, October 24, 1986; Certain Carbon Steel Butt-Weld Pipe Fittings From Taiwan; Final Determination of Sales at Less Than Fair Value, 51 FR 37772, October 24, 1986; Certain Carbon Steel Butt-Weld Pipe Fittings From Japan: Final Determination of Sales at Less Than Fair Value, 51 FR 46892, December 29, 1986; Final Determination of Sales at Less Than Fair Value: Certain Carbon Steel Butt-Weld Pipe Fittings From the People's Republic of China, 57 FR 21058, May 18, 1992; Antidumping Duty Order and Amendment to the Final Determination of Sales at Less Than Fair Value; Certain Carbon Steel Butt-Weld Pipe Fittings From the People's Republic of China, 57 FR 29702, July 6, 1992; Final Determination of Sales at Less Than Fair Value: Certain Carbon Steel Butt-Weld Pipe Fittings From Thailand, 57 FR 21065, May 18, 1992; Final Results of Expedited Sunset Review: Certain Carbon Steel Butt-Weld Pipe Fittings From Brazil, Taiwan, Japan, Thailand, and The People's Republic of China, 64 FR 67847, December 3, 1999; Certain Carbon Steel Butt-Weld Pipe Fittings From Brazil, Taiwan, Japan, Thailand, and the People's Republic of China; Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders, 70 FR 39486, July 8, 2005; Certain Carbon Steel Butt-Weld Pipe Fittings From Brazil, Japan, Taiwan, Thailand, and the People's Republic of China: Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders, 76 FR 7151, February 9, 2011.

Commerce notified the Commission that it had not received adequate responses from the respondent interested parties to its notice initiating these five-year reviews of the antidumping duty orders on imports of carbon steel butt-weld pipe fittings from Brazil, China, Japan, Taiwan, and Thailand. As a result, Commerce intends to conduct expedited reviews of the orders and to issue its final results by June 29, 2016.⁴⁸

THE INDUSTRY IN THE UNITED STATES

U.S. producers

Since the original investigations, the U.S. industry has experienced consolidation and the exit of a number of U.S. producers of carbon steel butt-weld pipe fittings.⁴⁹ In the original 1986/87 proceedings concerning carbon steel butt-weld pipe fittings from Brazil, Japan, and Taiwan, 12 firms were identified as U.S. producers of carbon steel butt-weld pipe fittings.⁵⁰ The 12 companies included: (1) Flo-Blend, Inc. (“Flo-Blend”); (2) Hackney Ladish, Inc. (“Hackney”);⁵¹ (3) ITT Grinnell; (4) Ladish Co., Inc. (“Ladish”); (5) L.A. Boiler Works, Inc. (“L.A. Boiler Works”); (6) Mills Iron Works, Inc. (“Mills”); (7) Standard Fittings Co. (“Standard Fittings”); (8) Steel Forgings, Inc. (“Steel Forgings”); (9) Tube Forgings of America, Inc. (“Tube Forgings”); (10) Tube-Line Co. (“Tube-Line”); (11) Tube Turns, Inc. (“Tube Turns”); and (12) Weldbend Corp. (“Weldbend”). Six of these 12 U.S. producers were integrated producers (Flo-Blend, L.A. Boiler Works, Ladish, Mills, Standard Fittings, and Steel Forgings).⁵² Hackney, ITT Grinnell, Tube Forgings, and Tube Turns were combination producers while Tube-Line and Weldbend were exclusively converters of carbon steel butt-weld pipe fittings.⁵³

⁴⁸ Melissa Skinner, Director, Office II, AD/CVD Operations, Enforcement and Compliance, Department of Commerce, letter to Michael Anderson, April 21, 2016.

⁴⁹ *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand, Inv. Nos. 731-TA-308-310 and 520-521 (Third Review)*, USITC Publication 4222, April 2011, p. I-10.

⁵⁰ The Commission received 11 questionnaire responses, which accounted for virtually all domestic production of finished carbon steel butt-weld pipe fittings in 1985. *Butt-Weld Pipe Fittings From Brazil and Taiwan, Inv. Nos. 731-TA-308-310 (Final)*, USITC Publication 1918, December 1986, p. A-10.

⁵¹ At this time, Hackney, Inc. was a wholly owned subsidiary of the Trinity Fittings Group (“Trinity”). *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand, Inv. Nos. 731-TA-308-310 and 520-521 (Third Review)*, USITC Publication 4222, April 2011, p. I-10, n.38.

⁵² Integrated producers begin with seamless pipe as the raw material and perform both forming and machining operations. Converters purchase rough formed or semifinished pipe fittings and perform only machining and finishing operations. Combination producers produce some fittings in an integrated process and others in a conversion process. *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand, Inv. Nos. 731-TA-308-310 and 520-521 (Third Review)*, USITC Publication 4222, April 2011, p. I-10, n.39.

⁵³ *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand, Inv. Nos. 731-TA-308-310 and 520-521 (Third Review)*, USITC Publication 4222, April 2011, pp. I-10-11.

In the original 1992 proceeding on carbon steel butt-weld pipe fittings from China and Thailand, there were seven U.S. producers of carbon steel butt-weld pipe fittings:⁵⁴ (1) Hackney, (2) Ladish, (3) Mills, (4) Steel Forging, (5) Tube Forgings, (6) Tube-Line, and (7) Weldbend. Hackney, Tube Forgings, Tube-Line, and Weldbend were combination producers.⁵⁵ All seven U.S. producers responded to the Commission's questionnaire in the original 1992 proceeding, accounting for virtually all domestic production of carbon steel butt-weld pipe fittings.⁵⁶

In the related 1995 investigations concerning carbon steel butt-weld pipe fittings from France, India, Israel, Malaysia, Korea, Thailand, the United Kingdom, and Venezuela, four participating U.S. producers accounted for 90 percent of domestic production of carbon steel butt-weld pipe fittings: (1) Hackney, (2) Tube Forgings, (3) Tube-Line,⁵⁷ and (4) Weldbend.⁵⁸

In the Commission's expedited first five-year reviews in 1999/2000, four U.S. producers (Mills, Trinity, Tube Forgings, and Weldbend) responded to the Commission's notice of institution, accounting for approximately *** percent of domestic production of carbon steel butt-weld pipe fittings in 1998. These four firms (and their predecessor firms) accounted for *** percent of domestic production in the 1986/87 original proceeding and *** percent of

⁵⁴ ITT Grinnell ceased production of carbon steel butt-weld pipe fittings in 1985, L.A. Boiler Works ceased production in 1988, and Tube Turns ceased production in 1987. Flo-Blend shifted its production to specialty alloy steel fittings and became a wholly-owned subsidiary of Trinity. Both Tube-Line and Weldbend added capital equipment from the time of the 1986 investigations to the 1992 investigation that granted them some integrated production capability, thereby making them combination producers instead of mere converters. *Certain Carbon Steel Butt-Weld Pipe Fittings from China and Thailand, Inv. Nos. 731-TA-520-521 (Final)*, USITC Publication 2528, June 1992, p. I-16.

⁵⁵ ***. Tube-Line and Weldbend stated that "the production processes and financial performance of Tube-Line and Weldbend have been, and remain, dependent on low-cost unfinished imports. Further, inclusion of their data distorts certain domestic industry indicators, especially pricing, productivity, and profitability." *Certain Carbon Steel Butt-Weld Pipe Fittings from China and Thailand, Inv. Nos. 731-TA-520 and 521 (Final)*, USITC Publication 2528, June 1992, p. 16.

⁵⁶ *Certain Carbon Steel Butt-Weld Pipe Fittings from China and Thailand, Inv. Nos. 731-TA-520-521 (Final)*, USITC Publication 2528, June 1992, p. I-16.

⁵⁷ In 2002, Ezeflow, Inc. of Quebec, Canada acquired Tube-Line. *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand, Inv. Nos. 731-TA-308-310 and 520-521 (Third Review)*, USITC Publication 4222, April 2011, p. I-11, n.42.

⁵⁸ Ladish sold its production facilities and brand name to Hackney. Steel Forgings became a specialty products manufacturer and no longer produced carbon steel butt-weld pipe fittings.

In the 1995 investigations, the Commission did not exclude Weldbend from the domestic industry, determining that "Weldbend operates an integrated manufacturing facility, producing a substantial majority of the unfinished fittings it finishes. This stands in contrast to its position principally as a converter dependent on low-cost, unfinished imported fittings during previous investigations." *Certain Carbon Steel Butt-Weld Pipe Fittings from France, India, Israel, Malaysia, The Republic of Korea, Thailand, the United Kingdom, and Venezuela, Inv. Nos. 701-TA-360 and 361 and 731-TA-688-695 (Final)*, USITC Publication 2870, April 1995, pp. I-8-9.

domestic production in the 1992 original proceeding.⁵⁹ In the Commission's full second five-year reviews in 2005 and its expedited third five-year reviews in 2011, these same four producers responded to the Commission's notices of institution and stated that they accounted for *** percent of total U.S. production of carbon steel butt-weld pipe fittings.⁶⁰

In these current fourth five-year reviews, Tube Forgings, Mills, and Hackney responded to the Commission's notice of institution and stated that they account for *** percent of total U.S. production.⁶¹ In a separate submission, Weldbend reported that it could not estimate its share of total U.S. production,⁶² but based on information provided in the Tube Forgings, Mills, and Hackney's response, the four responding firms combined once again accounted for *** percent of total U.S. production of the domestic like product in 2015.⁶³

Definition of the domestic industry and related party 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 1986 and 1992 proceedings, the Commission defined the domestic industry to include all domestic producers of carbon steel butt-weld pipe fittings, except Weldbend and Tube-Line, which the Commission determined to exclude as related parties.⁶⁴

⁵⁹ *Investigation Nos. 731-TA-308-310, and 520-521 (Review): Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand—Staff Report*, INV-V-252, November 3, 1999, pp. I-13-14.

⁶⁰ *Investigation Nos. 731-TA-308-310, and 520-521 (Second Review): Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand—Staff Report*, INV-CC-166, September 29, 2005, p. I-21. They also noted that Tube-Line, which did not submit a questionnaire response during those reviews, accounted for *** percent of U.S. production, and that the remainder of U.S. production could be accounted for by specialty fittings makers. *Ibid.*, p. I-21, n.47. Trinity Fittings Group was renamed Hackney Ladish, Inc. in 2006. *Investigation Nos. 731-TA-308-310, and 520-521 (Third Review): Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand—Staff Report*, INV-JJ-018, March 2, 2011, p. I-16, n.44. *Investigation Nos. 731-TA-308-310, and 520-521 (Third Review): Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand—Staff Report*, INV-JJ-018, March 2, 2011, pp. I-16.

⁶¹ *Tube Forgings, Mills, and Hackney response to Commission's notice of institution*, p. 32.

⁶² *Weldbend's response to Commission's notice of institution*, p. 6.

⁶³ *Tube Forgings, Mills, and Hackney response to Commission's notice of institution*, p. 25. The domestic production of nine U.S. "specialty" products producers listed in the responses to the Commission's notice of institution are believed to be small and incidental. *Tube Forgings, Mills, and Hackney response to Commission's notice of institution*, p. 25. In fact, staff's review of these firms' websites suggests that several may not be producers of the domestic like product.

⁶⁴ *Butt-Weld Pipe Fittings From Brazil and Taiwan, Inv. Nos. 731-TA-308 and 310 (Final)*, USITC Publication 1918, December 1986, p. 9; *Certain Carbon Steel Butt-Weld Pipe Fittings from China and Thailand, Inv. Nos. 731-TA-520-521 (Final)*, USITC Publication 2528, June 1992, pp. 5, 16. Tube-Line was found to be partially owned by Benkan America, a wholly-owned subsidiary of Benkan Corporation of

(continued...)

In the expedited first five-year reviews, the Commission defined the domestic industry to include all domestic producers of carbon steel butt-weld pipe including Weldbend, which the Commission determined was no longer a related party, but again excluding Tube-Line as a related party.⁶⁵

In the full second five-year reviews, the Commission defined the domestic industry to include all domestic producers of carbon steel butt-weld pipe fittings, and determined that although Tube-Line and *** qualified as related parties, circumstances did not warrant their exclusion from the domestic industry.⁶⁶ In the expedited third five-year reviews, no party disagreed with the domestic industry definition from the full second five-year reviews, and no new facts were presented to warrant a different definition. Therefore, the Commission defined the domestic industry as all domestic producers of carbon steel butt-weld pipe fittings.⁶⁷

In these current fourth five-year reviews, Weldbend stated that the Commission should continue to include it in the domestic industry, as has been done in the first, second, and third reviews.⁶⁸ The three responding U.S. producers did not specifically respond to the notice's optional request for statements about the definition of the domestic industry, but did address related party concerns, noting that they are unaware of any U.S. manufacturers that could be considered to be one.⁶⁹

(...continued)

Japan. During this period, Benkan Corporation of Japan exported the subject merchandise produced by Thai Benkan in Thailand to the United States. *Certain Carbon Steel Butt-Weld Pipe Fittings from China and Thailand, Inv. Nos. 731-TA-520-521 (Final)*, USITC Publication 2528, June 1992, p. 9, n.28. Weldbend purchased unfinished pipe fittings from China, converted them, and sold them as their own. The Commission concluded that Weldbend's relationship with the importers was sufficiently close so that the related party provision should be applied to Weldbend. *Ibid.*, pp. 12-13.

⁶⁵ *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand, Inv. Nos. 731-TA-308-310 and 520-521 (Review)*, USITC Publication 3263, December 1999, pp. 6-7. During the expedited first five-year reviews, Weldbend no longer indirectly controlled an importer by making large purchases of the subject merchandise. Therefore, it was no longer a related party eligible for exclusion from the domestic industry. *Ibid.*, p. 6, n.22.

⁶⁶ In 2002, Tube-Line was acquired by Ezeflow, Inc., of Quebec, Canada, thereby severing its relationship with the subject country producers. The evidence was lacking whether Tube-Line continued to benefit from subject imports. *** imported small quantities of the subject merchandise at the beginning of the period of review in the full second five-year reviews, representing *** percent of domestic production in 1999 and *** percent in 2000. However, there were no imports or purchases thereafter and no other bases for excluding it as a related party. Confidential Views, *Certain Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand, Inv. Nos. 731-TA-308-310 and 520-521 (Second Review)*, p. 9.

⁶⁷ *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand, Inv. Nos. 731-TA-308-310 and 520-521 (Third Review)*, USITC Publication 4222, April 2011, p. 6.

⁶⁸ *Weldbend's response to Commission's notice of institution*, p. 10.

⁶⁹ *Tube Forgings, Mills, and Hackney response to Commission's notice of institution*, p. 26.

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 reviews.⁷⁰ Table I-3 presents a compilation of the data submitted from all responding U.S. producers, as well as trade and financial data submitted by U.S. producers in the original proceedings, expedited first five-year reviews, full second five-year reviews, and expedited third five-year reviews.

Table I-3

Carbon steel butt-weld pipe fittings: Trade and financial data submitted by U.S. producers, 1985, 1991, 1998, 2004, 2009, and 2015

Quantity = 1,000 pounds; value = 1,000 dollars Unit values and unit financial data are dollars per pound						
Item	Calendar year					
	Original ¹	Original ²	First reviews	Second reviews	Third reviews	Fourth reviews
	1985	1991	1998	2004	2009	2015
Capacity	***	***	(3)	114,000	96,421	72,671
Production	47,580	***	***	67,809	30,172	34,889
Capacity utilization (percent)	***	***	(3)	59.5	31.3	48.0
U.S. commercial shipments:						
Quantity	***	***	***	63,213	28,226	31,322
Value	***	***	***	84,173	109,794	111,314
Unit value	***	***	***	1.33	3.89	3.55
Internal consumption/company transfers:						
Quantity	***	0	(3)	0	(3)	0
Value	***	0	(3)	0	(3)	0
Unit value	***	--	(3)	--	(3)	--
Total U.S. shipments:						
Quantity	***	***	(3)	63,213	(3)	31,322
Value	***	***	(3)	84,173	(3)	111,314
Unit value	***	***	(3)	1.33	(3)	3.55

Table continued on next page.

⁷⁰ Individual company trade and financial data are presented in app. B.

Table I-3--Continued

Carbon steel butt-weld pipe fittings: Trade and financial data submitted by U.S. producers, 1985, 1991, 1998, 2004, 2010, and 2015

Quantity = 1,000 pounds; value = 1,000 dollars						
Unit values and unit financial data are dollars per pound						
Item	Calendar year					
	Original ¹	Original ²	First reviews	Second reviews	Third reviews	Fourth reviews
	1985	1991	1998	2004	2009	2015
Net sales value	44,908	***	(³)	85,048	109,994	111,314
COGS	43,116	***	(³)	67,523	83,336	80,407
Net sales quantity	(³)	(³)	(³)	61,601	(³)	(³)
Unit COGS	(³)	(³)	(³)	1.10	(³)	(³)
COGS/net sales (percent)	96.0	***	(³)	79.4	(³)	72.2
Gross profit or (loss)	1,792	***	(³)	17,525	26,658	30,907
SG&A	5,858	***	(³)	11,367	15,851	23,391
Operating income or (loss)	(4,066)	***	(³)	6,158	10,808	7,516
Operating income (loss)/net sales (percent)	(9.1)	***	(³)	7.2	9.8	6.8

¹ The 1986 original investigations concern carbon steel butt-weld pipe fittings imported from Brazil, Japan, and Taiwan.

² The 1992 original investigations concern carbon steel butt-weld pipe fittings imported from China and Thailand.

³ Not available.

Note 1.--Data from the original investigations and the expedited first five-year reviews present data only for finished fittings produced by carbon steel pipe, as well as from rough-formed or semifinished fittings purchased from another producer and/or importer. Financial data cover all subject fitting operations.

Note 2.--Figures may not add to total shown due to rounding.

Source: *Carbon Steel Butt-Weld Pipe Fittings from Brazil, China, Japan, Taiwan, and Thailand: Inv. Nos. 731-TA-308-310 and 520-521 (Third Review)*—Staff Report: INV-JJ-018, table I-6, March 2, 2011. For the year 1985, data are compiled using data submitted in the Commission’s original 1986 proceeding (see tables 4, 5, and 8). For the year 1991, data are compiled using data submitted in the Commission’s original 1992 proceeding (see tables 5, 6, and 11). For the year 1998, data are compiled using data submitted in the Commission’s expedited first five-year reviews (see table I-1). For the year 2004, the data are compiled using data submitted in the Commission’s full second five-year reviews (see app. C). For the year 2009, the data are compiled using data submitted in the Commission’s expedited third five-year reviews (see table I-3). For the year 2015, data are compiled using data submitted by domestic interested parties. *Tube Forgings, Mills, and Hackney response to Commission’s Notice of Institution*, p. 32 and *Weldbend’s response to Commission’s Notice of Institution*, Attachment A.

U.S. IMPORTS AND APPARENT CONSUMPTION

U.S. importers

In the final phase of the original 1986 proceeding on carbon steel butt-weld pipe fittings from Brazil, Japan, and Taiwan, the Commission received 24 questionnaires from importers that accounted for virtually all of the imports of the subject merchandise from Brazil, Japan, and Taiwan in 1985.⁷¹ In the final phase of the original 1992 proceeding on carbon steel butt-weld pipe fittings from China and Thailand, the Commission issued questionnaires to 68 importers of the subject merchandise and received 27 questionnaire responses. Of these 27 firms, 17 firms imported finished fittings from China, 10 imported finished fittings from Thailand, 6 imported unfinished fittings from China, and 5 imported unfinished fittings from Thailand.⁷²

In the 2005 full second five-year reviews, the Commission issued questionnaires to 27 firms believed to import carbon steel butt-weld pipe fittings. The Commission received responses from 10 firms, accounting for *** percent of subject U.S. imports in 2004.⁷³

In their response to the Commission's notice of institution in these current reviews, Tube Forgings, Mills, and Hackney identified five importers of subject merchandise from China, Taiwan, and Thailand, noting that they also import from nonsubject sources, including Malaysia and Korea.⁷⁴ Weldbend also identified importers, including one not listed in the other domestic producers' response.⁷⁵

U.S. imports

In its original 1986 proceeding on carbon steel butt-weld pipe fittings from Brazil, Japan, and Taiwan, the Commission found that the absolute volume of cumulated imports, at 32 million pounds in 1983 and 51 million pounds in 1985, was significant. The market share of the subject imports had increased from 46 percent in 1983 to 65 percent in 1985.⁷⁶ In the original 1992 proceeding on carbon steel butt-weld pipe fittings from China and Thailand, the Commission found, based on threat of material injury, a ten-fold increase in Chinese producers' capacity and production during the period of review. The Commission also found a 10-percent

⁷¹ *Butt-Weld Pipe Fittings From Brazil and Taiwan, Inv. Nos. 731-TA-308 and 310 (Final)*, USITC Publication 1918, December 1986, p. A-32.

⁷² *Certain Carbon Steel Butt-Weld Pipe Fittings from China and Thailand, Inv. No. 731-TA-520-521 (Final)*, USITC Publication 2528, p. I-18.

⁷³ *Investigation Nos. 731-TA-308-310, and 520-521 (Second Review): Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand—Staff Report*, INV-CC-166, September 29, 2005, p. I-22, n.50.

⁷⁴ *Tube Forgings, Mills, and Hackney response to Commission's notice of institution*, p. 27.

⁷⁵ *Weldbend's response to Commission's notice of institution*, p. 5.

⁷⁶ *Butt-Weld Pipe Fittings From Brazil and Taiwan, Inv. Nos. 731-TA-308 and 310 (Final)*, USITC Publication 1918, December 1986, pp. 16-17; *Butt-Weld Pipe Fittings from Japan, Inv. No. 731-TA-309 (Final)*, USITC Publication 1943, January 1987, pp. 9-10.

increase in Thai producers' capacity and a 30-percent increase in their production, as well as significant excess capacity in both countries. The Commission further noted that the market share of the cumulated imports had increased and was at all times in excess of one third of the U.S. market, and the United States was a primary export market for both countries.⁷⁷

In the expedited first five-year reviews, the Commission found a likely significant increase in subject import volume in the reasonably foreseeable future if the orders were revoked. During those reviews, no imports of the subject merchandise from Brazil entered the United States and only a minimal amount from Japan was imported. However, imports of the subject merchandise from Taiwan accounted for 16 percent of total U.S. imports. Although there was limited information on the record concerning the foreign industries, the Commission indicated that they did appear to be structured as they were during the original proceedings. The Commission noted that the orders had a significant restraining effect on the subject imports and that, in the absence of contrary information or argument, subject imports would have been likely to increase to a significant level and regain U.S. market share without the orders.⁷⁸

In the full second five-year reviews, the Commission found that the volume of cumulated subject imports would likely be significant if the orders were revoked. During those reviews, the cumulated subject import volume declined from *** pounds in 1999 to *** pounds in 2000, increased to *** pounds in 2001, declined to *** in 2003, and then increased to *** pounds in 2004, a level *** percent lower than in 1999.⁷⁹ Cumulated subject imports accounted for *** percent of apparent U.S. consumption in 2004, compared with 36.2 percent in 1985 and *** percent in 1991.⁸⁰ Nevertheless, cumulated subject imports maintained a presence in the U.S. market throughout the period of review. The Commission had found during the original proceedings that cumulated subject import volume and market share were significant, although they were at a low level during the full second five-year reviews due to the restraining effect of the orders.⁸¹ However, the Commission found that there *** of subject imports in the U.S. market.⁸² The Commission also found that subject foreign producers had an incentive to increase exports of carbon steel butt-weld pipe fittings to the U.S. market if the orders were revoked, given their substantial quantity of exports to third country markets, the

⁷⁷ *Certain Carbon Steel Butt-Weld Pipe Fittings from China and Thailand, Inv. No. 731-TA-520-521 (Final)*, USITC Publication 2528, pp. 24-27.

⁷⁸ *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand, Inv. Nos. 731-TA-308-310 and 520-521 (Review)*, USITC Publication 3263, December 1999, pp. 15 and I-15.

⁷⁹ *Investigation Nos. 731-TA-308-310, and 520-521 (Second Review): Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand—Staff Report*, INV-CC-166, September 29, 2005, table IV-1.

⁸⁰ *Ibid.*, app. C.

⁸¹ *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand, Inv. Nos. 731-TA-308-310, 520 and 521 (Second Review)*, USITC Publication 3809, pp. 18-19.

⁸² *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand, Inv. Nos. 731-TA-308-310, 520 and 521 (Second Review)*, Confidential Views, p. 27.

relatively higher prices available in the U.S. market, and the moderately high degree of substitutability between subject imports and the domestic like product.⁸³

In the expedited third five-year reviews, the Commission found the cumulated subject import volume, both in absolute terms and relative to production and consumption in the United States, would likely be significant and increase significantly absent the restraining effect of the antidumping duty orders.⁸⁴ During those reviews, the cumulated subject import volume declined from *** pounds in 2005 to *** pounds in 2007, increased to *** pounds in 2008, declined to *** in 2009, and then increased to *** pounds in 2010, a level *** percent higher than in 2005.⁸⁵ Cumulated subject imports accounted for *** percent of apparent U.S. consumption in 2009.⁸⁶ Nevertheless, cumulated subject imports maintained a presence in the U.S. market throughout the period of review. The Commission also found no evidence that the structure of the subject foreign industries had changed since the original proceedings.⁸⁷

Table I-4 presents the quantity and value of imports of items covered by HTS subheading 7307.90.30 from subject and nonsubject sources using official Commerce statistics and *** during 2010-15. During this period, there were no imports from Brazil and virtually no imports from Japan. While there was some presence of subject imports from China, Taiwan, and Thailand, combined they did not account for more than 4.3 percent of total import volume in any year during 2010-15. Table I-5 presents quantity and value of imports from the leading nonsubject sources. Malaysia and Korea are the leading source of imports, and show increasing volumes since 2010. Nonsubject imports from Thailand are the third largest source of imports, followed by imports from Italy.

⁸³ *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand, Inv. Nos. 731-TA-308-310, 520 and 521 (Second Review)*, USITC Publication 3809, pp. 19-20.

⁸⁴ *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand, Inv. Nos. 731-TA-308-310 and 520-521 (Third Review)*, USITC Publication 4222, April 2011, p. 16.

⁸⁵ *Investigation Nos. 731-TA-308-310, and 520-521 (Third Review): Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand—Staff Report*, INV-JJ-018, March 2, 2011, table I-4.

⁸⁶ *Ibid.*, table I-6.

⁸⁷ *Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand, Inv. Nos. 731-TA-308-310 and 520-521 (Third Review)*, USITC Publication 4222, April 2011, p. 15.

Table I-4
Carbon steel butt-weld pipe fittings: U.S. imports, 2010-15

Item	Calendar year					
	2010	2011	2012	2013	2014	2015
	Quantity (1,000 pounds)					
U.S. imports from-- Brazil	0	0	0	0	0	0
China	356	510	349	2,055	982	648
Japan	0	2	0	0	1	0
Taiwan	1,955	1,389	1,459	2,794	2,049	1,526
Thailand (subject)	***	***	***	***	***	***
Subtotal (subject)	***	***	***	***	***	***
Thailand (nonsubject)	***	***	***	***	***	***
All other sources	61,628	71,624	93,144	104,448	87,678	89,231
Subtotal (nonsubject)	***	***	***	***	***	***
Total	71,533	81,700	102,807	121,489	99,747	99,464
	Landed duty-paid value (1,000 dollars)					
U.S. imports from-- Brazil	0	0	0	0	0	0
China	434	735	387	2,046	823	759
Japan	0	9	0	4	15	3
Taiwan	2,278	2,000	2,232	4,687	3,173	1,945
Thailand (subject)	***	***	***	***	***	***
Subtotal (subject)	***	***	***	***	***	***
Thailand (nonsubject)	***	***	***	***	***	***
All other sources	71,305	84,618	116,844	140,899	118,497	103,121
Subtotal (nonsubject)	***	***	***	***	***	***
Total	84,367	99,377	131,555	167,800	137,051	115,985
	Unit value (dollars per pound)					
U.S. imports from-- Brazil	--	--	--	--	--	--
China	1.22	1.44	1.11	1.00	0.84	1.17
Japan	--	4.69	--	66.78	11.58	10.16
Taiwan	1.17	1.44	1.53	1.68	1.55	1.27
Thailand (subject)	***	***	***	***	***	***
Subtotal (subject)	***	***	***	***	***	***
Thailand (nonsubject)	***	***	***	***	***	***
All other sources	1.16	1.18	1.25	1.35	1.35	1.16
Subtotal (nonsubject)	***	***	***	***	***	***
Total	1.18	1.22	1.28	1.38	1.37	1.17

Source: Official Commerce statistics for HTS subheading 7307.93.30. U.S. imports identified as being manufactured by Awaji Materia (Thailand) have been removed from subject U.S. imports from Thailand and have been identified as nonsubject imports from Thailand. These imports were identified using ***.

**Table I-5
Carbon steel butt-weld pipe fittings: Top sources of U.S. imports, 2010-15**

Item	Calendar year					
	2010	2011	2012	2013	2014	2015
	Quantity (1,000 pounds)					
U.S. imports from- Malaysia	31,650	33,320	37,804	42,036	35,632	43,306
Korea	10,650	11,987	16,454	20,209	18,242	20,477
Thailand (nonsubject)	***	***	***	***	***	***
Italy	3,695	4,997	7,340	9,425	9,379	6,133
Subtotal	***	***	***	***	***	***
All other nonsubject sources	***	***	***	***	***	***
Nonsubject subtotal	***	***	***	***	***	***
Subject	***	***	***	***	***	***
Total	71,533	81,700	102,807	121,489	99,747	99,464
	Landed duty-paid value (1,000 dollars)					
U.S. imports from- Malaysia	26,354	30,594	36,251	42,228	33,377	37,442
Korea	17,345	16,643	22,690	32,619	29,371	28,637
Thailand (nonsubject)	***	***	***	***	***	***
Italy	6,685	10,515	15,685	22,074	20,114	11,665
Subtotal	***	***	***	***	***	***
All other nonsubject sources	***	***	***	***	***	***
Nonsubject subtotal	***	***	***	***	***	***
Subject	***	***	***	***	***	***
Total	84,367	99,377	131,555	167,800	137,051	115,985
	Unit value (dollars per pound)					
U.S. imports from- Malaysia	0.83	0.92	0.96	1.00	0.94	0.86
Korea	1.63	1.39	1.38	1.61	1.61	1.40
Thailand (nonsubject)	***	***	***	***	***	***
Italy	1.81	2.10	2.14	2.34	2.14	1.90
Subtotal	***	***	***	***	***	***
All other nonsubject sources	***	***	***	***	***	***
Nonsubject subtotal	***	***	***	***	***	***
Subject	***	***	***	***	***	***
Total	1.18	1.22	1.28	1.38	1.37	1.17

Source: Official Commerce statistics for HTS subheading 7307.93.30. U.S. imports identified as being manufactured by Awaji Materia (Thailand) have been removed from subject U.S. imports from Thailand and have been identified as nonsubject imports from Thailand. These imports were identified using ***.

Apparent U.S. consumption and market shares

Table I-6 presents data on U.S. producers' U.S. shipments, U.S. imports, apparent U.S. consumption, and market shares for periods from the two separate original investigations, and periods from the first, second, third, and current reviews. From the first original investigations to the second reviews, apparent consumption increased steadily while U.S. producers' U.S. shipments experienced an overall increase. In the third review, in 2009, apparent consumption was lower compared to 2004, and U.S. producers' market share decreased from 53.2 percent to 36.3 percent. In 2015, U.S. producers' market share has decreased further, to 23.9 percent, while nonsubject imports have experienced the largest increase in market share.

Table I-6
Carbon steel butt-weld pipe fittings: U.S. producers' U.S. shipments, U.S. imports, and apparent U.S. consumption, 1985, 1991, 1999, 2004, 2009, and 2015

Item	Calendar year					
	Original	Original	First Reviews	Second Reviews	Third Reviews	Fourth Reviews
	1985	1991	1999	2004	2009	2015
Quantity (1,000 pounds)						
U.S. producers' U.S. shipments	***	***	67,056	63,213	28,226	31,322
U.S. imports from--						
Brazil	***	(¹)	0	0	0	0
China	(¹)	***	125	177	389	648
Japan	***	(¹)	292	0.1	2	0
Taiwan	***	(¹)	4,952	2,482	1,203	1,526
Thailand (subject)	(¹)	***	***	***	***	***
Subtotal (subject)	28,580	***	***	***	***	***
Thailand (nonsubject)	(¹)	(¹)	***	***	***	***
All other sources	***	***	19,863	41,070	42,590	89,231
Subtotal (nonsubject)	(¹)	(¹)	***	***	***	***
Total imports	***	42,029	36,481	55,577	49,537	99,464
Apparent consumption	79,015	101,784	103,357	118,790	77,763	130,786

Table continued on next page.

Table I-6--Continued

Carbon steel butt-weld pipe fittings: U.S. producers' U.S. shipments, U.S. imports, and apparent U.S. consumption, 1985, 1991, 1999, 2004, 2009, and 2015

Item	Calendar year					
	Original	Original	First Reviews	Second Reviews	Third Reviews	Fourth Reviews
	1985	1991	1999	2004	2009	2015
Share of consumption (percent)						
U.S. producers' U.S. shipments	***	***	64.8	53.2	36.3	23.9
U.S. imports from--						
Brazil	***	(¹)	0.0	0.0	0.0	0
China	(¹)	***	0.1	0.1	0.5	0.5
Japan	***	(¹)	0.3	0.0	0.0	0.0
Taiwan	***	(¹)	4.8	2.1	1.5	1.2
Thailand (subject)	(¹)	***	***	***	***	***
Subtotal (subject)	36.2	***	***	***	***	***
Thailand (nonsubject)	(¹)	(¹)	***	***	***	***
All other sources	***	***	19.2	34.6	54.8	68.2
Subtotal (nonsubject)	(¹)	(¹)	***	***	***	***
Total imports	***	41.3	35.2	46.8	63.7	76.1

¹ Data are unavailable.

Source: Data for the years 1985, 1991, 1999, and 2004 are from *Carbon Steel Butt-Weld Pipe Fittings from Brazil, China, Japan, Taiwan, and Thailand: Inv. Nos. 731-TA-308-310 and 520-521 (Third Review)*—Staff Report, INV-JJ-018, March 2, 2011, table I-6. For the year 2015, data are compiled using data submitted by domestic interested parties. *Tube Forgings, Mills, and Hackney response to Commission's notice of institution*, p. 32 and *Weldbend's response to Commission's notice of institution*, Attachment A.

CUMULATION CONSIDERATIONS

In assessing whether imports should be cumulated, the Commission determines whether U.S. imports from the subject countries compete with each other and with the domestic like product and has generally considered four factors: (1) fungibility, (2) presence of sales or offers to sell in the same geographical markets, (3) common or similar channels of distribution, and (4) simultaneous presence in the market. Additional information concerning geographical markets and simultaneous presence in the market is presented below.⁸⁸

⁸⁸ In addition, available information concerning subject country producers and the global market is presented in the next section of this report.

Presence in the market

Table I-7 presents data on the number of monthly entries of U.S. imports of carbon steel butt-weld pipe fittings, by source, during 2010-15. As the table shows, subject carbon steel butt-weld pipe fittings were not imported from Brazil during any month of 2010-15, were imported in only three months from Japan, but were imported with regular frequency from China, Taiwan, and Thailand during this period.

Table I-7
Carbon steel butt-weld pipe fittings: U.S. imports, monthly entries into the United States, by sources, 2010-15

Country	Calendar year					
	2010	2011	2012	2013	2014	2015
Brazil	0	0	0	0	0	0
China	7	10	10	12	12	12
Japan	0	2	0	0	1	0
Taiwan	11	12	12	12	12	11
Thailand (subject)	***	***	***	***	***	***

Source: Official Commerce statistics for HTS subheading 7307.93.30. U.S. imports identified as being manufactured by Awaji Materia (Thailand) have been removed from subject U.S. imports from Thailand and have been identified as nonsubject imports from Thailand. These imports were identified using ***.

Geographical markets

Carbon steel butt-weld pipe fittings produced in the United States are shipped nationwide. Information summarizing the geographic areas to which imported carbon steel butt-weld pipe fittings enter the United States is presented in table I-8.

Table I-8

Carbon steel butt-weld pipe fittings: U.S. imports from subject countries, by Customs district, 2010-15

Item	Customs district	Imports (short tons)
Brazil	NA	0
China	Houston-Galveston, TX	1,803
	Los Angeles, CA	1,753
	Savannah, GA	704
	All others	641
	Subtotal (China)	4,901
Japan	Chicago, IL	1
	Los Angeles, CA	2
	Pembina, ND	1
Subtotal (Japan)	4	
Taiwan	Chicago, IL	7,373
	Savannah, GA	2,084
	Houston-Galveston, TX	823
	Los Angeles, CA	696
	All others	196
Subtotal (Taiwan)	11,172	
Thailand (subject)	***	***
	***	***
	All others	***
Subtotal (Thailand subject)	***	

Source: Official Commerce statistics for HTS subheading 7307.93.30. U.S. imports identified as being manufactured by Awaji Materia (Thailand) have been removed from subject U.S. imports from Thailand. These imports were identified using ***.

THE INDUSTRY IN BRAZIL

In the original investigations, the Commission received data from the sole producer of carbon steel butt-weld pipe fittings in Brazil, Conforja, S.A. (“Conforja”). In the Commission’s full second five-year reviews, the Commission requested data from Conforja but the firm did not provide the Commission with a questionnaire response in those full five-year reviews. In these current fourth five-year reviews, responding U.S. producers identified the Brazilian producer, Uniforja – Cooperative Central de Producao Industrial de Trabalhadores em Metalurgia (“Uniforja”), as accounting for all U.S. imports from Brazil.⁸⁹ After the third sunset reviews, U.S. imports of carbon steel butt-weld pipe fittings from Brazil almost ceased.⁹⁰

⁸⁹ *Carbon Steel Butt-weld Pipe Fittings from Brazil, China, Taiwan, Japan, and Thailand Invs. Nos. 731-TA-308-310, 520-521 (Third Review)*, USITC Publication 4222, April 2011, p. I-19. *Tube Forgings, Mills, and Hackney response to Commission’s notice of institution*, March 31, 2016, p. 28.

⁹⁰ *Tube Forgings, Mills, and Hackney response to Commission’s notice of institution*, March 31, 2016, p. 28.

Uniforja states that it is the largest producer of flanges, rings, and steel fittings in Latin America and has approximately 215,255 square feet of production area.⁹¹ Another Brazilian producer, Induscurva Comercial Ltda., reportedly has 19,685 square feet of production area.⁹²

Table I-9 provides data obtained from the Global Trade Atlas of exports of iron or steel butt-weld pipe fittings from Brazil to leading foreign markets.⁹³

Table I-9

Carbon steel butt-weld pipe fittings: Brazil's reported exports, 2010-15

Country	Calendar year					
	2010	2011	2012	2013	2014	2015
	Quantity (1,000 pounds)					
Colombia	0	0	0	0	97	89
Belgium	0	3	0	0	0	42
Angola	12	14	350	137	35	26
Dominican Republic	5	3	1	0	0	23
Singapore	0	1	106	213	304	22
Bolivia	0	0	9	7	4	9
Paraguay	7	85	1	3	0	2
Turkey	0	0	0	0	0	2
Netherlands	0	0	0	33	0	1
Argentina	0	0	1	395	36	1
All other	48	198	632	311	714	1
Total	73	304	1,100	1,098	1,190	218

Source: Compiled from Global Trade Atlas, Export Statistics, HTS 7307.93, April 26, 2016. Please note that HTS 7307.93 may include products not within the scope of these reviews.

THE INDUSTRY IN CHINA

U.S. producers report that Chinese manufacturers of carbon steel butt-weld pipe fittings have substantial capacity and are active exporters.⁹⁴ U.S. producers note that in 2014, China's volume of exports of carbon steel butt-weld pipe fittings was almost *** times greater than the

⁹¹ UNIFORJA - Cooperativa Central de Produção Industrial de Trabalhadores em Metalurgia, "Quem Samos," undated. <http://www.uniforja.com.br/empresa/quem-somos.wt> (accessed April 25, 2016).

⁹² Induscurva Comercial Ltda., "Nossa História," undated. <http://www.induscurva.com.br/historia.asp> (April 25, 2016).

⁹³ Carbon steel butt-weld pipe fittings are included in Global Trade Atlas' 6-digit number 7307.93, which may also include products not within the scope of these reviews.

⁹⁴ *Tube Forgings, Mills, and Hackney response to Commission's notice of institution*, March 31, 2016, pp. 6–9 and 28–29.

collective production capacity of three of the four major U.S. producers.⁹⁵ U.S. producers also report that a number of Chinese producers are focused on exports of their carbon steel butt-weld pipe fittings.⁹⁶

Table I-10 provides data obtained from the Global Trade Atlas of exports of iron or steel butt-weld pipe fittings from China to leading foreign markets.⁹⁷ Chinese exports are subject to antidumping duties in other markets. These include orders in Argentina, the European Union (“EU”), and Turkey.⁹⁸

Table I-10

Carbon steel butt-weld pipe fittings: China’s reported exports, 2010-15

Country	Calendar year					
	2010	2011	2012	2013	2014	2015
	Quantity (1,000 pounds)					
India	34,058	35,707	31,564	23,369	44,756	43,646
Malaysia	10,163	11,618	13,937	15,818	22,442	26,577
Iran	15,874	16,494	11,251	17,931	21,724	25,670
Korea South	13,902	20,740	20,167	12,802	20,529	22,820
United Arab Emirates	13,843	16,307	18,948	25,111	19,143	22,591
Indonesia	11,061	15,903	20,280	23,208	18,790	22,571
Russia	2,971	14,959	17,585	26,495	23,966	17,074
Vietnam	5,628	4,673	5,818	10,031	8,461	14,620
Thailand	1,961	3,255	4,739	8,789	11,569	12,692
Saudi Arabia	4,402	4,093	5,957	3,825	5,706	12,323
All other	138,393	147,256	186,220	191,811	211,141	170,398
Total	252,257	291,004	336,465	359,192	408,228	390,982

Source: Compiled from Global Trade Atlas, Export Statistics, HTS 7307.93, April 26, 2016. Please note that HTS 7307.93 may include products not within the scope of these reviews.

⁹⁵ *Tube Forgings, Mills, and Hackney response to commission’s notice of institution*, March 31, 2016, p. 7.

⁹⁶ Chinese producers identified by U.S. producers include: Cangzhou Baisheng Pipe-Fittings Manufacturing Co., Ltd., Cangzhou Heng Xin Tai Pipeline Machinery Co., Ltd., Cangzhou Hengli Pipe Fitting Manufacturing Co., Ltd., Cangzhou Qiancheng Steel-Pipe Co., Ltd., Haitian Pipe Fittings Co., Ltd., Jinan Luyang Forging Co., Ltd., Qingdao Best Year Hardware & Machinery Co., Ltd., Shandong Minmetals Co., Ltd., Shandong Rongxin Import & Export Co., Ltd., Shanghai ATT Pipe Fitting Manufacturing Co., Ltd. Shenyang Ruihong Pipe Fitting Co., Ltd., and Zibo Wel-fit Metal Products Co., Ltd. *Tube Forgings, Mills, and Hackney response to notice of institution*, March 31, 2016, pp. 6–9 and 28–29.

⁹⁷ Carbon steel butt-weld pipe fittings are included in Global Trade Atlas’ 6-digit number 7307.93. which may also include products not within the scope of these reviews.

⁹⁸ See section of report on “Antidumping or Countervailing Duty Orders in Third-Country Markets.”

THE INDUSTRY IN JAPAN

During the Commission's full second five-year reviews, the Commission requested data from the following three producers of carbon steel butt-weld pipe fittings: (1) Awaji Materia Co., Ltd. (formally Awaji Sangya, K.K.) ("Awaji"); (2) Benkan Japan KK (formally Benex Corp.) ("Benkan"); and (3) Mitsui & Co., Ltd. ("Mitsui"). None of the three Japanese producers provided the Commission with a questionnaire response in the full second five-year reviews. U.S. producers providing responses to the Commission's notice of institution in these current fourth five-year reviews listed Benkan and Awaji as likely exporters of the subject merchandise from Japan. They also noted that their unconfirmed Internet research indicates that the following companies may also manufacture carbon steel pipe fittings in Japan: Kuze Bellow Kogyo Co., Ltd.; Miyoshi Tekko Co., Ltd.; and Sumitomo Metals Co., Ltd.

The Benkan Corporation has three plants that produce carbon steel butt-weld pipe fittings, of which two plants in Ota-City, Gunma, Japan, likely produce subject products, and one in Osaka, Japan, that produces large butt-weld pipe fittings.⁹⁹ The company also produces carbon steel butt-weld fittings in Thailand and, in 2014, in Vietnam.¹⁰⁰

Awaji Materia Co., Ltd.'s factory in Sumoto City, Japan, employs 78 persons, producing special bevel-ends of weld fittings, with production of carbon steel pipe fittings (including threaded fittings) at 500 tons per month.¹⁰¹ The company also has a production subsidiary, Awaji Materia (Thailand) Company, in Thailand.¹⁰²

⁹⁹ In September 2014, Benkan Japan K.K. changed its name to Benkan Corp. Benkan Corp., "Announcement of Company Name Change," press release, August 20, 2014. <https://www.benkan.com/en/news/2014/140820.html> (accessed April 25, 2016).

Benkan Corp., "Welding Type Pipe Fittings Domestic Production Base," March 24, 2016, in Japanese. <http://ameblo.jp/benkan-japan/entry-12139840613.html> (accessed April 18, 2016). The company has another plant in Kiryu Osaka that produces out of scope products based on their large size.

¹⁰⁰ Benkan Corp., "Corporate Profile," undated. <https://www.benkan.com/en/company/index.html> (accessed April 18, 2016). There are two factories in Vietnam, one for stainless steel mechanical joints and pipe fittings, and one for carbon steel butt-weld pipe fittings. See Benkan Viet Nam, "Khánh Thành Phân Xưởng Benkan Việt Nam 2 Tại KCN Thuận Đạo mở rộng," September 22, 2014. <http://benkan-vietnam.com.vn/vi/news/khanh-thanh-phan-xuong-benkan-viet-nam-2-tai-kcn-thuan-dao-mo-rong-339.html> (Accessed April 26, 2016). In September 2014, Benkan Corp. acquired all the shares of Thai Benkan Co., Ltd., and thereby made the company a wholly owned subsidiary. Benkan Corp., "Notice of Acquisition of Shares for Thai Benkan Co., Ltd (TBC)," press release, October 24, 2014. <https://www.benkan.com/en/news/2014/141024.html> (accessed April 25, 2016).

¹⁰¹ Awaji Materia Co., Ltd., "Facilities: Head Office & Factory/Logistic Center," undated. <http://www.awaji-m.jp/english/company/facilities.html#awaji> (accessed April 18, 2016).

¹⁰² Awaji Materia Co., Ltd. "Facilities: Head Office & Factory/Logistic Center," undated. <http://www.awaji-m.jp/english/company/facilities.html#awaji> (accessed April 18, 2016).

Nippon Steel and Sumitomo Metals Corporation (“NSSMC”) has two production facilities for carbon steel butt-weld pipe fittings.¹⁰³ NSSMC’s pipe-making group produces fittings at its Kimitsu Works in Kimitsu City, Japan. This facility has a production capacity of 290,000 tons for products with an outer diameter of 0.83–4.5 inches for galvanized pipes and tubes and pressure steel pipes.¹⁰⁴ NSSMC’s subsidiary Nippon Steel Sumitomo Metals Machinery and Engineering Co., Ltd. subsidiary Nippon Steel & Sumikin Kikoh Company, Ltd. (NSSKC), located in Amagasaki, Japan, produces carbon steel butt-weld pipe fittings and high pressure gas containers and employs 160 persons.¹⁰⁵

Table I-11 provides data obtained from the Global Trade Atlas of exports of iron or steel butt-weld pipe fittings from Japan to the United States and to other leading foreign markets.¹⁰⁶

Table I-11

Carbon steel butt-weld pipe fittings: Japan’s reported exports, 2010-15

Country	Calendar year					
	2010	2011	2012	2013	2014	2015
	Quantity (1,000 pounds)					
Singapore	6,928	7,022	5,260	7,034	1,904	1,093
Indonesia	181	199	149	3,069	1,489	748
Philippines	763	421	653	566	630	743
Vietnam	31	12	45	78	50	649
United States	477	347	30	21	120	442
Egypt	701	173	20	0	0	390
Kuwait	2	14	0	0	0	386
China	643	694	666	321	590	361
Malaysia	87	221	25	3	405	171
Thailand	1,178	821	590	427	544	161
All other	4,159	3,164	1,086	1,877	1,073	663
World	15,149	13,087	8,525	13,396	6,805	5,808

Source: Compiled from Global Trade Atlas, Export Statistics, HTS 7307.93, April 26, 2016. Please note that HTS 7307.93 may include products not within the scope of these reviews.

¹⁰³ Nippon Steel & Sumitomo Metal Corp., *Pipes & Tubes of Nippon Steel & Sumitomo Metal*, 2013, pp. 1-4. http://www.nssmc.com/product/catalog_download/pdf/P001en.pdf (accessed April 25, 2016).

¹⁰⁴ Nippon Steel & Sumitomo Metal Corp., *Pipes & Tubes of Nippon Steel & Sumitomo Metal*, 2013, pp. 1-4. http://www.nssmc.com/product/catalog_download/pdf/P001en.pdf (accessed April 25, 2016).

¹⁰⁵ Nippon Steel & Sumikin Kikoh Company, Ltd., “Company Profile,” undated. <http://www.nsskikoh.nssmc.com/company/company01.html> (accessed April 25, 2016).

¹⁰⁶ Carbon steel butt-weld pipe fittings are included in Global Trade Atlas’ 6-digit number 7307.93. which may also include products not within the scope of these reviews.

THE INDUSTRY IN TAIWAN

During the Commission's full second five-year reviews, the Commission requested data from the following two producers of carbon steel butt-weld pipe fittings in Taiwan: Chup Hsin Enterprises Co., Ltd. ("Chup Hsin") and Rigid Industries Co., Ltd. ("Rigid Industries"). Neither firm in Taiwan provided the Commission with a questionnaire response in its full second five-year reviews. The participating U.S. producers in these current fourth five-year reviews listed as producers of carbon steel butt-weld pipe fittings in Taiwan the two firms previously identified by the Commission in its second five-year reviews, as well as two additional producers identified through Internet research (Wellgrow Industries Corp. and Valtec Ind. Co., Ltd.).

The known producers of carbon steel butt-weld pipe fittings in Taiwan are Chup Hsin Enterprise Company, Ltd. ("Chup Hsin"), Rigid Industries Co., Ltd. ("Rigid Industries"), and Wellgrow Industries Corp. ("Wellgrow"), a distributor of the Hsiung Shun Group, and Niang Hong Pipe Fittings Co. Ltd.¹⁰⁷ Information on much of the industry in Taiwan is not readily available. Wellgrow states on its Internet site that its monthly capacity is 200 tons for a variety of fittings and other related products and that it exports 70 percent of its products.¹⁰⁸

Table I-12 provides data obtained from the Global Trade Atlas concerning exports of iron or steel butt-weld pipe fittings from Taiwan to leading foreign markets.¹⁰⁹

¹⁰⁷ The EU has an antidumping duty order on carbon steel butt-weld pipe fittings from China that includes products exported from Taiwan. Although Chup Hsin, Rigid Industries, and Niang Hong Pipe Fittings Co., Ltd., were excluded from that order in 2003, the exemption was repealed in 2009. See *Council Regulation 803/2009: Imposing a Definitive Anti-dumping Duty on Imports of Certain Tube and Pipe Fittings, of Iron or Steel, Originating in the People's Republic of China and Thailand, and those Consigned from Taiwan, Whether Declared as Originating in Taiwan, or not, and Repealing the Exemption Granted to Chup Hsin Enterprise Co. Ltd. and Nian Hong Pipe Fittings Co. Ltd.*, August 27, 2009, 2009, O.J. L 233/1, September 4, 2009, pp. 1 and 16.

¹⁰⁸ Wellgrow Industries Corp., "About Us," undated. <http://www.fittings.com.tw/about.htm> (accessed April 26, 2016). USITC staff was not able to identify Internet sites for Chup Hsin, Rigid Industries, and Niang Hong Pipe Fittings Co., Ltd.

¹⁰⁹ Carbon steel butt-weld pipe fittings are included in Global Trade Atlas' 6-digit number 7307.93, which may also include products not within the scope of these reviews.

Table I-12

Carbon steel butt-weld pipe fittings: Taiwan’s reported exports, 2010-15

Country	Calendar year					
	2010	2011	2012	2013	2014	2015
	Quantity (1,000 pounds)					
Canada	1,312	2,945	3,627	2,670	4,372	3,931
United States	2,145	1,177	1,887	2,641	2,526	2,758
Italy	2,429	2,601	2,269	2,903	2,526	2,174
Mexico	181	75	225	886	1,369	959
Turkey	0	0	0	0	388	542
Singapore	280	485	560	591	670	511
Saudi Arabia	37	7	0	430	141	408
Vietnam	419	40	9	1,338	2,103	388
Japan	24	2	22	9	68	141
Korea	0	9	0	0	55	123
All other	2,247	3,109	3,885	4,963	2,306	342
World	9,074	10,450	12,483	16,431	16,526	12,278

Source: Compiled from Global Trade Atlas, Export Statistics, HTS 7307.93, April 26, 2016. Please note that HTS 7307.93 may include products not within the scope of these reviews.

THE INDUSTRY IN THAILAND

During the full second five-year reviews, the Commission requested data from the following two producers of carbon steel butt-weld pipe fittings in Thailand: Thai Benkan Co., Ltd. (“Thai Benkan”) and TTU Industrial Corp., Ltd. Neither of these Thai firms provided the Commission with a questionnaire response in the full second five-year reviews. A third producer in Thailand, Awaji Materia (Thailand) Co., received a *de minimis* dumping margin in the original investigations and is currently excluded from the order.

U.S. producers providing responses to the Commission's notice of institution in these current fourth five-year reviews report that significant Thai producers subject to the antidumping duty order are Thai Benkan and TTU Industrial Corporation. U.S. producers note that other Thai producers include Thana Lohakit Company, Co., Ltd., which does not have a specific antidumping margin, and Awaji Materia (Thailand) Company, which is not subject to the antidumping duty order.¹¹⁰

¹¹⁰ *Tube Forgings, Mills, and Hackney response to Commission’s notice of institution, March 31, 2016, pp. 11 and 30.* U.S. producers also listed Thai-Asia P.E. Pipe Company, Ltd. as a possible producer in Thailand. However, the company does not appear to produce carbon steel butt-weld pipe fittings, but the company is a significant producer of large high-density polyethylene (HDPE) pipe and pipe fittings. Thai-Asia P.E. Pipe Company, Ltd., “Home,” undated. <http://www.tappipe.com/site2/index.php?&lan=en> (accessed April 18, 2016).

Thai Benkan Co., Ltd. became a wholly owned subsidiary of the Benkan Corporation of Japan in 2014. U.S. producers report that Thai Benkan has an annual production capacity of 14,400 tons of carbon steel butt-weld pipe fittings.¹¹¹ In 2009, the EU renewed its antidumping duty order on imports from Thailand and issued to Thai Benkan Co., Ltd., a company-specific antidumping duty margin of zero.¹¹²

TTU Industrial Corporation of Thailand employs 150 workers. The company has the capacity to process 12,000 metric tons of pipe fittings in Thailand (includes both carbon steel and stainless steel pipe fittings).¹¹³

Thana Lohakit Company states on its website that it started as a local retailer but later expanded to international sales. The company states that the number of employees is 10. The company does not list any manufacturing operations.¹¹⁴

Awaji Materia (Thailand) Company is a subsidiary of Awaji Materia Co., Ltd. of Japan.¹¹⁵ The Awaji Materia (Thailand) Co., was established in 1987 and currently has 500 employees and produces 1,800 tons per month of carbon steel butt-weld pipe fittings.¹¹⁶ Recently, the company arranged with a South-East Asian metals trading house for increased ASEAN region distribution and opened up a warehouse in Thailand to supply the new distribution arrangement. As noted above, the EU renewed its antidumping duty order on Thailand and in 2009 assigned Awaji Materia (Thailand) Company, Ltd. a company-specific antidumping duty margin of 7.4 percent.¹¹⁷

¹¹¹ *Tube Forgings, Mills, and Hackney response to notice of institution*, March 31, 2016, p. 11. See also Thai Benkan Company, Ltd., “Manufacturer Range,” undated. <http://www.thaibenkan.co.th/sales.htm> (accessed April 26, 2016).

¹¹² *See Council Regulation 803/2009: imposing a definitive anti-dumping duty on imports of certain tube and pipe fittings, of iron or steel, originating in the People’s Republic of China and Thailand, and those consigned from Taiwan, whether declared as originating in Taiwan, or not, and repealing the exemption granted to Chup Hsin Enterprise Co. Ltd. and Nian Hong Pipe Fittings Co. Ltd.*, August 27, 2009, 2009, O.J. L 233/1, September 4, 2009.

¹¹³ TTU Industrial Corp., Ltd., “Profile: History,” undated. <http://www.ttu.co.th/index.php> (accessed April 18, 2016).

¹¹⁴ Thana Lohakit Co., Ltd., “Company profile,” undated. <http://www.thana-intl.com/about.htm> (accessed April 18, 2016).

¹¹⁵ Awaji Materia Co., Ltd., “Facilities,” undated. <http://www.awaji.jp/english/company/facilities.html> (accessed April 18, 2016).

¹¹⁶ Awaji Materia Co., Ltd., “Facilities,” undated. <http://www.awaji.jp/english/company/facilities.html> (accessed April 18, 2016).

¹¹⁷ *See Council Regulation 803/2009: imposing a definitive anti-dumping duty on imports of certain tube and pipe fittings, of iron or steel, originating in the People’s*

Republic of China and Thailand, and those consigned from Taiwan, whether declared as originating in Taiwan, or not, and repealing the exemption granted to Chup Hsin Enterprise Co. Ltd. and Nian Hong Pipe Fittings Co. Ltd., August 27, 2009, 2009, O.J. L 233/1, September 4, 2009.

Table I-13 provides data obtained from the Global Trade Atlas of exports of iron or steel butt-weld pipe fittings from Thailand to the United States and to other leading foreign markets.¹¹⁸

Table I-13

Carbon steel butt-weld pipe fittings: Thailand's reported exports, 2010-15

Country	Calendar year					
	2010	2011	2012	2013	2014	2015
	Quantity (1,000 pounds)					
Japan	17,822	19,297	18,296	16,828	18,670	19,029
United States	15,022	19,763	17,109	17,586	15,596	12,053
Canada	6,014	9,072	9,172	7,357	6,763	5,625
Singapore	3,807	3,946	4,300	5,016	5,259	3,041
United Arab Emirates	2,989	5,039	3,763	4,422	3,424	2,019
Indonesia	1,310	3,169	2,101	2,818	2,186	1,960
Saudi Arabia	4,767	2,301	3,215	900	368	937
South Africa	1,058	1,019	2,058	1,331	963	652
Belgium	1,059	729	1,184	1,724	921	621
Kuwait	336	164	135	213	399	399
All other	8,437	13,692	9,601	6,014	3,483	2,259
World	62,620	78,192	70,934	64,210	58,031	48,595

Source: Compiled from Global Trade Atlas, Export Statistics, HTS 7307.93, April 26, 2016. Please note that HTS 7307.93 may include products not within the scope of these reviews. Exports of Awaji Materia are included in the "exports to United States" data.

ANTIDUMPING OR COUNTERVAILING DUTY ORDERS IN THIRD-COUNTRY MARKETS

Antidumping duty orders are currently maintained by Argentina, the EU, Mexico, and Turkey on imports of carbon-steel butt-weld pipe fittings from China, Malaysia, Korea, Philippines, Indonesia, Russia, Sri Lanka, Taiwan, and Turkey, with an antidumping order on Thailand expiring in 2014.

¹¹⁸ Carbon steel butt-weld pipe fittings are included in Global Trade Atlas' 6-digit number 7307.93, which may also include products not within the scope of these reviews.

Argentina

In October 2009, Argentina issued an antidumping duty order on carbon steel butt-weld pipe fittings from China, with an antidumping duty margin of \$3.94 per kilogram.¹¹⁹ Argentina commenced a review of the order in October 2014.¹²⁰

European Union (EU)

As of April 2016, the EU maintains antidumping duty orders on imports of steel butt-weld pipe fittings from China, Korea, Malaysia, Russia, and Turkey.¹²¹ The EU also has antidumping duty orders on imports from Indonesia, Taiwan, Sri Lanka, and the Philippines to prevent circumvention of Chinese-origin subject products consigned to these countries and subsequently exported to the EU. In 2014, the EU terminated an antidumping duty order on

¹¹⁹ World Trade Organization, *Semi-Annual Report under Article 16.4 of the Agreement: Argentina*, G/ADP/N/195/ARG, February 22, 2010, p. 4. The subject product are carbon steel butt-weld pipe fittings of an external diameter of 2 inches or more but not exceeding 12 inches.

¹²⁰ World Trade Organization, *Semi-Annual Report under Article 16.4 of the Agreement: Argentina*, G/ADP/N/272/ARG, October 12, 2015, p. 7.

¹²¹ The EU issued an antidumping order on both imports from China and Thailand in 1996. The EU also issued orders on imports from Taiwan in 2003, both Indonesia and Sri Lanka in 2004, and the Philippines in 2006. The EU issued orders on imports from Korea, Malaysia, and Russia in 2002, and on imports from Turkey in 2013.

The EU also issued orders on imports from Croatia in 1996, terminated in 2001; and the Czech Republic and Slovakia in 2002, both terminated in May 2004 with the enlargement of the European Communities. *World Trade Organization, Semi-Annual Report under Article 16.4 of the Agreement: European Communities*, G/ADP/N/119/EEC, September 14, 2004, pp. 6 and 13.

See *Council Regulation 584/96: Imposing A Definitive Anti-Dumping Duty on Imports of Certain Tube or Pipe Fittings, of Iron or Steel, Originating in the People's Republic of China, Croatia and Thailand, and Collecting Definitively the Provisional Duty Imposed*, March 11, 1996, 1996, O.J. L 84/1, April 3, 1996. One Croatian and three Thai exporters were exempted from the duty order.

See *Council Regulation 2015/1934, Imposing a Definitive Anti-dumping Duty on Imports of Certain Tube and Pipe Fittings, of Iron or Steel, Originating in the People's Republic of China, Following and Expiry Review Pursuant to Article 11(2) of Regulation (EC) No 1225/2009*, October 27, 2015, 2015, O.J. L 282/14, October 28, 2015.

See *Council Regulation 2016/306: Amending Implementing Regulation (EU) No 1283/2014 Imposing a Definitive Anti-dumping Duty on Imports of Certain Tube and Pipe Fittings, of Iron or Steel, Originating in the Republic of Korea and Malaysia Following an Interim Review Pursuant to Article 11(3) of Council Regulation (EC) No 1225/2009*, March 3, 2016, 2016, O.J. L 58/38, March 4, 2016.

See *Council Regulation 78/2013: Imposing a Definitive Anti-dumping Duty and Collecting Definitely the Provisional Duty Imposed on Imports of Certain Tube and Pipe Fittings of Iron or Steel Originating in Russia and Turkey*, January 17, 2013, 2013, O.J. L 27/1, January 29, 2013.

Thailand.¹²² EU antidumping duty margins currently in effect are shown in the tabulation below.

Country	Margin (percent)
China	58.6 (¹)
Korea	44.0
Malaysia	49.9, 59.9, and 75
Russia	23.8
Turkey	2.9 and 16.7

¹ Extended to imports from Taiwan, Indonesia, Sri Lanka and the Philippines, whether originating or not in those countries.

Source: Various EU Official Journal notices.

¹²² See *Notice of the Expiry of Certain Anti-dumping Measures (2014/C 297/03)*, O.J., C 297/12, September 4, 2014. The order expired September 5, 2014.

Mexico

In August 2004, Mexico issued an antidumping order on carbon steel butt-weld pipe fittings from China with a margin of 84.01 percent.¹²³ In November 2006, Mexico renewed the order and changed to the duty to \$2.07 per kilogram.¹²⁴ In February 2011, Mexico renewed the order and lowered the duty to \$1.05 per kilogram.¹²⁵ In February 2015, Mexico renewed the order for an additional five years from August 2014, again with a duty of \$1.05 per kilogram.¹²⁶ As of the end of 2015, the order remains in force.¹²⁷

¹²³ See *Resolución final de la investigación antidumping sobre las importaciones de conexiones de acero al carbón para soldar a tope, en diámetros en el rango de 1/2 a 16 pulgadas, incluyendo ambas, mercancía actualmente clasificada en la fracción arancelaria 7307.93.01 de la Tarifa de la Ley de los Impuestos Generales de Importación y de Exportación, originarias de la República Popular China, independientemente del país de procedencia*, Diario Oficial de la Federación, August 2, 2004, Mexico. http://www.dof.gob.mx/nota_detalle.php?codigo=666659&fecha=04/08/2004 (accessed April 11, 2016). The order covers fittings with an outside diameter of 0.5 to 16 inches.

¹²⁴ See *Resolución final de la Revisión de cuota compensatoria definitiva sobre las importaciones de conexiones de acero al carbón para soldar a tope, en diámetros en el rango de 1/2 a 16 pulgadas, incluyendo ambas, mercancía clasificada en la fracción arancelaria 7307.93.01 de la Tarifa de la Ley de los Impuestos Generales de Importación y de Exportación, originarias de la República Popular China, independientemente del país de procedencia*, Diario Oficial de la Federación, November 7, 2006, Mexico. http://www.dof.gob.mx/nota_detalle.php?codigo=4936721&fecha=07/11/2006 (accessed April 11, 2016).

¹²⁵ See *Resolución final del examen de vigencia de la cuota compensatoria impuesta a las importaciones de conexiones de acero al carbón para soldar a tope, originarias de la República Popular China, independientemente del país de procedencia. Esta mercancía se clasifica en la fracción arancelaria 7307.93.01 de la Tarifa de la Ley de los Impuestos Generales de Importación y de Exportación*, Diario Oficial de la Federación, February 2, 2011, Mexico. http://www.dof.gob.mx/nota_detalle.php?codigo=5176445&fecha=02/02/2011 (accessed April 11, 2016).

¹²⁶ See *RESOLUCIÓN Final del examen de vigencia de la cuota compensatoria impuesta a las importaciones de conexiones de acero al carbon para soldar a tope, originarias de la República Popular China, independientemente del país de procedencia. Esta mercancía ingresa por la fracción arancelaria 7307.93.01 de la Tarifa de la Ley de los Impuestos Generales de Importación y de Exportación*, Diario Oficial de la Federación, February 2, 2011, Mexico. http://www.dof.gob.mx/nota_detalle.php?codigo=5399138&fecha=02/07/2015 (accessed April 11, 2016).

¹²⁷ World Trade Organization, *Semi-Annual Report under Article 16.4 of the Agreement: Mexico*, G/ADP/N/280/MEX, February 22, 2016, p. 11.

Turkey

In January 2010, Turkey issued an antidumping duty order on carbon steel butt-weld pipe fittings from China, with the lesser of an antidumping duty margin of 42.6 percent or \$663 per ton.¹²⁸ Turkey commenced a review of the order in January 2015.¹²⁹

THE GLOBAL MARKET

Table I-14 presents the largest global export sources of carbon steel butt-weld pipe fittings during 2010-15.

Table I-14

Carbon steel butt-weld pipe fittings: Global exports by major sources, 2010-15

Country	Calendar year					
	2010	2011	2012	2013	2014	2015
	Quantity (1,000 pounds)					
China	252,257	291,004	336,465	359,192	408,228	390,982
Korea	125,778	157,014	190,015	145,555	138,672	146,522
Italy	101,731	104,627	108,972	113,502	116,270	125,106
Thailand	62,620	78,192	70,934	64,210	58,031	48,595
Malaysia	47,046	47,288	50,210	53,848	55,499	48,488
Germany	40,149	39,268	43,239	47,240	44,542	39,489
Austria	24,449	27,617	30,901	33,912	35,647	34,102
United States	17,005	20,374	27,151	25,957	25,056	21,425
Russia	8,400	6,142	6,308	14,398	17,408	20,754
France	17,088	23,980	24,405	28,366	20,055	17,505
All other	133,285	148,710	160,015	172,654	188,536	126,803
World	829,808	944,217	1,048,614	1,058,834	1,107,944	1,019,771

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

Source: Compiled from Global Trade Atlas, Export Statistics, HTS 7307.93, April 26, 2016. Please note that HTS 7307.93 may include products not within the scope of these reviews.

¹²⁸ World Trade Organization, *Semi-Annual Report under Article 16.4 of the Agreement: Turkey*, G/ADP/N/202/TUR, August 6, 2010, p. 3.

¹²⁹ World Trade Organization, *Semi-Annual Report under Article 16.4 of the Agreement: Turkey*, G/ADP/N/280/TUR, February 25, 2016, p. 8.

APPENDIX A

FEDERAL REGISTER NOTICES

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

Citation	Title	Link
81 FR 10656, March 1, 2016	<i>Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand; Institution of Five-Year Reviews</i>	https://www.federalregister.gov/articles/2016/03/01/2016-04164/carbon-steel-butt-weld-pipe-fittings-from-brazil-china-japan-taiwan-and-thailand-institution-of
81 FR 10578, March 1, 2016	<i>Initiation of Five-Year ("Sunset") Review</i>	https://www.federalregister.gov/articles/2016/03/01/2016-04464/initiation-of-five-year-sunset-review

APPENDIX B
COMPANY-SPECIFIC DATA

Appendix B is redacted in its entirety.

APPENDIX C

SUMMARY DATA COMPILED IN PRIOR INVESTIGATIONS

Table I-6
Carbon steel butt-weld pipe fittings: Summary data from the original investigations, second full reviews, and third expedited reviews, 1983-1985, 1989-1991, 1999-2004, and 2009

Item	(Quantity=1,000 pounds; value=\$1,000; unit values; unit labor costs, and unit financial data are per pound)												
	1983	1984	1985	1989	1990	1991	1999	2000	2001	2002	2003	2004	2009
U.S. consumption quantity: Amount	68,625	80,561	79,015	95,192	99,365	101,784	103,537	114,332	128,921	110,926	91,981	118,790	77,763
Producers' share ¹	***	***	***	***	***	***	64.8	59.3	48.3	56.8	55.3	53.2	36.3
Importer's share: ¹													
Brazil	***	***	***	(2)	(2)	(2)	0.0	0.0	0.0	0.0	0.0	0.0	0
China	(2)	(2)	(2)	***	***	***	0.1	0.1	0.2	0.1	0.1	0.1	0.5
Japan	***	***	***	(2)	(2)	(2)	0.3	0.2	0.1	0.1	0.0	0.0	0
Taiwan	***	***	***	(2)	(2)	(2)	4.8	2.9	2.5	1.0	1.7	2.1	1.5
Thailand (subject)	(2)	(2)	(2)	***	***	***	***	***	***	***	***	***	***
Subtotal	30.4	38.6	36.2	***	***	***	***	***	***	***	***	***	***
Thailand (nonsubject)	(2)	(2)	(2)	(2)	(2)	(2)	***	***	***	***	***	***	***
All other countries ¹	***	***	***	***	***	***	19.2	26.5	38.7	32.0	31.3	34.6	54.8
Subtotal	(2)	(2)	(2)	(2)	(2)	(2)	***	***	***	***	***	***	***
Total imports ¹	***	***	***	42.7	37.6	41.3	35.2	40.7	51.7	43.2	44.7	46.8	63.7
U.S. import quantity from--				(2)	(2)	(2)	0	0	0	0	10	0	0
Brazil	***	***	***	(2)	(2)	(2)	125	138	224	68	83	177	389
China	(2)	(2)	(2)	***	***	***	292	220	74	101	0.4	0.1	2
Japan	***	***	***	(2)	(2)	(2)	4,952	3,308	3,173	1,076	1,602	2,482	1,203
Taiwan	***	***	***	(2)	(2)	(2)	***	***	***	***	***	***	***
Thailand (subject)	(2)	(2)	(2)	***	***	***	***	***	***	***	***	***	***
Subtotal	20,880	31,059	28,580	***	***	***	***	***	***	***	***	***	***
Thailand (nonsubject)	(2)	(2)	(2)	(2)	(2)	(2)	19,863	30,273	49,909	35,478	28,812	41,070	42,590
Other sources	***	***	***	***	***	***	***	***	***	***	***	***	***
Subtotal	(2)	(2)	(2)	(2)	(2)	(2)	***	***	***	***	***	***	***
All sources	***	***	***	40,602	37,342	42,029	36,481	46,521	66,680	47,945	41,087	55,577	49,537

Table continued on next page.

Table I-6--Continued
Carbon steel butt-weld pipe fittings: Summary data from the original investigations, second full reviews, and third expedited reviews, 1983-1985, 1989-1991, 1999-2004, and 2009

Item	(Quantity= 1,000 pounds; value=\$1,000; unit values, unit labor costs, and unit financial data are per pound)												
	1983	1984	1985	1989	1990	1991	1999	2000	2001	2002	2003	2004	2009
U.S. producers' Capacity	***	***	***	***	***	***	114,000	114,000	101,000	96,520	87,225	114,000	96,421
Production	36,602	51,795	47,580	***	***	***	65,514	64,796	62,606	61,467	48,571	67,809	30,172
Capacity utilization ¹	***	***	***	***	***	***	57.5	56.8	62.0	63.7	55.7	59.5	31.3
U.S. shipments Quantity	***	***	***	***	***	***	67,056	67,811	62,241	62,981	50,894	63,213	28,226
Value	***	***	***	***	***	***	66,437	67,035	70,298	68,053	59,601	84,173	109,794
Unit value	***	***	***	***	***	***	\$0.99	\$0.99	\$1.13	\$1.08	\$1.17	\$1.33	\$3.89
Net sales	\$41,621	\$46,298	\$44,908	***	***	***	\$67,448	\$67,913	\$71,306	\$68,589	\$59,979	\$85,048	\$109,994
Operating income	(7,705)	(3,857)	(4,066)	***	***	***	(1,458)	(494)	2,577	3,407	1,013	6,158	10,808
Net income	(8,844)	(4,880)	(6,362)	***	***	***	(1,832)	(1,135)	2,122	3,231	1,556	6,479	(2)
Operating income to net sales ¹	(18.5)	(8.3)	(9.1)	***	***	***	(2.2)	(0.7)	3.6	5.0	1.7	7.2	9.8
Net income to net sales ¹	(21.2)	(10.5)	(14.2)	***	***	***	(2.7)	(1.7)	3.0	4.7	2.6	7.6	(2)

¹ In percent.

² Unavailable or not presented.

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

Source: Data for 1983-1985 are compiled from information collected in the Commission's original antidumping duty investigations on Brazil, Japan, and Taiwan: *Butt-weld Pipe Fittings from Brazil and Taiwan, Invs. Nos. 731-TA-308 and 310 (Final)*, USITC Publication 1918, December 1986 and *Butt-weld Pipe Fittings from Japan, Inv. No. 731-TA-309 (Final)*, USITC Publication 1943, January 1987.

Data for 1989-1991 are compiled from information collected in the Commission's original antidumping duty investigations on China and Thailand: *Certain Carbon Steel Butt-weld Pipe Fittings from China and Thailand, Invs. Nos. 731-TA-520 and 521 (Final)*, USITC Publication 2528, June 1992.

Data for 1999-2004 are compiled from information collected in the Commission's second full review on Brazil, China, Japan, Taiwan, and Thailand. *Carbon Steel Butt-weld Pipe Fittings from Brazil, China, Japan, Taiwan, and Thailand, Inv. Nos. 731-TA-308-310 and 520-521 (Second Review)*, USITC Publication 3809, October 2005.

Data for 2009 are compiled from data submitted in response to the Commission's notice of institution in the present expedited reviews, official Commerce statistics, and proprietary Customs data.

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 10 firms as the top purchasers of carbon steel butt-weld pipe fittings: ***. Purchaser questionnaires were sent to these 10 firms and five firms (***) provided responses which are presented below.

1. a.) Have any changes occurred in technology; production methods; or development efforts to produce carbon steel butt-weld pipe fittings that affected the availability of carbon steel butt-weld pipe fittings in the U.S. market or in the market for carbon steel butt-weld pipe fittings in Brazil, China, Japan, Taiwan and Thailand since initial year of review (2011)?

b.) Do you anticipate any changes in technology; production methods; or development efforts to produce carbon steel butt-weld pipe fittings that will affect the availability of carbon steel butt-weld pipe fittings in the U.S. market or in the market for carbon steel butt-weld pipe fittings in Brazil, China, Japan, Taiwan and Thailand within a reasonably foreseeable time?

* * * * *

2. a.) Have any changes occurred in the ability to increase production of carbon steel butt-weld pipe fittings (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 carbon steel butt-weld pipe fittings in the U.S. market or in the market for carbon steel butt-weld pipe fittings in Brazil, China, Japan, Taiwan and Thailand since 2011?

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 carbon steel butt-weld pipe fittings in the U.S. market or in the market for carbon steel butt-weld pipe fittings in Brazil, China, Japan, Taiwan and Thailand within a reasonably foreseeable time?

* * * * *

3. a.) Have any changes occurred in factors related to the ability to shift supply of carbon steel butt-weld pipe fittings among different national markets (including barriers to importation in foreign markets or changes in market demand abroad) that affected the availability of carbon steel butt-weld pipe fittings in the U.S. market or in the market for carbon steel butt-weld pipe fittings in Brazil, China, Japan, Taiwan and Thailand since 2011?

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 carbon steel butt-weld pipe fittings in the U.S. market or in the market for carbon steel butt-weld pipe fittings in Brazil, China, Japan, Taiwan and Thailand within a reasonably foreseeable time?

* * * * *

4. a.) Have there been any changes in the end uses and applications of carbon steel butt-weld pipe fittings in the U.S. market or in the market for carbon steel butt-weld pipe fittings in Brazil, China, Japan, Taiwan and Thailand since 2011?

b.) Do you anticipate any changes in the end uses and applications of carbon steel butt-weld pipe fittings in the U.S. market or in the market for carbon steel butt-weld pipe fittings in Brazil, China, Japan, Taiwan and Thailand within a reasonably foreseeable time?

* * * * *

5. a.) Have there been any changes in the existence and availability of substitute products for carbon steel butt-weld pipe fittings in the U.S. market or in the market for carbon steel butt-weld pipe fittings in Brazil, China, Japan, Taiwan and Thailand since 2011?

b.) Do you anticipate any changes in the existence and availability of substitute products for carbon steel butt-weld pipe fittings in the U.S. market or in the market for carbon steel butt-weld pipe fittings in Brazil, China, Japan, Taiwan and Thailand within a reasonably foreseeable time?

* * * * *

6. a.) Have there been any changes in the level of competition between carbon steel butt-weld pipe fittings produced in the United States, carbon steel butt-weld pipe fittings produced in Brazil, China, Japan, Taiwan and Thailand, and such merchandise from other countries in the U.S. market or in the market for carbon steel butt-weld pipe fittings in Brazil, China, Japan, Taiwan and Thailand since 2011?

b.) Do you anticipate any changes in the level of competition between carbon steel butt-weld pipe fittings produced in the United States, magnesium produced in Brazil, China, Japan, Taiwan and Thailand, and such merchandise from other countries in the U.S. market or in the market for carbon steel butt-weld pipe fittings in Brazil, China, Japan, Taiwan and Thailand within a reasonably foreseeable time?

* * * * *

7. a.) Have there been any changes in the business cycle for carbon steel butt-weld pipe fittings in the U.S. market or in the market for carbon steel butt-weld pipe fittings in Brazil, China, Japan, Taiwan and Thailand since 2011?

b.) Do you anticipate any changes in the business cycle for carbon steel butt-weld pipe fittings in the U.S. market or in the market for carbon steel butt-weld pipe fittings in Brazil, China, Japan, Taiwan and Thailand within a reasonably foreseeable time?

* * * * *