Steel Concrete Reinforcing Bar from Japan, Taiwan, and Turkey

Investigation Nos. 701-TA-564 and 731-TA-1338-1340 (Review)

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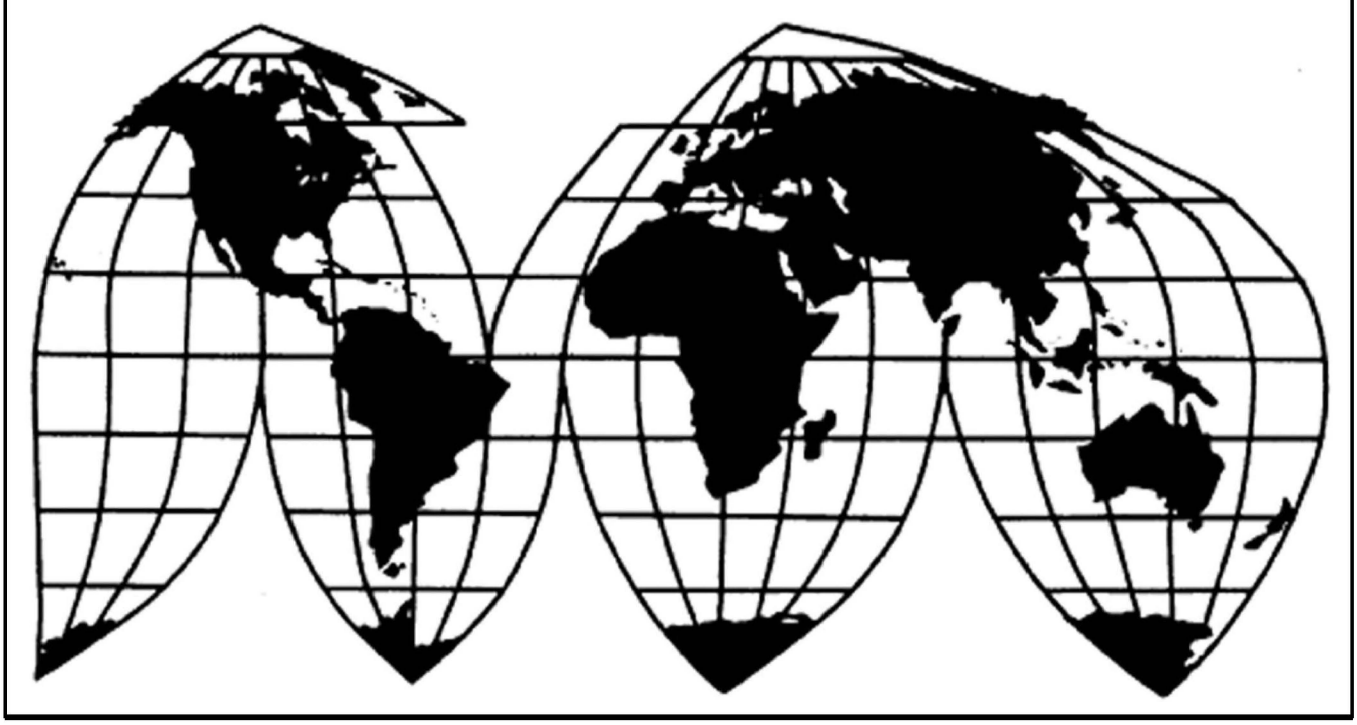
U.S. International Trade Commission



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UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation Nos. 701-TA-564 and 731-TA-1338-1340 (Review)

Steel Concrete Reinforcing Bar from Japan, Taiwan, and Turkey

DETERMINATION

On the basis of the record[1] 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 countervailing duty order on steel concrete reinforcing bar (''rebar'') from Turkey and revocation of the antidumping duty orders on rebar from Japan, Taiwan, and Turkey would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

BACKGROUND

The Commission instituted these reviews on June 1, 2022 (87 FR 33206) and determined on September 6, 2022 that it would conduct expedited reviews (87 FR 77636, December 19, 2022).

[1] The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

Views of the Commission

Based on the record in these five-year reviews, we determine under section 751(c) of the Tariff Act of 1930, as amended ("the Tariff Act"), that revocation of the countervailing duty order on steel concrete reinforcing bar ("rebar") from Turkey and the antidumping duty orders on rebar from Japan, Taiwan, and Turkey would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

I. Background

Original Investigations. The Commission instituted the original investigations effective September 20, 2016, in response to petitions filed by the Rebar Trade Action Coalition ("RTAC") and its individual members, Bayou Steel Group ("Bayou"), Byer Steel Group, Inc. ("Byer"), Commercial Metals Company ("CMC"), Gerdau Ameristeel U.S. Inc. ("Gerdau"), Nucor Corporation ("Nucor"), and Steel Dynamics, Inc. ("SDI").[1] In June 2017, the Commission determined in the leading investigations that an industry in the United States was materially injured by reason of imports of rebar from Japan that the U.S. Department of Commerce ("Commerce") found to be sold at less than fair value, and imports of rebar from Turkey that Commerce found to be sold at less than fair value and subsidized by the government of Turkey.[2] In September 2017, the Commission

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[1] *Steel Concrete Reinforcing Bar (Rebar) From Japan, Taiwan, and Turkey; Institution of Antidumping and Countervailing Duty Investigations and Scheduling of Preliminary Phase Investigations*, 81 Fed. Reg. 66,294 (Sep. 27, 2016).

[2] *Steel Concrete Reinforcing Bar From Japan and Turkey; Determinations*, 82 Fed. Reg. 31,635 (July 7, 2017). In its determination with respect to subject imports from Japan and Turkey, the Commission analyzed subject imports from Japan, Taiwan, and Turkey on a cumulated basis for its analysis of whether there was material injury by reason of subject imports. *Steel Concrete Reinforcing Bar from Japan and Turkey*, Inv. Nos. 701-TA-564 and 731-TA-1338, 1340 (Final), USITC Pub. 4705 (July 2017) ("*Original Japan and Turkey Determinations*") at 13.

At the time of the filing of the petition underlying these reviews, there was an existing countervailing duty order on rebar from Turkey, issued in 2014. That order (along with the order on Mexico) were subject to a first five-year review that was concluded in 2020, and those orders were continued. *Steel Concrete Reinforcing Bar from Mexico and Turkey (Review)*, Inv. Nos. 701-TA-502 and 731-TA-1227 (Review), USITC Pub. 5122 (Oct. 2020). The scope of the countervailing duty investigation on rebar from Turkey that was initiated in 2016 and that is the subject of these reviews covers only rebar produced and/or exported by the single company, which was excluded from the 2014 Turkey countervailing duty order (Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S. ("Habas")).

determined in the trailing investigation that an industry in the United States was materially injured by reason of imports of rebar from Taiwan that Commerce found to be sold at less than fair value.[3] Commerce issued an antidumping duty order on imports from Japan on July 14, 2017,[4] antidumping and countervailing duty orders on imports from Turkey on July 14, 2017,[5] and an antidumping duty order on imports from Taiwan on October 2, 2017.[6]

Current Reviews. The Commission instituted these five-year reviews on June 1, 2022.[7] The Commission received a response to the notice of institution from RTAC and its individual members, Nucor, Gerdau, CMC, Byer, and SDI (collectively, "Domestic Producers"), which are domestic producers of rebar.[8] The Commission also received a response to the notice of institution from the Government of the Republic of Türkiye, Ministry of Trade, Directorate General for Imports ("Government of Turkey").[9] On

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[3] *Steel Concrete Reinforcing Bar From Taiwan*, 82 Fed. Reg. 43,403 (Sep. 15, 2017). The Commission explained that although the petitions concerning imports of rebar from Japan, Taiwan, and Turkey were filed on the same day, the investigation schedules became staggered into two stages when Commerce extended its investigation of rebar from Taiwan, but not its investigations of rebar from Japan and Turkey. *Steel Concrete Reinforcing Bar from Taiwan*, Inv. No. 731-TA-1339 (Final), USITC Pub. 4724 (Sep. 2017) at 3. In its determination with respect to rebar from Taiwan, the Commission adopted its findings and analyses in its determinations regarding subject imports from Japan and Turkey with respect to the issues of domestic like product, domestic industry, cumulation, and material injury by reason of cumulated subject imports. *Id*. at 3.

[4] *Steel Concrete Reinforcing Bar From the Republic of Turkey and Japan: Amended Final Affirmative Antidumping Duty Determination for the Republic of Turkey and Antidumping Duty Orders*, 82 Fed. Reg. 32,532 (July 14, 2017).

[5] *Steel Concrete Reinforcing Bar From the Republic of Turkey and Japan: Amended Final Affirmative Antidumping Duty Determination for the Republic of Turkey and Antidumping Duty Orders*, 82 Fed. Reg. 32,532 (July 14, 2017); Steel Concrete Reinforcing Bar From the Republic of Turkey: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order, 82 Fed. Reg. 32,531 (July 14, 2017).

[6] *Steel Concrete Reinforcing Bar From Taiwan: Antidumping Duty Order*, 82 Fed. Reg. 45,809 (Oct. 2, 2017).

[7] *Steel Concrete Reinforcing Bar From Japan, Taiwan, and Turkey; Institution of Five-Year Reviews*, 87 Fed. Reg. 33,206 (June 1, 2022).

[8] Domestic Producers' Substantive Response to the Notice of Institution, June 30, 2022 ("Domestic Producers' Substantive Response"); *see also* Domestic Producers' Response to Notice of Institution – Revisions, July 1, 2022.

[9] Government of Turkey's Substantive Response to the Notice of Institution, June 30, 2022 ("Government of Turkey's Substantive Response"); *see also* Government of Turkey's Response to Clarification Request, July 18, 2022 ("Government of Turkey's Clarification Response"). The Commission received no other responses to its notice of institution of these reviews.

September 6, 2022, 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 was inadequate.[10] Finding no other circumstances that would warrant conducting full reviews, the Commission determined that it would conduct expedited reviews of the orders.[11] Domestic Producers submitted final comments pursuant to Commission rule 207.62(d)(1) on December 23, 2022.[12]

U.S. industry data are based on information supplied by Domestic Producers in their response to the notice of institution, accounting for an estimated *** percent of domestic production of rebar in 2021.[13] U.S. import data and related information are based on official import statistics.[14] Foreign industry data and related information are based on information from the original investigations, information supplied by Domestic Producers in their response to the notice of institution, information supplied by the Government of Turkey in its response to the notice of institution, and publicly available information gathered by the Commission.[15]

II. Domestic Like Product and Industry

A. Domestic Like Product

In making its determination under section 751(c) of the Tariff Act, the Commission defines the "domestic like product" and the "industry."[16] The Tariff Act defines "domestic like product" as "a product which is like, or in the absence of like, most similar in

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[10] *Steel Concrete Reinforcing Bar (Rebar) From Japan, Taiwan and Turkey; Scheduling of Expedited Five-Year Reviews*, 87 Fed. Reg. 77,636 (Dec. 19, 2022).

[11] *Steel Concrete Reinforcing Bar (Rebar) From Japan, Taiwan and Turkey; Scheduling of Expedited Five-Year Reviews*, 87 Fed. Reg. 77,636 (Dec. 19, 2022).

[12] Domestic Producers' Final Comments, Dec. 23, 2022.

[13] Confidential Report, Memorandum INV-UU-083, August 24, 2022 ("CR") at Table I-2; *Steel Concrete Reinforcing Bar from Japan, Taiwan, and Turkey*, Inv. Nos. 701-TA-564 and 731-TA-1338-1340 (Review), USITC Pub. 5400 (Jan. 2023) ("PR") at Table I-2; Domestic Producers' Substantive Response at 3, n.3. For the years 2014-16, U.S. producers' U.S. shipments data are compiled using data submitted in the Commission's original investigations. For the year 2021, U.S. producers' U.S. shipments are compiled from the Domestic Producers' response to the Commission's notice of institution. *Id*. at Table I-5, Exh. 1.

[14] CR/PR at I-17-18. U.S. imports data are compiled using official U.S. import statistics for HTS statistical reporting numbers 7213.10.0000 and 7214.20.0000. *Id*. at Table I-6, Source.

[15] The data provided by the Government of Turkey accounts for *** percent of the production of rebar in Turkey in 2021. CR/PR at Table I-2; Government of Turkey's Substantive Response at 11.

[16] 19 U.S.C. § 1677(4)(A).

characteristics and uses with, the article subject to an investigation under this subtitle."[17] The Commission's practice in five-year reviews is to examine the domestic like product definition from the original investigation and consider whether the record indicates any reason to revisit the prior findings.[18]

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

> Steel concrete reinforcing bar imported in either straight length or coil form (rebar) regardless of metallurgy, length, diameter, or grade or lack thereof. Subject merchandise includes deformed steel wire with bar markings (e.g., mill mark, size, or grade) and which has been subjected to an elongation test.
>
> The subject merchandise includes rebar that has been further processed in the subject countries or a third country, including but not limited to cutting, grinding, galvanizing, painting, coating, or any other processing that would not otherwise remove the merchandise from the scope of the *Orders* if performed in the country of manufacture of the rebar.
>
> Specifically excluded are plain rounds (i.e., nondeformed or smooth rebar). Also excluded from the scope is deformed steel wire meeting ASTM A1064/A1064M with no bar markings (e.g., mill mark, size, or grade) and without being subject to an elongation test.

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

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

> The subject merchandise is classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) primarily under item numbers 7213.10.0000, 7214.20.0000, and 7228.30.8010. The subject merchandise may also enter under other HTSUS numbers including 7215.90.1000, 7215.90.5000, 7221.00.0017, 7221.00.0018, 7221.00.0030, 7221.00.0045, 7222.11.0001, 7222.11.0057, 7222.11.0059, 7222.30.0001, 7227.20.0080, 7227.90.6030, 7227.90.6035, 7227.90.6040, 7228.20.1000, and 7228.60.6000.
>
> HTSUS subheadings are provided for convenience and customs purposes, however, the written description of the scope remains dispositive.[19]

The scope remains unchanged from the original investigations.[20]

Rebar is a long-rolled steel product commonly used in construction projects to provide strength to concrete. Rebar resists tension, compression, temperature variation, and shear stresses in reinforced concrete because the surface protrusions on a deformed bar inhibit longitudinal movement relative to the surrounding concrete. During construction projects, rebar is placed in a form and concrete from a mixer is poured over it. Once the concrete has set, deformation is resisted and stresses are transferred from the concrete to the rebar by friction and adhesion along the surface of the steel.[21]

Rebar is manufactured as either plain-round or deformed round bars.[22] However, in the United States deformed rebar is used almost exclusively because it provides greater adherence

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[19] *See* Department of Commerce Memorandum from James Maeder to Abdelali Elouaradia, *Issues and Decision Memorandum for the Final Results of First Expedited Sunset Review of the Antidumping Duty Orders on Steel Concrete Reinforcing Bar from the Republic of Turkey, Taiwan and Japan*, Sep. 28, 2022, at 2 (EDIS Document No. 784725); *see also* Department of Commerce Memorandum from James Maeder to Lisa W. Wang, *Issues and Decision Memorandum for the Expedited First Sunset Review of the Countervailing Duty Order on Steel Concrete Reinforcing Bar from the Republic of Turkey*, Sep. 29, 2022, at 2-3 (EDIS Document No. 784725).

[20] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 5-6.

[21] CR/PR at I-8-9.

[22] Plain-round rebar offers only smooth, even surfaces for bonding with concrete. On the other hand, deformed rebar has greater surface contact (due to deformations) with the concrete compared (Continued…)

to concrete due to its ridges. Rebar can be shipped in either straight lengths or coils. Coiled rebar is produced in smaller sizes than straight lengths and is used for smaller, more complex applications.[23]

In the original investigations, the Commission defined a single domestic like product consisting of rebar, coextensive with Commerce's scope.[24] In these reviews, there is no new information on the record suggesting that the characteristics and uses of domestically produced rebar have changed since the original investigations,[25] and Domestic Producers agree with the prior definition of the domestic like product.[26] We consequently define a single domestic like product consisting of rebar, 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

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(…Continued)
with plain-round rebar, and it adheres to concrete better than plain-round rebar does. CR/PR at I-8, n.22.

[23] CR/PR at I-8-9.

[24] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 7. In the preliminary determinations, the Commission defined a single domestic like product consisting of rebar products, whether in straight lengths or coiled, corresponding to the scope of the investigations. In defining a single domestic like product, the Commission found that all rebar possessed similar physical characteristics and uses. It stated that rebar is a long-rolled steel product, manufactured as either plain-round or deformed round bars and shipped in either straight lengths or coils, that is commonly used in construction projects to provide strength to concrete. While further recognizing that there were certain differences in the rolling requirements for rebar made from billet steel, rail steel, and axle steel, the Commission found similarities in terms of channels of distribution, interchangeability, customer and producer perceptions, and price. Specifically, the Commission found that rebar is sold to distributors, fabricators, and end users, with a number of firms acting as both distributors and fabricators. The Commission found that rebar from different manufacturers, regardless of whether coiled or in straight lengths, was viewed as interchangeable with rebar of the same size and grade. It found that rebar, whether coiled or in straight lengths, was perceived as distinct from other steel products by producers and end users. Finally, the Commission found that prices for rebar varied based on steel chemistry, size, and grade, but that the form of coil or straight lengths did not significantly affect pricing. In the final phase of the investigations, the Commission found that there was no new information concerning the domestic like product factors or argument for a different definition of the domestic like product. *Id*. at 6-7.

[25] *See generally* CR/PR at I-8-10.

[26] Domestic Producers' Substantive Response at 34.

production of the product."[27] 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.

We must determine whether any producer of the domestic like product should be excluded from the domestic industry pursuant to section 771(4)(B) of the Tariff Act. This provision allows the Commission, if appropriate circumstances exist, to exclude from the domestic industry producers that are related to an exporter or importer of subject merchandise or which are themselves importers.[28] Exclusion of such a producer is within the Commission's discretion based upon the facts presented in each investigation.[29]

Original Investigations. The Commission found that *** U.S. producers were subject to possible exclusion under the related parties provision: ***.[30] Given the size of *** production operations relative to its subject imports, its status as ***, and its *** in its domestic production of rebar, the Commission found that appropriate circumstances did not exist to exclude *** as a related party.[31] The Commission found that appropriate

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[27] 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.

[28] *See Torrington Co v. United States*, 790 F. Supp. 1161, 1168 (Ct. Int'l Trade 1992), *aff'd without opinion*, 991 F.2d 809 (Fed. Cir. 1993); *Sandvik AB v. United States*, 721 F. Supp. 1322, 1331-32 (Ct. Int'l Trade 1989), *aff'd mem.,* 904 F.2d 46 (Fed. Cir. 1990); *Empire Plow Co. v. United States*, 675 F. Supp. 1348, 1352 (Ct. Int'l Trade 1987).

[29] The primary factors the Commission has examined in deciding whether appropriate circumstances exist to exclude a related party include the following:

(1) the percentage of domestic production attributable to the importing producer;

(2) the reason the U.S. producer has decided to import the product subject to investigation (whether the firm benefits from the LTFV sales or subsidies or whether the firm must import in order to enable it to continue production and compete in the U.S. market);

(3) whether inclusion or exclusion of the related party will skew the data for the rest of the industry;

(4) the ratio of import shipments to U.S. production for the imported product; and

(5) whether the primary interest of the importing producer lies in domestic production or importation. *Changzhou Trina Solar Energy Co. v. USITC*, 100 F. Supp.3d 1314, 1326-31 (Ct. Int'l. Trade 2015), *aff'd*, 839 F.3d 1377 (Fed. Cir. 2018); *see also Torrington Co. v. United States*, 790 F. Supp. at 1168.

[30] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 8; *Confidential Views of Original Japan and Turkey Determinations* at 10.

[31] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 8; *Confidential Views of Original Japan and Turkey Determinations* at 11.

circumstances also did not exist to exclude *** based on the size of its production operations relative to its *** subject imports, its status as ***, and its *** in its domestic production of rebar.[32] Accordingly, the Commission defined the domestic industry as all U.S. producers of rebar.[33]

Current Reviews. The record indicates that Vinton Steel, LLC ("Vinton"), a domestic producer of rebar, is a subsidiary of Kyoei Steel, Ltd. ("Kyoei"), a subject Japanese producer of rebar.[34] However, there is no information on the record concerning whether Kyoei exported subject merchandise to the United States or whether Vinton imported subject merchandise during the period of the review. Accordingly, the information on the record is insufficient for us to make a finding as to whether Vinton qualifies for possible exclusion under the related parties provision.[35]

In sum, consistent with our definition of the domestic like product, we define the domestic industry as all U.S. producers of rebar.

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 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.[36]

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[32] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 9; *Confidential Views of Original Japan and Turkey Determinations* at 12.

[33] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 9.

[34] CR/PR at I-3, n.5; Domestic Producers' Substantive Response at 32.

[35] We note that even if Vinton were to qualify for possible exclusion, the firm did not respond to the notice of institution with data on its operations; therefore, Vinton did not provide data that would be excluded in these reviews.

[36] 19 U.S.C. § 1675a(a)(7).

Cumulation therefore is discretionary in five-year reviews, unlike original investigations, which are governed by section 771(7)(G)(i) of the Tariff Act.[37] 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.

The statutory threshold for cumulations is satisfied in these reviews because all reviews were initiated on the same day, June 1, 2022.[38]

Original Investigations. The Commission cumulated subject imports from Japan, Taiwan, and Turkey, finding a reasonable overlap of competition between the domestic like product and imports from each subject country and among imports from the subject countries.[39]

Current Reviews. Domestic Producers argue that the Commission should exercise its discretion to cumulate subject imports from all three countries in these reviews. In this regard, they assert that there is no basis to conclude that subject imports from any of the subject countries would be likely to have no discernible adverse impact on the domestic industry.[40]

B. 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.[41] Neither the statute nor the Uruguay Round Agreements Act ("URAA") Statement of

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[37] 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).

[38] CR/PR at I-1; *Initiation of Five-Year (Sunset) Reviews*, 87 Fed. Reg. 33,123 (June 1, 2022).

[39] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 13.

[40] Domestic Producers' Substantive Response at 8-9.

[41] 19 U.S.C. § 1675a(a)(7).

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.[42] 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.

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, for the reasons detailed below.

Japan. In the original investigations, subject imports from Japan increased from 93,730 short tons in 2014, accounting for 1.1 percent of apparent U.S. consumption, to 267,130 short tons in 2015, accounting for 3.1 percent of apparent U.S. consumption, and 294,963 short tons in 2016, accounting for 3.3 percent of apparent U.S. consumption.[43] In the current period of review, subject imports from Japan were 24,169 shorts tons in 2017 but absent from the U.S. market during the 2018-2021 period.[44]

The record of the current reviews contains limited information concerning the rebar industry in Japan because no producer in Japan responded to the Commission's notice of institution. Domestic Producers provided a list of three possible producers of rebar in Japan.[45] According to the information provided by Domestic Producers, the subject Japanese industry's production of rebar remained high in 2022, at more than *** metric tons, and is expected to increase through at least 2024, even as the Japanese construction industry's growth is expected to decline in 2022 and drop substantially between 2023 and 2026.[46] Domestic Producers assert that Japan's domestic consumption will remain substantially lower than the subject industry's production of rebar, providing Japanese rebar producers with ample excess capacity with which to increase exports to the United States.[47] Domestic Producers also note that Japanese steel producers increased their exports of iron and steel products other than rebar to the United

[42] SAA, H.R. Rep. No. 103-316, vol. I at 887 (1994).
[43] CR/PR at Table I-7.
[44] CR/PR at Table I-6.
[45] CR/PR at I-21; Domestic Producers' Substantive Response at Exh. 1.
[46] Domestic Producers' Substantive Response at 12-13, Exh. 8.
[47] Domestic Producers' Substantive Response at 13, Exhs. 5-6.

States by 33 percent from April 2021 to April 2022 to offset declines in their exports to third country markets, such as China.[48]

Global Trade Atlas ('GTA") data indicate that Japanese exports of rebar under HS subheadings 7213.10 and 7214.20 increased irregularly from 366,944 short tons in 2017 to 553,138 short tons in 2021.[49] Between 2020 and 2021, Japan more than doubled its exports of rebar to South Korea, which accounted for approximately 97 percent of all Japanese exports of rebar in 2021.[50]

In the original investigations, subject imports from Japan undersold the domestic like product in all 48 quarterly comparisons, with an average margin of underselling of 13.2 percent.[51] Since the current reviews are expedited, no product-specific pricing data concerning subject imports from Japan were obtained.

In light of the foregoing, including the significant and increasing volume of subject imports from Japan in the original investigations, the underselling by subject imports from Japan during the original investigations, and the large size and volume of exports of the rebar industry in Japan, we do not find that subject imports from Japan would likely have no discernible adverse impact on the domestic industry if the pertinent order were revoked.

Taiwan. In the original investigations, subject imports from Taiwan increased from 6,542 short tons in 2014, accounting for 0.1 percent of apparent U.S. consumption, to 39,807 short tons in 2015, accounting for 0.5 percent of apparent U.S. consumption, and 127,476 short tons in 2016, accounting for 1.4 percent of apparent U.S. consumption.[52] In the current period of review, subject imports from Taiwan were 19,991 short tons in 2017, 22,191 short tons in 2018, and 1,092 short tons in 2019, before declining to zero during the 2020-2021 period.[53]

The record of the current reviews contains limited information concerning the rebar industry in Taiwan because no producer in Taiwan responded to the notice of institution. Domestic Producers provided a list of five possible producers of rebar in Taiwan.[54] Since the original investigations, subject producer Feng Hsin Steel has opened a high-speed rebar mill with an annual capacity of 745,000 tons.[55] According to the information provided by Domestic

[48] Domestic Producers' Substantive Response at 13-14, Exhs. 10-11.
[49] CR/PR at I-21, Table I-9.
[50] CR/PR at I-21, Table I-9.
[51] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at Table V-7.
[52] CR/PR at Table I-7.
[53] CR/PR at Table I-6.
[54] CR/PR at I-22; Domestic Producers' Substantive Response at Exh. 1.
[55] CR/PR at I-22.

Producers, rebar production in Taiwan has grown substantially since the order was imposed, totaling *** metric tons of rebar in 2021, which is an increase of *** metric tons from 2017 to 2021.[56] Domestic Producers also assert that Taiwan continues to produce more rebar than its domestic market can consume, and that weakening demand in Taiwan will further incentivize Taiwan producers to increase their exports.[57] Additionally, Domestic Producers assert that Taiwan producers would be lured to the United States by the higher prices prevailing in the U.S. market as compared to their home market.[58]

GTA data indicate that exports of rebar from Taiwan under HS subheadings 7213.10 and 7214.20 increased irregularly from 188,451 short tons in 2017 to 264,747 short tons in 2021.[59] Taiwan exports of rebar increased approximately 63 percent from 2019 to 2021.[60]

In the original investigations, subject imports from Taiwan undersold the domestic like product in 16 of 17 quarterly comparisons, with an average margin of underselling of 9.4 percent.[61] Since the current reviews are expedited, no product-specific pricing data concerning rebar from Taiwan were obtained.

In light of the foregoing, including the significant and increasing volume of subject imports from Taiwan in the original investigations, the underselling by subject imports from Taiwan during the original investigations, and the large size and growing volume of exports of the rebar industry in Taiwan, we do not find that subject imports from Taiwan would likely have no discernible adverse impact on the domestic industry if the pertinent order were revoked.

Turkey. In the original investigations, subject imports from Turkey increased from 981,199 short tons in 2014, accounting for 11.9 percent of apparent U.S. consumption, to 1.6 million short tons in 2015, accounting for 19.0 percent of apparent U.S. consumption, and 1.5 million short tons in 2016, accounting for 16.9 percent of apparent U.S. consumption.[62] In the current period of review, subject imports from Turkey declined from 872,573 short tons in 2017

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[56] Domestic Producers' Substantive Response at 16, Exh. 6.

[57] Domestic Producers' Substantive Response at 16-17. According to the information provided by Domestic Producers, rebar consumption in Taiwan is projected to decrease in 2022, by approximately *** metric tons compared to 2021, and remain below 2021 levels in 2023, 2024, and beyond. *Id*. at 16, Exh. 6.

[58] Domestic Producers' Substantive Response at 17-18, Exhs. 17-18. In early June 2022, U.S. rebar prices ranged from about *** to *** and Taiwan rebar prices ranged from approximately *** to ***. *Id*.

[59] CR/PR at Table I-10.

[60] CR/PR at I-23.

[61] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at Table V-7.

[62] CR/PR at Table I-7.

to 385,822 short tons in 2018 and 89,552 short tons in 2019, increased to 461,790 short tons in 2020, and then declined to 377,998 short tons in 2021, equivalent to *** percent of apparent U.S. consumption that year.[63]

The record of the current reviews contains limited information concerning the rebar industry in Turkey submitted by the Government of Turkey, and no producer in Turkey responded to the Commission's notice of institution.[64] The Government of Turkey also provided a list of 14 possible producers and/or exporters of rebar in Turkey, while the Domestic Producers provided a list of 10 possible producers and/or exporters.[65]

The information available indicates that Turkish subject producers added capacity and announced capacity additions during the period of review. In June 2019, subject producer Kardemir announced plans to upgrade an existing blast furnace and oxygen converter, which is expected to increase overall steelmaking capacity in Turkey from 2.41 million metric tons of liquid steel per year to 2.9 million metric tons per year.[66] In September 2019, Kardemir also announced plans to build a new blast furnace with an annual production capacity of 1 million tons.[67] In January 2022, subject producer Habas applied for an environmental impact assessment to build a new rebar rolling mill, with a capacity of 1.5 million metric tons.[68]

The Government of Turkey reported that rebar production in Turkey was 14.1 million short tons in 2021, excluding independent re-rolling mills, up from *** short tons in 2016.[69] Consistent with the information provided by the Government of Turkey, Domestic Producers assert that Turkish rebar production has grown since the imposition of the orders, surpassing

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[63] CR/PR at Tables I-6-7.

[64] Turkish producers' exports to the United States were *** short tons in 2014, *** short tons in 2015, and *** short tons in 2016. CR/PR at Table I-11. According to information provided by the Government of Turkey, Turkish producers' exports to the United States were 297,967 short tons in 2021. CR/PR at Table I-11; Government of Turkey's Clarification Response at 2. The Government of Turkey also reported that it did not have information regarding rebar production capacity in Turkey. CR/PR at I-24; Government of Turkey's Substantive Response at 12.

[65] CR/PR at I-24; Government of Turkey's Substantive Response at 6; Domestic Producers' Substantive Response at Exh. 1. The firms exported subject merchandise to the U.S. between 2017 and 2021 with four firms accounting for a vast majority of subject merchandise during the period. CR/PR at I-24, n.41.

[66] CR/PR at Table I-12.

[67] CR/PR at Table I-12.

[68] Domestic Producers' Substantive Response at 20, Exh. 19; CR/PR at Table I-12. Habas is currently subject to antidumping and countervailing duties and ***. *Id*.

[69] Government of Turkey's Substantive Response at 11; CR/PR at Table I-11. Production quantity is based on data sourced from the Turkish Steel Producers Association and converted by Commission staff from the reported 12.8 million tons (presumed metric tons) to short tons. CR/PR at I-24.

2017 levels in 2021 and 2022.[70] Domestic Producers further assert that Turkey continues to produce more than its domestic market can consume, and that declining home market demand will incentivize increased exports.[71] Additionally, Domestic Producers assert that Turkish producers would be lured to the United States by the higher prices prevailing in the U.S. market as compared to their home market.[72]

The Government of Turkey reported that exports of rebar from Turkey to the United States were 297,967 short tons in 2021.[73] GTA data indicate that global exports of rebar from Turkey under HS subheadings 7213.10 and 7214.20 increased irregularly from 6.4 million short tons in 2017 to 8.3 million short tons in 2021, and that the United States was the eighth largest destination market for such exports in 2021.[74] Domestic Producers claim that the United States was Turkey's *** export market for rebar from January 2022 to April 2022.[75] GTA data also indicate that Turkey was the largest global exporter by quantity of rebar during the 2017-2021 period.[76]

In the original investigations, subject imports from Turkey undersold the domestic like product in 48 of 48 quarterly comparisons, with an average margin of underselling of 17.6 percent.[77] Since the current reviews are expedited, no product-specific pricing data concerning rebar from Turkey were obtained.

In light of the foregoing, including the significant and increasing volume of subject imports from Turkey in the original investigations, the continued presence of subject imports from Turkey in the U.S. market while under the disciplining effect of the orders, the underselling by subject imports from Turkey during the original investigations, and the large size and volume of exports of the rebar industry in Turkey, we do not find that subject imports from Turkey would likely have no discernible adverse impact on the domestic industry if the pertinent orders were revoked.

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[70] Domestic Producers' Substantive Response at 20, Exhs. 5-6.

[71] Domestic Producers' Substantive Response at 20-21.

[72] Domestic Producers' Substantive Response at 22, Exhs. 17, 22. In early June 2022, U.S. rebar prices ranged from about *** to *** and Turkish rebar prices ranged from approximately *** to ***. *Id*.

[73] CR/PR at Table I-11.

[74] CR/PR at Table I-13.

[75] Domestic Producers' Substantive Response at 22, Exh. 27.

[76] CR/PR at Table I-16.

[77] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at Table V-7.

C. 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.[78] Only a "reasonable overlap" of competition is required.[79] 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.[80]

Fungibility. In the original investigations, all U.S. producers, and the great majority of U.S. imports and purchasers, reported that rebar from each subject country and the domestic like product was always or frequently interchangeable.[81] The Commission observed that domestically produced rebar and subject imports from each source competed in an overlapping range of sizes, grades, and lengths, particularly in sizes 4 and 5, grade 60, and in lengths between 20 and 40 feet.[82]

In these reviews, there is no new information in the record to indicate that the degree of fungibility between and among subject imports from Japan, Taiwan, and Turkey and the domestic like product has changed since the original investigations. Domestic

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[78] 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).

[79] *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).

[80] *See generally Chefline Corp. v. United States*, 219 F. Supp. 2d 1313, 1314 (Ct. Int'l Trade 2002).

[81] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 12.

[82] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 12.

Producers contend that there remains a high degree of substitutability between subject imports and the domestic like product.[83]

Channels of Distribution. In the original investigations, the Commission found that most subject imports were sold to distributors, while a majority of the domestic like product was shipped to distributors/end users, with a significant percentage sold only to distributors.[84]

In these reviews, there is no new information on the record to indicate that the channels of distribution used by domestic and subject rebar have changed from that observed by the Commission in the original investigations.

Geographic Overlap. In the original investigations, the Commission found that U.S. producers sold to all regions in the United States; importers of rebar from Japan sold to all regions in the United States except the Northeast, the Mountain region, and the non-continental U.S. market; importers of rebar from Taiwan sold to the Central Southwest, Pacific Coast, and other territories; and importers of rebar from Turkey sold to all regions in the United States except the Mountain region.[85] It also found that subject imports from all three subject countries entered the U.S. market in significant quantities in 2016 at points in the South and West regions.[86]

In these reviews, virtually all subject imports from Japan entered through southern borders of entry in 2017; virtually all subject imports from Taiwan entered through western borders of entry from 2017 to 2019; and most subject imports from Turkey entered through eastern and southern borders of entry from 2017 to 2021, with smaller volumes entering through western borders of entry in 2017.[87] Thus, the record indicates that subject imports continued to geographically overlap with each other and with the domestic like product during the period of review.

Simultaneous Presence. In the original investigations, the Commission found that subject imports from Japan were present in the U.S. market in all but two months of the period of investigation ("POI"); subject imports from Taiwan were present in the U.S.

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[83] Domestic Producers' Substantive Response at 29.

[84] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 12.

[85] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 12.

[86] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 12.

[87] CR/PR at I-19. No imports of subject merchandise were reported from Japan after February 2017 or Taiwan after June 2019. *Id*.

market in 23 of the 36 months of the POI; and subject imports from Turkey were present in the U.S. market in all months of the POI.[88]

In these reviews, out of the 60-month period of review, subject imports from Japan were present in the U.S. market in two months, subject imports from Taiwan were present in the U.S. market in seven months, and subject imports from Turkey were present in the U.S. market in 55 months.[89]

Conclusion. The record in these expedited reviews contains limited information concerning subject imports in the U.S. market during the current review period. However, the record contains no new information suggesting a change in the considerations that led the Commission in its original determinations to conclude that there was a reasonable overlap of competition between and among imports from the three subject countries and the domestic like product. In light of this, and in the absence of any contrary argument, we find that there would likely be a reasonable overlap of competition between and among subject imports of rebar from Japan, Taiwan, and Turkey and the domestic like product, if the orders were revoked.

D. Likely Conditions of Competition

In determining whether to exercise our discretion to cumulate the subject imports, we assess whether subject imports from Japan, Taiwan, and Turkey would likely compete under similar or different conditions of competition in the U.S. market after revocation of the orders. The record in these reviews contains limited current information about the industries in Japan, Taiwan, and Turkey. However, the available information in these expedited reviews shows that the subject industries in all three subject countries increased their shipments of subject merchandise to the United States prior to the imposition of the orders, decreased these shipments after the orders, and are engaged in global exports of rebar.[90] The record in these reviews does not indicate that there would likely be any significant difference in the conditions of competition between subject imports from Japan, Taiwan, and Turkey if the orders were revoked.

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[88] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 12-13.
[89] CR/PR at I-19.
[90] CR/PR Tables I-6-7; Domestic Producers' Substantive Response at 12, 15-16, 19-20.

E. Conclusion

In sum, we determine that subject imports of rebar from Japan, Taiwan, and Turkey, considered individually, are not likely to have no discernible adverse impact on the domestic industry if the corresponding orders were revoked. We also find a likely reasonable overlap of competition between and among subject imports from Japan, Taiwan, and Turkey and the domestic like product if the orders were revoked. Finally, we find that imports from each subject country would be likely to compete under similar conditions of competition if the orders were revoked. We therefore exercise our discretion to cumulate subject imports of Japan, Taiwan, and Turkey for purposes of our analysis in these reviews.

IV. Revocation of the Antidumping and Countervailing 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."[91] 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."[92] Thus, the likelihood standard is prospective in nature.[93] The U.S.

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[91] 19 U.S.C. § 1675a(a).

[92] 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.

[93] 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.

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.[94]

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."[95] 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."[96]

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."[97] 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).[98] The statute further provides that the presence or absence of any

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[94] *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'").

[95] 19 U.S.C. § 1675a(a)(5).

[96] 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*.

[97] 19 U.S.C. § 1675a(a)(1).

[98] 19 U.S.C. § 1675a(a)(1). Commerce has not made any duty absorption findings with respect to the orders. Department of Commerce Memorandum from James Maeder to Abdelali Elouaradia, *Issues and Decision Memorandum for the Final Results of First Expedited Sunset Review of the Antidumping*

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factor that the Commission is required to consider shall not necessarily give decisive guidance with respect to the Commission's determination.[99]

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.[100] 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.[101]

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.[102]

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,

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(…Continued)
Duty Orders on Steel Concrete Reinforcing Bar from the Republic of Turkey, Taiwan and Japan, Sep. 28, 2022, at 4-5 (EDIS Document No. 784725).

[99] 19 U.S.C. § 1675a(a)(5). Although the Commission must consider all factors, no one factor is necessarily dispositive. SAA at 886.

[100] 19 U.S.C. § 1675a(a)(2).

[101] 19 U.S.C. § 1675a(a)(2)(A-D).

[102] *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.

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.[103] 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.[104]

The Government of Turkey is the only respondent interested party to have responded to the notice of institution. The record, therefore, contains limited new information with respect to the rebar industries in Japan, Taiwan, and Turkey. There also is limited information on the rebar market in the United States during the period of review. Accordingly, for our determination, we rely as appropriate on the facts available from the original investigations, and the limited new information on the record in these current 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 "within the context of the business cycle and conditions of competition that are distinctive to the affected industry."[105] The following conditions of competition inform our determinations.

1. Demand Conditions

Original Investigations. The Commission found that rebar is primarily used for providing strength to concrete in construction projects, such as roads and bridges, commercial and

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[103] 19 U.S.C. § 1675a(a)(4).

[104] 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.

[105] 19 U.S.C. § 1675a(a)(4).

industrial construction, residential construction, and public construction.[106] Thus, overall demand for rebar was driven by trends in the U.S. economy, especially nonresidential construction spending and, to a lesser extent, residential construction spending.[107] Further, rebar typically accounted for a small share of the cost of the end-use products in which it was used, and there were few or no substitutes for rebar.[108] Respondents disagreed as to whether the U.S. rebar market was subject to business cycles, but most U.S. importers and purchasers reported that U.S. demand for rebar had increased since January 2014.[109] Apparent U.S. consumption of rebar increased during the POI from 8.2 million short tons in 2014 to 8.5 million short tons in 2015 and 8.8 million short tons in 2016.[110]

Current Reviews. Apparent U.S. consumption was *** short tons in 2021.[111] Domestic Producers assert that demand for rebar continues to be tied closely to construction, primarily nonresidential construction but also residential construction.[112] They claim that construction demand appears to be flattening with ongoing weakness in the nonresidential sector and anticipated slowdowns forthcoming in the residential sector.[113] The Government of Turkey contends that the high volume of U.S. imports of rebar, consistently exceeding one million short tons since 2014, reflects a level of U.S. demand for rebar that cannot be satisfied by the domestic industry.[114] Noting the waning effects of the COVID-19 pandemic and increased infrastructure investments in the United States, the Government of Turkey also claims that demand for steel, including rebar, is expected to increase in the U.S. market.[115]

2. Supply Conditions

Original Investigations. The Commission found that the U.S. market was supplied by the domestic industry, subject imports, and nonsubject imports.[116] The domestic industry held the

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[106] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 17.
[107] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 17.
[108] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 17.
[109] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 17-18.
[110] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 17.
[111] CR/PR at Table I-7.
[112] Domestic Producers' Substantive Response at 31.
[113] Domestic Producers' Substantive Response at 34. According to the information provided by Domestic Producers, total construction starts ***; ***; and residential construction has slowed, with U.S. housing starts declining to their lowest levels in more than a year. *Id*. at 31.
[114] Government of Turkey's Substantive Response at 3.
[115] Government of Turkey's Substantive Response at 4.
[116] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 18.

largest share of apparent U.S. consumption during the POI, although its share declined from 82.7 percent in 2014 to 76.5 percent in 2015 and 76.2 percent in 2016.[117] The Commission observed that the domestic industry had sufficient production capacity to supply total apparent U.S. consumption during the POI.[118] The record also indicated that there was some degree of vertical integration in the domestic industry.[119]

Subject imports were the second largest source of supply for the U.S. market during the POI, with cumulated subject imports' share of apparent U.S. consumption increasing irregularly from 13.1 percent in 2014 to 22.5 percent in 2015 and 21.6 percent in 2016.[120]

Nonsubject imports accounted for a relatively small share of the U.S. market during the POI.[121] Its share of apparent U.S. consumption was 4.1 percent in 2014, 0.9 percent in 2015, and 2.2 percent in 2016.[122]

Current Reviews. In 2021, the domestic industry accounted for the largest share of apparent U.S. consumption, at *** percent, followed by nonsubject imports, at *** percent, and cumulated subject imports, at *** percent.[123]

Since the original investigations, there have been several changes to the domestic industry. Domestic producers SDI, CMC, and Nucor increased their rebar capacity, Nucor upgraded a rebar mill, and CMC acquired rebar fabrication facilities from a competitor.[124] In

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[117] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 18. Domestic production was relatively concentrated, with three firms (CMC, Gerdau, and Nucor) accounting for approximately *** percent of all production of rebar in the United States in 2016. *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 18; *Confidential Views of Original Japan and Turkey Determinations* at 25.

[118] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 18.

[119] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 18.

[120] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 18. As noted above, only imports produced and/or exported by Turkish producer Habas were within the scope of the countervailing duty. Habas was the *** rebar producer in Turkey, based on production volume, in 2016. Commerce issued an antidumping duty order on imports of rebar from Turkey (other than rebar from Turkish producer Habas) in November 2016. *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 18-19; *Confidential Views of Original Japan and Turkey Determinations* at 26.

[121] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 19.

[122] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 19. Imports of rebar from Belarus, China, Indonesia, Latvia, Moldova, Poland, and Ukraine have been subject to antidumping duty orders since 2001, and imports of rebar from Mexico have been subject to antidumping duty orders since November 2014. *Id*.

[123] CR/PR at Table I-7.

[124] CR/PR at Table I-4; Domestic Producers' Substantive Response at 33-34. In February 2019, SDI expanded its operations in Roanoke, Virginia, doubling its production of rebar to over 200,000 short (Continued…)

addition, CMC and Nucor announced plans to construct new rebar mills and Nucor announced plans to construct a new melt shop at a rebar production facility.[125]

The Government of Turkey argues that the imposition of duties under Section 232 on steel, including subject merchandise, is a significant change in the conditions of competition that has reduced imports of rebar and the ability of Turkish producers to serve the U.S. market.[126] The Government of Turkey also claims that supply shortages may occur due to the increasing cost of raw materials, energy, and transport, as well as recent political and economic developments, such as the restrictions placed on Russia, and the continuing effects of the COVID-19 pandemic.[127]

3. Substitutability and Other Conditions

Original Investigations. The Commission found that subject imports were highly substitutable for the domestic like product and that price played an important role in purchasing decisions.[128] As discussed above, all U.S. producers, and the great majority of U.S. importers and purchasers, reported that rebar from different sources was always or frequently interchangeable. Further, the domestic like product and rebar from Japan, Taiwan, and Turkey competed with one another in a range of sizes, grades, and lengths, particularly in sizes 4 and 5, grade 60, and in lengths between 20 and 40 feet. Responding purchasers identified price, availability, historical supply relationship, and quality as the main purchasing factors, but price was reported as very important more than any other factor.[129] All U.S. producers reported that

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(…Continued)
tons annually. In March 2017, Nucor announced that it was upgrading its Marion, Ohio plant, which has a current annual production capacity of 400,000 tons. In April 2018, CMC opened a new rebar micro mill in Durant, Oklahoma with a capacity of 350,000 short tons. In November 2018, CMC acquired 33 rebar fabrication facilities from Gerdau. In 2019, Nucor opened a new rebar micro mill in Sedalia, Missouri. In 2020, Nucor's new rebar micro mill in Frostproof, Florida began production, the mill has an annual capacity of approximately 350,000 short tons. *Id.*

[125] CR/PR at Table I-4; Domestic Producers' Substantive Response at 33-34. In January 2022, CMC announced that it will construct a new micro mill to serve the Northeast, Mid-Atlantic, and Mid-Western U.S. markets. In April 2022, Nucor announced that it was building a third rebar micro mill in Lexington, North Carolina, with an annual capacity 430,000 tons and 200 new jobs. In August 2022, Nucor announced that it was adding a new melt shop to its bar mill in Kingsman, Arizona, with an annual capacity of 600,000 tons and 140 new jobs. *Id*.

[126] Government of Turkey's Substantive Response at 14.

[127] Government of Turkey's Substantive Response at 14.

[128] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 20.

[129] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 19.

non-price factors were never significant, and the majority of purchasers reported them to be sometimes or never significant.[130]

The Commission also found that raw materials, consisting primarily of ferrous scrap, accounted for a substantial portion of the domestic industry's cost of goods sold ("COGS") during the POI, ranging from 66.5 percent in 2014 to 53.8 percent in 2016.[131]

Finally, the Commission found that certain sales in the U.S. market were controlled by Buy America(n) programs, but that the preferences applied to only a relatively small share of rebar purchases in the U.S. market.[132] The Concrete Reinforcing Steel Institute estimated that the percentage of rebar usage subject to Buy America requirements declined from 12.2 percent in 2014 to 10.2 percent in 2016, while about 23 percent of total reported purchases in 2016 were subject to such laws.[133]

Current Reviews. The record in these reviews contains no new information to indicate that the degree of substitutability between the domestic like product and subject imports or the importance of price in purchasing decisions has changed since the original investigations. Domestic Producers claim that there continues to be a high degree of substitutability between the domestic like product and subject imports, and that price remains an important factor in purchasing decisions.[134] Accordingly, we continue to find that subject imports and domestically produced rebar are highly substitutable, and that price remains an important factor in purchasing decisions for rebar.

In March 2018, rebar produced in Japan, Taiwan, and Turkey became subject to an additional 25 percent *ad valorem* duty under Section 232 of the Trade Expansion Act of 1962, as amended.[135] The duty rate for rebar produced in Turkey was raised to 50 percent *ad valorem* in

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[130] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 19.

[131] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 20.

[132] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 20. Buy America preferences apply to the procurement of iron and steel products, including rebar, for certain federal-aid highway construction programs, whereas Buy American preferences apply to Federal Government procurement of certain goods and services. *Id*. at 20, n.107.

[133] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 20.

[134] Domestic Producers' Substantive Response at 29.

[135] CR/PR at I-7. Rebar produced in Japan, Taiwan, and Turkey comes into the U.S. market at a column 1-general duty rate of free. *Id*. U.S. imports of certain iron and steel articles originating in Australia, Canada, Mexico, and Ukraine are exempt from Section 232 duties; imports originating in Argentina, Brazil, and South Korea are exempt from Section 232 duties within annual quota limits; imports originating in the European Union member countries, Japan, and the United Kingdom are exempt from Section 232 duties subject to tariff rate quotas; and imports from all other NTR countries are subject to 25 percent *ad valorem* additional duties. *Id*. at I-8.

August 2018 but reduced back to 25 percent *ad valorem* in May 2019.[136] As of April 2022, rebar produced in Japan is exempted from Section 232 duties up to the limit of a designated tariff rate quota (TRQ), subject to a "melted and poured" in Japan requirement.[137]

C. Likely Volume of Subject Imports

Original Investigations. The Commission found that the volume of cumulated subject imports increased irregularly over the POI, from 1.10 million short tons in 2014 to 1.91 million short tons in 2016.[138] The Commission also found that the market share of cumulated subject imports increased irregularly over the POI, from 13.1 percent in 2014 to 21.6 percent in 2016.[139]

The Commission addressed and rejected Turkish respondents' argument that the increase in subject import volume was not significant because it occurred at a time of rising demand, or because subject imports largely replaced nonsubject imports.[140] The Commission found that the increase in the volume of subject imports far outstripped demand growth, and that subject imports had gained 8.5 percentage points of market share over the POI mostly at the domestic industry's expense.[141]

In light of the foregoing, the Commission found that the volume of cumulated subject imports, and the increase in that volume, were significant in absolute terms and relative to consumption in the United States.[142]

Current Reviews. Cumulated subject imports of rebar maintained a presence in the U.S. market throughout the period of review, even under the disciplining effects of the orders. The volume of cumulated subject imports declined from 916,734 short tons in 2017 to 408,013 short tons in 2018 and 90,614 short tons in 2019 before increasing to 461,790 short tons in 2020 and 377,998 short tons in 2021.[143] Cumulated subject imports accounted for *** percent of apparent U.S. consumption in 2021.[144]

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[136] CR/PR at I-7-8.

[137] CR/PR at I-8.

[138] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 20.

[139] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 20.

[140] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 21.

[141] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 20-21. The domestic industry's market share decreased by 6.5 percentage points during the POI from 82.7 percent in 2014 to 76.2 percent in 2016. *Id*. at 21. Nonsubject imports' market share declined overall during the POI from 4.1 percent in 2014 to 2.2 percent in 2016. *Id*.

[142] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 21.

[143] CR/PR at Table I-6.

[144] CR/PR at Table I-7.

The record in these expedited reviews contains limited information on the subject industries in Japan, Taiwan, and Turkey. The information available, however, indicates that the subject industries in all three countries have the means and incentive to produce and export significant volumes of subject merchandise to the United States if the orders were revoked.

As previously noted, Domestic Producers have identified three possible producers of rebar in Japan, five possible producers of rebar in Taiwan, and ten possible producers of rebar in Turkey.[145] The Government of Turkey provided a list of 14 possible producers and/or exporters in Turkey.[146] Domestic Producers claim that the subject countries continue to have considerable capacity: Japan is the world's third largest steel producer, and Japanese production of rebar is expected to remain high in 2021, at more than *** metric tons, and then increase until at least 2024;[147] Taiwan is the world's 12th largest steel producer, and subject producers in Taiwan have increased their production of rebar since the original investigations,[148] producing more than *** metric tons of rebar in 2021, or *** more than it produced in 2017;[149] Turkey is the world's seventh largest steel producer, and subject producers in Turkey have increased their production of rebar since the orders were imposed, surpassing 2017 levels of rebar production in 2021 and 2022[150] and projected to exceed 2017 production levels by nearly *** metric tons by 2023, while Turkish steel production is expected to increase by 10 million tons by 2025.[151] According to the information provided by the Government of Turkey, the Turkish industry, excluding independent re-rolling mills, produced 14.1 million short tons of rebar in 2021.[152]

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[145] Domestic Producers' Substantive Response at Exh. 1.

[146] CR/PR at I-24; Government of Turkey's Substantive Response at 6.

[147] Domestic Producers' Substantive Response at 12-13, Exhs. 4 & 6.

[148] Domestic Producers' Substantive Response at 15-16, Exh. 4. As noted above in section III.B., subject producer Feng Hsin Steel has since opened a high-speed rebar mill with an annual capacity of 745,000 tons. CR/PR at I-22.

[149] Domestic Producers' Substantive Response at 16, Exh. 6.

[150] Domestic Producers' Substantive Response at 19-20, Exhs. 4-6.

[151] Domestic Producers' Substantive Response at 20, Exhs. 6, 20. As discussed in section III.B. above, subject producer Kardemir announced plans for an that increase its overall steelmaking capacity from 2.41 million metric tons of liquid steel per year to 2.9 million metric tons per year; subject producer Kardemir announced plans to build a new blast furnace with an annual production capacity of 1 million tons; and subject producer Habas applied for an environmental impact assessment to build a new rebar rolling mill, with a capacity of 1.5 million metric tons. CR/PR at Table I-12; Domestic Producers' Substantive Response at 20, Exh. 19.

[152] Government of Turkey's Substantive Response at 11; CR/PR at Table I-11. Production quantity is based on data sourced from the Turkish Steel Producers Association and converted by (Continued…)

Domestic Producers further argue that subject producers could increase their production of rebar for export to the United States after revocation of the orders by shifting production from other products made on the same machinery, such as wire rod and billet.[153] Domestic Producers highlight the Commission's finding from the recent five-year reviews of the orders on rebar from Mexico and Turkey that Turkish producers of rebar have the ability to shift production to rebar from other products manufactured on the same equipment.[154]

The available information also indicates that subject producers in Japan, Taiwan, and Turkey export significant volumes of rebar globally. Domestic Producers cite the following evidence in support: Japan was the fourth largest exporter of steel long products in the world in 2021, and that Japanese producers exported more than *** tons of rebar that year according to ***;[155] the Taiwan industry exported approximately *** metric tons of rebar in 2021 according to the same source;[156] and despite the imposition of the orders, Turkey continued to export rebar to the United States throughout the period of review.[157] According to GTA data, subject producers in Japan exported 553,138 short tons of rebar in 2021, subject producers in Taiwan exported 264,747 short tons of rebar in 2021, and Turkey was the world's largest exporter of rebar throughout the period of review.[158]

According to information provided by the Government of Turkey, the Turkish industry's exports of rebar were 7.8 million tons in 2021, including 297,961 short tons exported to the United States.[159]

Available information also indicates that the U.S. market remains attractive to subject producers.[160] First, despite the disciplining effects of the orders, cumulated subject imports

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Commission staff from the reported 12.8 million tons (presumed metric tons) to short tons. CR/PR at I-24.

[153] Domestic Producers' Substantive Response at 24, Exh. 5.

[154] Domestic Producers' Substantive Response at 24.

[155] Domestic Producers' Substantive Response at 12, Exhs. 6-7.

[156] Domestic Producers' Substantive Response at 15-16, Exh. 6.

[157] Domestic Producers' Substantive Response at 19; CR/PR at Table I-6; Government of Turkey's Substantive Response at 13; Government of Turkey's Clarification Response at 2.

[158] CR/PR at Tables I-9-10 and I-16.

[159] CR/PR at Table I-11; Government of Turkey's Substantive Response at 4. According to the information provided by Domestic Producers, Turkey's net exports of rebar were *** metric tons in 2021. Domestic Producers' Substantive Response at 19-20, Exhs. 5-6.

[160] Domestic Producers note that the United States was one of the largest destinations for Japanese long steel products other than rebar in 2021. Domestic Producers' Substantive Response at 12, Exh. 7. As evidence for Turkish rebar producers, Domestic Producers referenced a 2020 five-year (Continued…)

maintained a presence in the U.S. market throughout the period of review, accounting for *** percent of apparent U.S. consumption in 2021,[161] thereby maintaining ready distribution networks in the United States through affiliated importers and sales agents. Further, GTA data show that the United States remained the eighth largest export market for Turkish rebar producers in 2021.[162] Second, available AUV data on the record suggest that rebar prices are relatively higher in the United States than in the home markets of Taiwan and Turkish producers.[163] Third, Domestic Producers contend that weakening rebar demand conditions in Japan, Taiwan, and Turkey,[164] as well as in major third country export markets,[165] would make exports to the United States relatively more attractive if the orders were revoked.[166] Finally, numerous antidumping duty actions in third country markets covering imports of rebar from Japan and Turkey, and three global safeguard measures imposed by third countries on imports of rebar, would provide additional incentives for subject producers to increase their exports to the United States in the event of revocation.[167]

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review of rebar from Mexico and Turkey, in which the Commission concluded that Turkish rebar producers have a strong interest in the U.S. market. Domestic Producers' Substantive Response at 22.

[161] CR/PR at Table I-7.

[162] CR/PR at Table I-13.

[163] Domestic Producers' Substantive Response at 17-18, 22, Exhs. 17-18, 22. In early June 2022, U.S. rebar prices ranged from *** to ***; domestic rebar prices in Taiwan ranged from *** to ***; and domestic rebar prices in Turkey ranged from *** to ***. *Id*.

[164] Domestic Producers' Substantive Response at 13, 16, 21, Exhs. 5-6, 21-22. According to the information provided by Domestic Producers, Japan's construction industry will decline this year, and that its average annual growth is projected to drop substantially between 2023 and 2026. *Id*. at 13, Exh. 8. Rebar consumption in Taiwan is expected to decrease in 2022, by approximately *** metric tons compared to 2021, and to remain below 2021 levels in 2023, 2024 and beyond. *Id*. at 16, Exh. 6. *** in Turkey's domestic rebar market, with rebar consumption in Turkey being significantly lower than it was when the order were imposed, and it is projected to remain below 2017 levels in 2022, 2023, and 2024. *Id*. at 21. Exhs. 5-6, 21-22.

[165] Domestic Producers' Substantive Response at 13-14, 17, 21-22, Exhs. 10-11, 15-16, 25-28. Domestic Producers note that steel long product prices are falling in major exporting destinations for Japanese producers. *Id*. at 13, Exh. 10. Specifically, Japan's iron and steel exports to China fell by 30 percent in April 2022 compared to April 2021, and Japan attempted to offset this with a 33 percent increase in its iron and steel exports to the United States. *Id*. at 13-14, Exh. 11. Taiwan's exports to the United States have recently increased, and Taiwan trade held a larger market share in the United States in the first quarter of 2022 than in the same period in 2019. *Id*. at 17, Exh. 16. In ***. *Id*. at 21-22, Exhs. 27-28. However, despite the orders being in place, the United States was Turkey's *** export market for rebar from January 2022 to April 2022. *Id*. at 22, Exh. 27.

[166] Domestic Producers' Substantive Response at 13-14, 16-17, 20-22.

[167] CR/PR at Tables I-14-15; Domestic Producers' Substantive Response at 14-15, 18-19, 23-24. Rebar from Japan is subject to antidumping duties in Canada; safeguard measures in the European
(Continued…)

Given the foregoing, including the significant and increasing volume of cumulated subject imports during the original investigations, the continued presence of cumulated subject imports in the U.S. market during the period of review, the subject industries' substantial capacity and their significant volumes of global exports of rebar, and the attractiveness of the U.S. market to subject producers, we find that the volume of cumulated subject imports would likely be significant, both in absolute terms and relative to consumption in the United States, if the orders were revoked.[168]

D. Likely Price Effects

Original Investigations. The Commission found a high degree of substitutability between the domestic like product and subject imports, and that price was an important factor in purchasing decisions.[169]

Cumulated subject imports undersold the domestic like product in 112 out of 113 quarterly comparisons at underselling margins ranging from 0.5 percent to 30.7 percent.[170] The Commission found that the responses from purchasers to the lost sales/lost revenue allegations confirmed that the domestic industry lost sales to the subject imports because of their lower price.[171] Given the pervasive underselling of the domestic like product by cumulated subject

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Union; and a safeguard measure in the United Kingdom. *Id*. at 14-15, Exhs. 12-14. Rebar from Taiwan is subject to duties in Australia; safeguard measures in the European Union; and a safeguard measure in the United Kingdom. *Id*. at 18-19, Exhs. 13, 14. Rebar from Turkey is subject to antidumping orders in the Dominican Republic, Canada, Egypt, and Malaysia; safeguard measures in Morocco; safeguard measures on steel products in the European Union; and a safeguard measure in the United Kingdom. *Id*. at 23-24, Exhs. 13, 14, 29.

[168] We note that the substantial decline in the volume of subject imports following imposition of the AD/CVD orders preceded imposition of Section 232 measures, though the temporary increase in Section 232 duties on rebar from Turkey to 50 percent from 25 percent may explain the further decline in rebar imports from Turkey in 2019. CR/PR at I-7-8, Tables I-6 and C-1. Given this, the substantial capacity and exports of subject producers, and the attractiveness of the U.S. market to subject producers, the information available indicates that the Section 232 measures would not prevent subject imports from increasing significantly if the AD/CVD orders were revoked.

The record does not contain data addressing existing inventories of the subject merchandise.

[169] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 21.

[170] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 21-22. Seven U.S. producers and 15 importers provided usable pricing data, although not all firms reported pricing for all products for all quarters. *Id*. at 21.

[171] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 22. Out of 38 purchaser responses, 31 reported that they had purchased imported rebar from Japan, Taiwan, and/or Turkey instead of U.S. produced rebar, and 24 reported that price was a primary reason they purchased (Continued…)

imports, the high degree of substitutability of the domestic like product and the subject imports, and the importance of price in purchasing decisions, the Commission found that there was significant underselling of the domestic like product by cumulated subject imports.[172] It also found that the underselling led to a significant shift in market share away from the domestic industry and toward subject imports.[173]

The Commission found that subject imports depressed prices for the domestic like product to a significant degree.[174] From January 2014 to December 2016, the prices for the four domestically produced pricing products declined by *** percent to *** percent, and the prices for the subject imports declined by *** percent to *** percent.[175] Although the Commission recognized that declining raw material costs contributed to the decline in the prices of the domestic like product, it found that raw material costs did not fully explain the price declines.[176] Numerous purchasers reported that the domestic industry cut prices to compete with lower-priced subject imports, and the Commission observed a *** decline in the domestic industry's market share from 2015 to 2016.[177]

Current Reviews. As discussed above, we continue to find that subject imports and domestically produced rebar are highly substitutable, and that price remains an important factor in purchasing decisions for rebar.

The record in these expedited reviews does not contain recent product-specific pricing information.[178] Based on the information available, including the significant subject import underselling and consequent price depression found by the Commission in the original

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imported rebar rather than U.S. produced rebar. Altogether, the amount of rebar involved in purchasers' reported decisions to buy subject imports instead of the domestic like product over the POI because of pricing was *** short tons. *Id*. at 22, n.123; *Confidential Views of Original Japan and Turkey Determinations* at 31-32, n.123.

[172] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 22.

[173] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 22.

[174] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 22.

[175] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 22; Confidential Views of Original Japan and Turkey Determinations at 32.

[176] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 23.

[177] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 23. Of the 38 responding purchasers, 17 reported that U.S. producers reduced prices to compete with lower-priced subject imports. *Id*. at 23, n. 132.

[178] Domestic Producers submitted evidence that Turkish rebar producers were *** which were far below prevailing rebar prices in the U.S. market, which ranged from approximately ***. Domestic Producers' Substantive Response at 26, Exh. 26. According to the information provided by Domestic Producers, U.S. rebar mills are vulnerable to price decreases as a result of ***. *Id*.

investigations, the high degree of substitutability of subject imports and the domestic like product, and the importance of price in purchasing decisions, we find that underselling by cumulated subject imports would likely be significant in the event of revocation of the orders. Absent the discipline of the orders, the likely significant volumes of low-priced cumulated subject imports would likely force the domestic industry to lower prices or lose sales and market share to subject imports, as they did in the original investigations, or forgo price increases that otherwise would have occurred. Consequently, we find that if the orders were revoked, likely significant volumes of low-priced cumulated subject imports would likely undersell the domestic like product and cause significant price effects.

E. Likely Impact

The Original Investigations. The Commission found that, notwithstanding growing U.S. demand for rebar, most of the domestic industry's performance indicators declined over the POI, including its output, shipments, employment related factors, and financial performance.[179] Further, the industry's production, capacity utilization, U.S. shipments, and net sales quantities declined from 2014 to 2015, before recovering slightly in 2016.[180] The Commission found that the significant volume of low-priced cumulated subject imports caused the domestic industry to lose market share, particularly in 2015.[181] Although the domestic industry's financial performance improved from 2014 to 2015, the Commission observed that this was due to a decline in the cost of raw materials, which caused the domestic industry's COGS to decline by a larger amount than the decline in its net sales quantities and revenues.[182] The domestic industry's financial performance then deteriorated in 2016 after a sharp decline in its sales revenue, which the Commission attributed to the significant price depression caused by subject imports.[183] As a result of the significant volume of low-priced subject imports, the Commission found, the domestic industry's output and revenues were lower than they would have been otherwise.[184]

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[179] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 24-26.

[180] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 24. The domestic industry's capacity decreased from 2014-2015, but then increased in 2016. *Id*. at 24-25.

[181] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 25-26. The domestic industry's market share declined from 2014 to 2015, and then declined again slightly in 2016. *Id*. at 25.

[182] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 25.

[183] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 25.

[184] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 26.

The Commission addressed and rejected several arguments from Turkish respondents.[185] The Commission also considered the role of the Buy America(n) programs and their potential limits on the substitutability between subject imports and the domestic like product.[186] It found that the programs applied to only a relatively small share of rebar purchasers in the U.S. market and did not insulate the domestic industry from direct competition with subject imports or from the adverse effects of the low-priced subject imports.[187] Finally, the Commission considered the role of nonsubject imports and found that they had a small and irregularly declining presence in the U.S. market during the POI and did not explain the domestic industry's loss of market share and revenues during the POI.[188]

Current Reviews. The record in these expedited reviews contains limited information concerning the domestic industry's performance since the original investigations.

The information available indicates that the domestic industry's performance was better in 2021 than during the POI.[189] The domestic industry's production and capacity utilization were higher than in the original investigations.[190] Specifically, its production was *** short tons

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[185] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 26-27. First, Turkish respondents argued that subject imports did not cause the domestic industry's declines in performance because nearly all of the increase in subject imports occurred in 2015 when the domestic industry showed improving financial performance. The Commission found that although the domestic industry's financial performance was better in 2015 than in 2014, it lost significant market share in 2015 and experienced lower output and employment due to subject imports. Second, Turkish respondents argued that the domestic producers decided to maintain and raise prices whenever possible at the expense of their sales volume. The Commission found that the domestic industry was instead forced to cut prices to meet competition from low-priced subject imports and experienced a sharp decline in its financial performance in 2016, as subject import volume and market share remained elevated. Third, Turkish respondents argued that the domestic industry's vertical integration and the existence of domestic preference programs insulated the domestic industry from competition from subject imports. The Commission found that the record did not support any conclusion that the domestic producers' affiliations with upstream ferrous scrap operations and downstream fabrication operations insulated the domestic industry from competition with subject imports. *Id.*

[186] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 27.

[187] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 27.

[188] *Original Japan and Turkey Determinations*, USITC Pub. 4705 at 27. The market share of nonsubject imports was 4.1 percent in 2014, 0.9 percent in 2015, and 2.2 percent in 2016. *Id*. at 27, n.156.

[189] CR/PR at Table I-5. For the years 2014-16, data are compiled using data submitted in the Commission's original investigations. For the year 2021, data are compiled using data submitted by domestic interested parties and include the members of RTAC and ***. Domestic Producers' Substantive Response at Exh. 1.

[190] CR/PR at Table I-5.

and its capacity utilization was *** percent.[191] The domestic industry's capacity was *** short tons in 2021, which was similar to its capacity during the original investigations.[192] The quantity and value of its U.S. shipments, at *** short tons and $***, respectively, were higher in 2021 than during the original investigations.[193] Although the domestic industry's COGS was higher in 2021, at $***, than during the POI, its net sales were higher and its COGS to net sales ratio was lower in 2021, at $*** and *** percent, respectively.[194] Further, the domestic industry's operating income, at $***, and operating income to net sales ratio, at *** percent, were both higher in 2021 than during the original investigations.[195] Additionally, the domestic industry's gross profit in 2021, at $***, was significantly higher than during the original investigations.[196] This limited information is insufficient for us to make a finding on whether the domestic industry is vulnerable to the continuation or recurrence of material injury in the event of revocation of the orders.[197]

Based on the information available, we find that revocation of the orders would likely result in a significant volume of cumulated subject imports that would likely undersell the

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[191] CR/PR at Table I-5. The domestic industry's production and capacity utilization were *** short tons and *** percent, respectively, in 2014; *** short tons and *** percent, respectively, in 2015; and *** short tons and *** percent, respectively, in 2016. *Id*.

[192] CR/PR at Table I-5. The domestic industry's capacity was 9.7 million shorts tons in 2014, 9.5 million short tons in 2015, and 9.7 million short tons in 2016. *Id*.

[193] CR/PR at Table I-5. The domestic industry's quantity and value of U.S. shipments were 6.8 million short tons and $4.4 billion, respectively, in 2014; 6.6 million short tons and $3.7 billion, respectively, in 2015; and 6.7 million short tons and $3.2 billion, respectively, in 2016. *Id*.

[194] CR/PR at Table I-5. The domestic industry's COGS was $4.3 billion 2014, $3.4 billion in 2015, and $3.0 billion in 2016. *Id*. Its net sales and COGS to net sales ratio were $4.6 billion and 93.4 percent, respectively, in 2014; $3.9 billion and 86.8 percent, respectively, in 2015; and $3.3 billion and 91.7 percent, respectively, in 2016. *Id*.

[195] CR/PR at Table I-5. The domestic industry's operating income and operating income to net sales ratio were $102.7 million and 2.2 percent, respectively, in 2014; $323.1 million and 8.3 percent, respectively, in 2015; and $74.7 million and 2.3 percent, respectively, in 2016. *Id*.

[196] CR/PR at Table I-5. The domestic industry's gross profit was $301.3 million in 2014, $511.1 million in 2015, and $270.7 million in 2016. *Id*.

[197] Based on the information available in these expedited reviews (covering *** percent of U.S. production of Rebar), Commissioner Kearns does not find that the domestic industry is in a vulnerable state as a result of factors other than dumped or subsidized imports. CR/PR at Table I-2. Specifically, he observes that the domestic industry's production, capacity utilization, shipments, AUVs for U.S. shipments, net sales, operating income and margin, and market share are all higher in 2021 than in any year of the POI, while the COGS-to-net-sales ratio is lower than in any year of the POI. Further, independent of the comparison to the POI, the absolute values of indicators such as capacity utilization and operating margin do not suggest, on this record, a heightened vulnerability to injury if the orders were revoked. *See* CR/PR at Tables I-5 and I-7.

domestic like product to a significant degree. Given the high degree of substitutability between the domestic like product and subject imports and the importance of price to purchasers, significant volumes of low-priced subject imports would likely capture sales and market share from the domestic industry and/or force domestic producers to lower their prices or forgo needed price increases in order to maintain their sales, thereby depressing or suppressing prices for the domestic like product to a significant degree. The likely significant volume of subject imports and their price effects would negatively affect the domestic industry's capacity, production, capacity utilization, shipments, market share, net sales values and quantities, employment levels, operating income, operating income margins, and capital investments. Consequently, we conclude that, if the orders were revoked, cumulated subject imports from Japan, Taiwan, and Turkey would be likely to have an adverse impact on the domestic industry within a reasonably foreseeable time.[198]

We have also considered the role of factors other than subject imports in the U.S. market, including the presence of nonsubject imports. Nonsubject imports have increased their presence in the U.S. market since the original investigations, accounting for *** percent of apparent U.S. consumption in 2021.[199] However, the record provides no indication that the presence of nonsubject imports would prevent subject imports from entering the U.S. market in significant volumes, adversely affecting the domestic industry's prices and/or taking market share from the industry and nonsubject imports upon revocation of the orders. Given that the domestic industry supplied *** percent of apparent U.S. consumption in 2021, the high degree of substitutability between the subject merchandise and the domestic like product, and the importance of price in purchasing decisions, the presence of nonsubject imports would likely not prevent the significant volume of low-priced cumulated subject imports that are likely after revocation from taking market share from the domestic industry or forcing domestic producers

[198] In its expedited reviews of the antidumping orders, Commerce determined that revocation of the orders would result in the continuation or recurrence of dumping, with margins ranging up to 209.46 percent for Japan, 32.01 percent for Taiwan, and 4.17 percent for Turkey. *Steel Concrete Reinforcing Bar From the Republic of Turkey, Taiwan, and Japan; Final Results of First Expedited Sunset Reviews of the Antidumping Duty Orders*, 87 Fed. Reg. 60120 (Oct. 4, 2022).

In its expedited review of the countervailing duty order, Commerce determined that revocation of the orders would result in the continuation or recurrence of countervailable subsidies, with an estimated CVD margin of 15.99 percent for Turkey (for Habas only). *Steel Concrete Reinforcing Bar From the Republic of Turkey: Final Results of the Expedited First Sunset Review of the Countervailing Duty Order*, 87 Fed. Reg. 60376 (Oct. 5, 2022).

[199] CR/PR Table I-7.

to either lower prices or forgo price increases to retain market share.[200] We also note that the domestic industry was able to improve its performance by many measures in 2021 compared to 2016 despite the increased presence of nonsubject imports in the U.S. market over the period of review. In light of these considerations, we find that cumulated subject imports would likely cause adverse effects on the domestic industry that are distinct from any effects attributable to nonsubject imports in the event of revocation.[201]

In sum, we conclude that if the orders were revoked, cumulated subject imports of rebar from Japan, Taiwan, and Turkey would likely have a significant impact on the domestic industry within a reasonably foreseeable time.

V. Conclusion

For the foregoing reasons, we determine that revocation of the countervailing duty order on rebar from Turkey and the antidumping duty orders on rebar from Japan, Taiwan, and Turkey would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

[200] CR/PR at Table I-7.

[201] We also note that the domestic industry would not be insulated from recurrence of material injury by the Section 232 measures, as discussed in section C above.

Information obtained in these reviews

Background

On June 1, 2022, 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 the countervailing duty order on steel concrete reinforcing bar ("rebar") from Turkey and revocation of the antidumping duty orders on rebar from Japan, Taiwan, and Turkey would be likely to lead to 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] Table I-1 presents information relating to the background and schedule of this proceeding:

Table I-1
Rebar: Information relating to the background and schedule of this proceeding

Effective date	Action
June 1, 2022	Notice of initiation by Commerce (87 FR 33123, June 1, 2022)
June 1, 2022	Notice of institution by Commission (87 FR 33206, June 1, 2022)
September 6, 2022	Commission's vote on adequacy
October 4, 2022	Commerce's results of its expedited reviews of the antidumping duties orders (87 FR 60120, October 4, 2022)
October 5, 2022	Commerce's results of its expedited review of the countervailing duty order (87 FR 60376, October 5, 2022)
January 24, 2023	Commission's determinations and views

[1] 19 U.S.C. 1675(c).

[2] 87 FR 33206, June 1, 2022. 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 and countervailing duty orders. 87 FR 33123, June 1, 2022. 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 the original investigations are presented in app. C.

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. Rebar Trade Action Coalition ("RTAC") and its individual members, Nucor Corporation ("Nucor"), Gerdau Ameristeel US Inc. ("Gerdau"), Commercial Metals Company ("CMC"), Byer Steel, and Steel Dynamics, Inc. ("SDI"), domestic producers of rebar (collectively referred to herein as "domestic interested parties")
2. Government of the Republic of Türkiye (GOT), Ministry of Trade, Directorate General for Imports ("Government of Turkey")

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-2.

Table I-2
Rebar: Summary of completed responses to the Commission's notice of institution

Interested party	Type	Number of entities	Coverage
U.S. producer	Domestic	5	***%
Government of Turkey	Respondent (Turkey)	1	***%

Note: The U.S. producer coverage figure presented is RTAC's estimate of their share of total U.S. production of rebar during 2021. The estimate was calculated as RTAC members' commercial shipments, plus internal consumption/related transfers of rebar (***) divided by the Steel Manufacturers Association's ("SMA") 2021 total rebar shipments (***). The SMA maintains monthly and annual data for U.S. rebar mills' domestic shipments. RTAC believes U.S. commercial shipment volumes to be a reasonable proxy for U.S. production. Contained in RTAC's response was U.S. industry data for one additional firm: ***, whose estimated share of U.S. production of rebar in 2021 is *** percent. *** supplied domestic industry data but is not a part of RTAC. Domestic interested parties' response to the notice of institution, June 30, 2022, pp. 2-3, Exhibits 1 and 2.

Note: The Government of Turkey coverage figure presented represents the total production of rebar in Turkey during 2021. According to the Turkish Steel Producers Association, in 2021 Turkey's rebar production was 12.8 million tons (presumed metric tons, converted by staff to 14.1 million short tons in tables I-11 and B-4), excluding independent re-rolling mills. Government of Turkey's response to the notice of institution, June 30, 2022, p. 11.

Party comments on adequacy

The Commission received party comments on the adequacy of responses to the notice of institution and whether the Commission should conduct expedited or full reviews from the domestic interested parties. The domestic interested parties request that the Commission conduct expedited reviews of the antidumping and countervailing duty orders on rebar.[4]

The original investigations

The original investigations resulted from petitions filed on September 20, 2016 with Commerce and the Commission by the RTAC and its individual members: Bayou Steel Group, LaPlace, Louisiana ("Bayou");[5] Byer Steel, Cincinnati, Ohio; CMC, Irving, Texas; Gerdau, Tampa, Florida; Nucor, Charlotte, North Carolina; and SDI, Pittsboro, Indiana.[6] On May 22, 2017, Commerce determined that imports of rebar from Japan and Turkey were being sold at less than fair value ("LTFV")[7] and that subject imports from Turkey were subsidized by the Government of Turkey.[8] The Commission determined on June 30, 2017 that the domestic industry was materially injured by reason of imports of rebar from Japan and Turkey that were found by Commerce to be sold in the United States at LTFV, and subsidized by the Government of Turkey.[9] On July 14, 2017, Commerce issued its antidumping orders for Japan and Turkey and countervailing duty order for Turkey with the final weighted-average dumping margins ranging

[4] Domestic interested parties' comments on adequacy, August 15, 2022, p. 1.

[5] Bayou Steel Group was no longer a petitioner in the final phase of these investigations. Bayou exited the rebar industry in December 2016 and sold its Vinton, Texas rolling mill, operated as Vinton Steel LLC ("Vinton"), to Kyoei Steel Americas, LLC.

[6] Steel Concrete Reinforcing Bar from Japan and Turkey, Inv. Nos. 701-TA-564 and 731-TA-1338 and 1340 (Final), USITC Publication 4705, July 2017 ("Original publication"), p. I-1. Although the petitions concerning rebar from Japan, Taiwan, and Turkey were filed on the same day, the investigation schedules became staggered when Commerce extended the deadline for making its final determination in the investigation concerning rebar from Taiwan, but not in the investigations concerning subject imports from Japan and Turkey. Steel Concrete Reinforcing Bar from Taiwan, Inv. No. 731-TA-1339 (Final), USITC Publication 4724, September 2017 ("Original Taiwan publication").

[7] 82 FR 23195 and 82 FR 23192, May 22, 2017.

[8] 82 FR 23188, May 22, 2017. At the time of the filing of the petition, there was an existing countervailing duty order on steel reinforcing bar from Turkey. Thus the scope of this countervailing duty investigation with regard to rebar from Turkey covered only rebar from companies excluded from the 2014 Turkey CVD Order, specifically Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S.

[9] 82 FR 31635, July 7, 2017.

from 206.43 percent to 209.46 percent for Japan and ranging from 5.39 percent to 9.06 percent for Turkey and net subsidy rates of 15.99 percent for Turkey.[10] After several rounds of litigation, Commerce amended its final weighted-average dumping margins to range from 3.96 to 4.17 percent, applicable September 14, 2020, for the antidumping order for Turkey.[11] On July 27, 2017, Commerce determined that imports of rebar from Taiwan were being sold at LTFV.[12] The Commission determined on September 11, 2017 that the domestic industry was materially injured by reason of LTFV imports of rebar from Taiwan.[13] On October 2, 2017, Commerce issued its antidumping duty order for Taiwan with the final weighted-average dumping margins ranging from 3.50 percent to 32.01 percent.[14]

Previous and related investigations

The Commission has conducted a number of previous import relief investigations on rebar or similar merchandise, as presented in table I-3.

[10] 82 FR 32532, July 14, 2017 and 82 FR 32531, July 14, 2017.
[11] 87 FR 934, January 7, 2022.
[12] 82 FR 34925, July 27, 2017.
[13] 82 FR 43403, September 15, 2017.
[14] 82 FR 45809, October 2, 2017.

Table I-3
Rebar: Previous and related Commission proceedings and status of orders

Date	Number	Country	Determination	Current Status of Order
1963	AA1921-33	Canada	Affirmative	No outstanding antidumping duty order associated with this investigation
1969	AA1921-62	Australia	Affirmative	No outstanding antidumping duty order associated with this investigation
1973	AA1921-122	Mexico	Negative	---
1996	731-TA-745	Turkey	Affirmative	Order revoked after second review, effective March 2008
2000	731-TA-872	Austria	Terminated	August 2000
2000	731-TA-873	Belarus	Affirmative	Ongoing
2000	731-TA-874	China	Affirmative	Ongoing
2000	731-TA-875	Indonesia	Affirmative	Ongoing
2000	731-TA-876	Japan	Negative	---
2000	731-TA-877	South Korea	Affirmative	Order revoked after second review, effective September 2006
2000	731-TA-878	Latvia	Affirmative	Ongoing
2000	731-TA-879	Moldova	Affirmative	Ongoing
2000	731-TA-880	Poland	Affirmative	Ongoing
2000	731-TA-881	Russia	Terminated	August 2000
2000	731-TA-882	Ukraine	Affirmative	Ongoing
2000	731-TA-883	Venezuela	Terminated	August 2000
2001	TA-201-73	Safeguard	Affirmative	Terminated by Presidential Proclamation 7741 of December 4, 2003.
2012	731-TA-1227	Mexico	Affirmative	Ongoing
2012	731-TA-1228	Turkey	ITA Negative	---
2012	701-TA-502	Turkey	Affirmative	Ongoing

Source: U.S. International Trade Commission publications and Federal Register notices.

Note: “Date” refers to the year in which the investigation or review was instituted by the Commission.

Commerce's five-year reviews

Commerce announced that it would conduct expedited reviews with respect to the orders on imports of rebar from Japan, Taiwan, and Turkey with the intent of issuing the final results of these reviews based on the facts available not later than September 29, 2022.[15] Commerce publishes its Issues and Decision Memoranda and its final results concurrently, accessible upon publication at http://enforcement.trade.gov/frn/. Issues and Decision Memoranda contain complete and up-to-date information regarding the background and history of the order, including scope rulings, duty absorption, changed circumstances reviews, and anticircumvention, as well as any decisions that may have been pending at the issuance of this report. Any foreign producers/exporters that are not currently subject to the antidumping and countervailing duty orders on imports of rebar from Japan, Taiwan, and Turkey are noted in the sections titled "The original investigations" and "U.S. imports," if applicable.

The product

Commerce's scope

Commerce has defined the scope as follows:

> *The merchandise subject to this order is steel concrete reinforcing bar imported in either straight length or coil form (rebar) regardless of metallurgy, length, diameter, or grade or lack thereof. Subject merchandise includes deformed steel wire with bar markings (e.g., mill mark, size, or grade) and which has been subjected to an elongation test.*
>
> *The subject merchandise includes rebar that has been further processed in the subject countries or a third country, including but not limited to cutting, grinding, galvanizing, painting, coating, or any other processing that would not otherwise remove the merchandise from the scope of this order if performed in the country of manufacture of the rebar.*

[15] Letter from Alex Villanueva, Office Director, AD/CVD Operations, Enforcement and Compliance, U.S. Department of Commerce to Nannette Christ, Director of Investigations, July 21, 2022.

Specifically excluded are plain rounds (i.e., nondeformed or smooth rebar). Also excluded from the scope is deformed steel wire meeting ASTM A1064/A1064M with no bar markings (e.g., mill mark, size, or grade) and without being subject to an elongation test. [16]

U.S. tariff treatment

Rebar covered by Commerce's scope is currently imported under Harmonized Tariff Schedule of the United States ("HTS") statistical reporting numbers 7213.10.0000, 7214.20.0000, and 7228.30.8010. The subject merchandise may also be imported under other HTSUS statistical reporting numbers including 7215.90.1000, 7215.90.5000, 7221.00.0017, 7221.00.0018, 7221.00.0030, 7221.00.0045, 7222.11.0001, 7222.11.0057, 7222.11.0059, 7222.30.0001, 7227.20.0080, 7227.90.6030, 7227.90.6035, 7227.90.6040, 7228.20.1000, and 7228.60.6000. HTS subheading 7213.10.00 covers concrete reinforcing bars and rods of hot-rolled iron or nonalloy steel, in irregularly wound coils. HTS subheading 7214.20.00 covers concrete reinforcing bars and rods (other than in such coils) of iron or nonalloy steel, not further worked than forged, hot-rolled, hot-drawn or hot-extruded, but including those twisted after rolling. HTS subheading 7228.30.80 (statistical reporting number 7228.30.8010) covers concrete reinforcing bars of alloy steel other than stainless steel, not further worked than hot-rolled, hot-drawn, or extruded. Rebar produced in Japan, Taiwan, and Turkey comes into the U.S. market at a column 1-general duty rate of "free."[17] Effective March 23, 2018, rebar produced in Japan, Taiwan, and Turkey are subject to an additional 25 percent ad valorem duty under Section 232 of the Trade Expansion Act of 1962, as amended. The duty rate for rebar produced in Turkey was raised to 50 percent ad valorem, effective August 13, 2018 to May 20,

[16] 82 FR 45809, October 2, 2017.

[17] Although China is not included in these investigations, effective February 14, 2020, rebar produced in China is subject to an additional 7.5 percent ad valorem duty under Section 301 of the Trade Act of 1974. Effective September 1, 2019, rebar from China imported under statistical reporting numbers 7213.10.00, 7214.20.00, 7215.90.10, 7215.90.50, 7221.00.00, 7222.11.00, 7222.30.00, 7227.20.00, 7227.90.60, 7228.20.10, 7228.30.80, and 7228.60.60 were included in "Tranche 4, List 1" (Annex A and B) $300 Billion Tariff Action at a duty rate of 10 percent ad valorem on September 1, 2019. However, Annex A products were changed from 10 percent to 15 percent ad valorem. On February 14, 2020, ad valorem duties were reduced to 7.5 percent. 84 FR 43304, August 20, 2019; 84 FR 45821, August 30, 2019; and 85 FR 3741, January 22, 2020.

2019. Effective May 21, 2019, Turkey's duty rate was reduced back to 25 percent ad valorem.[18] However, as of April 1, 2022, rebar produced in Japan is exempted from duties and instead subject to tariff rate quotas and a "melt and pour" requirement.[19] Currently, U.S. imports of certain iron and steel articles originating in Australia, Canada, Mexico, and Ukraine are exempt from Section 232 duties; imports originating in Argentina, Brazil, and South Korea are exempt from Section 232 duties within annual quota limits; imports originating in European Union member countries, Japan, and the United Kingdom are exempt from Section 232 duties subject to tariff rate quotas; and imports from all other NTR countries are subject to 25 percent ad valorem additional duties.[20] Decisions on the tariff classification and treatment of imported goods are within the authority of U.S. Customs and Border Protection.

Description and uses[21]

Rebar is a long-rolled steel product that is commonly used in construction projects to provide strength to concrete. Rebar is manufactured as either plain-round or deformed round bars. However, in the United States deformed rebar is used almost exclusively because it provides greater adherence to concrete due to its ridges.[22] Rebar can be shipped in either

[18] *Adjusting Imports of Steel Into the United States*, Presidential Proclamation 9772, August 10, 2018, 83 FR 40429, August 15, 2018 and *Adjusting Imports of Steel Into the United States*, Presidential Proclamation 9886, May 16, 2019, 84 FR 23421, May 21, 2019.

[19] *Adjusting Imports of Steel Into the United States*, Presidential Proclamation 10356, March 31, 2022, 87 FR 19351, April 1, 2022. The exact quota amount for rebar under HTS 9903.81.71 from Customs and Border Protection is not included in bulletins published by CBP or by Commerce. Customs and Border Protection, "QB 22-622 2022 Tariff Rate Quota (TRQ) for Steel Articles of Japan", May 13, 2022, https://www.cbp.gov/trade/quota/bulletins/qb-22-622-2022-tariff-rate-quota-trq-steel-articles-japan, retrieved August 4, 2022.

[20] 83 FR 13361, March 28, 2018; 83 FR 20683, May 7, 2018; 83 FR 25857, June 5, 2018; 83 FR 40429, August 15, 2018; 84 FR 23987, May 23, 2019; 87 FR 11, January 3, 2022; 87 FR 63, April 1, 2022; 87 FR 33407, June 2, 2022; and 87 FR 33591, June 3, 2022.

[21] Unless otherwise noted, this information is based on the Original publication.

[22] Plain-round rebar tends to be used in concrete for special purposes, such as dowels at expansion joints where bars must slide in a metal or paper sleeve, for contraction joints in roads and runways, and for column spirals. Plain-round rebar offers only smooth, even surfaces for bonding with concrete.

Because deformed rebar has greater surface contact (due to deformations) with the concrete compared with plain-round rebar, deformed rebar adheres to concrete better than plain-round rebar does. In building reinforcement applications where either deformed or plain-round rebar in the same diameter could be used, 40 percent more plain-round rebar would be needed than deformed rebar. Purposes and Types of Reinforcing Steel, found at http://www.tpub.com/steelworker2/76.htm, retrieved on August 4, 2022.

straight lengths or coils. Coiled rebar is produced in smaller sizes than straight lengths and is used for smaller, more complex applications.

The construction industry is the principal consumer of rebar and uses it extensively to reinforce concrete structures. Embedding rebar in concrete enhances the concrete's compressional and tensional strength and controls cracking as concrete shrinks during curing or due to temperature fluctuations. Rebar resists tension, compression, temperature variation, and shear stresses in reinforced concrete because the surface protrusions on a deformed bar inhibit longitudinal movement relative to the surrounding concrete. During construction projects, rebar is placed in a form and concrete from a mixer is poured over it. Once the concrete has set, deformation is resisted and stresses are transferred from the concrete to the rebar by friction and adhesion along the surface of the steel. A smaller market for rebar is for mine bolts, which hold support structures in mines.

Rebar sold in the U.S. market is generally manufactured to conform to the standards of the American Society for Testing and Materials ("ASTM") International, which specify for each bar size the nominal unit weight, nominal dimensions, and deformation requirements (dimension and spacing deformations), as well as chemical composition, tensile strength, yield strength (grade), and elongation tolerances. There are several ASTM specifications for rebar, based on steel composition.

To conform to ASTM specifications, deformed rebar is identified by distinguishing sets of raised marks rolled onto the surface of one side of the bar to denote: (1) the producer's hallmark, (2) mill designation, (3) size designation, (4) specification of steel type, and (5) minimum yield designation. Guidelines for use of deformed rebar in building construction are provided by the American Concrete Institute (ACI) 318 Code. Guidelines for use of deformed rebar in highway and bridge construction are provided by the American Association of State and Highway and Transportation Officials ("AASHTO") Standard Specifications. The contents of the two specifications are similar and apply throughout the continental United States and in Puerto Rico.

Rebar is available in sizes #3 through #18, as specified by ASTM standards. These size indicators are about eight times the respective nominal diameters in inches (e.g., 3/8-inch bar is designated as size #3 and 1-inch rebar is designated as size #8), although the relationship diverges somewhat for rebar larger than size #9. Coiled rebar is only sold from sizes #3 to #6, as larger sizes of rebar cannot be coiled.

Certain rebar sizes and lengths are prevalent in the U.S. market. A considerable portion of smaller sizes (i.e., #3, #4, and #5) are used in light construction applications (e.g., residences, swimming pools, patios, and walkways). By contrast, heavy construction applications (e.g., high-rise buildings, commercial facilities, industrial structures, bridges, roads, etc.) use all sizes and lengths. The larger sizes (#6 and above) and longer lengths (60 feet or more) are used almost exclusively in heavy construction applications.

Rebar is shipped in either straight lengths or coils, although the overwhelming majority of U.S. production consists of rebar in straight lengths. Straight length rebar is available from mills in various lengths, from less than 20 feet to more than 60 feet. Coiled rebar is produced in ASTM 615 (Grades 40 and 60) and A706. Coiled rebar is preferred for use in smaller applications that have more complex shapes because coiled rebar is able to run efficiently through more complicated fabrication processes with less waste and scrap than straight length rebar.

Carbon and alloy steel rebar will corrode over time if left exposed to water or in a humid environment. Minor corrosion to carbon and alloy rebar is not an issue and may assist the rebar in supporting liquid concrete due to surface deformation. Significant corrosion damages the strength and/or size properties of rebar. Nonetheless, carbon and alloy steel rebar can remain exposed in inventory up to several years. Rebar may be coated by an epoxy (a powder-coated paint) after the manufacturing process to enhance corrosion resistance. Coated rebar is used in applications where the rebar is exposed to a high degree of salt, such as in roads, bridges and parking garages.[23] Epoxy coated rebar can remain in inventories indefinitely due to its corrosion resistance.

The fabrication process may require rebar to be bent, cut, and/or welded to meet design specifications. Rebar is bent by inserting the product into a mechanical press that bends the rebar to the desired angle and length. Rebar is cut by workers or machines operating wire cutters, circular saws, or torches, depending upon the diameter of the rebar. To form structural components, Rebar bars and wires may be connected to one another via welding to serve as a base to hold wet concrete in place and provide additional tensile strength to finished structures.

[23] "Epoxy Coated Rebar," Harris Supply Solutions, accessed August 4, 2022. http://www.harrissupplysolutions.com/epoxy-coated-rebar.html.

Manufacturing process[24]

Rebar mills typically specialize in producing rebar either from (1) billet steel, (2) rail steel, or (3) axel steel, because each involves different starting materials and imposes somewhat different rolling requirements. The most common manufacturing process to produce rebar from billet steel consists of three stages: (1) melting steel scrap, (2) casting billets, and (3) hot-rolling the billets into bar. In contrast, the manufacturing process for rebar produced from scrapped steel rails or axles, or from purchased billets, requires only reheating these materials and hot-rolling the bar.

In the United States, non-integrated "mini-mills" typically produce billets for rebar by melting steel scrap in electric arc furnaces. Once molten, liquid steel is poured from the furnace into a refractory-lined ladle, where any necessary alloys are added to achieve the required chemical and physical properties. Molten steel must be cast into billets of the size and shape suitable for the rolling process. In the more common continuous strand-casting process, molten steel is poured from the ladle into a tundish (reservoir dam), which controls the rate of flow into the molds of the caster. A solid "skin" forms around the molten steel at the top openings of the mold, and as the columns of partially solidified steel descend through the caster, water sprays rapidly cool the cast steel (which helps minimize compositional segregation) to the point that the strands are completely solidified when emerging from the bottom of the caster. Lengths of continuous-cast billets are flame cut at intervals, and then may be either sent directly for further processing or cooled on a cooling bed and subsequently stored for later use.

Prior to rolling, newly cast billets, scrapped rails or scrapped railroad axles are heated to rolling temperature in a reheat furnace. The steel is reduced in size as it passes through successive rolling stands. Most modern rolling mills are in-line, and rebar of different sizes can be produced by changing the rolls. For deformed rebar, deformations are rolled onto the surface of the rebar as it passes through the final finishing stand, which has patterns cut into the grooves of the rolls. After the rolling process, straight length rebar is cut to length before being sent to a cooling bed to be air-cooled. Coiled rebar, however, goes to a reforming tub, where it is spooled and cut to the desired weights or lengths. Testing for tensile properties, including an elongation test (a measure of ductility), is then performed on test specimens of either straight length rebar or coiled rebar that is subsequently straightened prior to testing.

[24] Unless otherwise noted, this information is based on the Original publication.

Rebar can be water-quenched and tempered, rather than air-cooled. Water-quenching is a cooling process used to increase tensile strength in order for the rebar to comply with ASTM standards. Quenched-and-tempered rebar can meet the same physical property requirements of the ASTM A615/A615M specification without the addition of certain alloys to the steel billets that are rolled into rebar, and thus is slightly less expensive to produce. In this process (the Thermex process), hot-rolled rebar passes through a water-quenching stand (a series of water coolers), which rapidly cools the outer case of the rebar, before the final finishing process. The quench-and-temper treatment causes a dual metallurgical structure to form in the cross-section of the bar, which ultimately produces a rebar with a stronger outer case and a more ductile core.

Some U.S. rebar producers use their same equipment, machinery, and production workers to also make products such as merchant bar, special-bar quality (SBQ) bar products, and wire rod. Merchant bar products include bars with round, square, flat, angled, and channeled cross sections, and are used by fabricators and manufacturers to produce a variety of products, including steel floor and roof joists, safety walkways, ornamental furniture, stair railings, and farm equipment. SBQ bar products are made from higher-quality carbon and alloy steels that have greater mechanical properties, metallurgical consistency, and dimensional accuracy than merchant bar products. SBQ is principally used to produce automotive components. Wire rod (delivered in coil form) is used by manufacturers to provide a variety of products, such as chain-link fencing, nails, and wire.

The industry in the United States

U.S. producers

During the final phase of the original investigations, the Commission received U.S. producer questionnaires from nine firms, which accounted for the vast majority of production of rebar in the United States during 2016.[25]

In response to the Commission's notice of institution in these current reviews, domestic interested parties provided a list of 12 known and currently operating U.S. producers of rebar. The six firms providing U.S. industry data in response to the Commission's notice of institution accounted for the vast majority of production of rebar in the United States during 2021.[26]

Recent developments

Since the Commission's original investigations, the following developments have occurred in the rebar industry. Table I-4 presents events in the U.S. industry since the last five-year reviews.[27]

[25] Original publication, p. III-1-2.

[26] Domestic interested parties' response to the notice of institution, June 30, 2022, pp. 2-3, Exhibits 1 and 2. This figure includes the summation of data provided by the members of RTAC and one additional firm, ***.

[27] For recent developments in tariff treatment, please see "U.S. tariff treatment" section.

Table I-4
Rebar: Recent developments in the U.S. industry

Item	Firm	Event
Acquisition	CMC	In January 2017, CMC announced that its subsidiary Owen Steel Company (South Carolina) signed a definitive asset agreement to acquire certain assets from SDI's Omnisource. The purchase consisted of seven recycling facilities in the southeastern portion of the United States to support the rebar mill operations in Cayce, SC
Expansion	SDI	In February 2017, SDI awarded the contract for an expansion at its Roanoke Bar Division in Roanoke, VA. The contract integrated a new reheating furnace, created a new finishing area, and expanded the mills product offering. After the upgrades, the Roanoke Bar Division anticipates doubling its production or rebar to over 200,000 short tons annually.
Expansion	Nucor	In March 2017, Nucor announced that it would be upgrading its Marion, OH plant. It is Ohio's largest producer of rebar and signposts. Its current production capacity is 400,000 tons per year.
Acquisition	CMC	In October 2017, CMC announced that subsidiary CMC Fabricators acquired all assets from MMFX Technologies Corporation in Irvine, CA. MMFX markets, sells and licenses the production of proprietary specialty steel products -- notably, the technology for the Chromx line of high strength corrosion-resistant rebar.
Construction	Nucor	In November 2017, Nucor announced that it would build a rebar micro mill in Sedalia, MO. The mill was strategically positioned to take advantage of the Nucor-acquired scrap business, The David J. Joseph Company. The new mill opened in 2019.
Expansion	CMC	In November 2017, CMC announced that the company would invest in a second spooler to produce hot-rolled, spooled rebar at its micro mill in Mesa, AZ and its new micro-mill in Durant, OK. The technology allows the company to offer spools from 1.5 to 4.8 short tons.
Consolidation	Gerdau	In January 2018, Gerdau agreed to sell its Beaumont, TX wire rod mill and downstream operations (Beaumont Wire Products and Carrollton Wire Products) to Optimus Steel LLC. The mill has a melt shop capacity of approximately 700,000 short tons and can produce both wire rod and coiled rebar.
Construction	Nucor	In March 2018, Nucor announced that it would build a rebar micro mill in Frostproof, FL with an annual capacity of approximately 350,000 short tons. The mill began production in 2020.
Construction	CMC	In April 2018, CMC held its dedication for its new rebar micro mill in Durant, OK. The mill has a capacity of 350,000 short tons.

Table continued on next page.

Table I-4--Continued
Rebar: Recent developments in the U.S. industry

Item	Firm	Event
Acquisition	CMC	On November 5, 2018, CMC completed its acquisition on 33 rebar fabrication facilities from Gerdau.
Expansion	CMC	In October 2019 CMC reached an agreement with the city of Jacksonville to keep a 250-job mill open in the nearby town of Baldwin, FL. CMC had threatened to move operations elsewhere if it did not receive a $450,000 Recaptured Enhanced Value Grant. These grants typically require the receiver to add an additional 10 jobs, but the grant was approved after CMC Steel told the city it will invest $30 million over five years in real estate improvements, equipment, and machinery at its 16770 Rebar Road facility.
Closure	Gerdau	Gerdau will close its melting and rolling operations at its St. Paul, MN rebar mill. The closure and associated layoffs are expected to be completed by August 31, 2020. Its rebar operations is currently in idle.
Closure	CMC	On September 30, 2021, CMC announced that an agreement was reached to sell the land that contains its former Steel California Etiwanda operations located in Rancho, CA which ceased operations in December 2020.
Construction	CMC	On January 10, 2022, CMC announced that it will construct another state-of-the-art micro mill to serve the Northeast, Mid-Atlantic and Mid-Western United States markets. The construction of the mill is projected to take two years.
Construction	Nucor	On April 7, 2022, Nucor announced that it would build its third rebar micro mill in Lexington, NC. The mill is expected to take two years to build with an annual capacity of 430,000 tons and employ approximately 200 full-time workers.
Expansion	Nucor	Nucor announced that it will facilitate the production of rebar by adding a new melt shop to its bar mill located in Kingman, AZ on August 3, 2022. The new melt shop will have the capacity of 600,000 tons annually and create approximately 140 new full-time jobs.

Source: *Steel Concrete Reinforcing Bar from Belarus, China, Indonesia, Latvia, Moldova, Poland and Ukraine, Inv. Nos. 731-TA-873-875, 878-880, and 882 (Third Review)*, USITC Publication 4838, November 2018, table I-2a; *Steel Concrete Reinforcing Bar from Mexico and Turkey, Inv. Nos. 701-TA-502, and 731-TA-1227 (Review)*, USITC Publication 5122, October 2020, table III-2; Nucor, news releases; CMC, news releases; Gerdau, news releases. Ciston PR Newswire. Vinton Steel, news releases.

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 in the current five-year reviews.[28] Table I-5 presents a compilation of the trade and financial data submitted from all responding U.S. producers in the original investigations and subsequent five-year reviews.

Table I-5
Rebar: Trade and financial data submitted by U.S. producers, by period

Quantity in short tons; value in 1,000 dollars; unit value in dollars per short ton; ratio is in percent

Item	Measure	2014	2015	2016	2021
Capacity	Quantity	9,658,066	9,540,680	9,689,016	***
Production	Quantity	7,328,202	6,776,526	6,924,244	***
Capacity utilization	Ratio	75.9	71.0	71.5	***
U.S. shipments	Quantity	6,817,358	6,562,427	6,739,024	***
U.S. shipments	Value	4,359,051	3,671,085	3,153,698	***
U.S. shipments	Unit value	639	559	468	***
Net sales	Value	4,589,660	3,884,838	3,273,429	***
COGS	Value	4,288,349	3,373,747	3,002,695	***
COGS to net sales	Ratio	93.4	86.8	91.7	***
Gross profit or (loss)	Value	301,311	511,091	270,734	***
SG&A expenses	Value	198,573	187,946	195,991	***
Operating income or (loss)	Value	102,738	323,145	74,743	***
Operating income or (loss) to net sales	Ratio	2.2	8.3	2.3	***

Source: For the years 2014-16, data are compiled using data submitted in the Commission's original investigations. For the year 2021, data are compiled using data submitted by domestic interested parties and include the members of RTAC and ***. Domestic interested parties' response to the notice of institution, June 30, 2022, Exhibit 1.

Note: For a discussion of data coverage, please see "U.S. producers" section.

[28] Individual company trade and financial data are presented in app. B.

Definitions 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. 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. Under the related parties provision, the Commission may exclude a U.S. producer from the domestic industry for purposes of its injury determination if "appropriate circumstances" exist.[29]

In its original determinations, the Commission defined a single domestic like product as consisting of rebar that is coextensive with Commerce's scope. In its original determinations, the Commission defined the domestic industry as all U.S. producers of rebar.[30]

U.S. importers

During the final phase of the original investigations, the Commission received U.S. importer questionnaires from 15 firms, which accounted for 61.9 percent of all U.S. imports of rebar during 2016.[31] Import data presented in the original investigations are based on official Commerce statistics.

Although the Commission did not receive responses from any respondent interested party importers in these current reviews, in its response to the Commission's notice of institution, the domestic interested parties provided a list of 57 potential U.S. importers of rebar.[32]

U.S. imports

Table I-6 presents the quantity, value, and unit value of U.S. imports from Japan, Taiwan, and Turkey as well as the other top sources of U.S. imports (shown in descending order of 2021 imports by quantity).

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[29] Section 771(4)(B) of the Tariff Act of 1930, 19 U.S.C. § 1677(4)(B).

[30] 87 FR 33206, June 1, 2022.

[31] Original publication, p. I-4. Compared to official Commerce statistics, U.S. importer questionnaire responses accounted for 57.3 percent, 37.1 percent, 64.4 percent, and 66.1 percent of imports for rebar from Japan, Taiwan, Turkey, and all other sources in 2016, respectively.

[32] Domestic interested parties' response to the notice of institution, June 30, 2022, Exhibit 1.

Table I-6
Rebar: U.S. imports, by source and period

Quantity in short tons; value in 1,000 dollars; unit value in dollars per short ton

U.S. imports from	Measure	2017	2018	2019	2020	2021
Japan	Quantity	24,169	-	-	-	-
Taiwan	Quantity	19,991	22,191	1,092	-	-
Turkey	Quantity	872,573	385,822	89,522	461,790	377,998
Subject sources	Quantity	916,734	408,013	90,614	461,790	377,998
Mexico	Quantity	26,928	102,506	141,018	275,392	362,000
Algeria	Quantity	-	-	80,135	10,496	294,168
Spain	Quantity	94,017	88,722	276,854	183,378	92,851
All other sources	Quantity	457,836	563,449	512,993	143,216	202,926
Nonsubject sources	Quantity	578,781	754,676	1,010,999	612,482	951,944
All import sources	Quantity	1,495,515	1,162,689	1,101,613	1,074,272	1,329,942
Japan	Value	8,805	-	-	-	-
Taiwan	Value	9,429	14,938	732	-	-
Turkey	Value	375,646	244,571	50,722	231,483	269,552
Subject sources	Value	393,880	259,509	51,454	231,483	269,552
Mexico	Value	13,190	60,317	77,462	140,246	284,307
Algeria	Value	-	-	39,330	4,325	192,787
Spain	Value	47,512	65,011	163,071	89,225	61,780
All other sources	Value	219,191	362,928	314,165	78,929	159,051
Nonsubject sources	Value	279,894	488,256	594,028	312,725	697,925
All import sources	Value	673,773	747,765	645,481	544,208	967,477
Japan	Unit value	364	-	-	-	-
Taiwan	Unit value	472	673	670	-	-
Turkey	Unit value	431	634	567	501	713
Subject sources	Unit value	430	636	568	501	713
Mexico	Unit value	490	588	549	509	785
Algeria	Unit value	-	-	491	412	655
Spain	Unit value	505	733	589	487	665
All other sources	Unit value	479	644	612	551	784
Nonsubject sources	Unit value	484	647	588	511	733
All import sources	Unit value	451	643	586	507	727

Source: Compiled from official Commerce statistics for HTS statistical reporting numbers 7213.10.0000 and 7214.20.0000, accessed July 11, 2022.

Note: As noted earlier in the report, the duty rate for rebar produced in Turkey was raised to 50 percent ad valorem, effective August 13, 2018 to May 20, 2019. Effective May 21, 2019, Turkey's duty rate was reduced back to 25 percent ad valorem.

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

Cumulation considerations[33]

In assessing whether imports should be cumulated in five-year reviews, the Commission considers, among other things, whether there is a likelihood of a reasonable overlap of competition among subject imports and the domestic like product. Additional information concerning geographical markets and simultaneous presence in the market is presented below.[34]

Imports from Japan were reported in two of the 60 months between 2017 and 2021 (January and February of 2017). Imports from Taiwan were reported in seven of the 60 months between 2017 and 2021, with no imports reported after June 2019. Imports from Turkey were reported in 55 of the 60 months between 2017 and 2021, including every month in 2021.

Virtually all imports from Japan entered through southern borders of entry in 2017 (a few short tons of subject merchandise entered through the eastern borders of entry), but no imports of subject merchandise were reported from 2018 to 2021. Virtually all imports from Taiwan entered through western borders of entry from 2017 through 2019, and a few short tons of subject merchandise entered through the northern borders of entry in 2019. Most imports from Turkey entered through eastern and southern borders of entry in all years from 2017 through 2021. Some subject imports from Turkey entered through western borders of entry in 2017, and minimal volumes of subject merchandise entered through northern borders of entry from 2017 to 2019.

Apparent U.S. consumption and market shares

Table I-7 presents data on U.S. producers' U.S. shipments, U.S. imports, apparent U.S. consumption, and market shares.

[33] Unless otherwise noted, this information is based on official U.S. import statistics for HTS statistical reporting numbers 7213.10.0000 and 7214.20.0000.

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

Table I-7
Rebar: Apparent U.S. consumption and market shares, by source and period

Quantity in short tons; value in 1,000 dollars; shares in percent

Source	Measure	2014	2015	2016	2021
U.S. producers	Quantity	6,817,358	6,562,427	6,739,024	***
Japan	Quantity	93,970	267,130	294,963	-
Taiwan	Quantity	6,542	39,807	127,476	-
Turkey	Quantity	981,199	1,625,308	1,491,203	377,998
Subject sources	Quantity	1,081,712	1,932,245	1,913,643	377,998
Nonsubject sources	Quantity	340,440	81,258	194,691	951,944
All import sources	Quantity	1,422,152	2,013,503	2,108,334	1,329,942
Apparent U.S. consumption	Quantity	8,239,510	8,575,930	8,847,358	***
U.S. producers	Value	4,359,051	3,671,085	3,153,698	***
Japan	Value	50,529	119,414	103,432	-
Taiwan	Value	3,876	18,811	56,708	-
Turkey	Value	548,582	715,531	540,531	269,552
Subject sources	Value	602,987	853,755	700,671	269,552
Nonsubject sources	Value	205,197	43,716	79,032	697,925
All import sources	Value	808,184	897,471	779,703	967,477
Apparent U.S. consumption	Value	5,167,235	4,568,556	3,933,401	***
U.S. producers	Share of quantity	82.7	76.5	76.2	***
Japan	Share of quantity	1.1	3.1	3.3	-
Taiwan	Share of quantity	0.1	0.5	1.4	-
Turkey	Share of quantity	11.9	19.0	16.9	***
Subject sources	Share of quantity	13.1	22.5	21.6	***
Nonsubject sources	Share of quantity	4.1	0.9	2.2	***
All import sources	Share of quantity	17.3	23.5	23.8	***
U.S. producers	Share of value	84.4	80.4	80.2	***
Japan	Share of value	1.0	2.6	2.6	-
Taiwan	Share of value	0.1	0.4	1.4	-
Turkey	Share of value	10.6	15.7	13.7	***
Subject sources	Share of value	11.7	18.7	17.8	***
Nonsubject sources	Share of value	4.0	1.0	2.0	***
All import sources	Share of value	15.6	19.6	19.8	***

Source: For the years 2014-16, U.S. producers' U.S. shipments data are compiled using data submitted in the Commission's original investigations and U.S. imports data are compiled using official U.S. import statistics for HTS statistical reporting numbers 7213.10.0000 and 7214.20.0000, accessed April 18, 2017. For the year 2021, U.S. producers' U.S. shipments are compiled from the domestic interested parties' response to the Commission's notice of institution and U.S. imports are compiled using official Commerce statistics under HTS statistical reporting numbers 7213.10.0000 and 7214.20.0000, accessed July 11, 2022.

Note: Share of quantity is the share of apparent U.S. consumption by quantity in percent; share of value is the share of apparent U.S. consumption by value in percent.

Note: For a discussion of data coverage, please see "U.S. producers" and "U.S. importers" sections.

The industry in Japan

During the final phase of the original investigations, the Commission received foreign producer/exporter questionnaires from three firms, which accounted for approximately 9.2 percent of production of rebar in Japan during 2016, and approximately *** percent of rebar exports from Japan to the United States during 2016.[35]

Although the Commission did not receive responses from any respondent interested parties in these five-year reviews, the domestic interested parties provided a list of three possible producers of rebar in Japan.[36]

Table I-8 presents events in the Japanese industry since the last five-year reviews.

Table I-8
Rebar: Recent developments in the Japanese industry

Item	Event
Domestic Demand	Japanese domestic consumption of rebar is projected to be smaller than its production - with growth for the largest end user of rebar, the construction industry, projected to decline substantially between 2023 and 2026.

Source: Domestic interested parties' response to the notice of institution, June 30, 2022, pp 12 - 14.

Table I-9 presents export data by quantity for HS 7213.10 and 7214.20, a category that includes rebar from Japan (by export destination in descending order of quantity for 2017-21). Between 2020 and 2021, Japan more than doubled its exports to South Korea, its primary destination. South Korea accounted for approximately 97 percent of all exports from Japan in 2021.

[35] Original confidential report, p. VII-3.
[36] Domestic interested parties' response to the notice of institution, June 30, 2022, Exhibit 1.

Table I-9
Rebar: Quantity of exports from Japan, by destination and period

Quantity in short tons

Destination market	2017	2018	2019	2020	2021
South Korea	316,478	250,332	218,928	256,681	535,287
Myanmar	5,840	1,400	12,856	8,790	7,144
Guam	7,268	7,645	5,254	1,789	4,427
China	2,549	3,681	3,412	2,106	2,592
Vietnam	2,205	1,999	1,926	2,064	1,697
Taiwan	198	48	16	358	679
Turkey	-	-	-	3,305	495
Northern Mariana Islands	333	-	509	-	400
Thailand	27	-	-	-	189
Bangladesh	-	-	-	-	180
All other markets	31,947	44,980	12,923	12,194	49
All markets	366,844	310,085	255,823	287,287	553,138

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

Source: Global Trade Information Services, Inc., Global Trade Atlas, HS subheadings 7213.10 and 7214.20, accessed August 3, 2022.

The industry in Taiwan

During the final phase of the original investigations, the Commission received foreign producer/exporter questionnaires from two firms, which accounted for approximately 50 percent of production of rebar in Taiwan during 2016, and *** of rebar exports from Taiwan to the United States during 2016.[37]

Although the Commission did not receive responses from any respondent interested parties in these five-year reviews, the domestic interested parties provided a list of five possible producers of rebar in Taiwan.[38]

Since the last five-year reviews, Taiwanese producer Feng Hsin Steel constructed and opened its high-speed rebar mill on July 11, 2018. The mill has an annual capacity of 745,000 tons.[39]

[37] Original confidential report, p. VII-8.
[38] Domestic interested parties' response to the notice of institution, June 30, 2022,Exhibit 1.
[39] Danieli & C. S.p.A., news release.

Table I-10 presents export data by quantity for HS 7213.10 and 7214.20, a category that includes rebar from Taiwan (by export destination in descending order of quantity for 2017-21). During 2021, South Korea represented the majority (84 percent) of all exports of rebar from Taiwan. Export levels to South Korea fell substantially in 2020. However, the decline in exports to South Korea was offset by the increase in export to Hong Kong. Taiwan increased its rebar export levels by approximately 63 percent in 2021 from its 2019 levels.

Table I-10
Rebar: Quantity of exports from Taiwan, by destination and period

Quantity in short tons

Destination market	2017	2018	2019	2020	2021
South Korea	89,506	93,886	133,225	35,227	223,113
Australia	55,359	46,404	4,202	2,188	31,091
New Zealand	634	163	110	-	3,768
Philippines	1,073	1,289	328	1,719	2,884
Hong Kong	11,273	14,862	11,247	81,404	1,621
Guam	3,503	461	373	157	952
Canada	273	717	606	1,130	524
Northern Mariana Islands	1,102	290	374	-	403
Palau	47	78	122	151	134
Guinea	87	44	-	46	129
All other markets	25,592	57,014	11,958	8	128
All markets	188,451	215,207	162,546	122,029	264,747

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

Source: Global Trade Information Services, Inc., Global Trade Atlas, HS subheadings 7213.10 and 7214.20, accessed August 3, 2022.

The industry in Turkey

During the final phase of the original investigations, the Commission received foreign producer/exporter questionnaires from five firms, which accounted for approximately 46.1 percent of production of rebar in Turkey during 2016, and approximately *** percent of rebar exports from Turkey to the United States during 2016.[40]

In its response to the notice of institution for these current reviews, the Government of Turkey provided data regarding the production and exports to the United States of rebar by

[40] Original confidential report, p. VII-13.

Turkish producers. The Government of Turkey responded that it did not have information regarding rebar production capacity in Turkey.

Table I-11 presents the Turkey production and exports to the United States of rebar during 2021, as well as data compiled in the original investigation. In addition, the Government of Turkey provided a list of 14 firms that may currently produce and/or export rebar in Turkey.[41] The domestic interested parties provided a list of ten firms that may currently produce and/or export rebar in Turkey.[42]

Table I-11
Rebar: Turkish producers' reported production, capacity, and exports to the United States, by period

Quantity in short tons; value in 1,000 dollars; ratio in percent

Item	Measure	2014	2015	2016	2021
Capacity	Quantity	***	***	***	N/A
Production	Quantity	***	***	***	14,109,568
Capacity utilization	Ratio	***	***	***	N/A
Exports to the United States	Quantity	***	***	***	297,967
Exports to the United States	Value	N/A	N/A	N/A	198,928

Source: For the years 2014-16, data are compiled using data submitted in the Commission's original investigations. For the year 2021, data are compiled using data submitted by the Government of Turkey. Production quantity is based on data sourced from the Turkish Steel Producers Association and converted by staff from the reported 12.8 million tons (presumed metric tons) to short tons. Government of Turkey's response to the notice of institution, June 30, 2022, p. 11. Quantity and value (on FOB basis) of exports of subject merchandise from Turkey to the United States (classified under HS codes 7213.10, 7214.20 and 7228.30) are based on data sourced from the Turkish Statistical Institute. Government of Turkey's Response to ITC's Clarification Request, July 18, 2022, p. 2.

Table I-12 presents events in the Turkish industry since the last five-year reviews.

[41] Government of Turkey's response to the notice of institution, June 30, 2022, p. 6. The Government of Turkey provided a list of 14 Turkish exporters that have exported subject merchandise classified under HS codes 7213.10, 7214.20 and 7228.30 to the U.S. between 2017 and 2021 with four firms accounting for the vast majority of subject merchandize exports during this period.

[42] Domestic interested parties' response to the notice of institution, June 30, 2022, Exhibit 1.

Table I-12
Rebar: Recent developments in the Turkish industry

Item	Firm	Event
Expansion	Kardemir	In June 2019, Kardemir announced plans to upgrade an existing blast furnace and oxygen converter. The upgrade is expected to increase overall steelmaking capacity from 2.41 million metric tons of liquid steel per year to 2.9 million metric tons per year.
Expansion	Kardemir	In September 2019, Kardemir announced plans to build a new blast furnace with an annual production capacity of 1 million tons. The expansion is expected to increase production capacity and increase performance and productivity.
Expansion	Habas	In January 2022, Habas applied for an environmental impact assessment to build a new rebar rolling mill. The new mill will add 1.5 million metric tons to Turkey's rebar production capacity (Habas is currently subjected to antidumping and countervailing duties and ***).

Source: Steel Concrete Reinforcing Bar from Mexico and Turkey, Inv. Nos. 701-TA-502, and 731-TA-1227 (Review), USITC Publication 5122, October 2020, table III-2; Government of Turkey response to the notice of institution, June 30, 2022, p. 6; and ***.

Table I-13 presents export data by quantity for HS 7213.10 and 7214.20, a category that includes rebar from Turkey (by export destination in descending order of quantity for 2017-21). The top destinations for rebar from Turkey are Israel, Yemen, Singapore, Hong Kong, and Peru, accounting for approximately 48 percent of all exports.

Table I-13
Rebar: Quantity of exports from Turkey, by destination and period

Quantity in short tons

Destination market	2017	2018	2019	2020	2021
Israel	959,411	1,093,690	1,278,649	1,184,584	1,446,316
Yemen	777,825	859,276	1,102,216	944,984	963,919
Singapore	536,420	494,700	761,030	361,504	767,998
Hong Kong	301,289	394,863	237,210	691,519	471,760
Peru	17,723	30,102	58,375	114,442	360,855
Brazil	1	59,248	30,367	45,585	326,542
Canada	242,178	352,968	33,763	30,950	316,843
United States	729,528	339,200	117,312	546,265	293,302
Chile	104,107	154,961	135,322	44,132	239,113
Australia	13,528	119,660	113,846	123,161	205,540
All other markets	2,742,709	3,207,445	3,259,571	2,605,229	2,922,619
All markets	6,424,720	7,106,114	7,127,662	6,692,356	8,314,808

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

Source: Global Trade Information Services, Inc., Global Trade Atlas, HS subheadings 7213.10 and 7214.20, accessed August 3, 2022.

Third-country trade actions

Table I-14 represents antidumping or countervailing duties and table I-15 presents global safeguards in third countries.

Table I-14
Rebar: Antidumping or countervailing duty actions in third-country markets, since 2017

Reporting country	Subject country	Product name	Action Date	Order (rates)
Canada	Japan	Certain concrete reinforcing bar	August 19,2016	Effective: May 3, 2017, An antidumping rate of 108.5 percent of the export price of the goods
Egypt	Turkey	Bars and rods of iron alloy or non-alloy steel rebar, hot rolled in wound coil or bars or rods (Steel Rebar for construction)	Imposed June 2017; replaced December 2017	A provisional measure of antidumping (from 10 percent to 19 percent of CIF value)
Egypt	Turkey	Bars and rods of iron alloy or non-alloy steel rebar, hot rolled in wound coil or bars or rods (Steel Rebar for construction)	Imposed December 2017	Terminated: A provisional measure of antidumping (from 7 percent to 22.8 percent of CIF value); terminated effective April 26, 2018.
Malaysia	Turkey	Steel concrete reinforcing bar	Preliminary antidumping duties imposed on September 2019	Terminated: A provisional measure of antidumping duties was placed on September 23, 2019, with ranges from 0 percent to 20.09 percent of CIF value that was later revised to 0 percent to 17.65 percent of CIF value on January 21, 2020; terminated effective June 3, 2021.
Canada	Turkey	Certain concrete reinforcing bar	January 5, 2017	In Review: A provisional antidumping measure with a rate of 41 percent of the export price of the goods
Australia	Turkey	Steel Reinforcing Bar	November 16, 2018	In Review: The decision to terminate the order was revoked September 27, 2019, and is currently being reviewed.
Dominican Republic	Turkey	Steel rods and bars for concrete reinforcement	October 14, 2020	Effective: June 15, 2021, with an antidumping duty rate of 14 percent

Source: WTO, “Definitive Antidumping Measures” semiannual reports of the tabulated third countries; third-country government agency official notices.

Table I-15
Rebar: Safeguard actions in third-country markets, since 2017

Country	Product name	Action Date	Order (rates)
Egypt	Steel rebar (bars, rods, and coils) for construction purposes	Initiated April 2019; rescinded July 2019	25 percent of CIF value
European Union	Non alloy and other alloy wire rod (including steel rebar)	Initiated February 2019	25 percent additional duty for imports above specified tariff-rate quota
Morocco	Reinforcing bars with a diameter ranging from 5.5 to 40 millimeters	Initiated May 2013; extended December 2015; extended December 2018	$0.06 per kilogram above tariff-rate quota

Source: Steel Concrete Reinforcing Bar from Mexico and Turkey, Inv. Nos. 701-TA-502, and 731-TA-1227 (Review), USITC Publication 5122, October 2020, table IV-22.

The global market

Table I-16 presents global export data for HS 7213.10 and 7214.20, a category that includes rebar (by source in descending order of quantity for 2017-21). The top global exporters of rebar are Turkey, Malaysia, Italy, Russia, and Germany. The top five exporters account for approximately 58 percent of global exports. Since the original investigations, Malaysia (5,611 percent), Russia (81 percent), and India (38 percent) experienced the most growth in exports, respectively, while Ukraine (fell 51 percent) experienced the largest decline.

Table I-16
Rebar: Quantity of global exports by country and period

Quantity in short tons

Exporting country	2017	2018	2019	2020	2021
Turkey	6,424,720	7,106,114	7,127,662	6,692,356	8,314,808
Malaysia	69,233	77,572	193,676	3,052,750	3,953,776
Italy	2,131,435	1,953,869	2,179,495	2,102,589	2,161,728
Russia	928,658	1,171,246	1,206,829	1,616,912	1,676,969
Germany	1,290,395	1,377,084	1,287,066	1,228,390	1,282,176
Portugal	1,174,672	1,097,541	1,250,889	1,069,370	987,452
Ukraine	1,804,224	1,555,414	1,453,405	1,026,259	890,251
Belarus	687,139	826,381	995,830	934,442	874,453
Spain	1,033,724	881,635	932,017	804,297	868,585
India	543,017	289,271	336,010	299,306	747,048
All other exporters	9,710,042	11,919,903	9,966,534	9,181,866	8,175,060
All exporters	25,797,260	28,256,030	26,929,412	28,008,536	29,932,304

Source: Global Trade Information Services, Inc., Global Trade Atlas, HS subheadings 7213.10 and 7214.20.

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

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
87 FR 33123 June 1, 2022	*Initiation of Five-Year (Sunset) Reviews*	https://www.govinfo.gov/content/pkg/FR-2022-06-01/pdf/2022-11764.pdf
87 FR 33206 June 1, 2022	*Steel Concrete Reinforcing Bar From Japan, Taiwan, and Turkey; Institution of Five-Year Reviews*	https://www.govinfo.gov/content/pkg/FR-2022-06-01/pdf/2022-11628.pdf

APPENDIX B

COMPANY-SPECIFIC DATA

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APPENDIX C

SUMMARY DATA COMPILED IN PRIOR PROCEEDINGS

Table C-1
Rebar: Summary data concerning the U.S. market, 2014-16
(Quantity=short tons; Value=1,000 dollars; Unit values, unit labor costs, and unit expenses=dollars per short ton; Period changes=percent--exceptions noted)

	Reported data			Period changes		
	Calendar year			Calendar year		
	2014	2015	2016	2014-16	2014-15	2015-16
U.S. consumption quantity:						
Amount	8,239,510	8,575,930	8,847,358	7.4	4.1	3.2
Producers' share (fn1)	82.7	76.5	76.2	(6.6)	(6.2)	(0.4)
Importers' share (fn1):						
Japan	1.1	3.1	3.3	2.2	2.0	0.2
Taiwan	0.1	0.5	1.4	1.4	0.4	1.0
Turkey	11.9	19.0	16.9	4.9	7.0	(2.1)
Subject sources	13.1	22.5	21.6	8.5	9.4	(0.9)
Nonsubject sources	4.1	0.9	2.2	(1.9)	(3.2)	1.3
All import sources	17.3	23.5	23.8	6.6	6.2	0.4
U.S. consumption value:						
Amount	5,167,235	4,568,556	3,933,401	(23.9)	(11.6)	(13.9)
Producers' share (fn1)	84.4	80.4	80.2	(4.2)	(4.0)	(0.2)
Importers' share (fn1):						
Japan	1.0	2.6	2.6	1.7	1.6	0.0
Taiwan	0.1	0.4	1.4	1.4	0.3	1.0
Turkey	10.6	15.7	13.7	3.1	5.0	(1.9)
Subject sources	11.7	18.7	17.8	6.1	7.0	(0.9)
Nonsubject sources	4.0	1.0	2.0	(2.0)	(3.0)	1.1
All import sources	15.6	19.6	19.8	4.2	4.0	0.2
U.S. imports from:						
Japan:						
Quantity	93,970	267,130	294,963	213.9	184.3	10.4
Value	50,529	119,414	103,432	104.7	136.3	(13.4)
Unit value	$538	$447	$351	(34.8)	(16.9)	(21.6)
Ending inventory quantity	***	***	***	***	***	***
Taiwan						
Quantity	6,542	39,807	127,476	1,848.4	508.4	220.2
Value	3,876	18,811	56,708	1,363.2	385.4	201.5
Unit value	$592	$473	$445	(24.9)	(20.2)	(5.9)
Ending inventory quantity	***	***	***	***	***	***
Turkey						
Quantity	981,199	1,625,308	1,491,203	52.0	65.6	(8.3)
Value	548,582	715,531	540,531	(1.5)	30.4	(24.5)
Unit value	$559	$440	$362	(35.2)	(21.3)	(17.7)
Ending inventory quantity	***	***	***	***	***	***
Subject sources:						
Quantity	1,081,712	1,932,245	1,913,643	76.9	78.6	(1.0)
Value	602,987	853,755	700,671	16.2	41.6	(17.9)
Unit value	$557	$442	$366	(34.3)	(20.7)	(17.1)
Ending inventory quantity	***	26,228	39,244	***	***	49.6
Nonsubject sources:						
Quantity	340,440	81,258	194,691	(42.8)	(76.1)	139.6
Value	205,197	43,716	79,032	(61.5)	(78.7)	80.8
Unit value	$603	$538	$406	(32.7)	(10.7)	(24.5)
Ending inventory quantity	***	***	***	***	***	***
All import sources:						
Quantity	1,422,152	2,013,503	2,108,334	48.2	41.6	4.7
Value	808,184	897,471	779,703	(3.5)	11.0	(13.1)
Unit value	$568	$446	$370	(34.9)	(21.6)	(17.0)
Ending inventory quantity	***	***	***	***	***	***

Table continued on next page.

Table C-1--Continued
Rebar: Summary data concerning the U.S. market, 2014-16
(Quantity=short tons; Value=1,000 dollars; Unit values, unit labor costs, and unit expenses=dollars per short ton; Period changes=percent--exceptions noted)

	Reported data			Period changes		
	Calendar year				Calendar year	
	2014	2015	2016	2014-16	2014-15	2015-16
U.S. producers':						
Average capacity quantity	9,658,066	9,540,680	9,689,016	0.3	(1.2)	1.6
Production quantity	7,328,202	6,776,526	6,924,244	(5.5)	(7.5)	2.2
Capacity utilization (fn1)	75.9	71.0	71.5	(4.4)	(4.8)	0.4
U.S. shipments:						
Quantity	6,817,358	6,562,427	6,739,024	(1.1)	(3.7)	2.7
Value	4,359,051	3,671,085	3,153,698	(27.7)	(15.8)	(14.1)
Unit value	$639	$559	$468	(26.8)	(12.5)	(16.3)
Export shipments:						
Quantity	***	***	***	***	***	***
Value	***	***	***	***	***	***
Unit value	***	***	***	***	***	***
Ending inventory quantity	635,143	560,844	495,214	(22.0)	(11.7)	(11.7)
Inventories/total shipments (fn1)	***	***	***	***	***	***
Production workers	4,279	4,244	4,085	(4.5)	(0.8)	(3.7)
Hours worked (1,000s)	9,313	8,901	8,570	(8.0)	(4.4)	(3.7)
Wages paid ($1,000)	355,766	331,775	320,631	(9.9)	(6.7)	(3.4)
Hourly wages (dollars)	$38.20	$37.27	$37.41	(2.1)	(2.4)	0.4
Productivity (short tons per 1,000 hours)	786.9	761.3	808.0	2.7	(3.2)	6.1
Unit labor costs	$48.55	$48.96	$46.31	(4.6)	0.8	(5.4)
Net sales:						
Quantity	7,239,416	6,841,032	6,963,058	(3.8)	(5.5)	1.8
Value	4,589,660	3,884,838	3,273,429	(28.7)	(15.4)	(15.7)
Unit value	$634	$568	$470	(25.8)	(10.4)	(17.2)
Cost of goods sold (COGS)	4,288,349	3,373,747	3,002,695	(30.0)	(21.3)	(11.0)
Gross profit or (loss)	301,311	511,091	270,734	(10.1)	69.6	(47.0)
SG&A expenses	198,573	187,946	195,991	(1.3)	(5.4)	4.3
Operating income or (loss)	102,738	323,145	74,743	(27.2)	214.5	(76.9)
Net income or (loss)	55,517	276,755	51,343	(7.5)	398.5	(81.4)
Capital expenditures	95,309	80,839	146,070	53.3	(15.2)	80.7
Unit COGS	$592	$493	$431	(27.2)	(16.7)	(12.6)
Unit SG&A expenses	$27	$27	$28	2.6	0.2	2.5
Unit operating income or (loss)	$14	$47	$11	(24.4)	232.8	(77.3)
Unit net income or (loss)	$8	$40	$7	(3.8)	427.5	(81.8)
COGS/sales (fn1)	93.4	86.8	91.7	(1.7)	(6.6)	4.9
Operating income or (loss)/sales (fn1)	2.2	8.3	2.3	0.0	6.1	(6.0)
Net income or (loss)/sales (fn1)	1.2	7.1	1.6	0.4	5.9	(5.6)

Notes:

fn1.--Reported data are in percent and period changes are in percentage points.
fn2.--Undefined.

Source: Compiled from data submitted in response to Commission questionnaires and official U.S. import statistics for HTS statistical reporting numbers 7213.10.0000 and 7214.20.0000, accessed April 18, 2017.