

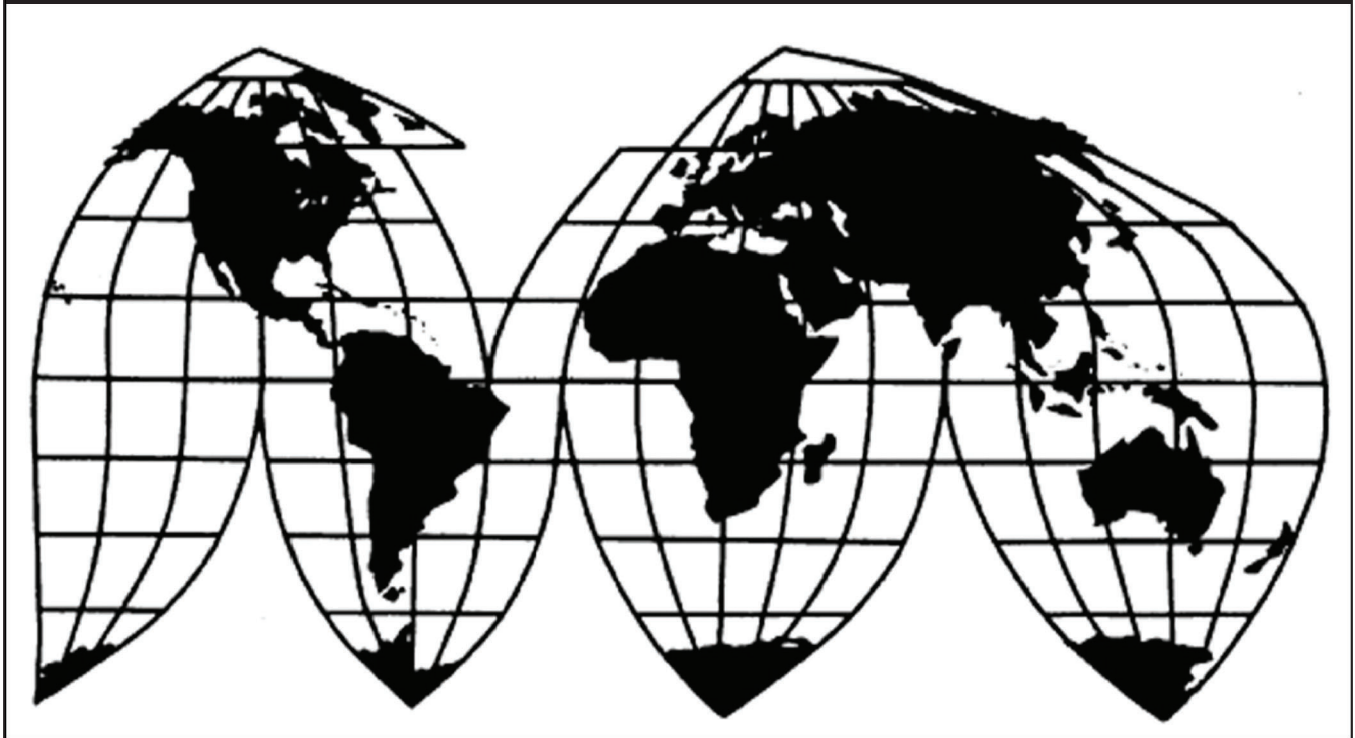
Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from Germany

Investigation No. 731-TA-709 (Fifth Review)

Publication 5452

August 2023

U.S. International Trade Commission



Washington, DC 20436

U.S. International Trade Commission

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UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation No. 731-TA-709 (Fifth Review)

Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from Germany

DETERMINATION

On the basis of the record¹ developed in the subject five-year review, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that revocation of the antidumping duty order on Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from Germany 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 this review on January 3, 2023 (88 FR 110) and determined on April 10, 2023 that it would conduct an expedited review (88 FR 31006, May 15, 2023).

The Commission made this determination pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determination in this review on August 11, 2023. The views of the Commission are contained in USITC Publication 5452 (August 2023), entitled *Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from Germany: Investigation No. 731-TA-709 (Fifth Review)*.

By order of the Commission.

Lisa R. Barton
Secretary to the Commission

Issued:

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 this five-year review, we determine under section 751(c) of the Tariff Act of 1930, as amended (“the Tariff Act”), that revocation of the antidumping duty order on seamless standard, line and pressure pipe (“seamless SLP pipe”) from Germany 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. In response to petitions filed by Gulf States Tube Division of Quanax Corp., the Commission determined in July 1995 that an industry in the United States was materially injured by reason of less than fair value (“LTFV”) imports of seamless SLP pipe and certain redraw hollows from Argentina, Brazil, Germany, and Italy and imports of seamless SLP pipe and certain redraw hollows¹ that were subsidized by the government of Italy.² On August 3, 1995, the U.S. Department of Commerce (“Commerce”) issued antidumping duty orders on seamless SLP pipe from Argentina, Brazil, Germany, and Italy,³ and on August 8, 1995, it issued a countervailing duty order on subject imports from Italy.⁴

First Five-Year Reviews. In June 2001, in the full first five-year reviews of the orders, the Commission determined that revocation of the antidumping duty orders on seamless SLP pipe from Argentina, Brazil, and Germany would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.⁵ The Commission made negative determinations regarding its reviews of the antidumping and

¹ Although Commerce’s scope definition excluded certain redraw hollows in the original investigations, the Commission, after applying a semifinished like product analysis, found it appropriate to include them in the domestic like product definition. See *Certain Seamless Carbon Alloy Steel Standard, Line, and Pressure Steel Pipe from Argentina, Brazil, Germany and Italy*, Nos. 701-TA-362 and 731-TA-707-710 (Final), USITC Pub. 2910 at I-11 to I-12 (July 1995) (“*Original Investigations*”).

² *Original Investigations*, USITC Pub. 2910 at I-3.

³ 60 Fed. Reg. 39704-708 (Aug. 3, 1995).

⁴ *Notice of Countervailing Duty Order: Small Diameter Circular Seamless Carbon and Alloy Steel Standard, Line and Pressure Pipe (“Seamless Pipe”) From Italy*, 60 Fed. Reg. 40569-570 (Aug. 9, 1995).

⁵ *Certain Seamless Carbon and Alloy Steel Standard, Line and Pressure Pipe from Argentina, Brazil, Germany, and Italy*, Inv. Nos. 701-TA-362 & 731-TA-707-710 (Review), USITC Pub. 3429 (June 2001) at 4 (“*First Reviews*”).

countervailing duty orders on seamless SLP pipe from Italy.⁶ On July 16, 2001, Commerce published a notice continuing the antidumping duty orders covering seamless SLP pipe from Argentina, Brazil, and Germany.⁷ The Commission's determinations concerning seamless SLP pipe from Argentina, Brazil and Germany were appealed and subsequently remanded in 2004.⁸ In its remand determinations, the Commission continued to find that revocation of the orders would likely lead to continuation or recurrence of material injury within a reasonably foreseeable time.⁹ The CIT affirmed those remand determinations.¹⁰

Second Five-Year Reviews. In May 2007, in the full second five-year reviews of the antidumping duty orders on seamless SLP pipe from Argentina, Brazil and Germany, the Commission determined that revocation of the antidumping duty order on seamless SLP pipe from Germany would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.¹¹ The Commission made negative determinations in its reviews of the orders on seamless SLP pipe from Argentina and Brazil.¹² On May 18, 2007, Commerce published its notice continuing the antidumping duty order covering seamless SLP pipe from Germany.¹³

Third Five-Year Review. In August 2012, in the expedited third five-year review of the antidumping duty order on seamless SLP pipe from Germany, the Commission determined that revocation of the antidumping duty order would be likely to lead to continuation or recurrence

⁶ *First Reviews*, USITC Pub. 3429 at 3.

⁷ *Continuation of Antidumping Duty Orders: Certain Seamless Carbon and Alloy Steel Standard, Line and Pressure Pipe from Argentina, Brazil, and Germany*, 66 Fed. Reg. 37004 (July 6, 2001).

⁸ The Court of International Trade ("CIT") remanded the Commission's likely volume findings for further discussion of the potential for product shifting and clarification on how transnational corporate affiliations affect likely subject import volume. *Siderca, S.A.I.C. v. United States*, 350 F. Supp. 2d 1223, 1239 (2004). The CIT also remanded the Commission's likely price findings for further consideration of questionnaire responses. *Id.* at 1242. Finally, the CIT remanded the Commission's likely injury findings for further discussion of its vulnerability findings. *Id.* at 1243.

⁹ *Certain Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from Argentina, Brazil, Germany, and Italy*, Inv. Nos. 731-TA-707-709 (Review)(Remand), USITC Pub. 3754 at 3 (Feb. 2005) ("*First Reviews Remand Decision*").

¹⁰ *Siderca, S.A.I.C. v. United States* 374 F. Supp. 2d 1285, 1299 (2005).

¹¹ *Certain Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from Argentina, Brazil, and Germany*, Inv. Nos. 731-TA-707-709 (Second Review), USITC Pub. 3918 at 3 (May 2007) ("*Second Reviews*").

¹² *Second Reviews*, USITC Pub. 3918 at 3.

¹³ *Continuation of Antidumping Duty Order on Certain Small Diameter Carbon and Alloy Seamless Standard, Line and Pressure Pipe from Germany*, 72 Fed. Reg. 28026 (May 18, 2007).

of material injury to an industry in the United States within a reasonably foreseeable time.¹⁴ On September 14, 2012, Commerce published a notice continuing the antidumping duty order covering seamless SLP pipe from Germany.¹⁵

Fourth Five-Year Review. In February 2018, in the expedited fourth five-year review of the antidumping duty order on seamless SLP pipe from Germany, the Commission determined that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.¹⁶ In February 2018, Commerce published a notice continuing the antidumping duty order covering seamless SLP pipe from Germany.¹⁷

Current Review. On January 3, 2023, the Commission instituted this fifth five-year review.¹⁸ The Commission received a response to the notice of institution, from Vallourec Star L.P. (“Vallourec”), which is a domestic producer of seamless SLP pipe.¹⁹ No respondent interested party responded to the notice of institution or participated in this review. On July 7, 2023, the Commission found that the domestic interested party group response was adequate, and the respondent interested party group response was inadequate.²⁰ Finding no other circumstances that would warrant conducting a full review, the Commission determined that it would conduct an expedited review of the antidumping duty order.²¹ Vallourec submitted final

¹⁴ *Certain Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from Germany*, Inv. Nos. 731-TA-709 (Third Review), USITC Pub. 4348 at 3 (May 2007) (“Third Review”).

¹⁵ *Certain Small Diameter Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from Germany: Continuation of Antidumping Duty Order*, 77 Fed. Reg. 56809 (Sep. 14, 2012).

¹⁶ *Certain Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from Germany*, Inv. Nos. 731-TA-709 (Fourth Review), USITC Pub. 4760 at 4 (Feb. 2018) (“Fourth Review”).

¹⁷ *Certain Small Diameter Seamless Carbon and Alloy Standard, Line and Pressure Pipe from Germany: Continuation of Antidumping Duty Order*, 83 Fed. Reg. 8651-8653 (Feb. 28, 2018).

¹⁸ *Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from Germany: Institution of Five-Year Reviews*, 88 Fed. Reg. 110, 111 (Jan. 3, 2023) (“Notice of Institution”).

¹⁹ See *Response of Vallourec Star, LP to the Notice of Institution*, EDIS Doc. 789304, (Feb. 2, 2023) (“Confidential Domestic Response”); *Domestic Interested Party’s Response to Notice of Institution*, EDIS Doc. 789308 (Feb. 2, 2023) (“Domestic Response”); *Supplement to Vallourec’s Response to Notice of Institution*, EDIS Doc. 791531 (Mar. 1, 2023).

²⁰ *Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from Germany: Institution of Five-Year Reviews: Scheduling of an Expedited Five-Year Review*, 88 Fed. Reg. 31006 (May 15, 2023).

²¹ *Explanation of Commission Determination on Adequacy*, EDIS Doc. 794747 (Apr. 21, 2023). Chairman Johanson determined that, in light of the time that had transpired since the Commission last conducted a full review of this order, conducting a full review was warranted.

comments pursuant to Commission Rule 207.62(d)(1) regarding the determination that the Commission should reach.²²

Data/Response Coverage. U.S. industry data in this review is based on data provided by Vallourec in its response to the notice of institution, which is estimated to have accounted for *** percent of U.S. production of seamless SLP pipe in 2022.²³ U.S. import data and related data are based on Commerce’s official import statistics.²⁴ Foreign industry data and related information are based on information from the original investigations and prior five-year reviews, information submitted by Vallourec in its response to the notice of institution, and publicly available information compiled by the Commission.²⁵

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.”²⁶ The Tariff Act defines “domestic like product” as “a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this subtitle.”²⁷ 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.²⁸

²² *Final Comments of Vallourec Star L.P.*, EDIS Doc. 800624 (July 20, 2023) (“*Domestic Final Comments*”).

²³ *Confidential Staff Report*, INV-VV-026, EDIS Doc. No. 793348 (Mar. 29, 2023) (“CR”), *Public Report* (“PR”) at I-2.

²⁴ CR/PR at Tables I-6 to Table I-7.

²⁵ CR/PR at Table I-8 to Table I-10. One purchaser, *** responded to the Commission’s adequacy phase questionnaires. CR/PR at Appendix D-3.

²⁶ 19 U.S.C. § 1677(4)(A).

²⁷ 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. Dep’t 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).

²⁸ *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).

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

The scope of the order covers small diameter seamless carbon and alloy standard, line and pressure pipes (seamless pipes) produced to the ASTM A-335, ASTM A-106, ASTM A-53 and API 5L specifications and meeting the physical parameters described below, regardless of application. The scope of the order also includes all products used in standard, line, or pressure pipe applications and meeting the physical parameters below, regardless of specification.

For purposes of the order, seamless pipes are seamless carbon and alloy (other than stainless) steel pipes, of circular cross-section, not more than 114.3 mm (4.5 inches) in outside diameter, regardless of wall thickness, manufacturing process (hot-finished or cold-drawn), end finish (plain end, beveled end, upset end, threaded, or threaded and coupled), or surface finish. These pipes are commonly known as standard pipe, line pipe or pressure pipe, depending upon the application. They may also be used in structural applications. Pipes produced in nonstandard wall thicknesses are commonly referred to as tubes.

The merchandise subject to the order is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS), under HTSUS subheadings 7304.19.1020, 7304.19.5020, 7304.31.6050, 7304.3900.16, 7304.3900.20, 7304.39.0024, 7304.39.0028, 7304.39.0032, 7304.51.5005, 7304.51.5060, 7304.59.6000, 7304.59.8010, 7304.59.8015, 7304.59.8020, and 7304.59.8025.

The following information further defines the scope of the order, which covers pipes meeting the physical parameters described above:

Specifications, Characteristics, and Uses: Seamless pressure pipes are intended for the conveyance of water, steam, petrochemicals, chemicals, oil products, natural gas and other liquids and gasses in industrial piping systems. They may carry these substances at elevated pressures and temperatures and may be subject to the application of external heat. Seamless carbon steel pressure pipe meeting the American Society for Testing and Materials ("ASTM") standard A-106 may be used in temperatures of up to 1000 degrees Fahrenheit, at various American Society of Mechanical Engineers ("ASME") code stress levels. Alloy

pipes made to ASTM standard A-335 must be used if temperatures and stress levels exceed those allowed for A-106 and the ASME codes. Seamless pressure pipes sold in the United States are commonly produced to the ASTM A-106 standard.

Seamless standard pipes are most commonly produced to the ASTM A-53 specification and generally are not intended for high temperature service. They are intended for the low temperature and pressure conveyance of water, steam, natural gas, air and other liquids and gasses in plumbing and heating systems, air conditioning units, automatic sprinkler systems, and other related uses. Standard pipes (depending on type and code) may carry liquids at elevated temperatures but must not exceed relevant ASME code requirements.

Seamless line pipes are intended for the conveyance of oil and natural gas or other fluids in pipe lines. Seamless line pipes are produced to the API 5L specification. Seamless pipes are commonly produced and certified to meet ASTM A-106, ASTM A-53 and API 5L specifications. Such triple certification of pipes is common because all pipes meeting the stringent A-106 specification necessarily meet the API 5L and ASTM A-53 specifications. Pipes meeting the API 5L specification necessarily meet the ASTM A-53 specification. However, pipes meeting the A-53 or API 5L specifications do not necessarily meet the A-106 specification. To avoid maintaining separate production runs and separate inventories, manufacturers triple certify the pipes. Since distributors sell the vast majority of this product, they can thereby maintain a single inventory to service all customers.

The primary application of ASTM A-106 pressure pipes and triple certified pipes is in pressure piping systems by refineries, petrochemical plants and chemical plants. Other applications are in power generation plants (electrical, fossil fuel or nuclear), and in some oil field uses (on shore and off shore) such as for separator lines, gathering lines and metering runs. A minor application of this product is for use as oil and gas distribution lines for commercial applications. These applications constitute the majority of the market for the subject seamless pipes. However, A-106 pipes may be used in some boiler applications.

The scope of the order includes all seamless pipe meeting the physical parameters described above and produced to one of the specifications listed above, regardless of application, and whether or not also certified to a non-covered specification. Standard, line and pressure applications and the above-listed specifications are defining characteristics of the scope of the order. Therefore, seamless pipes meeting the physical description above, but not produced to the A-335, A-106, A-53, or API 5L standards shall be covered if used in a standard, line or pressure application.

For example, there are certain other ASTM specifications of pipe which, because of overlapping characteristics, could potentially be used in A-106 applications. These specifications generally include A-162, A-192, A-210, A-333, and A-524. When such pipes are used in a standard, line or pressure pipe application, such products are covered by the scope of the order.

Specifically excluded from the order are boiler tubing and mechanical tubing, if such products are not produced to A-335, A-106, A-53 or API 5L specifications and are not used in standard, line or pressure applications. In addition, finished and unfinished oil country tubular goods (“OCTG”) are excluded from the scope of the order, if covered by the scope of another antidumping duty order from the same country. If not covered by such an OCTG order, finished and unfinished OCTG are included in the scope when used in standard, line or pressure applications. Finally, also excluded from the order are redraw hollows for cold-drawing when used in the production of cold-drawn pipe or tube.

Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.²⁹

Seamless SLP pipe is generally intended to convey liquids and typically tested and rated for its ability to withstand hydrostatic pressure. Seamless standard pipe is most commonly produced to ASTM International (“ASTM”) A-53 specification and is generally intended for the

²⁹ *Issues and Decision Memorandum for the Expedited Fifth Sunset Review of the Antidumping Duty Order on Certain Small Diameter Seamless Carbon and Alloy Standard, Line and Pressure Pipe from Germany*, EDIS Doc. 800687, 4-5 (May 2, 2023) (*Commerce I & D Memo*).

low-pressure conveyance of water, steam, natural gas, air, and other liquids and gases in plumbing and heating systems, air conditioning units, automatic sprinklers, and other related uses. Seamless line pipe is produced to the American Petroleum Institute (“API”) 5L specification and is intended for conveying oil and natural gas and other fluids in pipelines. Seamless pressure pipe is commonly produced to ASTM A-106 specification, and is intended for conveying water, steam, petrochemicals, chemicals, oil products, natural gas, and other liquids and gases at elevated temperature or pressure, or both, in industrial piping systems.³⁰

Seamless SLP pipe may be used in petrochemical and other non-pipeline applications, as well as in high pressure or high temperature applications, including steam lines. Seamless SLP pipe less than 2 inches in outside diameter (“OD”) is commonly used in high pressure and high temperature applications, while slightly larger pipes are used in more general high-pressure applications in industrial piping systems.³¹

Commerce’s scope has remained the same since the first five-year reviews.³² However, the current scope differs from the scope in the original investigations because Commerce issued a scope ruling on June 25, 1999, excluding from the antidumping duty order on subject imports from Germany any tubing with a circular cross-section and an outside diameter that ranges from 0.05mm to 22mm.³³ Commerce’s scope ruling did not change the exclusion of certain redraw hollows from the scope definition.³⁴

1. Original Investigations and Prior Reviews

In the original investigations, the Commission defined a single domestic like product consisting of circular seamless carbon and alloy steel standard, line and pressure tubes not more than 4.5 inches in outside diameter, including redraw hollows.³⁵ The Commission observed that all such seamless SLP pipe had the same general physical characteristics, was used to convey liquids and gases, and was primarily triple-stenciled,³⁶ making the pipe interchangeable for most end uses. It found seamless alloy and carbon steel pipe is

³⁰ CR/PR at I-15.

³¹ CR/PR at I-16.

³² See *Fourth Review*, USITC Pub. 4760 at 7-8; CR/PR at I-10.

³³ *Compare Original Investigations*, USITC Pub. 2910 at I-6 to I-7; *Notice of Scope Rulings*, 65 Fed. Reg. 41957 (July 7, 2000).

³⁴ CR/PR at I-13.

³⁵ *Original Investigations*, USITC Pub. 2910 at I-6 to I-13.

³⁶ Triple-stenciled means that the pipe was certified to three distinct specifications. See *Original Investigations*, USITC Pub. 2910 at II-19.

interchangeable to the extent that alloy steel pipe could be substituted for carbon steel pipe (although carbon steel pipe could not be substituted for alloy steel pipe).³⁷ The Commission further found that all such seamless SLP pipe was manufactured on the same equipment using the same employees and that distributors sold all types of pipe.³⁸

In the first five-year reviews, the Commission defined a single domestic like product consisting of all seamless carbon and alloy steel standard, line, and pressure pipe and tubes not more than 4.5 inches in outside diameter, including redraw hollows.³⁹ It noted that it continued to include redraw hollows, which were included in the domestic like product in the original investigations, because no party had argued that they should not be included and there was no new information on the record indicating that they should not be part of the domestic like product.⁴⁰

In the second, third, and fourth five-year reviews, the Commission found that no party had argued for a different definition of the domestic like product than that employed as in the original investigations and the first five-year reviews.⁴¹ Further, the Commission did not obtain any information during the reviews indicating that redraw hollows that were outside the scope of the orders should be excluded from the domestic like product.⁴² Accordingly, the Commission defined a single domestic like product consisting of all seamless carbon and alloy steel standard, line and pressure pipe and tubes not more than 4.5 inches in outside diameter, including redraw hollows.⁴³

2. Current Review

In the current review, the record does not contain any new information suggesting that the pertinent product characteristics and uses of seamless SLP pipe have changed since the prior proceedings so as to warrant revisiting the Commission's domestic like product definition. Vallourec supports the Commission's definition of the domestic like product from the prior

³⁷ *Original Investigations*, USITC Pub. 2910 at I-12 to I-13.

³⁸ *Original Investigations*, USITC Pub. 2910 at I-6 to I-13.

³⁹ *First Reviews*, USITC Pub. 3429 at 7.

⁴⁰ *First Reviews*, USITC Pub. 3429 at 8 n.34.

⁴¹ *Second Reviews*, USITC Pub. 3918 at 7; *Third Review*, USITC Pub. 4348 at 6; *Fourth Review*, USITC Pub. 4760 at 8-9.

⁴² *Second Reviews*, USITC Pub. 3918 at 7; *Third Review*, USITC Pub. 4348 at 6; *Fourth Review*, USITC Pub. 4760 at 8-9.

⁴³ *Second Reviews*, USITC Pub. 3918 at 7; *Third Review*, USITC Pub. 4348 at 6; *Fourth Review*, USITC Pub. 4760 at 9.

proceedings.⁴⁴ Consequently, we define a single domestic like product consisting of all seamless carbon and alloy steel standard, line, and pressure pipe and tubes not more than 4.5 inches in outside diameter, including redraw hollows.

B. Domestic Industry

Section 771(4)(A) of the Tariff Act defines the relevant industry as the domestic “producers as a whole of a domestic like product, or those producers whose collective output of a domestic like product constitutes a major proportion of the total domestic production of the product.”⁴⁵ 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.⁴⁶ Exclusion of such a producer is within the Commission’s discretion based upon the facts presented in each investigation.⁴⁷

⁴⁴ *Domestic Final Comments* at 3.

⁴⁵ 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.

⁴⁶ *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).

⁴⁷ 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.

1. Original Investigations and Prior Reviews

In the original investigations and prior five-year reviews, the Commission defined the domestic industry, consistent with its definition of the domestic like product, to include all domestic producers of seamless SLP pipe, including redraw hollows.⁴⁸ No producer was excluded from the domestic industry as a related party.⁴⁹

2. Current Review

Vallourec and Benteler Steel & Tube Manufacturing Corporation (“Benteler”) may qualify as related parties due to their affiliation with subject foreign producers. The record indicates that Vallourec is related to Vallourec Deutschland GmbH, a German producer of seamless SLP pipe, because both are subsidiaries of parent corporation Vallourec S.A.⁵⁰ Benteler is owned by Benteler North America Corporation, a Benteler Group Company, and is related to Benteler Steel/Tube GmbH, a German producer of seamless SLP pipe.⁵¹ However, there is no information on the record concerning whether either of these affiliated German producers exported subject merchandise to the United States during the period of review, nor is there other evidence of direct or indirect control, as would be necessary for Vallourec and Benteler to qualify as related parties. Furthermore, Vallourec agrees with the Commission’s definition of the domestic industry from the prior proceedings.⁵²

Even assuming that Vallourec and Benteler qualify as related parties, we find that appropriate circumstances do not exist for their exclusion. Vallourec accounted for *** of domestic production of seamless SLP pipe in 2022, making it among the largest domestic producers that year and supports continuation of the order.⁵³ Furthermore, Vallourec ***, and there is no information in the record that it was an importer of subject imports during other years of the review period, such that the record indicates that the primary interest of Vallourec is in domestic production.⁵⁴ There also is no evidence on the record that Vallourec’s or

⁴⁸ *Original Investigations*, USITC Pub. 2910 at I-13; *First Reviews*, USITC Pub. 3429 at 8; *Second Reviews*, USITC Pub. 3918 at 8; *Third Review*, USITC Pub. 4348 at 7, *Fourth Review*, USITC 4760 at 9.

⁴⁹ *Original Investigations*, USITC Pub. 2910 at I-13; *First Reviews*, USITC Pub. 3429 at 8; *Second Reviews*, USITC Pub. 3918 at 8; *Third Review*, USITC Pub. 4348 at 7, *Fourth Review*, USITC 4760 at 9.

⁵⁰ *Confidential Domestic Response* at 27-28.

⁵¹ *Confidential Domestic Response* at 28.

⁵² *Domestic Response* at 31.

⁵³ CR/PR at Table I-2; *Confidential Domestic Response* at 2, Exhibit 1.

⁵⁴ See *Confidential Domestic Response*, Exhibits 1, 42.

Benteler's affiliation with German producers of seamless SLP pipe would likely shield them from any injury after revocation or that including either firm would otherwise mask injury to the domestic industry.⁵⁵ In light of this, and in the absence of any contrary argument, assuming that Vallourec and Benteler qualify as related parties, we conclude that appropriate circumstances do not exist to exclude either firm from the domestic industry.

In sum, consistent with our definition of the domestic like product, we define the domestic industry as all domestic producers of seamless carbon and alloy steel standard, line, and pressure pipe and tubes not more than 4.5 inches in outside diameter, including redraw hollows.

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

A. Legal Standards

In a five-year review conducted under section 751(c) of the Tariff Act, Commerce will revoke an antidumping or countervailing duty order unless: (1) it makes a determination that dumping or subsidization is likely to continue or recur and (2) the Commission makes a determination that revocation of the antidumping or countervailing duty order "would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time."⁵⁶ 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."⁵⁷ Thus, the likelihood

⁵⁵ The information available also indicates that Vallourec's and Benteler's respective affiliations with German producers of seamless SLP pipe are unlikely to persist in the reasonably foreseeable future. Vallourec S.A. announced in November 2021 that it would dispose of its German assets and cease production at its German facilities by the end of 2023. *Confidential Domestic Response* at 28, Exhibit 36; see also CR/PR at Table I-8. Benteler Group announced in 2022 that it was selling Benteler to Tenaris, S.A., a foreign producer/exporter and U.S. importer of nonsubject seamless SLP pipe. *Id.* at 28 & Exhibits 38, 39.

⁵⁶ 19 U.S.C. § 1675a(a).

⁵⁷ 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 (Continued...)

standard is prospective in nature.⁵⁸ The U.S. Court of International Trade (“CIT”) 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.⁵⁹

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.”⁶⁰ 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.”⁶¹

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.”⁶² 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

(...Continued)

retardation of an industry). Likewise, the standard applies to suspended investigations that were never completed.” *Id.* at 883.

⁵⁸ 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.

⁵⁹ 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’”).

⁶⁰ 19 U.S.C. § 1675a(a)(5).

⁶¹ 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.*

⁶² 19 U.S.C. § 1675a(a)(1).

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).⁶³ The statute further provides that the presence or absence of any factor that the Commission is required to consider shall not necessarily give decisive guidance with respect to the Commission's determination.⁶⁴

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.⁶⁵ 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.⁶⁶

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.⁶⁷

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

⁶³ 19 U.S.C. § 1675a(a)(1). Commerce has not made any duty absorption findings or changed circumstances reviews since the imposition of the antidumping duty orders. *See Commerce I & D Memo* at 5-6

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

⁶⁵ 19 U.S.C. § 1675a(a)(2).

⁶⁶ 19 U.S.C. § 1675a(a)(2)(A-D).

⁶⁷ *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.

output, sales, market share, profits, productivity, return on investments, and utilization of capacity; (2) likely negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital, and investment; and (3) likely negative effects on the existing development and production efforts of the industry, including efforts to develop a derivative or more advanced version of the domestic like product.⁶⁸ 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.⁶⁹

No respondent interested party participated in this expedited review. The record, therefore, contains limited new information with respect to the seamless SLP pipe industry in Germany. There also is limited information on the seamless SLP pipe 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, the prior reviews, and the limited new information on the record in this review.

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.”⁷⁰ The following conditions of competition inform our determinations.

1. Demand Conditions

Original Investigations and Prior Reviews. In the original investigations and prior reviews, the Commission found that seamless SLP pipe was used in oil and gas transmission, construction and repair of refining facilities, the chemical industry, in power generation, and in

⁶⁸ 19 U.S.C. § 1675a(a)(4).

⁶⁹ 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.

⁷⁰ 19 U.S.C. § 1675a(a)(4).

mechanical applications for general construction. The prices of oil and gas are important determinants of demand, as well as trends in the construction industry.⁷¹ Demand generally tracked the overall economy.⁷²

In the original investigations, apparent U.S. consumption increased by almost 33 percent between 1992 and 1993, due at least partially to tax incentives provided by the U.S. Government that promoted oil and gas well drilling.⁷³

In the first five-year reviews, the Commission found that apparent U.S. consumption fluctuated during the period but increased overall from 199,555 short tons in 1995 to 204,268 short tons in 2000.⁷⁴ Similarly, in the second five-year reviews, demand for seamless SLP, measured by apparent U.S. consumption, fluctuated during the review period of 2001-2005 but increased overall from *** short tons in 2001, to *** short tons in 2005.⁷⁵ The Commission found that increased demand in the gas, oil, and energy markets drove increases in domestic consumption of seamless SLP pipe.⁷⁶ In the third five-year review, the record indicated that demand for seamless SLP pipe decreased substantially in 2009 as a result of the recession. Demand in key market segments, such as the oil and gas sectors, the refining industry, and the construction industry, reportedly remained depressed by historical standards.⁷⁷ However, by 2011, the final year of the third review period, apparent U.S. consumption of seamless SLP pipe had reached *** short tons.⁷⁸ In the fourth five-year review, the record showed that U.S. demand for seamless SLP pipe was *** short tons in 2016, which was lower than in 1994, 2000, 2005, and 2011.⁷⁹ Demand for seamless SLP pipe had reportedly declined due to a downturn in the oil and gas market in late 2014 and throughout 2015.⁸⁰

Current Review. There is no new information indicating that the factors influencing demand have changed since the prior proceedings. The record indicates that demand for seamless SLP pipe continues to derive from activities in the oil and gas sectors, building and

⁷¹ *Original Investigations*, USTIC Pub. 2910 at I-16; *First Reviews*, USITC Pub. 3429 at 18, *Second Reviews*, USITC Pub. 3918 at 17; *Third Review*, USITC Pub. 4348 at 9; *Fourth Review*, USITC Pub. 4760 at 13.

⁷² *See Third Review*, USITC Pub. 4348 at 9.

⁷³ *Original Investigations*, USITC Pub. 2910 at I-16.

⁷⁴ *First Reviews*, USITC Pub. 3429 at 18-19.

⁷⁵ *Second Reviews*, Confidential Opinion, EDIS Doc. 791866 at 23.

⁷⁶ *Second Reviews*, USITC Pub. 3918 at 18.

⁷⁷ *Third Review*, USITC Pub. 4348 at 9.

⁷⁸ *Third Review*, Confidential Opinion, EDIS Doc. 791869 at 12.

⁷⁹ *Fourth Review*, Confidential Opinion, EDIS Doc. 791870 at 19.

⁸⁰ *Fourth Review*, USITC Pub. 4760 at 13.

industrial construction, and facility and pipeline infrastructure.⁸¹ Vallourec reported that demand trends in the oil and gas markets continue to influence the demand for seamless SLP pipe.⁸² Vallourec also contends that uncertain economic conditions that have persisted since the COVID-19 pandemic, including supply chain disruptions, high inflation, rising interest rates, and Russia's invasion of Ukraine will continue to affect the domestic market.⁸³ One responding purchaser, ***, reported that ***.⁸⁴

Apparent U.S. consumption of seamless SLP pipe was *** short tons in 2022, as compared to *** short tons in 2016, *** short tons in 2011, *** short tons in 2005, 204,268 short tons in 2000, and 205,247 short tons in 1994.⁸⁵

2. Supply Conditions

Original Investigations and Prior Reviews. During the original investigations, there were seven U.S. producers of seamless SLP pipe, and their production capacity decreased slightly from 1992 to 1994.⁸⁶ During the period covered by the first five-year reviews, there were six U.S. firms producing seamless SLP pipe, and the domestic industry's capacity fell by 18.7 percent from 1995 to 2000.⁸⁷ During the period covered by the second five-year reviews, four U.S. firms produced seamless SLP pipe, and their capacity increased irregularly from 2001 to 2005.⁸⁸ During the period covered by the third five-year review, six U.S. firms reportedly produced seamless SLP pipe.⁸⁹ The seamless SLP pipe capacity of U.S. Steel, the only firm that provided information during that review, was *** short tons in 2011.⁹⁰ U.S. Steel's estimate of

⁸¹ See *Domestic Response* at 12; CR/PR at Table I-4.

⁸² *Domestic Response* at 30.

⁸³ *Domestic Final Comments* at 5.

⁸⁴ CR/PR at D-3.

⁸⁵ CR/PR at Table I-7. Apparent U.S. consumption in 2022 may be understated relative to apparent U.S. consumption in 1994, 2000, 2005, and 2011, because data coverage of the domestic industry is lower in this review, at *** percent of total U.S. production of seamless SLP pipe in 2022, than in the original investigations and first, second, and third reviews, where responding domestic producers accounted for all or the vast majority of domestic production. CR/PR at I-18, Table I-2. Data coverage of the domestic industry is higher in this review than in the fourth review, however, when responding domestic producers accounted for approximately *** percent of domestic production.

⁸⁶ *Original Investigations*, USITC Pub. 2910 at I-15, I-17.

⁸⁷ *First Reviews*, USITC Pub. 3429 at 24-25.

⁸⁸ *Second Reviews*, USITC Pub. 3918 at 8.

⁸⁹ *Third Review*, USITC Pub. 4348 at 9.

⁹⁰ *Third Review*, Confidential Opinion, EDIS Doc. 791869 at 12.

its share of production suggested that the U.S. industry's total production capacity had declined since the second five-year reviews.⁹¹ During the period covered by the fourth five-year review, five U.S. firms reportedly produced seamless SLP pipe.⁹²

The U.S. market was also supplied by subject and nonsubject imports of seamless SLP pipe in the original investigations and prior reviews. The volume of subject imports from Germany was *** short tons in 1994, *** short tons in 2000, *** short tons in 2005, *** short tons in 2011, and 11,699 short tons in 2016; subject imports from Germany held a market share of *** percent in 1994, *** percent in 2000, *** percent in 2005, *** percent in 2011, and *** percent in 2016.⁹³

Nonsubject import volume decreased during the first five-year reviews.⁹⁴ Nonsubject import volume fluctuated during the second five-year reviews but ended higher overall.⁹⁵ By the time of the third review, nonsubject imports had increased from 185,374 short tons in 2006 to 200,198 short tons in 2011, and they accounted for a much larger share of the U.S. market (*** percent) than during the original investigations.⁹⁶ The primary sources of nonsubject imports, by order of volume in 2011, were Ukraine, South Africa, India, and Russia.⁹⁷ After the United States imposed antidumping and countervailing duty orders on seamless SLP pipe from China in November 2010, these imports from China decreased from 197,022 short tons in 2008 to 5,652 short tons in 2010 and 784 short tons in 2011.⁹⁸

In the fourth review, nonsubject imports supplied the largest share of apparent U.S. consumption, with a market share of *** percent, followed by domestic producers, with a market share of *** percent, and subject imports, with a market share of ***.⁹⁹

⁹¹ *Third Review*, USITC Pub. 4348 at 10.

⁹² *Fourth Review*, USITC Pub. 4760 at 14.

⁹³ CR/PR at Table I-7.

⁹⁴ *First Reviews*, USITC Pub. 3429 at 19. Nonsubject imports' U.S. market share rose from *** percent in 1995 to *** percent in 2000. *First Reviews*, Confidential Opinion, EDIS Doc. 624892 at 22-23.

⁹⁵ *Second Reviews*, USITC Pub. 3918 at 35. From 2001 to 2005, the volume of nonsubject imports increased irregularly from 96,667 short tons to 118,484 short tons. *Second Reviews*, USITC Pub. 3918 at 35.

⁹⁶ *Third Review*, Confidential Opinion, EDIS Doc. 791869 at 13. Nonsubject imports accounted for *** percent of apparent U.S. consumption in 1994. We note, however, that several sources of subject imports in 1994 – Argentina, Brazil, and Italy – were nonsubject sources as of the third review. *Third Review*, Confidential Opinion, EDIS Doc. 791869 at 13 n. 58.

⁹⁷ *Third Review*, USITC Pub. 4348 at 10.

⁹⁸ *Third Review*, USITC Pub. 4348 at 10.

⁹⁹ *Fourth Review*, Confidential Opinion, EDIS Doc. 791870 at 21.

Current Review. The domestic industry was the second largest source of supply in the U.S. market in 2022, accounting for *** percent of apparent U.S. consumption by quantity. This was *** than the domestic industry's share of apparent U.S. consumption by quantity in the original investigations and all prior periods of review.¹⁰⁰

The information available indicates there were several changes to the domestic industry during the period of review. In March 2020, U.S. Steel idled a domestic mill that manufactured 380,000 tons of seamless SLP pipe and announced that it would lay off workers, due to weak demand in the oil industry.¹⁰¹ However, in December 2020, U.S. Steel opened a new furnace in Alabama with a capacity of 1.6 million tons.¹⁰² In spring 2020, a domestic producer, Tenaris SA, announced that it would idle two domestic plants in Pennsylvania, largely due to a sharp decrease in oil prices.¹⁰³ In 2020, Vallourec and Tenaris both announced worker layoffs that they attributed to the COVID-19 pandemic and issues from oil price wars between Russia and Saudi Arabia.¹⁰⁴ In 2021, Tenaris SA restarted production at one of the Pennsylvania plants and expanded its operations at a Texas plant.¹⁰⁵ In February 2021, Timken Steel announced it would idle one of its steel mills in Canton, Ohio.¹⁰⁶ In 2022, Tenaris SA restarted production lines at one of its Pennsylvania plants. Finally, Benteler abandoned plans to sell a Louisiana steel and tube manufacturing plant to Tenaris SA after the Department of Justice's Antitrust Division raised competition concerns about the deal.¹⁰⁷

Subject imports were the *** source of supply to the U.S. market in 2022, accounting for *** percent of apparent U.S. consumption at 8,175 short tons.¹⁰⁸ This was *** than their

¹⁰⁰ CR/PR at Table I-7. The domestic industry's market share in 2022 may be understated due to the data coverage of the domestic industry in this review as discussed above, and consequently the market share of subject and non-subject imports may be overstated. Because of the data coverage of the domestic industry in this review, its market share may not be directly comparable to its market shares in 1994, 2000, 2005, and 2011 where domestic industry data coverage was significantly higher. As discussed above, data coverage of the domestic industry was lower in the fourth review than this review.

¹⁰¹ CR/PR at Table I-4.

¹⁰² CR/PR at Table I-4.

¹⁰³ CR/PR at Table I-4.

¹⁰⁴ CR/PR at Table I-4.

¹⁰⁵ CR/PR at Table I-4.

¹⁰⁶ CR/PR at Table I-4.

¹⁰⁷ CR/PR at Table I-4.

¹⁰⁸ CR/PR at Table I-7.

share of apparent U.S. consumption in 2016, which was *** percent.¹⁰⁹ Responding purchaser *** reported ***¹¹⁰

Nonsubject imports were the largest source of supply in the U.S. market in 2022, accounting for *** percent of U.S. consumption.¹¹¹ This was *** than the nonsubject imports' share of apparent U.S. consumption in 2016, which was *** percent.¹¹²

In 2021, countervailing duty orders were imposed on seamless SLP pipe from Russia and South Korea, and antidumping duty orders were imposed on seamless SLP pipe from Czechia, Russia, South Korea, and Ukraine.¹¹³ Seamless SLP pipe from China, Romania, and Japan also remain subject to antidumping duty orders.¹¹⁴

3. Substitutability and Other Conditions

Original Investigations and Prior Reviews. In the original investigations, the Commission found that subject imports from Germany and the domestic like product were reasonably good substitutes for each other and with other imports and that price was an important factor in purchasing decisions.¹¹⁵ In the prior five-year reviews, the Commission found that subject imports from Germany were generally substitutable for domestic seamless SLP pipe, and that price was an important factor in purchasing decisions.¹¹⁶

Current Review. The record in this review 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 have changed since the last review. Vallourec asserts that the Commission should reach the same conclusion on substitutability in this review as in the prior proceedings.¹¹⁷ Accordingly, we find, as in the prior reviews, that the domestic

¹⁰⁹ CR/PR at Table I-7.

¹¹⁰ CR/PR at D-3; *see* CR/PR at Table I-8. Publicly available information shows that Vallourec Deutschland GmbH also closed a plant in Dusseldorf-Rath, Germany. CR/PR at Table I-8.

¹¹¹ CR/PR at Table I-7.

¹¹² CR/PR at Table I-7.

¹¹³ CR/PR at Table I-3.

¹¹⁴ CR/PR at Table I-3. Seamless SLP pipe from Czechia, Russia, Ukraine, China, Romania and Japan are also subject to duties under Section 232 of the Trade Expansion Act of 1962, as amended ("Section 232"). CR/PR at I-13 n.30. Seamless SLP pipe from China is additionally subject to duties under Section 301 of the Trade Act of 1974. *Id.* at I-14.

¹¹⁵ *Original Investigations*, USITC Pub. 2910 at I-28.

¹¹⁶ *First Reviews*, USITC Pub. 3429 at 23; *Second Reviews*, USITC Pub. 3918 at 19; *Third Review*, USITC Pub. 4348 at 10; *Fourth Review*, USITC Pub. 4760 at 15.

¹¹⁷ *See Confidential Domestic Response* at 22-23.

like product and subject imports are generally substitutable, and that price remains an important factor in purchasing decisions.

Seamless SLP pipe from Germany became subject to a tariff-rate quota under Section 232 of the Trade Expansion Act of 1962, as amended (“Section 232”), effective January 1, 2022. Imports above the quota level are subject to Section 232 duties of 25 percent.¹¹⁸

C. Likely Volume of Subject Imports

1. The Original Investigations and Prior Reviews

In the original investigations, the Commission found that the volume and market share of cumulated subject imports from Argentina, Brazil, Germany and Italy was significant and followed the rise and fall in domestic consumption.¹¹⁹ Consumption increased by almost a third from 1992 to 1993, although cumulated subject imports increased by more than a third and their market share increased from 21.0 to 25.4 percent.¹²⁰ The quantity and market share of cumulated subject imports declined from 1993 to 1994 and from the first quarter of 1994 to the first quarter of 1995.¹²¹ Subject imports were present in substantial quantities throughout most of the investigation period.¹²²

In the first five-year reviews, the Commission found that the volume of cumulated subject imports from Argentina, Brazil and Germany would likely be significant if the orders were revoked.¹²³ Producers in those subject countries had significant production capacity.¹²⁴ Subject foreign producers could manufacture other steel products on the same equipment used to produce seamless SLP pipe and could shift production between subject merchandise and

¹¹⁸ CR/PR at I-13. The TRQ levels per year for seamless SLP pipe from Germany are 4,392,000 kilograms (4,841 short tons) for line pipe not exceeding 406.4 mm outside diameter, 9,739,000 kilograms (10,375 short tons) for standard pipe, 38,448,000 kilograms (42,381 short tons) for mechanical tubing, and 649,000 kilograms (715 short tons) for pipes and tubes not specifically provided for. The TRQ levels cover seamless SLP pipe and out-of-scope products. *Id.* at I-13 to I-14.

¹¹⁹ *Original Investigations*, USITC Pub. 2910 at I-27 and I-28.

¹²⁰ *Original Investigations*, USITC Pub. 2910 at I-27.

¹²¹ *Original Investigations*, USITC Pub. 2910 at I-27.

¹²² The volume of subject imports from Germany was 8,588 short tons in 1992, 3,542 short tons in 1993, 5,961 short tons in 1994, 783 short tons in interim 1994, and 68 short tons in interim 1995. *Original Investigations Staff Report*, EDIS Doc. 791853, INV-S-097, at Table 17 (July 11, 1995).

¹²³ *First Reviews*, USITC Pub. 3429 at 22.

¹²⁴ *First Reviews*, USITC Pub. 3429 at 20.

other products.¹²⁵ Seamless SLP pipe prices were generally higher in the United States than elsewhere, which made the United States an attractive market and provided a strong incentive for producers in the subject countries to resume exports of seamless SLP pipe to the United States if the orders were revoked.¹²⁶ Subject producers also relied heavily on their export markets.¹²⁷

In the second five-year reviews, in which the Commission did not cumulate imports from Germany with imports from Argentina and Brazil, the Commission observed that, although subject imports from Germany increased from 2001 to 2005, they involved small quantities.¹²⁸ The Commission considered the size of the seamless SLP pipe industry in Germany, its large and growing excess capacity, and the steep decline in sales to its primary markets in recent years. Additionally, the German industry had achieved only limited success in cultivating new markets. The largest producer of subject merchandise in Germany indicated at the time that the U.S. market was attractive, but inaccessible due to the antidumping duty order.¹²⁹ The Commission therefore concluded that the likely volume of subject imports from Germany would be significant if the order were revoked.¹³⁰

In the third five-year review, the Commission found that, although the volume of subject imports from Germany was lower than during the original investigations, subject imports from Germany nevertheless remained in the U.S. market at a level that indicated that producers and exporters of subject merchandise in Germany had interest in the U.S. market.¹³¹ The Commission considered the size of the German seamless SLP pipe industry, its large and growing excess capacity (relative to apparent U.S. consumption), and weak demand combined

¹²⁵ *First Reviews*, USITC Pub. 3429 at 21.

¹²⁶ *First Reviews*, USITC Pub. 3429 at 21.

¹²⁷ *First Reviews*, USITC Pub. 3429 at 21. The volume of subject imports from Germany during the first review period was *** short tons in 1995, *** short tons in 1996, *** short tons in 1997, *** short tons in 1998, *** short tons in 1999, and *** short tons in 2000. *First Reviews Staff Report*, EDIS Doc. 791854, INV-Y-104, at Table IV-1 (May 24, 2001).

¹²⁸ *Second Reviews*, USITC Pub. 3918 at 31. The volume of subject imports during the second review period was 158 short tons in 2001, 300 short tons in 2002, 98 short tons in 2003, 313 short tons in 2004, 544 short tons in interim 2005, and 68 short tons in interim 2006. *Second Reviews Staff Report*, EDIS Doc. 791855, INV-EE-026, at Table IV-1 (Mar. 12, 2007).

¹²⁹ *Second Reviews*, USITC Pub. 3918 at 33.

¹³⁰ *Second Reviews*, USITC Pub. 3918 at 33-34.

¹³¹ *Third Review*, USITC Pub. 4348 at 12. The volume of subject imports during the third review period was 15,687 short tons in 2006, 11,728 short tons in 2007, 9,058 short tons in 2008, 2,431 short tons in 2009, 4,312 short tons in 2010, and 4,249 short tons in 2011. *Third Review Staff Report*, EDIS Doc. 791858, INV-KK-081, at Table IV-1 (July 27, 2012).

with increased competition in third-country markets.¹³² It further considered the relative attractiveness of the U.S. market in light of reports from the two largest German producers during the second five-year reviews that the antidumping duty order prevented them from shipping larger quantities of seamless SLP pipe to the United States.¹³³ Based on these considerations, the Commission concluded that the likely volume of subject imports from Germany would be significant if the order were revoked.¹³⁴

In the fourth five-year review, the Commission found that the German seamless SLP pipe industry maintained substantial capacity.¹³⁵ The record also indicated that Germany was the second leading global exporter of seamless standard, line, and pressure pipe in 2016.¹³⁶ Furthermore, subject imports from Germany maintained a substantial presence in the U.S. market and increased irregularly during the period of review, indicating that the U.S. market remained attractive.¹³⁷ Thus, the Commission concluded that subject producers in Germany had the ability and incentive to export significant quantities of seamless SLP pipe to the United States and were likely to do so if the order were revoked.¹³⁸

2. Current Review

The record in this review indicates that subject imports maintained a presence in the U.S. market throughout the period of review, even while under the disciplining effect of the order. Subject import volume increased from 7,149 short tons in 2017 to 8,705 short tons in 2018, decreased to 6,350 short tons in 2019 and 2,455 short tons in 2020, and then increased to 3,618 short tons in 2021 and 8,175 short tons in 2022.¹³⁹ Subject imports accounted for *** percent of apparent U.S. consumption by quantity in 2022, compared to *** percent in 2016, *** percent in 2011, *** percent in 2005, *** percent in 2000, and *** percent in 1994.¹⁴⁰

¹³² *Third Review*, USITC Pub. 4348 at 12.

¹³³ *Third Review*, USITC Pub. 4348 at 12.

¹³⁴ *Third Review*, USITC Pub. 4348 at 13.

¹³⁵ *Fourth Review*, USITC Pub. 4760 at 17.

¹³⁶ *Fourth Review*, USITC Pub. 4760 at 17.

¹³⁷ *Fourth Review*, USITC Pub. 4760 at 17. Subject imports were 11,699 short tons in 2016, 10,383 short tons in 2015, 20,765 short tons in 2014, 15,603 short tons in 2013, and 5,095 short tons in 2012. *Id.*

¹³⁸ *Fourth Review*, USITC Pub. 4760 at 17.

¹³⁹ CR/PR at Table I-6.

¹⁴⁰ CR/PR at Table I-7.

The record in this review contains limited information on the seamless SLP pipe industry in Germany. Nonetheless, the available information indicates that subject producers have the means and incentive to export subject merchandise to the U.S. market at significant volumes if the order were revoked. According to information submitted by Vallourec, including information from German producer Benteler International AG (“Benteler International”), the German industry possessed excess capacity during the period of review, yet continued to add capacity to produce seamless SLP pipe during the period.¹⁴¹ In particular, the information available indicates that Benteler International announced a planned investment of €200 million in five German Steel/Tube locations in 2017, the expansion of its production capacity with a new galvanizing line in 2018, the organization of its hot-rolling mills in 2020, and the creation of “Europe’s largest surface treatment center for tubes” at a German facility in 2022.¹⁴² Moreover, *Global Trade Atlas* (“GTA”) data show that Germany was the second leading global exporter of seamless pipes and tubes, a harmonized system (“HS”) category that includes seamless SLP pipe and out-of-scope products, throughout the period of review.¹⁴³

The information available also indicates that the U.S. market remains attractive to subject producers. While under the disciplining effect of the orders, subject imports maintained a presence in the U.S. market, accounting for *** percent of apparent U.S. consumption in 2022,¹⁴⁴ indicating that subject producers have ready distribution networks and customers in the U.S. market. The GTA data indicate that the United States was the second largest destination market for German exports of seamless pipes a tubes, a category including seamless SLP pipe and out-of-scope products, in 2022.¹⁴⁵ Further, UN Comtrade data submitted by Vallourec indicate that the average unit value (“AUV”) of German exports of seamless pipe to the United States was the second highest among the top ten destination markets for such

¹⁴¹ Specifically, a Benteler International publication from 2021 titled “At a Glance 2020” stated that “overcapacity, downward price trends, trade barriers” and the effects of the COVID-19 pandemic continued to present challenges to its Steel/Tube division. *Domestic Response* at 10, Exhibit 6. Benteler International’s 2016 annual report, released in March 2017, stated that “the steel tube market in the EU is having to contend with overcapacity.” *Id.* at 9-10, Exhibit 5. Similarly, the European Commission found in February 2018 that the EU seamless pipe and tube industry possessed overcapacity, with capacity utilization below 50 percent. *Id.* at 10, Exhibit 7.

¹⁴² *Domestic Response* at 8-9, Exhibits 9-11.

¹⁴³ CR/PR at Table I-10. In 2022, German producers exported 781,000 short tons of seamless pipes and tubes. *Id.*

¹⁴⁴ CR/PR at Table I-7.

¹⁴⁵ CR/PR at Table I-9.

exports in 2022, creating an economic incentive for subject producers to increase their exports to the U.S. market after revocation.¹⁴⁶

The information available also indicates that increased import competition and weak demand growth in the German industry's home market would make the U.S. market relatively more attractive to subject producers after revocation.¹⁴⁷ In the fourth review, the Commission found that seamless SLP pipe from China was displacing German producers' sales in their home market and in the European Union ("EU").¹⁴⁸ In this review, UN Comtrade data concerning EU imports submitted by Vallourec show large and increasing volumes of seamless SLP pipe from China, Russia, and Ukraine entering Germany from 2017 through 2021 at prices below the average import price.¹⁴⁹

Given the significant volume of subject imports during the original investigations, the presence of subject imports in the U.S. market during the period of review, the information available regarding the German industry's substantial production capacity and exports, and the attractiveness of the U.S. market to subject producers, we find that the volume of subject imports from Germany would likely be significant, both in absolute terms and relative to consumption in the United States, if the order were revoked.¹⁵⁰

¹⁴⁶ *Domestic Response* at 16, Exhibit 3. According to these data, the average unit value ("AUV") of German exports of seamless tubes to the United States, at \$2.52 per kilogram, was higher than the AUVs of German exports to eight of the other top ten destination markets for such exports, which ranged from \$1.32 to \$2.19 per kilogram. *Id.*

¹⁴⁷ *Domestic Response* at 11. We note that based on available information, seamless SLP pipe from Germany has not been subject to antidumping or countervailing duty investigations outside of the United States. CR/PR at I-31.

¹⁴⁸ *Fourth Review*, USITC Pub. 4760 at 17.

¹⁴⁹ *Domestic Response* at 11-12, Exhibit 4.

¹⁵⁰ Subject imports are currently subject to TRQs under Section 232, with an in quota of 4,841 short tons for line pipe not exceeding 406.4 mm in outside diameter, 10,735 short tons for standard pipe, 42,381 short tons for mechanical tubing, and 715 short tons for pipes and tubes not specifically provided for and an out of quota rate of 25 percent. Given the subject industry's large capacity and exports, and the attractiveness of the U.S. market, we find that the TRQ under Section 232 is not likely to prevent subject imports from entering the market at significant levels after revocation. We also note that the record of these expedited reviews does not contain information concerning inventories of subject merchandise, nor information concerning the potential for product shifting in German production facilities.

D. Likely Price Effects

1. Original Investigations and Prior Reviews

In the original investigations, the Commission found that the domestic and imported products were reasonably good substitutes and that price was an important factor in purchasing decisions. Most purchasers indicated that they bought subject imports because of their lower price, which was supported by the number of confirmed lost sales and lost revenue allegations. Of 190 quarterly sales comparisons, 141 (or 74.2 percent) showed that cumulated subject imports undersold the domestic product, with most instances of underselling exceeding 20 percent.¹⁵¹ The Commission thus found that subject imports significantly undersold the domestic like product.¹⁵² Subject imports from Germany were priced lower than the domestic like product in 21 of 33 (or 63.6 percent of) quarterly price comparisons.¹⁵³ In addition, the Commission found that the cumulated subject imports had significant price depressing and suppressing effects.¹⁵⁴

In the first five-year reviews, the record indicated that subject imports were substitutable for the domestic like product for most end uses.¹⁵⁵ There was strong incentive for subject imports to compete on the basis of price to capture sales in the event of revocation. The Commission concluded that, given the likely significant volume of cumulated subject imports upon revocation of the orders, the substitutability of the subject imports with the domestic like product, the lower prices for subject imports reported by purchasers, and consistent underselling by imports in the original investigations, cumulated subject imports would likely have significant price depressing and suppressing effects on the domestic like product in the absence of the orders.¹⁵⁶

In the second five-year reviews, in which the Commission did not cumulate imports from Germany with other subject imports, the Commission noted that demand was not likely to increase for the reasonably foreseeable future.¹⁵⁷ Given that subject imports from Germany were generally substitutable with the domestic like product, the Commission found that, absent

¹⁵¹ *Original Investigations*, USITC Pub. 2910 at I-28.

¹⁵² *Original Investigations*, USITC Pub. 2910 at I-28.

¹⁵³ *Second Reviews*, USITC Pub. 3918 at 34.

¹⁵⁴ *Original Investigations*, USITC Pub. 2910 at I-28.

¹⁵⁵ *First Reviews*, USITC Pub. 3429 at 23.

¹⁵⁶ *First Reviews*, USITC Pub. 3429 at 23.

¹⁵⁷ Although these were full reviews, the Commission noted that pricing data for imports of seamless SLP pipe from Germany was limited. *Second Reviews*, USITC Pub. 3918 at 34.

a large increase in consumption, the industry in Germany, which had sustained a decline in sales and an increase in unused capacity, would likely lower prices to regain market share in the United States if the antidumping duty order was revoked.¹⁵⁸ For these reasons, the Commission found that the likely volume of subject imports from Germany and the likely significant underselling would have a significant price depressing or price suppressing effect on the domestic like product.¹⁵⁹

In the third five-year reviews, the Commission observed that, although there was no new product-specific pricing information on the record because of the expedited nature of the review, average transaction prices for domestic and import shipments appeared to have declined over the course of 2011.¹⁶⁰ The Commission also observed that the domestic like product and subject imports from Germany were generally substitutable and that price was an important factor in purchasing decisions. For these reasons, combined with the likely significant volume of imports, and past pricing patterns, the Commission found it was likely that increased volumes of subject imports from Germany would enter at prices that would significantly undersell the domestic product, as well as significantly depress or suppress domestic prices within a reasonably foreseeable time if the order were revoked.¹⁶¹

In the fourth five-year review, the Commission noted the absence of new pricing data on the record and found that the domestic like product and that subject imports were generally substitutable and that price was an important factor in purchasing decisions. While recognizing the limitations of average unit value data due to possible differences in product mix, the Commission noted that the unit value of imports from Germany decreased by 48.0 percent from 2012 to 2016, while the unit values for all other sources decreased by only 26.5 percent.¹⁶² Based on the underselling by subject imports in the original investigations the Commission found that subject imports would likely significantly undersell the domestic like product to gain market share if the order were revoked, forcing the domestic industry to cut prices, forego price increases, or risk losing market share.¹⁶³ Accordingly, the Commission concluded that absent the order, subject imports would likely have adverse price effects.¹⁶⁴

¹⁵⁸ *Second Reviews*, USITC Pub. 3918 at 34.

¹⁵⁹ *Second Reviews*, USITC Pub. 3918 at 36.

¹⁶⁰ *Third Review*, USITC Pub. 4348 at 14.

¹⁶¹ *Third Review*, USITC Pub. 4348 at 14.

¹⁶² *Fourth Review*, USITC Pub. 4760 at 19.

¹⁶³ *Fourth Review*, USITC Pub. 4760 at 19.

¹⁶⁴ *Fourth Review*, USITC Pub. 4760 at 19.

2. Current Review

As discussed in section III.B.3 above, we continue to find that the domestic like product and subject imports are generally substitutable and that price remains an important factor in purchasing decisions.

The record in these expedited reviews does not contain new product-specific pricing information. Based on the available information, including the substitutability between the domestic like product and subject imports and the importance of price in purchasing decisions, we find that, if the order were revoked, significant volumes of subject imports would likely undersell the domestic like product, as they did in the original investigations, to gain market share. Absent the discipline of the order, the significant volumes of low-priced subject imports would likely take sales and market share from domestic producers and/or force the domestic industry to cut prices or forego price increases necessary to cover increasing costs, thereby depressing or suppressing prices for the domestic like product. Consequently, we find that if the order were revoked, significant volumes of subject imports would likely have significant price effects.

E. Likely Impact

1. Original Investigations and Prior Reviews

In the original investigations, the Commission found that despite the domestic industry's increases in market share, shipments, production and capacity utilization over the period of investigation, it experienced poor financial performance as a result of cumulated subject imports' adverse price effects.¹⁶⁵ Even when cumulated subject imports declined in 1994 and interim 1995, their continued large and significant share of the market in 1994, combined with their adverse effect on domestic prices, led the industry to experience poor operating results.¹⁶⁶

In the first five-year reviews, the Commission found that the domestic industry's financial condition improved somewhat following imposition of the orders on subject imports from Argentina, Brazil, and Germany, but then deteriorated sharply when import levels increased and demand fell, resulting in a substantial operating loss in 1999 of \$11 million.¹⁶⁷ Domestic shipments, production, capacity utilization, profits, employment, and worker

¹⁶⁵ *Original Investigations*, USITC Pub. 2910 at I-31.

¹⁶⁶ *Original Investigations*, USITC Pub. 2910 at I-31 to I-32.

¹⁶⁷ *First Reviews*, USITC Pub. 3429 at 24.

productivity declined precipitously, and one U.S. producer declared bankruptcy.¹⁶⁸ The industry recovered somewhat in 2000. Its production and capacity utilization rates increased markedly, as did net sales, operating income, capital expenditures, and hourly wages. The Commission found that the volume and price effects of the cumulated subject imports would likely have a negative impact on the domestic industry and would likely cause the domestic industry to lose market share if the order were revoked.¹⁶⁹

In the second five-year reviews, in which the Commission did not cumulate subject imports from Germany with imports from Argentina and Brazil, the Commission attributed the domestic industry's increases in profitability to strong prices and demand.¹⁷⁰ Although demand was projected to remain strong, it was not likely to increase at a rapid rate.¹⁷¹ Further, the volume of subject imports from Germany was likely to be significant upon revocation of the order. The Commission found that the likely significant volume and price effects of the subject imports from Germany would be sufficient to have a significant negative impact on the production, shipments, sales, market share, and revenues of the domestic industry, despite its lack of vulnerability.¹⁷²

In the third five-year review, because of the expedited nature of the review, the Commission collected 2011 data for several performance indicators, but no data for the 2007 to 2010 period.¹⁷³ The available data showed that the domestic industry had *** capacity since the second five-year reviews. In 2011, U.S. Steel, the sole responding domestic producer, reported capacity of *** short tons, production of *** short tons, and a capacity utilization of *** percent.¹⁷⁴ The data also showed that the industry had fewer domestic producers during the original investigations, but was ***.¹⁷⁵ Nonetheless, the Commission concluded that the record was insufficient to find whether the domestic industry was vulnerable to the

¹⁶⁸ *First Reviews*, USITC Pub. 3429 at 24.

¹⁶⁹ *First Five-Year Reviews*, USITC Pub. 3429 at 23-24 & nn.179, 180. Three Commissioners found that the domestic industry was vulnerable to material injury in the event of revocation of the orders, and the remaining three did not. *Id.* at 24 n.179.

¹⁷⁰ *Second Reviews*, USITC Pub. 3918 at 36.

¹⁷¹ *Second Reviews*, USITC Pub. 3918 at 36.

¹⁷² The Commission found that the domestic industry was not vulnerable to injury by reason of increased subject imports. In particular, the domestic industry was profitable in every year covered by the period of review, and profits increased to the highest level in 14 years. *Id.* at 26.

¹⁷³ *Third Review*, USITC Pub. 4348 at 16.

¹⁷⁴ *Third Review*, Confidential Version, EDIS Doc. 624920 at 23.

¹⁷⁵ *Third Review*, Confidential Version, EDIS Doc. 624920 at 23.

continuation or recurrence of material injury if the order were revoked.¹⁷⁶ The Commission also considered the role of factors other than subject imports, including nonsubject imports and demand, but determined that the likely increase in low-priced subject imports from Germany would be at the expense of the domestic industry, even if nonsubject imports were also affected.¹⁷⁷

In the fourth five-year review, the Commission found the limited information on the record insufficient for purposes of making a vulnerability findings, but noted that in 2016, the domestic industry's capacity utilization was *** percent and that its U.S. shipments were a *** of apparent U.S. consumption.¹⁷⁸ The Commission concluded that the significant volume of subject imports that was likely after revocation, and their adverse price effects, would have an adverse impact on the domestic industry.¹⁷⁹ While acknowledging the substantial presence of nonsubject imports in the U.S. market, the Commission found that there was no evidence that nonsubject imports would prevent subject imports from entering the U.S. market at injurious volumes and prices after revocation.¹⁸⁰ The Commission also found that there was no expected increase in demand that could absorb the likely increase in subject imports after revocation.¹⁸¹

2. Current Review¹⁸²

The record in this expedited review contains limited information concerning the domestic industry's performance since the last review.

The information available indicates differences in the domestic industry's performance in 2022 as compared to its performance in the final years of the period examined in the original investigations and prior reviews.¹⁸³ The domestic industry's capacity in 2022, at *** short tons,

¹⁷⁶ *Third Five-Year Review*, USITC Pub. 4348 at 16.

¹⁷⁷ *Third Review*, USITC Pub. 4348 at 17. Although demand in the United States had been weak, it was expected to remain or improve and therefore was not expected to negatively impact the domestic industry. *Id.*

¹⁷⁸ *Fourth Review*, Confidential Version, EDIS Doc. 791870 at 32.

¹⁷⁹ *Fourth Review*, USITC Pub. 4760 at 22.

¹⁸⁰ *Fourth Review*, USITC Pub. 4760 at 22.

¹⁸¹ *Fourth Review*, USITC Pub. 4760 at 22.

¹⁸² In its expedited review, Commerce determined that revocation of the order would result in the continuation or recurrence of dumping, with margins up to 57.72 percent. *Certain Small Diameter Seamless Carbon and Alloy Standard, Line and Pressure Pipe from Germany: Final Results of Expedited Fifth Sunset Review of the Antidumping Duty Order*, 88 Fed. Reg. 29890 (May 9, 2023).

¹⁸³ The domestic industry's performance in 2022 may not be fully comparable to its performance in 1994, 2000, 2005, and 2011 due to lower data coverage of the domestic industry in this review as (Continued...)

was lower than in the original investigations and all prior reviews, while its production, at *** short tons, was lower than the original investigations and first, second and third five-year reviews, but higher than in the fourth five-year review.¹⁸⁴ The domestic industry's capacity utilization, however, was higher in 2022, at *** percent, than in the prior proceedings.¹⁸⁵

The industry's U.S. shipments of seamless SLP pipe, at *** short tons, were lower in 2022 than in all prior proceedings but the fourth review, and its share of apparent U.S. consumption, at *** percent, was lower in 2022 than in the prior proceedings.¹⁸⁶ Its net sales value was \$*** in 2022, which was lower than in all prior proceedings but the fourth review. The industry's operating income of \$*** in 2022 was *** than in all prior proceedings but the second reviews, and its operating income as a share of net sales, at *** percent, was higher than in all prior proceedings.¹⁸⁷ The limited information available in these expedited reviews is insufficient for us to make a finding as to whether the domestic industry is vulnerable to the continuation or recurrence of material injury in the event of revocation of the order.

Based on the information available on the record, we find that revocation of the order would likely result in a significant volume of subject imports that would likely undersell the domestic like product, causing the domestic industry to lose sales and market share and/or significantly depressing or suppressing prices for the domestic like product. The likely significant volume of low-priced subject imports and their adverse price effects would likely have a significant adverse impact on the production, shipments, sales, market share, and revenues of the domestic industry, which, in turn, would have a direct adverse impact on the

(...Continued)

compared to the original investigations and first, second, and third reviews, though not the fourth review. As discussed in section III.B.1 above, data coverage of the domestic industry is *** percent of total U.S. production of seamless SLP pipe in 2022.

¹⁸⁴ CR/PR at Table I-5.

¹⁸⁵ CR/PR at Table I-5. By comparison, the domestic industry's capacity was *** short tons in 2016, *** short tons in 2011, *** short tons in 2005, 327,838 in 2000, and 292,650 short tons in 1994; its production was *** short tons in 2016, *** short tons in 2011, *** short tons in 2005, 134,365 short tons in 2000, and 138,295 short tons in 1994; and its capacity utilization was *** percent in 2016, *** percent in 2011, *** percent in 2005, 41.0 percent in 2000, and 47.3 percent in 1994. *Id.*

¹⁸⁶ CR/PR at Tables I-7. By comparison, the domestic industry's U.S. shipments were *** short tons in 2016, *** short tons in 2011, *** short tons in 2005, 130,743 short tons in 2000, and 137,993 short tons in 1999; its share of the U.S. market by quantity was *** percent in 2016, *** percent in 2011, *** percent in 2005, 64.0 percent in 2000, and 67.2 percent in 1994. *Id.*

¹⁸⁷ CR/PR at Table I-7. By comparison, the domestic industry's net sales were *** in 2016, *** in 2011, *** in 2004, \$102.4 million in 2000, and 91.8 million in 1994; operating income was *** in 2016, *** in 2011, *** in 2005, \$ 6.2 million in 2000, and \$123,000 in 1994. The industry's operating income to net sales ratio was *** percent in 2016, *** percent in 2011, *** percent in 2005, 6.1 percent in 2000, and negative 0.1 percent in 1994. *Id.*

industry's profitability and employment, as well as its ability to raise capital and make and maintain necessary capital investments. We conclude that, if the order were revoked, subject imports from Germany would be likely to have a significant impact on the domestic industry within a reasonably foreseeable time.

We have also considered the role of factors other than subject imports, including the presence of nonsubject imports. Nonsubject imports have maintained a substantial presence in the U. S. market since the last reviews, accounting for *** percent of apparent consumption by quantity in 2022.¹⁸⁸ Nevertheless, the record provides no indication that the presence of nonsubject imports would prevent subject imports from Germany from significantly increasing their presence in the U.S. market after revocation, given the export orientation of the subject industry and the relative attractiveness of the U.S. market. In light of the substitutability between subject imports and the domestic like product and the importance of price to purchasers, the presence of nonsubject imports would not prevent the significant volume of low-priced cumulated subject imports that we have found likely after revocation from taking market share from the domestic industry, as well as from nonsubject imports, or from forcing domestic producers to either lower prices or forgo price increases to retain market share.¹⁸⁹ Consequently, we find that any effects of nonsubject imports would be distinct from the likely effects attributable to subject imports.

IV. Conclusion

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

¹⁸⁸ CR/PR at Table I-7. The volume of nonsubject imports during the period of review was 143,458 short tons in 2022, 73,837 short tons in 2021, 69,071 short tons in 2020, 121,356 short tons in 2019, 171,749 short tons in 2018, 153,615 short tons in 2017. CR/PR at Table I-10.

¹⁸⁹ CR/PR at Tables I-14 and I-15.

Information obtained in this review

Background

On January 3, 2023, the U.S. International Trade Commission (“Commission”) gave notice, pursuant to section 751(c) of the Tariff Act of 1930, as amended (“the Act”),¹ that it had instituted a review to determine whether revocation of the antidumping duty order on seamless carbon and alloy steel standard, line, and pressure pipe (“seamless SLP pipe”) from Germany would likely lead to the continuation or recurrence of material injury to a domestic industry.² All interested parties were requested to respond to this notice by submitting certain information requested by the Commission.^{3 4} Table I-1 presents information relating to the background and schedule of this proceeding:

Table I-1
Seamless SLP pipe: Information relating to the background and schedule of this proceeding

Effective date	Action
January 3, 2023	Notice of initiation by Commerce (88 FR 110, January 3, 2023)
January 3, 2023	Notice of institution by Commission (88 FR 63, January 3, 2023)
April 10, 2023	Commission’s vote on adequacy
May 9, 2023	Commerce’s results of its expedited review (88 FR 29890, May 9, 2023)
August 3, 2023	Commission’s vote
August 11, 2023	Commission’s determination and views

¹ 19 U.S.C. 1675(c).

² 88 FR 110, January 3, 2023. In accordance with section 751(c) of the Act, the U.S. Department of Commerce (“Commerce”) published a notice of initiation of a five-year review of the subject antidumping duty order. 88 FR 110, January 3, 2023. 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 and subsequent full reviews are presented in app. C.

⁴ Interested parties were also requested to provide a list of three to five leading purchasers in the U.S. market for the domestic like product and the subject merchandise. Presented in app. D are the responses received from purchaser surveys transmitted to the purchasers identified in this proceeding.

Responses to the Commission’s notice of institution

Individual responses

The Commission received one submission in response to its notice of institution in the subject review. It was filed on behalf of the following entity:

1. Vallourec Star, LP (“Vallourec”), domestic producer of seamless SLP pipe (referred to herein as “domestic interested party”).⁵

A complete response to the Commission’s notice of institution requires that the responding interested party submit to the Commission all the information listed in the notice. Responding firms are given an opportunity to remedy and explain any deficiencies in their responses. A summary of the number of responses and estimates of coverage for each is shown in table I-2.

Table I-2
Seamless SLP pipe: Summary of completed responses to the Commission’s notice of institution

Interested party	Type	Number of firms	Coverage
U.S. producer	Domestic	1	***%

Note: The U.S. producer coverage figure presented is the domestic interested party’s estimate of its share of total U.S. production of seamless SLP pipe during 2022. The domestic interested party estimated its coverage based on information from the Preston Pipe and Tube Report which provides estimates for industry shipment data for small diameter and large diameter seamless pipe covering the line, standard, and pressure pipe markets in 2022. Domestic interested party’s response to the notice of institution, February 2, 2023, pp. 29-30.

⁵ The domestic interested parties also provided certain 2021 trade and financial information on behalf of U.S. producer ***. Domestic interested party’s supplemental response to the notice of institution, March 1, 2023, p. 1.

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 an expedited or full review from Vallourec. Vallourec requests that the Commission conduct an expedited review of the antidumping duty order on seamless SLP pipe.⁶

The original investigations

The original investigations resulted from petitions filed on June 23, 1994 with Commerce and the Commission by Gulf States Tube Division of Quanax Corp. (“Gulf States”).⁷ On June 12, 1995, Commerce determined that imports of seamless SLP pipe from Argentina, Brazil, Germany, and Italy were being sold at less than fair value (“LTFV”) and subsidized by the Government of Italy.⁸ On July 26, 1995 the Commission determined that the domestic industry was materially injured by reason of LTFV imports of seamless SLP pipe from Argentina, Brazil, Germany, and Italy and subsidized by the government of Italy.⁹ On August 3, 1995, Commerce issued its antidumping duty order with respect to Argentina, Brazil, Germany and Italy; and countervailing duty order with respect to Italy. The final weighted-average dumping margin regarding Germany was 57.72 percent.¹⁰

⁶ Domestic interested party’s comments on adequacy, March 16, 2023, p. 2.

⁷ Certain Seamless Carbon and Alloy Standard, Line, and Pressure Steel Pipe from Argentina, Brazil, Germany, and Italy, Inv. Nos. 701-362 and 731-TA-707-710 (Final), USITC Publication 2910, July 1995 (“Original publication”), p. I-1.

⁸ 60 FR 31974, June 19, 1995; 60 FR 31981, June 19, 1995; 60 FR 31992, June 19, 1995; 60 FR 31953, June 19, 1995; and 60 FR 31960, June 19, 1995.

⁹ 60 FR 47590, September 13, 1995.

¹⁰ 60 FR 39704, August 3, 1995. The original dumping margin for all producers/exporters in Germany was 58.23 percent. The final weighted-average dumping margin regarding Argentina was 108.13 percent. 60 FR 39708, August 3, 1995. The final weighted-average dumping margin regarding Brazil was 124.94 percent. 60 FR 39707, August 3, 1995. The final weighted-average dumping margin regarding Italy was 1.84 percent. 60 FR 39705, August 3, 1995. 60 FR 31992, June 19, 1995.

The first five-year reviews

On October 5, 2000, the Commission determined that it would conduct full reviews of the antidumping duty orders on seamless SLP pipe from Argentina, Brazil, Germany, and Italy and the countervailing duty order on seamless SLP pipe from Italy.¹¹ On February 27, 2001, Commerce determined that revocation of the antidumping order on seamless SLP pipe from Germany would be likely to lead to continuation or recurrence of dumping.¹² On June 7, 2001, the Commission determined that material injury would be likely to continue or recur within a reasonably foreseeable time.¹³ Following affirmative determinations in the five-year reviews by Commerce and the Commission, effective July 16, 2001, Commerce issued a continuation of the antidumping duty orders on imports of seamless SLP pipe from Argentina, Brazil, and Germany.¹⁴

¹¹ 65 FR 63889, October 25, 2000.

¹² FR 12465, February 27, 2001.

¹³ FR 34717, June 29, 2001. The Commission also determined that revocation of the antidumping and countervailing duty orders on seamless SLP pipe from Italy would not be likely to lead to continuation or recurrence of dumping and/or subsidization. Siderca S.A.I.C. (“Siderca”), a producer of subject merchandise in Argentina, contested the Commission’s determinations in the first review of these orders. On October 27, 2004, the U.S. Court of International Trade (“CIT”) remanded the Commission’s determinations with respect to Argentina, Brazil, and Germany in *Certain Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from Argentina, Brazil, Germany, and Italy*, Inv. Nos. 701-TA-362) and 731-TA-707-710 (Review), USITC Publication 3429, June 2001. See *Siderca S.A.I.C. v. U.S.*, 350 F.Supp.2d 1223 (CIT 2004).

The Commission found on remand that revocation of the antidumping duty orders on certain seamless carbon and alloy steel standard, line, and pressure pipe from Argentina, Brazil, and Germany would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a foreseeable time. *Certain Seamless Carbon and Alloy Steel Standard, Line and Pressure Pipe from Argentina, Brazil, and Germany* (Views on Remand), Inv. Nos. 731-TA-707-709 (Review) (Remand), USITC Publication 3754, February 2005. The Commission’s determinations on remand were affirmed by the court. See *Siderca S.A.I.C. v. U.S.*, 374 F.Supp.2d 1285 (CIT 2005)

¹⁴ 66 FR 37004, July 16, 2001. Commerce revoked the antidumping and countervailing duty orders with respect to Italy effective August 3, 2000; and August 8, 2000, respectively. 66 FR 36999, July 16, 2001.

The second five-year reviews

On September 5, 2006, the Commission determined that it would conduct full reviews of the antidumping duty orders on seamless SLP pipe from Argentina, Brazil, and Germany.¹⁵ On October 6, 2006, Commerce determined that revocation of the antidumping duty orders on seamless SLP pipe from Argentina, Brazil, and Germany would be likely to lead to continuation or recurrence of dumping.¹⁶ On May 2, 2007, the Commission determined that material injury would be likely to continue or recur within a reasonably foreseeable time with respect to the antidumping duty order on seamless SLP pipe from Germany.¹⁷ Following affirmative determinations in the five-year reviews by Commerce and the Commission, effective May 18, 2007, Commerce issued a continuation of the antidumping duty order on imports of seamless SLP pipe from Germany.¹⁸

The third five-year review

On July 6, 2012, the Commission determined that it would conduct an expedited review of the antidumping duty order on seamless SLP pipe from Germany.¹⁹ On August 3, 2012, Commerce determined that revocation of the antidumping duty order on seamless SLP pipe from Germany would be likely to lead to continuation or recurrence of dumping.²⁰ On August 30, 2012, the Commission determined that material injury would be likely to continue or recur within a reasonably foreseeable time.²¹ Following affirmative determinations in the five-year reviews by Commerce and the Commission, effective September 14, 2012, Commerce issued a continuation of the antidumping duty order on imports of seamless SLP pipe from Germany.²²

¹⁵ 71 FR 54520, September 15, 2006.

¹⁶ 71 FR 59079, October 6, 2006.

¹⁷ The Commission also determined that revocation of the antidumping duty orders on seamless SLP pipe from Argentina and Brazil would not be likely to lead to continuation or recurrence of dumping. 72 FR 26153, May 8, 2007.

¹⁸ 72 FR 28026, May 18, 2007. Commerce revoked the antidumping duty orders with respect to Argentina and Brazil effective July 16, 2006. 72 FR 28027, May 18, 2007.

¹⁹ 77 FR 42763, July 20, 2012.

²⁰ 77 FR 46385, August 3, 2012.

²¹ 77 FR 54926, September 6, 2012.

²² 77 FR 56809, September 14, 2012.

The fourth five-year review

On November 6, 2017, the Commission determined that it would conduct an expedited review of the antidumping duty order on seamless SLP pipe from Germany.²³ On December 6, 2017, Commerce determined that revocation of the antidumping duty order on seamless SLP pipe from Germany would be likely to lead to continuation or recurrence of dumping.²⁴ On February 13, 2018, the Commission determined that material injury would be likely to continue or recur within a reasonably foreseeable time.²⁵ Following affirmative determinations in the five-year reviews by Commerce and the Commission, effective February 28, 2018, Commerce issued a continuation of the antidumping duty order on imports of seamless SLP pipe from Germany.²⁶

²³ 82 FR 56267, November 28, 2017.

²⁴ 82 FR 57577, December 6, 2017.

²⁵ 83 FR 7217, February 20, 2018.

²⁶ 83 FR 8651, February 28, 2018.

Previous and related investigations

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

Table I-3
seamless SLP pipe: Previous and related Commission proceedings and status of orders

Date	Number	Country / type (diameter)	ITC original determination	Current status of order
1980	731-TA-15	Japan / Both	Negative	---
1982	731-TA-87	Japan / Both	Affirmative	Orders revoked before first review, October 29, 1985. 50 FR 37565
1994	731-TA-707	Argentina / Small	Affirmative	Order revoked after second review, May 18, 2007. 72 FR 28027
1994	731-TA-708	Brazil / Small	Affirmative	Order revoked after second review, May 18, 2007. 72 FR 28027
1994	701-TA-362	Italy / Small	Affirmative	Order revoked after first review, July 16, 2001. 66 FR 36999
1994	731-TA-710	Italy / Small	Affirmative	Order revoked after first review, July 16, 2001. 66 FR 36999
1999	731-TA-846	Czechia / Small	Affirmative	Order revoked after first review, May 11, 2006. 71 FR 27463
1999	731-TA-848	Mexico / Large	Affirmative	Order revoked after first review, May 11, 2006. 71 FR 27461
1999	731-TA-850	South Africa / Small	Affirmative	Order revoked after first review, May 11, 2006. 71 FR 27463
2000	731-TA-846	Czech Republic / Small	Affirmative	Order revoked after first review August 14, 2005
2000	731-TA-847	Japan / Both	Affirmative	Ongoing fourth expedited review
2000	731-TA-848	Mexico / Large	Affirmative	Order revoked after first review August 11, 2005
2000	731-TA-849	Romania / Small	Affirmative	Ongoing fourth expedited review
2000	731-TA-850	South Africa / Small	Affirmative	Order revoked after first review June 26, 2005
2001	TA-201-73	Global / Both	Negative	---
2009	701-TA-469	China / Both	Affirmative	Orders continued after second review, September 14, 2021, 86 FR 51118
2009	731-TA- 1168	China / Both	Affirmative	Orders continued after first review, March 16, 2016. 81 FR 14089

Table continued.

Table I-3 Continued
seamless SLP pipe: Previous and related Commission proceedings and status of orders

Date	Number	Country / type (diameter)	ITC original determination	Current status of order
2020	701-TA-654	South Korea / Both	Affirmative	Order 86 FR 47060, August 23, 2021
2020	701-TA-655	Russia / Both	Affirmative	Order 86 FR 47060, August 23, 2021
2020	731-TA-1529	Czechia / Both	Affirmative	Order 86 FR 22031, April 26, 2021
2020	731-TA-1530	South Korea / Both	Affirmative	Order 86 FR 47055, August 23, 2021
2020	731-TA-1531	Russia / Both	Affirmative	Order 86 FR 47055, August 23, 2021
2020	731-TA-1532	Ukraine / Both	Affirmative	Order 86 FR 47055, August 23, 2021

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. Small refers to small diameter seamless SLP pipe; large refers to large diameter seamless SLP pipe; and both refers to small diameter and large diameter seamless SLP pipe.

Commerce's five-year review

Commerce announced that it would conduct an expedited review with respect to the order on imports of seamless SLP pipe from Germany with the intent of issuing the final results of this review based on the facts available not later than May 3, 2023.²⁷ 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 duty order on imports of seamless SLP pipe from Germany are noted in the sections titled "The original investigations" and "U.S. imports," if applicable.

²⁷ Letter from Shawn Thompson, Acting Senior Director, Office VII, AD/CVD Operations, Enforcement and Compliance, U.S. Department of Commerce to Nannette Christ, Director of Investigations, USITC, February, 24, 2023.

The product

Commerce's scope

Commerce has defined the scope as follows:

The scope of the order includes small diameter seamless carbon and alloy standard, line and pressure pipes (seamless pipes) produced to the ASTM A-335, ASTM A-106, ASTM A-53 and API 5L specifications and meeting the physical parameters described below, regardless of application. The scope of the order also includes all products used in standard, line, or pressure pipe applications and meeting the physical parameters below, regardless of specification.

For purposes of the order, seamless pipes are seamless carbon and alloy (other than stainless) steel pipes, of circular cross-section, not more than 114.3 mm (4.5 inches) in outside diameter, regardless of wall thickness, manufacturing process (hot-finished or cold-drawn), end finish (plain end, beveled end, upset end, threaded, or threaded and coupled), or surface finish. These pipes are commonly known as standard pipe, line pipe or pressure pipe, depending upon the application. They may also be used in structural applications. Pipes produced in nonstandard wall thicknesses are commonly referred to as tubes.

The seamless pipes subject to the order are currently classifiable under subheadings 7304.19.10.20, 7304.19.50.20, 7304.31.60.50, 7304.39.00.16, 7304.39.00.20, 7304.39.00.24, 7304.39.00.28, 7304.39.00.32, 7304.51.50.05, 7304.51.50.60, 7304.59.60.00, 7304.59.80.10, 7304.59.80.15, 7304.59.80.20, and 7304.59.80.25 of the Harmonized Tariff Schedule of the United States (HTSUS). The following information further defines the scope of the order, which covers pipes meeting the physical parameters described above:

Specifications, Characteristics, and Uses: Seamless pressure pipes are intended for the conveyance of water, steam, petrochemicals, chemicals, oil products, natural gas and other liquids and gasses in industrial piping

systems. They may carry these substances at elevated pressures and temperatures and may be subject to the application of external heat. Seamless carbon steel pressure pipe meeting the American Society for Testing and Materials (“ASTM”) standard A–106 may be used in temperatures of up to 1000 degrees Fahrenheit, at various American Society of Mechanical Engineers (“ASME”) code stress levels. Alloy pipes made to ASTM standard A–335 must be used if temperatures and stress levels exceed those allowed for A–106 and the ASME codes. Seamless pressure pipes sold in the United States are commonly produced to the ASTM A–106 standard.

Seamless standard pipes are most commonly produced to the ASTM A–53 specification and generally are not intended for high temperature service. They are intended for the low temperature and pressure conveyance of water, steam, natural gas, air and other liquids and gasses in plumbing and heating systems, air conditioning units, automatic sprinkler systems, and other related uses. Standard pipes (depending on type and code) may carry liquids at elevated temperatures but must not exceed relevant ASME code requirements.

Seamless line pipes are intended for the conveyance of oil and natural gas or other fluids in pipe lines. Seamless line pipes are produced to the API 5L specification.

Seamless pipes are commonly produced and certified to meet ASTM A–106, ASTM A–53 and API 5L specifications. Such triple certification of pipes is common because all pipes meeting the stringent A–106 specification necessarily meet the API 5L and ASTM A–53 specifications. Pipes meeting the API 5L specification necessarily meet the ASTM A–53 specification. However, pipes meeting the A–53 or API 5L specifications do not necessarily meet the A–106 specification. To avoid maintaining separate production runs and separate inventories, manufacturers triple certify the pipes. Since distributors sell the vast majority of this product, they can thereby maintain a single inventory to service all customers.

The primary application of ASTM A– 106 pressure pipes and triple certified pipes is in pressure piping systems by refineries, petrochemical plants and chemical plants. Other applications are in power generation plants (electrical/fossil fuel or nuclear), and in some oil field uses (on shore and off shore) such as for separator lines, gathering lines and metering runs. A minor application of this product is for use as oil and gas distribution lines for commercial applications. These applications constitute the majority of the market for the subject seamless pipes. However, A– 106 pipes may be used in some boiler applications.

The scope of the order includes all seamless pipe meeting the physical parameters described above and produced to one of the specifications listed above, regardless of application, and whether or not also certified to a non-covered specification. Standard, line and pressure applications and the above-listed specifications are defining characteristics of the scope of the order. Therefore, seamless pipes meeting the physical description above, but not produced to the A–335, A–106, A–53, or API 5L standards shall be covered if used in a standard, line or pressure application.

For example, there are certain other ASTM specifications of pipe which, because of overlapping characteristics, could potentially be used in A–106 applications. These specifications generally include A–162, A–192, A–210, A–333, and A–524. When such pipes are used in a standard, line or pressure pipe application, such products are covered by the scope of the order.

Specifically excluded from the order are boiler tubing and mechanical tubing, if such products are not produced to A– 335, A–106, A–53 or API 5L specifications and are not used in standard, line or pressure applications. In addition, finished and unfinished oil country tubular goods (“OCTG”) are excluded from the scope of the order, if covered by the scope of another antidumping duty order from the same country. If not covered by such an OCTG order, finished and unfinished OCTG are included in the scope when used in standard, line or pressure applications.

Finally, also excluded from the order are redraw hollows for cold-drawing when used in the production of cold-drawn pipe or tube.

Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.²⁸

U.S. tariff treatment

Seamless SLP pipe is currently imported under Harmonized Tariff Schedule of the United States (“HTS”) statistical reporting numbers 7304.19.1020, 7304.19.5020, 7304.31.6050, 7304.39.0016, 7304.39.0020, 7304.39.0024, 7304.39.0028, 7304.39.0032, 7304.51.5005, 7304.51.5060, 7304.59.6000, 7304.59.8010, 7304.59.8015, 7304.59.8020, and 7304.59.8025. Seamless SLP pipe imported from Germany enters the U.S. market at a column 1-general duty rate of “free.”²⁹ Effective January 1, 2022, seamless SLP pipe originating in Germany is subject to a tariff-rate quota (“TRQ”) and imports above the quota level are subject to Section 232 duties of 25 percent.³⁰ The TRQ levels for seamless SLP pipe originating in Germany per year are 4,392,000 kilograms (4,841 short tons) for line pipe not exceeding 406.4 mm in outside diameter, 9,739,000 kilograms (10,735 short tons) for standard pipe, 38,448,000 kilograms (42,381 short tons) for mechanical tubing, and 649,000 kilograms (715 short tons) for pipes and

²⁸ 83 FR 8651, February 28, 2018.

²⁹ HTSUS (2023) Revision 2, USITC Publication 5421, March 2023, pp. 73-3–73-13.

³⁰ Section 232 import duties on steel articles currently cover all countries of origin except Argentina, Australia, Brazil, Canada, Mexico, and South Korea. Imports from Australia, Canada, and Mexico are exempt from Section 232 duties and quotas on steel articles, while imports originating in Argentina, Brazil, and South Korea are exempt from duties but are instead subject to absolute quotas. Germany and other EU member countries (effective January 1, 2022), Japan (effective April 1, 2022), and the United Kingdom (effective June 1, 2022) are currently subject to tariff-rate quotas (“TRQs”) for steel articles, and imports that exceed the TRQ limits are subject to the Section 232 tariffs. Section 232 import duties on steel articles originating in Turkey were temporarily raised from 25 percent to 50 percent, effective August 13, 2018, but restored to 25 percent effective May 21, 2019. In addition, Section 232 duties on steel articles originating in Ukraine are suspended, effective June 1, 2022, to June 1, 2023. 83 FR 11625, March 15, 2018; 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 19351, April 1, 2022; 87 FR 33407, June 2, 2022; 87 FR 33591, June 3, 2022.

See also HTS heading 9903.80.01 and U.S. notes 16(a) and 16(b) to subchapter III of chapter 99 and related tariff provisions for this duty treatment. USITC, HTS (2023) Revision 2, USITC Publication 5421, March 2023, pp. 99-III-5–99-III-8, 99-III-267.

tubes not specially provided for.³¹ The TRQ levels cover seamless SLP pipe and out-of-scope products.³² Effective September 1, 2019, seamless SLP pipe originating in China, a nonsubject country, was subject to an additional 15 percent ad valorem duty under section 301 of the Trade Act of 1974. Effective January 14, 2020, the section 301 duty for seamless SLP pipe was reduced to 7.5 percent.³³ Decisions on the tariff classification and treatment of imported goods are within the authority of U.S. Customs and Border Protection.

³¹ HTS chapter 99 heading 9903.80.80 (Line pipe not exceeding 406.4 mm in outside diameter) contains HTS statistical reporting numbers 7304.19.1020 and 7304.19.5020. HTS chapter 99 heading 9903.80.82 (Standard pipe) contains HTS statistical reporting numbers 7304.39.0016, 7304.39.0020, 7304.39.0024, 7304.59.8010, and 7304.59.8015. HTS chapter 99 heading 9903.80.84 (Mechanical tubing) contains HTS statistical reporting numbers 7304.31.6050, 7304.39.0028, 7304.39.0032, 7304.51.5060, 7304.59.6000, 7304.59.8020, and 7304.59.8025. HTS chapter 99 heading 9903.80.87 (Pipes and tubes not specially provided for) contains HTS statistical reporting number 7304.51.5005.

³² U.S. Customs and Border Protection (“CBP”), “QB 23-612 2023 Second Quarter Tariff Rate Quota (TRQ) for Steel Mill Articles of European Union (EU) Member Countries,”

<https://www.cbp.gov/trade/quota/bulletins/qb-23-612>. CBP, “EU Sec 232 Steel Tariff Rate Quota (TRQ) 2023 Q1 and Q2,” undated, p. 16-23,

https://www.cbp.gov/sites/default/files/assets/documents/2023-Jan/EU%20Steel%20TRQ%20Limit%20Table%202023_Q1_Q2.pdf.

³³ 84 FR 45821, August 30, 2019; 85 FR 3741, January 22, 2020. See also HTS heading 9903.88.15 and U.S. notes 20(r) and 20(s) to subchapter III of chapter 99 and related tariff provisions for this duty treatment. USITC, HTS (2023) Revision 2, USITC Publication 5421, March 2023, pp. 99-III-86–99-III-100, 99-III-295.

Description and uses³⁴

Standard, line, and pressure pipes are generally intended to convey liquids and are typically tested and rated for their ability to withstand hydrostatic pressure.

Seamless standard pipe is most commonly produced to the American Society for Testing and Materials (“ASTM”) A-53 specification and is generally intended for the low-pressure conveyance of water, steam, natural gas, air, and other liquids and gases in plumbing and heating systems, air conditioning units, automatic sprinklers, and other related uses. Depending on the type and grade, standard pipe may carry liquids at elevated temperatures but must not exceed relevant American Society of Mechanical Engineers (“ASME”) code requirements. If exceptionally low temperature end uses or conditions are anticipated, seamless standard pipe may be produced to meet ASTM A-333 and A-334 specifications.

Seamless line pipe is produced to the American Petroleum Institute (“API”) 5L specification, and is intended for the conveyance of oil, natural gas, and other fluids in pipelines.

Seamless pressure pipe is commonly produced to the ASTM A-106 specification (covering seamless carbon steel pipe for high temperature service), and is intended for the conveyance of water, steam, petrochemicals, chemicals, oil products, natural gas, and other liquids and gases at elevated temperature or pressure, or both, in industrial piping systems. They may carry substances at elevated temperatures and pressures and may be subject to external heat.

Most steel products, including those subject to this review, are produced from carbon steel, which contains controlled amounts of carbon and manganese.³⁵ Alloy steels, which provide physical properties not achievable to the same degree as carbon steels,³⁶ contain controlled amounts of alloying elements—usually, nickel, chromium, and molybdenum.³⁶ The distinguishing characteristics of alloy steel pipe are its physical properties, which make the alloy steel pipe particularly suitable for application in high temperature or low temperature service. Uses can differ from those of carbon steel pipe, based upon the service requirements and

³⁴ Unless otherwise noted, this information is based on Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from Germany, Investigation No. 731-TA-709 (Fourth Review), USITC Publication 4760, February 2018 (“Fourth review publication”), pp. I-12–I-14.

³⁵ Manganese primarily increases tensile strength and hardness, while reducing ductility and weldability.

³⁶ Alloy steels achieve a high degree of strength and toughness while maintaining weldability-attributes that can be achieved with carbon steels, though not always to the same degree.

temperature and pressure requirements of the American Society of Mechanical Engineers (“ASME”) Boiler and Pressure Code.

Seamless SLP pipe may be used in petrochemical and other non-pipeline applications, as well as in high pressure or high temperature applications, including in steam lines. Seamless SLP pipe less than 2 inches in outside diameter (“OD”) is commonly used in high pressure and high temperature applications—for example, in the construction or repair of refineries and chemical plants. Slightly larger pipes are used in more general high pressure applications in industrial piping systems. Seamless SLP pipe that is 2-3/8 inches or greater in outside diameter may be used in gathering lines or as line pipe for the conveyance of oil or natural gas. Seamless pipe with larger outside diameters (especially pipe with an OD greater than 4.5 inches, which is not subject to these reviews) is typically line pipe used in gas transmission, as well as in pipeline construction.

Manufacturing process³⁷

Seamless SLP pipes are manufactured by either of two high-temperature processes to form a central cavity in a solid steel billet. In the rotary-piercing process, a heated billet is gripped by angled rolls, which cause the billet to rotate and advance over a piercer point, forming a hole through its length. In the extrusion process, the billet is hot punch-pierced and then extruded axially through a die and over a mandrel, forming a hollow shell. The hollow shell produced by either process is then rolled with either a fixed plug or a continuous mandrel inside the shell to reduce the wall thickness and increase the length. The shell is then rolled in a sizing mill or a stretch reduction mill where it is formed into a true round and sized to the required diameter.

Typically, pipe is furnished hot-finished. However, small diameter pipe of less than two inches in OD is often cold drawn because hot rolling of small diameter pipe is often not possible. Pipe also may be cold drawn in order to provide a surface finish smoother than can be produced by hot finishing. When pipe is to be cold drawn, seamless hollows (redraw hollows) are first pickled in acid to remove scale and oxides from both the outside and inside surfaces. The redraw hollows are then rinsed in water and coated with a lubricant for cold drawing. The hollow is pulled through a die and over an internal mandrel, which reduces the outside diameter and increases the length. The mandrel inside the hollow controls the diameter and the wall thickness. Following cold drawing, the hollows are annealed (heat treated).³⁸

Finishing operations on subject SLP include straightening, cutting to length, inspection, testing, end finishing (e.g., beveling or threading), and coating. Pipes may be furnished galvanized (hot-dip zinc coated) and may be threaded and coupled.

³⁷ Unless otherwise noted, this information is based on the fourth review publication, pp. I-18–I-19.

³⁸ Alloy steel pipe and carbon steel pipe may require heat treating, which may involve one or more heating cycles in either a continuous furnace or a batch furnace, with controlled rates of cooling. Specific heat treating requirements are dependent upon the grade of steel being processed and the specification to which the steel is produced. The same process and equipment are used to heat treat carbon and alloy steel seamless SLP pipe.

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 seven firms, which accounted for virtually all production of seamless SLP pipe in the United States during 1994.³⁹

During the first five-year reviews, the Commission received U.S. producer questionnaires from eight firms, which accounted for all known production of seamless SLP pipe in the United States during 2000.⁴⁰

During the second five-year reviews, the Commission received U.S. producer questionnaires from four firms, which accounted for the vast majority of production of seamless SLP pipe in the United States during 2005.⁴¹

During the third five-year review, the domestic interested parties provided a list of six known and currently operating U.S. producers of seamless SLP pipe. One responding firm, ***, accounted for approximately *** percent of production of seamless SLP pipe in the United States during 2011.⁴²

During the fourth five-year review, domestic interested parties provided a list of five known and currently operating U.S. producers of seamless SLP pipe, and the respondent interested party provided a list of four additional known and currently operating U.S. producers. Two responding firm, ***, accounted for approximately *** percent of production of seamless SLP pipe in the United States during 2016.⁴³

In response to the Commission's notice of institution in this current review, the domestic interested party provided a list of seven known and currently operating U.S. producers of seamless SLP pipe. One firm providing U.S. industry data in response to the Commission's notice of institution accounted for *** percent of production of seamless SLP pipe in the United States during 2022.⁴⁴

³⁹ Final publication, p. II-25.

⁴⁰ First review publication, p. I-19.

⁴¹ Second review publication, p. I-27.

⁴² Third review confidential report, p. I-3.

⁴³ Fourth review confidential report, p. I-3.

⁴⁴ Domestic interested party's response to the notice of institution, February 2, 2023, exh. 1 and exh. 35.

Recent developments

Table I-4 presents events in the U.S. industry since the Commission's last five-year review.⁴⁵

Table I-4
Seamless SLP pipe: Recent developments in the U.S. industry

Item	Firm	Event
Restart	Tenaris SA	In October 2018, Tenaris SA announced that it would resume heat treatment and pipe-finishing operations at its plant in Conroe, Texas. Tenaris SA planned to use the plant to finish seamless pipes produced in Bay City, Texas.
Closure	Timken Steel	In November 2019, Timken Steel announced that it would close a Houston area facility that provided value-added and finishing services primarily to customers in the energy sector. The closure was expected to impact 97 employees.
Acquisition	Tenaris SA	In January 2020, Tenaris SA announced that it acquired domestic steel pipe manufacturer IPSCO Tubulars, Inc. from PAO TMK for nearly \$1.1 billion in cash. The acquisition includes a steel melt shop in Koppel, Pennsylvania, and a seamless pipe mill in Ambridge, Pennsylvania.
Closure	Tenaris SA	In March 2020, Tenaris SA announced that it would idle certain tube making operations at the end of the month due to a collapse in oil prices. The announcement applied to the firm's billet mill in Koppel, Pennsylvania, and its seamless pipe mill in Ambridge, Pennsylvania.
Closure	U.S. Steel Tubular	In March 2020, U.S. Steel announced that it would idle its Lorain, Ohio tubular operations and issued a WARN notice to employees. 250 workers were expected to be laid off by May 24, 2020. The company noted that the decision was largely related to weak tubular market conditions, including oil pricing, imports, and demand. The mill manufactured 380,000 tons of seamless pipe used in oil and gas exploration and construction.
Layoffs	Vallourec	In April 2020, Vallourec announced that it would lay off 112 workers at its Muskogee, Oklahoma pipe operations due to uncertainty caused by COVID-19 and OPEC actions.
Layoffs	Vallourec	In April 2020, Vallourec announced that it would lay off 59 workers at its Youngstown, Ohio operations, citing "unprecedented issues caused by the COVID-19 pandemic and the OPEC-Russia oil price war." Layoffs were expected to begin April 30 through May 13.
Layoffs	Tenaris SA	In May 2020, Tenaris SA announced it would lay off 200 workers at its Bay City, Texas plant citing "a drastic drop in demand caused by the price war between Russia and Saudi Arabia."

Table continued.

⁴⁵ For recent developments in tariff treatment, please see "U.S. tariff treatment" section.

Table I-4 Continued**Seamless SLP pipe: Recent developments in the U.S. industry**

Item	Firm	Event
Expansion	Tenaris SA	In September 2020, Tenaris SA announced that the firm would upgrade its plant in Koppel, Pennsylvania, to allow the plant to produce billets at a wider range of sizes. The upgrade supports the company's seamless pipe mills operating in Texas, Pennsylvania, and Canada.
Expansion	U.S. Steel Tubular	In December 2020, U.S. Steel opened its new electric arc furnace in Fairfield, Alabama with a capacity of 1.6 million tons. The project is reported to have been a \$412 million investment.
Partial Mill Idling	Timken Steel	In February 2021, Timken Steel announced it would idle the melt and cast operations at its Harrison Steel Mill in Canton, Ohio and move those operations to its Faircrest Steel Mill, also in Canton, Ohio. The idling was expected to affect about 100 jobs.
Expansion	Tenaris SA	In March 2021, Tenaris SA increased heat-treating and finishing operations at its plant in Conroe, Texas. The expansion is intended to reduce Tenaris's supply chain and allow the company's plant at Bay City, Texas, to source steel domestically.
Restart	Tenaris SA	In June 2021, Tenaris SA resumed production of steel at its Koppel, Pennsylvania melt shop following a year-long investment of \$15 million.
Restart	Tenaris SA	Tenaris SA announced in February 2022 that it would reactivate heat treatment and finishing lines at its Koppel, Pennsylvania plant following an investment of \$3.5 million.
Demand Conditions	Tenaris SA	Tenaris announced fourth quarter 2022 earnings results that included an 80 percent year on year increase in net sales of tubular products and services. According to Tenaris, North American sales increased thanks to higher OCTG prices throughout the region and higher shipments of OCTG in Canada.
Demand Conditions	U.S. Steel Tubular	It was reported that during a tight OCTG market in the third quarter of 2022, U.S. Steel boosted its tubular division output by 48 percent from a year earlier, as the division operated at a 76 percent utilization rate, up from 52 percent a year earlier.
Labor Agreement	U.S. Steel / USW	In November 2022, U.S. Steel and the United Steelworkers ("USW") reached a new four-year labor agreement covering 11,000 workers at U.S. Steel facilities.
Abandoned Merger	Tenaris SA	Benteler Steel & Tube Manufacturing Corp. abandoned a July 2022 agreement to sell its steel and tube manufacturing facility in Shreveport, Louisiana to Tenaris SA for \$460 million after the Justice Department's Antitrust Division raised competition concerns about the deal. The facility has an annual pipe rolling capacity of up to 400,000 metric tons.

Source: Tenaris, "Tenaris to restart industrial activity at Conroe plant," June 21, 2018, <https://www.tenaris.com/en/newsroom/news-listing/conroe-mill--21471469118>; Douglas, Erin, "Steel manufacturing company to close Houston facility amid slowing energy sector," Chron, November 21, 2019, <https://www.chron.com/business/bizfeed/article/Steel-manufacturing-company-to-close-Houston-14852385.php>; Veazey, "Tenaris Embarks on U.S. Expansion," Rigzone, January 3, 2020, https://www.rigzone.com/news/tenaris_embarks_on_us_expansion-03-jan-2020-160710-article/; Druzin,

Table I-4 Continued
Seamless SLP pipe: Recent developments in the U.S. industry

"Tenaris to Idle Some US Ops Amid Oil Price Collapse," Argus Media, March 19, 2020, <https://www.argusmedia.com/en/news/2088751-tenaris-to-idle-some-us-ops-amid-oil-price-collapse>;

O'Brien, "U.S. Steel to idle Lorain tubular plant, lay off 250 workers by May 24," The Chronicle, March 23, 2020, <https://chroniclet.com/news/207586/us-steel-to-idle-lorain-tubular-plant-lay-off-250-workers-bymay-24/#:~:text=U.S.%20Steel%20has%20notified%20the,in%20a%20letter%20on%20Monday>; OK Energy Today, "Nearly 90 Workers at Muskogee Pipe Plant Lose Their Jobs," April 16, 2020, <http://www.okenergytoday.com/2020/04/nearly-90-workers-at-muskogee-pipe-plant-lose-their-jobs/>;

Gauntner, "Vallourec Lays Off 59 Youngstown Workers Amid Coronavirus, Low Oil Price," WFMJ, April 7, 2020, <https://www.wfmj.com/story/41975901/vallourec-cutting-onethird-of-us-workforce>; "Tenaris to adjust workforce at Bay City, TX, seamless plant" Tenaris, May 11, 2020, <https://www.tenaris.com/en/newsroom/news-listing/bay-city-layoffs--02793502820>; Thornton, William, "US Steel on pace for second-best financial year ever: \$412 million Fairfield arc furnace going strong," AL.com, November 10, 2022, <https://www.al.com/business/2022/11/us-steel-on-pace-for-second-best-financial-year-ever-412-million-fairfield-arc-furnace-going-strong.html>; Pritchard, Edd, "TimkenSteel to idle some Harrison operations, cuts 100 jobs," The Repository, February 16, 2021, <https://www.cantonrep.com/story/news/2021/02/16/timkensteel-cut-100-jobs-move-work-faircrest-harrison/6763264002/>; "Tenaris to expand scope of U.S. melt shop with \$11M investment," Tenaris, August 31, 2020, <https://www.tenaris.com/en/newsroom/news-listing/koppel-investment--26546206420> ; Asenov, "Tenaris to scale up industrial activity at its Conroe, TX, plant," March 21, 2021, <https://www.tenaris.com/en/newsroom/news-listing/tenaris-to-scale-up-industrial-activity-at-its-con--22528300321>; World Trade Organization ("WTO"), Committee on Anti-Dumping Practices, Semi-Annual Report Under Article I6.4 of the WTO Antidumping Agreement: United States, Reporting period January 1 to June 30, 2022, retrieved October 17, 2022; "Tenaris to reactivate heat treatment line at Pennsylvania steel mill," Tenaris, February 2, 2022, <https://www.tenaris.com/en/newsroom/news-listing/tenaris-to-reactivate-heat-treatment-line-at-koppe--00961268322>; "Tenaris Announces 2022 Fourth Quarter Results," Tenaris, February 15, 2023, <https://ir.tenaris.com/news-releases/news-release-details/tenaris-announces-2022-fourth-quarter-and-annual-results>; Druzen, "North American OCTG industry remains tight," Argus, November 22, 2022, <https://www.argusmedia.com/en/news/2393745-north-american-octg-industry-remains-tight>; Elliott, "Tenaris to buy U.S. steel pipe producer for \$460 million," Reuters, July 8, 2022, <https://www.reuters.com/markets/europe/tenaris-buy-us-steel-pipe-producer-460-million-2022-07-08/> ; United Steelworkers (USW), "Steelworkers Ratify Four-Year Contract with U.S. Steel," December 20, 2022, <https://m.usw.org/news/media-center/releases/2022/steelworkers-ratify-four-year-contract-with-u-s-steel>; "Benteler Steel & Tube Manufacturing Corp Abandons Merger with Tenaris, S.A. After Justice Department Investigation," Department of Justice, February 6, 2023, <https://www.justice.gov/opa/pr/benteler-steel-tube-manufacturing-corp-abandons-merger-tenaris-sa-after-justice-department>.

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 review.⁴⁶ 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
Seamless SLP pipe: Trade and financial data submitted by U.S. producers, by period

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

Item	Measure	1994	2000	2005	2011	2016	2022
Capacity	Quantity	292,650	327,838	***	***	***	***
Production	Quantity	138,295	134,365	***	***	***	***
Capacity utilization	Ratio	47.3	41.0	***	***	***	***
U.S. shipments	Quantity	137,993	130,743	***	***	***	***
U.S. shipments	Value	91,688	99,353	***	***	***	***
U.S. shipments	Unit value	\$664	\$760	\$***	\$***	\$***	\$***
Net sales	Value	91,788	102,395	***	***	***	***
COGS	Value	87,314	89,676	***	***	***	***
COGS to net sales	Ratio	95.1	87.6	***	***	***	***
Gross profit or (loss)	Value	4,474	12,719	***	***	***	***
SG&A expenses	Value	4,597	6,503	***	***	***	***
Operating income or (loss)	Value	(123)	6,216	***	***	***	***
Operating income or (loss) to net sales	Ratio	(0.1)	6.1	***	***	***	***

Source: For the years 1994, 2000, 2005, 2011, and 2016, data are compiled using data submitted in the Commission's original investigations and subsequent five-year reviews. For the year 2022, data are compiled using data submitted by the domestic interested party. Domestic interested party's response to the notice of institution, February 2, 2023, exh. 1.

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

⁴⁶ 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.⁴⁷

In its original determination and five-year reviews, the Commission found a single domestic like product consisting of circular seamless carbon and alloy steel standard, line, and pressure pipe and tubes not more than 4.5 inches in outside diameter, including redraw hollows.⁴⁸ In its original determination and subsequent five-year review determinations, the Commission defined the *domestic industry* as all U.S. producers of the domestic like product.⁴⁹

⁴⁷ Section 771(4)(B) of the Tariff Act of 1930, 19 U.S.C. § 1677(4)(B).

⁴⁸ After applying a semifinished like product analysis, the Commission found it appropriate to include redraw hollows in the domestic like product definition despite their exclusion from Commerce’s scope definition. Original Determinations, USITC Pub 2910, at I-11 to I-12.

⁴⁹ 88 FR 110, January 3, 2023.

U.S. importers

During the final phase of the original investigations, the Commission received U.S. importer questionnaires from 12 firms, which accounted for approximately *** percent of total U.S. imports of seamless SLP pipe from Germany during 1994.⁵⁰ Import data presented in the original investigations are based on official Commerce statistics/questionnaire responses.

During the first five-year reviews, the Commission received U.S. importer questionnaires from 43 firms, which accounted for *** portion of total U.S. imports of seamless SLP pipe from Germany during 2000.⁵¹ Import data presented in the first reviews are based on official Commerce statistics.

During the second five-year reviews, the Commission received U.S. importer questionnaires from 10 firms, which accounted for *** percent of total U.S. imports of seamless SLP pipe from Germany during 2005.⁵² Import data presented in the second reviews are based on official Commerce statistics.

Although the Commission did not receive responses from any respondent interested parties in its third five-year review, the domestic interested parties provided a list of 35 firms that may currently import seamless SLP pipe from Germany.⁵³ Import data presented in the third review are based on official Commerce statistics.

Although the Commission did not receive responses from any respondent interested parties in its fourth five-year review, the domestic interested party provided a list of 46 firms that may currently import seamless SLP pipe from Germany.⁵⁴ Import data presented in the third review are based on official Commerce statistics.

Although the Commission did not receive responses from any respondent interested parties in this current review, in its response to the Commission's notice of institution, the domestic interested party provided a list of 380 potential U.S. importers of seamless SLP pipe.⁵⁵

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⁵⁰ Original confidential report, p. I-29.

⁵¹ First reviews confidential report, p. IV-1.

⁵² Second reviews confidential report, p. IV-3.

⁵³ Fourth review publication, p. I-22.

⁵⁴ Fourth review publication, p. I-22.

⁵⁵ Domestic interested party's response to the notice of institution, February 2, 2023, exh. 41.

⁵⁶ The list of possible U.S. importers submitted by domestic interested party likely overstates the actual number of U.S. importers of seamless SLP pipe because it includes numerous freight forwarding and logistics firms as well as a number of duplicate entities. Domestic interested party response to the notice of institution, February 2, 2023, exh. 41.

U.S. imports

Table I-6 presents the quantity, value, and unit value of U.S. imports from Germany as well as the other top sources of U.S. imports (shown in descending order of 2022 imports by quantity).

Table I-6
Seamless SLP pipe: U.S. imports, by source and period

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

U.S. imports from	Measure	2017	2018	2019	2020	2021	2022
Germany	Quantity	7,149	8,705	6,350	2,455	3,618	8,175
India	Quantity	11,943	14,859	6,402	1,508	7,673	24,406
Ukraine	Quantity	12,764	18,991	22,810	13,338	11,301	21,460
South Africa	Quantity	25,405	17,592	11,430	9,135	7,526	18,481
All other sources	Quantity	103,503	120,307	80,714	45,090	47,337	79,111
Nonsubject sources	Quantity	153,615	171,749	121,356	69,071	73,837	143,458
All import sources	Quantity	160,764	180,455	127,706	71,525	77,455	151,633
Germany	Value	9,408	15,881	12,407	3,635	6,607	18,284
India	Value	13,693	23,290	11,348	2,236	12,538	48,722
Ukraine	Value	8,963	21,287	24,668	12,120	11,818	34,361
South Africa	Value	19,031	19,620	13,813	8,398	7,443	34,047
All other sources	Value	119,300	165,765	114,348	56,455	64,630	159,173
Nonsubject sources	Value	160,987	229,962	164,177	79,209	96,429	276,303
All import sources	Value	170,395	245,843	176,584	82,844	103,036	294,588
Germany	Unit value	1,316	1,824	1,954	1,481	1,826	2,237
India	Unit value	1,147	1,567	1,773	1,482	1,634	1,996
Ukraine	Unit value	702	1,121	1,081	909	1,046	1,601
South Africa	Unit value	749	1,115	1,208	919	989	1,842
All other sources	Unit value	1,152	1,378	1,417	1,252	1,365	2,012
Nonsubject sources	Unit value	1,048	1,339	1,353	1,147	1,306	1,926
All import sources	Unit value	1,060	1,362	1,383	1,158	1,330	1,943

Source: Compiled from official Commerce statistics for HTS statistical reporting numbers 7304.19.1020, 7304.19.5020, 7304.39.0016, 7304.39.0020, 7304.39.0024, 7304.59.8010, 7304.59.8015, accessed March 6, 2023. These data may be overstated as HTS statistical reporting numbers 7304.19.1020, 7304.19.5020, 7304.39.0016, 7304.39.0020, 7304.39.0024, 7304.59.8010, 7304.59.8015 may contain products outside the scope of this review.

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

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.

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

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

Source	Measure	1994	2000	2005	2011	2016	2022
U.S. producers	Quantity	137,993	130,743	107,541	77,314	13,401	***
Germany	Quantity	***	***	***	***	11,699	8,175
Nonsubject sources	Quantity	***	***	***	***	***	143,458
All import sources	Quantity	67,254	73,525	***	***	91,062	151,633
Apparent U.S. consumption	Quantity	205,247	204,268	***	***	***	***
U.S. producers	Value	91,688	99,353	***	***	***	***
Germany	Value	4,273	387	***	9,352	13,670	18,284
Nonsubject sources	Value	37,118	46,892	***	290,944	83,697	276,303
All import sources	Value	41,391	47,279	***	300,296	97,367	294,588
Apparent U.S. consumption	Value	133,079	146,632	270,042	***	***	***
U.S. producers	Share of quantity	67.2	64.0	***	***	***	***
Germany	Share of quantity	***	***	***	***	***	***
Nonsubject sources	Share of quantity	***	***	***	***	***	***
All import sources	Share of quantity	32.8	36.0	***	***	***	***
U.S. producers	Share of value	68.9	67.8	***	***	***	***
Germany	Share of value	3.1	0.2	***	***	***	***
Nonsubject sources	Share of value	31.1	32.0	***	***	***	***
All import sources	Share of value	34.2	32.2	***	***	***	***

Source: For the years 1994-2016, data are compiled using data submitted in the Commission's original investigations and five-year reviews. For the year 2022, U.S. producers' U.S. shipments are compiled from the domestic interested party's response to the Commission's notice of institution and U.S. imports are compiled using official Commerce statistics under HTS statistical reporting numbers 7304.19.1020, 7304.19.5020, 7304.39.0016, 7304.39.0020, 7304.39.0024, 7304.59.8010, 7304.59.8015, accessed March 6, 2023. These data may be overstated as HTS statistical reporting numbers 7304.19.1020, 7304.19.5020, 7304.39.0016, 7304.39.0020, 7304.39.0024, 7304.59.8010, 7304.59.8015 may contain products outside the scope of this review.

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 Germany

Producers in Germany

During the final phase of the original investigations, the Commission received a foreign producer/exporter questionnaire from one firm, which accounted for approximately *** percent of production of seamless SLP pipe in Germany during 1994.⁵⁷

During the first five-year reviews, the Commission received a foreign producer/exporter questionnaire from one firm, which accounted for approximately *** percent of production of seamless SLP pipe in Germany during 2000.⁵⁸

During the second five-year reviews, the Commission received foreign producer/exporter questionnaires three firms, which accounted for all known production of seamless SLP pipe in Germany during 2005.⁵⁹

Although the Commission did not receive responses from any respondent interested parties in its third five-year review, the domestic interested party provided a list of six possible producers of seamless SLP pipe in Germany in that proceeding.⁶⁰

Although the Commission did not receive responses from any respondent interested parties in its fourth five-year review, the domestic interested party provided a list of six possible producers of seamless SLP pipe in Germany in that proceeding.⁶¹

Although the Commission did not receive responses from any respondent interested parties in this five-year review, the domestic interested party provided a list of eight possible producers of seamless SLP pipe in Germany.⁶²

⁵⁷ Original confidential report, p. I-66.

⁵⁸ First reviews confidential report, p. IV-12.

⁵⁹ Second reviews publication, p. IV-29.

⁶⁰ Third review publication, p. I-21.

⁶¹ Fourth review publication, p. I-27.

⁶² Domestic interested party's response to the notice of institution, February 2, 2023, exh. 41.

Recent developments

Table I-8 presents events in the German industry since the Commission's last five-year review.

Table I-8
Seamless SLP pipe: Recent developments in the German industry

Item	Firm	Event
Plant expansion	Benteler	In October of 2022, Benteler commissioned a new galvanizing line for small diameter tube at the Schloss, Neuhaus plant in Paderborn, Germany. The expansion cost an estimated 1.7 million euros (\$1.8 million).
Plant closures	Vallourec	In May of 2022, Vallourec announced the closure of its plants in Dusseldorf-Rath, Germany and Mulheim/Ruhr, Germany. These closures are expected to take two years and represent a loss of about 2,400 jobs.

Source: Weber, Harald, "Benteler Creates Europe's Largest Surface Treatment Center for Tubes," Benteler, October 13, 2022, <https://www.benteler.com/en/press-media/news-and-press-releases/detail/BENTELER%20creates%20Europe%27s%20largest%20surface%20treatment%20center%20for%20tubes/>; Reuters staff, "Vallourec to close sites in Germany, France and Scotland," Reuters, May 18, 2022, <https://www.reuters.com/article/vallourec-results/vallourec-to-close-sites-in-germany-france-and-scotland-idUKKCN2N41V2>.

Exports

Table I-9 presents export data for seamless pipes and tubes, a category that includes seamless SLP pipe and out-of-scope products, from Germany (by export destination in descending order of quantity for 2022).

Table I-9
Seamless pipes and tubes: Quantity of exports from Germany, by destination and period

Quantity in 1,000 short tons

Destination market	2017	2018	2019	2020	2021	2022
France	286	295	224	155	158	142
United States	78	86	78	44	49	95
Austria	61	66	57	47	63	63
Italy	89	91	79	65	85	62
Netherlands	107	93	71	51	58	55
Poland	30	32	29	25	28	34
Spain	27	28	36	21	29	28
Norway	3	15	11	13	20	23
United Kingdom	34	33	35	43	23	22
Turkey	17	20	20	17	28	21
All other markets	331	326	321	217	241	217
All markets	1,063	1,084	960	699	781	762

Source: Global Trade Information Services, Inc., Global Trade Atlas, HS subheadings 7304.19, 7304.31, 7304.39, 7304.51, and 7304.59, accessed March 6, 2023. These data may be overstated as HS subheadings 7304.19, 7304.31, 7304.39, 7304.51, and 7304.59 may contain products outside the scope of this review.

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

Third-country trade actions

Based on available information, seamless SLP pipe from Germany has not been subject to antidumping or countervailing duty investigations outside the United States.

The global market

Table I-10 presents global export data for seamless pipes and tubes, a category that includes seamless SLP pipe and out-of-scope products (by source in descending order of quantity for 2021). China, Germany, and Romania were the leading exporters of seamless pipes and tubes (based on quantity).

Table I-10
Seamless pipes and tubes: Quantity of global exports by country and period

Quantity in 1,000 short tons

Exporting country	2017	2018	2019	2020	2021
China	3,007	2,826	2,960	2,358	2,443
Germany	1,063	1,084	960	699	781
Romania	453	544	505	365	408
Italy	414	433	404	364	447
Ukraine	352	410	350	290	217
Russia	298	401	296	351	257
Czech Republic	299	311	297	301	332
Japan	282	290	248	217	241
Slovakia	174	219	22	18	30
Spain	204	208	196	177	210
All other exporters	2,116	2,248	1,859	1,494	1,555
All exporters	8,660	8,973	8,095	6,635	6,921

Source: Global Trade Information Services, Inc., Global Trade Atlas, HS subheadings 7304.19, 7304.31, 7304.39, 7304.51, and 7304.59, accessed March 6, 2023. These data may be overstated as HS subheadings 7304.19, 7304.31, 7304.39, 7304.51, and 7304.59 may contain products outside the scope of this review.

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
88 FR 110 January 3, 2023	<i>Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe From Germany; Institution of a Five-Year Review</i>	https://www.govinfo.gov/content/pkg/FR-2023-01-03/pdf/2022-28477.pdf
88 FR 63, January 3, 2023	<i>Initiation of Five-Year (Sunset) Reviews</i>	https://www.govinfo.gov/content/pkg/FR-2023-01-03/pdf/2022-28520.pdf

APPENDIX B
COMPANY-SPECIFIC DATA

RESPONSE CHECKLIST FOR U.S. PRODUCERS

* * * * *

APPENDIX C

SUMMARY DATA COMPILED IN PRIOR INVESTIGATIONS

Table D-1

CERTAIN seamless carbon and alloy standard, line, and pressure steel pipe: Summary data concerning the U.S. market, 1992-94, Jan.-Mar. 1994, and Jan.-Mar. 1995

(Quantity=short tons; value=1,000 dollars; unit values and unit labor costs are per short ton; period changes=percent, except where noted)

Item	Reported data					Period changes			
	1992	1993	1994	Jan.-Mar.--		1992-94	1992-93	1993-94	Jan.-Mar. 1994-95
				1994	1995				
U.S. consumption quantity:									
Amount	170,057	225,584	205,247	50,116	46,535	+20.7	+32.7	-9.0	-7.1
Producers' share ¹	62.8	64.2	67.2	74.6	77.2	+4.4	+1.4	+3.1	+2.6
Importers' share: ¹									
Argentina	***	***	***	***	***	***	***	***	***
Brazil	***	***	***	***	***	***	***	***	***
Germany	***	***	***	***	***	***	***	***	***
Italy	***	***	***	***	***	***	***	***	***
Subtotal	21.0	25.4	23.2	17.4	1.0	+2.1	+4.4	-2.2	-16.4
Other sources	16.1	10.4	9.6	8.0	21.8	-6.6	-5.8	-0.8	+13.8
Total	37.2	35.8	32.8	25.4	22.8	-4.4	-1.4	-3.1	-2.6
U.S. consumption value:									
Amount	123,653	145,966	133,079	31,891	33,790	+7.6	+18.0	-8.8	+6.0
Producers' share ¹	63.8	65.8	68.9	73.7	76.5	+5.1	+2.0	+3.1	+2.8
Importers' share: ¹									
Argentina	***	***	***	***	***	***	***	***	***
Brazil	***	***	***	***	***	***	***	***	***
Germany	***	***	***	***	***	***	***	***	***
Italy	***	***	***	***	***	***	***	***	***
Subtotal	20.5	24.3	21.6	17.4	1.6	+1.1	+3.8	-2.7	-15.7
Other sources	15.7	9.9	9.5	9.0	21.9	-6.3	-5.8	-0.4	+12.9
Total	36.2	34.2	31.1	26.3	23.5	-5.1	-2.0	-3.1	-2.8
U.S. imports from--									
Argentina:									
U.S. shipments quantity	***	***	***	***	***	***	***	***	***
U.S. shipments value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***
Brazil:									
U.S. shipments quantity	***	***	***	***	***	***	***	***	***
U.S. shipments value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***
Germany:									
U.S. shipments quantity	***	***	***	***	***	***	***	***	***
U.S. shipments value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***
Italy:									
U.S. shipments quantity	***	***	***	***	***	***	***	***	***
U.S. shipments value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***

Table continued.

Table D-1--Continued

CERTAIN seamless carbon and alloy standard, line, and pressure steel pipe: Summary data concerning the U.S. market, 1992-94, Jan.-Mar. 1994, and Jan.-Mar. 1995

(Quantity=short tons; value=1,000 dollars; unit values and unit labor costs are per short ton; period changes=percent, except where noted)

	Reported data					Period changes			
				Jan.-Mar.-					Jan.-Mar.
Item	1992	1993	1994	1994	1995	1992-94	1992-93	1993-94	1994-95
U.S. imports from—Continued									
Subject sources:									
U.S. shipments quantity	35,792	57,383	47,602	8,726	484	+33.0	+60.3	-17.0	-94.5
U.S. shipments value	25,334	35,485	28,771	5,539	550	+13.6	+40.1	-18.9	-90.1
Unit value	\$708	\$618	\$604	\$635	\$1,136	-14.6	-12.6	-2.3	+79.0
Ending inventory quantity	608	529	375	516	358	-38.3	-13.0	-29.1	-30.6
Other sources:									
U.S. shipments quantity	27,444	23,428	19,652	4,010	10,140	-28.4	-14.6	-16.1	+152.9
U.S. shipments value	19,475	14,470	12,620	2,863	7,404	-35.2	-25.7	-12.8	+158.6
Unit value	\$710	\$618	\$642	\$714	\$730	-9.5	-13.0	+4.0	+2.3
Ending inventory quantity	7	17	33	0	148	+371.4	+142.9	+94.1	(3)
All sources:									
U.S. shipments quantity	63,236	80,811	67,254	12,736	10,624	+6.4	+27.8	-16.8	-16.6
U.S. shipments value	44,809	49,955	41,391	8,402	7,954	-7.6	+11.5	-17.1	-5.3
Unit value	\$709	\$618	\$615	\$660	\$749	-13.1	-12.8	-0.4	+13.5
U.S. producers'—									
Average capacity quantity	296,925	292,750	292,650	72,348	73,713	-1.4	-1.4	(4)	+1.9
Production quantity	108,242	147,641	138,295	39,547	39,004	+27.8	+36.4	-6.3	-1.4
Capacity utilization ¹	36.5	50.4	47.3	54.7	52.9	+10.8	+14.0	-3.2	-1.7
U.S. shipments:									
Quantity	106,821	144,773	137,993	37,380	35,911	+29.2	+35.5	-4.7	-3.9
Value	78,844	96,011	91,688	23,489	25,836	+16.3	+21.8	-4.5	+10.0
Unit value	\$738	\$663	\$664	\$628	\$719	-10.0	-10.1	+0.2	+14.5
Export shipments:									
Quantity	1,430	2,098	453	145	497	-68.3	+46.7	-78.4	+242.8
Exports/shipments ¹	1.3	1.4	0.3	0.4	1.4	-1.0	+0.1	-1.1	+1.0
Value	849	997	259	79	285	-69.5	+17.4	-74.0	+260.8
Unit value	\$594	\$475	\$572	\$545	\$573	-3.7	-20.0	+20.3	+5.3
Ending inventory quantity	13,823	14,410	14,095	16,404	16,691	+2.0	+4.2	-2.2	+1.7
Inventory/shipments ¹	12.8	9.8	10.2	10.9	11.5	-2.6	-3.0	+0.4	+0.5
Production workers	241	296	264	268	292	+9.5	+22.8	-10.8	+9.0
Hours worked (1,000s)	568	679	642	157	175	+13.0	+19.5	-5.4	+11.5
Wages paid (\$1,000)	9,260	12,437	12,318	3,010	3,482	+33.0	+34.3	-1.0	+15.7
Total compensation (\$1,000)	12,969	16,540	16,679	4,203	4,604	+28.6	+27.5	+0.8	+9.5
Hourly wages	\$16.30	\$18.32	\$19.19	\$19.13	\$19.87	+17.7	+12.4	+4.8	+3.8
Hourly total compensation	\$22.83	\$24.36	\$25.98	\$26.73	\$26.27	+13.8	+6.7	+6.7	-1.7
Productivity (short tons per 1,000									
hours)	190.6	217.4	215.4	251.6	222.5	+13.0	+14.1	-0.9	-11.6
Unit labor costs	\$119.81	\$112.03	\$120.60	\$106.28	\$118.04	+0.7	-6.5	+7.7	+11.1

Table continued.

Table D-1--Continued

CERTAIN seamless carbon and alloy standard, line, and pressure steel pipe: Summary data concerning the U.S. market, 1992-94, Jan.-Mar. 1994, and Jan.-Mar. 1995

(Quantity=short tons; value=1,000 dollars; unit values and unit labor costs are per short ton; period changes=percent, except where noted)

Item	Reported data					Period changes			
	1992	1993	1994	Jan.-Mar.--		1992-94	1992-93	1993-94	Jan.-Mar. 1994-95
				1994	1995				
U.S. producers'—Continued									
Net sales—									
Quantity	107,734	147,948	138,390	37,517	36,384	+28.5	+37.3	-6.5	-3.0
Value	79,476	97,439	91,788	23,544	26,062	+15.5	+22.6	-5.8	+10.7
Unit sales value	\$738	\$659	\$663	\$628	\$716	-10.1	-10.7	+0.7	+14.1
Cost of goods sold (COGS)	75,989	90,805	87,314	23,888	23,408	+14.9	+19.5	-3.8	-2.0
Gross profit (loss)	3,487	6,634	4,474	(344)	2,654	+28.3	+90.2	-32.6	+871.5
SG&A expenses	4,332	5,830	4,597	1,046	1,009	+6.1	+34.6	-21.1	-3.5
Operating income or (loss)	(845)	804	(123)	(1,390)	1,645	+85.4	+195.1	-115.3	+218.3
Capital expenditures	5,069	2,029	1,276	592	340	-74.8	-60.0	-37.1	-42.6
Unit COGS	\$705	\$614	\$631	\$637	\$643	-10.5	-13.0	+2.8	+1.0
Unit SG&A expenses	\$40	\$39	\$33	\$28	\$28	-17.4	-2.0	-15.7	-0.5
Unit operating income or (loss)	(\$8)	\$5	(\$1)	(\$37)	\$45	+88.7	+169.3	-116.4	+222.0
COGS/sales ¹	95.6	93.2	95.1	101.5	89.8	-0.5	-2.4	+1.9	-11.6
Operating income or (loss)/sales ¹ . . .	(1.1)	0.8	(0.1)	(5.9)	6.3	+0.9	+1.9	-1.0	+12.2

¹ "Reported data" are in percent and "period changes" are in percentage points.

² An increase of less than 0.05 percentage points.

³ Not applicable.

⁴ A decrease of less than 0.05 percent.

Note.--Period changes are derived from the unrounded data. Period changes involving negative period data are positive if the amount of the negativity decreases and negative if the amount of the negativity increases. Because of rounding, figures may not add to the totals shown. Employment ratios are calculated using data where both comparable numerator and denominator information were supplied. Part-year inventory ratios are annualized.

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission.

Table C-3
 Certain seamless pipe: Summary data concerning the U.S. market, 1995-2000

(Quantity=short tons, value=1,000 dollars, unit values, unit labor costs, and unit expenses are per short ton; period changes=percent, except where noted)												
	Reported data						Period changes					
Item	1995	1996	1997	1998	1999	2000	1995-00	1995-96	1996-97	1997-98	1998-99	1999-00
U.S. consumption quantity:												
Amount	199,555	182,927	257,360	234,890	147,254	204,268	2.4	-3.3	33.4	-8.7	-37.3	38.7
Producers' share (1)	86.9	80.1	69.8	55.4	70.2	64.0	-22.9	-6.8	-10.3	-14.4	14.8	-6.2
Importers' share (1):												
Argentina	***	***	***	***	***	***	***	***	***	***	***	***
Brazil	***	***	***	***	***	***	***	***	***	***	***	***
Germany	***	***	***	***	***	***	***	***	***	***	***	***
Italy	***	***	***	***	***	***	***	***	***	***	***	***
Subtotal	***	***	***	***	***	***	***	***	***	***	***	***
Other sources	***	***	***	***	***	***	***	***	***	***	***	***
Total imports	13.1	19.9	30.2	44.6	29.8	36.0	22.9	6.6	10.3	14.4	-14.6	6.2
U.S. consumption value:												
Amount	144,150	142,456	194,122	173,296	102,183	148,632	1.7	-1.2	36.3	-10.7	-41.0	43.5
Producers' share (1)	83.8	82.5	69.7	59.3	74.1	67.8	-16.0	-1.3	-12.7	-10.4	14.7	-6.3
Importers' share (1):												
Argentina	***	***	***	***	***	***	***	***	***	***	***	***
Brazil	***	***	***	***	***	***	***	***	***	***	***	***
Germany	***	***	***	***	***	***	***	***	***	***	***	***
Italy	***	***	***	***	***	***	***	***	***	***	***	***
Subtotal	***	***	***	***	***	***	***	***	***	***	***	***
Other sources	***	***	***	***	***	***	***	***	***	***	***	***
Total imports	16.2	17.5	30.3	40.7	25.9	32.2	16.0	1.3	12.7	10.4	-14.7	6.3
U.S. shipments of imports from:												
Argentina:												
Quantity	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***
Brazil:												
Quantity	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***
Germany:												
Quantity	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***
Italy:												
Quantity	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***
Subtotal:												
Quantity	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***
Other sources:												
Quantity	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***
All sources:												
Quantity	26,171	38,395	77,645	104,769	43,914	73,525	180.9	48.7	102.2	34.9	-58.1	67.4
Value	23,399	24,979	58,763	70,450	26,477	47,279	102.1	6.8	135.2	19.9	-62.4	78.6
Unit value	\$894	\$651	\$757	\$672	\$603	\$643	-28.1	-27.2	16.3	-11.2	-10.3	6.7
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***

Table continued on next page.

Table C-3-Continued

Certain seamless pipe: Summary data concerning the U.S. market, 1995-2000

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

Item	Reported data						Period changes					
	1995	1996	1997	1998	1999	2000	1996-00	1995-96	1996-97	1997-98	1998-99	1999-00
U.S. producers:												
Average capacity quantity	403,313	378,077	348,425	355,277	416,385	327,838	-18.7	-6.3	-8.4	2.6	17.2	-21.3
Production quantity	179,893	150,656	184,080	127,958	110,217	134,365	-25.2	-16.2	22.2	-30.5	-13.9	21.9
Capacity utilization (1)	44.6	39.8	53.1	36.0	26.5	41.0	-3.6	-4.7	13.3	-17.1	-9.5	14.5
U.S. shipments:												
Quantity	173,384	154,532	179,715	130,121	103,340	130,743	-24.6	-10.9	16.3	-27.8	-20.6	26.5
Value	120,751	117,477	135,359	102,845	75,708	99,353	-17.7	-2.7	15.2	-24.0	-26.4	31.2
Unit value	\$698	\$760	\$753	\$790	\$733	\$760	9.1	9.2	-0.9	4.9	-7.3	3.7
Export shipments:												
Quantity	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***
Inventories/total shipments (1)	***	***	***	***	***	***	***	***	***	***	***	***
Production workers	328	281	320	257	283	273	-16.8	-14.5	13.8	-19.7	10.4	-3.8
Hours worked (1,000s)	887	850	874	534	578	584	-15.0	-5.3	3.8	-20.7	8.2	1.0
Wages paid (\$1,000s)	12,756	11,975	12,734	10,244	11,348	11,546	-9.5	-8.1	6.3	-19.6	10.6	1.7
Hourly wages	\$18.58	\$18.42	\$18.90	\$19.18	\$19.64	\$19.78	0.4	-0.9	2.8	1.5	2.4	0.7
Productivity (tons per 1,000 hrs)	261.7	231.7	273.3	239.6	190.7	230.1	-12.1	-11.5	17.9	-12.3	-20.4	20.7
Unit labor costs	\$70.99	\$79.48	\$69.18	\$80.06	\$102.96	\$65.93	21.1	12.0	-13.0	15.7	28.6	-18.5
Net sales:												
Quantity	173,737	155,365	182,296	133,632	104,550	136,634	-21.4	-10.6	17.3	-26.7	-21.8	30.7
Value	120,404	118,140	136,991	105,303	76,699	102,395	-15.0	-1.9	18.0	-23.1	-27.2	33.5
Unit value	\$693	\$760	\$751	\$788	\$734	\$749	8.1	9.7	-1.2	4.9	-8.9	2.2
Cost of goods sold (COGS)	110,014	104,934	118,538	91,752	80,738	89,876	-18.5	-4.6	11.1	-21.3	-12.0	11.1
Gross profit or (loss)	10,390	13,206	20,455	13,551	(4,039)	12,719	22.4	27.1	54.9	-33.8	(4)	(4)
SG&A expenses	7,647	7,156	9,079	7,844	6,908	6,903	-15.0	-8.4	26.9	-13.6	-11.2	-8.6
Operating income or (loss)	2,743	6,050	11,376	5,707	(11,005)	6,216	126.6	120.8	88.0	-49.8	(4)	(4)
Capital expenditures	2,348	2,973	4,386	10,879	4,577	25,212	1,016.4	28.8	47.5	148.1	-57.9	472.7
Unit COGS	\$633	\$675	\$639	\$687	\$772	\$656	3.6	8.6	-5.3	7.4	12.5	-15.0
Unit SG&A expenses	\$44	\$46	\$50	\$59	\$67	\$48	8.1	4.6	8.2	17.9	13.5	-28.8
Unit operating income or (loss)	\$16	\$39	\$62	\$43	(\$105)	\$45	168.2	146.6	60.3	-31.6	(4)	(4)
COGS/sales (1)	91.4	88.8	85.1	87.1	105.3	87.6	-3.8	-2.5	-3.8	2.1	18.1	-17.7
Operating income or (loss)/sales (1)	2.3	5.1	8.3	5.4	(14.3)	6.1	3.8	2.8	3.2	-2.9	-19.8	20.4

(1) "Reported data" are in percent and "period changes" are in percentage points.

(2) Less than 0.05 percent.

(3) Not applicable.

(4) Undefined.

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

Source: Compiled from data submitted in response to Commission questionnaires, except shipments of imports from Germany are estimated by the Commission staff.

Table C-1

Seamless SLP pipe: Summary data concerning the U.S. market, 2001-05, January-September 2005, and January-September 2006

* * * * *

APPENDIX D

PURCHASER QUESTIONNAIRE RESPONSES

As part of their response to the notice of institution, interested parties were asked to provide a list of three to five leading purchasers in the U.S. market for the domestic like product. A response was received from the domestic interested party and it provided contact information for the following five firms as top purchasers of seamless carbon and alloy steel standard, line, and pressure pipe (SSLP): ***. Purchaser questionnaires were sent to these five firms and one firm *** provided a response, which are presented below.

1. Have there been any significant changes in the supply and demand conditions for finished SSLP that have occurred in the United States or in the market for SSLP in Germany since January 1, 2018?

Purchaser	Yes / No	Changes that have occurred
***	***	***.

2. Do you anticipate any significant changes in the supply and demand conditions for SSLP in the United States or in the market for SSLP in Germany within a reasonably foreseeable time?

Purchaser	Yes / No	Anticipated changes
***	***	***.