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Antidumping and Countervailing Duty Investigations of Stainless Steel Sheet and Strip from China

By Douglas J. Heffner and Richard P. Ferrin

Currently, the U.S. International Trade Commission (ITC) and the U.S. Department of Commerce (DOC) are conducting antidumping (AD) and countervailing duty (CVD) investigations of stainless steel sheet and strip from China. The ITC and DOC initiated investigations in response to a petition filed on February 12, 2016, by AK Steel Corporation, Allegheny Ludlum LLC d/b/a ATI Flat Rolled Products, North American Stainless, and Outokumpu Stainless USA, LLC.

The U.S. AD law imposes special tariffs to counteract imports that are sold in the United States at less than “normal value.” For AD duties to be imposed, the U.S. government must determine not only that dumping is occurring, but also that there is “material injury” (or threat thereof) by reason of the dumped imports. Importers are liable for any potential AD duties imposed. In addition, these investigations could impact purchasers, by either increasing prices, and/or decreasing supply, of stainless steel sheet and strip.

Scope:

The scope of investigation covers the following:

The merchandise covered by this investigation is stainless steel sheet and strip, whether in coils or straight lengths. Stainless steel is an alloy steel containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. The subject sheet and strip is a flat-rolled product with a width that is greater than 9.5 mm and with a thickness of 0.3048 mm and greater but less than 4.75 mm, and that is annealed or otherwise heat treated, and pickled or otherwise descaled.

The subject sheet and strip may also be further processed (*e.g.*, cold-rolled, annealed, tempered, polished, aluminized, coated, painted, varnished, trimmed, cut, punched, or slit, etc.) provided that it maintains the specific dimensions of sheet and strip set forth above following such processing.

The products described include products regardless of shape, and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process,

i.e., products which have been “worked after rolling” (*e.g.*, products which have been beveled or rounded at the edges).

For purposes of the width and thickness requirements referenced above: (1) Where the nominal and actual measurements vary, a product is within the scope if application of either the nominal or actual measurement would place it within the scope based on the definitions set forth above; and (2) where the width and thickness vary for a specific product (*e.g.*, the thickness of certain products with non-rectangular cross-section, the width of certain products with non-rectangular shape, etc.), the measurement at its greatest width or thickness applies. All products that meet the written physical description, and in which the chemistry quantities do not exceed any one of the noted element levels listed above, are within the scope of this investigation unless specifically excluded.

Subject merchandise includes stainless steel sheet and strip that has been further processed in a third country, including but not limited to cold-rolling, annealing, tempering, polishing, aluminizing, coating, painting, varnishing, trimming, cutting, punching, and/or slitting, or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the stainless steel sheet and strip.

Excluded from the scope of this investigation are the following: (1) sheet and strip that is not annealed or otherwise heat treated and not pickled or otherwise descaled; (2) plate (*i.e.*, flatrolled stainless steel products of a thickness of 4.75 mm or more); and (3) flat wire (*i.e.*, coldrolled sections, with a mill edge, rectangular in shape, of a width of not more than 9.5 mm).

The products under investigation are currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7219.13.0031, 7219.13.0051, 7219.13.0071, 7219.13.0081, 7219.14.0030, 7219.14.0065, 7219.14.0090, 7219.23.0030, 7219.23.0060, 7219.24.0030, 7219.24.0060, 7219.32.0005, 7219.32.0020, 7219.32.0025, 7219.32.0035, 7219.32.0036, 7219.32.0038, 7219.32.0042, 7219.32.0044, 7219.32.0045, 7219.32.0060, 7219.33.0005, 7219.33.0020, 7219.33.0025, 7219.33.0035, 7219.33.0036, 7219.33.0038, 7219.33.0042, 7219.33.0044,

7219.33.0045, 7219.33.0070, 7219.33.0080, 7219.34.0005, 7219.34.0020, 7219.34.0025, 7219.34.0030, 7219.34.0035, 7219.34.0050, 7219.35.0005, 7219.35.0015, 7219.35.0030, 7219.35.0035, 7219.35.0050, 7219.90.0010, 7219.90.0020, 7219.90.0025, 7219.90.0060, 7219.90.0080, 7220.12.1000, 7220.12.5000, 7220.20.1010, 7220.20.1015, 7220.20.1060, 7220.20.1080, 7220.20.6005, 7220.20.6010, 7220.20.6015, 7220.20.6060, 7220.20.6080, 7220.20.7005, 7220.20.7010, 7220.20.7015, 7220.20.7060, 7220.20.7080, 7220.90.0010, 7220.90.0015, 7220.90.0060, and 7220.90.0080.

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

Estimated Schedule of Investigations Going Forward:

- **March 25, 2016** – Proposed date for ITC vote in preliminary injury determination
- **March 28, 2016** – Statutory deadline for ITC preliminary injury determination

- **May 9, 2016** – Deadline for DOC preliminary CVD determination, if deadline is NOT postponed
- **July 11, 2016** – Deadline for DOC preliminary CVD determination, if deadline is fully postponed
- **July 21, 2016** – Deadline for DOC preliminary AD determination, if deadline is NOT postponed
- **September 9, 2016** – Deadline for DOC preliminary AD determination, if deadline is fully postponed
- **January 23, 2017** – Deadline for DOC final AD/CVD determinations, if both preliminary and final AD determinations are fully postponed, and DOC aligns the CVD final determination deadline
- **March 9, 2017** – Deadline for DOC final injury determination, assuming fully postponed DOC deadlines

Customs and International Trade Team

Primary Contacts



Douglas J. Heffner
Partner
Washington, D.C.
(202) 230-5802
douglas.heffner@dbr.com



Richard P. Ferrin
Counsel
Washington, D.C.
(202) 230-5803
richard.ferrin@dbr.com

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Jonathan I. Epstein and Andrew B. Joseph, Partners in Charge of the Princeton and Florham Park, N.J., offices, respectively.