Stainless Steel Bar from Brazil, India, Japan, and Spain

Investigation Nos. 731-TA-678, 679, 681, and 682 (Third Review)

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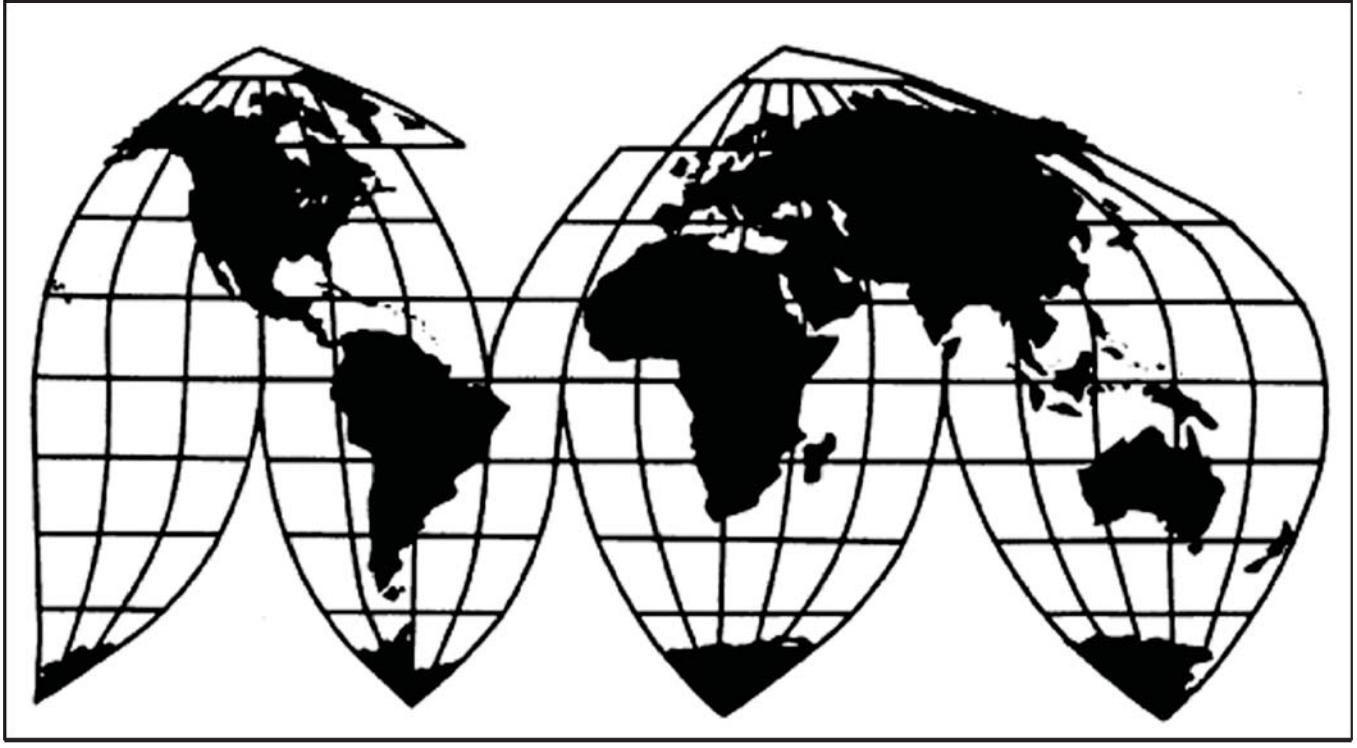

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UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation Nos. 731-TA-678, 679, 681, and 682 (Third Review)

STAINLESS STEEL BAR FROM BRAZIL, INDIA, JAPAN, AND SPAIN

DETERMINATIONS

On the basis of the record[1] developed in the subject five-year reviews, the United States International Trade Commission (Commission) determines, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. § 1675(c)), that revocation of the antidumping duty orders on stainless steel bar from Brazil, India, Japan, and Spain would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.[2]

BACKGROUND

The Commission instituted these reviews on December 1, 2011 (76 FR 74807) and determined on March 5, 2012 that it would conduct expedited reviews (77 FR 18861, March 28, 2012).

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

[2] Commissioners Deanna Tanner Okun and Daniel R. Pearson voted in the affirmative with respect to India and Japan and in the negative with respect to Brazil and Spain.

VIEWS OF THE COMMISSION

Based on the record in these five-year reviews, we determine under section 751(c) of the Tariff Act of 1930, as amended ("the Act"), that revocation of the antidumping duty orders on stainless steel bar from Brazil, India, Japan, and Spain is likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.[1]

I. BACKGROUND

In February 1995, the Commission found that an industry in the United States was materially injured by reason of imports of stainless steel bar from Brazil, India, Japan, and Spain.[2] The Department of Commerce ("Commerce") issued antidumping duty orders with respect to stainless steel bar from Brazil, India, and Japan on February 21, 1995, and an antidumping duty order with respect to imports from Spain on March 2, 1995.[3]

On December 30, 1999, the Commission instituted first reviews pursuant to section 751(c) of the Act to determine whether revocation of the antidumping duty orders would likely lead to continuation or recurrence of material injury to the domestic industry.[4] On March 14, 2001, the Commission unanimously determined, after conducting full reviews of all antidumping duty orders, that revocation of the orders on stainless steel bar from Brazil, India, Japan, and Spain would be likely to lead to continuation or recurrence of material injury to a domestic industry within a reasonably foreseeable time.[5]

The Commission instituted second reviews of the orders at issue on March 1, 2006.[6] On January 7, 2007, following full reviews, the Commission determined that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.[7]

The Commission instituted these third reviews on December 1, 2011.[8] Based on the fact that no respondent interested parties responded to the Commission's notice of institution, and the fact that there were no other circumstances that warranted a full review, the Commission determined to expedite these reviews.[9]

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[1] Commissioners Okun and Pearson dissent with respect to imports from Brazil and Spain. See Additional and Dissenting Views of Commissioners Deanna Tanner Okun and Daniel R. Pearson. Commissioners Okun and Pearson join only sections I- II of these Views.

[2] Stainless Steel Bar From Brazil, India, Japan, and Spain, Inv. Nos. 731-TA-678, 679, 681, and 682 (Final), USITC Pub. 2856 (Feb. 1995) ("USITC Pub. 2856").

[3] 60 Fed. Reg. 9661 (Feb. 21, 1995), 60 Fed. Reg. 11656 (Mar. 2, 1995).

[4] 64 Fed. Reg. 73579 (Dec. 30, 1999).

[5] Stainless Steel Bar from Brazil, India, Japan, and Spain, Invs. Nos. 731-TA-678, 679, 681, and 682 (Review), USITC Pub. 3404 (Mar. 2001) ("USITC Pub. 3404").

[6] 71 Fed. Reg. 10552 (Mar. 1, 2006).

[7] Stainless Steel Bar from Brazil, India, Japan, and Spain, Invs. Nos. 731-TA-678, 679, 681, and 682 (Second Review), USTIC Pub. 3895 (Jan. 2007) ("USITC Pub. 3895") (the Commission majority's views reflected the opinion of Commissioners Aranoff, Hillman, Koplan, and Lane) (Chairman Okun and Commissioner Pearson dissented with respect to imports from Brazil and Spain).

[8] 76 Fed. Reg. 74807 (Dec. 1, 2011).

[9] The Commission received an adequate joint response on behalf of five domestic producers: Carpenter Technology Corp. ("Carpenter"); Crucible Industries LLC ("Crucible"); Electralloy a G.O. Carlson Inc. Co. ("Electralloy"); Universal Stainless & Alloy Products, Inc. ("Universal"); and Valbruna Slater Stainless, Inc.

(continued...)

II. DOMESTIC LIKE PRODUCT AND INDUSTRY

A. Domestic Like Product

In making its determination under section 751(c), the Commission defines the "domestic like product" and the "industry."[10] The Act defines the "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."[11] The Commission practice in five-year reviews is to look to the like product definitions from the original investigations and previous reviews and consider whether the record indicates any reason to revisit those definitions.

Stainless steel bars are articles of stainless steel in straight lengths having a uniform solid cross section along their whole length, in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles, hexagons, or other convex polygons. The subject product includes stainless steel concrete reinforcing bar, which is used in construction projects when non-corrosive and nonmagnetic properties are desired. Stainless steel bar and articles produced from stainless steel bar are used in applications in which the products' corrosion resistance, heat resistance, surface condition, appearance, and finish are important. There are significant applications for stainless steel bar in the automotive, chemical, dairy, food, and pharmaceutical industries, as well as in marine applications and in pumps and connectors for fluid handling systems. Stainless steel concrete reinforcing bar is used in construction projects in corrosive environments. Bar is distinguished from rod and wire in that bar is in straight lengths as opposed to being coiled.[12]

In its expedited sunset determinations, Commerce defined the subject merchandise in these reviews as:

> articles of stainless steel in straight lengths that have been either hot-rolled, forged, turned, cold-drawn, cold-rolled or otherwise cold- finished, or ground, having a uniform solid cross section along their whole length in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles, hexagons, octagons, or other convex polygons. Stainless steel bar includes stainless steel bars that are turned or ground in straight lengths, whether produced from hot-rolled bar or from straightened and cut rod

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[9] (...continued)
("Slater"). These five producers are believed to have accounted for approximately *** percent of U.S. stainless steel bar production in 2010. CR/PR at I-3 n.4. Because the Commission received an adequate response from domestic producers accounting for a substantial percentage of U.S. production, the Commission determined that the domestic interested party group response was adequate.
TRW Automotive ("TRW") and Eaton Corporation ("Eaton"), industrial users/purchasers of stainless steel bar manufactured in some of the subject countries and the United States (and thus not interested parties as defined by the statute), also responded to the notice of institution, and TRW commented on adequacy. No respondent interested parties responded to the notice of institution.

[10] 19 U.S.C. § 1677(4)(A).

[11] 19 U.S.C. § 1677(10). See 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). The Commission generally considers the following factors: (1) physical characteristics and uses; (2) interchangeability; (3) channels of distribution; (4) common manufacturing facilities, production processes and production employees; (5) customer or producer perceptions; and, when appropriate, (6) price. See Timken Co. v. United States, 913 F. Supp. 580, 584 (Ct. Int'l Trade 1996).

[12] Confidential Staff Report ("CR") at I-13, Public Staff Report ("PR") at I-9.

> or wire, and reinforcing bars that have indentations, ribs, grooves, or other deformations produced during the rolling process.
>
> Except as specified above, the term does not include stainless steel semi-finished products, cut length flat-rolled products (i.e., cut length rolled products which if less than 4.75 mm in thickness have a width measuring at least 10 times the thickness, or if 4.75 mm or more in thickness having a width which exceeds 150 mm and measures at least twice the thickness), wire (*i.e.*, cold-formed products in coils, of any uniform solid cross section along their whole length, which do not conform to the definition of flat-rolled products), and angles, shapes, and sections.[13]

The above scope definition is essentially unchanged from Commerce's previous five-year review determinations and the original investigations.[14] In the original investigations, the Commission defined the domestic like product to be all stainless steel bar within Commerce's scope definition. The Commission rejected arguments that it should find cold-finished and hot-finished stainless steel bar to be separate like products.[15] In the first and second five-year reviews of these orders, the Commission defined the domestic like product as it had in the original investigations, to include all bar within the scope definition.[16]

The domestic producers who are parties to these reviews urge the Commission to again define the domestic like product as it has in the prior reviews and the original investigations.[17] No respondent interested parties have participated in these reviews.

There is no new information obtained during these third reviews that would suggest any reason for revisiting the Commission's like product definition in the original investigations and the prior

[13] 77 Fed. Reg.16207, 16208 (Mar. 20, 2012).

[14] See USITC Pub. 3895 at 5-6, USITC Pub. 3404 at 4, and USITC Pub. 2856 at II-4.

[15] USITC Pub. 2856 at I-6 to I-9 (applying the five-factor, semifinished products analysis).

[16] See USITC Pub. 3895 at 6 and USITC Pub. 3404 at 5.

[17] Domestic Producers' Response to Notice of Institution (Jan. 3, 2012) at 15-16, Domestic Producers' Comments (Mar. 11, 2012) at 4.

reviews.[18] Accordingly, we find a single domestic like product consisting of all stainless steel bar within Commerce's definition of the scope of the orders.

B. Domestic Industry and Related Parties

Section 771(4)(A) of the Act defines the relevant domestic industry as the "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."[19]

In the original investigations and the prior reviews, the Commission found a single domestic industry, consisting of all domestic producers of stainless steel bar.[20] In the first reviews, Carpenter was related to an importer of subject merchandise because of its ***. Another domestic producer, Hi Specialty, was related to Hitachi Metals, a manufacturer of stainless steel bar in Japan. The Commission concluded that appropriate circumstances did not exist to exclude either company.[21]

In the second reviews, the Commission noted that North American Stainless ("NAS") was a related party because both NAS and Roldan (a subject producer in Spain) were owned by the Acerinox Group, a Spanish holding company. The Commission concluded that appropriate circumstances did not exist to exclude NAS.[22]

NAS is a related party in these reviews for the same reason it was in the second reviews, i.e., because both it and Roldan (a subject producer in Spain) are owned by the Acerinox Group, a Spanish holding company.[23] The domestic producers who are parties to these reviews urge the Commission to

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[18] TRW, a domestic industrial user of stainless steel bar, argued in its adequacy comments that the Commission should have conducted full reviews in order to revisit its definition of the domestic like product. The definition of the like product should be revised, according to TRW, to account for the fact that domestic producers no longer produce or are unwilling to supply certain stainless steel bar known as valve steel. TRW maintains that the ITC cannot define the domestic like product as something not produced in the United States. TRW Adequacy Comments (Feb. 10, 2012) at 5-8. Eaton, also a domestic industrial user of stainless steel bar, reported that its sole domestic supplier of stainless steel bar cannot supply Eaton's full requirements for its production of tappet valves. Eaton also stated that it has not searched for other domestic suppliers because of the long and expensive process of qualifying suppliers under the automotive industry's procurement requirements. Eaton Response to Notice of Institution at 1 and 2. We note that whether or not the domestic industry can supply all of demand is not a relevant factor in deciding like product issues.

We reject TRW's argument that the definition of the domestic like product should be modified to exclude valve steel. The statute defines the "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." 19 U.S.C. § 1677(10). Consequently, even if we were to find that valve steel is not manufactured domestically, we would need to define the product that is "like, or in the absence of like, most similar in characteristics and uses with" the valve steel in the scope of the orders. Moreover, we note that stainless steel bar used to make valve steel is in fact manufactured domestically. Domestic Producers' Adequacy Comments at 3-4. As noted by the responding domestic producers, both TRW and Eaton purchase stainless steel bar from domestic producers. Id.

[19] 19 U.S.C. § 1677(4)(A). 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, provided that adequate production-related activity is conducted in the United States. See United States Steel Group v. United States, 873 F. Supp. 673, 682-83 (Ct. Int'l Trade 1994), aff'd, 96 F.3d 1352 (Fed. Cir. 1996).

[20] USITC Pub. 3404 at 5-6; USITC Pub. 2856 at I-9.

[21] USITC Pub. 3404 at 6.

[22] USITC Pub. 3895 at 6-7 n. 34.

[23] CR at I-21, PR at I-14. See 19 U.S.C. § 1677(4)(B)(ii)(III).

once again define the domestic industry as it has in the prior reviews and the original investigation.[24] There is very little evidence on the record of these expedited reviews to assess whether appropriate circumstances exist to exclude NAS from the definition of the domestic industry. Imports of the subject merchandise from Spain were at very low levels throughout the period of review.[25] In the second reviews, the Commission noted that there was no evidence that NAS was shielded from the effects of the subject imports during the period of review, and that NAS had invested heavily in modern production facilities in the United States and was clearly dedicated to serving the U.S. market as a producer of stainless steel bar.[26] As there is no evidence that these circumstances have changed in these third reviews, we find that appropriate circumstances do not exist to exclude NAS from the definition of the domestic industry.

Given our finding with respect to the domestic like product, and because there is no new information obtained during these third reviews that would suggest any reason for revisiting the Commission's domestic industry definition in the original determinations and prior reviews, we find a single domestic industry consisting of all domestic producers of stainless steel bar.

III. CUMULATION

A. Legal Standard

With respect to five-year reviews, section 752(a) of the Act provides as follows:

> the Commission may cumulatively assess the volume and effect of imports of the subject merchandise from all countries with respect to which reviews under section 1675(b) or (c) of this title were initiated on the same day, if such imports would be likely to compete with each other and with domestic like products in the United States market. The Commission shall not cumulatively assess the volume and effects of imports of the subject merchandise in a case in which it determines that such imports are likely to have no discernible adverse impact on the domestic industry.[27]

Cumulation therefore is discretionary in five-year reviews, unlike original investigations, which are governed by section 771(7)(G)(I) of the Act.[28] Our focus in five-year reviews is not only on present conditions of competition, but also on likely conditions of competition in the reasonably foreseeable future.

The threshold criterion for cumulation is satisfied because all of these five-year reviews were instituted on the same day, December 1, 2011.[29] We consider three issues in deciding whether to exercise our discretion to cumulate the subject imports: (1) whether imports from any of the subject countries are precluded from cumulation because they are likely to have no discernible adverse impact on the domestic

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[24] Domestic Producers' Comments at 4.

[25] Imports from Spain ranged from 40 short tons in 2007 to 119 short tons in 2010. CR/PR at Table I-6.

[26] USITC Pub. 3895 at 6-7 n.34.

[27] 19 U.S.C. § 1675a(a)(7).

[28] 19 U.S.C. § 1677(7)(G)(i); see also, e.g., Nucor Corp. v. United States, 601 F.3d 1291, 1293, App. No. 2009-1234, Slip Op. at 7-8 (Fed. Cir. Apr. 7, 2010) (Commission may reasonably consider likely differing conditions of competition in deciding whether to cumulate subject imports in five-year reviews); Allegheny Ludlum Corp. v. United States, 475 F. Supp. 2d 1370, 1378 (Ct. Int'l Trade 2006) (recognizing the wide latitude the Commission has in selecting the types of factors it considers relevant in deciding whether to exercise discretion to cumulate subject imports in five-year reviews); Nucor Corp. v. United States, 569 F. Supp. 2d 1328, 1337-38 (Ct. Int'l Trade 2008).

[29] 76 Fed. Reg. 74775 (Dec.1, 2011).

industry; (2) whether there is a likelihood of a reasonable overlap of competition among imports from the subject countries and the domestic like product; and (3) other considerations, such as whether there are similarities and differences in the likely conditions of competition under which subject imports are likely to compete in the U.S. market.[30]

In these reviews, there is no new evidence on the record or interested party argument that would warrant departure from the Commission's finding in the second five-year reviews that revocation of any of the individual antidumping duty orders on Brazil, India, Japan, and Spain would likely have a discernable adverse impact on the domestic industry.[31] Over the period examined in the original investigations, subject import volume from each of the subject countries was significant and subject import volume and market share increased significantly with respect to Brazil, India, and Spain.[32] Subject imports from all four countries maintained a presence in the U.S. market during the periods examined in the first and second reviews, as well as in these reviews.[33]

Although no data is available on the current capacity and production of subject foreign producers because no respondent interested party has participated in these reviews, the Global Trade Atlas indicates that producers in India, Japan, and Spain exported significant quantities of stainless steel bar to third country markets over the 2007-2011 period.[34] Based on the information available in these reviews, we find that revocation of any of the individual antidumping duty orders on Brazil, India, Japan, and Spain would likely have a discernable adverse impact on the domestic industry.

The Commission generally has considered four factors intended to provide a framework for determining whether the imports compete with each other and with the domestic like product.[35] Only a "reasonable overlap" of competition is required.[36] In five-year reviews, the relevant inquiry is whether

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[30] Commissioner Pinkert explains his analysis of other considerations as follows. Where, in a five-year review, he does not find that imports of the subject merchandise would be likely to have no discernible adverse impact on the domestic industry in the event of revocation, and finds that such imports would be likely to compete with each other and with the domestic like product in the U.S. market, he cumulates them unless there is a condition or propensity – not merely a trend – that is likely to persist for a reasonably foreseeable time and that significantly limits competition such that cumulation is not warranted. He finds that there is no evidence on this record of a condition or propensity warranting non-cumulation with respect to imports from any of the subject countries. Consequently, he has cumulated all such imports.

[31] See USITC Pub. 3896 at 7-8, see also Second Five-Year Review Confidential Views at 10-12.

[32] Subject imports from Brazil increased from *** short tons in 1991 to *** short tons in 1993; subject imports from India increased from *** short tons in 1991 to *** short tons in 1993; subject imports from Japan declined slightly from *** short tons in 1991 to *** short tons in 1993; and subject imports from Spain increased from *** short tons in 1991 to *** short tons in 1993. CR/PR at Appdx. C, Table B-1.

[33] CR/PR at Appdx. C, Table C-1 and Table I-6.

[34] See CR/PR at Table I-12.

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

[36] See Mukand Ltd. v. United States, 937 F. Supp. 910, 916 (Ct. Int'l Trade 1996); Wieland Werke, 718 F. Supp. at 52 ("Completely overlapping markets are not required."); United States Steel Group v. United States, 873 F. Supp. 673, 685 (Ct. Int'l Trade 1994), aff'd, 96 F.3d 1352 (Fed. Cir. 1996). We note, however, that there have been investigations where the Commission has found an insufficient overlap in competition and has declined to cumulate (continued...)

there likely would be competition even if none currently exists because the subject imports are absent from the U.S. market.[37] Based on these four factors, the Commission found a reasonable overlap of competition between and among subject imports from Brazil, India, Japan, and Spain, and the domestic like product, in the first and second five-year reviews.[38]

The Commission's findings from the second five-year reviews concerning the likely reasonable overlap of competition remain valid in these reviews. There is no new information to suggest that stainless steel bar from Brazil, India, Japan, and Spain, and the domestic like product, are any less fungible today than they were during the second five-year reviews. Moreover, no new information exists in these five-year reviews regarding U.S. producers' and subject imports' geographic sales coverage, which the Commission found to be nationwide in the second five-year reviews.[39] There is also no new information in the record to suggest that the Commission's finding in the second five-year reviews that subject imports and the domestic like product were sold primarily through distributors and service centers is any less valid in these reviews.[40] Finally, subject imports from each of the four subject countries were present in every year of the period of review.[41] For these reasons, and because there is no indication of other significant differences in the likely conditions of competition in the market such that the likely volume and effect of subject imports would be substantially different, we conclude that it is appropriate to exercise our discretion to cumulate subject imports from Brazil, India, Japan, and Spain in these reviews.

IV. LIKELIHOOD OF CONTINUATION OR RECURRENCE OF MATERIAL INJURY IF THE ANTIDUMPING DUTY ORDERS ARE REVOKED

A. Legal Standard In A Five-Year Review

In a five-year review conducted under section 751(c) of the 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."[42] 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."[43] Thus, the

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[36] (...continued)
subject imports. See, e.g., Live Cattle From Canada and Mexico, Invs. Nos. 701-TA-386 and 731-TA-812 to 813 (Prelim.), USITC Pub. 3155 at 15 (Feb. 1999), aff'd sub nom, Ranchers-Cattlemen Action Legal Foundation v. United States, 74 F. Supp. 2d 1353 (Ct. Int'l Trade 1999); Static Random Access Memory Semiconductors from the Republic of Korea and Taiwan, Invs. Nos. 731-TA-761 to 762 (Final), USITC Pub. 3098 at 13-15 (Apr. 1998).

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

[38] USITC Pub 3404 at 9-11 and USITC Pub. 3895 at 9-10.

[39] USITC Pub. 3895 at 10.

[40] USITC Pub. 3895 at 10.

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

[42] 19 U.S.C. § 1675a(a).

[43] SAA at 883-84. The SAA states that "{t}he likelihood of injury standard applies regardless of the nature of the Commission's original determination (material injury, threat of material injury, or material retardation of an industry). Likewise, the standard applies to suspended investigations that were never completed." Id. at 883.

likelihood standard is prospective in nature.[44] The U.S. Court of International Trade has found that "likely," as used in the five-year review provisions of the Act, means "probable," and the Commission applies that standard in five-year reviews.[45]

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."[46] 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."[47]

Although the standard in a five-year review is not the same as the standard applied in an original antidumping duty 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."[48] 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 the orders are revoked or the suspension agreement is terminated, and any findings by Commerce regarding duty absorption pursuant to 19 U.S.C. § 1675(a)(4).[49] 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.[50]

No respondent interested party participated in these expedited reviews. The record, therefore, contains limited new information with respect to the stainless steel bar industries in Brazil, India, Japan, and Spain, as well as limited information on the U.S. stainless steel bar market during the period of

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[44] 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.

[45] 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, Slip Op. 02-105 at 20 (Ct. Int'l Trade Sept. 4, 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'").

[46] 19 U.S.C. § 1675a(a)(5).

[47] 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.

[48] 19 U.S.C. § 1675a(a)(1).

[49] 19 U.S.C. § 1675a(a)(1). There have been no duty absorption findings on the subject merchandise covered by the orders.

[50] 19 U.S.C. § 1675a(a)(5). Although the Commission must consider all factors, no one factor is necessarily dispositive. SAA at 886.

review. Accordingly, for our determinations, we rely as appropriate on the facts available from the original investigations and prior reviews and the limited new information on the record in these reviews.[51]

B. Conditions of Competition and the Business Cycle

In evaluating the likely impact of the subject imports on the domestic industry, 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."[52] The following conditions of competition are relevant to our determination.

1. Demand Conditions

As stainless steel bar is used in many sectors of the economy, demand for stainless steel bar largely has tracked general trends in the U.S. economy.[53] In the original investigations, apparent U.S. consumption declined from 181,303 short tons in 1991 to 180,218 short tons in 1992, but increased to 202,376 short tons in 1993.[54] In the first five-year reviews, the Commission found that although there had been an increase in demand for stainless steel generally, apparent consumption of stainless steel bar declined from 246,436 short tons in 1995 to 236,927 short tons in 1999.[55] In the second five-year reviews, the Commission noted that apparent U.S. consumption during the period of review fell from 2000 to 2003 and then rebounded at the end of the period. Total apparent U.S. consumption fell from 279,543 short tons in 2000 to 208,358 short tons in 2003, and then increased to 295,751 short tons in 2005.[56] In these third reviews, apparent U.S. consumption of stainless steel bar was 165,936 short tons in 2010.[57]

2. Supply Conditions

In the first five-year reviews, the Commission found that the domestic industry had added to its capacity and that stainless steel bar could be produced on the same equipment used to produce other products, such as stainless steel angle and wire rod.[58] In the second five-year reviews, the Commission noted that, although the number of domestic producers had declined from 12 during the first review, to

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[51] 19 U.S.C. § 1677e(a) authorizes the Commission to "use the facts otherwise available" in reaching a determination when (1) necessary information is not available on the record or (2) an interested party or other person withholds information requested by the agency, fails to provide such information in the time, form, or manner requested, significantly impedes a proceeding, or provides information that cannot be verified pursuant to section 782(i) of the Act. 19 U.S.C. § 1677e(a). The verification requirements in section 782(i) are applicable only to Commerce. 19 U.S.C. § 1677m(i). See Titanium Metals Corp. v. United States, 155 F. Supp. 2d 750, 765 (Ct. Int'l Trade 2001) ("[T]he ITC correctly responds that Congress has not required the Commission to conduct verification procedures for the evidence before it, or provided a minimum standard by which to measure the thoroughness of a Commission investigation.").

[52] 19 U.S.C. § 1675a(a)(4).

[53] Domestic Producers' Comments at 5.

[54] USITC Pub. 2856 at I-10.

[55] USITC Pub. 3404 at 13.

[56] USITC Pub. 3895 at 13.

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

[58] USITC Pub. 3404 at 14.

eight in the second review, the domestic industry had added capacity since the first review. Total capacity rose from 215,609 short tons in 2001 to 337,296 short tons in 2005. The domestic industry's production also increased over the period of the second reviews but not by as much as its production capacity.[59]

In these third reviews, there were at least nine producers of stainless steel bar in the United States: the five domestic producers that responded to the notice of institution, as well as ATI Allvac, NAS, Outokumpu, and Schmolz & Birkenback USA.[60] The capacity of the five responding firms, which accounted for an estimated *** percent of U.S. production in 2010, was 164,160 short tons in 2010.[61] The production of stainless steel bar by these firms was 75,891 short tons in 2010.[62] The U.S. market is also supplied by subject and nonsubject imports of stainless steel bar. The primary sources of nonsubject imports are Italy and Taiwan.[63]

3. Other Considerations

We adopt the following findings from the second five-year reviews, absent any contrary evidence in the record. Subject imports are generally highly substitutable for domestic stainless steel bar.[64] Quality and price are the most important factor in purchasing decisions, and most purchasers require prequalification of their suppliers.[65] There are substitutes for stainless steel bar, but they tend to be much more expensive.[66] Sales typically are made on a spot basis, and domestic producers typically use price lists.[67] Domestic producers sell predominantly to service centers, but also sell to end users, while importers' shipments of subject imports are solely to service centers and master distributors rather than end users.[68]

We find that these conditions in the market for stainless steel bar are likely to persist in the reasonably foreseeable future and provide us with a reasonable basis on which to assess the effects of revocation of the orders.

C. Revocation of the Orders on Subject Imports of Stainless Steel Bar from Brazil, India, Japan, and Spain Is Likely to Lead to Continuation or Recurrence of Material Injury Within a Reasonably Foreseeable Time

1. Likely Volume of the Subject Imports

In evaluating the likely volume of imports of subject merchandise if the antidumping and countervailing duty orders are revoked, 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

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[59] USITC Pub. 3895 at 13-14.

[60] CR at I-20, PR at I-13.

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

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

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

[64] USITC Pub. 3896 at 14.

[65] Id.

[66] Id.

[67] Id.

[68] Id.

United States.[69] 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.[70]

In the original investigations, the Commission found the subject import volumes to be significant.[71] The cumulated subject import volume for these four countries was 25,983 short tons in 1991, 26,551 short tons in 1992, and 31,687 short tons in 1993. By 1993, the cumulated market penetration for these four countries, measured by quantity, had increased by 1.4 percent to 15.7 percent.[72]

In the first five year reviews, the Commission found that the volume of subject imports was likely to be significant based upon several factors. The record indicated there was significant unused capacity in the subject countries. Moreover, all of the subject countries exported a significant share of their production. The subject producers also had the ability to shift production and exports from other stainless steel products to production of stainless steel bar. There were U.S. antidumping duty orders or cash deposit requirements in place on two other stainless steel products – stainless steel wire rod and stainless steel angle – and the Commission found that subject producers had an incentive to shift production from those other products to stainless steel bar if the subject orders were revoked.[73]

In the second five year reviews, the Commission again found that the volume of cumulated subject imports would likely be significant if the orders were revoked. It based this conclusion on a number of factors, particularly the significant production capacity and excess capacity in the subject countries, the export orientation of the subject producers, subject imports' continued presence in the U.S. market with the orders in place, the attractiveness of the U.S. market, and the stated interest of stainless steel bar purchasers in the subject imports.[74]

In these reviews, cumulated subject import volume increased from 16,779 short tons in 2006 to 18,074 short tons in 2007, increased to 23,944 short tons in 2008, declined to 12,666 short tons in 2009, increased to 18,064 short tons in 2010, and increased again to 20,662 short tons in 2011, a level 23 percent higher than in 2006.[75] Although market share data are more limited, cumulated subject imports accounted for 10.9 percent of apparent U.S. consumption in 2009, compared with 15.7 percent in 1993, 2.8 percent in 1999, and *** percent in 2005.[76] We recognize that most of the cumulated subject import volume during the period of these third reviews is attributable to imports from India, and that the volume of subject imports from India, which is based on official Commerce statistics, may be overstated because the antidumping duty order on stainless steel bar from India has been revoked with respect to one stainless steel bar producer in India.[77] However, because we have determined it is appropriate to cumulate subject imports from all four countries, our analysis under the statute is conducted on that basis.

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[69] 19 U.S.C. §1675a(a)(2).

[70] 19 U.S.C. § 1675a(a)(2)(A-D).

[71] USITC Pub. 2856 at I-15.

[72] USITC Pub. 2856 at I-15.

[73] USITC Pub. 3404 at 15-16.

[74] USITC Pub. 3895 at 15-16.

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

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

[77] The antidumping duty order on stainless steel bar from India was revoked with respect to the Viraj Group (a firm that appeared to account for just over *** of total Indian capacity), effective February 1, 2003. Confidential Views in Second Review at 11 n.45.

Moreover, we recognize that the volume of cumulated subject imports, other than those from India, has been small throughout the review period, both in absolute terms and relative to apparent U.S. consumption.[78] In a five-year review, however, our focus is on whether subject import volume is likely to be significant within a reasonably foreseeable time if the antidumping duty orders are revoked.

Because of the absence of any respondent interested party participation, the record of these reviews contains little evidence on the current capacity and production of the subject foreign industries. There is no evidence in the record, however, that the capacity of these industries has contracted since the second reviews, where the Commission noted that in 2005, total production capacity in the four subject countries was estimated to be *** short tons, with excess capacity estimated to be *** short tons, equivalent to *** percent of U.S. apparent consumption in that year.[79] In addition, the responding domestic producers noted production capacity expansions in Brazil, India, and Spain.[80]

As in the second reviews, other factors also suggest that subject imports will be able to rapidly increase their share of the U.S. market. There is no evidence in the record of these reviews to indicate that the subject imports are not as highly substitutable for domestic stainless steel bar as they were in the second reviews.[81] They have remained in the U.S. market to a limited degree even with the orders in place, indicating that purchasers are likely to be familiar with subject producers' products.[82] Moreover, in the second reviews imports typically were sold to service centers and master distributors, so the subject imports were likely to have purchasers and distributors already in place that would facilitate the entry and distribution of subject imports in the U.S. market.[83] There is no evidence in these reviews that this has changed. In addition, the United States is one of the largest importing markets for stainless steel bar in the world.[84] Further, Indian, Japanese and Spanish stainless steel bar producers face tariff barriers in Korea,[85] and Indian producers face additional tariff barriers in the European Union.[86]

Given the above, in particular the size of the U.S. market, the export orientation of the subject producers, and subject imports' continued presence in the U.S. market with the orders in place, we conclude that the likely volume of subject imports from Brazil, India, Japan, and Spain, both in absolute terms and relative to production and consumption in the United States, would be significant if the antidumping duty orders were revoked.

D. Likely Price Effects of the Subject Imports

In evaluating the likely price effects of subject imports if an antidumping duty order is revoked, 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.[87]

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

[79] Confidential Views in Second Reviews at 26.

[80] Domestic Producers' Comments at 7-10.

[81] USITC Pub. 3895 at 17.

[82] See CR/PR at Table I-6.

[83] USITC Pub. 3895 at 14.

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

[85] CR at I-27, PR at I-18.

[86] CR at I-27, PR at I-18.

[87] 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

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In the original investigations, the Commission found that subject imports undersold the domestic like product in 292 of 518 price comparisons, and that underselling margins averaged 11.2 percent. The Commission also found that subject imports had depressed or suppressed domestic prices to a significant degree.[88]

Information from U.S. producers and importers gathered in the first reviews indicated that domestically produced stainless steel bar and subject imports were generally substitutable; that most producers, both domestic and subject, met purchasers' qualification requirements; and that price was an important factor in purchasing decisions.[89] Prices for stainless steel bar in the United States generally trended downward during that period of review.[90] The limited available data reflected underselling by subject imports from two of the four subject countries.[91] Given the substitutability of the subject imports for domestic stainless steel bar and the likely significant volume of subject imports, the Commission found that subject imports would be likely to have significant depressing and suppressing effects on the prices of the domestic like product.[92]

In the second five year reviews, there was only very limited information with respect to subject imports' relative pricing in the U.S. market. The Commission found that, given the likely significant volume of subject imports, the substitutability between the subject imports and domestic like product, and the importance of price in purchasing decisions, subject imports would, in the absence of the orders, likely significantly undersell the U.S. product in order to gain market share. The Commission also noted that the domestic industry was facing elevated raw material and energy costs towards the end of the period of review, and that growth in domestic demand was forecast to be weak. It concluded that the likely underselling by the subject imports would therefore likely suppress price increases or depress domestic prices to a significant degree, causing the domestic industry to have difficulty recovering its costs.[93]

Given the likely significant volume of subject imports, the substitutability between the subject imports and the domestic like product, and the importance of price in purchasing decisions, we find that in the absence of the orders, subject imports would likely significantly undersell the U.S. product in order to gain market share as occurred during the original investigations.

Given the substitutability between stainless steel bar from all sources, the likely underselling by the subject imports would therefore likely suppress price increases or depress domestic prices to a significant degree, causing the domestic industry to have difficulty recovering its costs. Consequently, on the basis of the record in these reviews, including information collected in the original investigations and the earlier reviews, we find that revocation of the antidumping duty orders would be likely to lead to significant underselling by the subject imports and significant price depression or suppression within a reasonably foreseeable time.

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[87] (...continued)
circumstantial, as well as direct, evidence of the adverse effects of unfairly traded imports on domestic prices." SAA at 886.

[88] USITC Pub. 2856 at I-17.

[89] USITC Pub. 3404 at 17.

[90] USITC Pub. 3404 at 18.

[91] USITC Pub. 3404 at 17.

[92] USITC Pub. 3404 at 18.

[93] USITC Pub. 3895 at 17-18.

E. Likely Impact of the Subject Imports

In evaluating the likely impact of imports of subject merchandise if the antidumping duty orders under review were revoked, the Commission is directed to consider all relevant economic factors that are likely to have a bearing on the state of the industry in the United States, including, but not limited to the following: (1) likely declines in output, sales, market share, profits, productivity, return on investments, and utilization of capacity; (2) likely negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital, and investment; and (3) likely negative effects on the existing development and production efforts of the industry, including efforts to develop a derivative or more advanced version of the domestic like product.[94] 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.[95] 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 at issue and whether the industry is vulnerable to material injury if the orders were revoked.

In the original investigations, the Commission found that increased subject imports and the declines in prices from 1991 to 1993 had a significant adverse impact on the domestic industry. The Commission cited operating losses, reduced investment, and stagnant shipments even in a growing market.[96]

In the first reviews, the Commission found that the domestic industry's condition had improved since the original investigation, but declined over the review period (1995-1999).[97] Production and capacity utilization declined from 1997 to 1999. Operating income and the industry's market share also fell and the industry was barely profitable at the end of the period. Therefore, the Commission found the industry to be in a vulnerable condition.[98] Given the generally substitutable nature of the subject and domestic products, the Commission concluded that the likely significant volume of low-priced subject imports, when combined with the expected negative price effects of those imports, would likely have a significant adverse impact on the production, shipments, sales, and revenues of the domestic industry.[99]

In the second five year reviews, the Commission noted that the domestic industry's performance improved in certain respects during the review period. The Commission concluded that the domestic industry was not vulnerable. The Commission nonetheless concluded that revocation of the antidumping duty orders likely would have a significant adverse impact on the domestic industry.[100]

In these expedited reviews, the record information on the domestic industry's condition is limited. In 2010, the capacity of the responding domestic producers was 164,160 short tons, their output was 75,891 short tons, and their rate of capacity utilization was 46.2 percent.[101] The U.S. shipments of these firms were 57,248 short tons, accounting for 34.5 percent of apparent U.S. consumption; their net sales value was $498.5 million; and their operating income was $7.2 million, equivalent to 1.5 percent of net sales.[102] All of these indicators were significantly lower in 2010 than in any other period examined (except that the operating income and operating income ratio in 2010 were better than in 1993).[103] The

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[94] 19 U.S.C. § 1675a(a)(4).

[95] 19 U.S.C. § 1675a(a)(4).

[96] USITC Pub. 2856 at I-17 - I-18.

[97] USITC Pub. 3404 at 19.

[98] USITC Pub. 3404 at 20.

[99] USITC Pub. 3404 at 20.

[100] USITC Pub. 3895 at 18-20.

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

[102] CR/PR at Tables I-5 and I-7.

[103] CR/PR at Table I-5 and Appdx. C, Table B-1. We acknowledge that these data for 2010 are based on information from five domestic producers that accounted for approximately *** percent of U.S. production in that

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limited evidence in this expedited review is insufficient for us to make a finding on whether the domestic industry is vulnerable to the continuation or recurrence of material injury in the event of revocation of the order.[104]

Based on the record in these reviews, we find that the likely volume and price effects of the subject imports would likely have a significant adverse impact on the industry's production, sales, and revenue levels and would likely have a direct adverse impact on the industry's profitability and employment levels as well as its ability to raise capital and make and maintain necessary capital investments. We recognize that, given the substitutability of the products generally, subject imports would also likely displace nonsubject imports in the U.S. market to some degree in the event of revocation. We nevertheless find that a significant portion of the expected increase in subject imports would be at the expense of the domestic industry, particularly given the likelihood of subject import underselling and adverse price effects. Accordingly, we conclude that, if the antidumping duty orders on subject stainless steel bar from Brazil, India, Japan, and Spain were revoked, subject imports would be likely to have a significant adverse impact on the domestic industry within a reasonably foreseeable time.

CONCLUSION

For the above-stated reasons, we determine that revocation of the antidumping duty orders on stainless steel bar from Brazil, India, Japan, and Spain would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

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[103] (...continued)
year, and the Commission had data from additional producers in the prior segments of these proceedings. See CR at I-3 n.4 and I-19, PR at I-3 n.4 and I-12.

[104] Commissioner Pinkert finds that the domestic industry appears to be vulnerable. The domestic industry's output decreased over time as it lost market share to nonsubject imports, and its capacity, shipments, and production were all smaller in 2010 than in 1993 (the time of the original petition). Moreover, the industry's operating income and operating margin were low in 2010, although higher than in 1993. CR/PR at Table I-5, Table I-7, and Appdx. C, Table B-1.

ADDITIONAL AND DISSENTING VIEWS OF COMISSIONERS DEANNA TANNER OKUN AND DANIEL R. PEARSON

Section 751(d)(2) of the Tariff Act of 1930, as amended ("the Act"), requires the U.S. Department of Commerce ("Commerce") to revoke a countervailing duty or an antidumping duty order in a five-year ("sunset") review unless Commerce determines that dumping or a countervailable subsidy would be likely to continue or recur and the U.S. International Trade Commission ("Commission") determines that material injury to a U.S. industry would be likely to continue or recur within a reasonably foreseeable time.[1] Based on the record in these third five-year reviews, we determine that revocation of the antidumping duty orders covering imports of stainless steel bar ("SSB") from India and Japan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. We determine, however, that material injury is not likely to continue or recur within a reasonably foreseeable time if the antidumping duty orders on SSB from Brazil and Spain are revoked.

We join our colleagues' discussion regarding background, domestic like product, and domestic industry. We write separately to address cumulation, conditions of competition, and the grounds, respectively, for our negative determinations respecting subject imports from Brazil and Spain as well as our affirmative determination respecting cumulated subject imports from India and Japan.

As an initial matter, we note that we are basing our decision in these expedited third reviews on a very limited record. The Commission received a joint response to its notice of institution from five members of the domestic industry, and did not receive a response from any respondent interested party.[2] Thus, there is little new information on the domestic industry and little new information specific to the SSB industries in any of the subject countries to inform the Commission's determinations. Accordingly, we rely on the facts available in the original investigations and first and second five-year reviews, as well as on the limited new information on the record in these reviews.[3]

I. Cumulation

A. Framework

With respect to cumulation in five-year reviews, section 752(a) of the Tariff Act provides as follows:

> the Commission may cumulatively assess the volume and effect of imports of the subject merchandise from all countries with respect to which reviews under section 1675(b) or (c) of this title were initiated on the same day, if such imports would be likely to compete with each other and with domestic like products in the United States market. The Commission shall not

[1] 19 U.S.C. § 1675(d)(2).

[2] The Commission received two other submissions from industrial users Eaton Corporation and TRW Automotive. However, neither TRW nor Eaton qualifies as an interested party under the statutory definition (19 U.S.C. § 1677(9)). CR/PR at I-3 n.5.

[3] Commissioner Okun notes that the statute authorizes the Commission to take adverse inferences in five-year reviews, but such authorization does not relieve the Commission of its obligation to consider the record evidence as a whole in making its determination. See 19 U.S.C. § 1677e. She generally gives credence to the facts supplied by the participating parties and certified by them as true, but bases her decision on the evidence as a whole, and does not automatically accept participating parties' suggested interpretations of the record evidence. Regardless of the level of participation, the Commission is obligated to consider all evidence relating to each of the statutory factors and may not draw adverse inferences that render such analysis superfluous. In general, the Commission makes determinations by weighing all of the available evidence regarding a multiplicity of factors relating to the domestic industry as a whole and by drawing reasonable inferences from the evidence it finds most persuasive. SAA at 869.

> cumulatively assess the volume and effects of imports of the subject merchandise in a case in which it determines that such imports are likely to have no discernible adverse impact on the domestic industry.[4]

Cumulation therefore is discretionary in five-year reviews, unlike original investigations, which are governed by section 771(7)(G)(i) of the Act.[5] The Commission may exercise its discretion to cumulate, however, only if the reviews are initiated on the same day, the Commission determines that subject imports are likely to compete with each other and the domestic like product in the U.S. market, and imports from each such subject country are not likely to have no discernible adverse impact on the domestic industry in the event of revocation. Our focus in five-year reviews is not only on present conditions of competition, but also on likely conditions of competition in the reasonably foreseeable future.

In determining whether to exercise our discretion to cumulate the subject imports from the four countries in this review, we assess whether imports from the subject countries are likely to face similar conditions of competition. For those subject imports that are likely to compete under similar conditions of competition, we consider next whether those imports are likely to compete with each other and with the domestic like product. Finally, if based on that analysis we intend to exercise our discretion to cumulate one or more subject countries, we analyze whether the cumulation of such imports is precluded because the imports from one or more subject countries, assessed individually, are likely to have no discernible adverse impact on the domestic industry.[6]

In these reviews, the domestic industry again contends that all of the subject countries will face similar conditions of competition if the orders are revoked.[7] Based on the record, however, we decline to exercise our discretion to cumulate subject imports from Brazil and Spain for the purposes of our injury analysis.[8] We find, as we did in the last reviews, that certain factors indicate that subject imports from Brazil and Spain will likely compete under significantly different conditions of competition.[9] Regarding subject imports from India and Japan, we find that many of the conditions of competition are similar to those faced during the original investigations. Therefore, we exercise our discretion to cumulate subject imports from India and Japan.

B. Brazil

The conditions faced by subject imports from Brazil absent the order are likely to be different from those faced during the original investigations and as well as those faced by other subject imports. In

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[4] 19 U.S.C. § 1675a(a)(7).

[5] 19 U.S.C. § 1677(7)(G)(i). See Nucor v. United States, 601 F.3d 1291, 1293 (Fed. Cir. 2010).

[6] See Steel Concrete Reinforcing Bar From Belarus, China, Indonesia, Korea, Latvia, Moldova, Poland, and Ukraine, Inv. Nos. 731-TA-873-875, 877-880, and 882 (Review), USITC Pub. 3933 (July 2007) (Separate and Dissenting Views of Chairman Daniel R. Pearson and Commissioner Deanna Tanner Okun Regarding Cumulation).

[7] Domestic Industry's Final Comments at 4.

[8] See, e.g., Nucor Corp., 601 F.3d at 1293 (Commission may reasonably consider likely differing conditions of competition in deciding whether to cumulate subject imports in five-year reviews); Allegheny Ludlum Corp. v. United States, 475 F. Supp. 2d 1270, 1378 (Ct. Int'l Trade 2006) (recognizing the wide latitude the Commission has in selecting the types of factors it considers relevant in deciding whether to exercise discretion to cumulate subject imports in five-year reviews).

[9] As we decline to cumulate subject imports from Brazil and Spain on the basis of differences in conditions of competition, we find it unnecessary to decide the issue of no discernible adverse impact for those two countries. Cf. Top-of-the-Stove Stainless Steel Cooking Ware from Korea, Inv. Nos. 701-TA-267 and 731-TA-304 (Review) (Remand), USITC Pub. 3485 (Jan. 2002) at 5 (declining to address criterion of no discernible adverse impact in the absence of evidence of a reasonable overlap of competition).

the last review, we found that the Brazilian industry's production capacity and export orientation had declined since the original investigations.[10] We found that during the original period of investigation (POI), total Brazilian production capacity peaked at *** short tons in 1991.[11] Additionally, we found that even after Villares Metals' predicted capacity expansions in 2007 and 2008, total Brazilian production capacity would be only *** short tons.[12] We also noted that while the Brazilian industry reported capacity utilization rates between *** and *** percent in the original investigations,[13] their reported capacity utilization rates reached a high of *** percent and never fell below *** percent during the second period of review.[14]

In the last review, we also found that the Brazilian industry was less export oriented than during the POI. The Brazilian home market accounted for *** percent of the Brazilian industry's total shipments in 1991.[15] This share declined to *** percent in 1993.[16] As consumption in Brazil increased, the share of the Brazilian industry's total shipments to its home market grew from *** percent in 2000 to *** percent in 2005. This share increased further in the interim periods, from *** percent in interim 2005 to *** percent in interim 2006.[17] We also noted the increase in Brazil's imports of SSB by approximately 211 percent from 2000 to 2005[18] and the 11 percent decline in exports over the same period as further indications of the growth in Brazil's home market consumption.[19]

There is no basis in the record to justify a departure from our findings in the prior review. Regarding capacity, the domestic interested parties in their response to the Commission's notice of institution identified the same two Brazilian producers as in the second review. The potential stainless steel bar production capacity of these specific firms is not readily available from public sources.[20] While the domestic interested parties indicated reported expansion of Villares' capacity at its facilities that produce SSB, among other products,[21] we find that any possible increase in SSB capacity is outweighed by other evidence regarding Brazil's limited and declining export orientation. As was the case in the second five-year review, Brazil remains less export oriented than other subject countries. Brazil's total exports of SSB during the period of review ranged from 5,852 short tons to 10,192 short tons.[22] In contrast, total SSB exports during the period of review were between 104,734 short tons and 191,807 short tons for India,[23] between 36,285 short tons and 58,519 short tons for Japan,[24] and between 81,169

[10] Stainless Steel Bar from Brazil, India, Japan, and Spain, Inv. Nos. 731-TA-678, 679, 681, and 682 (Second Review), Confidential Additional and Dissenting Views of Chairman Daniel R. Pearson and Commissioner Deanna Tanner Okun ("Confidential Second Review Views of Commissioners Pearson and Okun") (Jan. 2007), at 37.

[11] Confidential Second Review Views of Commissioners Pearson and Okun at 37.

[12] Id.

[13] Id.

[14] Id.

[15] Id.

[16] Id.

[17] Id. at 38.

[18] Id.

[19] Id.

[20] CR at I-28, PR at I-19.

[21] Domestic Interested Parties' Response to Notice of Institution at 12.

[22] CR/PR at Table I-8.

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

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

short tons and 151,975 short tons for Spain.[25]Additionally, while the other three subject countries are among the top ten SSB exporting countries in the world, Brazil is not even among the top fifteen.[26] Brazil's total SSB exports declined by *** percent over the period of review, further evidencing its limited export orientation.[27]

In light of the differences in the conditions of competition likely to be faced by subject imports from Brazil, we decline to exercise our discretion to cumulate subject imports from Brazil with imports from the other subject countries.

C. Spain

In the second five-year review, we found that there had been two important changes in the Spanish SSB industry since the original investigation. First, unlike the other three subject countries, the industry in Spain acquired related production operations in the U.S. market. Spain invested in production facilities in the United States in 2003. The *** domestic producer North American Stainless ("NAS") became part of the Acerinox Group. As a member of the Acerinox Group, the Spanish producer Roldan became related to NAS through their common parent.[28] Secondly, the Spanish industry became the only subject industry to benefit from preferential treatment in the unified E.U. market. We found that this preferential access to, and an increase in consumption in, the E.U. market resulted in a Spanish industry predominantly focused on the E.U. market, with shipments by the Spanish industry to the E.U. market (Spain and all other E.U. markets) accounting for *** percent of the Spanish industry's total shipments in 2005.[29] We also found significant that the capacity utilization rates reported by the Spanish industry in the second five-year review were higher than those they reported in the original investigation as well as those reported by subject industries in India and Japan.[30]

The limited record in the current review indicates that Spain remains primarily focused on the European market. Spain's top ten SSB export markets are all within Europe.[31] Despite economic issues in the region, transactional prices for SSB were generally *** than those in the United States.[32] Spain is also the world's thirteenth largest importer of SSB, the only subject country in the top fifteen.[33] Spain also remains the only subject country with related production in the United States.[34]

Due to the differences in the conditions of competition likely to be faced by subject imports from Spain, we decline to cumulate subject imports from Spain with imports from the other subject countries for the purposes of our injury determinations.

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

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

[27] CR at I-37, PR at I-24.

[28] Confidential Second Review Views of Commissioners Pearson and Okun at 38.

[29] Id. at 38-39.

[30] Id. at 39.

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

[32] CR at I-41, PR at I-27.

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

[34] Confidential Second Review Views of Commissioners Pearson and Okun at 38.

D. India and Japan

1. Conditions of Competition

We noted in the last reviews that while subject producers in Brazil and Spain experienced changes since the original investigations that made those industries less likely to focus on the U.S. market, subject producers in India and Japan remained highly dependent on export markets and likely viewed the United States as an important export market.[35] Nothing in the current record indicates that India and Japan will compete any differently in these reviews.

The Indian SSB industry remains large and export oriented. The Indian industry's production capacity has increased significantly since the original investigation. During the original investigation, the Indian industry's reported production capacity was *** short tons and, by 2005, reported production in India had reached *** short tons.[36] In their response to the Commission's notice of institution in these third five-year reviews, the domestic interested parties identified 21 producers in India that remain actively engaged in the production and export of SSB.[37] Domestic interested parties also reported that there is no evidence of any decline in Indian production capacity, and that several firms may have even recently increased their capacity to produce SSB.[38]

Exports remain important to the Indian industry. India was the third largest SSB exporter in the world in 2010, and their total exports ranged between 104,735 short tons and 191,808 short tons over the period of this review.[39]

The Japanese SSB industry also remains large and export oriented. Japan's production capacity has apparently increased since the original investigations. The available information shows that Japan's total production capacity for subject SSB was 185,550 short tons in 1992, with production reportedly increasing to *** short tons in 2005.[40] During the original investigation, the Japanese industry reported capacity utilization rates ranging from 110.2 percent in 1990 to 88.2 percent in 1993. The record in the second reviews indicated that the Japanese industry's capacity utilization in 2005 was *** percent.[41] The domestic interested parties asserted in the current review that there is no indication that there have been any reductions in capacity to produce SSB in Japan.[42]

Japan's export orientation has also increased since the original investigation. Consumption of SSB in the Japanese market declined from *** short tons to *** short tons between 2005 and 2005.[43] Exports as a share of Japanese production increased from *** percent to *** percent over the same period.[44] In the second review, we found that the significant decline in home market consumption increased the relative importance of Japan's export markets and resulted in an increased export focus. The current record contains no indications that this export focus has declined since the prior

[35] Confidential Second Review Views of Commissioners Pearson and Okun at 39.

[36] Id. at 40.

[37] Domestic Interested Parties' Response to Notice of Institution at 13.

[38] Id. at 6.

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

[40] Confidential Second Review Views of Commissioners Pearson and Okun at 39-40.

[41] Id. at 40.

[42] Domestic Interested Parties' Response to Notice of Institution at 13.

[43] Confidential Second Review Views of Commissioners Pearson and Okun at 40.

[44] Id.

review. Japan's total SSB export levels remained fairly consistent between 2007 and 2011, and there is no evidence that home market consumption has increased significantly.[45]

2. Reasonable Overlap of Competition

In assessing likely competition, the Commission has generally considered four factors intended to provide a framework for determining whether the imports compete with each other and with the domestic like product. We consider these factors in addition to those discussed above: (1) fungibility; (2) sales or offers in the same geographic markets; (3) common or similar channels of distribution; and (4) simultaneous presence. Only a "reasonable overlap" of competition is required.[46] In five-year reviews, the relevant inquiry is whether there would likely be competition upon revocation of the orders, even if none currently exists because the subject imports are absent from the U.S. market. In the original investigations, the Commission found that all four factors indicated a likely reasonable overlap of competition.[47]

Fungibility. In the second five-year reviews, we found that the majority of responding purchasers, domestic producers, and importers reported that subject imports from India and Japan were "always" or "frequently" interchangeable with domestic stainless steel bar. Although there were allegations that Indian stainless steel bar was of lower quality, 9 of 12 purchasers indicated that it was "always" or "frequently" interchangeable with domestic stainless steel bar.[48] We see no basis in the current record to depart from our findings in the second reviews. We therefore find that domestic stainless steel bar and subject imports from India and Japan are fungible for purposes of finding a reasonable overlap of competition.

Channels of Distribution and Geographic Overlap. As in the second reviews, there is limited data with regard to the channels of distribution through which subject imports from India and Japan are shipped during the review period. In the prior reviews, the available information indicated that domestic stainless steel bar and subject imports from Indian and Japan shared the same channels of distribution as both were generally sold to distributors or service centers. With respect to geographic overlap, six of seven U.S. producers and three of seven importers reported nationwide sales during the prior period of review. We found that both factors pointed to a likely reasonable overlap of competition if the antidumping orders were revoked.[49] There is no new information on the record that provides a basis for a different conclusion. We therefore find that both of these factors indicate a likely reasonable overlap of competition were the orders revoked.

Simultaneous Presence in the Market. Subject imports from India and Japan were present in the U.S. market throughout the period of investigation and during the period examined in the second

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

[46] See Mukand Ltd. v. United States, 937 F. Supp. 910, 916 (CIT 1996); Wieland Werke, AG, 718 F. Supp. at 52 ("Completely overlapping markets are not required."); United States Steel Group v. United States, 873 F. Supp. 673, 685 (CIT 1994), aff'd, 96 F.3d 1352 (Fed. Cir.1996). We note, however, that there have been investigations where the Commission has found an insufficient overlap in competition and has declined to cumulate subject imports. See, e.g., Live Cattle from Canada and Mexico, Inv. Nos. 701-TA-386 (Preliminary) and 731-TA- 812-813 (Preliminary), USITC Pub. 3155 at 15 (Feb. 1999), aff'd sub nom, Ranchers-Cattlemen Action Legal Foundation v. United States, 74 F. Supp.2d 1353 (CIT 1999); Static Random Access Memory Semiconductors from the Republic of Korea and Taiwan, Inv. Nos. 731-TA-761-762 (Final), USITC Pub. 3098 at 13-15 (Apr. 1998).

[47] Stainless Steel Bar from Brazil, India, Japan, and Spain, Inv. Nos. 731-TA-678, 679, 681, and 682 (Final), USITC Pub. 2856 (February 1995) ("Original Determinations"), at I-15.

[48] Confidential Second Review Views of Commissioners Pearson and Okun at 42.

[49] Id.

reviews.[50] In addition, subject imports from India and Japan were present during each year of this review period, albeit with only limited quantities from Japan.[51]

Conclusion. Based upon our analysis of the four factors, we conclude that subject imports from India and Japan will likely compete with each other and with the domestic like product should the orders under review be revoked.

3. Likelihood of No Discernible Adverse Impact

We find that subject imports from India and Japan are unlikely to have no discernible adverse impact were the orders revoked. Despite the presence of the order, subject imports from India remained present in the United States throughout the period at higher quantities than in the original investigation. Subject import volume peaked in the original investigation at 4,243 short tons in 1993.[52] The record in the current review indicates that the volume of subject imports from India reached as high as 16,937 short tons in 2010.[53] Given the increase in subject imports from India and the size of the Indian industry, we find that subject imports from India are unlikely to have no discernible adverse impact were the order revoked.

The Japanese SSB industry is large and subject imports remained present throughout the period despite the order. In the original investigation, Japan reported production capacity of 185,550 short tons.[54] Japan exported 58,146 short tons in 2011.[55] Given the large size and significant exports of the Japanese industry, we find that subject imports from Japan are unlikely to have no discernible adverse impact if the subject order were revoked.

Therefore, we find that subject imports from India and Japan are not likely to have no discernible adverse impact if the orders were revoked.

In conclusion, we find that subject imports from India and Japan will compete with each other and with the domestic like product in the U.S. market. Further, we determine that such imports are eligible for cumulation as the reviews were initiated the same day. Moreover, we are not precluded from exercising our discretion to cumulate subject imports from India and Japan because imports from each of these countries are not likely to have no discernible adverse impact on the domestic industry. Therefore, we exercise our discretion to cumulate subject imports from India and Japan for purposes of our injury analysis.

II. LIKELIHOOD OF CONTINUATION OR RECURRENCE OF MATERIAL INJURY IF THE ORDERS ARE REVOKED

A. Legal Standard

In a five-year review conducted under section 751(c) of the 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

[50] Confidential Second Review Views of Commissioners Pearson and Okun at 42.

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

[52] Confidential Second Review Views of Commissioners Pearson and Okun at 43.

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

[54] Original Determinations at Table 34.

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

material injury within a reasonably foreseeable time."[56] The Statement of Administrative Action ("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 standard is prospective in nature.[58] The U.S. Court of International Trade has found that "likely," as used in the five-year review provisions of the Act, means "probable," and the Commission applies that standard in five-year reviews.[59]

The Act 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 antidumping duty 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 the orders are revoked or the 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]

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[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 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, Slip Op. 02-105 at 20 (Ct. Int'l Trade Sept. 4, 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'"). See also Additional Views of Vice Chairman Deanna Tanner Okun Concerning the "Likely" Standard in Certain Seamless Carbon and Alloy Steel Standard, Line and Pressure Pipe From Argentina, Brazil, Germany, and Italy, Invs. Nos. 701-TA-362 (Review) and 731-TA-707 to 710 (Review) (Remand), USITC Pub. 3754 (Feb. 2005) (complete statement of Chairman Okun's interpretation of the likely standard).

[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).

[63] 19 U.S.C. § 1675a(a)(1).

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

B. Conditions of Competition

In evaluating the likely impact of subject imports on the domestic industry, 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 industry."[65]

Demand. Demand for stainless steel bar derives from the level of demand in a diverse array of end-use markets.[66] SSB is used to produce cylinders, shafts, fittings, fasteners, and other parts used in various industries including automotive, aerospace, dairy, food processing, energy, chemical, and others.[67]

In the original investigations, apparent U.S. consumption increased by 11.6 percent between 1991 and 1993.[68] In the first review of the orders, consumption declined by 3.9 percent.[69] Consumption fluctuated over the second period of review.[70] The record in the current review indicates that U.S. apparent consumption was lower in 2010 than it was in 2005.[71] However, on a more general level, U.S. distributors of stainless steel long products reported solid demand in 2010 and 2011, especially with respect to the energy, machinery, and automotive sectors.[72] Additionally, demand in the United States for stainless steel long products in 2012 is predicted to be higher than in 2011, an increase driven primarily by the energy, automotive, and aerospace sectors.[73] The domestic industry reports that U.S. consumption of SSB remained fairly flat during 2006-2008, declined during 2008-2009, before rebounding in 2010 while remaining below 2006-2008 levels. They note that the recent decline reflected the slowing of the economy, particularly the downturns in the aerospace, automotive, industrial, and consumer markets.[74]

Supply. The domestic industry experienced significant restructuring between the original investigations and the second reviews. The twelve domestic producers present during the original investigations and the first five-year reviews declined to eight in the second five-year reviews due to the exit of several producers and the entry of a single new producer.[75] In the third reviews there are again eight domestic producers of SSB.[76] The domestic industry's production capacity increased over the original investigations and first and second reviews.[77] The data available for 2010 indicates that capacity was 164,160 short tons in 2010.[78]

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[65] 19 U.S.C. § 1675a(a)(4).

[66] CR at I-38, PR at I-25.

[67] Confidential Second Review Views of Commissioners Pearson and Okun at 44; CR at I-38, PR at I-25.

[68] Original Determinations at I-9.

[69] Stainless Steel Bar From Brazil, India, Japan, and Spain, Invs. Nos. 731-TA-678-679 and 681-682 (Review), USITC Pub. 3404 (March 2001).

[70] Confidential Second Review Views of Commissioners Pearson and Okun at 44 ("Apparent U.S. consumption declined from 2000 to 2003 before recovering in 2004 and 2005. U.S. consumption in 2005 was higher than at any point in either review periods or the original period examined. U.S. consumption declined by 10.3 percent in the January-June 2006 period compared to the same period in 2005.").

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

[72] CR at I-39, PR at I-25-I-26.

[73] CR at I-39, PR at I-25-I-26.

[74] Domestic Interested Parties' Response to Notice of Institution at 15.

[75] CR at I-19, PR at I-12.

[76] CR at I-20, PR at I-13.

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

[78] While this number is lower that the reported capacity in 2005, this appears to be at least substantially the result of reporting differences between the second and third reviews. Two domestic producers, NAS and Outokumpu, who accounted for (…continued)

The domestic industry's market share has declined since the original investigations. In 1993, domestic market share was 70.8 percent, in 1999 63.1 percent, in 2005 57.9 percent, and in 2010 the domestic industry's market share was 34.5 percent. This decline in market share appears to be primarily driven by the increasing share of the market captured by nonsubject imports. Nonsubject import market share has increased since the original investigations, and nonsubject imports accounted for 65.5 percent of apparent U.S. consumption in 2010. Subject import market share was higher in 2010 than in 2005. In 2010, subject import market share was 10.9 percent, up from *** percent in 2005.[79] Subject import market shares for Brazil, Japan, and Spain were all at or below 0.5 percent in 2010. In contrast, subject imports from India captured 10.2 percent of the market in 2010.[80]

We find that these conditions in the market for SSB are likely to persist in the reasonably foreseeable future and provide us with a reasonable basis to assess effects of revocation of the orders.

C. Revocation of the Order on Subject Imports from Brazil is Not Likely to Lead to Continuation or Recurrence of Material Injury Within a Reasonably Foreseeable Time

1. Likely Volume of Subject Imports from Brazil

Subject imports from Brazil were cumulated with subject imports from India, Japan, and Spain in the original investigations. Non-cumulated subject imports from Brazil increased from 3,334 short tons in 1991 to 4,209 short tons in 1992, and increased further to 4,594 short tons in 1993.[81] The Brazilian industry's production capacity declined from *** short tons in 1991 to *** short tons in 1992, and to *** short tons in 1993.[82] Their reported capacity utilization rates ranged between *** and *** percent from 1991 and 1993.[83] In the first five-year reviews, subject imports from Brazil increased irregularly from 51 short tons in 1995 to 1,355 short tons in 1999. There were no reported Brazilian capacity data in that review due to the lack of response to the Commission's questionnaires.[84]

The second five-year reviews saw a decline in Brazilian subject imports from 1,415 short tons in 2000 to 373 short tons in 2005. Brazilian subject import market share declined from 0.5 percent to 0.1 percent over that period. Reported Brazilian production capacity during the second review declined slightly from *** short tons in 2000 to *** short tons in 2005.[85] Significantly, this reported production capacity was less than half the capacity reported during the original investigations. Based on foreign producer questionnaire responses, Brazilian production capacity was expected to increase to *** short tons as a result of capacity expansions in 2007 and 2008. Given that peak production capacity in Brazil during the period of investigation was *** short tons, we found that total Brazilian production capacity was expected to be lower than in the original investigations.[86] Villares, which accounted for *** percent

***] portion of domestic capacity in the second reviews, did not report capacity data to the Commission in these third reviews. The difference in data coverage between the second and third reviews limits the Commissions' ability to determine trends in the domestic industry's trade and financial data.

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

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

[81] Confidential Second Review Views of Commissioners Pearson and Okun at 47.

[82] Id. at 47-48.

[83] Id. at 48.

[84] Id.

[85] Confidential Second Review Views of Commissioners Pearson and Okun at 48.

[86] Id.

of SSB production in Brazil and *** percent of Brazil's SSB exports to the U.S. during the second review, reported capacity utilization rates of at least *** percent. In 2005 and interim 2006, their reported rates were *** percent and *** percent, respectively.[87] Due to Villares' large share of the concentrated Brazilian industry, we found that Villares' high capacity utilization rates indicated that the Brazilian industry was operating at a high rate of capacity utilization.[88]

We also found that the data available in the second review indicated that the Brazilian industry was less export oriented compared to the original investigations, due to the growth in their home market. Over the second period of review, consumption of SSB in Brazil increased irregularly from *** short tons in 2000 to *** short tons in 2005, an increase of *** percent.[89] Over the same period, Brazil's imports of SSB increased and their exports decreased. Brazilian imports grew 211 percent from 1,844 short tons to 5,858 short tons from 2000 to 2005, while exports fell from 13,494 short tons to 12,018 over the same period.[90] As a result, Brazil's shipments to its home market as a share of total shipments increased from *** percent in 2000 to *** percent in 2005.[91] Throughout the period of the second review, inventory held by the Brazilian industry remained modest, with the ratio of inventory to production declining in 2005 and in the interim periods.[92] Additionally, we found it significant that while Brazil had been subject to an antidumping duty order in Canada, when this order was rescinded in 2005 Brazil did not increase its exports to the Canadian market.[93]

The domestic industry argued in the second five-year review that product shifting was likely to occur if the order was revoked, but we found that while Brazilian producers were physically capable of shifting between products, they lacked incentive to do so and were thus unlikely to engage in product shifting.[94] The evidence also indicated that re-dedication of machinery away from the production of SSB reduces the overall efficiency of the production operation.[95] Additionally, the demand in Brazil's home market and third-country markets increased. The AUV of Brazil's shipments to its home market exceeded the AUV of its shipments to the U.S. market in every full year of the period of the second review except 2002, and the AUV of their exports to the E.U. exceeded the AUV of their exports to the U.S. market in every year except 2000.[96] Due to the decline in production capacity, high rates of capacity utilization, and low inventory levels in the Brazilian industry, as well as the strong demand and attractive prices in Brazil's home and third-country export markets, we did not find that the likely volume of subject imports from Brazil would be significant were the order revoked.[97]

Subject imports from Brazil continued to enter the United States during the current period of review, however quantities remained quite low. While the absolute volume of subject imports from Brazil increased over the period, reaching a period peak of 1,171 short tons in 2011,[98] this level was well below

[87] Id.

[88] Id. at 49.

[89] Id.

[90] Id.

[91] Confidential Second Review Views of Commissioners Pearson and Okun at 49.

[92] Id.

[93] Id. at 50.

[94] Id.

[95] Id.

[96] Id. at 51.

[97] Id.

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

the 4,594 short tons they reached in 1993.[99] Despite alleged capacity expansions in 2009 and 2011,[100] total Brazilian SSB exports were lower in 2011 than in 2007,[101] and Brazil remains outside the world's top fifteen exporters.[102] No facts on the current record detract from the findings in the prior review. Brazil's SSB industry remains focused on their home market. In light of the foregoing, we conclude, as we did in the second review, that the volume of subject imports from Brazil is not likely to be significant were the order revoked.

2. Likely Price Effects of Subject Imports from Brazil

Subject imports from Brazil significantly undersold the domestic like product during the original investigations. No pricing data was submitted by importers of SSB from Brazil in the first or second five-year review, nor was pricing data submitted in the current review.[103] There is no information on this record to change our prior findings that domestically produced SSB and subject imports from Brazil are generally substitutable, and that price is an important factor in purchasing decisions.

In the second reviews, U.S. purchasers indicated that domestic producer NAS had become a price leader in the domestic market. NAS significantly *** other U.S. producers during the second period of review and shipped significant quantities (*** short tons in 2007). We found that, in light of NAS's more significant presence in the U.S. market, its behavior was more likely to have significant effects on U.S. prices than subject imports from Brazil.[104] The current record does not indicate a change in NAS's role in the U.S. market. In light of the limited pricing data on the current record, NAS's continued significant market presence, and our determination that the volume of subject imports from Brazil are not likely to be significant, we find that subject imports from Brazil are not likely to have any significant negative price effects.

3. Likely Impact of Subject Imports from Brazil

As previously indicated, the domestic industry underwent significant restructuring between the original investigations and the second period of review. Additionally, the coverage of our data set in these third reviews does not include two significant U.S. producers who participated in the second reviews. During the period of investigation, U.S. production capacity fell from 276,643 short tons in 1991 to 262,483 short tons in 1993. Domestic producers' U.S. shipments increased from 136,293 short tons to 143,320 short tons over the same period.[105] Production related workers and hours worked declined form 1991 to 1993, the domestic industry's operating profits declined from *** million to *** million, and the industry's operating margin fell from *** percent to *** percent.[106] Domestic capacity increased from 262,483 short tons in 1993 to 304,777 short tons in 1999 and 337,296 short tons in 2005.[107] Reported domestic capacity was 164,160 short tons in 2010.[108] Domestic producers' U.S. shipments were 143,320

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

[100] CR at I-28, PR at I-19.

[101] CR/PR at Table I-8.

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

[103] Confidential Second Review Views of Commissioners Pearson and Okun at 51.

[104] Id. at 52.

[105] Confidential Second Review Views of Commissioners Pearson and Okun at 52.

[106] Id. at 52-53.

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

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

short tons in 1993, 149,607 short tons in 1999, and 171,255 short tons in 2005.[109] Reported domestic producers' U.S. shipments were 57,248 short tons in 2010.[110] U.S. apparent consumption has declined overall since the original investigations. In 1993, apparent U.S. consumption was 202,375 short tons, in 1999 it was 236,927 short tons, in 2005 it was 295,751 short tons, and in 2010 it was 165,936 short tons.[111] The limited record also shows that the U.S. industry's operating margin was 1.5 percent in 2010, and 9.6 percent in 2005.[112] Data concerning the industry's performance since 2010, a period in which demand has reportedly increased and prices have risen,[113] is not part of this record. Based on the information available concerning the domestic industry's current condition, we make no finding on the vulnerability of the domestic industry. Consistent with our above determinations that likely volume and price effects of subject imports from Brazil will not be significant, we find, as we did in the second review, that the impact of subject imports from Brazil is unlikely to be significant.

Based on the small volume of subject imports likely upon revocation due to Brazil's declining export orientation, and the likely insignificant price effects and impact of those limited imports, we do not find that revocation of the antidumping duty order on subject imports from Brazil is likely to lead to the continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time.

D. Revocation of the Order on Subject Imports From Spain is Not Likely to Lead to Continuation of Recurrence of Material Injury Within a Reasonably Foreseeable Time

1. Likely Volume of Subject Imports from Spain

Subject imports from Spain were cumulated with subject imports from Brazil, India, and Japan in the original investigations. On a non-cumulated basis, subject imports from Spain remained steady at 5,626 short tons in 1991 and 5,645 short tons in 1992, and then increased to 7,335 short tons in 1993. Spain's production capacity was stable at *** short tons in 1991 and 1992 before declining to *** short tons in 1993. In the first review, subject import volume from Spain increased irregularly from 1,276 short tons in 1995 to 2,401 short tons in 1999. In the first review, producers in Spain had a reported capacity ranging from *** short tons in 1995 to *** short tons in 1999.[114] In the second review, subject imports from Spain declined steadily from 3,391 short tons in 2000 to 140 short tons in 2005. U.S. market share of subject imports from Spain increased from 1.2 percent in 2000 to 1.3 percent in 2001 and then declined steadily to essentially zero in 2005.[115]

The industry in Spain reported significant increases in production capacity from 2000 to 2005 and projected a further increase in 2007. Reported Spanish production capacity during the second review increased from *** short tons in 2000 to *** short tons in 2005. Although the industry in Spain added significant additional production capacity, capacity utilization rates remained relatively high. Capacity utilization rates were *** percent in 2004, *** percent in 2005, and *** percent in interim 2006.[116]

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

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

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

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

[113] Domestic Interested Parties' Response to Notice of Institution at 15; CR at I-41, PR at I-27.

[114] Confidential Second Review Views of Commissioners Pearson and Okun at 55.

[115] Id.

[116] Confidential Second Review Views of Commissioners Pearson and Okun at 55.

Subject import volume from Spain declined during the second review. Between 2000 and 2002, subject import volume from Spain averaged 2,854 short tons. Between 2003 and 2005, subject import volume averaged only 130 short tons.[117] Significantly, the decline in subject import volume from Spain after 2003 occurred as ***.[118] The ***.[119] We found that the relationship between Roldan and NAS is likely to dampen any post-revocation changes in subject import volume, as Roldan could participate in the U.S. market in a more direct manner.[120]

In addition to the acquisition of related production in the United States, another significant change to the Spanish industry occurring since the original investigations and affecting the likely volume of subject imports was Spain's preferential access to the EU-25 market. The common market regime in the E.U. was not finalized until the end of 1992 and the euro was not adopted as a common currency until the beginning of 2002. The growth in consumption in the E.U. contributed to the focus of the Spanish industry on the E.U. market. During the second review, the share of shipments by the Spanish industry to the E.U. market (Spain and all other EU markets) increased from *** percent to *** percent.[121] Over that period, exports from Spain to the E.U. market increased from 75,721 short tons to 109,480 short tons. The second review also saw exports from Spain to non-E.U. markets decline from 12,731 short tons in 2000 to 11,468 short tons in 2005, a decline of 9.9 percent.[122]

Spanish inventory levels fluctuated over the period of the second review, declined in comparing the interim periods, and were predicted to continue their decline in 2006 and 2007.[123] We also found that due to the absence of incentives for, and the difficulties of engaging in, product shifting, subject producers in Spain were unlikely to engage in significant product shifting were the order revoked.[124]

The record in the current review indicates that the SSB industry in Spain continued to focus on the European market. All of its top ten export markets were in Europe.[125] Additionally, transactional prices continue to be *** in Europe than in the United States.[126] The domestic industry alleges that some Spanish producers increased their capacity during the current period of review.[127] However, even crediting these increases, total Spanish SSB exports actually declined over the period, from 151,975 short tons in 2007 to 111,613 short tons in 2011.[128] Subject imports from Spain were never higher than 119 short tons during the current period, and only 69 short tons in 2011.[129]

Due to the Spanish industry's continued focus on the E.U. market, *** prices in the E.U., and Roldan's ongoing relationship with U.S. producer NAS, we do not find that the volume of subject imports from Spain is likely to be significant were the order revoked.

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[117] Id. at 56.

[118] Id.

[119] Id.

[120] Id. at 57.

[121] Id.

[122] Confidential Second Review Views of Commissioners Pearson and Okun at 57.

[123] Id. at 58.

[124] Id.

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

[126] CR at I-41, PR at I-27.

[127] Domestic Interested Parties' Response to Notice of Institution at 7.

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

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

2. Likely Price Effects of Subject Imports from Spain

In the original investigations, the Commission found that subject imports from Spain undersold the domestic like product. No pricing data were reported on imports of SSB from Spain in any of the subsequent reviews, including the current reviews. As in the prior reviews, the record continues to indicate that domestically produced SSB and subject imports from Spain are generally substitutable and that price is an important factor in purchasing decisions.

As discussed above in our volume analysis, prices in the E.U. are generally *** than in the U.S. market.[130] Additionally, NAS became a price leader in the U.S. market during the second review, shipping much greater quantities than the volume of subject imports seen or likely to be seen from Spain.[131] As the record does not indicate a change in NAS's behavior in the market, there is no basis to depart from our finding in the prior review that NAS is likely to have a more significant impact on U.S. prices than subject imports from Spain.[132]

In light of the Spanish SSB industry's continued incentives to ship primarily within Europe and our finding that the likely volume of subject imports from Spain will not be significant, we do not find that subject imports from Spain are likely to have significant negative price effects.

3. Likely Impact of Subject Imports from Spain

As discussed in our analysis of the likely impact of subject imports from Brazil, we do not make a finding on whether the domestic industry is vulnerable to the continuation or recurrence of material injury on this limited record. Based on the current record as well as our findings in the second review, and consistent with our findings that the volume and likely price effects of subject imports from Spain will not be significant, we find that subject imports from Spain would not be likely to have a significant adverse impact on the domestic industry if the order were revoked.

Based on the foregoing, we find that revocation of the antidumping duty order on subject imports from Spain is not likely to lead to the continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time.

E. Revocation of the Orders on Cumulated Subject Imports From India and Japan is Likely to Lead to Continuation or Recurrence of Material Injury Within a Reasonably Foreseeable Time

1. Likely Volume of Subject Imports from India and Japan

In the original investigations, the volume of cumulated subject imports from India and Japan increased from 17,023 short tons in 1991 to 19,758 short tons in 1993. Production capacity in India and Japan remained unchanged while capacity utilization fell during 1990-93.[133] In the first review period, the volume of subject imports from India and Japan declined from 4,466 short tons to 2,790 short tons between 1995 and 1999.[134] Reported Indian capacity and capacity utilization increased during 1998-99. Reported Indian production ***.[135] Reported Japanese production rose during 1995-97, then fell to

[130] CR at I-41, PR at I-27.

[131] Confidential Second Review Views of Commissioners Pearson and Okun at 60.

[132] Id.

[133] Confidential Second Review Views of Commissioners Pearson and Okun at 61.

[134] Id.

[135] Id.

lower levels during 1995-99.[136] In the second review period, subject import volume from India and Japan increased irregularly from 4,128 short tons in 2000 to *** short tons in 2005.[137] The U.S. market share accounted for by subject imports from India increased irregularly during the second review, from 1.3 percent in 2000 to *** percent in 2005.[138] The limited information in the second reviews indicated that production capacity for the industries in India and Japan was large, with capacity in India increasing rapidly. Reported Indian capacity to produce stainless steel bar ***.[139] Reported Indian production of stainless steel bar ***. Other data reported by *** indicated that ***.[140] The available data indicated that Japan produced *** short tons in 2005. Thus, production in India and Japan increased from *** short tons in 2000 to *** short tons in 2005, or equivalent to more than one and a half times U.S. consumption in that year.[141]

Both India and Japan actively exported during the second review period. India's total exports of SSB increased by 150.3 percent over that period.[142] Although Japan's total exports declined slightly during that period, the Japanese industry continued to export a significant volume of SSB. Japanese consumption also declined more rapidly than exports, increasing the importance of export markets to the Japanese industry.[143]

In the second reviews, we found that the U.S. market was relatively more attractive than either India's or Japan's home market or other export markets.[144] The AUVs of Indian producers' exports to the United States were higher than the AUVs of exports to other markets in all years of the second review period except 2004, and were substantially higher than the AUVs of home market shipments during every year of the period. The AUVs of Japanese exports of stainless steel bar to the United States were higher than the AUVs of Japanese exports of stainless steel bar to its other markets in every year except 2001.[145] In the second reviews, we found that the attractive stainless steel bar pricing in the U.S. market relative to certain other export markets and the subject Indian and Japanese producers' home markets suggested that Indian and Japanese producers would have the incentive to shift sales from other export markets and from their home markets to the U.S. market if the antidumping duty orders were revoked.[146] Accordingly, in the second reviews, we found that the volume of cumulated subject imports from India and Japan was likely to be significant if the order were revoked.[147]

In the current reviews, cumulated subject imports from India and Japan increased from 16,228 short tons in 2006 to 19,423 short tons in 2011.[148] This increase was driven primarily by significant quantities of subject imports from India. Cumulated subject import market share also increased since the second review, to 10.3 percent in 2010 from *** percent in 2005, again driven primarily from increasing

[136] Id.

[137] Id.

[138] Id.

[139] Id.

[140] Id.

[141] Confidential Second Review Views of Commissioners Pearson and Okun at 61.

[142] Id.

[143] Id.

[144] Id.

[145] Id. at 62.

[146] Id. at 63.

[147] Id.

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

subject imports from India.[149] The United States was India's largest export market in every year of the period except 2009.[150] There is no information on the current record that either country has experienced reductions in capacity and the domestic interested parties reported that several Indian firms have in fact increased their production capacity.[151] Total SSB exports from India were higher in 2010 than they were in 2006,[152] and total SSB exports from Japan were about the same at the beginning and end of the period.[153] Additionally, India continues to be subject to a countervailing duty order in the E.U., and both India and Japan are subject to antidumping duty orders in Korea.[154] There is no other information on the record providing grounds for departure from our findings in the second reviews. For the foregoing reasons, we determine that subject import volume would likely be significant if the antidumping duty orders on India and Japan were revoked.

2. Likely Price Effects of Subject Imports from India and Japan

In the original investigations, the Commission found that subject imports from India undersold the domestic like product in 70 of 78 price comparisons, and that underselling margins averaged 16.3 percent.[155] Additionally, the Commission found that subject imports from Japan undersold the domestic like product in 90 of 238 price comparisons, and that underselling margins averaged 7.1 percent.[156] In the first five-year review, the Commission found that subject imports from India undersold the domestic like product in all 53 price comparisons, and that the underselling margin averaged 22.0 percent.[157] No price data were available for subject imports from Japan in the first or second reviews.

In the second review, the Commission received only very limited price data for subject imports from India. Subject imports from India undersold comparable U.S.-produced product in six of eight quarters for which comparisons were available, with margins of underselling ranging from *** percent to *** percent.[158] The AUV of subject imports from India remained well below the AUV of U.S. shipments during the second review. In 2005 the AUV of subject imports from India was *** per short ton while the AUV of U.S. shipments was $4,416 per short ton.[159] In the interim 2006 period, the AUV of subject imports from India was *** per short ton versus $4,220 per short ton for U.S. shipments.[160] In the second review, we found that the likely significant volume of cumulated imports from India and Japan was sufficient to impact prices in the U.S. market, notwithstanding the presence of low-priced shipments by NAS.[161]

Given the very limited pricing data on the record in this review, we find no basis to depart from our findings in the second reviews. We thus find that data from the original investigations, the first and

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

[150] CR/PR at Table I-9. There was no reported data for 2011.

[151] Domestic Interested Parties' Response to Notice of Institution at 13.

[152] CR/PR at Table I-9.

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

[154] CR at I-27, PR at I-18.

[155] Confidential Second Review Views of Commissioners Pearson and Okun at 64.

[156] Id.

[157] Confidential Second Review Views of Commissioners Pearson and Okun at 64.

[158] Id.

[159] Id.

[160] Id. at 65.

[161] Id.

second reviews, and the current record indicate that the likely significant volume of subject imports from India and Japan is likely to enter the U.S. market at prices that would depress or suppress domestic prices to a significant degree within a reasonably foreseeable time if the orders on subject imports from India and Japan were revoked.

3. Likely Impact of Subject Imports from India and Japan

We concluded above that the volume of subject imports from India and Japan is likely to be significant upon revocation of the antidumping duty orders and that subject imports will likely negatively affect U.S. prices to a significant degree. Although we make no finding on the domestic industry's vulnerability, we conclude, as we did in the second reviews, that the likely significant volume and price effects of the subject imports from India and Japan would be sufficient to have a significant negative impact on the production, shipment, sales, and revenue levels of the domestic industry. These reductions in turn would likely have an adverse impact on the industry's profitability as well as its ability to raise capital and maintain necessary capital investments; it is also likely that revocation of the orders would result in commensurate employment declines for domestic firms.

For the foregoing reasons, we determine that revocation of the antidumping duty orders on stainless steel bar from India and Japan would likely lead to the continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

CONCLUSION

For the above-stated reasons, we determine that revocation of the antidumping orders on stainless steel bar from Brazil and Spain would not be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time, but that revocation of the antidumping duty orders on stainless steel bar from Japan and India would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

INFORMATION OBTAINED IN THE REVIEWS

INTRODUCTION

On December 1, 2011, in accordance with section 751(c) of the Tariff Act of 1930, as amended ("the Act"),[1] the U.S. International Trade Commission ("Commission" or "USITC") gave notice that it had instituted five-year reviews to determine whether revocation of the antidumping duty orders on stainless steel bar from Brazil, India, Japan, and Spain would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.[2] [3] On March 5, 2012, the Commission determined that the domestic interested party group response to its notice of institution was adequate[4] and that the respondent interested party group response was inadequate.[5] In the absence of respondent interested party responses and any other circumstances that would warrant the conduct of full reviews, the Commission determined to conduct expedited reviews of the antidumping duty orders pursuant to section 751(c)(3) of the Act (19 U.S.C. § 1675(c)(3)).[6] The following tabulation presents selected information relating to the schedule of the third five-year reviews:

Effective date	Action
December 1, 2011	Commission's institution of five-year reviews (76 FR 74807).
	Commerce's initiation of five-year reviews (76 FR 74775).
March 5, 2012	Commission's determinations to conduct expedited five-year reviews (77 FR 18861, March 28, 2012).
March 20, 2012	Commerce's final results of expedited five-year reviews of the antidumping duty orders on stainless steel bar from Brazil, India, Japan, and Spain (76 FR 16207).
July 17, 2012	Scheduled date for the Commission's vote.
July 26, 2012	Scheduled date for Commission's determinations be transmitted to Commerce.

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

[2] 76 FR 74807, December 1, 2011. All interested parties were requested to respond to this notice by submitting the information requested by the Commission. The Commission's notice of institution is presented in app. A.

[3] In accordance with section 751(c) of the Act, the U.S. Department of Commerce ("Commerce") published a notice of initiation of the five-year reviews of the subject antidumping duty orders concurrently with the Commission's notice of institution. 76 FR 74775, December 1, 2011.

[4] The Commission received three submissions in response to its notice of institution in the subject reviews. The first submission was filed on behalf of the domestic producers Carpenter Technology Corporation, Crucible Industries, LLC, Elecetralloy a G.O. Carlson Inc. Co., Universal Stainless & Alloy Products, Inc., and Valbruna Slater Stainless, Inc. (collectively "domestic interested parties"). These producers are believed to have accounted for approximately *** percent of U.S. stainless steel bar production in 2010. *Response* of domestic interested parties, January 3, 2012, p. 14. The other two submissions were received from industrial users Eaton Corporation and TRW Automotive.

[5] Neither TRW nor Eaton qualifies under the statutory definition (19 U.S.C. § 1677(9)) as an interested party. The Commission did not receive a response from any respondent interested parties to its notice of institution.

[6] 77 FR 18861, March 28, 2012. The Commission's notice of expedited reviews appears in app. A. The Commission's statement on adequacy is presented in app. B.

The Original Investigations and Subsequent Five-Year Reviews

The Commission completed its original investigations[7] in February 1995, determining that an industry in the United States was materially injured by reason of imports of stainless steel bar from Brazil, India, Japan, and Spain found by Commerce to be sold at less than fair value ("LTFV").[8] In February 1995, Commerce issued antidumping duty orders on imports of stainless steel bar from Brazil, India, and Japan.[9] In March 1995, it issued an antidumping duty order on imports of stainless steel bar from Spain.[10]

The Commission instituted the first five-year reviews of the subject orders on December 30, 1999.[11] In March 2001, following full reviews, the Commission determined that revocation of the antidumping duty orders on stainless steel bar from Brazil, India, Japan, and Spain would be likely to lead to a continuation or recurrence of material injury within a reasonably foreseeable time.[12] Effective April 18, 2001, Commerce issued a continuation of the antidumping duty orders on imports of stainless steel bar from Brazil, India, Japan, and Spain.[13]

The Commission instituted the second five-year reviews of the subject order on March 1, 2006.[14] On January 5, 2007, following full reviews, the Commission determined that revocation of the antidumping duty order on stainless steel bar from Brazil, India, Japan, and Spain would be likely to lead to a continuation or recurrence of material injury within a reasonably foreseeable time.[15] Effective January 23, 2007, Commerce issued a continuation of the antidumping duty orders on imports of stainless steel bar from Brazil, India, Japan, and Spain.[16]

Commerce's Final Results of Expedited Five-Year Reviews

Commerce published the results of its reviews based on the facts available on March 20, 2012. Commerce concluded that revocation of the antidumping duty orders on stainless steel bar from Brazil, India, Japan, and Spain would be likely to lead to continuation or recurrence of dumping.[17] Table I-1 presents the weighted-average dumping margins calculated by Commerce in its original investigations, first reviews, second reviews, and third reviews.

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[7] The investigations resulted from a petition filed on December 30, 1993 on behalf of AL Tech Specialty Steel Corp.; Carpenter Technology Corp.; Crucible Specialty Metals; Electralloy Corp.; Republic Technologies International/Republic Engineered Steels, Inc.; Slater Steels Corp.; Talley Metals Technology, Inc.; and the United Steel Workers of America.

[8] *Stainless Steel Bar from Brazil, India, Japan, and Spain, lnv. Nos. 731-TA-678, 679, 681, and 682 (Final),* USITC Publication 2856, February 1995, p. I-3.

[9] *Notice of Antidumping Duty Orders: Stainless Steel Bar from Brazil, India, and Japan,* 60 FR 9661, February 21, 1995.

[10] *Amended Final Determination and Antidumping Duty Order: Stainless Steel Bar from Spain,* 60 FR 11656 March 2, 1995.

[11] *Stainless Steel Bar from Brazil, India, Japan, and Spain*, 64 FR 73579, December 30, 1999.

[12] *Stainless Steel Bar from Brazil, India, Japan, and Spain*, 66 FR 17927, April 4, 2001.

[13] *Continuation of Antidumping Duty Orders: Stainless Steel Bar From Brazil, India, Japan, and Spain*, 66 FR 19919, April 18, 2001.

[14] *Stainless Steel Bar from Brazil, India, Japan, and Spain*, 71 FR 10552, March 1, 2006.

[15] *Stainless Steel Bar from Brazil, India, Japan, and Spain*, 72 FR 1243, January 10, 2007.

[16] *Stainless Steel Bar from Brazil, India, Japan, and Spain: Continuation of Antidumping Duty Orders*, 72 FR 2858, January 23, 2007.

[17] *Stainless Steel Bar from Brazil, India, Japan, and Spain: Final Results of the Expedited Third Sunset Reviews of the Antidumping Duty Orders*, 77 FR 16207, March 20, 2012.

Table I-1
Stainless steel bar: Commerce's original, first five-year, second five-year, and third five-year weighted-average dumping margins by country and firm

Country and producer/exporter	Original investigations (*percent*)	First five-year reviews margin (*percent*)	Second five-year reviews margin (*percent*)	Third five-year reviews margin (*percent*)
	Margin (*percent ad valorem*)			
Brazil:				
Acos Villares, S.A.	19.43	19.43	19.43	19.43
All others	19.43	19.43	19.43	19.43
India:				
Grand Foundry, Ltd.	3.87	3.87	3.87	3.87
Mukand, Ltd.	21.02	21.02	21.02	21.02
All others	12.45	12.45	12.45	12.45
Japan:				
Aichi Steel Works, Ltd.	61.47	61.47	61.47	61.47
Daido Steel Co., Ltd.	61.47	61.47	61.47	61.47
Sanyo Special Steel Co., Ltd.	61.47	61.47	61.47	61.47
All others	61.47	61.47	61.47	61.47
Spain:				
Acenor, S.A.[1]	62.85	62.85	62.85	62.85
Roldan, S.A.	7.72	7.72	7.72	7.72
All others	25.77	25.77	25.77	25.77

[1] Including all successor companies, including Digeco, S.A. and Clorimax, SRL.

Source: *Stainless Steel Bar From Brazil, India, Japan, and Spain, Investigation Nos. 731-TA-678, 679, 681, and 682 (Second Review)*, USITC Publication 3895, January 2007 and *Stainless Steel Bar From Brazil, India, Japan, and Spain: Final Results of the Expedited Third Sunset Reviews of the Antidumping Duty Orders*, 77 FR 16207, March 20, 2012.

Commerce's Administrative Reviews

The following tables present information on Commerce's administrative reviews of the subject orders.

Brazil

Since the second five-year review, Commerce has completed three administrative reviews with regard to the antidumping duty order on Brazil. The results are presented in table I-2.

Table I-2
Stainless steel bar: Commerce's administrative reviews of the antidumping duty order on Brazil

Period of review	Action	Manufacturer/Exporter	Firm-specific margin (*percent*)
02/01/2007 – 01/31/2008 (74 FR 33996, July 14, 2009)	Administrative review	Villares Metals S.A.	4.96
02/01/2008 – 01/31/2009 (75 FR 39663, July 12, 2010)	Administrative review	Villares Metals S.A.	3.70
02/01/2009 – 01/31/2010 (76 FR 1599, January 11, 2011)	Administrative review	Villares Metals S.A.	4.07

Source: Cited *Federal Register* notices.

India

Since the second five-year review, Commerce has completed five administrative reviews and one new shipper review with regard to the antidumping duty order on India.[18] The results are presented in table I-3.

Table I-3
Stainless steel bar: Commerce's administrative reviews and new shipper review of the antidumping duty order on India

Period of review	Action	Manufacturer/Exporter	Firm-specific margin (*percent*)
2/1/2005 – 01/31/2006 (72 FR 51595, September 10, 2007)	Administrative review	Bhansali Bright Bars Pvt. Ltd.	2.01
		Venus Wire Industries Pvt. Ltd.	0.03 (*de minimis*)
		Isibars Ltd.	2.01
		Grand Foundry, Ltd.	
		Sindia Steels, Ltd	
		Snowdrop Trading Pvt., Ltd	
		Facor Steels, Ltd	
		Mukand, Ltd	
02/01/2006 – 7/31/2006 (72 FR 72671, December 21, 2007)	New shipper review	Ambica Steels Ltd.	22.63
2/1/2006 – 01/31/2007 (73 FR 52294, September 9, 2008)	Administrative review	D.H. Exports Pvt. Ltd.	10.21
		Sunflag Iron & Steel Co. Ltd.	6.08
02/01/2007 – 01/31/2008 (74 FR 47198, September 15, 2009)	Administrative review	Venus Wire Industries Pvt. Ltd./Precision Metals/Sieves Manufacturing Pvt. Ltd	0.09 (*de minimis*)
02/01/2008 – 01/31/2098 (75 FR 54090, September 3, 2010)	Administrative review	Ambica Steels Ltd.	0.00
		Venus Wire Industries Pvt. Ltd.	0.42 (*de minimis*)
02/01/2008 – 01/31/2098 (76 FR 56401, September 13, 2011)	Administrative review	Facor Steels Ltd./Ferro Alloys Corporation, Ltd	9.86
		Mukand, Ltd	21.02
		Venus Wire Industries Pvt. Ltd./Precision Metal/Sieves Manufacturing (India) Pvt. Ltd./Hindustan Inox Ltd	0.07

Source: Cited *Federal Register* notice.

Japan

Commerce has not conducted any administrative reviews with regard to the antidumping duty order on Japan since the second five-year review.

[18] Commerce determined that India Steel Works Ltd. was the successor-in-interest to Isibars Ltd. *Stainless Steel Bar From India: Final Results of Changed Circumstances Antidumping Duty Review*, 73 FR 66011, November 6, 2008.

Spain

Since the second five-year review, Commerce has completed one administrative review with regard to the antidumping duty order on Spain. The results are presented in table I-4.

Table I-4
Stainless steel bar: Commerce's administrative reviews of the antidumping duty order on Spain

Period of review	Action	Manufacturer/Exporter	Firm-specific margin (*percent*)
03/01/2005 – 02/28/2006 (72 FR 42395, August 2, 2007)	Administrative review	Sidenor	62.85

Source: Cited *Federal Register* notices.

Related Commission Investigations and Reviews

Stainless steel bar has been the subject of several Commission investigations. A listing of these investigations is presented in the tabulation below.

Source	Inv. no.	Date of Inv.	Original determination	Current status of order
Brazil	701-TA-179-181[1]	1983	Affirmative	Terminated (1988)[2]
Spain	701-TA-176-178[1]	1983	Negative	([3])
France, Germany, Italy, Korea, and the United Kingdom	701-TA-413 and 731-TA-913-916 and 918	2002	Affirmative	Revoked (2008)[4]

[1] Investigation included stainless steel wire rod.
[2] Suspension agreements in 1983 and 1986.
[3] Not applicable.
[4] *Revocation of Antidumping Duty Orders on Stainless Steel Bar From France, Germany, Italy, South Korea, and the United Kingdom and the Countervailing Duty Order on Stainless Steel Bar From Italy*, 73 FR 7258, February 7, 2008

Source: Cited *Federal Register* notice and *Stainless Steel Bar From Brazil, India, Japan, and Spain, Investigation Nos. 731-TA-678, 679, 681, and 682 (Second Review),* USITC Publication 3895, January 2007.

In 2001, the Commission conducted a global safeguard investigation of steel products that included stainless steel bar.[19] With regard to this product category, the Commission made an affirmative determination.[20] The ensuing Presidential Proclamation included an increase in duties on stainless steel bar of 15 percent *ad valorem* in the first year of the safeguard measure (March 20, 2002 through March 19, 2003), reduced to 12 percent in the second year, and reduced further to 9 percent in the third year. On December 4, 2003 (during the second year), the safeguard duties were terminated.[21]

[19] *Steel, Inv. No. TA-201-73*, USITC Publication 3479, volume 1, December 2001, p. 205.
[20] Ibid.
[21] *Steel: Evaluation of the Effectiveness of Import Relief, Inv. No. TA-204-12*, USITC Publication 3797, September 2005, p. 16 and Proclamation 7741, 68 FR 68483 (December 8, 2003).

THE PRODUCT

Commerce's scope

In the results of its expedited five-year reviews, Commerce defined the subject merchandise as:

> {A}rticles of stainless steel in straight lengths that have been either hot-rolled, forged, turned, cold-drawn, cold-rolled or otherwise cold-finished, or ground, having a uniform solid cross section along their whole length in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles, hexagons, octagons, or other convex polygons. Stainless steel bar includes cold-finished stainless steel bars that are turned or ground in straight lengths, whether produced from hot-rolled bar or from straightened and cut rod or wire, and reinforcing bars that have indentations, ribs, grooves, or other deformations produced during the rolling process.[22]

Tariff Treatment

The stainless steel bar is covered by Harmonized Tariff Schedule of the United States ("HTS") statistical reporting numbers 7222.11.0001, 7222.11.0006, 7222.11.0056, 7222.11.0081, 7222.19.0001, 7222.19.0006, 7222.19.0051, 7222.20.0001, 7222.20.0006, 7222.20.0046, 7222.20.0081, 7222.20.0086, 7222.30.0001, 7222.30.0011, and 7222.30.0081. The current rates of duty (column-1 general) for stainless steel bar are free.

Domestic Like Product and Domestic Industry

In its original determinations, the Commission found the appropriate domestic like product to be all stainless steel bar, corresponding to Commerce's scope definition. The only domestic like product issue raised in the original investigations was whether hot-finished stainless steel bar and cold-finished stainless steel bar constituted separate like products. The Commission, after conducting a semifinished product analysis, concluded that there existed no clear dividing line between hot and cold-finished stainless steel bar and, thus, determined that stainless steel bar constituted one domestic like product.[23] In the first five-year reviews and second five-year reviews of stainless steel bar, the Commission, after finding no new domestic like product issues raised nor any new information necessitating a reexamination of the issue, determined that the domestic like product was all stainless steel bar.[24] [25]

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[22] Except as specified above, the term does not include stainless steel semifinished products, cut length flat-rolled products (i.e., cut length rolled products which if less than 4.75 mm in thickness have a width measuring at least 10 times the thickness, or if 4.75 mm or more in thickness having a width which exceeds 150 mm and measures at least twice the thickness), wire (i.e., cold-formed products in coils, of any uniform solid cross section along their whole length, which do not conform to the definition of flat-rolled products), and angles, shapes and sections. *Stainless Steel Bar from Brazil, India, Japan, and Spain: Final Results of the Expedited Third Sunset Reviews of the Antidumping Duty Orders*, 77 FR 16207, March 20, 2012.

[23] *Stainless Steel Bar from Brazil, India, Japan, and Spain, Inv. Nos. 731-TA-678, 679, 68I, and 682 (Final),* USITC Publication 2856, February 1995, pp. I-5-9.

[24] *Stainless Steel Bar from Brazil, India, Japan, and Spain, Inv. Nos. 731-TA -678-679 and 68I -682 (Review),* USITC Publication 3404, March 2001, p. 5 and *Stainless Steel Bar from Brazil, India, Japan, and Spain, Inv. Nos. 731-TA -678-679 and 68I -682 (Second Review),* USITC Publication 3895, January 2007, p. 6.

[25] The Commission's decision regarding the appropriate domestic products that are "like" the subject imported products is based on a number of factors including (1) physical characteristics and uses; (2) common manufacturing facilities, production process, and production employees; (3) interchangeability; (4) customer and producer perceptions; (5) channels of distribution; and where appropriate, (6) price. In cases where an issue is

In their submissions to the Commission in the course of these reviews, the domestic interested parties stated that they agree with the Commission's definition of the domestic like product made in the first five-year reviews.[26] In its submissions to the Commission in these reviews, TRW Automotive argued that due to U.S. producers' inability or unwillingness to produce or supply certain stainless steel bar know as valve steel, there has been a change in the domestic like product, and so the Commission should narrow the domestic like product to include only those products actually produced by the domestic industry.[27] [28]

Description and Uses[29]

Stainless steel bars are articles of stainless steel[30] in straight lengths having a uniform solid cross section along their whole length, in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles, hexagons, or other convex polygons. The subject product includes stainless steel concrete reinforcing bar, which has indentations, ribs, grooves, or other deformations produced during the rolling process.

Stainless steel bar is used to produce a wide variety of products for use where its corrosion resistance, heat resistance, and/or appearance are desired. Applications include, but are not limited to, the automotive industry; the aerospace industry; chemical and petrochemical processing equipment; dairy, food processing, and pharmaceutical equipment; marine applications such a shafts and propellers; pumps and connectors for fluid handling systems; and medical products. Stainless steel concrete reinforcing bar is used in highly corrosive environments such as bridges and highway systems where road salts are used for ice control. Stainless steel concrete reinforcing bar is also used where nonmagnetic reinforcing bars are needed, such as for certain military applications.

Bar is distinguished from rod and wire in that bar is cut in straight lengths as opposed to being coiled. However, small-diameter bar can be produced from rod or wire by the processes of straightening and cutting-to-length. Although there are no dimensional limitations of the subject product specified in the scope, round bar is generally available from about 0.032 inch (1/32 inch (0.8128 mm)) through 25 inches (635 mm) in diameter. Flat (rectangular) bar is available in thicknesses from about 0.125 inch

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presented as to whether articles at different stages of processing should be included in the same like product, the Commission sometimes uses a "semifinished product" analysis to address like product issues. In this analysis, the Commission examines: (1) whether the upstream article is dedicated to the production of the downstream article or has independent uses; (2) whether there are perceived to be separate markets for the upstream and downstream articles; (3) differences in the physical characteristics and functions of the upstream and downstream articles; (4) differences in the costs or value of the vertically differentiated articles; and (5) significance and extent of the processes used to transform the upstream into the downstream articles.

[26] Domestic interested parties' response to notice of institution, January 3, 2012, p. 16.

[27] TRW Automotive's comments on adequacy, February 10, 2012, pp. 5-7.

[28] Eaton Corp. also reported that the sole U.S. producer of stainless steel bar used in its production of tappet valves is unable to supply Eaton's full requirements. Eaton's response to notice of institution.

[29] The information in this section of the report is derived from *Stainless Steel Bar from France, Germany, Italy, Korea, and the United Kingdom, Inv. No. 731-TA-413 and Inv. No. 731-TA913–916 & 918 (Review)*, USITC Publication 3981, January 2008; and *Stainless Steel Bar from Brazil, India, Japan, and Spain, Inv. Nos. 731-TA-678, 679, 681, and 682 (Second Review)*, USITC Publication 3895, December 2006.

[30] Stainless steel is defined as 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. Stainless steel is distinguished from carbon steel and alloy steels chiefly by its superior resistance to corrosion, which is achieved through the addition of chromium. Stainless steel is produced in many grades, each containing a different combination of chemical elements. In addition to chromium, other alloying elements commonly used in stainless steel include nickel, molybdenum, and manganese, which are added based on the desired physical and mechanical properties of the end-use product.

(3.175 mm) through about 10 inches (254 mm).[31] Square, octagonal, and hexagonal bar is available as cold-drawn bar in sizes from about 0.125 inch (3.175 mm) up to about 3 inches (76.2 mm).

Stainless steel bar is available in several finishes, which are (a) scale not removed (excluding spot conditioning); (b) rough turned, in which the skin of the bar is removed as the bar rotates in a process similar to that of a lathe; (c) pickled (bathed in an acid solution) or blast cleaned (shot with a solution or steel pellets) to remove surface imperfections; (d) cold-drawn or cold-rolled to reduce bar diameter and to achieve closer dimensional tolerances; (e) centerless ground; and (f) polished (polished on rolls).[32] Product produced to finishes (a), (b), or (c) is considered to be "hot-finished." However, because the corrosion-resistant property of stainless steel is derived from descaling the product in some manner, the only potential uses for product in condition (a) would be for further processing into one of the other finishes, or for reheating and forging into a nonsubject product. Product produced to finishes (d), (e), or (f) is considered to be "cold-finished" and has a smoother surface finish and closer dimensional tolerance than does hot-finished stainless steel bar.

As a practical matter, all stainless steel bar is descaled in some manner. Hot-finished product is mostly limited to large diameter (over about 8 inches (203.2 mm)) bar, which is usually rough-turned, and to flats and reinforcing bar, which are blasted and/or pickled to remove surface imperfections. Most domestically produced hot-finished stainless steel bar is an intermediate product that is captively consumed in integrated manufacturing operations to produce cold-finished stainless steel bar. Hot-finished stainless steel bar which is sold on the open market is used for applications where surface appearance is not critical or where the cold-finishing steps will be performed by end users during downstream fabrication processing.

Manufacturing Processes

The material inputs for the production of stainless steel bars are semifinished stainless steel billets. Most manufacturers of stainless steel bars follow an integrated production process that consists of three stages: (1) melting and casting; (2) hot-forming; and (3) finishing. Some manufacturers purchase stainless steel billets on the open market for transformation into bar.

Melting and Casting

The melting of stainless steel takes place in an electric-arc furnace ("EAF"). Raw materials that are charged in the EAF for melting include stainless steel scrap, carbon steel scrap, and alloy materials. Nickel, chromium, and molybdenum alloys, as well as stainless steel scrap, are the most important cost elements among the raw materials. The cost of nickel is the most important element for those grades, called nickel-chromium grades, that contain high amounts of nickel.[33] For the grades (called straight chromium grades) that do not contain high amounts of nickel, the cost of the chromium is most significant.[34] The price of stainless steel scrap is highly influenced by the prices of nickel and chromium.

After melting, the molten steel is refined in an argon-oxygen-decarburization ("AOD") vessel, in which the carbon content is reduced to very low levels, and final additions of alloys are made. The steel is then either continuous cast into billets or cast into ingots in cast iron ingot molds. Ingots are reheated

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[31] Products in straight lengths that are less than 4.75 mm (3/16 inch) in thickness and have a width at least 10 times the thickness, as well as products having a width of 150 mm (6 inches) that measure at least twice the thickness, are considered to be flat-rolled product and are specifically excluded from these investigations.

[32] Finishes (b), (e), and (f) are applicable only to round bars.

[33] An example of a nickel-chromium grade is type 316, which contains 18 percent chromium, 8 percent nickel, and 2 percent molybdenum.

[34] An example of a straight chromium grade is type 430, which contains 16 to 18 percent chromium and no nickel.

and rolled into billets on a primary rolling mill. Once the steel is cast, its essential chemical characteristics are fixed.

Several special melting methods are used to produce stainless steel of higher purity or lower nonmetallic inclusion content than conventional electric-arc furnace product when the demands of the application justify the added costs. These methods include melting under vacuum (vacuum induction melting ("VIM"), electron beam melting, or vacuum arc remelting ("VAR")) or under a blanket of molten slag (electroslag remelting ("ESR")).

Hot Forming

Billets are reheated to over 2,000 degrees Fahrenheit and hot rolled on a multistand bar mill. Depending on the bar diameter of the final size to be produced, the product of each billet may be cut to length and discharged from the bar mill in straight lengths for larger diameters, or formed into a coil and discharged from the mill in that form (known as wire rod) for smaller diameters. Depending on the capabilities of each mill and its finishing equipment, product smaller than about 1 inch in diameter is coiled, and larger product is discharged in straight lengths. The bar mills have rolls with grooves that form the desired shapes. Successive passes through the mill stands which contain grooved rolls progressively change the bar to the desired shape. When producing stainless steel concrete reinforcing bar, rolls in the final mill have special patterns in the grooves to form the ridges or deformations on the surface of the bars. The bar mills may also be used to produce nonsubject product such as stainless steel angle and wire rod, as well as products of other (non-stainless steel) alloys.

While most stainless steel bar is hot-formed by hot rolling on a bar mill, other methods of hot forming may be used to produce special sizes that may be too large to roll, or to form certain high-strength stainless steel grades that are difficult to roll. Large diameter rounds and large flat bars may be forged directly from an ingot or from a continuous cast billet on a forging press. Forging may be performed on either a forging press or a rotary forge. In a forging press, the steel is pressed repeatedly between a moving die and a fixed die, while the material is held in place by a manipulating machine. The steel is advanced and rotated to be gradually formed into the desired shape. In a rotary forge, four hammers set at 90 degree angles simultaneously strike the steel. The steel is held by a manipulating machine while the forging machine rapidly and repeatedly strikes the steel with blows alternating between the two pairs of opposed hammers.

Regardless of the hot-forming method chosen, the hot-formed product, termed "black bar," has a tight, dark oxide scale on the surface that must be removed for the steel to have the corrosion resistance of stainless steel. Hot-finished bar is transformed by several different finishing operations, which are discussed below.

Finishing

Flat bars, concrete reinforcing bars, and large hexagons are finished by descaling and straightening. The descaling is a combination of grit blasting and pickling (dipping in an acid solution) to remove the scale. Large diameter round bars are straightened and rough turned or peeled to remove surface scale. These products are considered to be hot-finished.

Round bars are cold finished by either bar-to-bar processing or coil-to-bar processing, depending upon the diameter. Bar-to-bar processing, used for bar larger than about 1 inch in diameter, consists of straightening, turning, and either planishing[35] and centerless grinding or belt polishing to yield a bright finish and close dimensional tolerance. Coil-to-bar processing includes straightening the product and

[35] Planishing is the smoothing of the surface by rolling with polished rolls. The resulting product is referred to as "smooth-turned."

cutting to length, followed by turning, planishing, centerless grinding, or polishing. To produce round bars smaller than those that can be rolled, coiled product is descaled by blasting or pickling and cold drawn through dies to reduce the bar diameter, followed by straightening, cutting to length, and centerless grinding, or polishing. Hexagonal and square bars are often cold drawn in cut lengths, as are round bars in some cases.

Product that is either cold drawn or centerless ground or polished is called cold-finished and has a bright, smooth surface finish and close dimensional tolerance, as well as improved mechanical properties. Some grades of stainless steel require annealing before cold finishing. In addition, some stainless steel bar products are sold in a hardened and tempered condition, which requires special heat-treatment.

THE INDUSTRY IN THE UNITED STATES

U.S. Producers

The original investigations resulted from a petition filed on December 30, 1993 on behalf of the AI Tech Specialty Steel Corp. (AI Tech), Dunkirk, NY; Carpenter Technology Corp. (Carpenter), Reading, PA; Republic Engineered Steels, Inc. (Republic), Massillon, OH; Slater Steels Corp. (Slater), Fort Wayne, IN; Talley Metals Technology, Inc. (Talley), Hartsville, SC; Electralloy Corp. (Electralloy), Oil City, PA; Crucible Specialty Metals Division (Crucible), Syracuse, NY; and the United Steelworkers of America, AFL-CIO/CLC. According to the petition filed in the original investigation there were a total of eight producers of stainless steel bar in the United States, though the remaining firm Armco Stainless and Alloy Products (Armco), Baltimore, MD ceased production of stainless steel bar in April 1993. In addition to the seven petitioning firms, four additional firms provided usable data on stainless steel bar. In 1993, Carpenter was the largest U.S. producer of stainless steel bar, with a *** percent share, by value, of U.S. shipments in that year.

During the first five-year reviews, twelve firms supplied the Commission with information on their U.S. operations with respect to stainless steel bar.[36] These firms accounted for the almost all U.S. production of stainless steel during the period for which data were collected in the reviews. The majority of these firms were operating and provided a response to the Commission questionnaires during the original investigations. However, data for three manufacturers, Allvac, Hi Specialty, and Handy & Harman (representing *** percent of production in 1999) were not included in the original staff report. During the first review, Republic shut down its Baltimore, MD stainless steel bar operations in December 2000, and Carpenter purchased Talley's stainless steel bar operations in 1998. Carpenter remained the largest producer of stainless steel bar in the United States at the time of the first five-year review, accounting for *** percent of reported U.S. production in 1999.

In the second five-year reviews, eight firms, believed to account for the majority of U.S. production, provided the Commission with information on their U.S. operations with respect to stainless steel bar.[37] During the second five-year reviews there were a number of closures, acquisitions, and openings in the domestic industry. In 2001, Avesta merged and became part of Outokumpu. In 1997, Empire/AL Tech. filed for bankruptcy and in 1999, its assets were liquidated, and its production facility in Dunkirk, NY, was purchased by Universal Stainless and Alloy in 2003. In 2000, Republic closed its stainless steel bar production facilities. In 2003, Slater filed for bankruptcy. In 2004, Acciaerie Valbruna, S.p.A. of Vicenza, Italy purchased Slater's stainless steel production facility in Fort Wayne, IN and resumed production, albeit at a reduced volume. In 2002, Handy & Harman closed its stainless steel wire plant and in 2005 closed its specialty wire unit. Handy & Harman no longer produced stainless steel

[36] These firms were Altvac, Avesta, Carpenter, Crucible, Electralloy, Empire/AL Tech, Hi Specialty, Industrial Alloys, Handy & Harman, Republic, Slater, and Talley.

[37] These firms were ATI Altvac, Carpenter, Crucible, Dunkirk, Electralloy, North American Stainless (NAS), Outokumpu Stainless Bar, and Valbruna Slater Stainless.

bar. In 2003, North American Stainless ("NAS") constructed and began production of stainless steel bar at its Ghent, KY production facility. Carpenter remained the largest producer of stainless steel bar in the United States at the time of the second five-year review, accounting for *** percent of reported U.S. production in 2005.

The domestic interested parties participating in these third five-year reviews indicated in their response to the Commission's notice of institution that in addition to the five producers in the domestic interested party,[38] there are three additional U.S. producers, ATI Allvac, NAS, and Outokumpu.[39] [40] In addition, Ugitech USA, a subsidiary of Ugitech SA of France and Ugitech Srl of Italy, in turn wholly owned by Schmolz & Bickenbach of Germany, began production of cold-finished stainless steel bar at its newly constructed production facility in Batavia, IL, in 2007.[41] In 2008, the company changed its name to Schmolz & Bickenbach USA. In separate investigations, Latrobe Specialty Steel ("Latrobe") was again identified as a probable producer of stainless steel bar.[42]

U.S. Producers' Trade, Employment, and Financial Data

The Commission requested domestic interested parties to present certain data in their response to the notice of institution. Table I-5 presents responding U.S. producers' 2010 data on their operations for stainless steel bar as well as historical data from 1993, 1999, 2005, the last years for which data were collected in the original investigations and subsequent reviews.

[38] These firms, Carpenter, Crucible, Electalloy, Universal, and Valbruna Slater, represented approximately *** percent of U.S. production in 2010.

[39] *Response* of domestic interested parties, January 3, 2012, pp. 11.

[40] On October 23, 2009, the operating assets of the Crucible Specialty Metals Division were purchased by JP Industries LLC, a private equity group, and formed Crucible Industries LLC. "Crucible- Our Future," Company's website, found at http://www.crucible.com/history.aspx?c=22.

[41] *Stainless Steel Bar from France, Germany, Italy, Korea, and the United Kingdom, Inv. Nos. 701-TA-413 and 731-TA-913-916 & 918 (Review),* USITC Publication 3981, January 2008, p. I-19.

[42] *Stainless Steel Bar from France, Germany, Italy, Korea, and the United Kingdom, Ins. Nos. 701-TA-413 and 731-TA-913-916 & 918 (Review),* USITC Publication 3981, January 2008, p. I-18.

Table I-5
Stainless steel bar: U.S. producers' trade and financial data, 1993, 1999, 2005, and 2010

Item	1993	1999	2005	2010
Capacity (*short tons)*	262,483	304,777	337,296	164,160
Production (*short tons*)	138,284	154,711	175,507	75,891
Capacity utilization (*percent*)	52.6	50.8	52.0	46.2
U.S. shipments				
Quantity (*1,000 pounds*)	143,320	149,607	171,255	57,248
Value (*1,000 dollars*)	457,859	474,529	756,242	354,693
Unit value (*per pound*)	3,195	3,172	4,416	6,196
Net sales (*$1,000*)	462,166	584,213	858,652	498,506
Cost of goods sold (COGS) (*$1,000*)	432,112	500,240	716,096	450,258
Gross profit or(loss) (*$1,000*)	30,054	83,973	142,556	48,248
SG&A (*$1,000*)	33,514	58,091	60,281	41,016
Operating income or (loss) (*$1,000*)	(3,460)	25,882	82,275	7,232
COGS/sales (*percent*)	93.5	85.6	83.4	90.3
Operating income or (loss)/sales (*percent*)	6.9	4.4	9.6	1.5

Source: Compiled from data presented in the original staff report and subsequent five-year reviews, and *Response* of domestic interested parties, January 3, 2012, app. 5.

Related Party Issues

In their response to the Commission's notice of institution, the domestic interested parties reported that North American Stainless' parent company, The Acerinox Group owns Roldan, which is a foreign producer and exporter of subject merchandise from Spain. They note that none of the domestic producers is an importer of the subject merchandise from subject sources or related to an importer of stainless steel bar.[43]

U.S. IMPORTS AND APPARENT U.S. CONSUMPTION

U.S. Imports

During the original investigations, the Commission identified 88 importers that were believed to have accounted for the vast majority of total stainless steel bar imports from subject countries at that time. The Commission received usable importer questionnaire responses from 40 firms in the original investigations. In the first five-year reviews, the Commission identified 42 importing firms. Of these 17 firms provided useable data. As the HTS numbers were almost identical to the scope of the reviews, the Commission relied on official Commerce statistics in those reviews (adjusted for misclassified imports of nonsubject merchandise). In the second five-year reviews, the Commission sent questionnaires to 25 firms believed to be importers of stainless steel bar from subject and nonsubject sources, as well as to all U.S. producers. Eight firms provided useable importer questionnaire responses. The Commission again relied on official Commerce statistics in the second five-year reviews (adjusted for the removal of nonsubject Indian producer, Viraj Group, for which the antidumping duty order was revoked effective February 1, 2003).

[43] *Response* of domestic interested parties, January 3, 2012, p. 12.

In response to the Commission's request in its notice of institution in the third five-year reviews, domestic interested parties participating in these reviews provided information concerning 22 companies that are believed to be possible importers of stainless steel bar.

Data regarding U.S. imports of stainless steel bar, as reported by Commerce, are presented in table I-6. Subject imports increased by 23.1 percent between 2006 and 2011, from 16,779 short tons to 20,662 short tons. Nonsubject imports increased by 17.6 percent between 2006 and 2011, from 103,713 short tons to 121,940 short tons. While the quantity of overall imports increased, the value of imports increased more, resulting in higher unit values during the period.

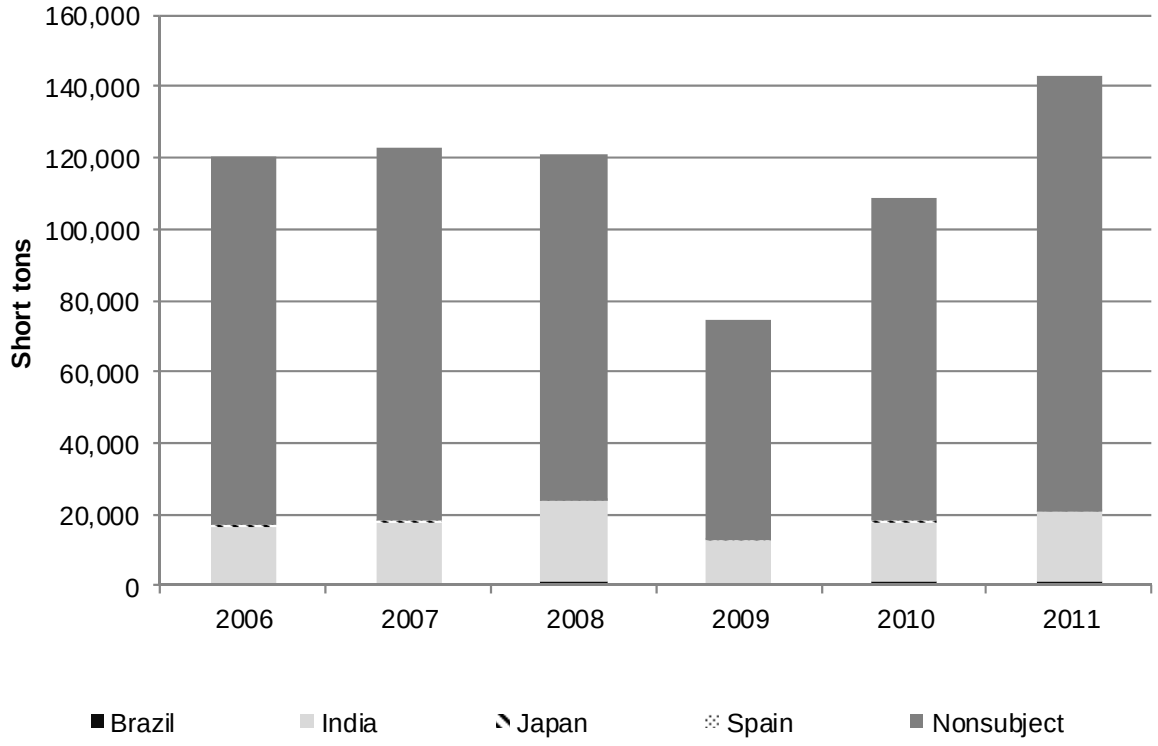
Table I-6
Stainless steel bar: U.S. imports, by source, 2006-11

Item	2006	2007	2008	2009	2010	2011
	Quantity (short tons)					
Brazil	484	474	811	231	786	1,171
India	15,703	17,182	22,734	12,161	16,937	19,260
Japan	525	379	319	210	222	163
Spain	67	40	80	65	119	69
Subtotal, subject	16,779	18,074	23,944	12,666	18,064	20,662
All other[1]	103,713	104,695	96,997	61,509	90,625	121,940
Total imports	120,491	122,769	120,941	74,175	108,688	142,603
	Value ($1,000)[2]					
Brazil	2,316	1,719	6,006	1,530	4,354	5,951
India	48,385	78,075	101,601	37,101	57,986	75,334
Japan	2,981	2,334	1,890	1,458	1,588	1,522
Spain	256	301	475	264	488	355
Subtotal, subject	53,939	82,429	109,972	40,353	64,416	83,162
All other[1]	424,701	560,401	550,510	269,576	400,405	630,499
Total imports	478,640	642,830	660,481	309,929	464,821	713,661
	Unit value ($/short ton)					
Brazil	4,781	3,629	7,405	6,635	5,542	5,083
India	3,081	4,544	4,469	3,051	3,424	3,911
Japan	5,681	6,162	5,919	6,958	7,167	9,339
Spain	3,845	7,578	5,920	4,079	4,094	5,154
Subtotal, subject	3,215	4,561	4,593	3,186	3,566	4,025
All other[1]	4,095	5,353	5,676	4,383	4,418	5,171
Total imports	3,972	5,236	5,461	4,178	4,277	5,005

[1] The main sources of nonsubject imports are Italy and Taiwan, representing 29.3 percent and 17.6 percent of total imports during 2011, respectively.
[2] Landed, duty-paid.

Source: Official Commerce statistics, HTS subheadings 7222.10, 7222.11, 7222.19, 7222.20, and 7222.30.

Figure I-1
Stainless steel bar: U.S. imports, 2006-11



Source: Table I-6.

Ratio of Imports to U.S. Production

Imports of stainless steel bar from subject sources were equivalent to *** percent of reported U.S. production in 2010. The ratio of imports of stainless steel bar from nonsubject countries to domestic production was *** percent in 2010.

Apparent U.S. Consumption and Market Shares

Data concerning apparent U.S. consumption of stainless steel bar for 2010 and historical data for 1993, 1999, and 2005, the last years for which data were collected in the original investigations and subsequent reviews are shown in table I-7.

Table I-7
Stainless steel bar: U.S. producers' U.S. shipments, U.S. imports, and apparent U.S. consumption, 1993, 1999, 2005, and 2010

Item	1993	1999	2005	2010
	Quantity (short tons)			
U.S. producers' U.S. shipments	143,320	149,607	171,255	57,248
U.S. imports from–				
Brazil	4,594	1,355	373	786
India	4,243	2,626	***	16,937
Japan	15,515	164	384	222
Spain	7,335	2,401	140	119
Subtotal, subject	31,687	6,546	***	18,064
All other[1]	27,368	80,774	***	90,625
Total imports	59,055	87,320	124,496	108,688
Apparent U.S. consumption	202,375	236,927	295,751	165,936
	Value ($1,000)			
U.S. producers' U.S. shipments	457,859	474,529	756,242	354,693
U.S. imports from--				
Brazil	9,267	2,386	1,414	4,354
India	9,089	4,238	***	57,986
Japan	40,160	593	3,080	1,588
Spain	17,508	4,622	483	488
Subtotal, subject	76,024	11,839	***	64,416
All other[1]	65,426	186,436	***	400,405
Total imports	141,450	198,275	458,037	464,821
Apparent U.S. consumption	599,309	672,804	1,214,279	819,514
	Share of consumption based on quantity (percent)			
U.S. producers' U.S. shipments	70.8	63.1	57.9	34.5
U.S. imports from--				
Brazil	2.3	0.6	0.1	0.5
India	2.1	1.1	***	10.2
Japan	7.7	0.1	0.1	0.1
Spain	3.6	1.0	0.0	0.1
Subtotal, subject	15.7	2.8	***	10.9
All other[1]	13.5	34.1	***	54.6
Total imports	29.2	36.9	42.1	65.5
Apparent U.S. consumption	100.0	100.0	100.0	100.0

[1] This includes exports from Indian producer/exporter, Viraj Group, for which the antidumping duty order was revoked effective February 1, 2003.

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

Source: Compiled from data presented in the original staff report and subsequent five-year reviews, official Commerce statistics and *Response* of domestic interested parties, January 3, 2012, app. 5.

HISTORICAL DATA

Appendix C presents additional data from the original investigations and subsequent reviews that the Commission has compiled regarding stainless steel bar.

ANTIDUMPING AND OTHER ACTIONS OUTSIDE THE UNITED STATES

Since the original investigations there have been a number of antidumping and other actions on exports of stainless steel bar from subject sources. Currently, exports from subject countries are subject to antidumping duty orders in Korea, and countervailing duty orders in the European Union ("EU").

At the time of the original investigations, imports of stainless steel bar came under the Voluntary Restraint Agreement ("VRA')-based quota system between January 1, 1991 and March 31, 1992 called the Multilateral Steel Agreement ("MSA"). The export limits for this period were 1,068 metric tons for Brazil, 2,775 metric tons for EU, and 20,649 metric tons for Japan. As noted in the original investigations, although stainless steel bar was a separate category under the VRAs, it was difficult to judge how binding the agreements were because of product shifting within the periods and quotas groups, and because the quota for Spain was part of the EU's total quota. On March 31, 1992 negotiations on a MSA were suspended without agreement.

Canada issued antidumping orders on certain stainless steel round bar imported from India, Japan, and Spain in September 1998. In October 2000, Canada also found certain round bar from Brazil was dumped and that such product from Brazil and India was subsidized.[44] These orders were rescinded in January 2005.[45] Effective November 1998, the EU placed a countervailing duty order on imports of stainless steel bright bar from India, which expired in May 2003. On April 1, 2010, the European Commission published the initiation on antisubsidy proceedings with regard to imports of certain stainless steel bar from India. Following its provisional countervailing duties in December 2010, the EU published definitive countervailing duty order on imports of certain stainless steel bar from India in April 2011.[46] Korea imposed antidumping duty orders on imports of stainless steel bar from India, Japan, and Spain in July 2004. These orders were renewed in February 2010.[47]

SUBJECT INDUSTRY IN BRAZIL

During the original investigations, the Commission identified four firms believed to have produced the subject product in Brazil: Acos Finos Piratini S.A. ("Piratini"), Companhia Acos Especiais Itabira ("Acesita"), Electrometal SA Metals Especials ("Electometal"), and Villares Metals. All but Piratini provide the Commission with information on their operations. In the first five-year reviews only Piratini and Villares were manufacturing the subject product.[48] Neither firm provide the Commission with a questionnaire response. These same two firms were identified as stainless steel bar producers in

[44] *Stainless Steel Bar from Brazil, India, Japan, and Spain, Inv. Nos. 731-TA-678-679 and 681-682 (Review),* USITC Publication 3404, March 2001, p. IV-20.

[45] *Semi-Annual Report Under Article 16.4 Of The Agreement, Canada*, World Trade Organization, G/ADP/N/132/CAN, August 12, 2005.

[46] Official Journal of the European Union, No 405/2011, L 108/3, April 19, 2011.

[47] *Semi-Annual Report Under Article 16.4 Of The Agreement, Korea*, World Trade Organization, G/ADP/N/216/KOR, September 23, 2011.

[48] Acesita ceased production of stainless steel bar in 1996 and Electometal's facility was acquired by Villares in February 1996. In addition, subsequent to the original investigations, Piratini was purchased by the Gerdau Group, a steel manufacturer.

Brazil in the second five-year reviews, but only Villares provided the Commission with a complete questionnaire response.[49]

The domestic interested parties indicated in their response to the Commission's notice of institution in these third five-year reviews that these same two producers in Brazil remain actively engaged in the production and export of stainless steel bar.[50] No Brazilian interested party responded to the notice of institution or otherwise participated in these reviews. The potential stainless steel bar production capability of these specific firms was not submitted by the domestic interested parties and is not readily available from public sources. The domestic interested parties reported that Villares recently announced several expansions to its facilities producing stainless steel bar among other products. These reported expansions included a 10 percent increase in capacity (from 110,000 metric tons to 120,000 metric tons, equivalent to 121,254 short tons to 132,277 short tons) in 2009, a new 5,000 metric ton (5,512 short tons) forging press, and an expenditure of $28.5 million to expand and upgrade operations in 2011. Table I-8 presents Brazil export data for stainless steel bar from 2007 to 2011.

Table I-8
Stainless steel bar: Brazil exports, 2007-11

Destination	Calendar year				
	2007	2008	2009	2010	2011
	Quantity (*short tons*)				
United States	170	149	401	875	1,048
Top export markets:					
Argentina	3,979	4,262	2,444	3,171	3,400
Finland	771	713	341	417	1,044
Italy	704	672	152	725	825
Mexico	11	25	263	642	713
Germany	2,576	2,581	375	255	505
Netherlands	747	672	616	668	401
India	90	67	529	193	219
Chile	40	99	348	288	150
Venezuela	308	225	19	76	125
Peru	0	54	0	24	99
All others	796	570	364	418	271
Total	10,192	10,089	5,852	7,751	8,800

Note.--Export figures for HS subheadings 7222.11, 7222.19, 7222.20, and 7222.30. Quantities were converted from metric tons to short tons by multiplying by 1.102311.

Source: Global Trade Atlas.

[49] The other firm Gerdau-Acos Especiais Piratini ("Piratini") did not submit a questionnaire response but did report that it did produce stainless steel bar.

[50] Domestic interested parties' response to the notice of institution, p. 12.

SUBJECT INDUSTRY IN INDIA

During the original investigations, the Commission identified five firms believed to have produced the subject product in India. Only Mukand International, however, with reported capacity of *** short tons in 1990-92, provided data to the Commission (during its preliminary investigations). Mukand was believed to be the largest stainless steel bar manufacturer in India at the time of the original investigations. In the first five-year reviews the Commission sent questionnaires to 19 firms in India, and eight producers responded to the Commission's questionnaire.[51] In the second five-year reviews, the Commission received data from three firms: Mukand, Raajratna Metal Industries, and Sindia Steels.

In their response to the Commission's notice of institution in these third five-year reviews, the domestic interested parties identified 21 producers in India that remain actively engaged in the production and export of stainless steel bar.[52] No Indian interested party responded to the notice of institution or otherwise participated in these reviews. The potential production capability of these specific firms was not submitted by the domestic interested parties and is not readily available from public sources. The domestic interested parties asserted that there is no indication that there have been any reductions in capacity to produce stainless steel bar by the producers in India. The domestic interested parties reported that several of these firms have recently increased their capacity to produce stainless steel bar.[53] Table I-9 presents Indian export data for stainless steel bar from 2006 to 2010.

Table I-9
Stainless steel bar: India exports, 2006-10

Destination	Calendar year				
	2006	2007	2008	2009	2010
	Quantity (*short tons*)				
United States	23,340	24,085	31,257	8,023	19,968
Top export markets:					
Germany	13,185	21,808	21,367	11,990	17,300
Turkey	6,768	9,760	11,518	9,039	11,229
Italy	2,366	4,917	4,247	4,503	9,565
Belgium	5,639	7,498	5,954	2,876	6,348
Iran	3,396	5,143	5,926	5,354	6,281
Netherlands	4,920	7,438	8,050	3,275	5,523
Korea South	3,977	4,652	23,580	5,430	5,131
Brazil	2,195	3,837	5,330	2,868	3,978
Vietnam	4,319	5,380	4,785	8,363	3,844
South Africa	1,527	1,491	1,806	1,939	3,370
All others	51,885	55,684	67,987	41,074	47,376
Total	123,516	151,696	191,807	104,734	139,913

Note.--Export figures for HS subheadings 7222.11, 7222.19, 7222.20, and 7222.30. No exports reported for 2011. Quantities were converted from metric tons to short tons by multiplying by 1.102311.

Source: Global Trade Atlas.

[51] Data was supplied by Chandan, Facor, Jyoti, Meltroll, Mukand, Sindia, Venus, and Viraj. Questionnaires were also sent to Akai, Atlas Stainless, Bhansali, Grand Foundry, Isibars, Madhya Pradesh, Panchmahal, Parekh, Shah Alloys, Shinghal, Snowdrop, and Venus.

[52] Domestic interested parties' response to the notice of institution, p. 13.

[53] Domestic interested parties' response to the notice of institution, p. 6.

SUBJECT INDUSTRY IN JAPAN

During the original investigations, there were eight known producers of stainless steel bar in Japan. While each of the firms provided information to the Commission during the preliminary investigations, none did so during the final phase of the original investigations. In the first five-year reviews the Commission identified five known producers of stainless steel bar in Japan: Aichi, Daido, Hitachi Metals, Sanyo, Sumitomo, with Aichi, Daido, and Sanyo being the largest producers. Only Hitachi Metals provided a response to the Commission's questionnaire. In the second five-year reviews, the Commission requested data from seven firms believed to produce stainless steel bar in Japan, none of which provided the Commission with a response.[54]

In their response to the Commission's notice of institution in these third five-year reviews, the domestic interested parties identified six producers in Japan that remain actively engaged in the production and export of stainless steel bar.[55] No Japanese interested party responded to the notice of institution or otherwise participated in these reviews. The potential stainless steel bar production capability of these specific firms was not submitted by the domestic interested parties and is not readily available from public sources. The domestic interested parties asserted that there is no indication that there have been any reductions in capacity to produce stainless steel bar at the producers in Japan.[56] Table I-10 presents Japanese export data for stainless steel bar from 2007 to 2011.

Table I-10
Stainless steel bar: Japan exports, 2007-11

Destination	Calendar year				
	2007	2008	2009	2010	2011
	Quantity (*short tons*)				
United States	467	195	90	117	166
Top export markets:					
Thailand	18,831	20,537	15,303	24,069	23,464
China	7,339	7,260	3,662	6,045	6,354
Korea South	6,564	5,901	2,986	4,767	5,033
Malaysia	3,055	4,625	2,685	4,910	4,727
Taiwan	3,953	1,393	1,080	3,374	4,537
Philippines	3,017	2,170	1,975	2,762	2,888
Singapore	3,665	4,575	2,292	2,933	2,739
Vietnam	1,196	1,337	1,208	2,011	2,021
India	1,602	1,512	982	1,603	1,932
Germany	1,002	1,199	629	1,159	1,095
All others	7,829	6,604	3,391	3,234	3,190
Total	58,519	57,309	36,285	56,984	58,146

Note.--Export figures for HS subheadings 7222.11, 7222.19, 7222.20, and 7222.30. Quantities were converted from metric tons to short tons by multiplying by 1.102311.

Source: Global Trade Atlas.

[54] These firms were Aichi Steel Works, Ltd, Daido Steel Co., Ltd, Hitachi Metals, Ltd., Pacific Metals Co., Ltd., Sanyo Special Steel Co., Ltd., Sumitomo Metal Industries, Ltd., and Tohoku Steel Co., Ltd.

[55] Domestic interested parties' response to the notice of institution, p. 13.

[56] Domestic interested parties' response to the notice of institution, p. 7.

SUBJECT INDUSTRY IN SPAIN

During the original investigations, there were two known producers of stainless steel bar in Spain, Acenor and Roldan. In the first five-year reviews the Commission identified two known producers of stainless steel bar in Spain, Olarra and Roldan, both of which provided a response to the Commission's questionnaire.[57] In the second five-year review, the Commission and domestic interested parties identified three producers of stainless steel bar in Spain, Olarra, Roldan, and Sidenor. Only Roldan provided a response to the Commission's questionnaire in these reviews.

In their response to the Commission's notice of institution in these third five-year reviews, the domestic interested parties identified the same three producers in Spain actively engaged in the production and export of stainless steel bar. No Spanish interested party responded to the notice of institution or otherwise participated in these reviews. The domestic interested parties reported that Sidenor increased its capacity from 105,000 metric tons to 130,000 metric tons (115,740 short tons to 143,300 short tons) in 2007, modernized two of its long products plants in 2007 resulting in a 16 percent increase in stainless steel bar/long product capacity, and purchased two cold bar manufacturers in 2008, which increased its stainless steel bar capacity by 130,000 metric tons (143,300 short tons).[58]

Table I-11 presents Spanish export data for stainless steel bar from 2007 to 2011.

Table I-11
Stainless steel bar: Spain exports, 2007-11

Destination	Calendar year				
	2007	2008	2009	2010	2011
	Quantity (*short tons*)				
United States	3	0	1	0	0
Top export markets:					
Germany	68,484	60,618	37,491	59,559	54,295
Italy	26,708	22,991	12,282	22,107	22,268
United Kingdom	10,527	12,757	8,348	10,248	10,750
France	10,668	7,879	5,109	7,051	5,948
Portugal	9,397	2,966	2,985	4,236	3,694
Sweden	4,697	4,635	2,261	2,991	2,087
Switzerland	2,305	2,024	1,344	1,221	1,646
Poland	2,287	2,304	2,007	1,215	1,621
Austria	990	1,536	940	1,082	1,382
Denmark	2,719	2,736	1,236	1,614	1,299
All others	13,188	15,085	7,165	7,834	6,627
Total	151,975	135,531	81,169	119,159	111,613

Note.--Export figures for HS subheadings 7222.11, 7222.19, 7222.20, and 7222.30. Quantities were converted from metric tons to short tons by multiplying by 1.102311.

Source: Global Trade Atlas.

[57] In July 1994, Acenor sold the part of its industrial assets dedicated to the production stainless steel bar. Olarra is the successor firm to Acenor.

[58] Domestic interested parties' response to the notice of institution, p. 7.

THE GLOBAL MARKET

Supply

Public figures for global stainless steel bar production by country or region are generally not available. The most recent publicly available figures for global stainless steel bar production are from 2007. According to one industry estimate, global production of stainless steel long products (including stainless steel bar) totaled 5.3 million metric tons (5.8 million short tons) in 2007, an increase of 29 percent since 2004.[59] Production of stainless steel long products accounted for 22 percent of total stainless steel production in 2007, compared with 19 percent in 2004.[60] Global production of stainless steel bar totaled 2.5 million metric tons (2.8 million short tons) in 2007, an increase of 39 percent since 2004.[61] Production of stainless steel bar accounted for 10 percent of total stainless steel production in 2007, up from 7 percent in 2004.[62] Cold-finished stainless steel bar accounted for 32 percent, or 800,000 metric tons (882,000 short tons) of stainless steel bar production in 2007, compared with 41 percent (780,000 metric tons or 860,000 short tons) of stainless steel bar production in 2004.[63]

Stainless steel bar production is relatively concentrated among leading stainless steel bar producers. According to Steel & Metals Market Research ("SMR"), the top 15 stainless long-product producers, predominately Asian and European producers, accounted for 58 percent of global stainless steel bar production in 2007. According to SMR, Asian producers account for the majority of capacity additions to produce stainless steel long products (see figure I-2).

Sheffield, UK, facility to produce stainless steel reinforcing bar and cold-drawn bar from semi-finished stainless steel products it produces at that facility.[64] In 2011, Indian stainless steel bar producer Viraj Profiles commissioned the construction of a 245,000 ton-per-year (tpy) argon-oxygen decarburization (AOD) converter to enable the company to produce its own stainless steel billet and blooms to supply its rolling mill.[65] The company also commissioned the construction of a new 180,000 tpy rolling mill as part of an expansion to increase stainless steel bar production and broaden its product offerings.[66] Also in 2011, NAS announced that it would invest $30 million in capital improvements to its Ghent, KY, facility. The company will invest close to $10 million to increase production capacity of stainless steel peeled bar. Completion of the project is expected in 2012.[67]

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[59] "Outlook for the Stainless Steel World Market," presented by Markus Moll, Feinox 2008 Conference, Sao Paulo, Brazil, Nov. 12–14, 2008, found at http://www.nucleoinox.org.br/upfiles/arquivos/downloads/apresent_feinox_11_08.pdf; *Stainless Steel Bar from France, Germany, Italy, Korea, and the United Kingdom, Ins. Nos. 701-TA-413 and 731-TA-913-916 & 918 (Review)*, USITC Publication 3981, January 2008, p. IV-30.

[60] Ibid. Hot-rolled and cold-rolled flat products, including strip, sheet, and hot-rolled coil, among others, accounted for the remaining 78 percent, or 19 million metric tons (20.9 million short tons), of stainless steel production in 2007.

[61] Ibid.

[62] Ibid.

[63] Ibid.

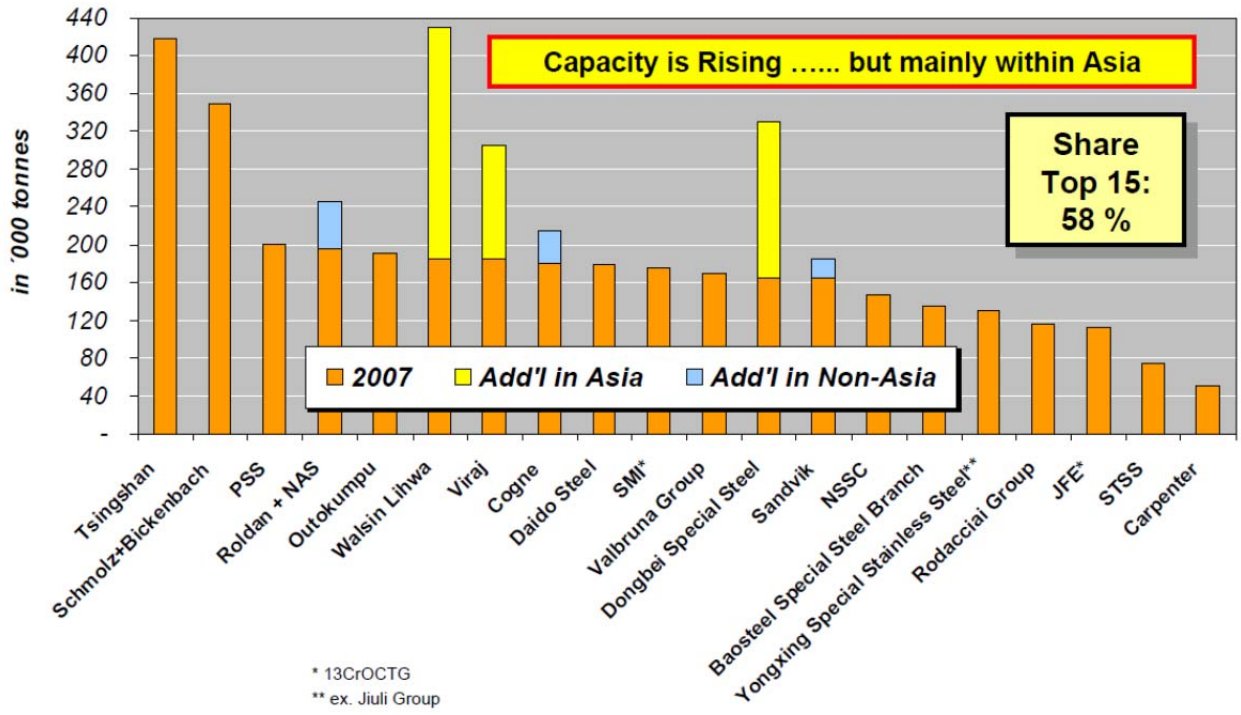
[64] "Outokumpu starts up new stainless bar plant in Sheffield," *Metal Bulletin* (June 15, 2010), found at http://www.metalbulletin.com.

[65] "Viraj Profiles will lift stainless billet, bloom production," *Metal Bulletin* (June 6, 2011).

[66] "Siemens VAI Metals Technologies to supply 108,000 tpy rolling mill to Viraj Profiles," *Metal Bulletin* (April 13, 2011), found at http://www.metalbulletin.com.

[67] "NAS sets $30 Ky. plant expansion," *Metal Bulletin* (February 2, 2011); and "NAS shipping steel to plug Roldan shortfall," *Metal Bulletin* (February 14, 2011), found at http://www.metalbulletin.com.

Figure I-2
Stainless steel bar: Top 20 mills in 2007



Source: "Outlook for the Stainless Steel World Market," presented by Markus Moll, Feinox 2008 Conference, Sao Paulo, Brazil, Nov. 12–14, 2008, found at http://www.nucleoinox.org.br/upfiles/arquivos/downloads/apresent_feinox_11_08.pdf

In 2010, Finnish stainless steel producer Outokumpu opened a rolling mill at its existing

According to Global Trade Atlas statistics, western European countries (particularly Italy, Germany, Spain, and France) collectively were the largest exporters of stainless steel bar during the 2007–11 period (see table I-12). Exports of stainless steel bar from Spain and Japan declined by 27.7 percent and 0.6 percent, respectively, between 2007 and 2011, although exports recovered from a 2009 low as global demand subsequently increased as a result of partial economic recovery following the global financial crisis in 2008. Exports of stainless steel bar from Brazil (as a non-top exporting country is included in all others category in table I-12) also declined (by 13.6 percent) between 2007 and 2011. Exports of stainless steel bar from India declined by 7.8 percent during the period 2007–10.

Table I-12
Stainless steel bar: Top exporting countries, 2007–11

Source	Calendar year				
	2007	2008	2009	2010	2011
	Quantity (*short tons*)				
United States	41,091	44,186	29,671	35,846	44,843
Top exporting countries:					
Italy	270,715	237,236	174,454	227,150	251,217
Germany	162,139	161,766	108,962	150,072	177,019
India	151,693	191,808	104,735	139,913	([1])
Spain	151,972	135,529	81,168	119,158	111,613
France	108,103	103,969	62,974	80,188	98,719
Taiwan	58,992	53,173	36,996	49,633	61,813
Ukraine	41,650	31,260	19,048	41,135	60,222
Japan	58,517	57,309	36,286	56,985	58,146
China	35,116	26,849	22,658	35,484	49,851
United Kingdom	23,098	22,204	17,875	23,096	38,056
Sweden	36,484	34,643	28,037	33,165	32,004
Austria	31,422	40,291	25,157	23,594	29,189
Singapore	27,478	25,560	19,718	46,046	27,236
Netherlands	18,512	14,717	13,539	14,503	25,969
Poland	7,209	6,423	7,507	14,062	24,323
All others	174,479	175,843	119,258	148,786	165,389
Total	1,398,662	1,362,752	908,031	1,238,805	1,257,707

[1] Not reported.

Note.--Export figures for HS subheadings 7222.11, 7222.19, 7222.20, and 7222.30. Brazil exported approximately 8,800 short tons of stainless steel bar in 2011, down from 10,200 short tons in 2007. Quantities were converted from metric tons to short tons by multiplying by 1.102311.

Source: Global Trade Atlas.

Demand

Worldwide demand for stainless steel bar is derived from its use in a diverse array of end-use markets, which are influenced in part by general economic growth. End-use markets in which stainless steel bar is used include the capital goods sector; heavy construction and power generation; marine and residential construction; the petroleum, natural gas, chemical, and petrochemical industries; aerospace and automotive industries; and medical products. According to the International Stainless Steel Forum, global demand for stainless steel long products declined precipitously in 2008 as a result of the global economic recession, but began to recover in 2009. Global demand for stainless steel long products in forecasted to increase through 2012.[68]

Between 2010 and 2011, U.S. distributors of stainless steel long products reported solid demand, particularly from the energy, machinery, automotive, semiconductor, and processing equipment industrial

[68] International Stainless Steel Forum (ISSF), "Global Stainless Steel Demand Index—Hot Long Products," found at http://www.worldstainless.org. The stainless steel demand index for long products is an aggregate of similar demand indices for individual countries or regions. Included in the index are the United States, the EU-15, Korea, Taiwan, and Japan. These markets account for approximately 50 percent of the global market for stainless steel long products.

sectors.[69] Demand for stainless steel long products in the United States in 2012 is forecast to be higher than in 2011, driven primarily by the energy, automotive, and aerospace sectors.[70] In Korea, demand for stainless steel bar is buoyed by the shipbuilding and heavy industries sectors.[71] In Europe, demand for stainless steel bar is mixed and has been characterized as more subdued, due in part to economic problems the continent continues to face.[72] For example, although demand in Germany has reportedly improved and is characterized as stable,[73] demand in Spain remains weak, albeit improving.[74] In contrast, demand for stainless steel bar in Sweden is reportedly strong, driven by the mining equipment and machinery manufacturing sectors.[75]

According to Global Trade Atlas statistics, apart from the United States, western European countries (principally, Germany, the Netherlands, Italy, and the United Kingdom) collectively were the largest importers of stainless steel bar during the 2007–11 period (see table I-13).

Table I-13
Stainless steel bar: Leading importing countries, 2007–11

Source	Calendar year				
	2007	2008	2009	2010	2011
	Quantity (*short tons*)				
United States	122,761	120,950	74,154	108,925	142,620
Top importing countries:					
Germany	258,249	247,578	167,540	237,766	260,674
Netherlands	44,844	119,287	26,527	33,112	194,464
Italy	86,897	77,850	49,436	76,088	87,568
United Kingdom	57,449	62,650	42,937	55,296	69,503
South Korea	33,055	29,421	25,005	41,391	52,758
Singapore	52,698	70,832	38,116	57,187	45,672
France	57,381	56,506	35,004	40,623	43,420
Russia	25,915	20,344	13,831	26,729	38,785
China	40,978	40,672	29,072	39,839	37,756
Thailand	33,170	34,807	21,448	30,269	31,582
Austria	29,138	36,542	19,985	28,337	31,363
Switzerland	35,098	33,306	20,730	28,306	30,076
Spain	23,213	25,726	17,217	31,540	28,647
Canada	24,157	23,306	17,392	22,820	27,866
Poland	29,602	31,256	21,558	27,998	27,761
All other	382,631	413,603	441,653	352,965	402,068
Total	1,336,636	1,437,310	1,061,598	1,239,183	1,552,521

Note.--Import figures for HS subheadings 7222.11, 7222.19, 7222.20, and 7222.30. Quantities were converted from metric tons to short tons by multiplying by 1.102311.

Source: Global Trade Atlas.

[69] "Stainless bar demand up, but it may not be enough for a price hike," *Metal Bulletin* (Oct. 4, 2010); "US demand for stainless longs still strong," *Metal Bulletin* (Sept. 3, 2011), found at http://www.metalbulletin.com.
[70] MEPS, *Stainless Steel Review* (March 2012), p. 7.
[71] MEPS, *Stainless Steel Review* (November and December 2011 issues), p. 7.
[72] MEPS, *Stainless Steel Review* (September 2011), p. 7.
[73] MEPS, *Stainless Steel Review* (January and March 2012), p. 7.
[74] MEPS, *Stainless Steel Review* (September 2011 and March 2012 issues), p. 7.
[75] MEPS, *Stainless Steel Review* (November 2011), p. 7.

Prices

Published price data for cold-rolled stainless steel bar are available by subscription only and cannot be reproduced without the consent of the publisher.[76] Tables I-14 and I-15 illustrate regional transaction prices for cold-drawn stainless steel bar in grades 304 and 316.[77] Tables I-16 and I-17 illustrate regional transaction prices for peeled stainless steel bar in grades 304 and 316.

Between January 2009 and March 2012, transaction prices for all four products increased significantly across all geographic regions represented, although transaction prices all declined following peak highs in 2010. Prices in the United States for cold-drawn and peeled stainless bar products in both grades increased by *** percent, whereas European prices (EU average and Spain) increased by ***. Prices in Korea increased the *** by ***percent, whereas prices in Taiwan increased the *** by *** percent. Between January 2009 and March 2012, transaction prices were somewhat mixed across regions, with no country or region commanding higher prices for all four stainless bar products. Overall, transaction prices in the United States were generally *** than in Korea, but *** than in Europe.

Table I-14
Cold-drawn stainless steel bar, grade 304: Monthly negotiated transaction prices, January 2009-March 2012

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Table I-15
Cold-drawn stainless steel bar, grade 316: Monthly negotiated transaction prices, January 2009-March 2012

* * * * * * *

Table I-16
Peeled stainless steel bar, grade 304: Monthly negotiated transaction prices, January 2009-March 2012

* * * * * * *

Table I-17
Peeled stainless steel bar, grade 316: Monthly negotiated transaction prices, January 2009-March 2012

* * * * * * *

[76] ***.
[77] ***.

APPENDIX A

FEDERAL REGISTER NOTICES

P.O. Box 25007, Denver, Colorado 80225.

SUPPLEMENTARY INFORMATION: Section 426.20 of the Regulations provides that we will assess districts administrative costs if: (1) A district delivers Reclamation irrigation water to land that was ineligible because a landholder did not submit Reclamation Reform Act of 1982 certification or reporting forms to the district prior to receipt of the Reclamation irrigation water, (2) a district does not provide us with corrected landholder certification or reporting forms within 60 calendar days of our request for corrections, or (3) a district delivers Reclamation irrigation water to ineligible excess land. Section 426.20(e) sets the original amount of the administrative cost assessment at $260. The amount is based on the additional costs we incur to perform activities to address the problems described in the first sentence of this paragraph. Section 426.20(e) further provides that we will review the associated costs at least once every 5 years and adjust the assessment amount, if needed, to reflect new cost data.

The regulatory provisions for the administrative costs assessment became effective on March 27, 1995. Previous regular reviews of the administrative cost assessment resulted in the amount remaining the same, or increasing (once, from $260 to $290). This year, the regular review of cost data for 2006–2010 shows the administrative cost assessment needs to be adjusted from $290 to $230. The next regular review of cost data will take place in 2016, evaluating the cost data for 2011–2015.

The new amount of the administrative costs assessment becomes effective on January 1, 2012. However, application will be based on the date Reclamation actually finds and documents the forms or excess land problem in question. Specifically, if after January 1, 2012, we find a forms or excess land problem described in 43 CFR 426.20, the amount of the administrative costs assessment will be $230. This will be the case even if the problem occurred prior to January 1, 2012. For problems we find prior to January 1, 2012, the amount of the administrative costs assessment will remain at $290.

Roseann Gonzales,

Director, Policy and Administration, Denver Office.

[FR Doc. 2011–30880 Filed 11–30–11; 8:45 am]

BILLING CODE 4310–MN–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731–TA–678–679 and 681–682 (Third Review)]

Stainless Steel Bar From Brazil, India, Japan, and Spain; Institution of Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice that it has instituted reviews pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act) to determine whether revocation of the antidumping duty orders on stainless steel bar from Brazil, India, Japan, and Spain would be likely to lead to continuation or recurrence of material injury. Pursuant to section 751(c)(2) of the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission;[1] to be assured of consideration, the deadline for responses is January 3, 2012. Comments on the adequacy of responses may be filed with the Commission by February 10, 2012. For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207), as most recently amended at 76 FR 61937 (October 6, 2011).

DATES: Effective Date: December 1, 2011.

FOR FURTHER INFORMATION CONTACT: Mary Messer (202) 205–3193, Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its Internet server *(http://www.usitc.gov).* The public record for these reviews may be viewed on the Commission's electronic docket (EDIS) at *http://edis.usitc.gov.*

SUPPLEMENTARY INFORMATION:

Background. On February 21, 1995, the Department of Commerce issued antidumping duty orders on imports of stainless steel bar from Brazil, India, and Japan (60 FR 9661). On March 2, 1995, the Department of Commerce issued an antidumping duty order on imports of stainless steel bar from Spain (60 FR 11656). Following first five-year reviews by Commerce and the Commission, effective April 18, 2001, Commerce issued a continuation of the antidumping duty orders on imports of stainless steel bar from Brazil, India, Japan, and Spain (66 FR 19919). Following second five-year reviews by Commerce and the Commission, effective January 23, 2007, Commerce issued a continuation of the antidumping duty orders on imports of stainless steel bar from Brazil, India, Japan, and Spain (72 FR 2858). The Commission is now conducting third reviews to determine whether revocation of the orders would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time. It will assess the adequacy of interested party responses to this notice of institution to determine whether to conduct full reviews or expedited reviews. The Commission's determinations in any expedited reviews will be based on the facts available, which may include information provided in response to this notice.

Definitions. The following definitions apply to these reviews:

(1) *Subject Merchandise* is the class or kind of merchandise that is within the scope of the five-year reviews, as defined by the Department of Commerce.

(2) The *Subject Countries* in these reviews are Brazil, India, Japan, and Spain.

(3) The *Domestic Like Product* is the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the *Subject Merchandise.* In its original determinations and its full first and second five-year review determinations, the Commission defined the *Domestic Like Product* as all stainless steel bar coextensive with the scope definition. One Commissioner defined the *Domestic Like Product* differently in the original determinations.

(4) The *Domestic Industry* is the U.S. producers as a whole of the *Domestic*

[1] No response to this request for information is required if a currently valid Office of Management and Budget (OMB) number is not displayed; the OMB number is 3117–0016/USITC No. 12–5–262, expiration date June 30, 2014. Public reporting burden for the request is estimated to average 15 hours per response. Please send comments regarding the accuracy of this burden estimate to the Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436.

Like Product, or those producers whose collective output of the *Domestic Like Product* constitutes a major proportion of the total domestic production of the product. In its original determinations and its full first and second five-year review determinations, the Commission defined the *Domestic Industry* as domestic producers of stainless steel bar. One Commissioner defined the *Domestic Industry* differently in the original determinations.

(5) An *Importer* is any person or firm engaged, either directly or through a parent company or subsidiary, in importing the *Subject Merchandise* into the United States from a foreign manufacturer or through its selling agent.

Participation in the reviews and public service list. Persons, including industrial users of the *Subject Merchandise* and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the reviews as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11(b)(4) of the Commission's rules, no later than 21 days after publication of this notice in the **Federal Register**. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the reviews.

Former Commission employees who are seeking to appear in Commission five-year reviews are advised that they may appear in a review even if they participated personally and substantially in the corresponding underlying original investigation. The Commission's designated agency ethics official has advised that a five-year review is not considered the ''same particular matter'' as the corresponding underlying original investigation for purposes of 18 U.S.C. 207, the post employment statute for Federal employees, and Commission rule 201.15(b) (19 CFR 201.15(b)), 73 FR 24609 (May 5, 2008). This advice was developed in consultation with the Office of Government Ethics. Consequently, former employees are not required to seek Commission approval to appear in a review under Commission rule 19 CFR 201.15, even if the corresponding underlying original investigation was pending when they were Commission employees. For further ethics advice on this matter, contact Carol McCue Verratti, Deputy Agency Ethics Official, at (202) 205–3088.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and APO service list. Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI submitted in these reviews available to authorized applicants under the APO issued in the reviews, provided that the application is made no later than 21 days after publication of this notice in the **Federal Register**. Authorized applicants must represent interested parties, as defined in 19 U.S.C. 1677(9), who are parties to the reviews. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Certification. Pursuant to section 207.3 of the Commission's rules, any person submitting information to the Commission in connection with these reviews must certify that the information is accurate and complete to the best of the submitter's knowledge. In making the certification, the submitter will be deemed to consent, unless otherwise specified, for the Commission, its employees, and contract personnel to use the information provided in any other reviews or investigations of the same or comparable products which the Commission conducts under Title VII of the Act, or in internal audits and investigations relating to the programs and operations of the Commission pursuant to 5 U.S.C. Appendix 3.

Written submissions. Pursuant to section 207.61 of the Commission's rules, each interested party response to this notice must provide the information specified below. The deadline for filing such responses is January 3, 2012. Pursuant to section 207.62(b) of the Commission's rules, eligible parties (as specified in Commission rule 207.62(b)(1)) may also file comments concerning the adequacy of responses to the notice of institution and whether the Commission should conduct expedited or full reviews. The deadline for filing such comments is February 10, 2012. All written submissions must conform with the provisions of sections 201.8 and 207.3 of the Commission's rules and any submissions that contain BPI must also conform with the requirements of sections 201.6 and 207.7 of the Commission's rules. Please consult the Commission's rules, as amended, 76 FR 61937 (Oct. 6, 2011) and the Commission's Handbook on Filing Procedures, 76 FR 62092 (Oct. 6, 2011), available on the Commission's web site at *http://edis.usitc.gov.* Also, in accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the reviews must be served on all other parties to the reviews (as identified by either the public or APO service list as appropriate), and a certificate of service must accompany the document (if you are not a party to the reviews you do not need to serve your response).

Inability to provide requested information. Pursuant to section 207.61(c) of the Commission's rules, any interested party that cannot furnish the information requested by this notice in the requested form and manner shall notify the Commission at the earliest possible time, provide a full explanation of why it cannot provide the requested information, and indicate alternative forms in which it can provide equivalent information. If an interested party does not provide this notification (or the Commission finds the explanation provided in the notification inadequate) and fails to provide a complete response to this notice, the Commission may take an adverse inference against the party pursuant to section 776(b) of the Act in making its determinations in the reviews.

Information To Be Provided In Response to This Notice of Institution: If you are a domestic producer, union/worker group, or trade/business association; import/export Subject Merchandise from more than one Subject Country; or produce Subject Merchandise in more than one Subject Country, you may file a single response. If you do so, please ensure that your response to each question includes the information requested for each pertinent Subject Country. As used below, the term ''firm'' includes any related firms.

(1) The name and address of your firm or entity (including World Wide Web address) and name, telephone number, fax number, and Email address of the certifying official.

(2) A statement indicating whether your firm/entity is a U.S. producer of the Domestic Like Product, a U.S. union or worker group, a U.S. importer of the Subject Merchandise, a foreign producer or exporter of the Subject Merchandise, a U.S. or foreign trade or business association, or another interested party (including an explanation). If you are a union/worker group or trade/business association, identify the firms in which your workers are employed or which are members of your association.

(3) A statement indicating whether your firm/entity is willing to participate in these reviews by providing information requested by the Commission.

(4) A statement of the likely effects of the revocation of the antidumping duty orders on the Domestic Industry in general and/or your firm/entity specifically. In your response, please discuss the various factors specified in

section 752(a) of the Act (19 U.S.C. 1675a(a)) including the likely volume of subject imports, likely price effects of subject imports, and likely impact of imports of Subject Merchandise on the Domestic Industry.

(5) A list of all known and currently operating U.S. producers of the Domestic Like Product. Identify any known related parties and the nature of the relationship as defined in section 771(4)(B) of the Act (19 U.S.C. 1677(4)(B)).

(6) A list of all known and currently operating U.S. importers of the Subject Merchandise and producers of the Subject Merchandise in each Subject Country that currently export or have exported Subject Merchandise to the United States or other countries after 2005.

(7) A list of 3–5 leading purchasers in the U.S. market for the Domestic Like Product and the Subject Merchandise (including street address, World Wide Web address, and the name, telephone number, fax number, and Email address of a responsible official at each firm).

(8) A list of known sources of information on national or regional prices for the Domestic Like Product or the Subject Merchandise in the U.S. or other markets.

(9) If you are a U.S. producer of the Domestic Like Product, provide the following information on your firm's operations on that product during calendar year 2010, except as noted (report quantity data in short tons and value data in U.S. dollars, f.o.b. plant). If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total U.S. production of the Domestic Like Product accounted for by your firm's(s') production;

(b) Capacity (quantity) of your firm to produce the Domestic Like Product (i.e., the level of production that your establishment(s) could reasonably have expected to attain during the year, assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix);

(c) The quantity and value of U.S. commercial shipments of the Domestic Like Product produced in your U.S. plant(s);

(d) The quantity and value of U.S. internal consumption/company transfers of the Domestic Like Product produced in your U.S. plant(s); and

(e) The value of (i) net sales, (ii) cost of goods sold (COGS), (iii) gross profit, (iv) selling, general and administrative (SG&A) expenses, and (v) operating income of the Domestic Like Product produced in your U.S. plant(s) (include both U.S. and export commercial sales, internal consumption, and company transfers) for your most recently completed fiscal year (identify the date on which your fiscal year ends).

(10) If you are a U.S. importer or a trade/business association of U.S. importers of the Subject Merchandise from the Subject Country(ies), provide the following information on your firm's(s') operations on that product during calendar year 2010 (report quantity data in short tons and value data in U.S. dollars). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) The quantity and value (landed, duty-paid but not including antidumping duties) of U.S. imports and, if known, an estimate of the percentage of total U.S. imports of Subject Merchandise from each Subject Country accounted for by your firm's(s') imports;

(b) The quantity and value (f.o.b. U.S. port, including antidumping duties) of U.S. commercial shipments of Subject Merchandise imported from each Subject Country; and

(c) The quantity and value (f.o.b. U.S. port, including antidumping duties) of U.S. internal consumption/company transfers of Subject Merchandise imported from each Subject Country.

(11) If you are a producer, an exporter, or a trade/business association of producers or exporters of the Subject Merchandise in the Subject Country(ies), provide the following information on your firm's(s') operations on that product during calendar year 2010 (report quantity data in short tons and value data in U.S. dollars, landed and duty-paid at the U.S. port but not including antidumping duties). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total production of Subject Merchandise in each Subject Country accounted for by your firm's(s') production;

(b) Capacity (quantity) of your firm to produce the Subject Merchandise in each Subject Country (*i.e.*, the level of production that your establishment(s) could reasonably have expected to attain during the year, assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix); and

(c) the quantity and value of your firm's(s') exports to the United States of Subject Merchandise and, if known, an estimate of the percentage of total exports to the United States of Subject Merchandise from each Subject Country accounted for by your firm's(s') exports.

(12) Identify significant changes, if any, in the supply and demand conditions or business cycle for the Domestic Like Product that have occurred in the United States or in the market for the Subject Merchandise in each Subject Country after 2005, and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the Domestic Like Product produced in the United States, Subject Merchandise produced in each Subject Country, and such merchandise from other countries.

(13) (Optional) A statement of whether you agree with the above definitions of the Domestic Like Product and Domestic Industry; if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.61 of the Commission's rules.

Issued: November 22, 2011.

By order of the Commission.

James R. Holbein,

Secretary to the Commission.

[FR Doc. 2011–30664 Filed 11–30–11; 8:45 am]

BILLING CODE 7020–02–P

	Period of review
Carbazole Violet Pigment 23, C–533–839	1/1/10–12/31/10
Certain Hot-Rolled Carbon Steel Flat Products, C–533–821	1/1/11–12/31/11
Commodity Matchbooks, C–533–849	1/1/10–12/31/10
Indonesia: Certain Hot-Rolled Carbon Steel Flat Products, C–560–813	1/1/10–12/31/10
Thailand: Certain Hot-Rolled Carbon Steel Flat Products, C–549–818	1/1/10–12/31/10

Suspension Agreements

None.

In accordance with 19 CFR 351.213(b), an interested party as defined by section 771(9) of the Act may request in writing that the Secretary conduct an administrative review. For both antidumping and countervailing duty reviews, the interested party must specify the individual producers or exporters covered by an antidumping finding or an antidumping or countervailing duty order or suspension agreement for which it is requesting a review. In addition, a domestic interested party or an interested party described in section 771(9)(B) of the Act must state why it desires the Secretary to review those particular producers or exporters.[2] If the interested party intends for the Secretary to review sales of merchandise by an exporter (or a producer if that producer also exports merchandise from other suppliers) which were produced in more than one country of origin and each country of origin is subject to a separate order, then the interested party must state specifically, on an order-by-order basis, which exporter(s) the request is intended to cover.

Please note that, for any party the Department was unable to locate in prior segments, the Department will not accept a request for an administrative review of that party absent new information as to the party's location. Moreover, if the interested party who files a request for review is unable to locate the producer or exporter for which it requested the review, the interested party must provide an explanation of the attempts it made to locate the producer or exporter at the same time it files its request for review, in order for the Secretary to determine if the interested party's attempts were reasonable, pursuant to 19 CFR 351.303(f)(3)(ii).

As explained in *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003), the Department has clarified its practice with respect to the collection of final antidumping duties on imports of merchandise where intermediate firms are involved. The public should be aware of this clarification in determining whether to request an administrative review of merchandise subject to antidumping findings and orders. *See also* the Import Administration Web site at *http://ia.ita.doc.gov.*

All requests must be filed electronically in Import Administration's Antidumping and Countervailing Duty Centralized Electronic Service System (''IA ACCESS'') on the IA ACCESS Web site at *http://iaaccess.trade.gov. See Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures,* 76 FR 39263 (July 6, 2011). Further, in accordance with 19 CFR 351.303(f)(l)(i), a copy of each request must be served on the petitioner and each exporter or producer specified in the request.

The Department will publish in the **Federal Register** a notice of ''Initiation of Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation'' for requests received by the last day of December 2011. If the Department does not receive, by the last day of December 2011, a request for review of entries covered by an order, finding, or suspended investigation listed in this notice and for the period identified above, the Department will instruct CBP to assess antidumping or countervailing duties on those entries at a rate equal to the cash deposit of (or bond for) estimated antidumping or countervailing duties required on those entries at the time of entry, or withdrawal from warehouse, for consumption and to continue to collect the cash deposit previously ordered.

For the first administrative review of any order, there will be no assessment of antidumping or countervailing duties on entries of subject merchandise entered, or withdrawn from warehouse, for consumption during the relevant provisional-measures ''gap'' period, of the order, if such a gap period is applicable to the period of review.

This notice is not required by statute but is published as a service to the international trading community.

Dated: November 9, 2011.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2011–30955 Filed 11–30–11; 8:45 am]

BILLING CODE 3510–DS–P

[2] If the review request involves a non-market economy and the parties subject to the review request do not qualify for separate rates, all other exporters of subject merchandise from the non-market economy country who do not have a separate rate will be covered by the review as part of the single entity of which the named firms are a part.

DEPARTMENT OF COMMERCE

International Trade Administration

Initiation of Five-Year (''Sunset'') Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: In accordance with section 751(c) of the Tariff Act of 1930, as amended (''the Act''), the Department of Commerce (''the Department'') is automatically initiating a five-year review (''Sunset Review'') of the antidumping duty orders listed below. The International Trade Commission (''the Commission'') is publishing concurrently with this notice its notice of *Institution of Five-Year Review* which covers the same orders.

DATES: *Effective Date:* December 1, 2011.

FOR FURTHER INFORMATION CONTACT: The Department official identified in the *Initiation of Review* section below at AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230. For information from the Commission contact Mary Messer, Office of Investigations, U.S. International Trade Commission at (202) 205–3193.

SUPPLEMENTARY INFORMATION:

Background

The Department's procedures for the conduct of Sunset Reviews are set forth in its *Procedures for Conducting Five-Year (''Sunset'') Reviews of Antidumping and Countervailing Duty Orders,* 63 FR 13516 (March 20, 1998) and 70 FR 62061 (October 28, 2005). Guidance on methodological or analytical issues relevant to the Department's conduct of Sunset Reviews is set forth in the Department's

Policy Bulletin 98.3—*Policies Regarding the Conduct of Five-Year (''Sunset'') Reviews of Antidumping and Countervailing Duty Orders: Policy Bulletin,* 63 FR 18871 (April 16, 1998).

Initiation of Review

In accordance with 19 CFR 351.218(c), we are initiating the Sunset Review of the following antidumping duty orders:

DOC case No.	ITC case No.	Country	Product	Department contact
A–570–862	731–TA–891	China	Foundry Coke (2nd Review)	Jennifer Moats, (202) 482–5047.
A–351–825	731–TA–678	Brazil	Stainless Steel Bar (3rd Review)	David Goldberger, (202) 482–4136.
A–533–810	731–TA–679	India	Stainless Steel Bar (3rd Review)	David Goldberger, (202) 482–4136.
A–588–833	731–TA–681	Japan	Stainless Steel Bar (3rd Review)	David Goldberger, (202) 482–4136.
A–469–805	731–TA–682	Spain	Stainless Steel Bar (3rd Review)	David Goldberger, (202) 482–4136.

Filing Information

As a courtesy, we are making information related to Sunset proceedings, including copies of the pertinent statue and Department's regulations, the Department schedule for Sunset Reviews, a listing of past revocations and continuations, and current service lists, available to the public on the Department's Internet Web site at the following address: *http://ia.ita.doc.gov/sunset/.* All submissions in these Sunset Reviews must be filed in accordance with the Department's regulations regarding format, translation, and service of documents. These rules can be found at 19 CFR 351.303.

This notice serves as a reminder that any party submitting factual information in an AD/CVD proceeding must certify to the accuracy and completeness of that information. *See* section 782(b) of the Act. Parties are hereby reminded that revised certification requirements are in effect for company/government officials as well as their representatives in all AD/CVD investigations or proceedings initiated on or after March 14, 2011. *See Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings: Interim Final Rule,* 76 FR 7491 (February 10, 2011) (*Interim Final Rule*) amending 19 CFR 351.303(g)(1) and (2) and supplemented by *Certification of Factual Information To Import Administration During Antidumping and Countervailing Duty Proceedings: Supplemental Interim Final Rule,* 76 FR 54697 (September 2, 2011). The formats for the revised certifications are provided at the end of the *Interim Final Rule.* The Department intends to reject factual submissions if the submitting party does not comply with the revised certification requirements.

Pursuant to 19 CFR 351.103(d), the Department will maintain and make available a service list for these proceedings. To facilitate the timely preparation of the service list(s), it is requested that those seeking recognition as interested parties to a proceeding contact the Department in writing within 10 days of the publication of the Notice of Initiation.

Because deadlines in Sunset Reviews can be very short, we urge interested parties to apply for access to proprietary information under administrative protective order (''APO'') immediately following publication in the **Federal Register** of this notice of initiation by filing a notice of intent to participate. The Department's regulations on submission of proprietary information and eligibility to receive access to business proprietary information under APO can be found at 19 CFR 351.304–306.

Information Required From Interested Parties

Domestic interested parties defined in section 771(9)(C), (D), (E), (F), and (G) of the Act and 19 CFR 351.102(b) wishing to participate in a Sunset Review must respond not later than 15 days after the date of publication in the **Federal Register** of this notice of initiation by filing a notice of intent to participate. The required contents of the notice of intent to participate are set forth at 19 CFR 351.218(d)(1)(ii). In accordance with the Department's regulations, if we do not receive a notice of intent to participate from at least one domestic interested party by the 15-day deadline, the Department will automatically revoke the order without further review. *See* 19 CFR 351.218(d)(1)(iii).

If we receive an order-specific notice of intent to participate from a domestic interested party, the Department's regulations provide that all parties wishing to participate in the Sunset Review must file complete substantive responses not later than 30 days after the date of publication in the **Federal Register** of this notice of initiation. The required contents of a substantive response, on an order-specific basis, are set forth at 19 CFR 351.218(d)(3). Note that certain information requirements differ for respondent and domestic parties. Also, note that the Department's information requirements are distinct from the Commission's information requirements. Please consult the Department's regulations for information regarding the Department's conduct of Sunset Reviews.[1] Please consult the Department's regulations at 19 CFR Part 351 for definitions of terms and for other general information concerning antidumping and countervailing duty proceedings at the Department.

This notice of initiation is being published in accordance with section 751(c) of the Act and 19 CFR 351.218 (c).

Dated: November 9, 2011.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2011–30958 Filed 11–30–11; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Forum—Trends in Extreme Winds, Waves, and Extratropical Storms Along the Coasts

AGENCY: National Environmental Satellite, Data, and Information Service (NESDIS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Notice of open public forum.

SUMMARY: This notice sets forth the schedule and topics of an upcoming forum hosted by the NOAA National

[1] In comments made on the interim final sunset regulations, a number of parties stated that the proposed five-day period for rebuttals to substantive responses to a notice of initiation was insufficient. This requirement was retained in the final sunset regulations at 19 CFR 351.218(d)(4). As provided in 19 CFR 351.302(b), however, the Department will consider individual requests to extend that five-day deadline based upon a showing of good cause.

raised by the complaint or complainant's filing under section 210.8(b) of the Commission's Rules of Practice and Procedure (19 CFR 210.8(b)).

FOR FURTHER INFORMATION CONTACT: James R. Holbein, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000. The public version of the complaint can be accessed on the Commission's electronic docket (EDIS) at *http://edis.usitc.gov,* and will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000.

General information concerning the Commission may also be obtained by accessing its Internet server (*http://www.usitc.gov*). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) *at http://edis.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission has received a complaint and a submission pursuant to section 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Pragmatus AV, LLC on March 13, 2012. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain consumer electronics, including mobile phones and tablets. The complaint names as respondents ASUSTeK Computer, Inc. of Taiwan; ASUS Computer International, Inc. of CA; HTC Corporation of Taiwan; HTC America, Inc. of WA; LG Electronics, Inc. of South Korea; LG Electronics U.S.A., Inc. of NJ; LG Electronics MobileComm U.S.A, Inc. of CA; Pantech Co., Ltd. of South Korea; Pantech Wireless, Inc. of GA; Research In Motion Ltd. of Canada; Research In Motion Corp. of TX; Samsung Electronics Co., Ltd. of South Korea; Samsung Electronics America, Inc. of NJ; and Samsung Telecommunications America, LLC of TX.

Proposed respondents, other interested parties, and members of the public are invited to file comments, not to exceed five (5) pages in length, inclusive of attachments, on any public interest issues raised by the complaint or section 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above and submit 8 true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the Commission's Rules of Practice and Procedure (19 CFR 210.4(f)). Submissions should refer to the docket number (''Docket No. 2885'') in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, *http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf*). Persons with questions regarding filing should contact the Secretary (202–205–2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of sections 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: March 13, 2012.

James R. Holbein,

Secretary to the Commission.

[FR Doc. 2012–7474 Filed 3–27–12; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731–TA–678, 679, 681, and 682 (Third Review)]

Stainless Steel Bar From Brazil, India, Japan, and Spain; Scheduling of Expedited Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of expedited reviews pursuant to section 751(c)(3) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(3)) (the Act) to determine whether revocation of the antidumping duty orders on stainless steel bar from Brazil, India, Japan, and Spain would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

DATES: *Effective Date:* March 5, 2012.

FOR FURTHER INFORMATION CONTACT: Nathanael Comly (202–205–3174), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special

assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its Internet server (*http://www.usitc.gov*). The public record for these reviews may be viewed on the Commission's electronic docket (EDIS) at *http://edis.usitc.gov.*

SUPPLEMENTARY INFORMATION:

Background.—On March 5, 2012, the Commission determined that the domestic interested party group response to its notice of institution (76 FR 74807, December 1, 2011) of the subject five-year reviews was adequate and that the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting full reviews.[1] Accordingly, the Commission determined that it would conduct expedited reviews pursuant to section 751(c)(3) of the Act.

Staff report.—A staff report containing information concerning the subject matter of the reviews will be placed in the nonpublic record on May 8, 2012, and made available to persons on the Administrative Protective Order service list for these reviews. A public version will be issued thereafter, pursuant to section 207.62(d)(4) of the Commission's rules.

Written submissions.—As provided in section 207.62(d) of the Commission's rules, interested parties that are parties to the reviews and that have provided individually adequate responses to the notice of institution,[2] and any party other than an interested party to the reviews may file written comments with the Secretary on what determinations the Commission should reach in the reviews. Comments are due on or before May 11, 2012 and may not contain new factual information. Any person that is neither a party to the five-year reviews nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the reviews by May 11, 2012. However, should the Department of Commerce extend the time limit for its completion of the final results of its reviews, the deadline for comments (which may not contain new factual information) on Commerce's final results is three business days after the issuance of Commerce's results. If comments contain business proprietary information (BPI), they must conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. Please be aware that the Commission's rules with respect to electronic filing have been amended. The amendments took effect on November 7, 2011. See 76 FR 61937 (Oct. 6, 2011) and the newly revised Commission's Handbook on E-Filing, available on the Commission's Web site at *http://edis.usitc.gov.*

In accordance with sections 201.16(c) and 207.3 of the rules, each document filed by a party to the reviews must be served on all other parties to the reviews (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Determination.—The Commission has determined to exercise its authority to extend the reviews period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B).

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

By order of the Commission.

Issued: March 22, 2012.

James R. Holbein,

Secretary to the Commission.

[FR Doc. 2012–7345 Filed 3–27–12; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 332–524]

Brazil: Competitive Factors Affecting U.S. and Brazilian Agricultural Sales in Selected Third Country Markets

AGENCY: United States International Trade Commission.

ACTION: Extension of date for transmitting report.

SUMMARY: Following the receipt of a letter on March 22, 2012, from the Committee on Finance of the United States Senate (Committee), the Commission has extended to April 26, 2012, the date for transmitting its report to the Committee in investigation No. 332–524, *Brazil: Competitive Factors In Brazil Affecting U.S. and Brazilian Agricultural Sales in Selected Third Country Markets.*

DATES:

March 22, 2012: Receipt of the letter from the Committee.

April 26, 2012: New date for transmitting the Commission's report to the Committee.

Backround

The Commission published notice of institution of the investigation in the **Federal Register** on May 24, 2011 (76 FR 30195). In its original notice of investigation, the Commission indicated that it would transmit its report to the Committee on March 26, 2012. The notice is also available on the Commission Web site at *http://www.usitc.gov.* All other information about the investigation, including a description of the subject matter to be addressed, contact information, and Commission addresses, remains the same as in the original notice. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *http://www.usitc.gov/secretary/edis.htm.*

By order of the Commission.

Issued: March 23, 2012.

James R. Holbein,

Secretary to the Commission.

[FR Doc. 2012–7472 Filed 3–27–12; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 10–54]

Zhiwei Lin, M.D.; Decision and Order

On September 19, 2011, Administrative Law Judge (ALJ) Timothy D. Wing issued the attached recommended decision (also ALJ). Therein, the ALJ found that Respondent is currently without authority to dispense controlled substances in California, the State in which he practices medicine and holds his DEA Registration and therefore recommended that his registration be revoked. Thereafter, Respondent filed two motions [1] and the Government filed a response to the motions. Having reviewed the record in its entirety including the ALJ's recommended decision and the various pleadings, I have decided to adopt the ALJ's rulings, findings of fact, conclusions of law, and

[1] A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's Web site.

[2] The Commission has found the responses submitted by domestic producers Carpenter Technology Corporation, Crucible Industries, LLC, Electralloy a G.O. Carlson Inc. Co., Universal Stainless & Alloy Products, Inc., and Valbruna Slater Stainless, Inc. to be individually adequate. Comments from other interested parties will not be accepted (*see* 19 CFR 207.62(d)(2)).

[1] The motions were titled ''Motion for Reconsideration—Opposition for Summary Disposition'' and ''Amended Motion for Reconsideration—Exceptions to Order of Summary Disposition.''

[FR Doc. 2012–6668 Filed 3–19–12; 8:45 am]
BILLING CODE 3510–33–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

[Docket No. 120309179–2147–01]

XRIN 0694–XA41

Reporting for Calendar Year 2011 on Offsets Agreements Related to Sales of Defense; Articles or Defense Services to Foreign Countries or Foreign Firms

AGENCY: Bureau of Industry and Security, Department of Commerce.

ACTION: Notice; annual reporting requirements.

SUMMARY: This notice is to remind the public that U.S. firms are required to report annually to the Department of Commerce (Commerce) information on contracts for the sale of defense articles or defense services to foreign countries or foreign firms that are subject to offsets agreements exceeding $5,000,000 in value. U.S. firms are also required to report annually to Commerce information on offsets transactions completed in performance of existing offsets commitments for which offsets credit of $250,000 or more has been claimed from the foreign representative. This year, such reports must include relevant information from calendar year 2011 and must be submitted to Commerce no later than June 15, 2012.

ADDRESSES: Reports should be addressed to ''Offsets Program Manager, U.S. Department of Commerce, Office of Strategic Industries and Economic Security, Bureau of Industry and Security, Room 3878, Washington, DC 20230.''

FOR FURTHER INFORMATION CONTACT: Ronald DeMarines, Office of Strategic Industries and Economic Security, Bureau of Industry and Security, U.S. Department of Commerce, telephone: (202) 482–3755; fax: (202) 482–5650; email: *ronald.demarines@bis.doc.gov.*

SUPPLEMENTARY INFORMATION:

Background

Section 723(a)(1) of the Defense Production Act of 1950, as amended (DPA) requires the President to submit an annual report to Congress on the impact of offsets on the U.S. defense industrial base. Section 723(a)(2) directs the Secretary of Commerce (Secretary) to prepare the President's report and to develop and administer the regulations necessary to collect offsets data from U.S. defense exporters.

The authorities of the Secretary regarding offsets have been delegated to the Under Secretary of Commerce for Industry and Security. The regulations associated with offsets reporting are set forth in part 701 of title 15 of the Code of Federal Regulations. Offsets are compensation practices required as a condition of purchase in either government-to-government or commercial sales of defense articles and/or defense services, as defined by the Arms Export Control Act and the International Traffic in Arms Regulations. For example, a company that is selling a fleet of military aircraft to a foreign government may agree to offset the cost of the aircraft by providing training assistance to plant managers in the purchasing country. Although this distorts the true price of the aircraft, the foreign government may require this sort of extra compensation as a condition of awarding the contract to purchase the aircraft. As described in the regulations, U.S. firms are required to report information on contracts for the sale of defense articles or defense services to foreign countries or foreign firms that are subject to offsets agreements exceeding $5,000,000 in value. U.S. firms are also required to report annually information on offsets transactions completed in performance of existing offsets commitments for which offsets credit of $250,000 or more has been claimed from the foreign representative.

Commerce's annual report to Congress includes an aggregated summary of the data reported by industry in accordance with the offsets regulation and the DPA. As provided by section 723(c) of the DPA, BIS will not publicly disclose individual firm information it receives through offsets reporting unless the firm furnishing the information specifically authorizes public disclosure. The information collected is sorted and organized into an aggregate report of national offsets data, and therefore does not identify company-specific information.

In order to enable BIS to prepare the next annual offset report reflecting calendar year 2011 data, U.S. firms must submit required information on offsets agreements and offsets transactions from calendar year 2011 to BIS no later than June 15, 2012.

Dated: March 14, 2012.

Kevin J. Wolf,

Assistant Secretary for Export Administration.

[FR Doc. 2012–6672 Filed 3–19–12; 8:45 am]
BILLING CODE 3510–JT–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–351–825, A–533–810, A–588–833, A–469–805]

Stainless Steel Bar From Brazil, India, Japan, and Spain: Final Results of the Expedited Third Sunset Reviews of the Antidumping Duty Orders

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: On December 1, 2011, the Department of Commerce (the Department) initiated the third sunset reviews of the antidumping duty orders on stainless steel bar from Brazil, India, Japan, and Spain pursuant to section 751(c) of the Tariff Act of 1930 (the Act), as amended. The Department has conducted expedited (120-day) sunset reviews of these orders. As a result of these sunset reviews, the Department finds that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping as indicated in the ''Final Results of Reviews'' section of this notice.

DATES: *Effective Date:* March 20, 2012.

FOR FURTHER INFORMATION CONTACT: Bryan Hansen or Minoo Hatten, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–3683 or (202) 482–1690, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 1, 2011, the Department published the notice of initiation of the sunset reviews of the antidumping duty orders on stainless steel bar from Brazil, India, Japan, and Spain[1] pursuant to section 751(c) of the Act. *See Initiation of Five-Year (''Sunset'') Review,* 76 FR 74775 (December 1, 2011) (*Notice of Initiation*).

The Department received a notice of intent to participate in these sunset reviews from the domestic interested parties, Carpenter Technology Corporation, Crucible Industries LLC, Electralloy a G.O. Carlson Inc. Co., Universal Stainless & Alloy Products, Inc., and Valbruna Slater Stainless, Inc. (collectively, the domestic interested parties), within the 15-day period specified in 19 CFR 351.218(d)(1)(i).

[1] *Antidumping Duty Orders: Stainless Steel Bar from Brazil, India and Japan,* 60 FR 9661 (February 21, 1995) and *Amended Final Determination and Antidumping Duty Order: Stainless Steel Bar From Spain,* 60 FR 11656 (March 2, 1995).

The domestic interested parties claimed interested-party status under section 771(9)(C) of the Act as manufacturers and/or producers of a domestic like product in the United States.

The Department received a complete substantive response to the *Notice of Initiation* from the domestic interested parties within the 30-day period specified in 19 CFR 351.218(d)(3)(i). The Department received no substantive response from any respondent interested parties. In accordance with section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department is conducting expedited (120-day) sunset reviews of the antidumping duty orders on stainless steel bar from Brazil, India, Japan, and Spain.

Scope of the Orders

Imports covered by the orders are shipments of stainless steel bar. Stainless steel bar means articles of stainless steel in straight lengths that have been either hot-rolled, forged, turned, cold-drawn, cold-rolled or otherwise cold-finished, or ground, having a uniform solid cross section along their whole length in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles, hexagons, octagons, or other convex polygons. Stainless steel bar includes cold-finished stainless steel bars that are turned or ground in straight lengths, whether produced from hot-rolled bar or from straightened and cut rod or wire, and reinforcing bars that have indentations, ribs, grooves, or other deformations produced during the rolling process.

Except as specified above, the term does not include stainless steel semi-finished products, cut length flat-rolled products (*i.e.,* cut length rolled products which if less than 4.75 mm in thickness have a width measuring at least 10 times the thickness, or if 4.75 mm or more in thickness having a width which exceeds 150 mm and measures at least twice the thickness), wire (*i.e.,* cold-formed products in coils, of any uniform solid cross section along their whole length, which do not conform to the definition of flat-rolled products), and angles, shapes and sections.

The stainless steel bars subject to the orders is currently classifiable under subheadings 7222.10.00, 7222.11.00, 7222.19.00, 7222.20.00, and 7222.30.00 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of the orders is dispositive.

Analysis of Comments Received

All issues raised in these reviews are addressed in the ''Issues and Decision Memorandum for the Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders on Stainless Steel Bar from Brazil, India, Japan, and Spain'' from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Import Administration, dated concurrently with this notice (Issues and Decision Memo), which is hereby adopted by this notice. The Issues and Decision Memo addresses the likelihood of continuation or recurrence of dumping and the magnitude of the margins of dumping likely to prevail if the orders were revoked. Parties can find a complete discussion of all issues raised in these reviews and the corresponding recommendations in this public memorandum, which is on file in the Import Administration's Antidumping and Countervailing Duty Centralized Electronic Service System and is accessible on the Import Administration Web site at *http://ia.ita.doc.gov/frn/index.html.*

Final Results of Reviews

The Department determines that revocation of the antidumping duty orders on stainless steel bar from Brazil, India, Japan and Spain would be likely to lead to continuation or recurrence of dumping at the following weighted-average percentage margins:

Manufacturers/producers/exporters	Weighted-average margin (percent)
Brazil:	
Acos Villares, S.A.	19.43
All others	19.43
India:	
Grand Foundry, Ltd.	3.87
Mukand, Ltd.	21.02
All others	12.45
Japan:	
Aichi Steel Works, Ltd	61.47
Daido Steel Co., Ltd	61.47
Sanyo Special Steel Co., Ltd	61.47
All others	61.47
Spain:	
Acenor, S.A. (and all successor companies, including Digeco, S.A. and Clorimax, SRL)	62.85
Roldan, S.A.	7.72
All others	25.77

Notification Regarding APO

This notice serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a). Timely written notification of the destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

The Department is issuing and publishing the final results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act.

Dated: March 13, 2012.

Paul Piquado,

Assistant Secretary for Import Administration.

[FR Doc. 2012–6739 Filed 3–19–12; 8:45 am]

BILLING CODE 3510–DS–P

APPENDIX B

COMMISSION'S STATEMENT ON ADEQUACY

EXPLANATION OF COMMISSION DETERMINATION ON ADEQUACY

in

Stainless Steel Bar from Brazil, India, Japan, and Spain
Inv. Nos. 731-TA-678, 679, 681, and 682 (Third Review)

On March 5, 2012, the Commission determined to conduct expedited reviews in the subject five-year reviews pursuant to section 751(c)(3)(b) of the Tariff Act of 1930, as amended, 19 U.S.C. § 1675(c)(3)(b).

The Commission received a joint response to the notice of institution filed on behalf of domestic interested parties Carpenter Technology Corporation; Crucible Industries, LLC; Electralloy a G.O. Carlson Inc. Co.; Universal Stainless & Alloy Products, Inc.; and Valbruna Slater Stainless, Inc., domestic producers of stainless steel bar. The Commission found this joint response to be individually adequate for each of the responding firms. The Commission further determined that the domestic interested party group response was adequate for each of the orders under review.

TRW Automotive ("TRW") and Eaton Corporation ("Eaton") also submitted individual responses to the notice of institution, and TRW commented on adequacy. As industrial users/purchasers of stainless steel bar manufactured in subject countries and the United States, neither TRW nor Eaton qualifies under the statutory definition (19 U.S.C. § 1677(9)) as an interested party.

The Commission did not receive a response from any respondent interested party in these reviews and, therefore, determined that the respondent interested party group responses were inadequate for each of the reviews.

The Commission did not find any circumstances that would warrant conducting a full review of any order. The Commission, therefore, determined to conduct expedited reviews of all orders.

A record of the Commissioners' votes is available from the Office of the Secretary and the Commission's web site (http://www.usitc.gov).

APPENDIX C

HISTORICAL DATA

Excerpted from:

Confidential Staff Reports on *Stainless Steel Bar from Brazil, India, Japan, and Spain, Inv Nos. 731-TA-678-679,681, 682 (Final, First Review, and Second Review)*, Publication 2856 (February 1995), Publication 3404 (March 2001), and Publication 3895 (January 2007),

Table B-1
Stainless steel bar: Summary data concerning the U.S. market, 1991-93, Jan.-Sept. 1993, and Jan.-Sept. 1994

(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			Jan.-Sept.--		Period changes			
	1991	1992	1993	1993	1994	1991-93	1991-92	1992-93	Jan.-Sept. 1993-94
U.S. consumption quantity:									
Amount	181,303	180,218	202,376	154,091	168,780	+11.6	-0.6	+12.3	+9.5
Producers' share[1]	75.2	74.1	70.8	71.2	71.0	-4.4	-1.1	-3.3	-0.2
Importers' share:[1]									
Brazil	1.8	2.3	2.3	2.5	1.2	+0.4	+0.5	-0.1	-1.4
India	.8	1.2	2.1	2.3	1.4	+1.3	+0.4	+0.9	-0.9
Japan	8.6	8.1	7.7	7.5	4.2	-0.9	-0.6	-0.4	-3.3
Spain	3.1	3.1	3.6	3.5	2.8	+0.5	(2)	+0.5	-0.7
Subtotal	14.3	14.7	15.7	15.8	9.6	+1.3	+0.4	+0.9	-6.2
Other sources	10.5	11.2	13.5	12.9	19.4	+3.0	+0.7	+2.3	+6.5
Total	24.8	25.9	29.2	28.8	29.0	+4.4	+1.1	+3.3	+0.2
U.S. consumption value:									
Amount	618,305	576,025	599,309	458,400	503,339	-3.1	-6.8	+4.0	+9.8
Producers' share[1]	78.9	78.8	76.4	76.6	77.3	-2.5	-0.1	-2.4	+0.7
Importers' share:[1]									
Brazil	1.4	1.7	1.5	1.7	0.7	+0.2	+0.3	-0.1	-1.0
India	.6	.9	1.5	1.7	1.0	+0.9	+0.3	+0.6	-0.7
Japan	7.2	6.6	6.7	6.5	3.9	-0.5	-0.7	+0.1	-2.7
Spain	2.6	2.4	2.9	2.8	2.1	+0.4	-0.1	+0.5	-0.7
Subtotal	11.8	11.6	12.7	12.8	7.7	+0.9	-0.2	+1.1	-5.0
Other sources	9.4	9.6	10.9	10.6	15.0	+1.6	+0.3	+1.3	+4.4
Total	21.1	21.2	23.6	23.4	22.7	+2.5	+0.1	+2.4	-0.7
U.S. importers' imports from--									
Brazil:									
Imports quantity	3,334	4,209	4,594	3,888	1,952	+37.8	+26.2	+9.1	-49.8
Imports value	8,529	9,697	9,267	7,915	3,766	+8.7	+13.7	-4.4	-52.4
Unit value	$2,558	$2,304	$2,017	$2,036	$1,929	-21.2	-10.0	-12.4	-5.2
Ending inventory qty	2,056	1,978	1,533	1,225	1,196	-25.4	-3.8	-22.5	-2.4
India:									
Imports quantity	1,402	2,186	4,243	3,532	2,420	+202.6	+55.9	+94.1	-31.5
Imports value	3,607	5,220	9,089	7,628	4,891	+152.0	+44.7	+74.1	-35.9
Unit value	$2,574	$2,388	$2,142	$2,159	$2,021	-16.8	-7.2	-10.3	-6.4
Ending inventory qty	***	***	***	***	***	***	***	***	***
Japan:									
Imports quantity	15,621	14,511	15,515	11,601	7,145	-0.7	-7.1	+6.9	-38.4
Imports value	44,811	37,791	40,160	29,953	19,444	-10.4	-15.7	+6.3	-35.1
Unit value	$2,869	$2,604	$2,588	$2,582	$2,721	-9.8	-9.2	-0.6	+5.4
Ending inventory qty	3,186	2,939	3,190	2,957	2,791	+0.1	-7.8	+8.5	-5.6
Spain:									
Imports quantity	5,626	5,645	7,335	5,380	4,680	+30.4	+0.3	+29.9	-13.0
Imports value	15,844	13,939	17,508	13,034	10,773	+10.5	-12.0	+25.6	-17.3
Unit value	$2,816	$2,469	$2,387	$2,423	$2,302	-15.2	-12.3	-3.3	-5.0
Ending inventory qty	***	***	***	***	***	***	***	***	***
Subject sources:									
Imports quantity	25,983	26,551	31,687	24,401	16,197	+22.0	+2.2	+19.3	-33.6
Imports value	72,792	66,647	76,025	58,530	38,874	+4.4	-8.4	+14.1	-33.6
Unit value	$2,802	$2,510	$2,399	$2,399	$2,400	-14.4	-10.4	-4.4	+0.1
Ending inventory qty	5,986	5,934	5,972	5,373	4,432	-0.2	-0.9	+0.6	-17.5
Other sources:									
Imports quantity	19,027	20,168	27,368	19,913	32,707	+43.8	+6.0	+35.7	+64.2
Imports value	57,877	55,418	65,426	48,806	75,623	+13.0	-4.2	+18.1	+54.9
Unit value	$3,042	$2,748	$2,391	$2,451	$2,312	-21.4	-9.7	-13.0	-5.7
Ending inventory qty	5,248	5,748	6,013	5,894	8,226	+14.6	+9.5	+4.6	+39.6
All sources:									
Imports quantity	45,010	46,719	59,056	44,314	48,904	+31.2	+3.8	+26.4	+10.4
Imports value	130,669	122,065	141,450	107,336	114,497	+8.3	-6.6	+15.9	+6.7
Unit value	$2,903	$2,613	$2,395	$2,422	$2,341	-17.5	-10.0	-8.3	-3.3

Table continued on the following page.

Table B-1--Continued
Stainless steel bar: Summary data concerning the U.S. market, 1991-93, Jan.-Sept. 1993, and Jan.-Sept. 1994

(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			Jan.-Sept.-		Period changes			
	1991	1992	1993	1993	1994	1991-93	1991-92	1992-93	Jan.-Sept. 1993-94
U.S. producers'-									
Average capacity quantity	276,643	273,143	262,483	223,584	199,104	-5.1	-1.3	-3.9	-10.9
Production quantity	134,832	135,318	138,284	107,677	115,985	+2.6	+0.4	+2.2	+7.7
Capacity utilization[1]	48.7	49.4	52.6	48.0	58.1	+3.9	+0.8	+3.1	+10.1
U.S. shipments:									
Quantity	136,293	133,499	143,320	109,777	119,876	+5.2	-2.0	+7.4	+9.2
Value	487,636	453,960	457,859	351,064	388,842	-6.1	-6.9	+0.9	+10.8
Unit value	$3,578	$3,400	$3,195	$3,198	$3,244	-10.7	-5.0	-6.1	+1.4
Export shipments:									
Quantity	860	407	876	579	467	+1.9	-52.7	+115.2	-19.3
Exports/shipments[1]	0.6	0.3	0.6	0.5	0.4	(3)	-0.3	+0.3	-0.1
Value	4,340	2,795	4,876	3,337	2,797	+12.4	-35.6	+74.5	-16.2
Unit value	$5,047	$6,867	$5,566	$5,763	$5,989	+10.3	+36.1	-18.9	+3.9
Ending inventory quantity	26,185	27,597	21,659	24,827	17,222	-17.3	+5.4	-21.5	-30.6
Inventory/shipments[1]	19.2	20.7	15.0	16.9	10.8	-4.1	+1.5	-5.6	-6.1
Production workers	2,189	2,066	2,159	2,151	2,129	-1.4	-5.6	+4.5	-1.0
Hours worked (*1,000s*)	4,387	4,222	4,281	3,299	3,470	-2.4	-3.8	+1.4	+5.2
Total comp. (*$1,000*)	108,845	107,148	115,190	88,129	94,898	+5.8	-1.6	+7.5	+7.7
Hourly total compensation	$24.81	$25.38	$26.91	$26.71	$27.35	+8.4	+2.3	+6.0	+2.4
Productivity (*short tons/1,000 hours*)	28.2	29.5	31.4	31.5	33.3	+11.2	+4.4	+6.5	+6.0
Unit labor costs	$879	$861	$857	$849	$820	-2.5	-2.0	-0.4	-3.4
Net sales-									
Quantity	136,211	135,240	146,135	109,408	119,109	+7.3	-0.7	+8.1	+8.9
Value	476,425	451,543	462,166	345,777	378,950	-3.0	-5.2	+2.4	+9.6
Unit sales value	$3,498	$3,339	$3,163	$3,160	$3,182	-9.6	-4.5	-5.3	+0.7
Cost of goods sold (COGS)	436,839	434,372	432,112	326,085	336,692	-1.1	-0.6	-0.5	+3.3
Gross profit (loss)	39,586	17,171	30,054	19,692	42,258	-24.1	-56.6	+75.0	+114.6
SG&A expenses	33,896	35,404	33,514	24,894	24,658	-1.1	+4.4	-5.3	-0.9
Operating income (loss)	5,690	(18,233)	(3,460)	(5,202)	17,600	-160.8	-420.4	+81.0	+438.3
Capital expenditures	23,259	12,322	15,212	8,573	10,765	-34.6	-47.0	+23.5	+25.6
Unit COGS	$3,207	$3,212	$2,957	$2,980	$2,827	-7.8	+0.1	-7.9	-5.2
Unit SG&A expenses	$249	$262	$229	$228	$207	-7.8	+5.2	-12.4	-9.0
Unit op. income (loss)	$42	($135)	($24)	($48)	$148	-156.7	-422.7	+82.4	+410.8
COGS/sales[1]	91.7	96.2	93.5	94.3	88.8	+1.8	+4.5	-2.7	-5.5
Op. income (loss)/sales[1]	1.2	(4.0)	(0.7)	(1.5)	4.6	-1.9	-5.2	+3.3	+6.1

[1] "Reported data" are in percent and "period changes" are in percentage points.
[2] An increase of less than 0.05 percentage points.
[3] A decrease of less than 0.05 percentage points.

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. Unit values and other ratios are calculated from the unrounded figures, using data of firms supplying both numerator and denominator information. Part-year inventory ratios are annualized.

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission and from official statistics of the U.S. Department of Commerce.

Table C-1
Stainless steel bar: Summary data concerning the U.S. market, 1995-99, January-September 1999, and January-September 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					January-September		Period changes					
	1995	1996	1997	1998	1999	1999	2000	1995-99	1995-96	1996-97	1997-98	1998-99	Jan.-Sept. 1999-2000
U.S. consumption quantity:													
Amount	246,436	249,440	262,846	254,700	236,927	169,168	225,473	-3.9	1.2	5.4	-3.1	-7.0	33.3
Producers' share (1)	70.7	68.7	64.7	62.9	63.1	65.1	55.8	-7.6	-2.0	-4.0	-1.9	0.3	-9.3
Importers' share (1):													
Brazil	(2)	(2)	0.5	0.3	0.6	0.5	0.6	0.6	0.0	0.5	-0.1	0.2	0.2
India	1.7	0.8	0.3	0.8	1.1	0.9	1.3	-0.6	-0.9	-0.5	0.5	0.3	0.4
Japan (3)	0.1	0.1	(2)	0.1	0.1	0.1	0.1	-0.1	-0.0	-0.1	0.1	-0.1	0.1
Spain (3)	0.5	0.6	0.7	0.7	1.0	1.0	1.3	0.5	0.1	0.1	-0.0	0.3	0.3
Subtotal	2.4	1.5	1.5	2.0	2.8	2.4	3.3	0.4	-0.8	0.0	0.4	0.8	0.9
Other sources	26.9	29.7	33.7	35.1	34.1	32.5	40.9	7.2	2.8	4.0	1.4	-1.1	8.4
Total imports	29.3	31.3	35.3	37.1	36.9	34.9	44.2	7.6	2.0	4.0	1.9	-0.3	9.3
U.S. consumption value:													
Amount	872,574	917,970	877,589	814,288	672,804	488,650	656,635	-22.9	5.2	-4.4	-7.2	-17.4	34.4
Producers' share (1)	77.1	75.0	71.9	70.2	70.5	71.8	65.4	-6.5	-2.1	-3.1	-1.8	0.3	-6.5
Importers' share (1):													
Brazil	(2)	(2)	0.3	0.3	0.4	0.3	0.4	0.4	0.0	0.3	-0.1	0.1	0.2
India	1.1	0.5	0.2	0.5	0.6	0.5	0.8	-0.5	-0.6	-0.3	0.3	0.1	0.3
Japan (3)	0.2	0.1	0.1	0.2	0.1	0.1	0.1	-0.1	-0.0	-0.0	0.1	-0.1	0.1
Spain (3)	0.5	0.5	0.6	0.5	0.7	0.7	0.9	0.2	0.0	0.1	-0.0	0.1	0.2
Subtotal	1.8	1.1	1.2	1.5	1.8	1.5	2.2	0.0	-0.6	0.0	0.3	0.3	0.7
Other sources	21.2	23.9	26.9	28.4	27.7	26.7	32.4	6.5	2.7	3.0	1.4	-0.6	5.7
Total imports	22.9	25.0	28.1	29.8	29.5	28.2	34.6	6.5	2.1	3.1	1.8	-0.3	6.5
U.S. imports from:													
Brazil:													
Quantity	51	51	1,250	871	1,355	764	1,381	2,567.3	-0.2	2,365.9	-30.4	55.6	80.7
Value	110	135	2,965	2,189	2,386	1,312	2,893	2,078.4	22.8	2,103.8	-26.2	9.0	120.5
Unit value	$2,157	$2,654	$2,371	$2,514	$1,762	$1,716	$2,095	-18.3	23.0	-10.6	6.0	-29.9	22.0
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
India:													
Quantity	4,142	1,952	747	2,047	2,626	1,527	2,879	-36.6	-52.9	-61.7	173.9	28.2	88.5
Value	9,741	4,427	1,597	4,027	4,238	2,402	5,139	-56.5	-54.6	-63.9	152.2	5.2	114.0
Unit value	$2,352	$2,268	$2,136	$1,967	$1,614	$1,573	$1,785	-31.4	-3.6	-5.8	-7.9	-17.9	13.5
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Japan (3):													
Quantity	324	245	116	353	164	85	269	-49.2	-24.4	-52.4	202.9	-53.4	216.4
Value	1,392	1,132	654	1,293	593	298	976	-57.4	-18.6	-42.2	97.7	-54.2	227.1
Unit value	$4,301	$4,627	$5,620	$3,667	$3,605	$3,508	$3,626	-16.2	7.6	21.5	-34.7	-1.7	3.4
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Spain (3):													
Quantity	1,276	1,554	1,949	1,784	2,401	1,687	2,910	88.2	21.9	25.4	-8.5	34.6	72.5
Value	4,038	4,484	4,899	4,419	4,622	3,334	5,729	14.5	11.1	9.3	-9.8	4.6	71.9
Unit value	$3,165	$2,885	$2,514	$2,477	$1,925	$1,976	$1,969	-39.2	-8.9	-12.9	-1.5	-22.3	-0.4
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Subtotal:													
Quantity	5,792	3,802	4,063	5,055	6,546	4,064	7,439	13.0	-34.4	6.9	24.4	29.5	83.0
Value	15,280	10,178	10,115	11,928	11,839	7,346	14,737	-22.5	-33.4	-0.6	17.9	-0.7	100.6
Unit value	$2,638	$2,677	$2,490	$2,360	$1,809	$1,808	$1,981	-31.4	1.5	-7.0	-5.2	-23.4	9.6
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Other sources:													
Quantity	66,304	74,196	88,612	89,520	80,774	55,012	92,196	21.8	11.9	19.4	1.0	-9.8	67.6
Value	184,765	219,351	236,138	230,875	186,436	130,393	212,779	0.9	18.7	7.7	-2.2	-19.2	63.2
Unit value	$2,787	$2,956	$2,665	$2,579	$2,308	$2,370	$2,308	-17.2	6.1	-9.9	-3.2	-10.5	-2.6
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
All sources:													
Quantity	72,096	77,998	92,675	94,575	87,320	59,076	99,635	21.1	8.2	18.8	2.1	-7.7	68.7
Value	200,045	229,529	246,253	242,803	198,275	137,739	227,516	-0.9	14.7	7.3	-1.4	-18.3	65.2
Unit value	$2,775	$2,943	$2,657	$2,567	$2,271	$2,332	$2,283	-18.2	6.1	-9.7	-3.4	-11.6	-2.1
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***

See footnotes at end of table.

Table C-1--Continued
Stainless steel bar: Summary data concerning the U.S. market, 1995-99, January-September 1999, and January-September 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					
						January-September							Jan.-Sept.
	1995	1996	1997	1998	1999	1999	2000	1995-99	1995-96	1996-97	1997-98	1998-99	1999-2000
U.S. producers':													
Average capacity quantity	289,002	285,352	285,127	285,767	304,777	229,564	236,471	5.5	-1.3	-0.1	0.2	6.7	3.0
Production quantity	175,764	182,431	170,625	166,545	154,711	111,699	131,341	-12.0	3.8	-6.5	-2.4	-7.1	17.6
Capacity utilization (1)	60.8	63.9	59.8	58.3	50.8	48.7	55.5	-10.1	3.1	-4.1	-1.6	-7.5	6.9
U.S. shipments:													
Quantity	174,340	171,442	170,171	160,125	149,607	110,092	125,838	-14.2	-1.7	-0.7	-5.9	-6.6	14.3
Value	672,529	688,441	631,336	571,485	474,529	350,911	429,119	-29.4	2.4	-8.3	-9.5	-17.0	22.3
Unit value	$3,858	$4,016	$3,710	$3,569	$3,172	$3,187	$3,410	-17.8	4.1	-7.6	-3.8	-11.1	7.0
Export shipments:													
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	22,081	28,314	23,936	24,772	24,407	22,318	23,305	10.5	28.2	-15.5	3.5	-1.5	4.4
Inventories/total shipments (1)	***	***	***	***	***	***	***	***	***	***	***	***	***
Production workers	2,150	2,234	2,142	2,056	1,873	1,814	1,910	-12.9	3.9	-4.1	-4.0	-8.9	5.3
Hours worked (1,000s)	4,795	4,940	4,760	4,512	3,939	2,937	3,213	-17.9	3.0	-3.7	-5.2	-12.7	9.4
Wages paid ($1,000s)	97,080	104,641	106,034	100,526	85,906	63,087	72,040	-11.5	7.8	1.3	-5.2	-14.5	14.2
Hourly wages	$20.25	$21.18	$22.28	$22.28	$21.81	$21.48	$22.42	7.7	4.6	5.2	0.0	-2.1	4.4
Productivity (tons per 1,000 hours)	36.7	36.9	35.8	36.9	39.3	38.0	40.9	7.1	0.7	-2.9	3.0	6.4	7.5
Unit labor costs	$552.33	$573.59	$621.44	$603.60	$555.27	$564.79	$548.50	0.5	3.8	8.3	-2.9	-8.0	-2.9
Production and distribution operations:													
Net sales:													
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***
Cost of goods sold (COGS)	***	***	***	***	***	***	***	***	***	***	***	***	***
Gross profit or (loss)	***	***	***	***	***	***	***	***	***	***	***	***	***
SG&A expenses	***	***	***	***	***	***	***	***	***	***	***	***	***
Operating income or (loss)	***	***	***	***	***	***	***	***	***	***	***	***	***
Capital expenditures	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit COGS	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit SG&A expenses	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit operating income or (loss)	***	***	***	***	***	***	***	***	***	***	***	***	***
COGS/sales (1)	***	***	***	***	***	***	***	***	***	***	***	***	***
Operating income or (loss)/ sales (1)	***	***	***	***	***	***	***	***	***	***	***	***	***
Production operations only:													
Net sales:													
Quantity	188,527	181,475	177,474	161,793	161,733	***	***	-14.2	-3.7	-2.2	-8.8	-0.0	***
Value	746,207	721,318	659,431	569,963	527,825	***	***	-29.3	-3.3	-8.6	-13.6	-7.4	***
Unit value	$3,958	$3,975	$3,716	$3,523	$3,264	***	***	-17.5	0.4	-6.5	-5.2	-7.4	***
Cost of goods sold (COGS)	628,501	634,066	582,513	507,809	487,632	***	***	-22.4	0.9	-8.1	-12.8	-4.0	***
Gross profit or (loss)	117,706	87,252	76,918	62,154	40,193	***	***	-65.9	-25.9	-11.8	-19.2	-35.3	***
SG&A expenses	46,647	45,216	52,674	42,243	36,562	***	***	-21.6	-3.1	16.5	-19.8	-13.4	***
Operating income or (loss)	71,059	42,036	24,244	19,911	3,631	***	***	-94.9	-40.8	-42.3	-17.9	-81.8	***
Capital expenditures	35,878	53,448	54,764	73,186	52,862	***	***	47.3	49.0	2.5	33.6	-27.8	***
Unit COGS	$3,334	$3,494	$3,282	$3,139	$3,015	***	***	-9.6	4.8	-6.1	-4.4	-3.9	***
Unit SG&A expenses	$247	$249	$297	$261	$226	***	***	-8.6	0.7	19.1	-12.0	-13.4	***
Unit operating income or (loss)	$377	$232	$137	$123	$22	***	***	-94.0	-38.5	-41.0	-9.9	-81.8	***
COGS/sales (1)	84.2	87.9	88.3	89.1	92.4	***	***	8.2	3.7	0.4	0.8	3.3	***
Operating income or (loss)/ sales (1)	9.5	5.8	3.7	3.5	0.7	***	***	-8.8	-3.7	-2.2	-0.2	-2.8	***

(1) "Reported data" are in percent and "period changes" are in percentage points.
(2) Less than 0.05 percent.
(3) Official Commerce statistics were adjusted for Japan in all periods and for Spain in 1997-98 to exclude data for firms that reported that they did not import stainless steel bar.
(4) Not applicable.
(5) 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, shares, and period changes are calculated from the unrounded figures. January-September inventory ratios are annualized.

Source: Compiled from data submitted in response to Commission questionnaires and from official Commerce statistics.

Table C-1
Stainless steel bar: Summary data concerning the U.S. market, 2000-05, January-June 2005, and January-June 2006

(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						January-June		Period changes						
	2000	2001	2002	2003	2004	2005	2005	2006	2000-05	2000-01	2001-02	2002-03	2003-04	2004-05	Jan.-June 2005-06
U.S. consumption quantity:															
Amount	279,543	237,414	215,367	208,358	246,971	295,751	158,825	142,499	5.8	-15.1	-9.3	-3.3	18.5	19.8	-10.3
Producers' share (1)	54.8	57.3	60.5	67.4	66.1	57.9	59.0	61.4	3.1	2.4	3.2	6.9	-1.2	-8.2	2.4
Importers' share (1):															
Brazil	0.5	0.2	0.4	0.5	0.1	0.1	0.1	0.2	-0.4	-0.3	0.2	0.0	-0.4	0.0	0.1
India (subject)	1.3	2.0	4.9	***	***	***	***	***	***	0.7	2.9	***	***	***	***
Japan	0.2	0.7	0.4	0.2	0.2	0.1	0.1	0.1	0.0	0.5	-0.3	-0.2	0.0	-0.1	0.0
Spain	1.2	1.3	1.0	0.1	0.0	0.0	0.1	0.0	-1.2	0.1	-0.3	-0.9	0.0	0.0	-0.1
Subtotal	3.2	4.2	6.7	***	***	***	***	***	***	1.0	2.6	***	***	***	***
India (nonsubject)	-	-	-	***	***	***	***	***	***	0.0	0.0	***	***	***	***
All other sources	42.0	38.6	32.8	26.5	28.2	35.8	35.1	32.9	-6.1	-3.4	-5.8	-6.3	1.7	7.7	-2.2
Total imports	45.2	42.7	39.5	32.6	33.9	42.1	41.0	38.6	-3.1	-2.4	-3.2	-6.9	1.2	8.2	-2.4
U.S. consumption value:															
Amount	822,342	700,734	584,353	562,408	845,448	1,214,279	612,223	572,338	47.7	-14.8	-16.6	-3.8	50.3	43.6	-6.5
Producers' share (1)	64.5	65.3	66.8	72.3	70.7	62.3	61.3	64.5	-2.2	0.9	1.5	5.4	-1.5	-8.5	3.2
Importers' share (1):															
Brazil	0.4	0.1	0.3	0.3	0.1	0.1	0.1	0.2	-0.2	-0.2	0.2	0.0	-0.3	0.0	0.1
India (subject)	0.8	1.2	3.2	***	***	***	***	***	***	0.4	2.0	***	***	***	***
Japan	0.3	0.6	0.4	0.3	0.3	0.3	0.3	0.2	0.0	0.4	-0.2	-0.1	-0.1	0.0	-0.2
Spain	0.8	0.9	0.7	0.1	0.0	0.0	0.1	0.0	-0.8	0.1	-0.3	-0.6	0.0	0.0	0.0
Subtotal	2.2	2.9	4.6	***	***	***	***	***	***	0.7	1.7	***	***	***	***
India (nonsubject)	-	-	-	***	***	***	***	***	***	0.0	0.0	***	***	***	***
All other sources	33.3	31.8	28.5	23.4	25.3	33.1	34.3	31.4	-0.1	-1.5	-3.2	-5.1	1.9	7.9	-2.9
Total imports	35.5	34.7	33.2	27.7	29.3	37.7	38.7	35.5	2.2	-0.9	-1.5	-5.4	1.5	8.5	-3.2
U.S. imports from:															
Brazil:															
Quantity	1,415	524	953	985	295	373	167	264	-73.6	-63.0	82.0	3.4	-70.0	26.3	57.6
Value	2,964	997	1,711	1,914	747	1,414	511	1,292	-52.3	-66.4	71.6	11.9	-61.0	89.3	153.0
Unit value	2,095	1,904	1,795	1,942	2,529	3,789	3,050	4,897	80.8	-9.1	-5.7	8.2	30.2	49.8	60.6
Ending inventory quantity	-	63	-	62	-	20	-	40	(2)	(2)	-100	(2)	-100.0	(2)	(2)
India (subject):															
Quantity	3,641	4,693	10,593	***	***	***	***	***	***	28.9	125.7	***	***	***	***
Value	6,470	8,396	18,886	***	***	***	***	***	***	29.8	124.9	***	***	***	***
Unit value	1,777	1,789	1,783	***	***	***	***	***	***	0.7	-0.4	***	***	***	***
Ending inventory quantity	-	-	-	***	***	***	***	***	***	(2)	(2)	***	***	***	***
Japan:															
Quantity	487	1,571	864	476	516	385	197	189	-21.0	222.5	-45.0	-44.9	8.5	-25.5	-4.3
Value	2,147	4,378	2,533	1,950	2,438	3,080	2,096	906	43.4	103.9	-42.1	-23.0	25.0	26.3	-56.8
Unit value	4,410	2,787	2,933	4,098	4,724	8,008	10,633	4,805	81.6	-36.8	5.2	39.7	15.3	69.5	-54.8
Ending inventory quantity	-	-	-	-	-	-	-	-	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Spain:															
Quantity	3,391	3,093	2,078	154	95	140	133	46	-95.9	-8.8	-32.8	-92.6	-38.2	46.4	-65.5
Value	6,717	6,396	3,858	322	257	483	450	159	-92.8	-4.8	-39.7	-91.6	-20.2	87.9	-64.8
Unit value	1,981	2,068	1,856	2,089	2,694	3,458	3,380	3,446	74.6	4.4	-10.3	12.5	29.0	28.4	1.9
Ending inventory quantity	-	-	-	-	-	-	-	-	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Subtotal:															
Quantity	8,933	9,880	14,489	***	***	***	***	***	***	10.6	46.6	***	***	***	***
Value	18,299	20,167	26,987	***	***	***	***	***	***	10.2	33.8	***	***	***	***
Unit value	2,049	2,041	1,863	***	***	***	***	***	***	-0.4	-8.7	***	***	***	***
Ending inventory quantity	-	63	-	***	***	***	***	***	***	(2)	-100.0	***	***	***	***
India (nonsubject):															
Quantity	-	-	-	***	***	***	***	***	***	(2)	(2)	***	***	***	***
Value	-	-	-	***	***	***	***	***	***	(2)	(2)	***	***	***	***
Unit value	(2)	(2)	(2)	***	***	***	***	***	***	(2)	(2)	***	***	***	***
Ending inventory quantity	-	-	-	***	***	***	***	***	***	(2)	(2)	***	***	***	***
All other sources:															
Quantity	117,303	91,544	70,578	55,140	69,552	105,922	55,776	46,941	-9.7	-22.0	-22.9	-21.9	26.1	52.3	-15.8
Value	273,767	222,668	166,738	131,797	213,783	402,468	210,158	179,603	47.0	-18.7	-25.1	-21.0	62.2	88.3	-14.5
Unit value	2,334	2,432	2,362	2,390	3,074	3,800	3,768	3,826	62.8	4.2	-2.9	1.2	28.6	23.6	1.5
Ending inventory quantity	2,809	2,813	2,413	1,599	1,393	2,492	2,126	1,329	-11.3	0.1	-14.2	-33.7	-12.9	78.9	-37.5
All sources:															
Quantity	126,235	101,424	85,067	67,993	83,666	124,496	65,103	54,996	-1.4	-19.7	-16.1	-20.1	23.1	48.8	-15.5
Value	292,066	242,835	193,725	156,050	247,412	458,037	237,109	203,106	56.8	-16.9	-20.2	-19.4	58.5	85.1	-14.3
Unit value	2,314	2,394	2,277	2,295	2,957	3,679	3,642	3,693	59.0	3.5	-4.9	0.8	28.8	24.4	1.4
Ending inventory quantity	2,809	2,876	2,413	1,661	1,393	2,512	2,126	1,369	-10.6	2.4	-16.1	-31.2	-16.1	80.3	-35.6

Table continued on next page

Table C-1--continued
Stainless steel bar: Summary data concerning the U.S. market, 2000-05, January-June 2005, and January-June 2006

(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						January-June		Period changes						
	2000	2001	2002	2003	2004	2005	2005	2006	2000-05	2000-01	2001-02	2002-03	2003-04	2004-05	Jan.-June 2005-06
U.S. producers':															
Average capacity quantity	211,208	215,609	245,779	270,023	273,700	337,296	185,778	191,227	59.7	2.1	14.0	9.9	1.4	23.2	2.9
Production quantity	144,162	126,241	126,505	140,264	163,824	175,507	95,232	91,486	21.7	-12.4	0.2	10.9	16.8	7.1	-3.9
Capacity utilization (1)	68.3	58.6	51.5	51.9	59.9	52.0	51.3	47.8	-16.2	-9.7	-7.1	0.5	7.9	-7.8	-3.4
U.S. shipments:															
Quantity	153,308	135,990	130,300	140,365	163,305	171,255	93,722	87,503	11.7	-11.3	-4.2	7.7	16.3	4.9	-6.6
Value	530,276	457,899	390,628	406,358	598,036	756,242	375,114	369,232	42.6	-13.6	-14.7	4.0	47.2	26.5	-1.6
Unit value	3,459	3,367	2,998	2,895	3,662	4,416	4,002	4,220	27.7	-2.7	-11.0	-3.4	26.5	20.6	5.4
Export shipments:															
Quantity	***	***	***	***	10,565	9,318	4,989	6,721	***	***	***	***	***	-11.8	34.7
Value	***	***	***	***	35,286	49,185	25,758	32,796	***	***	***	***	***	39.4	27.3
Unit value	***	***	***	***	3,340	5,278	5,163	4,880	***	***	***	***	***	58.0	-5.5
Ending inventory quantity	23,945	19,137	20,815	18,948	17,603	19,517	17,760	17,991	-18.5	-20.1	8.8	-9.0	-7.1	10.9	1.3
Inventories/total shipments (1)	***	***	***	***	10.1	10.8	9.0	9.5	***	***	***	***	***	0.7	0.6
Production workers	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Hours worked (1,000s)	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Wages paid ($1,000s)	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Hourly wages	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Productivity (tons/1,000 hours)	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit labor costs	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Net sales:															
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Cost of goods sold (COGS)	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Gross profit or (loss)	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
SG&A expenses	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Operating income or (loss)	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Capital expenditures	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit COGS	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit SG&A expenses	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit operating income or (loss)	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
COGS/sales (1)	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Operating income or (loss)/ sales (1)	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***

(1) "Reported data" are in percent and "period changes" are in percentage points.
(2) Not applicable.
(3) 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 and from official Commerce statistics.