



## FACT SHEET

### **Commerce Preliminarily Finds Dumping of Imports of Steel Concrete Reinforcing Bar from Mexico and Turkey**

- On April 21, 2014, the Department of Commerce (Commerce) announced its affirmative preliminary determinations in the antidumping duty (AD) investigations of imports of steel concrete reinforcing bar from Mexico and Turkey.
- The AD law provides U.S. businesses and workers with a transparent and internationally approved mechanism to seek relief from the market distorting effects caused by injurious dumping of imports into the United States, establishing an opportunity to compete on a level playing field.
- For the purpose of AD investigations, dumping occurs when a foreign company sells a product in the United States at less than its fair value.
- In the Mexico investigation, mandatory respondents Deacero S.A.P.I. de C.V. (formerly, Deacero S.A. de C.V.) and Grupo Acerero S.A. de C.V. received preliminary dumping margins of 20.59 percent and 66.70 percent, respectively. Grupo Acerero's margin is based on adverse facts available because it failed to respond to the Department's questionnaire. Voluntary respondent Grupo Simec received a preliminary dumping margin of 10.66 percent. All other producers/exporters in Mexico received a preliminary dumping margin of 20.59 percent.
- In the Turkey investigation, mandatory respondents Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S. and Icdas Celik Enerji Tersane ve Ulasim Sanayi A.S. received preliminary dumping margins of 0.00 percent and 2.64 percent, respectively. All other producers/exporters in Turkey received a preliminary dumping margin of 2.64 percent.
- As a result of the preliminary affirmative determinations in these investigations, Commerce will instruct U.S. Customs and Border Protection (CBP) to require cash deposits based on the preliminary rate. Because we also found that affirmative critical circumstances exist, we will instruct CBP to impose provisional measures retroactively on certain entries of rebar from Mexico and Turkey up to 90 days prior to the publication of these determinations. However, because we preliminarily found that critical circumstances did not exist for Grupo Simec in Mexico and for Habas and Icdas in Turkey, Commerce will not instruct CBP to retroactively impose provisional measures on entries from these companies.
- The petitioner for these investigations is the Rebar Trade Action Coalition and its individual members: Nucor Corporation (NC), Gerdau Ameristeel U.S. Inc. (FL), Commercial Metals Company (TX), Cascade Steel Rolling Mills, Inc. (OR), and Byer Steel Group, Inc. (OH).
- The merchandise covered by the scope of these investigations is steel concrete reinforcing bar imported in either straight length or coil form (rebar) regardless of metallurgy, length, diameter, or grade. The subject merchandise is classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) primarily under item numbers 7213.10.0000, 7214.20.0000, and 7228.30.8010. The subject merchandise may also enter under other HTSUS numbers including 7215.90.1000,

7215.90.5000, 7221.00.0015, 7221.00.0030, 7221.00.0045, 7222.11.0001, 7222.11.0057, 7222.11.0059, 7222.30.0001, 7227.20.0080, 7227.90.6085, 7228.20.1000, and 7228.60.6000.

Specifically excluded are plain rounds (i.e., non-deformed or smooth rebar). HTSUS numbers are provided for convenience and customs purposes; however, the written description of the scope remains dispositive.

- In 2013, imports of steel concrete reinforcing bar from Mexico and Turkey were valued at an estimated \$182.1 million and \$381.3 million, respectively.

## **NEXT STEPS**

- Commerce is scheduled to announce its final determinations on or about July 3, 2014. This deadline may be extended.
- If Commerce makes affirmative final determinations, and the U.S. International Trade Commission (ITC) makes affirmative final determinations that imports of steel concrete reinforcing bar from Mexico and/or Turkey materially injure, or threaten material injury to, the domestic industry, Commerce will issue AD orders. If either Commerce's or the ITC's final determination is negative, no AD orders will be issued. The ITC is scheduled to make its final injury determinations in August 2014.

**PRELIMINARY DUMPING MARGINS:**

<b>COUNTRY</b>	<b>EXPORTER/PRODUCER</b>	<b>DUMPING MARGINS</b>
<b>Mexico</b>	<b>Deacero S.A.P.I. de C.V.</b>	<b>20.59%</b>
	<b>Grupo Acerero S.A. de C.V.</b>	<b>66.70%</b>
	<b>Grupo Simec</b>	<b>10.66%</b>
	<b>All Others</b>	<b>20.59%</b>

<b>COUNTRY</b>	<b>EXPORTER/PRODUCER</b>	<b>DUMPING MARGINS</b>
<b>Turkey</b>	<b>Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S.</b>	<b>0.00</b>
	<b>Icdas Celik Enerji Tersane ve Ulasim Sanayi A.S.</b>	<b>2.64%</b>
	<b>All Others</b>	<b>2.64%</b>

## CASE CALENDAR:

EVENT	MEXICO AND TURKEY AD INVESTIGATIONS
Petitions Filed	September 4, 2013
DOC Initiation Date	September 24, 2013
ITC Preliminary Determination	November 6, 2013
DOC Preliminary Determination <sup>^</sup>	April 18, 2014
DOC Final Determination	July 2, 2014
ITC Final Determination*	August 18, 2014 <sup>†</sup>
Issuance of Order**	August 25, 2014

**NOTE:** Commerce preliminary and final determination deadlines are governed by statute. For AD investigations, the deadlines are set forth in sections 733(b) and 735(a) of the Tariff Act of 1930, as amended. These deadlines may be extended under certain circumstances.

<sup>^</sup> As explained in the Memorandum for the Record from Paul Piquado, Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Shutdown of the Federal Government" (October 18, 2013), Commerce exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from October 1, through October 16, 2013. Therefore, the deadlines in these investigations have been extended by 16 days.

<sup>†</sup> Where the deadline falls on a weekend/holiday, the appropriate date is the next business day.

\*This will take place only in the event of a final affirmative determination by Commerce.

\*\*This will take place only in the event of final affirmative determinations by Commerce and the ITC.

## IMPORT STATISTICS:

MEXICO	2011	2012	2013
Volume (metric tons)	257,000	266,500	306,800
Value (USD)	173,207,000	172,744,000	182,135,000
TURKEY	2011	2012	2013
Volume (metric tons)	242,600	574,800	650,000
Value (USD)	161,588,000	370,646,000	381,283,000

Source: U.S. Census Bureau, accessed through Global Trade Atlas. (HTSUS 7213.10.0000, 7214.20.0000, and 7228.30.8010). Rebar may also enter under HTSUS subheadings 7215.90.1000, 7215.90.5000, 7221.00.0015, 7221.00.0030, 7221.00.0045, 7222.11.0001, 7222.11.0057, 7222.11.0059, 7222.30.0001, 7227.20.0080, 7227.90.6085, 7228.20.1000, and 7228.60.6000, which may cover significant amounts of non-subject merchandise. Therefore, these HTSUS subheadings have not been used for purposes of reporting import statistics.