



UNITED STATES DEPARTMENT OF COMMERCE
International Trade Administration
Washington, D.C. 20230

A-489-501
A-533-502
A-549-502
Sunset Reviews
Public Document

OCT 24 2011

MEMORANDUM TO: Ronald K. Lorentzen
Deputy Assistant Secretary
for Import Administration

FROM: Christian Marsh
Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations

SUBJECT: Issues and Decision Memorandum for the Final Results of
Expedited Five-Year (Sunset) Reviews of the Antidumping Duty
Orders on Certain Circular Welded Carbon Steel Pipes and Tubes
from India, Thailand, and Turkey

SUMMARY:

We have analyzed the substantive responses of Allied Tube and Conduit, JMC Steel Group, Leavitt Tube, Northwest Pipe Company, TMK IPSCO Tubulars, U.S. Corporation, and Western Tube and Conduit, (collectively, "the domestic interested parties") and the comments from the Government of Turkey in the third sunset reviews of the antidumping duty orders on certain welded carbon steel pipes and tubes from India, Thailand, and Turkey. We recommend that you approve the positions we have developed in the Discussion of the Issues section of this memorandum. Below is the complete list of the issues in these sunset reviews for which we received substantive responses:

1. Likelihood of continuation or recurrence of dumping
2. Magnitude of the margin likely to prevail

History of the Orders

The Department of Commerce (the Department) published in the Federal Register the antidumping duty orders on certain circular welded carbon steel pipes and tubes from India, Thailand, and Turkey. See Antidumping Duty Order; Certain Welded Carbon Steel Standard Pipes and Tubes from India, 51 FR 17384 (May 12, 1986); Antidumping Duty Order; Circular Welded Carbon Steel Pipes and Tubes From Thailand, 51 FR 8341 (March 11, 1986); and Antidumping Duty Order; Welded Carbon Steel Standard Pipe and Tube Products From Turkey, 51 FR 17784 (May 15, 1986) (collectively, AD Orders).



In accordance with section 751(c) of the Tariff Act of 1930, as amended (the Act), the Department previously conducted two sunset reviews of the above mentioned orders. See Final Results of Expedited Sunset Review: Certain Welded Carbon Steel Pipes and Tubes From Turkey, 64 FR 67876 (December 3, 1999); Final Results of Expedited Sunset Review: Certain Welded Carbon Steel Pipes and Tubes From India, 64 FR 67879 (December 3, 1999); Final Results of Expedited Sunset Review: Circular Welded Carbon Steel Pipes and Tubes from Thailand, 64 FR 67852 (December 3, 1999); and Certain Circular Welded Carbon Steel Pipes and Tubes from India, Taiwan, Thailand, and Turkey, and Circular Welded Non-Alloy Steel Pipe from Brazil, Republic of Korea, Mexico, and Taiwan; Notice of Final Results of Expedited Five-Year (“Sunset”) Reviews of Antidumping Duty Orders, 70 FR 67662 (November 8, 2005) (collectively First and Second Sunset Finals). In both of the prior sunset reviews, the Department found revocation was likely to result in the continuation or recurrence of dumping.

On August 9, 2000, and July 25, 2006, the International Trade Commission (ITC) determined, pursuant to 751(c) of the Act, 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.¹ As a result, the Department published notices of the continuation of the antidumping duty orders, pursuant to 19 CFR 351.218(f)(4). See Continuation of Antidumping Duty Orders; Light-Walled Rectangular Welded Carbon Steel Pipe and Tube From Argentina and Taiwan; Circular Welded Non-Alloy Steel Pipe and Tube from Brazil, Korea, Mexico, and Taiwan; Welded Carbon Steel Pipe and Tube From India, Thailand, and Turkey; and Small Diameter Standard and Rectangular Steel Pipe and Tube From Taiwan, 65 FR 50955 (August 22, 2000) and Continuation of Antidumping Duty Orders on Circular Welded Non-Alloy Pipes and Tubes from Brazil, Mexico, Republic of Korea, Antidumping Duty Orders on Welded Carbon Steel Pipe from India, Thailand and Turkey, and Countervailing Duty Order on Welded Carbon Steel Standard Pipe from Turkey, 71 FR 44996 (August 8, 2006) (Continuation of AD Orders).

Since the publication of the second continuation notice, the case histories are as follows:

India (A-533-502) – The Department has completed one administrative review² and rescinded one administrative review.³ Currently, an administrative review is ongoing.⁴

¹ Certain Pipe and Tube From Argentina, Brazil, Canada, India, Korea, Mexico, Singapore, Taiwan, Thailand, Turkey, and Venezuela, 65 FR 48733 (August 9, 2000) and USITC Publication 3316, Investigation Nos. 701-TA-253 (Review) and 731-TA-132, 252, 271, 273, 276, 277, 296, 409, 410, 532-534, 536, and 537(Review) (July 2000); and Certain Pipe and Tube From Argentina, Brazil, India, Korea, Mexico, Taiwan, Thailand, and Turkey, 71 FR 42118 (July 25, 2006) and USITC Publication 3867, Investigation Nos. 701-TA-253 and 731-TA-132, 252, 271, 273, 409, 410, 532-534 and 536 (Second Review) (July 2006).

² Certain Welded Carbon Steel Standard Pipes and Tubes From India: Final Results of Antidumping Duty Administrative Review, 75 FR 69626 (November 15, 2010) (India 08/09 Final).

³ Certain Welded Carbon Steel Standard Pipes and Tubes From India: Rescission of Antidumping Duty Administrative Review, 75 FR 68327 (November 5, 2010).

⁴ Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part, 76 FR 37781, 37783 (June 28, 2011).

Thailand (A-549-502) – The Department has completed three administrative reviews⁵ and conducted one new shipper review.⁶ The Department has also rescinded two administrative reviews.⁷ In addition, there was one scope ruling in which British Standard light pipe 387/67, Class A-1 was found to be within the scope of the order per remand. See Scope Rulings, 58 FR 27542 (May 10, 1993).

Turkey (A-489-501) - The Department has completed three administrative reviews⁸ and conducted one new shipper review.⁹ The Department is also presently conducting two administrative reviews.¹⁰

Background

On July 1, 2011, the Department initiated the third sunset reviews of the antidumping duty orders on certain welded carbon steel pipes and tubes from India, Thailand, and Turkey, pursuant to section 751(c) of the Act. See Initiation of Five-Year (“Sunset”) Review, 76 FR 38613 (July 1, 2011). On July 7 and 8, 2011, the Department received notice of intent to participate from the domestic interested parties within the deadline specified in 19 CFR 351.218(d)(1)(i). On July 11, 2011, Wheatland Tube Company also requested recognition as a domestic interested party. The domestic interested parties claimed interested party status under section 771(9)(C) of the Act as U.S. producers of the subject merchandise.

On July 7, 2011, Saha Thai Steel Pipe (Public) Company, Ltd., a Thai producer and exporter, entered an appearance as a respondent interested party. On July 4, 2011, the Government of Turkey filed an entry of appearance as an interested party for the Turkish proceeding. On July 5, 2011, the Government of Turkey requested the Department to extend the 30-day deadline for filing its substantive response as specified in 19 CFR 351.218(d)(3)(i). On July 12, 2011, the Department extended the deadline to file substantive responses until August 10, 2011.

⁵ Circular Welded Carbon Steel Pipes and Tubes from Thailand: Notice of Final Results of Antidumping Duty Administrative Review, 71 FR 54266 (September 14, 2006) (Thai 04/05 Final); Circular Welded Carbon Steel Pipes and Tubes From Thailand: Amended Final Results of Antidumping Duty Administrative Review Pursuant to Final Court Decision; 76 FR 27987 (May 13, 2011) (Thai 06/07 Amended Final); and Circular Welded Carbon Steel Pipes and Tubes from Thailand: Amended Final Results of Antidumping Duty Administrative Review, 75 FR 73033 (November 29, 2010) (Thai 08/09 Amended Final).

⁶ Circular Welded Carbon Steel Pipes and Tubes From Thailand: Final Results of Antidumping Duty New Shipper Review, 75 FR 4529 (January 28, 2010) (Thai NSR Final).

⁷ Circular Welded Carbon Steel Pipes and Tubes from Thailand: Rescission of Antidumping Duty Administrative Review, 73 FR 30059 (May 23, 2008); Circular Welded Carbon Steel Pipes and Tubes From Thailand: Rescission of Antidumping Duty Administrative Review, 75 FR 36635 (June 28, 2010).

⁸ Notice of Amended Final Results of Antidumping Duty Administrative Review: Certain Welded Carbon Steel Pipe and Tube from Turkey, 71 FR 3824 (January 24, 2006); Certain Welded Carbon Steel Pipe and Tube from Turkey: Notice of Final Results of Antidumping Duty Administrative Review, 74 FR 22883 (May 15, 2009); Certain Welded Carbon Steel Pipe and Tube From Turkey: Notice of Final Antidumping Duty Administrative Review, 75 FR 64250 (October 19, 2010).

⁹ Notice of Final Results of Antidumping Duty New Shipper Review: Certain Welded Carbon Steel Pipe and Tube from Turkey, 71 FR 43444 (August 1, 2006).

¹⁰ Certain Welded Carbon Steel Pipe and Tube From Turkey: Notice of Preliminary Results of Antidumping Duty Administrative Review, 76 FR 33204 (June 8, 2011); and Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part, 76 FR 37781 (June 28, 2011).

On July 29, August 1, and 10, 2011, we received complete substantive responses to the notice of initiation from the domestic interested parties within the extended deadline. On August 9, 2011, the Government of Turkey submitted a response within the extended deadline. On August 17, 2011, we received rebuttal comments to the Government of Turkey's response from U.S. Steel Corporation.

We received no other responses from respondent interested parties to these proceedings. Because we did not receive complete substantive responses from respondent interested parties accounting on average for more than 50 percent of the total volume of exports of subject merchandise to the United States over the five calendar years preceding the publication of the notice of initiation of these reviews, pursuant to 19 CFR 351.218(e)(1)(ii)(A), we determined that respondent interested parties did not provide adequate responses. Therefore, we are conducting an expedited sunset review of these antidumping duty orders. See section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2).

Discussion of the Issues

In accordance with section 751(c)(1) of the Act, the Department has conducted these sunset reviews to determine whether revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping. Sections 752(c)(1)(A) and (B) of the Act provide that, in making these determinations, the Department will consider both the weighted-average dumping margins determined in the investigation and subsequent reviews, and the volume of imports of the subject merchandise for the period before and the period after the issuance of the antidumping duty order. In addition, section 752(c)(3) of the Act provides that the Department will provide to the ITC the magnitude of the margin of dumping likely to prevail if the orders were revoked. Below we address the comments of the interested parties.

1. Likelihood of Continuation or Recurrence of Dumping

Interested Party Comments

The domestic interested parties argue that revocation of the antidumping duty orders on welded carbon steel pipe and tube from India, Thailand, and Turkey would likely lead to the continuation or recurrence of dumping. See Substantive Responses of domestic interested parties (July 29, August 1, and 10, 2011). The Government of Turkey submitted substantive comments arguing that revocation of the order will not likely lead to continuation or recurrence of dumping and material injury. See Substantive Responses of the Government of Turkey (August 9, 2011). U.S. Steel, a domestic interested party, rebutted the Government of Turkey's substantive response. See Rebuttal to substantive response file by the Government of Turkey (August 17, 2011).

India - According to domestic interested parties, the antidumping duties assessed on welded pipes and tubes imports from India continue to protect the U.S. industry from dumping. The domestic interested parties allege this point was confirmed in the first and second sunset reviews of welded carbon steel pipe and tube from India. Furthermore, the Department found margins of 6.33 percent for the four companies reviewed in the May 1, 2008, through April 30, 2009, period of review. See Certain Welded Carbon Steel Standard Pipes and Tubes From India: Final Results of Antidumping Duty Administrative Review, 75 FR 69626 (November 15, 2010).

Therefore, domestic interested parties assert that the collection and assessment of antidumping duties as well as the determination of margins in the 2010 review is a sufficient basis for the Department to conclude that Indian producers and exporters of the subject merchandise are likely to continue to engage in dumping in the absence of the order.

The domestic interested parties argue that the continuation of imports while dumping margins are in excess of de minimis levels is highly probative of the likelihood of continuation or recurrence of dumping. In addition, domestic interested parties argue that the Department is unable to examine the import volumes by exporters subject to the order.¹¹ Therefore, according to domestic interested parties, the Department should rely on the continued existence of above de minimis dumping margins in the finding that dumping would continue if the order were revoked.

Thailand - The domestic interested parties contend that the assessment of antidumping duties continues to protect the U.S. industry from unfair trade. To support their argument of continued dumping, the domestic interested parties point to the following weighted-average dumping margins calculated for Saha Thai Steel Pipe (Public) Co., Ltd. since the most recently completed sunset review: 4.21 percent, for the period March 1, 2006, through February 28, 2007;¹² 2.26 percent, for the period March 1, 2004, through February 28, 2005;¹³ 1.76 percent, for the period March 1, 2008, through February 28, 2009.¹⁴ Further, the domestic interested parties comment that the Department conducted a new shipper review which resulted in a rate of 5.14 percent for entries produced or exported by Pacific Pipe Public Co., Ltd. during the period March 1, 2008, through September 30, 2008.¹⁵ Domestic interested parties also contend that reviews were requested but rescinded for the March 2007 to February 2008 and the March 2009 to February 2010 periods, leaving above de minimis rates in place. Thus, domestic interested parties argue that the Department should apply the same rationale articulated in the previous sunset review, *i.e.*, that margins were found above de minimis levels and that dumping would likely continue or recur if the antidumping order were revoked.

Domestic interested parties also provided import statistics for the calendar years 2005 through 2010. In examining this evidence, the domestic interested parties contend that imports continued to enter the United States during periods when dumping margins existed in excess of de minimis, which the Uruguay Round Agreements Act Statement of Administrative Action (SAA) indicates is highly probative of the likelihood of continuation or recurrence of dumping.

¹¹ Issues and Decision Memorandum for the Final Results of Expedited Five-Year (Sunset) Reviews of the Antidumping Duty Orders on Certain Circular Welded Carbon Steel Pipes and Tubes from India, Taiwan, Thailand, and Turkey; and Certain Circular Welded Non-Alloy Steel Pipe from Brazil, Republic of Korea, Mexico, and Taiwan from Stephen J. Claeys, Deputy Assistant Secretary for Import Administration, to Joseph A. Spetrini, Acting Assistant Secretary for Import Administration, dated October 31, 2005, at 11.

¹² Thai 06/07 Amended Final.

¹³ Thai 04/05 Final.

¹⁴ Thai 08/09 Amended Final.

¹⁵ Thai NSR Final.

Turkey – The domestic interested parties argue that the record of this proceeding demonstrates that, from the imposition of the order and the completion of previous sunset reviews, dumping in excess of a de minimis level has continued and import volumes of the subject merchandise have decreased significantly. The domestic interested parties argue that the Department has completed three administrative reviews and one new shipper review, during the period of the third sunset review. Specifically, the domestic interested parties note that the May 2008 through April 2009, May 2007 through April 2008, and May 2003 through April 2004, reviews resulted in above de minimis margins for Borusan Ithicat ve Dagitim, Erviyas Boru Sanayii ve Ticaret A.S., and Yucelboru Ihracat Ithalat ve Pazarlama A.S. The new shipper review did not result in an above de minimis margin. The domestic interested parties consequently note that the Department normally will determine that revocation of an antidumping duty order is likely to lead to the continuation or recurrence of dumping where “dumping continued at any level above de minimis after the issuance of the order.”¹⁶ As for import volumes, the domestic interested parties contend that, on average from 2006 to 2010, Turkish companies have exported just 30,357 net tons, which they claim is significantly below the 36,227 net tons exported in 1986. Therefore, the domestic interested parties argue that the order should continue even if dumping had ceased, because the drop in imports of subject merchandise warrants the continuation of the order.

The Government of Turkey contends that there is a decline in dumping margins when compared to the margins in the investigation. The Government of Turkey argues that Turkish exporters may have even smaller margins should the Department make an amendment regarding its dumping margin calculation methodology used in administrative reviews for granting offsets for non-dumped comparisons. The Government of Turkey states that this would ensure consistency with its WTO obligations. Furthermore, the Government of Turkey claims that Turkish imports account for a negligible share of consumption by U.S. companies and, therefore, would not lead to continuation or recurrence of dumping and of material injury to the U.S. domestic producers in the absence of the order.

In U.S. Steel’s rebuttal to the substantive response filed by the Government of Turkey, U.S. Steel argues that the Department will conduct an expedited sunset review and issue its final results based on the facts available where respondent interested parties provide an inadequate response. See 19 CFR 351.218(e)(1)(ii)(C)(2). Furthermore, U.S. Steel argues that an adequate response must be submitted by producers or exporters accounting for more than 50 percent, by volume, of the total exports of subject merchandise to the United States over the five calendar years preceding the year of publication of the sunset initiation notice. See 19 CFR 351.218(e)(1)(ii)(A). In this sunset review, U.S. Steel notes that no respondent interested parties requested a review. Next, U.S. Steel contends that the Government of Turkey has no basis for its argument that dumping is not likely to continue if the order is revoked because there has been a decline in dumping margins since the investigation and issuance of the order. U.S. Steel notes that the Department’s Sunset Review Policy Bulletin makes it clear that dumping will continue where “dumping continued at any level above de minimis after the issuance of the order.”¹⁷ U.S.

¹⁶ Policies Regarding the Conduct of Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin, 63 FR 18871, 18872 (April 16, 1998) (quoting SAA at 890) (Sunset Review Policy Bulletin).

¹⁷ Sunset Review Policy Bulletin.

Steel also contends that the Department must determine whether dumping is likely to continue by examining dumping margins over the life of the order and that such an analysis is not limited to a review of margins calculated without the use of zeroing. Moreover, U.S. Steel argues that there is no “extraordinary circumstances that would warrant a departure from a well established rule codified in the Department’s regulations to rely on previously calculated and published weighted-average dumping margins.”¹⁸ Finally, U.S. Steel contends that the overall volume of Turkish imports consumed in the United States has no relevance to the question of whether dumping will continue or recur if the order is revoked.

Department’s Position

Consistent with the guidance provided in the legislative history accompanying the Uruguay Round Agreements Act, specifically the SAA, H.R. Doc. No. 103-316, vol. 1 (1994), the House Report, H. Rep. No. 103-826, pt. 1 (1994) (House Report), and the Senate Report, S. Rep. No. 103-412 (1994), the Department’s determination of likelihood will be made on an order-wide basis. In addition, the Department normally will determine that revocation of an order is likely to lead to continuation or recurrence of dumping where (a) dumping continued at any level above de minimis after the issuance of the order, (b) imports of the subject merchandise ceased after the issuance of the order, or (c) dumping was eliminated after the issuance of an order and import volumes for the subject merchandise declined significantly. See Granular Polytetrafluoroethylene Resin From Italy: Final Results of Expedited Sunset Review of the Antidumping Duty Order, 76 FR 12939 (March 9, 2011). Also pursuant to section 752(c)(1)(B) of the Act, the Department considers the volume of imports of the subject merchandise for the period before and after the issuance of the order.

In the first and second sunset reviews, the Department made an affirmative likelihood determination for these antidumping duty orders and continued these orders based on the ITC’s affirmative injury determination. See Continuation of AD Orders. No party challenged these determinations. Collection and assessment of dumping duties on entries of subject merchandise continue. Also, in subsequent administrative reviews of certain orders, the Department has found margins above de minimis levels. Therefore, on the basis of the information on the record, we find that dumping would be likely to continue or recur if the antidumping orders were revoked.

Below is the Department’s analysis for each country:

India – With respect to this order, the Department has conducted one administrative review during the period of this sunset review. In the administrative review, the Department determined rates above de minimis for all Indian manufacturers and exporters under review that shipped during the period of review. Antidumping duties remain in effect and no party has challenged the rates by requesting an administrative review. In addition, Indian companies continue to export subject merchandise to the United States, although the Department has determined dumping margins during the period covered by the current sunset review. Because the Department may reasonably assume that dumping would continue if the order were removed, see

¹⁸ See, e.g., Stainless Steel Sheet and Strip in Coils From Mexico: Final Results of the Five-Year (“Sunset”) Review of the Antidumping Duty Order, 76 FR 25668 (May 5, 2011) and accompanying Issues and Decision Memorandum at 9.

SAA at 890, the Department determines that dumping is likely to continue or recur if the order were revoked.

Thailand – The Department has conducted several reviews with respect to this order during the period after the most recently completed sunset review. As noted above, the Department has determined rates above *de minimis* for the Thai companies that underwent review. In addition, Thai companies continue to export subject merchandise to the United States, although the Department has determined dumping margins during the period covered by the current sunset review. Therefore, because the Department may reasonably assume that dumping would continue if the order were revoked, *see* SAA at 890, the Department determines that dumping is likely to continue or recur if the order were revoked.

Turkey - The Department agrees with the domestic interested parties that dumping likely would continue in the absence of the order. As previously noted, the SAA explains that the continued existence of dumping margins after the issuance of the order provides a strong indication that, absent an order, dumping would be likely to continue. *See* SAA at 890. In this case, the Department found dumping above *de minimis* levels in the first and second sunset reviews and calculated cash deposit rates above *de minimis* levels in recent administrative reviews, thus allowing the Department to assume recurrence of dumping in the absence of the order. Moreover, if subject imports decrease in volume, the SAA suggests that the Department may reasonably assume that exporters could not sell in the United States without dumping and that exporters would have to resume dumping to reenter the United States market. *See* SAA at 890. In view of the significant drop in the volume of subject imports from Turkey, the Department reasonably assumes that dumping would recur. Thus, in view of the above record evidence on the continued existence of dumping margins and decreased import volumes, the Department determines that dumping is likely to continue or recur if the order were revoked.

The Department similarly agrees with U.S. Steel that the Department will conduct an expedited sunset review when respondent interested parties have not submitted substantive responses. *See* 19 CFR 351.218(e)(1)(ii)(C)(2). In this sunset review, no respondent interested parties participated in this review. As for the Government of Turkey's argument that dumping is not likely to prevail with a decline in margins, U.S. Steel is correct that the Department believes dumping to continue where "dumping continued at any level above *de minimis* after the issuance of the order." *See* SAA at 890. The relevant statute and related legislative history do not direct the Department to employ a particular methodology in examining the likelihood of dumping margins in a sunset review. *See* SAA at 889-90. The Department notes that Section 123 of the Uruguay Round Agreements Act mandates a number of steps be fulfilled before the Department is permitted to modify its methodology in response to an adverse WTO report. Those steps have yet to be fulfilled with respect to the proposal issued by the Department in December 2010. *See Antidumping Proceedings: Calculation of the Weighted Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings*, 75 FR 81533 (December 28, 2010). Finally, the Department agrees with U.S. Steel that the U.S. market share of Turkish imports of subject merchandise has no relevance to the question of whether dumping will continue or recur if the order is revoked. Rather, the Department examines the volume of imports from the country with the applicable order.

2. Magnitude of the Margin Likely to Prevail

Interested Party Comments

The domestic interested parties suggest that the Department report to the ITC the dumping margins established in the investigations for certain circular welded carbon steel pipes and tubes from India, Thailand, and Turkey. See Substantive Response of domestic interested parties. These margins were the same as those reported to the ITC by the Department in the first sunset First and Second Sunset Finals. No respondent interested parties submitted comments on this issue.

Department's Position

Section 752 (c)(3) of the Act provides that the Department will report to the ITC the magnitude of the margin of dumping that is likely to prevail if the order were revoked. The Department normally will select a margin from the final determination of the original investigation because that is the only calculated rate that reflects the behavior of exporters without the discipline of an order. See SAA at 890 and the House Report at 64. For companies not specifically investigated or for companies that did not begin shipping until after the order was issued, the Department normally will provide margins based on the "all others" rate from the investigations. See SAA at 890.

The Department agrees with the domestic interested parties concerning the dumping margins likely to prevail if the antidumping duty orders on certain welded carbon steel pipes and tubes from India, Thailand, and Turkey were revoked. In the original investigation, the Department found that producers and exporters were selling the subject merchandise in the United States at less than fair value. In the antidumping duty orders, the Department established company-specific and "all others" weighted-average margins above *de minimis* levels.¹⁹

As previously noted, in the final results of the first and second sunset reviews, the Department determined that the margins calculated in the original investigations are probative of the behavior of the Indian, Thai, and Turkish producers and exporters of certain circular welded steel pipes and tubes without the discipline of the order in place. After the completion of the first and second sunset reviews, the Department continued to find dumping of the subject merchandise through administrative reviews. In view of margins calculated in prior proceedings, the Department continues to find that the margins from the original investigations are probative of the behavior of producers and exporters because those margins reflect the likely pricing behavior of producers and exporters in the absence of the orders. Thus, consistent with section 752(c)(3) of the Act, the Department will report to the ITC company-specific and "all others" rates from the investigations as indicated in the "Final Results of Reviews" section of this memorandum.

¹⁹ AD Orders.

Final Results of Reviews

As a result of these reviews, the Department determines that revocation of the antidumping duty orders on certain circular welded steel pipe and tube from India, Thailand, and Turkey would likely lead to continuation or recurrence of dumping at the following weighted-average percentage margins:

Manufacturers/Exporters/Producers Weighted-Average Margin (percent)

India (A-533-502)

Tata Iron and Steel Company, Ltd.	7.08
All Others	7.08

Thailand (A-549-502)

Saha Thai Steel Pipe Co.	15.69
Thai Steel Pipe Industry Co.	15.60
All Others	15.67

Turkey (A-489-501)

Borusan Ithicat ve Dagitim	1.26
Erkboru Profil Sanayi ve Ticaret	23.12
Mannesmann-Sumerbank Boru Industrisi	23.12
All Others	14.74

Recommendation

Based on our analysis of the substantive responses received, we recommend adopting all of the above positions. If these recommendations are accepted, we will publish the final results of this sunset review in the Federal Register, and notify the ITC of our decision.

AGREE

DISAGREE



Ronald K. Lorentzen
Deputy Assistant Secretary
for Import Administration

October 24, 2011

(Date)