



A-351-832, A-560-815  
A-201-830, A-841-805,  
A-274-804, A-823-812  
Sunset Reviews  
Public Document  
Office III: JT

DATE: October 17, 2013

MEMORANDUM TO: Paul Piquado  
Assistant Secretary  
for Enforcement and Compliance

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

SUBJECT: Issues and Decision Memorandum for the Final Results of Expedited  
Second Sunset Reviews of the Antidumping Duty Orders on Carbon  
and Certain Alloy Steel Wire Rod from Brazil, Indonesia, Mexico,  
Moldova, Trinidad and Tobago, and Ukraine

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### Summary

We have analyzed the responses of the interested parties in the sunset reviews of the antidumping duty orders covering carbon and certain alloy steel wire rod (“wire rod”) from Brazil, Indonesia, Mexico, Moldova, Trinidad and Tobago, and Ukraine. We recommend that you approve the positions described in the “Discussion of the Issues” section of this memorandum. Below is the complete list of the issues for which we received substantive responses in these sunset reviews:

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

### Background

On June 3, 2013, the Department of Commerce (“the Department”) published the notice of initiation of the sunset reviews of the antidumping duty orders on wire rod from Brazil, Indonesia, Mexico, Moldova, Trinidad and Tobago, and Ukraine, pursuant to section 751(c) of the Tariff Act of 1930, as amended (“the Act”).<sup>1</sup> The Department received a notice of intent to participate from the following domestic parties: Schnitzer Steel Industries, Inc., DBA Cascade Steel Rolling Mills, Inc.; Arcelor Mittal USA LLC;<sup>2</sup> Evraz Rocky Mountain Steel Mills; Gerdau

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<sup>1</sup> See *Initiation of Five-Year (“Sunset”) Reviews*, 78 FR 33063 (June 3, 2013) (“*Notice of Initiation*”).

<sup>2</sup> Arcelor Mittal USA LLC is not participating in the sunset review of the antidumping duty order on wire rod from



Ameristeel U.S. Inc.; Keystone Consolidated Industries, Inc.; and Nucor Corporation within the deadline specified in 19 CFR 351.218(d)(1)(i). Each of the companies claimed interested party status under section 771(9)(C) of the Act, producer in the United States of a domestic like product.

On July 2, 2013, the Department received adequate substantive responses from the domestic interested parties identified above within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i).<sup>3</sup> The Department received no responses from respondent interested parties with respect to any of the orders covered by these sunset reviews. As a result, pursuant to 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 wire rod from Brazil, Indonesia, Mexico, Moldova, Trinidad and Tobago, and Ukraine.

### History of the Orders

#### *Brazil*

On August 30, 2002, the Department of Commerce (“the Department”) published its final determination in the investigation of wire rod from Brazil.<sup>4</sup> For Brazil, the Department found the following antidumping duty margins:

Companhia Siderurgica Belgo Mineira and Belgo-Mineira Participacao Industria e Comercio S.A. (“Belgo Mineira”)	94.73
All-Others Rate	74.45

#### *Indonesia*

On August 30, 2002, the Department published its final determination in the investigation of wire rod from Indonesia.<sup>5</sup> For Indonesia, the Department found the following antidumping duty margins:

P.T. Ispat Indo	4.05
All-Others Rate	4.05

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Trinidad and Tobago.

<sup>3</sup> Gerdau Ameristeel U.S. Inc. reported that it is a subsidiary of Gerdau Ameristeel Corp., which is a wholly-owned subsidiary of Gerdau S.A. of Brazil. Evraz Rocky Mountain Steel reported that it is doing business as CF&I Steel LP, which is majority-owned by Evraz Inc. NA and that Evraz Inc. NA is wholly-owned by the Evraz Group, S.A. of Russia. ArcelorMittal USA reported that it is a wholly-owned subsidiary of ArcelorMittal S.A., a company headquartered in Luxembourg. Pursuant to section 771(4)(B) of the Act, a domestic interested party may be excluded from participating as part of the domestic industry if it is related to an exporter of subject merchandise. In these sunset reviews, even if we excluded these three parties from participating as part of the domestic industry, there would still be sufficient participation by other domestic interested parties to merit sunset reviews of the orders.

<sup>4</sup> See *Notice of Final Determination of Sales at Less Than Fair Value and Final Negative Critical Circumstances: Carbon and Certain Alloy Steel Wire Rod from Brazil*, 67 FR 55792 (August 30, 2002).

<sup>5</sup> See *Notice of Final Determination of Sales at Less Than Fair Value: Carbon and Certain Alloy Steel Wire Rod from Indonesia*, 67 FR 55798 (August 30, 2002).

*Mexico*

On August 30, 2002, the Department published its final determination in the investigation of wire rod from Mexico.<sup>6</sup> For Mexico, the Department found the following antidumping duty margins:

Siderurgica Lazaro Cardenas Las Truchas, S.A. de C.V. (“SICARTSA”)	20.11
All-Others Rate	20.11

*Moldova*

On August 30, 2002, the Department published its final determination in the investigation of wire rod from Moldova.<sup>7</sup> For Moldova, the Department found the following antidumping duty margin:

Moldova-wide Rate	369.10
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*Trinidad and Tobago*

On August 30, 2002, the Department published its final determination in the investigation of wire rod from Trinidad and Tobago.<sup>8</sup> For Trinidad and Tobago, the Department found the following antidumping duty margins:

Caribbean Ispat Ltd.	11.40
All-Others Rate	11.40

Caribbean Ispat Ltd. (“CIL”) challenged the International Trade Commission’s (“ITC’s”) affirmative material injury determination in the Court of International Trade (“CIT”), but the CIT upheld the ITC’s affirmative determination.<sup>9</sup> CIL then appealed to the Court of Appeals for the Federal Circuit (“CAFC”). The CAFC remanded the case back to the CIT with instructions to further remand the case to the ITC so that the ITC could reconsider its injury analysis.<sup>10</sup> On remand, the ITC made a negative material injury determination with respect to Trinidad and Tobago, which was affirmed by the CIT.<sup>11</sup> Domestic interested parties appealed that determination to the CAFC. The CAFC vacated the CIT’s judgment and remanded the case back to the CIT with instructions to remand the case to the ITC for further consideration of the material injury issue.<sup>12</sup> On remand, the ITC made an affirmative material injury determination

<sup>6</sup> See *Notice of Final Determination of Sales at Less Than Fair Value: Carbon and Certain Alloy Steel Wire Rod from Mexico*, 67 FR 55800 (August 30, 2002).

<sup>7</sup> See *Notice of Final Determination of Sales at Less Than Fair Value: Carbon and Certain Alloy Steel Wire Rod from Moldova*, 67 FR 55790 (August 30, 2002).

<sup>8</sup> See *Notice of Final Determination of Sales at Less Than Fair Value: Carbon and Certain Alloy Steel Wire Rod from Trinidad and Tobago*, 67 FR 55788 (August 30, 2002).

<sup>9</sup> See *Caribbean Ispat Limited v. United States*, 366 F. Supp. 2d 1300 (Ct. Int’l Trade 2005).

<sup>10</sup> See *Caribbean Ispat Limited v. United States*, 450 F. 3d 1336 (Fed. Cir. 2006).

<sup>11</sup> See *Mittal Steel Point Lisas Ltd v. United States*, 495 F. Supp. 2d 1374 (Ct. Int’l Trade 2007).

<sup>12</sup> See *Mittal Steel Point Lisas Ltd. V. United States*, 542 F. 3d 867 (Fed. Cir. 2008).

with respect to wire rod from Trinidad and Tobago, which was affirmed by the CIT.<sup>13</sup>

### *Ukraine*

On August 30, 2002, the Department published its final determination in the investigation of wire rod from Ukraine.<sup>14</sup> For Ukraine, the Department found the following antidumping duty margins:

Krivorozhstal State Mine-Metallurgical Works ("Krivorozhstal")	116.37
All-Others Rate	116.37

### *Publication of Orders*

On October 29, 2002, the Department published antidumping duty orders on wire rod from Brazil, Indonesia, Mexico, Moldova, Trinidad and Tobago, and Ukraine.<sup>15</sup>

On January 8, 2008, the Department completed its first expedited sunset reviews of the orders.<sup>16</sup> Based on affirmative findings by the Department and the ITC, on July 30, 2008, the Department continued each of these orders.<sup>17</sup>

All of the orders remain in effect for all manufacturers, producers, and exporters of the subject merchandise.

### *Administrative Reviews*

#### *Brazil*

Since the *Final Results of the First Expedited Sunset Review*, the Department has not conducted any administrative reviews.

#### *Indonesia*

Since the *Final Results of the First Expedited Sunset Review*, the Department has not conducted any administrative reviews.

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<sup>13</sup> See *Mittal Steel Point Lisas Ltd. v. United States*, No. 02-00756, Slip Op. 10-97 (Ct. Int'l Trade August 30, 2010).

<sup>14</sup> See *Notice of Final Determination of Sales at Less Than Fair Value: Carbon and Certain Alloy Steel Wire Rod from Ukraine*, 67 FR 55785 (August 30, 2002).

<sup>15</sup> See *Notice of Antidumping Duty Orders: Carbon and Certain Alloy Steel Wire Rod from Brazil, Indonesia, Mexico, Moldova, Trinidad and Tobago, and Ukraine*, 67 FR 65945 (October 29, 2002).

<sup>16</sup> See *Carbon and Certain Alloy Steel Wire Rod from Brazil, Canada, Indonesia, Mexico, Moldova, Trinidad and Tobago, and Ukraine: Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders*, 73 FR 1321 (January 8, 2008) ("*Final Results of the First Expedited Sunset Review*").

<sup>17</sup> See *Carbon and Certain Alloy Steel Wire Rod From Brazil, Indonesia, Mexico, Moldova, Trinidad and Tobago, and Ukraine: Continuation of Antidumping and Countervailing Duty Orders*, 73 FR 44218 (July 20, 2008).

### *Mexico*

Since the *Final Results of the First Expedited Sunset Review*, the Department has conducted three administrative reviews with respect to wire rod from Mexico covering the periods 10/01/2005 – 9/30/2006, in which Hysla Puebla, S.A. de C.V. (“Hysla”) received a 17.94 percent margin, 10/01/2009 – 9/30/2010, in which Arcelor Mittal Las Truchas, S.A. de C.V. (“AMLT”) received a 5.59 percent margin, and 10/01/2010 – 9/30/2011, in which Deacero S.A. de C.V. and Deacero USA, Inc. (“Deacero”) received a 12.08 percent margin.<sup>18</sup>

### *Moldova*

Since the *Final Results of the First Expedited Sunset Review*, the Department has not conducted any administrative reviews.

### *Trinidad and Tobago*

Since the *Final Results of the First Expedited Sunset Review*, the Department has conducted two administrative reviews with respect to wire rod from Trinidad and Tobago covering the periods 10/01/2006 – 09/30/2007 in which Arcelor Mittal Point Lisas (“AMPL”) received a 1.56 percent margin, and 10/01/2007 – 09/30/2008 in which AMPL received a 23.95 percent margin.<sup>19</sup>

### *Ukraine*

Since the *Final Results of the First Expedited Sunset Review*, the Department has not conducted any administrative reviews.

### *Duty Absorption, Changed Circumstances Reviews, and Scope Inquiries*

There have been no duty absorption findings concerning the wire rod antidumping duty orders.

### *Ternium Changed Circumstances Review – Mexico*

On November 12, 2008, at the request of Ternium Mexico, S.A. de C.V. (“Ternium”), the Department initiated a changed circumstances review to determine whether Ternium is the successor-in-interest to Hysla.<sup>20</sup> On May 13, 2009, the Department published the final results and determined that Ternium is the successor-in-interest to Hysla, and as a result, should be

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<sup>18</sup> See *Notice of Final Results of Antidumping Duty Administrative Review: Carbon and Certain Alloy Steel Wire Rod from Mexico*, 73 FR 13532 (March 13, 2008); and *Notice of Final Results of Antidumping Duty Administrative Review: Carbon and Certain Alloy Steel Wire Rod from Mexico*, 77 FR 13545 (March 07, 2012) and *Notice of Final Results of Antidumping Duty Administrative Review: Carbon and Certain Alloy Steel Wire Rod from Mexico*, 78 FR 28190 (May 14, 2013).

<sup>19</sup> See *Carbon and Certain Alloy Steel Wire Rod from Trinidad and Tobago; Final Results of Antidumping Duty Administrative Review*, 74 FR 10722 (March 12, 2009); *Carbon and Certain Alloy Steel Wire Rod from Trinidad and Tobago; Final Results of Antidumping Duty Administrative Review*, 75 FR 8650 (February 25, 2010).

<sup>20</sup> See *Notice of Initiation of Antidumping Duty Changed Circumstances Review: Carbon and Certain Alloy Steel Wire Rod from Mexico*, 73 FR 66839 (November 12, 2008).

accorded the same treatment previously accorded to Hysla under the antidumping duty order on wire rod from Mexico, effective as of the date of publication of its final results.<sup>21</sup>

#### *ArcelorMittal las Truchas Changed Circumstances Review – Mexico*

On November 3, 2010, at the request of AMLT, the Department initiated a changed circumstances review to determine whether AMLT is the successor-in-interest to SICARTSA.<sup>22</sup> On July 29, 2011, the Department published the final results and determined that AMLT is the successor-in-interest to SICARTSA, and as a result, should be accorded the same treatment previously accorded to SICARTSA under the antidumping duty order on wire rod from Mexico, effective as of the date of publication of its final results.<sup>23</sup>

#### *Anti-Circumvention Inquiry – Mexico*

On June 8, 2011, at the request of the domestic industry, the Department initiated a circumvention inquiry into whether Mexican wire rod producers Deacero and Ternium shipped wire rod with an actual diameter measuring 4.75 mm to 5.00 mm in a manner that constituted merchandise altered in form or appearance in such minor respects that it should be included within the scope.<sup>24</sup> On October 1, 2012, the Department announced its final determination of circumvention, finding that (a) shipments of wire rod with an actual diameter of 4.75 mm to 5.00 mm by Deacero constituted merchandise altered in form or appearance in such minor respects that it should be included within the scope of the order on wire rod from Mexico; and (b) Ternium was not covered by the Department's affirmative anti-circumvention inquiry because record evidence indicated that Ternium has not shipped wire rod with diameters of 4.75 to 5.0 mm.<sup>25</sup>

#### Scope of the Orders

The merchandise subject to these orders is certain hot-rolled products of carbon steel and alloy steel, in coils, of approximately round cross section, 5.00 mm or more, but less than 19.00 mm, in solid cross-sectional diameter.

Specifically excluded are steel products possessing the above-noted physical characteristics and meeting the Harmonized Tariff Schedule of the United States (“HTSUS”) definitions for (a) stainless steel; (b) tool steel; (c) high nickel steel; (d) ball bearing steel; and (e) concrete reinforcing bars and rods. Also excluded are (f) free machining steel products (*i.e.*, products that contain by weight one or more of the following elements: 0.03 percent or more of lead, 0.05

<sup>21</sup> See *Notice of Final Results of Antidumping Duty Changed Circumstances Review: Carbon and Certain Alloy Wire Rod from Mexico*, 74 FR 22514 (May 13, 2009).

<sup>22</sup> See *Notice of Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review: Carbon and Certain Alloy Steel Wire Rod from Mexico*, 75 FR 67685 (November 3, 2010).

<sup>23</sup> See *Final Results of Antidumping, Duty Changed Circumstances Review: Carbon and Certain Alloy Steel Wire Rod from Mexico*, 76 FR 45509 (July 29, 2011).

<sup>24</sup> See *Carbon and Certain Alloy Steel Wire Rod from Mexico: Initiation of Anti-Circumvention Inquiry of Antidumping Duty Order*, 76 FR 33218 (June 8, 2011).

<sup>25</sup> See *Carbon and Certain Alloy Steel Wire Rod from Mexico: Affirmative Final Determination of Circumvention of the Antidumping Order*, 77 FR 59892 (October 1, 2012). Deacero appealed the Department's final determination, and the case is currently pending. See *Deacero USA Inc. et al v. United States*, No 12-345 (Ct. Int'l Trade ).

percent or more of bismuth, 0.08 percent or more of sulfur, more than 0.04 percent of phosphorus, more than 0.05 percent of selenium, or more than 0.01 percent of tellurium).

Also excluded from the scope are 1080 grade tire cord quality wire rod and 1080 grade tire bead quality wire rod. This grade 1080 tire cord quality rod is defined as: (i) grade 1080 tire cord quality wire rod measuring 5.0 mm or more but not more than 6.0 mm in cross-sectional diameter; (ii) with an average partial decarburization of no more than 70 microns in depth (maximum individual 200 microns); (iii) having no non-deformable inclusions greater than 20 microns and no deformable inclusions greater than 35 microns; (iv) having a carbon segregation per heat average of 3.0 or better using European Method NFA 04-114; (v) having a surface quality with no surface defects of a length greater than 0.15 mm; (vi) capable of being drawn to a diameter of 0.30 mm or less with 3 or fewer breaks per ton, and (vii) containing by weight the following elements in the proportions shown: (1) 0.78 percent or more of carbon, (2) less than 0.01 percent of aluminum, (3) 0.040 percent or less, in the aggregate, of phosphorus and sulfur, (4) 0.006 percent or less of nitrogen, and (5) not more than 0.15 percent, in the aggregate, of copper, nickel and chromium.

This grade 1080 tire bead quality rod is defined as: (i) grade 1080 tire bead quality wire rod measuring 5.5 mm or more but not more than 7.0 mm in cross-sectional diameter; (ii) with an average partial decarburization of no more than 70 microns in depth (maximum individual 200 microns); (iii) having no non-deformable inclusions greater than 20 microns and no deformable inclusions greater than 35 microns; (iv) having a carbon segregation per heat average of 3.0 or better using European Method NFA 04-114; (v) having a surface quality with no surface defects of a length greater than 0.2 mm; (vi) capable of being drawn to a diameter of 0.78 mm or larger with 0.5 or fewer breaks per ton; and (vii) containing by weight the following elements in the proportions shown: (1) 0.78 percent or more of carbon, (2) less than 0.01 percent of soluble aluminum, (3) 0.040 percent or less, in the aggregate, of phosphorus and sulfur, (4) 0.008 percent or less of nitrogen, and (5) either not more than 0.15 percent, in the aggregate, of copper, nickel and chromium (if chromium is not specified), or not more than 0.10 percent in the aggregate of copper and nickel and a chromium content of 0.24 to 0.30 percent (if chromium is specified). For purposes of the grade 1080 tire cord quality wire rod and the grade 1080 tire bead quality wire rod, an inclusion will be considered to be deformable if its ratio of length (measured along the axis - that is, the direction of rolling - of the rod) over thickness (measured on the same inclusion in a direction perpendicular to the axis of the rod) is equal to or greater than three. The size of an inclusion for purposes of the 20 microns and 35 microns limitations is the measurement of the largest dimension observed on a longitudinal section measured in a direction perpendicular to the axis of the rod. This measurement methodology applies only to inclusions on certain grade 1080 tire cord quality wire rod and certain grade 1080 tire bead quality wire rod that are entered, or withdrawn from warehouse, for consumption on or after July 24, 2003.

The designation of the products as “tire cord quality” or “tire bead quality” indicates the acceptability of the product for use in the production of tire cord, tire bead, or wire for use in other rubber reinforcement applications such as hose wire. These quality designations are presumed to indicate that these products are being used in tire cord, tire bead, and other rubber reinforcement applications, and such merchandise intended for the tire cord, tire bead, or other rubber reinforcement applications is not included in the scope. However, should the petitioners or other interested parties provide a reasonable basis to believe or suspect that there exists a

pattern of importation of such products for other than those applications, end-use certification for

All products meeting the physical description of subject merchandise that are not specifically excluded are included in this scope.

The products subject to these orders are currently classifiable under subheadings 7213.91.3011, 7213.91.3015, 7213.91.3020, 7213.91.3093, 7213.91.4500, 7213.91.6000, 7213.99.0030, 7213.99.0060, 7213.99.0090, 7227.20.0030, 7227.20.0080, 7227.90.6010, 7227.90.6020, and 7227.90.6085 of the HTSUS.

As discussed above, on October 1, 2012, the Department published its final determination of circumvention, finding that shipments of wire rod with an actual diameter of 4.75 mm to 5.00 mm produced in Mexico and exported to the United States by Deacero S.A. de C.V. constitute merchandise altered in form or appearance in such minor respects that it should be included within the scope of the order on wire rod from Mexico.<sup>26</sup>

#### Discussion of the Issues

In accordance with section 751(c)(1) of the Act, the Department is conducting these sunset reviews to determine whether revocation of the antidumping duty orders would be likely to lead to a continuation or recurrence of dumping. Sections 752(c)(1)(A) and (B) of the Act provide that, in making these determinations, the Department shall 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 periods before and the periods after the issuance of the antidumping duty order. In addition, section 752(c)(3) of the Act provides that the Department shall provide to the ITC the magnitude of the margins of dumping likely to prevail if the order were revoked.

In the *Final Modification for Reviews*, the Department announced it was modifying its practice in sunset reviews such that it will not rely on weighted-average dumping margins that were calculated using the methodology found to be World Trade Organization (WTO)-inconsistent, *i.e.*, zeroing/the denial of offsets.<sup>27</sup> The Department stated that “only in the most extraordinary circumstances” would it rely on margins other than those calculated and published in prior determinations.<sup>28</sup> The Department further stated that apart from the “most extraordinary circumstances,” it would “limit its reliance to margins determined or applied during the five-year

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<sup>26</sup> *Id.*

<sup>27</sup> See *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101 (February 14, 2012) (*Final Modification for Reviews*).

<sup>28</sup> *Id.*, 77 FR at 8103.

sunset period that were not determined in a manner found to be WTO-inconsistent” and that it “may also rely on past dumping margins that were not affected by the WTO-inconsistent methodology, such as dumping margins recalculated pursuant to Section 129 proceedings, dumping margins determined based on the use of total adverse facts available, and dumping margins where no offsets were denied because all comparison results were positive.”<sup>29</sup>

Below we address the comments of the interested parties.

## 1. Likelihood of Continuation or Recurrence of Dumping

### Interested Party Comments

Domestic interested parties note that the Department will normally determine that the revocation of an antidumping duty 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 issuance of the order; or (c) dumping was eliminated after the issuance of the order, and import volumes for the subject merchandise declined significantly. They also note that in the *Final Modification for Reviews*, the Department noted that it would rely on dumping margins where no offsets were denied because all comparison results were positive and reiterated that decreased volumes, by themselves, may provide another basis to determine that dumping is likely to continue or recur if the discipline of the order is removed. Relying on these principles, domestic interested parties contend that revocation of these antidumping duty orders would likely lead to a continuation or recurrence of dumping by the manufacturers, producers, and exporters of the subject merchandise.<sup>30</sup>

Domestic interested parties make the following claims regarding each of the orders:

*Brazil*: Domestic interested parties claim that, in the original investigation, the Department assigned a dumping margin of 94.73 percent to Belgo Meniera based on total AFA (the highest petition margin) and a dumping margin of 74.35 percent to all others (the average of the petition margins). They note that in the only administrative review conducted<sup>31</sup> the margin for Belgo

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<sup>29</sup> *Id.*

<sup>30</sup> See domestic interested parties’ Substantive Response for Brazil (July 2, 2013), at 12-18; domestic interested parties’ Substantive Response for Indonesia (July 2, 2013), at 11-15; domestic interested parties’ Substantive Response for Mexico (July 2, 2013), at 17-22; domestic interested parties’ Substantive Response for Moldova (July 2, 2013), at 11-15; domestic interested parties’ Substantive Response for Trinidad and Tobago (July 2, 2013), at 10-12; and domestic interested parties’ Substantive Response for Ukraine (July 2, 2013), at 8-9.

<sup>31</sup> The only administrative review of the Brazilian order took place prior to the *Final Results of the First Expedited Sunset Review*. See *Notice of Final Results of Antidumping Duty Administrative Review: Carbon and Certain Alloy Steel Wire Rod from Brazil*, 70 FR 28271 (May 17, 2005).

Meniera increased to 98.69 percent and the all others margin remained the same. Therefore, domestic interested parties assert that the Department can rely on the investigation margins to determine that dumping is likely to continue were the order revoked. In addition, domestic interested parties state that the volume of imports subject to this order declined significantly after the imposition of the order and that import volumes have not recovered to pre-order levels. They suggest that, as a result of the very high margins on all other wire rod from Brazil, all or virtually all of post-order wire rod imports from Brazil are grade 1080 tire cord quality and grade 1080 tire bead quality wire rod that are excluded from the antidumping duty order. Thus, they assert that immediately after the changed circumstances review was completed in 2003 (excluding 1080 tire cord and tire bead quality wire rod from the order), Brazilian producers and exporters of subject merchandise exited the U.S. market.

Given the continued existence of dumping margins and the significant decline in import volumes since the issuance of the order, the Department determines that dumping would be likely to continue or recur if the Brazilian order were revoked.<sup>32</sup>

*Indonesia:* Domestic interested parties state that the volume of imports subject to this order declined significantly after the imposition of the order. They note that imports from Indonesia were nonexistent in 2003, the first full year after the imposition of the order, and although there were minimal imports in 2004 and 2005, there have been no subject merchandise imports since 2006. Thus, domestic interested parties argue that these facts demonstrate that Indonesian producers/exporters are not able to sell subject merchandise under the discipline of the order. Therefore, they argue, revocation of the order will certainly lead to a continuation of dumping.<sup>33</sup>

*Mexico:* Domestic interested parties claim that dumping has continued at above *de minimis* levels since the imposition of the order. They note that in the most recently-completed administrative review within this sunset review period (2010-11), Deacero received a 12.08 percent dumping margin and they assert that the margin for Deacero was not calculated using zeroing.<sup>34</sup> Domestic interested parties also claim that the volume of imports subject to this order declined significantly after the imposition of the order, with the exception of 2010, during which they claim circumvention was occurring. They note that after the Department's affirmative circumvention ruling, imports again plummeted. Domestic interested parties claim that the significant decrease in the volumes of imports from Mexico after the order was imposed, the significant increase in Mexican import volumes as the result of circumvention of the order in 2010 and 2011, and the subsequent decline as a result of the anti-circumvention investigation,

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<sup>32</sup> See domestic interested parties' Substantive Response for Brazil, at 12-18.

<sup>33</sup> See domestic interested parties' Substantive Response for Indonesia, at 11-15.

<sup>34</sup> See domestic interested parties' Substantive Response for Mexico, at 22-24 (citing *Carbon and Certain Alloy Steel Wire Rod From Mexico: Final Results of Antidumping Duty Administrative Review; 2010-2011*, 78 FR 28190 (May 7, 2013) and Issues and Decision Memorandum at Comment 4 ("*Mexican Wire Rod; 2010-2011*").

demonstrate that Mexican producers/exporters are not able to sell in the United States under the discipline of the order. In conclusion, they argue that the Department should find that Mexican producers/exporters would likely continue dumping if the order were revoked.<sup>35</sup>

*Moldova:* Domestic interested parties state that the Department assigned a dumping margin of 369.10 percent to all exporters based on total AFA and that, in the absence of an administrative review, this rate remains in effect. Because it was based on AFA, domestic interested parties assert that the Department can rely on this rate to determine that dumping is likely to continue were the order revoked. In addition, domestic interested parties state that imports of subject merchandise stopped completely after the imposition of the order. They claim that the complete withdrawal of imports from Moldova immediately after the order was imposed demonstrates that Moldovan producers/exporters are not able to sell subject merchandise in the United States under the discipline of the antidumping duty order. Thus, the domestic interested parties argue that the substantial antidumping duty margins and the cessation of imports following the issuance of the antidumping duty order demonstrate that revocation of the order will certainly lead to a continuation of dumping.<sup>36</sup>

*Trinidad and Tobago:* Domestic interested parties state that imports of subject merchandise from Trinidad and Tobago decreased significantly after the imposition of the order. Moreover, there have been no imports since 2009. Thus, the domestic interested parties argue, the cessation of imports of the subject merchandise from Trinidad and Tobago into the United States is indicative of a strong likelihood of a recurrence of dumping should the order be revoked.<sup>37</sup>

*Ukraine:* Domestic interested parties state that imports of subject merchandise decreased drastically after the imposition of the order. They note that imports were zero from the 2008 continuation of the order through 2012, and are nonexistent in 2013, to date. They claim that the absence of imports make it clear that Ukrainian producers are unable to sell merchandise into the domestic market at fair prices. Thus, the domestic interested parties argue that revocation of the order will certainly lead to a continuation of dumping.<sup>38</sup>

### Department's Position

In accordance with the guidance provided in the legislative history accompanying the Uruguay Round Agreements Act ("URAA"), specifically the Statement of Administrative Action ("SAA"), H.R. Doc. 103-316, vol. 1 (1994),<sup>39</sup> the House Report, H. Rep. No. 103-826, pt. 1

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<sup>35</sup> See domestic interested parties' Substantive Response for Mexico, at 17-22.

<sup>36</sup> See domestic interested parties' Substantive Response for Moldova, at 11-15.

<sup>37</sup> See domestic interested parties' Substantive Response for Trinidad and Tobago, at 10-12.

<sup>38</sup> See domestic interested parties' Substantive Response for Ukraine, at 8-9.

<sup>39</sup> Reprinted in 1994 U.S.C.C.A.N. 4040 (1994).

(1994) (“House Report”),<sup>40</sup> and the Senate Report, S. Rep. No. 103-412 (1994) (“Senate Report”), the Department’s determinations of likelihood will be made on an order-wide basis.<sup>41</sup> 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.<sup>42</sup> With respect to the level of dumping, as noted above, in accordance with the *Final Modification for Reviews* the Department will not rely on weighted average dumping margins that were calculated using the WTO-inconsistent methodology. In considering import volumes, pursuant to section 752(c)(1)(B) of the Act, the Department will consider the volume of imports of the subject merchandise for the period before and after the issuance of the antidumping order.

The Department’s determination with respect to each order is explained below.

*Brazil:* The Department determines that the margins assigned to Belgo Mineira and all others during the underlying investigation, which were based on total AFA and the average petition margins, respectively, serve as a basis for finding that dumping would likely continue if the order were revoked. As discussed above, in the first and only administrative review, Belgo Mineira’s margin increased. There have been no reviews since the previous sunset review. As stated in the *Final Modification for Reviews*, “{i}f the dumping margins determined in a manner not found to be WTO-inconsistent in these disputes indicate that dumping continued with the discipline of the order in place, those dumping margins alone can form the basis for a determination that dumping will continue or recur if the order were to be revoked.”<sup>43</sup> Also, as noted in the SAA, “{i}f companies continue to dump with the discipline of an order in place, it is reasonable to assume that dumping would continue if the discipline were removed.”<sup>44</sup>

Moreover, our review of the import statistics provided by domestic interested parties confirms that imports of wire rod from Brazil declined after issuance of the order and have not returned to pre-order levels. In 2001, the import statistics show 257,469 short tons of wire rod from Brazil. Imports decreased to 102,517 short tons by 2012.<sup>45</sup> Regardless of whether domestic interested parties are correct that virtually all imports of wire rod from Brazil are of excluded grade 1080 tire cord quality and grade 1080 tire bead quality wire rod, there has been a significant decrease

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<sup>40</sup> Reprinted in 1994 U.S.C.C.A.N. 3773 (1994).

<sup>41</sup> See SAA at 879 and House Report at 56.

<sup>42</sup> See SAA at 889 and 890, House Report at 63-64, and Senate Report at 52.

<sup>43</sup> See *Final Modification for Reviews*, 77 FR at 8103.

<sup>44</sup> See SAA at 890.

<sup>45</sup> See domestic interested parties’ Substantive Response for Brazil, at 11-12.

in the volume of imports, which is even greater if the continuing imports are of excluded merchandise.

Given the continued existence of dumping margins and the significant decline in import volumes since the issuance of the order, the Department determines that dumping would be likely to continue or recur if the Brazilian order were revoked.

*Indonesia:* Our review of the import statistics provided by domestic interested parties confirms that imports of wire rod from Indonesia declined after issuance of the order and have not returned to pre-order levels. In 2001, imports of subject merchandise were 60,066 short tons. Since 2006, imports have ceased.<sup>46</sup> In the *Final Modification for Reviews*, the Department noted that “if there are no dumping margins during the five-year sunset period, decreased volumes may provide another basis to determine that dumping is likely to continue or recur if the discipline of the order is removed.”<sup>47</sup> The decreased volumes support a conclusion that exporters and importers of subject merchandise are declining to enter into some transactions at dumped prices that would have been made prior to the possible application of antidumping duties, and likely would be made again if the possibility of antidumping duties were removed. Therefore, the Department determines that dumping is likely to continue or recur if the Indonesian order were revoked.

*Mexico:* The Department determines that the margin assigned to SICARTSA in the underlying investigation, as well as the margin determined for Deacero in the 2010-2011 administrative review, both of which did not involve the denial of offsets, serve as a basis for finding that dumping would likely continue or recur if the order were revoked. As stated in the *Final Modification for Reviews*, “{i}f the dumping margins determined in a manner not found to be WTO-inconsistent in these disputes indicate that dumping continued with the discipline of the order in place, those dumping margins alone can form the basis for a determination that dumping will continue or recur if the order were to be revoked.”<sup>48</sup> Also, as noted in the SAA, “{i}f companies continue to dump with the discipline of an order in place, it is reasonable to assume that dumping would continue if the discipline were removed.”<sup>49</sup>

Moreover, our review of the import statistics provided by domestic interested parties confirms that imports of wire rod from Mexico declined after issuance of the order and have not returned to pre-order levels. In 2001, imports of subject merchandise were 266,928 short tons. By 2012, imports were 25,626 short tons.<sup>50</sup>

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<sup>46</sup> See domestic interested parties’ Substantive Response for Indonesia, at 11.

<sup>47</sup> See *Final Modification for Reviews*, 77 FR at 8103.

<sup>48</sup> See *Final Modification for Reviews*, 77 FR at 8103.

<sup>49</sup> See SAA at 890.

<sup>50</sup> See domestic interested parties’ Substantive Response for Mexico, at 13.

*Moldova*: The Department determines that the Moldovan-wide rate assigned in the underlying investigation, which was based on total AFA, serves as a basis for finding that dumping would likely continue if the order were revoked. As discussed above, there have been no reviews since the issuance of the order. As stated in the *Final Modification for Reviews*, “{i}f the dumping margins determined in a manner not found to be WTO-inconsistent in these disputes indicate that dumping continued with the discipline of the order in place, those dumping margins alone can form the basis for a determination that dumping will continue or recur if the order were to be revoked.”<sup>51</sup> Also, as noted in the SAA, “{i}f companies continue to dump with the discipline of an order in place, it is reasonable to assume that dumping would continue if the discipline were removed.”<sup>52</sup>

Moreover, our review of import statistics provided by the domestic interested parties show that imports of wire rod from Moldova declined from a pre-order high of 191,076 short tons in 2000 to 18,826 short tons in 2002, and ceased completely 2003.<sup>53</sup>

Given the continued existence of dumping margins and the significant decline in import volumes since the issuance of the order, the Department determines that dumping would be likely to continue or recur if the Moldovan order were revoked.

*Trinidad and Tobago*: Our review of the import statistics provided by the domestic interested parties confirms that imports of wire rod from Trinidad and Tobago declined after issuance of the order and have not returned to pre-order levels. In 2001, imports of subject merchandise were 355,093 short tons. By 2008, imports had declined to 21,794 short tons and subsequently ceased altogether.<sup>54</sup> In the *Final Modification for Reviews*, the Department noted that “if there are no dumping margins during the five-year sunset period, decreased volumes may provide another basis to determine that dumping is likely to continue or recur if the discipline of the order is removed.”<sup>55</sup> The decreased volumes support a conclusion that exporters and importers of subject merchandise are declining to enter into some transactions at dumped prices that would have been made prior to the possible application of antidumping duties, and likely would be made again if the possibility of antidumping duties were removed. Therefore, the Department determines that dumping is likely to continue or recur if the order on wire rod from Trinidad and Tobago were revoked.

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<sup>51</sup> See *Final Modification for Reviews*, 77 FR at 8103.

<sup>52</sup> See SAA at 890.

<sup>53</sup> See domestic interested parties’ Substantive Response for Moldova, at 15.

<sup>54</sup> See domestic interested parties’ Substantive Response for Trinidad and Tobago, at 11.

<sup>55</sup> See *Final Modification for Reviews*, 77 FR at 8103.

*Ukraine*: The Department determines that the margin which was assigned to Krivorozhstal, and used as the Ukraine-wide rate in the underlying investigation, did not involve the denial of offsets and therefore may serve as a basis for finding that dumping would likely continue or recur if the order were revoked. As stated in the *Final Modification for Reviews*, “[i]f the dumping margins determined in a manner not found to be WTO-inconsistent in these disputes indicate that dumping continued with the discipline of the order in place, those dumping margins alone can form the basis for a determination that dumping will continue or recur if the order were to be revoked.”<sup>56</sup> Also, as noted in the SAA, “[i]f companies continue to dump with the discipline of an order in place, it is reasonable to assume that dumping would continue if the discipline were removed.”<sup>57</sup>

Moreover, our review of the import statistics provided by the domestic interested parties show that imports of wire rod from Ukraine declined after issuance of the order and eventually ceased altogether. In 2001, imports of subject merchandise were 258,529 short tons. While there were minimal imports in 2003, in 2004, 2005, and since 2006, imports were at zero.<sup>58</sup>

Given the continued existence of dumping margins and the significant decline in import volumes since the issuance of the order, the Department determines that dumping would be likely to continue or recur if the Ukrainian order were revoked.

## 2. Magnitude of the Margin Likely to Prevail

### Interested Party Comments

Domestic interested parties assert that the Department’s general practice in sunset reviews is to report the margins from the investigation to the ITC as the magnitude of margins likely to prevail in the absence of the order. Further, they note that in the *Final Modification for Reviews*, the Department stated that it would continue to rely on dumping margins that were not WTO-inconsistent, including margins that were based on the use of AFA and margins where no offsets were denied.<sup>59</sup>

Domestic interested parties make the following arguments regarding the magnitude of margins

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<sup>56</sup> *Id.*

<sup>57</sup> See SAA at 890.

<sup>58</sup> See domestic interested parties’ Substantive Response for Ukraine, at Exhibit 2.

<sup>59</sup> See domestic interested parties’ Substantive Response for Brazil, at 18-20; domestic interested parties’ Substantive Response for Indonesia, at 15-17; domestic interested parties’ Substantive Response for Mexico, at 22-24; domestic interested parties’ Substantive Response for Moldova, at 16-18; domestic interested parties’ Substantive Response for Trinidad and Tobago, at 12-15; and domestic interested parties’ Substantive Response for Ukraine, at 9-12.

likely to prevail for each order:

*Brazil:* Domestic interested parties request that the Department report to the ITC the antidumping duty margins for Belgo Minería and all others that were determined in the investigation as both were based on margins in the petition. They note that the investigation margin for Belgo Minería was based on total AFA (highest margin from the petition) and thus is consistent with the *Final Modification for Reviews*. Specifically, the domestic interested parties recommend the following antidumping duty margins: for Belgo Mineira, 94.73 percent and for the all others rate, 74.45 percent.<sup>60</sup>

*Indonesia:* Domestic interested parties request that the Department report to the ITC the antidumping duty margins that were determined in the investigation as they are the only margins that reflect the behavior of the Indonesia producers/exporters without the discipline of the order and, there is no evidence available to them that zeroing was used in the calculation of the margin from the investigation. As such, they recommend reporting to the ITC the following antidumping duty margins: for P.T. Ispat Indo, 4.05 percent and for the all-others rate, 4.05 percent.<sup>61</sup>

*Mexico:* Domestic interested parties request that the Department report to the ITC the antidumping duty margins that were determined in the investigation as there is no record evidence available to them that zeroing was used in calculation of the investigation margin and this is the only rate that reflects the behavior of the Mexican producers/exporters without the discipline of an order. In the alternative, claiming that the Department did not use zeroing to calculate the rate, domestic interested parties claim that the Department could report the 12.08 percent dumping margin reported for Deacero in the sixth administrative review.<sup>62</sup>

*Moldova:* Domestic interested parties note that the dumping margin from the original investigation was based on AFA, and, as a result, is consistent with the *Final Modification for Reviews*. Therefore, they request that the Department report to the ITC the antidumping duty margin that was determined in the investigation: 369.10 percent for all Moldovan producers and exporters.<sup>63</sup>

*Trinidad and Tobago:* Noting that that *Policy Bulletin* provides that the agency “may . . . provide to the Commission . . . a more recently calculated margin for a particular company where, for that particular company, dumping margins increased after the issuance of the order,

<sup>60</sup> See domestic interested parties’ Substantive Response for Brazil, at 18-20.

<sup>61</sup> See domestic interested parties’ Substantive Response for Indonesia, at 15-17.

<sup>62</sup> See domestic interested parties’ Substantive Response for Mexico, at 22-24 (citing *Mexican Wire Rod; 2010-2011* at Comment 4).

<sup>63</sup> See domestic interested parties’ Substantive Response for Moldova, at 16-18.

even if the increase was as a result of the application of best information available or facts available,”<sup>64</sup> domestic interested parties request that the Department report to the ITC the antidumping duty margin calculated for AMPL, the sole producer in Trinidad and Tobago, in the most recent administrative review, *i.e.*, 23.95 percent. Failing that, domestic interested parties assert that the Department should rely on the dumping margin calculated for AMPL’s predecessor in the original investigation, *i.e.*, 11.40 percent. Additionally, they assert that there is no record evidence available to them that zeroing was used in the calculation of either of these margins.<sup>65</sup>

*Ukraine:* Domestic interested parties note that in the investigation, the Department calculated a rate of 116.37 percent for Krivorozhstal and used it as the Ukraine-wide rate. In the absence of any administrative reviews, the domestic interested parties assert that this is the only evidence of the likely level of dumping that would occur if the order were to be revoked. Additionally, they assert that there is no record evidence available to them that zeroing was used in the calculation of the margin from the investigation. As such, they request that the Department report to the ITC the antidumping duty margins that were determined in the investigation.<sup>66</sup>

#### Department’s Position

The Department will normally provide to the ITC the company-specific margin from the investigation for each company.<sup>67</sup> For companies not investigated specifically or that did not begin shipping until after the order was issued, the Department normally will provide a margin based on the “All Others” rate from the investigation.<sup>68</sup> However, for countries which the Department considers to be a non-market economy under section 771(18)(A) of the Act, the Department does not have an all others rate. Thus, in non-market economy cases, instead of an all others rate, the Department uses an established country-wide rate, which it applies to all imports from exporters that have not established their eligibility for a separate rate.<sup>69</sup>

The Department prefers to select a margin from the investigation because it is the only calculated

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<sup>64</sup> *Policies Regarding the Conduct of Five-Year (“Sunset”) Reviews of Antidumping and Countervailing Duty Orders*, 63 FR 18871 (April 16, 1998) (“*Policy Bulletin*”).

<sup>65</sup> See domestic interested parties’ Substantive Response for Trinidad and Tobago, at 12-15.

<sup>66</sup> See domestic interested parties’ Substantive Response for Ukraine, at 9-12.

<sup>67</sup> See *Eveready Battery Co., Inc. v. United States*, 77 F. Supp. 2d 1327, 1333 (Ct. Int’l Trade 1999) (“*Eveready Battery*”) and SAA at 890.

<sup>68</sup> See Section 752(c)(3) of the Act; see also, *e.g.*, *Internal-Combustion Forklift Trucks from Japan; Final Results of the Expedited Sunset Review of the Antidumping Order*, 70 FR 58373 (October 6, 2005) and accompanying Issues and Decision Memorandum at “Magnitude of the Margin Likely to Prevail.”

<sup>69</sup> See *Bristol Metals L.P. v. United States*, 703 F. Supp. 2d 1370, 1378 (Ct. Int’l Trade 2010) (citation omitted); see also *Amanda Foods (Vietnam) Ltd. v. United States*, 647 F. Supp. 2d 1368, 1379 (Ct. Int’l Trade 2009) (citation omitted).

rate that reflects the behavior of manufacturers, producers, and exporters without the discipline of an order or suspension agreement in place.<sup>70</sup> Under certain circumstances, however, the Department may select a more recently calculated margin to report to the ITC.<sup>71</sup>

In these sunset reviews, the Department has relied upon weighted-average antidumping duty margins that were not affected by the WTO-inconsistent methodology, *i.e.*, zeroing, addressed in the *Final Modification for Reviews*.

The Department's determination regarding the margins to report to the ITC for each of the orders is enumerated below.

*Brazil:* In the original investigation, the final dumping margin for Belgo Minería was based upon the use of total adverse facts available and did not involve the denial of offsets. For the all others rate, the Department applied the average of the dumping margins calculated in the antidumping duty petition and this rate also did not involve the denial of offsets. As such, the Department finds it appropriate to report to the ITC the rates from the original investigation as the margins likely to prevail since these are the only rates that reflect the behavior of Brazilian manufacturers, producers, and exporters without the discipline of an order in place.

*Indonesia:* In the original investigation, the Department calculated a final dumping margin for P.T. Ispat Indo of 4.05 percent and applied that margin as the all-others rate. Because these are the only calculated rates that reflect the behavior of manufacturers, producers, and exporters without the discipline of an order in place, the Department finds it appropriate to provide to the ITC the rates from the original investigation, but revised to eliminate the denial of offsets.<sup>72</sup>

*Mexico:* In the original investigation, the final dumping margin calculated for SICARTSA and applied to all others in the original investigation was not affected by the denial of offsets because all of the comparison results were positive and hence did not involve the denial of offsets.<sup>73</sup> The Department finds that it is appropriate to provide the ITC with the rates from the investigation

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<sup>70</sup> See *Eveready Battery*, 77 F. Supp. 2d at 1333; see also SAA at 890.

<sup>71</sup> See *Corrosion-Resistant Carbon Steel Flat Products From Germany and the Republic of Korea: Final Results of Full Sunset Reviews*, 77 FR 72827 (December 6, 2012) and accompanying Issues and Decision Memorandum at Comment 2; see also SAA at 890-891.

<sup>72</sup> See Memorandum from Christopher Hargett, Senior International Trade Compliance Analyst, through Melissa G. Skinner, Office Director, to the File, "Sunset Review of Carbon and Certain Alloy Steel Wire Rod from Indonesia; SAS Log and Output for Ispat Indo from the Original Investigation and Recalculation" which is dated concurrently with, and adopted by, this memorandum.

<sup>73</sup> See Memorandum from Christopher Hargett, Senior International Trade Compliance Analyst, through Melissa G. Skinner, Office Director, to the File, "Sunset Review of Carbon and Certain Alloy Steel Wire Rod from Mexico; SAS Log and Output for Sicartsa S.A de C.V. from the Original Investigation" which is dated concurrently with, and adopted by, this memorandum.

because these are the only calculated rates that reflect the behavior of manufacturers, producers, and exporters without the discipline of an order in place.

*Moldova:* In the original investigation, the final dumping margin of 369.10 percent for all Moldovan producers and exporters was based upon the use of total adverse facts available and did not involve the denial of offsets. As such, the Department finds it appropriate to report to the ITC the rates from the original investigation as the margins likely to prevail since these are the only rates that reflect the behavior of Moldovan manufacturers, producers, and exporters without the discipline of an order in place.

*Trinidad and Tobago:* In the original investigation, the Department calculated a final dumping margin for CIL of 11.40 percent and applied that margin as the all-others rate. Over the life of the order, the Department has conducted numerous reviews of CIL and its successor companies, finding margins ranging 0.06 percent to 23.95 percent. Because the margins from the investigation are the only calculated rates that reflect the behavior of manufacturers, producers, and exporters without the discipline of an order in place, the Department finds it appropriate to provide to the ITC the rates from the original investigation, but revised to eliminate the denial of offsets, since the margin calculated for CIL in the original investigation resulted in offsets being denied.<sup>74</sup>

*Ukraine:* The final dumping margin calculated for of 116.37 percent for Krivorozhstal and applied as the Ukraine-wide rate was not affected by the denial of offsets because all of the comparison results were positive and hence did not involve the denial of offsets.<sup>75</sup> The Department finds that it is appropriate to provide the ITC with the rates from the investigation because these are the only calculated rates that reflect the behavior of manufacturers, producers, and exporters without the discipline of an order in place.

#### Final Results of Expedited Sunset Reviews

We determine that revocation of the antidumping duty orders on wire rod from Brazil, Indonesia, Mexico, Moldova, Trinidad and Tobago, and Ukraine would be likely to lead to continuation or recurrence of dumping at the following weighted-average percentage margins:

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<sup>74</sup> See Memorandum from Christopher Hargett, Senior International Trade Compliance Analyst, through Melissa G. Skinner, Office Director, to the File, "Sunset Review of Carbon and Certain Alloy Steel Wire Rod from Trinidad; SAS Log and Output for Caribbean Ispat Ltd. from the Original Investigation, 2007-2008 Review, and Recalculation" which is dated concurrently with, and adopted by, this memorandum.

<sup>75</sup> See Memorandum from Christopher Hargett, Senior International Trade Compliance Analyst, through Melissa G. Skinner, Office Director, to the File, "Sunset Review of Carbon and Certain Alloy Steel Wire Rod from Ukraine; SAS Log and Output for Krivorozhstal from the Original Investigation" which is dated concurrently with, and adopted by, this memorandum.<sup>76</sup> As discussed above, the successor-in-interest to CIL is currently AMPL.

Manufacturers/Exporters/Producers	Weighted-Average Margin (percent)
<u>Brazil</u>	
Belgo Mineira	94.73
All-Others Rate	74.45
<u>Indonesia</u>	
P.T. Ispat Indo	4.05
All-Others Rate	4.05
<u>Mexico</u>	
SICARTSA	20.11
All-Others Rate	20.11
<u>Moldova</u>	
Moldova-wide Rate	369.10
<u>Trinidad and Tobago</u>	
CIL <sup>76</sup>	11.40
All-Others Rate	11.40
<u>Ukraine</u>	
Krivorozhstal	116.37
All-Others Rate	116.37

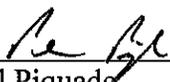
<sup>76</sup> As discussed above, the successor-in-interest to CIL is currently AMPL.

**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 these final results of reviews in the *Federal Register*, and notify the ITC of our findings.

AGREE ✓

DISAGREE \_\_\_\_\_

  
Paul Piquado  
Assistant Secretary  
for Enforcement and Compliance

17 OCTOBER 2013  
Date