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Sunset Reviews
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DATE: August 30, 2005

MEMORANDUM TO: Joseph A. Spetrini
Acting Assistant Secretary
for Import Administration

FROM: Barbara E. Tillman
Acting Deputy Assistant Secretary
for Import Administration

SUBJECT: Issues and Decision Memorandum for the Expedited Sunset Reviews of the Antidumping Duty Orders on Certain Stainless Steel Butt-Weld Pipe Fittings from Japan, South Korea, and Taiwan; Final Results

Summary

We have analyzed the substantive responses of the domestic interested parties in the second sunset reviews of the antidumping duty orders covering certain stainless steel butt-weld pipe fittings (pipe fittings) from Japan, South Korea, and Taiwan.¹ We recommend that you approve the positions we 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 margins likely to prevail

History of the Orders

On July 1, 1999, the Department of Commerce (the Department) initiated the first sunset reviews of the antidumping duty orders on pipe fittings from Japan, South Korea, and Taiwan pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act). See Initiation of Five-Year (“Sunset”) Reviews, 64 FR 35588 (July 1, 1999). As a result of the first sunset reviews, pursuant to sections 751(c) and 752 of the Act, the Department determined that revocation of the antidumping duty orders on pipe fittings from Japan, South Korea, and Taiwan would likely lead to continuation or recurrence of dumping. See Final Results of Expedited Sunset Reviews; Certain Stainless Steel Butt-Weld Pipe and Tube Fittings from Japan, South

¹ No responses were received from respondent interested parties.

Korea, and Taiwan, 65 FR 5604 (Feb. 4, 2000) (Department's First Sunset Review). On February 24, 1999, the International Trade Commission (ITC), pursuant to section 751(c) of the Act, determined that revocation of the antidumping duty orders on pipe fittings from Japan, South Korea, and Taiwan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. See Certain Stainless Steel Butt-Weld Pipe and Tube Fittings from Japan, South Korea, and Taiwan, 65 FR 9298 (Feb. 24, 2000); and Certain Stainless Steel Butt-Weld Pipe and Tube Fittings from Japan, South Korea, and Taiwan, USITC Pub. 3263 Inv. Nos. 731-TA-376, 563, and 564 (Review) (Dec. 1999) (ITC's First Sunset Review). Accordingly, the Department published a notice of the continuation of the antidumping duty orders on pipe fittings from Japan, South Korea, and Taiwan, pursuant to 19 CFR 351.218(f)(4) of the Department's regulations. See Continuation of Antidumping Duty Orders; Certain Stainless Steel Butt-Weld Pipe and Tube Fittings from Japan, South Korea, and Taiwan, 65 FR 11766 (Mar. 6, 2000).

Japan

On February 4, 1988, the Department published its affirmative determination of sales at less than fair value (LTFV) with respect to pipe fittings from Japan. See Final Determination of Sales at Less Than Fair Value: Certain Stainless Steel Butt-Weld Pipe and Tube Fittings from Japan, 53 FR 3227 (Feb. 4, 1988). The antidumping duty order was published on March 25, 1988. See Antidumping Duty Order; Certain Stainless Steel Butt-Weld Pipe and Tube Fittings from Japan 53 FR 9787 (Mar. 25, 1988). The Department established weighted-average margins of 65.08 percent for Mie Horo (Mie Horo), 37.24 percent for Nippon Benkan Kogyo, K.K. (Benkan), 0.08 percent de minimis for Fuji Acetylene Industries Co., Ltd (Fuji), and 49.31 percent for "all others." Fuji was excluded from the antidumping duty order because the Department found that it had a de minimis dumping margin.

In four completed subsequent administrative reviews, all prior to the first sunset review, the Department found that the Japanese producers/exporters continued dumping with the order in place.² Also prior to the first sunset review, the Department conducted scope reviews and found products both within³ and outside⁴ the scope of the order. Since the final results of the first

²See Stainless Steel Butt-Weld Pipe and Tube Fittings from Japan; Final Results of Antidumping Duty Administrative Review, 56 FR 14922 (Apr. 12, 1991); Stainless Steel Butt-Weld Pipe and Tube Fittings from Japan; Final Results of Antidumping Duty Administrative Review, 56 FR 20592 (May 6, 1991); Stainless Steel Butt-Weld Pipe and Tube Fittings from Japan; Final Results of Antidumping Duty Administrative Review, 57 FR 46372 (Oct. 8, 1992); and Stainless Steel Butt-Weld Pipe and Tube Fittings from Japan; Final Results of Antidumping Duty Administrative Review, 59 FR 12240 (Mar. 16, 1994).

³The following product was found to be within the scope of the order: Superclean or ultraclean pipe fittings from Japan imported by Benkan Corporation (See Scope Rulings, 56 FR 1801 (Jan. 17, 1991)).

⁴The following products were found to be outside the scope of the order: certain gasket raised face seal sleeves and certain stainless steel "fine-fit" tube fittings from Japan imported by Fujikin of America, Inc. (See Scope Rulings, 60 FR 54213 (Oct. 20, 1995)); Primet joint metal seal fittings and primet joint weld fittings from Japan imported by Daido (See Scope Rulings, 61 FR 5533 (Feb. 13, 1996)); Sleeves of clean vacuum couplings and super-clean microfittings from Japan imported by Benkan (See Scope Rulings, 61 FR 5533 (Feb. 13, 1996)); and

sunset review, the Department has not conducted an administrative review or made a scope ruling. However, subsequent to the first sunset review, the Department did initiate a changed-circumstance review upon a request by Benex Corporation (Benex) to determine whether Benex was the successor-in-interest to Benkan, but later rescinded this review following Benex's withdrawal of its request for a changed-circumstance review. See Notice of Initiation of Changed Circumstances Antidumping Duty Administrative Review: Certain Stainless Steel Butt-Weld Pipe and Tube Fittings from Japan, 67 FR 39676 (June 10, 2002) and Notice of Rescission of Changed Circumstances Antidumping Duty Administrative Review: Certain Stainless Steel Butt-Weld Pipe and Tube Fittings from Japan, 67 FR 53777 (Aug. 19, 2002).

South Korea

On December 29, 1992, the Department published its affirmative determination of sales at LTFV with respect to pipe fittings from South Korea. See Final Determination of Sales at Less Than Fair Value; Certain Welded Stainless Steel Butt-Weld Pipe Fittings from the Republic of Korea, 57 FR 61881 (Dec. 29, 1992). The antidumping duty order was published on February 23, 1993. See Antidumping Duty Order; Certain Welded Stainless Steel Butt-Weld Pipe Fittings from Korea, 58 FR 11029 (Feb. 23, 1993). The Department established a weighted-average margin of 21.20 percent for Asia Bend Co. Ltd (Asia Bend). The "all others" rate was likewise established at 21.20 percent.

Since the final results of the first sunset review, the Department conducted a new shipper review of TK Corporation (TK) and found a 0.00 weighted average dumping margin. See Notice of Final Results of Antidumping Duty New Shipper Review; Stainless Steel Butt-Weld Pipe and Tube Fittings from Korea, 67 FR 77468 (Dec. 18, 2002). The Department also completed an administrative review of Sam Sung Stainless Commerce & Ind. Co., Ltd. (Sam Sung) and, because of Sam Sung's refusal to cooperate with the Department, the Department assigned as adverse facts available a weighted-average margin of 21.20 percent. See Stainless Steel Butt-Weld Pipe and Tube Fittings from Korea; Notice of Final Results of Antidumping Duty Administrative Review, 68 FR 69995 (Dec. 16, 2003). In the Department's most recently completed administrative review, Sungkwang Bend (Sungkwang) was found to have a weighted average dumping margin of 0.81 percent. See Stainless Steel Butt-Weld Pipe Fittings from Korea, Notice of Final Results of Antidumping Duty Administrative Review, 70 FR 39743 (July 11, 2005).

Taiwan

On May 14, 1993, the Department published its affirmative determination of sales at LTFV with respect to pipe fittings from Taiwan. See Final Determination of Sales at Less Than Fair Value; Certain Stainless Steel Butt-Weld Pipe Fittings from Taiwan 58 FR 28556 (May 14, 1993). The antidumping duty order was published on June 16, 1993. See Amended Final Determination and Antidumping Duty Order; Certain Welded Stainless Steel Butt-Weld Pipe Fittings from Korea, 58 FR 33250 (June 16, 1993). The Department established a weighted-

Superclean fittings from Japan imported by Benkan UCT Corporation (See Scope Rulings, 61 FR 40194 (Aug. 1, 1996)).

average margin of 76.20 percent for Tachia Yung Ho Machine Industry Co., Ltd. (Tachia), 0.64 percent for Ta Chen Stainless Pipe Co., Ltd. (Ta Chen), 76.20 percent for Tru-Flow Industrial Co., Ltd. (Tru-Flow); and an “all others” rate of 51.01 percent.

In subsequent administrative reviews commenced prior to the first sunset review, the Department found that the Taiwanese producers/exporters continued dumping with the discipline of the order. Ta Chen was the only respondent who had completed administrative reviews. Also prior to the first sunset review, the Department conducted scope reviews and found products outside the scope of the order.⁵

Since the final results of the first sunset review, the Department found that the Taiwanese producers/exporters continued dumping with the order in place. All of the Department’s completed administrative reviews were for Ta Chen.⁶ Also since the final results of the first sunset review, the Department conducted a scope review and found a product within the scope of the order. This ruling was overturned by the Court of International Trade.⁷

Background

On February 2, 2005, the Department initiated the second sunset review of the antidumping duty orders on pipe fittings from Japan, Korea, and Taiwan pursuant to section 751(c) of the Act. See Initiation of Five-Year (“Sunset”) Reviews, 70 FR 5415 (Feb. 2, 2005) (Department’s Second Sunset Review). The Department invited parties to comment. The Department received notices of intent to participate from four domestic interested parties, Flowline Division of Markovitz Enterprises, Inc. (Flowline), Gerlin, Inc. (Gerlin), Shaw Alloy Piping Products, Inc. (formerly Alloy Piping Products, Inc.) (Shaw), and Taylor Forge Stainless,

⁵The following products were found to be outside the scope of the order: Cast butt-weld pipe fittings from Taiwan imported by Eckstrom Industries (See Eckstrom Ind. v. United States, 254 F.3d 1068 (Fed.Cir. July 2, 2001)); Stainless steel tube fittings with non-welded end connection and other products from Taiwan imported by Top Line Process Equipment Corporation (See Scope Rulings, 60 FR 54213 (Oct. 20, 1995)); and Square-edged stainless steel butt weld tube fittings from Taiwan imported by Allegheny Bradford Corp. d/b/a Top Line Process Equipment Co. (See Allegheny Bradford Corporation d/b/a Top Line Process Equipment Company v. United States, 342 F. Supp. 2d 1172 (CIT July 4, 2004)).

⁶See Alloy Piping Products, Inc. et al. v. United States, Slip Op. 05-69, 2005 Ct. Intl. Trade LEXIS 72 (CIT June 14, 2005)(1999-2000 Review); Notice of Amended Final Results of Antidumping Duty Administrative Review: Stainless Steel Butt-Weld Pipe Fittings from Taiwan, 68 FR 4763 (Jan. 30, 2003)(2000-2001 Review); Certain Stainless Steel Butt-Weld Pipe Fittings from Taiwan: Final Results and Final Rescission in Part of Antidumping Duty Administrative Review, 68 FR 69996 (Dec. 16, 2003)(2001-2002 Review); Certain Stainless Steel Butt-Weld Pipe Fittings from Taiwan: Final Results and Final Rescission in Part of Antidumping Duty Administrative Review, 70 FR 1870 (Jan. 11, 2005)(2002-2003 Review). Final results for the 2003-2004 administrative review are pending. The Department most recently completed its preliminary results and found above de minimis dumping margins for Ta Chen and Tru-Flow. See Certain Stainless Steel Butt-Weld Pipe Fittings from Taiwan; Preliminary Results of Antidumping Duty Administrative Review and Notice of Intent to Rescind in Part, 70 FR 39735 (July 11, 2005).

⁷The following product was found to be within the scope of the order: Stainless steel butt-weld tube fittings imported by Allegheny Bradford Corporation d/b/a Top Line Process Equipment Company (Notice of Scope Rulings and Anticircumvention Inquiries, 68 FR 7772 (Feb. 18, 2003)). This finding was overturned by Allegheny Bradford Corporation d/b/a Top Line Process Equipment Company v. United States, 342 F.Supp. 2d 1172 (CIT June 4, 2004).

Inc. (Taylor Forge) (collectively, domestic interested parties) within the deadline specified in section 351.218(d)(1)(i) of the Department's regulations. The domestic interested parties claimed interested party status under section 771(9)(C) of the Act as U.S. producers of a domestic like product. Flowline was the sole petitioner in the original investigation and has participated in these proceedings since that time. The remaining domestic interested parties have been participants in the sunset and more recent administrative review proceedings. The Department did not receive substantive responses to the notice of initiation from any respondent interested parties. 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 conducted expedited sunset reviews of these orders.

On May 26, 2005, the Department extended the time limit for final results of these sunset reviews to not later than August 31, 2005. See [Stainless Steel Butt-Weld Pipe Fittings from Japan, Korea, and Taiwan: Extension of Time Limit for the Final Results of Sunset Reviews of Antidumping Duty Orders](#), 70 FR 30416 (May 26, 2005).

Discussion of the Issues

In accordance with section 751(c)(1) of the Act, the Department conducted these sunset reviews to determine whether revocation of these 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 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 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 shall provide to the ITC the magnitude of the margin of dumping likely to prevail if the order were revoked. Below we address the comments of the interested parties.

1. Likelihood of Continuation or Recurrence of Dumping

Interested Party Comments:

Japan

Domestic interested parties assert that import volumes declined immediately following the issuance of the order and, in subsequent years, amount to almost a complete withdrawal from the U.S. market. See Substantive Response of domestic interested parties, March 4, 2005, at 21 (Substantive Response). To provide evidence for its claim of decreasing import volumes, domestic interested parties provided import volumes of the subject merchandise under the Harmonized Tariff Schedule item number 7307.23.00 for the periods 1985 through 2004. See id. at 21 and Exhibit 2.

Benkan is the only respondent to have administrative reviews completed by the Department, all of which preceded the first sunset review. Domestic interested parties note that after a decrease in the dumping margin for Benkan after the first administrative review, Benkan's margin for each subsequent administrative review was greater than in the first administrative review. See id. at 21. Domestic interested parties claim that based on the continued margins and low import volumes, the Department should determine that dumping is likely to continue or recur if the order were revoked. See id. at 22.

South Korea

Domestic interested parties make similar arguments regarding the likely effects of revocation of the order on pipe fittings from South Korea. Domestic interested parties again argue imports remain significantly below pre-petition volumes until the Department completed a new shipper review in 2002. See id. at 22 and Exhibit 2. In that year, one respondent achieved a zero margin by, the domestic interested parties allege, selling modest volumes and the other respondent was assigned a 21.20 percent rate. Thereafter, import levels surged to above pre-order volumes. Domestic interested parties thus assert that based on the continued existence of sales at less than fair value by all but one of the exporters during the Department's completed administrative reviews, the Department should determine that dumping is likely to continue or recur if the order were revoked. See id. at 23.

Taiwan

_____ According to the domestic interested parties, only one respondent, Ta Chen, has ever requested an annual review. With the exception of one administrative review prior to the first sunset review, the final results in all of the administrative reviews resulted in dumping margins higher than in the original determination. See Substantive Response at 23. Domestic interested parties also claim that average import volumes from Taiwan fell by more than fifty percent in the two years following the imposition of order compared to the pre-order volume. See id. at 24 and Exhibit 2. Domestic interested parties claim that based on the continued margins and declining import volumes, the Department should determine that dumping is likely to continue or recur if the order were revoked. See id. at 24.

Department's Position

Drawing on the guidance provided in the legislative history accompanying the Uruguay Round Agreements Act (URAA), specifically the Statement of Administrative Action (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) (Senate Report), the Department normally determines that 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 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.

The records of the involved orders show that dumping has persisted since the issuance of these orders.⁸ Deposit rates above de minimis remain in effect for exports of pipe fittings from

⁸One exception was a zero percent margin for TK Corporation in new shipper review for pipe fittings from South Korea. See Notice of Final Results of Antidumping Duty New Shipper Review; Stainless Steel Butt-Weld Pipe Fittings From Korea, 67 FR 77468 (Dec. 18, 2002).

Japan, South Korea, and Taiwan.⁹ The Department also analyzed and considered the volume of imports of the subject merchandise in the year prior to the issuance of the order and import volumes over the past five years. See Memorandum to File from Brian Sheba, Case Analyst through Robert James, Program Manager: Import Volume Memorandum for the Expedited Sunset Reviews of the Antidumping Duty Orders on Certain Stainless Steel Butt-Weld Pipe Fittings from Japan, South Korea, and Taiwan; Final Results (Aug. 30, 2005) (Import Volumes Memo).

Using statistics provided by the domestic interested parties' Substantive Response and the ITC DataWeb, the Department finds that imports of pipe fittings from South Korea fluctuated between 1,972,280 pounds and 591,525 pounds after the first sunset review, but in all cases remained above pre-order volumes. See Import Volumes Memo.

Using statistics provided by the domestic interested parties Substantive Response and the ITC DataWeb, the Department finds that imports of pipe fittings from Japan fluctuated between 425,589 pounds and 2,396 pounds after the first sunset review, but remained significantly below pre-order volumes. See Import Volumes Memo.

Using statistics provided by the domestic interested parties Substantive Response and the ITC DataWeb, the Department finds that imports of pipe fittings from Taiwan fluctuated between 1,377,391 pounds and 812,375 pounds after the first sunset review, but remained significantly below pre-order volumes. See Import Volumes Memo.

The Department therefore finds that with respect to pipe fittings from Japan and Taiwan, import volumes continue to be well below pre-order levels. With respect to pipe fittings from South Korea, import volumes exceed pre-order levels. However, the continuation of dumping at above de minimis levels warrants the continuation of these orders.¹⁰ Therefore, on the basis of information provided by domestic interested parties, the information on the record, and the lack of information provided by the respondent parties, we continue to find that it is likely that if the antidumping duty orders were revoked, dumping would continue to recur.

2. Magnitude of the Margin Likely to Prevail

Interested Party Comments

Japan

Domestic interested parties assert that in accordance with the legislative history and the Department's regulations, the Department should provide the ITC the rates from the original investigation: 65.08 percent for Mie Horo, 37.24 percent for Benkan, and 49.31 for "all other" Japanese exporters of pipe fittings. See Substantive Response, at 26.

⁹Of the eight administrative reviews of Ta Chen for pipe fittings from Taiwan, only one review, prior to the first sunset review, resulted in a de minimis margin. See Stainless Steel Butt-Weld Pipe Fittings From Taiwan: Final Results of Antidumping Duty Administrative Review, 63 FR 67855 (Dec. 9, 1998). The remainder of Ta Chen's margins were significantly higher than in the investigation.

¹⁰One exception was a zero percent margin for TK Corporation in new shipper review for pipe fittings from South Korea. See Notice of Final Results of Antidumping Duty New Shipper Review; Stainless Steel Butt-Weld Pipe Fittings From Korea, 67 FR 77468 (Dec. 18, 2002).

South Korea

Domestic interested parties suggest that the Department should report the rate from the original investigation for Asia Bend, 21.20 percent, and 21.20 percent for “all other” Korean exporters of pipe fittings. With regards to Sam Sung, which was not part of the original investigation, domestic interested parties argue Sam Sung’s existing rate of 21.20 percent from its most recent review should be applied. See id. at 27.

Taiwan

Domestic interested parties assert that in accordance with the legislative history and the Department’s regulations, the Department should provide the ITC the rates from the original investigation. However, to the extent that a respondent has received a higher rate, even as a result of total facts available, domestic interested parties suggest that the higher rate provides a reasonable reflection of the individual company’s actual dumping. See id. at 26. Thus, the rates from the original investigation would be used for Tachia, 76.20 percent; Tru-Flow, 76.20 percent; and the “all others” rate of 51.01 percent for other Taiwanese exporters of pipe fittings. See id. at 27. For Ta Chen, domestic interested parties argue the highest administrative review rate of 6.42 percent should be used in place of the 0.64 percent rate calculated in the original investigation. See Final Results of Redetermination Pursuant to Remand: Ta Chen Stainless Steel Pipe Co., Ltd. v. United States, Consol. Ct. No. 01-00027 (Aug. 16, 2004), available at <http://ia.ita.doc.gov/remands/04-46.pdf> (Remand).

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 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 investigated specifically or for companies 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. The Department’s preference for selecting a margin from the investigation is based on the fact that it is the only calculated rate that reflects the behavior of manufacturers, producers, and exporters without the discipline of an order or suspension agreement in place. Under certain circumstances, however, the Department may select a more recently calculated margin to report to the ITC.

In the final determination of the investigation from Japan, the Department found dumping margins of 37.24 percent for Benkan, 65.08 percent for Mie Horo, and 49.31 percent for “all others.” In the final determination of the investigation from South Korea, the Department found dumping margins of 21.20 percent for Asia Bend and 21.20 percent for “all others.” Two other companies, Sam Sung and Sungkwang, who were not part of the original investigation, have each had a single administrative review completed by the Department. For Sam Sung the Department

found a rate of 21.20 percent in the 2002-2003 administrative review¹¹ and for Sungkwang a rate of 0.81 percent was calculated in the 2003-2004 administrative review.¹² One other company, TK Corporation, who was not part of the original investigation had a zero percent dumping margin as a result of a new shipper review completed by the Department.¹³ In the final determination of the investigation from Taiwan, the Department found dumping margins of 76.20 percent for Tachia, 0.64 percent for Ta Chen, 76.20 percent for Tru-Flow, and 51.01 percent for “all others.”

In the first sunset reviews, the Department determined that the margins calculated in the original investigation are probative of the behavior of the Japanese, South Korean, and Taiwanese producers and exporters of pipe fittings without the discipline of the order. Since the first sunset reviews for South Korea and Taiwan, subsequent administrative reviews resulted in above de minimis margins.¹⁴ For these second sunset reviews, with the exception of Ta Chen, the Department does not find any indication that the margins calculated in subsequent reviews are more probative of behaviors without the discipline of the order.

The Department finds that the margins from the original investigation are the appropriate margins to report to the ITC with respect to the orders on pipe fittings from Japan, South Korea, and Taiwan. For pipe fittings from Japan, the Department has not completed an administrative review since the first sunset review. For pipe fittings from South Korea, with the exception of the single new shipper review for TK Corporation, the Department has continued to find dumping margins above de minimis. Since the first sunset review for pipe fittings from Taiwan, the Department has continued to find dumping margins above de minimis. The Department therefore continues to find that the margins calculated in the original investigations, with the exception of Ta Chen, are probative of the behavior of Japanese, South Korean, and Taiwanese producers and exporters if these orders were revoked. Consistent with section 752(c) of the Act, the Department reported to the ITC company-specific and “All Others” rates from the investigations as indicated in the “Final Results of Reviews” section of this memorandum.

For Ta Chen the Department finds that a more recently calculated margin is more probative of its behavior without the discipline of the order. In light of the correlation between the decrease in imports since the year preceding the investigation and the increase in the dumping margins over the investigation rate since the first sunset reviews, the Department finds that a

¹¹See Stainless Steel Butt-Weld Pipe and Tube Fittings from Korea; Notice of Final Results of Antidumping Duty Administrative Review, 68 FR 69995 (Dec. 16, 2003).

¹²See Stainless Steel Butt-Weld Pipe Fittings from Korea, Notice of Final Results of Antidumping Duty Administrative Review, 70 FR 39743 (July 11, 2005).

¹³See Notice of Final Results of Antidumping Duty New Shipper Review; Stainless Steel Butt-Weld Pipe Fittings From Korea, 67 FR 77468 (Dec. 18, 2002).

¹⁴A new shipper review for pipe fittings from South Korea resulted in a zero margin for TK Corporation. See Notice of Final Results of Antidumping Duty New Shipper Review; Stainless Steel Butt-Weld Pipe Fittings from Korea, 67 FR 77468 (Dec. 18, 2002).

more recently calculated rate is the most probative of the behavior of Ta Chen.¹⁵ For the purposes of this sunset review, the Department selects the highest calculated margin of 6.42 percent for Ta Chen.¹⁶

Final Results of Reviews

As a result of these reviews, the Department determines that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping at the following weighted-average percentage margins:

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

Japan	
Mie Horo	65.08
Nippon Benkan Kogyo, K.K.	37.24
All Others	49.31
South Korea	
The Asia Bend Co. Ltd.	21.20
All Others	21.20
Taiwan	
Tachia Yung Ho Machine Industry Co., Ltd.	76.20
Ta Chen Stainless Pipe Co., Ltd.	6.42
Tru-Flow Industrial Co., Ltd.	76.20
All Others	51.01

¹⁵See e.g., Certain Iron Construction Castings From the PRC; Five-year (“Sunset”) Review of Antidumping Duty Order; Final Results, 70 FR 24511 (May 10, 2005) and accompanying Issues and Decision Memorandum, at 5.

¹⁶See Final Results of Redetermination Pursuant to Remand: Ta Chen Stainless Steel Pipe Co., Ltd. v. United States, Consol. Ct. No. 01-00027 (Aug. 16, 2004) (available at <http://ia.ita.doc.gov/remands/04-46.pdf>). (Remand).

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 these sunset reviews in the Federal Register.

AGREE _____

DISAGREE _____

Joseph A. Spetrini
Acting Assistant Secretary
for Import Administration

Date _____