



## FACT SHEET

### Commerce Finds Dumping of Imports of Fabricated Structural Steel from Canada, China, and Mexico, and Countervailable Subsidization of Imports of Fabricated Structural Steel from China and Mexico

- On January 24, 2020, the Department of Commerce (Commerce) announced its affirmative final determinations in the antidumping duty (AD) investigations of imports of fabricated structural steel from Canada, China, and Mexico, and in the countervailing duty (CVD) investigations of imports of fabricated structural steel from China and Mexico.
- The AD and CVD laws provide U.S. businesses and workers with a transparent, quasi-judicial, and internationally accepted mechanism to seek relief from the market-distorting effects caused by injurious dumping and subsidization of imports into the United States, establishing an opportunity to compete on a level playing field.
- For the purpose of an AD investigation, dumping occurs when a foreign company sells a product in the United States at less than its fair value. For the purpose of a CVD investigation, a countervailable subsidy is financial assistance from a foreign government that benefits the production of goods from foreign companies and is limited to specific enterprises or industries, or is contingent either upon export performance or upon the use of domestic goods over imported goods.
- In the Canada AD investigation, Commerce calculated dumping rates of 0.00 percent and 6.70 percent for the mandatory respondents Canatal Industries, Inc. and Les Constructions Beauce-Atlas, Inc., respectively. Commerce assigned the dumping rate of 6.70 percent to all other Canadian producers and exporters.
- In the Canada CVD investigation, because Commerce found *de minimis* subsidy rates for the mandatory respondents, we will issue a negative determination.
- In the China AD investigation, Commerce calculated dumping rates of 61.71 percent and 90.52 percent for the mandatory respondents Jinhuan Construction Group Co., Ltd. and Wison (Nantong) Heavy Industry Co., Ltd. / Wison Offshore & Marine (Hong Kong) Limited, respectively. Commerce assigned a dumping rate of 154.14 percent, based on total adverse facts available, to mandatory respondent Modern Heavy Industries (Taicang) Co., Ltd. Commerce assigned dumping rates of 72.19 percent to those Chinese companies eligible for a separate rate, and 154.14 percent to all other Chinese producers and exporters.
- In the China CVD investigation, Commerce calculated subsidy rates of 27.34 percent and 34.70 percent for the mandatory respondents Modern Heavy Industries (Taicang) Co., Ltd. and Shanghai Matsuo Steel Structure Co., Ltd., respectively. Commerce assigned a subsidy rate of 206.49 percent, based on total adverse facts available, to the following non-responsive companies: Hongju Metals Co., Ltd., Huaye Steel Structure Co., Jiangsu Kingmore Storage Equipment, Jiangsu Zhengchang Cereal Oil & Feed, Ningbo Jiangbei Huarentai Trade, Ningbo Win Success Machinery Co., Ltd., Shangdong Taipeng Home Products Co., Sinopec Engineering (Group) Co., Ltd., Sunjoy Industrial Group Limited, Sunjoy Industries (Jiashan) Co., Ltd., Wuxi Huishan Metalwork Technology Co., Ltd., and Yueqing Yihua New Energy Technology. The subsidy rate for all other Chinese producers and exporters is 30.28 percent.

- In the Mexico AD investigation, Commerce calculated dumping rates of 8.47 percent and 0.00 percent for the mandatory respondents Building Systems de Mexico, S.A. de C.V. and Corey S.A. de C.V. / Industrias Recal S.A. de C.V., respectively. Commerce assigned a dumping rate of 30.58 percent, based on total adverse facts available, to the following non-responsive companies: Acero Tecnologia, S.A. de C.V., Construcciones Industriales Tapia S.A. de C.V., Estructuras Metalicas la Popular S.A. de C.V./MSCI, and Operadora CICSA, S.A. de C.V. Swecomex – Guadalajara. The dumping rate for all other Mexican producers and exporters is 8.47 percent.
- In the Mexico CVD investigation, Commerce calculated subsidy rates of 0.01 percent and 13.62 percent for the mandatory respondents Building Systems de Mexico, S.A. de C.V. and Corey S.A. de C.V., respectively. Commerce assigned a subsidy rate of 68.87 percent, based on total adverse facts available, to the following non-responsive companies: Acero Tecnologia, S.A. de C.V., Construcciones Industriales Tapia S.A. de C.V., Estructuras Metalicas la Popular S.A. de C.V./MSCI, Operadora CICSA, S.A. de C.V. Swecomex – Guadalajara, and Preacero Pellizzari Mexico S.A. de C.V. The subsidy rate for all other Mexican producers and exporters is 13.62 percent.
- Upon publication of the final affirmative AD determinations, Commerce intends to instruct U.S. Customs and Border Protection (CBP) to collect AD cash deposits equal to the applicable final weighted-average dumping rates. These cash deposit requirements will remain in effect until further notice and may be subject to change based on the U.S. International Trade Commission’s (ITC) forthcoming injury determinations.
- There are currently no cash deposit requirements related to the CVD investigations. However, for China and Mexico, this is subject to change based on the ITC’s forthcoming injury determinations.
- The petitioner is the American Institute of Steel Construction Full Member Subgroup (Chicago, IL).
- The scope of the investigations is listed in Appendix I.
- In 2018, imports of FSS from Canada, China, and Mexico were valued at an estimated \$722.5 million, \$897.5 million, and \$622.4 million, respectively.
- The Final Decision Memoranda are on file electronically via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>, and to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. Please refer to case numbers: C-122-865, C-570-103, and C-201-851 for the CVD cases for Canada, China, and Mexico, respectively. Please refer to case numbers: A-122-864, A-570-102, and A-201-850, for the AD cases for Canada, China, and Mexico, respectively.

## **NEXT STEPS**

- The ITC is scheduled to make its final determinations on or about March 9, 2020.
- If the ITC makes affirmative final determinations that imports of fabricated structural steel from Canada, China, and/or Mexico materially injure, or threaten material injury to, the domestic industry, Commerce will issue AD and CVD orders and instruct U.S. Customs and Border Protection to collect cash deposits equal to the final AD and CVD rates determined in these proceedings, as applicable. If the ITC makes negative determinations of injury, the investigations will be terminated and any cash deposits collected will be returned, as appropriate.

**FINAL DUMPING RATES:**

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES	Adjusted Dumping Rates**
Canada	Canatal Industries, Inc.	0.00%	0.00%
	Les Constructions Beauce-Atlas, Inc.	6.70%	6.70%
	All Others	6.70%	6.70%

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES	Adjusted Dumping Rates**
China	Jinhuan Construction Group Co., Ltd.	61.71%	51.17%
	Modern Heavy Industries (Taicang) Co., Ltd.	154.14%	143.60%
	Wison (Nantong) Heavy Industry Co., Ltd. / Wison Offshore & Marine (Hong Kong) Limited	90.52%	79.98%
	Separate Rate Companies^^	72.19%	61.65%
	China Wide Entity	154.14%	143.60%

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES	Adjusted Dumping Rates**
Mexico	Building Systems de Mexico, S.A. de C.V.	8.47%	8.47
	Corey S.A. de C.V. / Industrias Recal S.A. de C.V.	0.00%	N/A
	Acero Tecnologia, S.A. de C.V.	30.58%	0.00%
	Construcciones Industriales Tapia S.A. de C.V.	30.58%	0.00%
	Estructuras Metalicas la Popular S.A. de C.V./MSCI	30.58%	0.00%
	Operadora CICSA, S.A. de C.V. Swecomex - Guadalajara	30.58%	0.00%
	All Others	8.47%	0.00%

\*\*Rates are adjusted for export subsidies.

^^ See attachment I.

**FINAL SUBSIDY RATES:**

COUNTRY	EXPORTER/PRODUCER	SUBSIDY RATE
Canada	Les Constructions Beauce-Atlas Inc.	0.22% ( <i>de minimis</i> )
	Les Industries Canatal Inc.	0.32% ( <i>de minimis</i> )
	All Others	<i>de minimis</i>

<b>COUNTRY</b>	<b>EXPORTER/PRODUCER</b>	<b>SUBSIDY RATE</b>
<b>China</b>	<b>Modern Heavy Industries (Taicang) Co., Ltd.</b>	<b>27.34%</b>
	<b>Shanghai Matsuo Steel Structure Co., Ltd.</b>	<b>34.70%</b>
	<b>Hongju Metals Co., Ltd.</b>	<b>206.49%</b>
	<b>Huaye Steel Structure Co.</b>	<b>206.49%</b>
	<b>Jiangsu Kingmore Storage Equipment</b>	<b>206.49%</b>
	<b>Jiangsu Zhengchang Cereal Oil &amp; Feed</b>	<b>206.49%</b>
	<b>Ningbo Jiangbei Huarentai Trade</b>	<b>206.49%</b>
	<b>Ningbo Win Success Machinery Co., Ltd.</b>	<b>206.49%</b>
	<b>Shandong Taipeng Home Products Co.</b>	<b>206.49%</b>
	<b>Sinopec Engineering (Group) Co., Ltd.</b>	<b>206.49%</b>
	<b>Sunjoy Industrial Group Limited</b>	<b>206.49%</b>
	<b>Sunjoy Industries (Jiashan) Co., Ltd.</b>	<b>206.49%</b>
	<b>Wuxi Huishan Metalwork Technology Co., Ltd.</b>	<b>206.49%</b>
	<b>Yueqing Yihua New Energy Technology</b>	<b>206.49%</b>
<b>All Others</b>	<b>30.28%</b>	

<b>COUNTRY</b>	<b>EXPORTER/PRODUCER</b>	<b>SUBSIDY RATE</b>
<b>Mexico</b>	<b>Building Systems de Mexico, S.A. de C.V.</b>	<b>0.01%</b>
	<b>Corey S.A. de C.V.</b>	<b>13.62%</b>
	<b>Acero Tecnologia, S.A. de C.V.</b>	<b>68.87%</b>
	<b>Construcciones Industriales Tapia S.A. de C.V.</b>	<b>68.87%</b>
	<b>Estructuras Metalicas la Popular S.A. de C.V./MSCI</b>	<b>68.87%</b>
	<b>Operadora CICSA, S. A. de C. V. Swecomex-Guadalajara</b>	<b>68.87%</b>
	<b>Preacero Pellizzari Mexico S.A. de C.V.</b>	<b>68.87%</b>
	<b>All Others</b>	<b>13.62%</b>

**CASE CALENDAR:**

<b>EVENT</b>	<b>CVD</b>	<b>AD</b>
<b>Petition Filed</b>	<b>February 4, 2019</b>	<b>February 4, 2019</b>
<b>DOC Initiation Date</b>	<b>February 25, 2019</b>	<b>February 25, 2019</b>
<b>ITC Preliminary Determinations</b>	<b>March 22, 2019</b>	<b>March 20, 2019</b>
<b>DOC Preliminary Determinations</b>	<b>July 5, 2019</b>	<b>September 3, 2019</b>
<b>DOC Final Determinations †</b>	<b>January 23, 2020</b>	<b>January 23, 2020</b>
<b>ITC Final Determinations</b>	<b>March 9, 2020</b>	<b>March 9, 2020</b>
<b>Issuance of Orders*</b>	<b>March 16, 2020</b>	<b>March 16, 2020</b>

NOTE: Commerce preliminary and final determination deadlines are governed by statute. For AD investigations, the deadlines are set forth in sections 733(b) and 735(a)(1) of the Tariff Act of 1930, as amended (the Act). For CVD investigations, the deadlines are set forth in sections 703(b) and 705(a) of the Act.

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

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

**IMPORT STATISTICS:**

<b>Canada</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Volume (Metric Tons)	206,625	213,941	234,553
Value (USD)	627,851,379	658,169,181	722,495,797
<b>China</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Volume (Metric Tons)	432,563	446,039	421,383
Value (USD)	827,497,434	836,433,509	897,465,241
<b>Mexico</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Volume (Metric Tons)	203,593	200,212	290,007
Value (USD)	401,291,103	406,417,533	622,388,317

Source: U.S. Census Bureau, accessed through Global Trade Atlas (Harmonized Tariff Schedule of the United States (HTSUS) 7308.90.3000, 7308.90.6000, and 7308.90.959

## Appendix I

The merchandise covered by the investigation is carbon and alloy fabricated structural steel. Fabricated structural steel is made from steel in which: (1) iron predominates, by weight, over each of the other contained elements; and (2) the carbon content is two percent or less by weight. Fabricated structural steel products are steel products that have been fabricated for erection or assembly into structures, including, but not limited to, buildings (commercial, office, institutional, and multi-family residential); industrial and utility projects; parking decks; arenas and convention centers; medical facilities; and ports, transportation and infrastructure facilities. Fabricated structural steel is manufactured from carbon and alloy (including stainless) steel products such as angles, columns, beams, girders, plates, flange shapes (including manufactured structural shapes utilizing welded plates as a substitute for rolled wide flange sections), channels, hollow structural section (HSS) shapes, base plates, and plate-work components. Fabrication includes, but is not limited to cutting, drilling, welding, joining, bolting, bending, punching, pressure fitting, molding, grooving, adhesion, beveling, and riveting and may include items such as fasteners, nuts, bolts, rivets, screws, hinges, or joints.

The inclusion, attachment, joining, or assembly of non-steel components with fabricated structural steel does not remove the fabricated structural steel from the scope.

Fabricated structural steel is covered by the scope of the investigation regardless of whether it is painted, varnished, or coated with plastics or other metallic or non-metallic substances and regardless of whether it is assembled or partially assembled, such as into modules, modularized construction units, or sub-assemblies of fabricated structural steel.

Subject merchandise includes fabricated structural steel that has been assembled or further processed in the subject country or a third country, including but not limited to painting, varnishing, trimming, cutting, drilling, welding, joining, bolting, punching, bending, beveling, riveting, galvanizing, coating, and/or slitting or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the fabricated structural steel.

All products that meet the written physical description of the merchandise covered by the investigation are within the scope of the investigation unless specifically excluded or covered by the scope of an existing antidumping duty order.

Specifically excluded from the scope of the investigation are:

1. Fabricated steel concrete reinforcing bar (rebar) if: (i) it is a unitary piece of fabricated rebar, not joined, welded, or otherwise connected with any other steel product or part; or (ii) it is joined, welded, or otherwise connected only to other rebar.
2. Fabricated structural steel for bridges and bridge sections that meets American Association of State and Highway and Transportation Officials (AASHTO) bridge construction requirements or any state or local derivatives of the AASHTO bridge construction requirements.
3. Pre-engineered metal building systems, which are defined as complete metal buildings that integrate steel framing, roofing and walls to form one, pre-engineered building system, that meet Metal Building Manufacturers Association guide specifications. Pre-engineered metal building systems are typically limited in height to no more than 60 feet or two stories.
4. Steel roof and floor decking systems that meet Steel Deck Institute standards.

5. Open web steel bar joists and joist girders that meet Steel Joist Institute specifications.

6. Also excluded from the scope of the investigation is scaffolding, and parts and accessories thereof, that comply with ANSI/ASSE A10.8 – 2011 - Scaffolding Safety Requirements, and/or Occupational Safety and Health Administration regulations at 29 C.F.R. Part 1926 subpart L - Scaffolds. The outside diameter of the scaffold tubing covered by this exclusion ranges from 25mm to 150mm.

7. Excluded from the scope of the investigation are access flooring systems panels and accessories, where such panels have a total thickness ranging from 0.75 inches to 1.75 inches and consist of concrete, wood, other non-steel materials, or hollow space permanently attached to a top and bottom layer of galvanized or painted steel sheet or formed coil steel, the whole of which has been formed into a square or rectangle having a measurement of 24 inches on each side +/- 0.1 inch; 24 inches by 30 inches +/- 0.1 inch; or 24 by 36 inches +/- 0.1 inch.

8. Excluded from the investigation are the following types of steel poles, segments of steel poles, and steel components of those poles:

- Steel Electric Transmission Poles, or segments of such poles, that meet (1) the American Society of Civil Engineers (ASCE) – Design of Steel Transmission Pole Structures, ASCE/SEI 48 or (2) the USDA RUS bulletin 1724E-214 Guide specification for standard class Steel Transmission Poles. The exclusion for steel electric transmission poles also encompasses the following components thereof: transmission arms which attach to poles; pole bases; angles that do not exceed 8” x 8” x 0.75”; steel vangs, steel brackets, steel flanges, and steel caps; safety climbing cables; ladders; and steel templates.
- Steel Electric Substation Poles, or segments of such poles, that meet the American Society of Civil Engineers (ASCE) - Manuals and Reports on Engineering Practice No. 113. The exclusion for steel electric substation poles also encompasses the following components thereof: substation dead end poles; substation bus stands; substation mast poles, arms, and cross-arms; steel brackets, steel flanges, and steel caps; pole bases; safety climbing cables; ladders; and steel templates.
- Steel Electric Distribution Poles, or segments of such poles, that meet (1) American Society of Civil Engineers (ASCE) – Design of Steel Transmission Pole Structures, ASCE/SEI 48, (2) USDA RUS bulletin 1724E-204 Guide specification for steel single pole and H-frame structures, or (3) ANSI 05.1 height and class requirements for steel poles. The exclusion for steel electric distribution poles also encompasses the following components thereof: distribution arms and cross-arms; pole bases; angles that do not exceed 8” x 8” x 0.75”; steel vangs, steel brackets, steel flanges, and steel caps; safety climbing cables; ladders; and steel templates.
- Steel Traffic Signal Poles, Steel Roadway Lighting Poles, Steel Parking Lot Lighting Poles, and Steel Sports Lighting Poles, or segments of such poles, that meet (1) the American Association of State Highway and Transportation Officials (AASHTO) – Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals, (2) any state or local derivatives of the AASHTO highway sign, luminaires, and traffic signals requirements, or (3) American National Standard Institute (ANSI) C136 - American National Standard for Roadway and Area Lighting Equipment standards. The exclusion for steel traffic signal poles, steel roadway lighting poles, steel parking lot lighting poles, and steel sports lighting poles also encompasses the following components thereof: luminaire arms; hand hole rims; hand hole covers; base plates that connect to either the shaft or the arms; mast arm clamps ; mast arm tie rods; transformer base boxes; formed full base covers that hide anchor bolts; step lugs; internal cable guides; lighting cross arms; lighting service platforms; angles that do not exceed 8” x 8” x 0.75”; stainless steel hand hole door hinges and wind restraints; steel brackets, steel flanges, and steel caps; safety climbing cables; ladders; and steel templates.

- Communication Poles, or segments of such poles, that meet (1) Telecommunications Industry Association (TIA) ANSI/TIA-222 Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, or (2) American Association of State Highway and Transportation Officials (AASHTO) – Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals. The exclusion for communication poles also encompasses the following components thereof: luminaire arms; hand hole rims; hand hole covers; base plate that connects the pole to the foundation or arm to the pole; safety climbing cables; ladders; service ground platforms; step lugs; pole steps; steel brackets, steel flanges, and steel caps; angles that do not exceed 8” x 8” x 0.75”, coax, and safety brackets; subcomponent kits for antenna mounts weighing 80 lbs. or less; service platforms; ice bridges; stainless steel hand hole door hinges and wind restraints; and steel templates.
- OEM Round or Polygonal Tapered Steel Poles, segments or shaft components of such poles, that meet the (1) ASCE 48 or AASHTO, (2) ANSI/TIA 222, (3) ANSI 05.1, (4) RUS bulletin 1724E-204, or (5) RUS bulletin 1724E-214. The exclusion for OEM round or polygonal tapered steel poles also encompasses the following components thereof: subcomponent kits for antenna mounts weighing 80 lbs. or less; mounts and platforms; steel brackets, steel flanges, and steel caps; angles that do not exceed 8” x 8” x 0.75”; bridge kits; safety climbing cables; ladders; and steel templates.

The inclusion or attachment of one or more of the above-referenced steel poles in a structure containing fabricated structural steel (FSS) does not remove the FSS from the scope of the investigation. No language included in this exclusion should be read or understood to have applicability to any other aspect of this scope or to have applicability to or to exclude any product, part, or component other than those specifically identified in the exclusion.

9. Also excluded from the scope of the investigation are Shuttering, Formworks, Propping and Shoring and parts and accessories thereof that comply with ANSI/ASSE A10.9 – Safety Requirements for Concrete and Masonry Work and ACI-347 – Recommended Practice for Concrete Formwork. For Shoring and propping made from tube, the outside diameter of the tubing covered by this exclusion ranges from 48mm to 250mm. For Shuttering and Formworks, the panel sizes covered by this exclusion range from 25mm X 600mm to 3000mm X 3000mm.

10. Also excluded from the scope of the investigation are consumer items for do-it-yourself assembly that are prepackaged for retail sale. For the purposes of this exclusion, prepackaged for retail sale means that, at the time of importation, all components necessary to assemble the merchandise, including all steel components, all accessory parts (*e.g.*, screws, bolts, washers, nails), and instructions providing guidance on the assembly of the finished merchandise or directions on where to find such instructions, are enclosed in retail packaging, such that an end-use, retail consumer could assemble the completed product with no additional components. The items may enter the United States in one or in multiple retail packages as long as all of the components are imported together.

The products subject to the investigation are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheadings: 7308.90.3000, 7308.90.6000, and 7308.90.9590.

The products subject to the investigation may also enter under the following HTSUS subheadings: 7216.91.0010, 7216.91.0090, 7216.99.0010, 7216.99.0090, 7222.40.6000, 7228.70.6000, 7301.10.0000, 7301.20.1000, 7301.20.5000, 7308.40.0000, 7308.90.9530, and 9406.90.0030.

The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the investigation is dispositive.



## Attachment I

### Separate Rates Companies

<b>Exporter</b>	<b>Producer</b>
<b>Non-Individually Examined Exporters Receiving Separate Rates</b>	<b>Producers Supplying the Non-Individually-Examined Exporters Receiving Separate Rates</b>
Beijing Chengdong International Modular Housing Corporation	Beijing Chengdong International Modular Housing Corporation
Brantingham & Carroll International, Ltd. AKA BCI Engineering	Suzhou Baojia New Energy Technology Co., Ltd.
Brantingham & Carroll International, Ltd. AKA BCI Engineering	Suzhou Unique Precision Technology Co., Ltd.
Brantingham & Carroll International, Ltd. AKA BCI Engineering	Yueqing Yihua New Energy Technology Co., Ltd.
Shanghai Shuangyan Chemical Equipment Manufacturing Co., Ltd.	Shanghai Shuangyan Chemical Equipment Manufacturing Co., Ltd.
Shandhai Yanda Engineering Co., Ltd.	Shandhai Yanda Engineering Co., Ltd.
WAP Intelligence Storage Equipment (Shanghai) Corp., Ltd.	WAP Intelligence Storage Equipment (Shanghai) Corp., Ltd.
Wuxi Hengtong Metal Framing System Co., Ltd.	Wuxi Hengtong Metal Framing System Co., Ltd.
Wuxi Huishan Metalwork Technology Co., Ltd.	Wuxi Huishan Metalwork Technology Co., Ltd.
Yanda (Haimen) Heavy Equipment Manufacturing Co., Ltd.	Yanda (Haimen) Heavy Equipment Manufacturing Co., Ltd.