



FACT SHEET

Commerce Finds Dumping of Imports of Certain Oil Country Tubular Goods (OCTG) from India, Korea, the Philippines, Saudi Arabia, Taiwan, Thailand, Turkey, Ukraine, and Vietnam, and Countervailable Subsidization of Imports of Certain OCTG from India and Turkey

- On July 11, 2014, the Department of Commerce (Commerce) announced its affirmative final determinations in the antidumping duty (AD) investigations of imports of OCTG from India, Korea, the Philippines, Saudi Arabia, Taiwan, Thailand, Turkey, Ukraine, and Vietnam, and countervailing duty (CVD) investigations of imports of OCTG from India and Turkey.
- On July 11, 2014, Commerce also announced that it had reached an agreement to suspend the AD investigation of imports of OCTG from Ukraine.
- The AD and CVD laws provide U.S. businesses and workers with a transparent and internationally accepted mechanism to seek relief from the market-distorting effects caused by injurious dumping and unfair subsidization of imports into the United States, establishing an opportunity to compete on a level playing field.
- Under the AD law, dumping occurs when a foreign company sells a product in the United States at less than its fair value. Under the CVD law, countervailable subsidies include financial assistance from foreign governments that benefit the production of goods from foreign companies and are limited to specific enterprises or industries, or are contingent either upon export performance or upon the use of domestic goods over imported goods.
- In the India AD investigation, mandatory respondents Jindal SAW Ltd and GVN Fuels Limited, received final dumping margins of 9.91 percent and 2.05 percent, respectively. All other producers/exporters in India received a final dumping margin of 5.79 percent.
- In the Korea AD investigation, mandatory respondents, Hyundai HYSCO and NEXTEEL Co., Ltd., received final dumping margins of 15.75 percent and 9.89 percent, respectively. All other producers/exporters in Korea received a final dumping margin of 12.82 percent.
- In the Philippines AD investigation, mandatory respondent, HLD Clark Steel Pipe Co., Inc., received a final dumping margin of 9.88 percent. All other producers/exporters in the Philippines also received a final dumping margin of 9.88 percent.
- In the Saudi Arabia AD investigation, mandatory respondent Duferco SA received a final dumping margin of 2.69 percent. All other producers/exporters in Saudi Arabia also received a final dumping margin of 2.69 percent.
- In the Taiwan AD investigation, mandatory respondents Chung Hung Steel Corp. and Tension Steel Industries Co., Ltd., received final dumping margins of 0.00 percent and 2.52 percent, respectively. All other producers/exporters in Taiwan received a final dumping margin of 2.52 percent.

- In the Thailand investigation, the sole mandatory respondent, WSP Pipe Co., Ltd. (WSP), failed to answer Commerce’s questionnaire. As a result, WSP received a dumping margin of 118.32 percent based on facts available and by drawing adverse inferences. This is the sole margin contained in the petition. Because the petition contained only one alleged dumping margin, all other producers/exporters in Thailand also received a final dumping margin of 118.32 percent.
- In the Turkey AD investigation, mandatory respondent Borusan Mannesmann Boru Sanayi ve Ticaret and Borusan Istikbal Ticaret received a final dumping margin of 0.00 percent and mandatory respondent Çayırova Boru Sanayi ve Ticaret A.Ş. and Yücel Boru İthalat-İhracat ve Pazarlama A.Ş. (collectively, “Yücel”) received a final dumping margin of 35.86 percent. All other producers/exporters in Turkey received a final dumping margin of 35.86 percent.
- In the Ukraine AD investigation, on July 10, 2014, an agreement was signed suspending the investigation. However, because Commerce received requests to continue the investigation, the investigation was completed. Mandatory respondent Interpipe Europe S.A. (and its affiliates), received a final dumping margin of 6.73 percent. All other producers/exporters in Ukraine also received a final dumping margin of 6.73 percent. In light of the suspension agreement, no antidumping cash deposits will be required, and no duties will be collected, while the agreement remains in effect.
- In the Vietnam AD investigation, mandatory respondent SeAH Steel VINA Corporation received a final dumping margin of 24.22 percent. The other mandatory respondent, Hot Rolling Pipe Co., Ltd. failed to answer Commerce’s questionnaire. As a result, Hot Rolling Pipe Co., Ltd.’s exports of OCTG will be subject to the Vietnam-wide dumping margin 111.47 percent which was based on facts available and by drawing adverse inferences. This is the highest margin alleged in the petition.
- In the India CVD investigation, mandatory respondent Jindal SAW Ltd received a final subsidy rate of 19.11 percent and mandatory respondent GVN Fuels Ltd along with Jindal Pipes Ltd and Maharashtra Seamless Ltd received a final subsidy rate of 5.67 percent. All other producers/exporters in India received a final subsidy rate of 12.39 percent.
- In the Turkey CVD investigation, mandatory respondent Borusan Istikbal Ticaret, Borusan Mannesmann Boru Sanayi, Borusan Mannesmann Boru Yatirim Holding A.S., and Borusan Holding A.S. received a final subsidy rate of 15.89 percent and mandatory respondent Tosyali Dis Ticaret A.S, Toşçelik Profil ve Sac Endustrisi A.S., Tosyali Elektrik Enerjisi Toptan Satis İth. İhr. A.S., Tosyali Holding A.S., and Tosyali Demir Celik San. A.S. received a final subsidy rate 2.53 percent. All other producers/exporters in Turkey received a final subsidy rate of 9.21 percent.
- As a result of the final affirmative AD determinations, with the exception of the AD investigation involving Ukraine, Commerce will instruct U.S. Customs and Border Protection (CBP) to suspend liquidation and to collect cash deposits for estimated antidumping duties equal to the applicable dumping margins found in these final determinations adjusted for export subsidies.
- With respect to the affirmative Turkey CVD final determination, Commerce will order the suspension of liquidation and require a cash deposit for CVD duties equal to the final subsidy rates. With respect to the affirmative India CVD final determination, because the six-month provisional measures period has expired, Commerce will order the resumption of the suspension of liquidation

and require a cash deposit for CVD duties equal to the final subsidy rates, if the ITC issues an affirmative injury determination.

- Commerce, in accordance with the statute, is required to adjust the AD cash deposit rates to account for export subsidies. In keeping with Commerce’s practice in investigations, Commerce will require cash deposits in the AD proceedings equal to the calculated dumping margins reduced by the export subsidy rates.
- If the ITC issues a negative injury determination for any of these proceedings, that investigation will be terminated and no producers or exporters will be subject to future cash deposits for either AD or CVD duties. In such an event, all cash deposits already collected will be refunded.
- Based on allegations filed in all cases except Saudi Arabia, Taiwan, and Thailand, Commerce found that critical circumstances existed in certain instances. Where critical circumstances were found, CBP will be instructed to impose provisional measures retroactively on entries of OCTG up to 90 days prior to initial suspension of liquidation.
- The petitioners for these investigations are United States Steel Corporation (PA), Maverick Tube Corporation (TX), Boomerang Tube LLC (MO), Energex Tube (IL), Northwest Pipe Company (WA), Tejas Tubular Products Inc. (TX), TMK IPSCO (TX), Vallourec Star, L.P. (TX), and Welded Tube USA, Inc. (NY). Maverick Tube Corporation and Vallourec Star, L.P., are not petitioners for the AD investigation of OCTG imports from Saudi Arabia.
- The products covered by the scope of these investigations are hollow steel products of circular cross-section, including oil well casing and tubing, of iron (other than cast iron) or steel (both carbon and alloy), whether seamless or welded, regardless of end finish (e.g., whether or not plain end, threaded, or threaded and coupled), whether or not conforming to American Petroleum Institute (API) or non-API specifications, whether finished (including limited service OCTG products) or unfinished (including green tubes and limited service OCTG products), whether or not thread protectors are attached. The scope of the investigations also covers OCTG coupling stock.
- Excluded from the scope of the investigations are: casing or tubing containing 10.5 percent or more by weight of chromium; drill pipe; unattached couplings; and unattached thread protectors. The merchandise subject to the investigations is currently classified in the Harmonized Tariff Schedule of the United States (“HTSUS”) under item numbers: 7304.29.10.10, 7304.29.10.20, 7304.29.10.30, 7304.29.10.40, 7304.29.10.50, 7304.29.10.60, 7304.29.10.80, 7304.29.20.10, 7304.29.20.20, 7304.29.20.30, 7304.29.20.40, 7304.29.20.50, 7304.29.20.60, 7304.29.20.80, 7304.29.31.10, 7304.29.31.20, 7304.29.31.30, 7304.29.31.40, 7304.29.31.50, 7304.29.31.60, 7304.29.31.80, 7304.29.41.10, 7304.29.41.20, 7304.29.41.30, 7304.29.41.40, 7304.29.41.50, 7304.29.41.60, 7304.29.41.80, 7304.29.50.15, 7304.29.50.30, 7304.29.50.45, 7304.29.50.60, 7304.29.50.75, 7304.29.61.15, 7304.29.61.30, 7304.29.61.45, 7304.29.61.60, 7304.29.61.75, 7305.20.20.00, 7305.20.40.00, 7305.20.60.00, 7305.20.80.00, 7306.29.10.30, 7306.29.10.90, 7306.29.20.00, 7306.29.31.00, 7306.29.41.00, 7306.29.60.10, 7306.29.60.50, 7306.29.81.10, and 7306.29.81.50. The merchandise subject to the investigations may also enter under the following HTSUS item numbers: 7304.39.00.24, 7304.39.00.28, 7304.39.00.32, 7304.39.00.36, 7304.39.00.40, 7304.39.00.44, 7304.39.00.48, 7304.39.00.52, 7304.39.00.56, 7304.39.00.62, 7304.39.00.68, 7304.39.00.72, 7304.39.00.76, 7304.39.00.80, 7304.59.60.00, 7304.59.80.15, 7304.59.80.20,

7304.59.80.25, 7304.59.80.30, 7304.59.80.35, 7304.59.80.40, 7304.59.80.45, 7304.59.80.50, 7304.59.80.55, 7304.59.80.60, 7304.59.80.65, 7304.59.80.70, 7304.59.80.80, 7305.31.40.00, 7305.31.60.90, 7306.30.50.55, 7306.30.50.90, 7306.50.50.50, and 7306.50.50.70.

- The HTSUS subheadings above are provided for convenience and customs purposes only. The written description of the scope of the investigations is dispositive.
- In 2013, imports of OCTG from India, Korea, the Philippines, Saudi Arabia, Taiwan, Thailand, Turkey, Ukraine, and Vietnam were valued at an estimated \$175 million, \$812 million, \$55 million, \$71 million, \$79 million, \$37 million, \$107 million, \$87 million, and \$110 million, respectfully.

NEXT STEPS

- The ITC is scheduled to make its final injury determinations on or about August 25, 2014 for the AD investigations involving India, the Philippines, Saudi Arabia, Thailand, Turkey, Ukraine, and Vietnam and for the CVD investigation involving India. Because the preliminary determinations were negative, the ITC has until on or about September 23, 2014 to makes its final injury determinations for the AD investigations involving Korea and Taiwan and for the CVD investigation involving Turkey.
- If the ITC makes affirmative final determinations that imports of OCTG from India, Korea, the Philippines, Saudi Arabia, Taiwan, Thailand, Turkey, Ukraine, and/or Vietnam materially injure, or threaten material injury to, the domestic industry, Commerce will issue AD and/or CVD orders for all countries other than Ukraine. If the ITC makes any negative determinations, the investigation(s) will be terminated. With respect to Ukraine, if the ITC makes a negative injury determination, both the investigation and the suspension agreement will be terminated.
- If the ITC makes an affirmative finding of material injury with respect to imports of OCTG from Ukraine, the suspension agreement will remain in force until no later than July 10, 2017, at which time Commerce will terminate the agreement and issue an antidumping duty order.

FINAL DUMPING MARGINS:

COUNTRY	EXPORTER/PRODUCER	DUMPING MARGIN
Korea	Hyundai HYSCO	15.75%
	NEXTEEL Co., Ltd.	9.89%
	All Others	12.82%
COUNTRY	EXPORTER/PRODUCER	DUMPING MARGIN
Philippines	HLD Clark Steel Pipe Co., Inc.	9.88%
	All Others	9.88%
COUNTRY	EXPORTER/PRODUCER	DUMPING MARGIN
Saudi Arabia	Duferco SA	2.69%
	All Others	2.69%
COUNTRY	EXPORTER/PRODUCER	DUMPING MARGIN
Taiwan	Chung Hung Steel Corp.	0.00%
	Tension Steel Industries Co., Ltd.	2.52%
	All Others	2.52%
COUNTRY	EXPORTER/PRODUCER	DUMPING MARGIN
Thailand	WSP Pipe Co., Ltd.	118.32%
	All Others	118.32%

FINAL DUMPING MARGINS:

COUNTRY	EXPORTER/PRODUCER	DUMPING MARGIN
Ukraine	Interpipe Europe S.A.	6.73%
	All Others	6.73%
COUNTRY	EXPORTER/PRODUCER	DUMPING MARGIN
Vietnam	SeAH Steel VINA Corporation	24.22%
	Vietnam-Wide Entity	111.47%

FINAL DUMPING MARGINS:

COUNTRY	EXPORTER/PRODUCER	DUMPING MARGINS	CASH DEPOSIT
India	GVN Fuels Limited	2.05%	0.00%
	Jindal SAW Ltd	9.91%	0.00%
	All Others	5.79%	0.00%

NOTE: *The cash deposit rates will account for the applicable company-specific export subsidy rates of 3.99 percent for GVN Fuels Limited, 16.56 percent for Jindal SAW Ltd, and 10.28 percent for all others upon an affirmative ITC injury determination.

FINAL SUBSIDY RATES:

COUNTRY	EXPORTER/PRODUCER	SUBSIDY RATES
India	GVN Fuels Ltd, Jindal Pipes Ltd, and Maharashtra Seamless Ltd	5.67%
	Jindal SAW Ltd	19.11%
	All Others	12.39%

* *de minimis* = less than 1% for developed countries, less than 2% for developing countries.

FINAL DUMPING MARGINS:

COUNTRY	EXPORTER/PRODUCER	DUMPING MARGIN	CASH DEPOSIT
Turkey	Borusan Mannesmann Boru Sanayi ve Ticaret and Borusan Istikbal Ticaret	0.00%	0.00%
	Çayırova Boru Sanayi ve Ticaret A.Ş. and Yücel Boru İthalat-İhracat ve Pazarlama A.Ş. (collectively “Yücel”)	35.86%	35.86%
	All Others	35.86%	35.68%

NOTE: *The cash deposit rates account for the applicable export subsidy rate of 0.18 percent for all others.

FINAL SUBSIDY RATES:

COUNTRY	EXPORTER or PRODUCER	SUBSIDY RATES
Turkey	Borusan Istikbal Ticaret, Borusan Mannesmann Boru Sanayi, Borusan Mannesmann Boru Yatirim Holding A.S., and Borusan Holding A.S.	15.89%
	Tosyali Dis Ticaret A.S, Tosçelik Profil ve Sac Endustrisi A.S., Tosyali Elektrik Enerjisi Toptan Satis Ith. Ihr. A.S., Tosyali Holding A.S., and Tosyali Demir Celik San. A.S. (collectively, “Tosçelik”)	2.53%
	All Others	9.21%

CASE CALENDAR:

EVENT	CVD INVESTIGATION	AD INVESTIGATION
Petition Filed	July 2, 2013	July 2, 2013
DOC Initiation Date	July 22, 2013	July 22, 2013
ITC Preliminary Determination	August 16, 2013	August 16, 2013
DOC Preliminary Determination[^]	December 16, 2013	February 14, 2014
DOC Final Determination[*]	July 10, 2014	July 10, 2014
ITC Final Determination⁺	August 25, 2014 or September 23, 2014	August 25, 2014 or September 23, 2014
Issuance of Order^{**+}	September 2, 2014 or October 1, 2014	September 2, 2014 or October 1, 2014

NOTE: Commerce preliminary and final determination deadlines are governed by statute. For CVD investigations, the deadlines are set forth in sections 703(b) and 705(a)(1) of the Tariff Act of 1930, as amended (the Act). For AD investigations, the deadline is set forth in section 735(a) of the Act. These deadlines may be extended under certain circumstances.

[^] As explained in the Memorandum for the Record from Paul Piquado, Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Shutdown of the Federal Government" (October 18, 2013), Commerce has exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from October 1, through October 16, 2013. Therefore, the deadlines in this investigation were extended by 16 days.

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

^{*}The final determination has been aligned with the final determination in the concurrent antidumping duty investigation.

^{**}This will take place only in the event of final affirmative determinations by Commerce and the ITC. In the case of Ukraine, the investigation will be continued but no order will be issued so long as the suspension agreement remains in force.

⁺ In situations where Commerce's final determination is affirmative and its preliminary determination was negative, in accordance with sections 705(b)(3) and 735(b)(3) of the Act, the ITC has 75 days, rather than the typical 45 days, to determine whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports or sales (or the likelihood of sales) for importation of the subject merchandise. This applies to AD Korea, AD Taiwan and CVD Turkey.

IMPORT STATISTICS:

INDIA	2011	2012	2013
Volume (metric tons)	131,100	138,900	139,100
Value (USD)	200,026,000	216,607,000	174,429,000
KOREA	2011	2012	2013
Volume (metric tons)	615,600	789,800	894,300
Value (USD)	686,278,000	831,127,000	817,997,000
PHILIPPINES	2011	2012	2013
Volume (metric tons)	21,700	63,300	66,500
Value (USD)	19,827,000	59,706,000	54,465,000
SAUDI ARABIA	2011	2012	2013
Volume (metric tons)	61,700	59,000	48,600
Value (USD)	96,280,000	99,922,000	71,543,000
TAIWAN	2011	2012	2013
Volume (metric tons)	87,500	96,700	102,200
Value (USD)	80,750,000	89,807,000	79,523,000
THAILAND	2011	2012	2013
Volume (metric tons)	5,600	28,900	30,600
Value (USD)	7,416,000	40,508,000	36,960,000
TURKEY	2011	2012	2013
Volume (metric tons)	127,700	137,500	121,400
Value (USD)	124,918,000	135,870,000	107,528,000
UKRAINE	2011	2012	2013
Volume (metric tons)	60,900	91,200	64,600
Value (USD)	97,363,000	129,598,000	87,264,000
VIETNAM	2011	2012	2013
Volume (metric tons)	51,400	199,600	131,400
Value (USD)	50,585,000	189,177,000	110,238,000

Source: U.S. Census Bureau, accessed through Global Trade Atlas. (HTSUS 7304.29.1010, 7304.29.1020, 7304.29.1030, 7304.29.1040, 7304.29.1050, 7304.29.1060, 7304.29.1080, 7304.29.2010, 7304.29.2020, 7304.29.2030, 7304.29.2040, 7304.29.2050, 7304.29.2060, 7304.29.2080, 7304.29.3110, 7304.29.3120, 7304.29.3130, 7304.29.3140, 7304.29.3150, 7304.29.3160, 7304.29.3180, 7304.29.4110, 7304.29.4120, 7304.29.4130, 7304.29.4140, 7304.29.4150, 7304.29.4160, 7304.29.4180, 7304.29.5015, 7304.29.5030, 7304.29.5045, 7304.29.5060, 7304.29.5075, 7304.29.6115, 7304.29.6130, 7304.29.6145, 7304.29.6160, 7304.29.6175, 7305.20.2000, 7305.20.4000, 7305.20.6000, 7305.20.8000, 7306.29.1030, 7306.29.1090, 7306.29.2000, 7306.29.3100, 7306.29.4100, 7306.29.6010, 7306.29.6050, 7306.29.8110, and 7306.29.8150). Some HTSUS subheadings may include basket categories and may cover both subject and non-subject merchandise. Subject merchandise may also enter under HTSUS 7304.39.0024, 7304.39.0028, 7304.39.0032, 7304.39.0036, 7304.39.0040, 7304.39.0044, 7304.39.0048, 7304.39.0052, 7304.39.0056, 7304.39.0062, 7304.39.0068, 7304.39.0072, 7304.39.0076, 7304.39.0080, 7304.59.6000, 7304.59.8015, 7304.59.8020, 7304.59.8025, 7304.59.8030, 7304.59.8035, 7304.59.8040, 7304.59.8045, 7304.59.8050, 7304.59.8055, 7304.59.8060, 7304.59.8065, 7304.59.8070, 7304.59.8080, 7305.31.4000, 7305.31.6090, 7306.30.5055, 7306.30.5090, 7306.50.5050, and 7306.50.5070, which may cover significant amounts of non-subject merchandise. Therefore these HTSUS subheadings have not been used for purposes of reporting import statistics.