



## FACT SHEET

### **Commerce Finds Dumping of Imports of Welded Stainless Pressure Pipe from Malaysia, Thailand, and the Socialist Republic of Vietnam**

- On May 23, 2014, the Department of Commerce (Commerce) announced its affirmative final determinations in the antidumping duty (AD) investigations of imports of welded stainless pressure pipe from Malaysia, Thailand, and the Socialist Republic of Vietnam (Vietnam).
- The AD law provides U.S. businesses and workers with a transparent and internationally approved mechanism to seek relief from the market-distorting effects caused by injurious dumping of imports into the United States, establishing an opportunity to compete on a level playing field.
- For the purpose of AD investigations, dumping occurs when a foreign company sells a product in the United States at less than its fair value.
- Commerce determined that welded stainless pressure pipe from Malaysia, Thailand, and Vietnam has been sold in the United States at dumping margins ranging from 22.70 percent to 167.11 percent, 23.89 percent to 24.01 percent, and 16.25 percent, respectively.
- In the Malaysia investigation, mandatory respondents Kanzen Tetsu Sdn. Bhd. (Kanzen) and Pantech Stainless & Alloy Industries Sdn. Bhd. (Pantech) failed to answer Commerce's questionnaire. Mandatory respondent Superinox Pipe Industry Sdn. Bhd./Superinox International Sdn. Bhd. (Superinox) responded to Commerce's questionnaire, but subsequently informed Commerce that it would no longer be participating in the investigation. As a result, each company has been assigned a final dumping margin based on adverse facts available of 167.11 percent. All other producers/exporters in Malaysia received a final dumping margin of 22.70 percent.
- Also in the Malaysia investigation, Commerce made a final determination that critical circumstances exist for Kanzen, Pantech, and Superinox. However, Commerce made a final determination that critical circumstances do not exist with respect to all other Malaysian companies. Petitioners did not allege critical circumstances with respect to Thailand or Vietnam.
- In the Thailand investigation, Commerce assigned final dumping margins of 24.01 percent based on adverse facts available to mandatory respondents Ametai Co., Ltd./Thareus Co., Ltd. (Ametai/Thareus) and Thai-German Products Co., Ltd. (TGP) because Ametai/Thareus withdrew from the investigation and TGP failed to report the vast majority of its sales. All other producers/exporters in Thailand received a final dumping margin of 23.89 percent.
- In the Vietnam investigation, mandatory respondent Sonha International Corporation (Sonha) received a final dumping margin of 16.25 percent, which was assigned to the separate rate respondent and the Vietnam-wide entity.
- As a result of the final affirmative determinations, Commerce will instruct U.S. Customs and Border Protection to collect cash deposits equal to the applicable weighted-average dumping margins.

- The petitioners for these investigations are Bristol Metals LLC (TN), Felker Brothers Corp. (WI), and Outokumpu Stainless Pipe, Inc. (IL).
- The product covered by the scope of these investigations is circular welded austenitic stainless pressure pipe not greater than 14 inches in outside diameter. For purposes of this scope, references to size are in nominal inches and include all products within tolerances allowed by pipe specifications. This merchandise includes, but is not limited to, the American Society for Testing and Materials (ASTM) A-312 or ASTM A-778 specifications, or comparable domestic or foreign specifications. ASTM A-358 products are only included when they are produced to meet ASTM A-312 or ASTM A-778 specifications, or comparable domestic or foreign specifications. Excluded from the scope are: (1) welded stainless mechanical tubing, meeting ASTM A-554 or comparable domestic or foreign specifications; (2) boiler, heat exchanger, superheater, refining furnace, feedwater heater, and condenser tubing, meeting ASTM A-249, ASTM A-688 or comparable domestic or foreign specifications; and (3) specialized tubing, meeting ASTM A-269, ASTM A-270 or comparable domestic or foreign specifications. The subject imports are normally classified in subheadings 7306.40.5005, 7306.40.5040, 7306.40.5062, 7306.40.5064, and 7306.40.5085 of the Harmonized Tariff Schedule of the United States (HTSUS). They may also enter under HTSUS subheadings 7306.40.1010, 7306.40.1015, 7306.40.5042, 7306.40.5044, 7306.40.5080, and 7306.40.5090. The HTSUS subheadings are provided for convenience and customs purposes only; the written description of the scope of these investigations is dispositive.
- In 2013, imports of welded stainless pressure pipe from Malaysia, Thailand, and Vietnam were valued at an estimated \$11.9 million, \$16.9 million, and \$10.3 million, respectively.

#### **NEXT STEPS**

- The ITC is scheduled to make its final injury determinations on July 6, 2014.
- If the ITC makes affirmative final determinations that imports of welded stainless pressure pipe from Malaysia, Thailand, and Vietnam materially injure, or threaten material injury to, the domestic industry, Commerce will issue AD orders. If the ITC makes negative determinations of injury, the investigations will be terminated.

**FINAL DUMPING MARGINS:**

<b>COUNTRY</b>	<b>EXPORTER/PRODUCER</b>	<b>DUMPING MARGINS</b>
<b>Malaysia</b>	<b>Superinox International Sdn. Bhd./Superinox Pipe Industry Sdn. Bhd.</b>	<b>167.11%</b>
	<b>Kanzen Tetsu Sdn. Bhd.</b>	<b>167.11%</b>
	<b>Pantech Stainless &amp; Alloy Industries Sdn. Bhd.</b>	<b>167.11%</b>
	<b>All Others</b>	<b>22.70%</b>

<b>COUNTRY</b>	<b>EXPORTER/PRODUCER</b>	<b>DUMPING MARGINS</b>
<b>Thailand</b>	<b>Thareus Co., Ltd./Ametai Co., Ltd.</b>	<b>24.01%</b>
	<b>Thai-German Products Co., Ltd.</b>	<b>24.01%</b>
	<b>All Others</b>	<b>23.89%</b>

<b>COUNTRY</b>	<b>EXPORTER/PRODUCER</b>	<b>DUMPING MARGINS</b>
<b>Vietnam</b>	<b>Sonha International Corporation/Sonha International Corporation</b>	<b>16.25%</b>
	<b>Mejonson Industrial Vietnam Co., Ltd./ Mejonson Industrial Vietnam Co., Ltd.</b>	<b>16.25%</b>
	<b>Vietnam-Wide Rate</b>	<b>16.25%</b>

## CASE CALENDAR:

EVENT	DATE
Petitions Filed	May 16, 2013
DOC Initiation Date	June 5, 2013
ITC Preliminary Determinations	August 19, 2013
DOC Preliminary Determinations <sup>^</sup>	December 30, 2013
DOC Final Determinations	May 22, 2014
ITC Final Determinations	July 6, 2014
Issuance of Orders <sup>**^</sup>	July 13, 2014

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) of the Tariff Act of 1930, as amended. These deadlines may be extended under certain circumstances.

<sup>^</sup> 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 initiation date for these investigations has been tolled by 16 days and all other deadlines have been adjusted accordingly.

<sup>\*\*</sup>This will take place only in the event of final affirmative determinations by Commerce and the ITC.

## IMPORT STATISTICS:

<b>MALAYSIA</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
Volume (metric tons)	4,600	5,400	4,100
Value (USD)	18,674,000	18,552,000	11,889,000
<b>THAILAND</b>			
<b>THAILAND</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
Volume (metric tons)	7,200	6,100	5,200
Value (USD)	30,679,000	22,889,000	16,855,000
<b>VIETNAM</b>			
<b>VIETNAM</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
Volume (metric tons)	4,300	4,700	2,900
Value (USD)	17,001,000	17,981,000	10,276,000

Source: U.S. Census Bureau, accessed through Global Trade Atlas. (HTSUS 7306.40.5005, 7306.40.5040, 7306.40.5062, 7306.40.5064, 7306.40.5085, 7306.40.1010, 7306.40.1015, 7306.40.5042, 7306.40.5044, 7306.40.5080, and 7306.40.5090).

Some HTSUS subheadings are basket categories and may cover both subject and non-subject merchandise.