

EXPLANATION OF COMMISSION DETERMINATION ON ADEQUACY  
in  
Certain Pipe and Tube from Argentina, Brazil, India, Korea, Mexico, Taiwan,  
Thailand, and Turkey, Inv. Nos. 701-TA-253, 731-TA-132,  
252, 271, 273, 409-410, 532-534, and 536 (Second Review)

On October 4, 2005, the Commission determined that it should proceed to full reviews in the subject five-year reviews pursuant to section 751(c)(5) of the Tariff Act of 1930 (19 U.S.C. § 1675(c)(5)). The Commission, in consultation with the Department of Commerce, grouped these reviews because they involve similar domestic like products.<sup>1</sup>

**Circular Welded Non-alloy Steel Pipes and Tubes from Brazil, India, Korea, Mexico, Taiwan, Thailand, and Turkey, Inv. Nos. 701-TA-253, 731-TA-132, 252, 271, 273, 532-534, and 536 (Second Review).**

With respect to the reviews on circular welded non-alloy pipes and tubes (“CWP”), the Commission determined that the domestic interested party group response to its notice of institution was adequate. The Commission received a consolidated response from ten domestic producers of CWP.<sup>2</sup> These producers collectively account for a majority of domestic production of a product they describe as “standard pipe.”<sup>3</sup> The Commission found the individual response of each of the ten domestic CWP producers, which contained company-specific data, adequate.

The Commission also found that the respondent interested party group responses were adequate with respect to the orders on CWP from Mexico and Turkey. The Commission received separate adequate individual responses from two Mexican producers, Hylsa S.A. de C.V. (“Hylsa”) and Tuberia Nacional, S.A. de C. V., estimated to collectively account for a majority of total production of CWP in Mexico. It also received separate adequate individual responses from Hylsa and S&P Steel Products and Services, Inc., which are U.S. importers of CWP from Mexico. With respect to the reviews of the antidumping and countervailing duty orders on CWP from Turkey, the Commission received an adequate individual response from Turkish producer Güven Boru Profil Sanayi Ve Ticaret Ltd., Stl. The Commission also received an adequate joint response from Borusan Mannesmann Boru Sanayi ve Ticaret A.S. (“BMB”), a Turkish producer, and Istikbal Ticaret T.A.S., an affiliate company of BMB and a Turkish exporter. It also received an individual response from Turkish producer and exporter MMZ Onur Boru Profil Uretim Sanayi ve Ticaret A.S. (“MMZ”), which did not provide information on production and export levels or on the likely effects of the revocation of the orders requested in the notice of institution, or explain why the firm was unable to provide such information. Accordingly, the Commission determined that MMZ’s individual response was inadequate. Notwithstanding MMZ’s inadequate response, because the Commission received adequate responses from Turkish producers

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<sup>1</sup>See 19 U.S.C. § 1675 (c)(5)(D); 63 Fed. Reg. 29372, 29374 (May 29, 1998).

<sup>2</sup>These producers include Allied Tube & Conduit Corporation (“Allied”), Copperweld Corporation (“Copperweld”), Ipsco Tubulars, Inc. (“Ipsco”), Leavitt Tube Corporation (“Leavitt”), Maruichi American Corporation (“Maruichi”), Maverick Tube Corporation (“Maverick”), Northwest Pipe Company (“Northwest”), Sharon Tube Co. (“Sharon”), Western Tube & Conduit Corporation (“Western”) and Wheatland Tube Company (“Wheatland”).

<sup>3</sup>The domestic producers define “standard pipe” as steel pipes and tubes with an outside diameter of 0.372 inches or more, but not more than 16 inches, regardless of wall thickness, surface finish, end finish, or industry specification, and generally known as standard pipe. See Domestic Producers’ Response to Notice of Institution at Exh. 1 (citing Circular Welded Nonalloy Steel Pipe from China, No. 731-TA-943 (Final), USITC Pub. No. 3523 (July 2002) at III-4 & Table III-2).

accounting for a significant share of Turkish production of CWP, the Commission determined that the respondent interested party group response from Turkey was adequate.

Because the group responses from both domestic interested parties and respondent interested parties were adequate in the reviews of the orders concerning CWP from Mexico and Turkey, the Commission determined to conduct full reviews in these proceedings.

The Commission further found that the respondent interested party group responses were inadequate with respect to the review of orders on CWP from Brazil, India, Korea, Taiwan, and Thailand, as no responses were received from any respondent interested parties. Nevertheless, the Commission decided to conduct full reviews of these orders to promote administrative efficiency in light of its decision to conduct full reviews with respect to the orders on CWP from Mexico and Turkey.

**Light-walled Rectangular Tube from Argentina and Taiwan, Invs. Nos. 731-TA-409-410 (Second Review).**

With respect to the orders concerning light-walled rectangular tube (“LWR”) from Argentina and Taiwan, the Commission determined that the domestic interested party group response was adequate. The Commission received a consolidated response from eight domestic producers that account for a significant percentage of domestic production of LWR.<sup>4</sup> The Commission found the individual response of each of the eight domestic LWR producers, which contained company-specific data, adequate.

The Commission determined that the respondent interested party group response was inadequate in each review. No responses were received from any respondent interested parties. The Commission nevertheless voted to conduct full reviews to promote administrative efficiency in light of the Commission’s determination to conduct full reviews of other orders in these grouped reviews.<sup>5</sup>

A record of the Commissioners’ votes is available from the Office of the Secretary and on the Commission’s website (<http://www.usitc.gov>).

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<sup>4</sup>These producers include Allied, Copperweld, Hannibal Industries, Inc., Leavitt, Maruichi, Northwest, Searing Industries, Inc., and Western.

<sup>5</sup>Vice Chairman Okun and Commissioners Hillman and Pearson voted to conduct expedited reviews of the two LWR orders because the respondent interested party group response for both orders was inadequate.

The Commission has stated that a decision to expedite a review requires a majority vote of the Commission, and thus, it will conduct a full review of these grouped orders, because the Commission was evenly divided on whether to expedite these reviews. 63 Fed. Reg. 30599, 30604 (June 5, 1998).