

US TRADE REMEDY UPDATE
OCTOBER 2017



**U.S. DEPARTMENT OF COMMERCE
DECISIONS**

Investigations:

- On October 2, 2017, Commerce continued suspension of the antidumping investigation for Uranium from the Russian Federation.
 - Link to [Federal Register](#)
- On October 2, 2017, Commerce issued an antidumping duty order for steel concrete reinforcing bar from Taiwan.
 - Link to [Federal Register](#)
- On October 5, 2017, Commerce amended the countervailing duty order on oil country tubular goods from the Republic of Turkey.
 - Link to [Federal Register](#)
- On October 12, 2017, Commerce issued its preliminary affirmative determination of sales at less than fair value, preliminary negative determination of critical circumstances, postponement of final determination, and extension of provisional measures for silicon metal from Norway.
 - Link to [Federal Register](#)
 - Link to [Factsheet](#)
- On October 12, 2017, Commerce issued its preliminary affirmative determination of sales at less than fair value, postponement of final determination, and extension of provisional measures for silicon metal from Brazil.
 - Link to [Federal Register](#)
 - Link to [Factsheet](#)
- On October 12, 2017, Commerce issued its preliminary affirmative determination of sales at less than fair value, preliminary affirmative determination of critical circumstances, postponement of final determination, and extension of provisional measures for silicon metal from Australia.
 - Link to [Federal Register](#)
 - Link to [Factsheet](#)
- On October 12, 2017, Commerce issued a deferral of preliminary determination of less-than-fair-value investigation for certain aluminum foil from the People's Republic of China.
 - Link to [Federal Register](#)
 - Link to [Factsheet](#)
- On October 13, 2017, Commerce issued its preliminary affirmative determination of sales at less than fair value for 100 to 150 seat large civil aircraft from Canada.
 - Link to [Federal Register](#)
 - Link to [Factsheet](#)
- On October 23, 2017, Commerce initiated less-than-fair-value investigations on Polyethylene Terephthalate Resin from Brazil, Indonesia, the Republic of Korea, Pakistan, and Taiwan.
 - Link to [Federal Register](#)
 - Link to [Factsheet](#)
- On October 26, 2017, Commerce initiated less-than-fair-value investigations on polytetrafluoroethylene resin from India and the People's Republic of China.
 - Link to [Federal Register](#)
 - Link to [Factsheet](#)
- On October 26, 2017, Commerce initiated a countervailing duty investigation of polytetrafluoroethylene resin from India.
 - Link to [Federal Register](#)
 - Link to [Factsheet](#)
- On October 31, 2017, Commerce issued its preliminary affirmative determination of sales at less than fair value for biodiesel from Indonesia.
 - Link to [Federal Register](#)
 - Link to [Factsheet](#)
- On October 31, 2017, Commerce issued its preliminary affirmative determination of sales at less than fair value for carbon and alloy steel wire rod from Italy and Ukraine.
 - Link to [Federal Register](#)
 - Link to [Federal Register](#)
 - Link to [Factsheet](#)
- On October 31, 2017, Commerce issued preliminary affirmative determination of sales at less than fair value, preliminary affirmative determination of critical circumstances for biodiesel from Argentina.
 - Link to [Federal Register](#)
 - Link to [Factsheet](#)
- On October 31, 2017, Commerce issued preliminary affirmative determination of sales at less than fair value, preliminary affirmative determination of critical circumstances for carbon and alloy steel wire rod from Spain, the

Republic of South Africa, and the United Kingdom.

- Link to [Federal Register](#)
- Link to [Federal Register](#)
- Link to [Federal Register](#)
- Link to [Factsheet](#)
- On October 31, 2017, Commerce issued preliminary affirmative determination of sales at less than fair value, preliminary negative determination of critical circumstances for carbon and alloy steel wire rod from the Republic of Korea, and Turkey.
 - Link to [Federal Register](#)
 - Link to [Federal Register](#)
 - Link to [Factsheet](#)
- **Commerce still considers China to be a Non-Market Economy for purposes of its AD duty analysis**
 - See [Memo](#)
 - See [Decision Memo](#)

Administrative Reviews:

- On October 2, 2017, Commerce issued final results of antidumping duty administrative review and final determination of no shipments for welded carbon steel standard pipe and tube products from Turkey.
 - Link to [Federal Register](#)
- On October 4, 2017, Commerce issued opportunity to request administrative review of antidumping or countervailing duty order, finding, or suspended investigation for the following:
 - Hot-rolled steel flat products from Australia, Brazil, Japan, Republic of Korea, the Netherlands, Turkey, and the United Kingdom.
 - Carbon and certain alloy steel wire rod from Brazil, Indonesia, Mexico, Moldova, Trinidad and Tobago.
 - Pressure sensitive plastic tape from Italy.
 - Barium carbonate from the People's Republic of China.
 - Barium chloride from the People's Republic of China.
 - Boltless steel shelving units prepackaged for sale from the People's Republic of China.
 - Electrolytic manganese dioxide from the People's Republic of China.
 - Helical spring lock washers from the People's Republic of China.
 - Polyvinyl alcohol from the People's Republic of China

- Steel wire garment hangers from the People's Republic of China
- Roasted in-shell pistachios from Iran
- Uranium from Russia
- Link to [Federal Register](#)
- On October 6, 2017, Commerce amended its final results of countervailing duty administrative review for crystalline silicon photovoltaic cells, whether or not assembled into modules, from the People's Republic of China.
 - Link to [Federal Register](#)
- On October 10, 2017, Commerce issued final results of antidumping duty administrative review for circular welded carbon steel pipes and tubes from Thailand.
 - Link to [Federal Register](#)
- On October 12, 2017, Commerce issued final results of antidumping duty administrative review for light-walled rectangular pipe and tube.
 - Link to [Federal Register](#)
- On October 12, 2017, Commerce issued final results of antidumping duty administrative review and rescission of administrative review in part for glycine from the People's Republic of China.
 - Link to [Federal Register](#)
- On October 12, 2017, Commerce issued final results of antidumping duty administrative review and rescission of new shipper review for freshwater crawfish tail meat from the People's Republic of China.
 - Link to [Federal Register](#)
- On October 12, 2017, Commerce issued final results of countervailing duty administrative review for circular welded carbon steel pipes and tubes from Turkey.
 - Link to [Federal Register](#)
- On October 16, 2017, Commerce issued final results of countervailing duty administrative review for certain pasta from Italy.
 - Link to [Federal Register](#)
- On October 16, 2017, Commerce issued its notice of initiation of antidumping duty administrative reviews for:
 - Corrosion resistant steel products from India, Republic of Korea
 - Polyethylene retail carrier bags from Malaysia, The People's Republic of China
 - Light-walled rectangular pipe and tube from Mexico
 - Large power transformers from the Republic of Korea

- Certain frozen fish fillets from Socialist Republic of Vietnam
- Welded stainless pressure pipe from Socialist Republic of Vietnam
- Certain steel nails from Taiwan, The People's Republic of China
- Certain passenger vehicle and light truck tires from The People's Republic of China
- Hydrofluorocarbon blends and components from the People's Republic of China
- Certain pasta from Italy
- Link to [Federal Register](#)
- On October 17, 2017, Commerce issued final results of countervailing duty administrative review, and partial rescission of countervailing duty administrative review for certain steel nails from the Socialist Republic of Vietnam.
 - Link to [Federal Register](#)

Changed Circumstances Reviews:

- On October 4, 2017, Commerce initiated and issued preliminary results of changed circumstances review for antidumping duty order on carbon and certain alloy steel wire rod from Mexico.
 - Link to [Federal Register](#)
- On October 18, 2017, Commerce issued preliminary results of changed circumstances review and intent to reinstate certain companies in the antidumping duty order for stainless steel bar from India.
 - Link to [Federal Register](#)

Sunset Reviews:

- On October 5, 2017, Commerce issued final results of the expedited fourth sunset reviews of the antidumping duty orders for certain welded carbon steel pipes from India, Thailand, and Turkey.
 - Link to [Federal Register](#)
- On October 4, 2017, Commerce initiated five-year (sunset) reviews for Silicomanganese for People's Republic of China and Ukraine.
 - Link to [Federal Register](#)
- On October 6, 2017, Commerce issued final results of expedited fourth sunset reviews of the antidumping duty orders for certain circular welded non-alloy steel pipe from Brazil, Mexico, the Republic of Korea, and Taiwan and certain circular welded carbon steel pipes and tubes from Taiwan.
 - Link to [Federal Register](#)

- On October 6, 2017, Commerce issued final results of the expedited sunset review of the antidumping duty orders for certain stainless steel butt-welded pipe fittings from Italy, Malaysia, and the Philippines.
 - Link to [Federal Register](#)
- On October 6, 2017, Commerce issued final results of expedited fourth sunset review of countervailing duty order for circular welded carbon steel pipes and tubes from Turkey.
 - Link to [Federal Register](#)
- On October 16, 2017, Commerce issued advance notification of sunset reviews for antidumping or countervailing duty order, finding, or suspended investigation for:
 - Crystalline silicon photovoltaic cells, whether or not assembled into molecules from China
 - Honey from China
 - Steel wire garment hangers from Taiwan and Vietnam
 - Link to [Federal Register](#)
- On October 19, 2017, Commerce issued a continuation of antidumping duty order for certain steel nails from the United Arab Emirates.
 - Link to [Federal Register](#)
- On October 30, 2017, Commerce issued a continuation of antidumping duty order for certain paper clips from the People's Republic of China.
 - Link to [Federal Register](#)
- On October 31, 2017, Commerce issued a continuation of antidumping duty orders for brass sheet and strip from France, Italy, and Japan.
 - Link to [Federal Register](#)

U.S. INTERNATIONAL TRADE COMMISSION

Section 701/731 & Section 201 Proceedings

Investigations

- On October 6, 2017, the ITC determined that there is not a reasonable indication that a U.S. industry is materially injured or threatened with material injury by reason of imports of titanium sponge from Japan and Kazakhstan.
 - Link to [Announcement](#)

- On October 5, 2017, the ITC voted unanimously that surges of large residential washer imports have seriously injured the U.S. industry.
 - Link to [Announcement](#)

Sunset Review Decisions

- On October 4, 2017, the ITC determined that revoking the existing antidumping duty order on imports of fresh garlic from China would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.
 - Link to [Announcement](#)
- On October 6, 2017, the ITC voted to conduct a full five-year (“sunset”) review concerning the antidumping order on large power transformers from Korea.
 - Link to [Announcement](#)
- On October 6, 2017, the ITC voted to expedite its five-year (“sunset”) reviews concerning the antidumping orders on lined paper school supplies from China and India and the countervailing duty order on these products from India.
 - Link to [Announcement](#)
- On October 6, 2017, the ITC voted to conduct full five-year (“sunset”) reviews concerning the antidumping orders on stainless steel bar from Brazil, India, Japan, and Spain.
 - Link to [Announcement](#)
- On October 6, 2017, the ITC voted to conduct a full five-year (“sunset”) review concerning the antidumping duty order on tapered roller bearings from China.
 - Link to [Announcement](#)
- On October 13, 2017, the ITC determined that revoking the existing antidumping duty orders on imports of certain stilbenic optical brightening agents from China and Taiwan would likely lead to continuation or recurrence of material injury.
 - Link to [Announcement](#)

Section 337 Proceedings

- On October 5, 2017, the ITC voted to institute an investigation of certain thermoplastic-encapsulated electric motors, components thereof, and products and vehicles containing the same.
 - Link to [Announcement](#)

- On October 11, 2017, the ITC voted to institute an investigation of certain industrial automation systems and components thereof including control systems, controllers, visualization hardware, motion and motor control systems, networking equipment, safety devices, and power supplies.
 - Link to [Announcement](#)
- On October 19, 2017, the ITC voted to institute an investigation of certain reusable diapers, components thereof, and products containing the same.
 - Link to [Announcement](#)
- On October 19, 2017, the ITC voted to institute an investigation of certain magnetic data storage tapes and cartridges containing the same.
 - Link to [Announcement](#)
- On October 1, 2017, the ITC voted to institute an investigation of certain electrochemical glucose monitoring systems and components thereof.
 - Link to [Announcement](#)
- On October 25, 2017, the ITC voted to institute an investigation of certain amorphous metal and products containing the same.
 - Link to [Announcement](#)
- On October 25, 2017, the ITC voted to institute an investigation of certain shaving cartridges, components thereof, and products containing the same.
 - Link to [Announcement](#)
- On October 31, 2017, the ITC voted to institute an investigation of certain wafer-level packaging semiconductor devices and products containing the same.
 - Link to [Announcement](#)

U.S. BUREAU OF CUSTOMS AND BORDER PROTECTION

- CBP published the quarterly Internal Revenue Service interest rates used to calculate interest on overdue accounts (underpayments) and refunds (overpayments) of customs duties in a notice. For the period Oct 1st to Dec. 31st, the interest rates for overpayments will be 3 percent for corporations and 4 percent for non-corporations, and the rate for underpayments will be 4 percent for both corporations and non-corporations.
- CBP is reviewing entries of oil country tubular goods (OCTG) from Vietnam imported by American Pacific Rubber (APAC) as part of a formal Enforce and Protect Act investigation. The investigation stems from allegations

submitted by Aztec Manufacturing Partnership that APAC evaded antidumping duties on the goods.

- Link to [Notification](#)
- On October 25, 2017 – CBP released its Customs Bulletin Vol. 51, No. 43. The bulletin does not contain any rulings but contains recent CIT opinions and general notices.
 - Link to [Bulletin](#)
- On October 31, CBP Announced that it will allow post summary corrections to be transmitted in ACE with 300 days of the date of entry or 15 days prior to the scheduled liquidation date.
 - Link to [Federal Register](#)

COURT OF INTERNATIONAL TRADE SUMMARY OF OPINIONS

- Slip Op. [17-135](#):
The Court of International Trade sustained Commerce’s remand determination concerning the original antidumping duty investigation on certain steel nails from Taiwan. Commerce was instructed to explain its cost allocation methodology and allocation of G&A expenses which were affirmed. The key issue in the case was the application of adverse facts available in the sequencing of the defendant-intervenor’s documents. Commerce was also instructed to explain its denial of certain U.S. commission offsets.
- Slip Op. [17-137](#):
The Court of International Trade sustained Commerce’s remand redetermination of the 1st administrative review of the antidumping duty order on large power transformers from Korea.
- Slip Op. [17-139](#):
The Court of International Trade dismissed a challenge to the timeliness of a CBP demand for payment from a surety related to an importer’s unpaid antidumping duties on preserved mushrooms from China. CIT found it did not have jurisdiction over the case because the issue should have been raised in a protest and challenged in a denied protest lawsuit under 28 USC 1581(a), not under CIT’s “residual” jurisdiction under 28 USC 1581(i).
- Slip Op. [17-145](#):
The Court sustained Commerce’s remand results concerning the 2013-2014 administrative review and new shipper review on freshwater crawfish tail meat from China. The appeal concerned the appropriate selection of surrogate financial

statements for purposes of calculating the plaintiff’s antidumping margins.

- Slip Op. [17-146](#):
The CIT affirmed Commerce’s final negative countervailing duty determination on Welded Line Pipe from Korea. The plaintiffs had challenged the determination that specific programs did not benefit the plaintiff and its decision not to apply adverse facts available. The CIT affirmed Commerce’s decision with respect to all three challenges.

OTHER TRADE MATTERS

- Industry groups filed petitions with the Office of the U.S. Trade Representative on October 17th requesting changes in the status of country and tariff treatment under the Generalized System of Preferences, including a petition to add 16 HTS subheadings of garment products from Cambodia and two petitions to remove India from the program altogether.