



A-580-891  
Administrative Review  
10/31/2017 – 04/30/2019  
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July 17, 2020

MEMORANDUM TO: Jeffrey I. Kessler  
Assistant Secretary  
for Enforcement and Compliance

FROM: James Maeder  
Deputy Assistant Secretary  
for Antidumping and Countervailing Duty Operations

SUBJECT: Decision Memorandum for the Preliminary Results of  
Antidumping Duty Administrative Review: Carbon and Alloy  
Steel Wire Rod from the Republic of Korea; 2017-2019

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## I. SUMMARY

The Department of Commerce (Commerce) is conducting the first administrative review of the antidumping duty (AD) order on carbon and alloy steel wire rod (wire rod) from the Republic of Korea (Korea). The period of review (POR) is October 31, 2017 through April 30, 2019. POSCO is the sole exporter and producer covered by this review. We preliminarily find that sales of subject merchandise were not made at prices below normal value. The estimated weighted-average dumping margins are shown in the “Preliminary Results of the Review” section of the accompanying *Federal Register* notice.

## II. BACKGROUND

On May 21, 2018, Commerce published in the *Federal Register* the *Order*.<sup>1</sup> On April 8, 2019, Commerce excluded from the scope of the *Order* the grade 1078 and higher tire cord quality wire rod used in the production of tire cord wire.<sup>2</sup> On June 13, 2019, Commerce excluded from the scope of the *Order* the valve spring quality (VSQ) steel products defined as wire rod.<sup>3</sup>

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<sup>1</sup> See *Carbon and Alloy Steel Wire Rod from Italy, the Republic of Korea, Spain, the Republic of Turkey, and the United Kingdom: Antidumping Duty Orders and Amended Final Affirmative Antidumping Duty Determinations for Spain and the Republic of Turkey*, 83 FR 23417 (May 21, 2018) (*Order*).

<sup>2</sup> See *Carbon and Alloy Steel Wire Rod from the Republic of Korea and the United Kingdom: Notice of Final Results of Antidumping Duty Changed Circumstances Review*, 84 FR 13888 (April 8, 2019).

<sup>3</sup> See *Carbon and Alloy Steel Wire Rod from the Republic of Korea: Final Results of Antidumping Duty Changed Circumstances Review*; 84 FR 27582 (June 13, 2019).



On May 1, 2019, we published a notice of opportunity to request an administrative review of the *Order*.<sup>4</sup> On May 31, 2019, POSCO requested a review of itself.<sup>5</sup> On July 15, 2019, we initiated this review.<sup>6</sup> On July 30, 2019, we placed on the record the U.S. Customs and Border Protection data (CBP data), which indicated that POSCO was the sole exporter for which a review was requested that made entries of subject merchandise during the POR.<sup>7</sup> On August 7, 2019, we transmitted the initial antidumping duty questionnaire to POSCO.<sup>8</sup>

On August 21, 2019, POSCO requested that we modify the reporting period of production cost from October 31, 2017 through April 30, 2019 to November 1, 2017 through April 30, 2019.<sup>9</sup> On September 10, 2019, we notified POSCO to modify the cost reporting periods as: (1) November 1, 2017 through May 31, 2018 for grade 1078 and higher tire cord quality wire rod; and (2) November 1, 2017 through April 30, 2019 for all-other merchandise under review.<sup>10</sup>

Also, on August 21, 2019, POSCO requested an exemption from reporting sales of merchandise that were further manufactured in the United States.<sup>11</sup> On September 19, 2019, Commerce provided POSCO an opportunity to resubmit its August 21, 2019 request with information on value added in the United States to demonstrate that the further manufactured merchandise qualifies for the exemption under section 772(e) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.402(c)(2).<sup>12</sup> On September 24, 2019, POSCO provided the requested information,<sup>13</sup> and the petitioners commented on those further manufactured sales.<sup>14</sup> On September 27, 2019, POSCO responded to the petitioner's comments.<sup>15</sup>

On September 24, 2019, POSCO responded to section A of the initial questionnaire (AQR),<sup>16</sup> for which the petitioners filed comments on September 27, 2019.<sup>17</sup> On October 4, 2019, POSCO responded to section B-D of the initial questionnaire (BQR, CQR, DQR),<sup>18</sup> for which the

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<sup>4</sup> See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 84 FR 18479 (May 1, 2019).

<sup>5</sup> See POSCO's Letter, "Request for Administrative Review," dated May 31, 2019.

<sup>6</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 84 FR 33739 (July 15, 2019).

<sup>7</sup> See Memorandum, "U.S. Customs Entry Data," dated on July 30, 2019.

<sup>8</sup> See Commerce's Letter, "Initial Questionnaire," dated August 7, 2019.

<sup>9</sup> See POSCO's Letter, "Request to Modify Cost Reporting Period," dated August 21, 2019.

<sup>10</sup> See Commerce's Letter, "Modifying Cost Reporting Period," dated September 10, 2019.

<sup>11</sup> See POSCO's Letter, "Request to Modify Reporting Requirements," dated August 21, 2019.

<sup>12</sup> See Commerce's Letter, "Reporting Exemption," dated September 19, 2019.

<sup>13</sup> See POSCO's Letter, "Response to the Department's September 19<sup>th</sup> Supplemental Request," dated September 24, 2019.

<sup>14</sup> The petitioners are Charter Steel, Liberty Steel USA, and Optimus Steel LLC. See Petitioners' Letter, "Petitioners' Comments on POSCO's Section A Response" dated September 24, 2019 at 14.

<sup>15</sup> See POSCO's Letter, "Response to Petitioners' September 24 Letter," dated September 27, 2019.

<sup>16</sup> See POSCO's Letter, "POSCO's Section A Questionnaire Response," dated September 10, 2019 (AQR).

<sup>17</sup> See Petitioners' Letter, "Petitioners' Comments on POSCO's Section A Response," dated September 24, 2019.

<sup>18</sup> See POSCO's Letter, "POSCO's Sections B, C, and D Questionnaire Responses," dated October 4, 2019 (BQR, CQR, DQR).

petitioners filed comments on October 22, 23 and 29, 2019, respectively.<sup>19</sup> On October 21, 2019, POSCO responded to section E of the initial questionnaire (EQR).<sup>20</sup>

On February 24, 2020, we issued a supplemental questionnaire (SQR).<sup>21</sup> On March 23, 2020, POSCO responded to section D questions in the SQR (SDQR),<sup>22</sup> for which the petitioners filed comments on April 13, 2020,<sup>23</sup> to which POSCO responded on April 21, 2020.<sup>24</sup> On April 6, 2020, POSCO responded to sections B and C questions in the SQR (SBCQR),<sup>25</sup> for which the petitioners filed comments on April 27, 2020,<sup>26</sup> to which POSCO responded on May 11, 2020.<sup>27</sup> On April 13, 2020, POSCO responded to the section A questions in the SQR (SAQR),<sup>28</sup> for which the petitioners filed comments on May 4, 2020,<sup>29</sup> to which POSCO responded on May 11, 2020.<sup>30</sup>

On June 29, 2020, the petitioners filed pre-preliminary results comments,<sup>31</sup> to which POSCO filed a response on July 8, 2020.<sup>32</sup>

On January 29, 2020, we extended the time limit for the preliminary results of this review from 245 days to 364 days.<sup>33</sup> On April 24, 2020, Commerce tolled all deadlines in administrative reviews by 50 days, thereby extending the deadline for these results until July 20, 2020.<sup>34</sup>

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<sup>19</sup> See Petitioners' Letters, "Petitioners' Submission of New Factual Information and Deficiency Comments Regarding POSCO's Section D Questionnaire Response," dated October 22, 2019; "Petitioners' Submission of New Factual Information and Deficiency Comments Concerning POSCO's Section B Response," dated October 23, 2019; and "Petitioners' Comments Regarding POSCO's Section C Questionnaire Response," dated October 29, 2019.

<sup>20</sup> See POSCO's Letter, "POSCO's Section E Questionnaire Response and Section C Addendum," dated October 21, 2019 (EQR).

<sup>21</sup> See Commerce's Letter, "Supplemental Questionnaire," dated February 24, 2020 (SQR).

<sup>22</sup> See POSCO's Letter, "Response of POSCO to the Department's February 24, 2020 Supplemental Section D Questionnaire," dated March 23, 2020 (SDQR).

<sup>23</sup> See Petitioners' Letter, "Comments on POSCO's Supplemental Section D Questionnaire Response," dated April 13, 2020.

<sup>24</sup> See POSCO's Letter, "Response to Petitioners' Comments on POSCO's Supplemental Section D Response," dated April 21, 2020.

<sup>25</sup> See POSCO's Letter, "Response of POSCO to the Department's February 24, 2020 Supplemental Section B and C Questionnaire," dated April 6, 2020 (SBCQR).

<sup>26</sup> See Petitioners' Letter, "Petitioners' Comments Regarding POSCO's Supplemental Sections B & C Response," dated April 27, 2020; *see also* "Petitioners' Errata to April 27, 2020 Submission," dated April 28, 2020.

<sup>27</sup> See POSCO's Letter, "POSCO's Response to Petitioners' April 27th Comments," dated May 11, 2020.

<sup>28</sup> See POSCO's Letter, "Response of POSCO to the Department's February 24, 2020 Supplemental Section A Questionnaire," dated April 13, 2020 (SAQR).

<sup>29</sup> See Petitioners' Letter, "Petitioners' Comments and New Factual Information Regarding POSCO's April 13, 2020 Supplemental Section A Questionnaire Response," dated May 4, 2020.

<sup>30</sup> See POSCO's Letter, "POSCO's Response to Petitioners' April 27th Comments," dated May 11, 2020.

<sup>31</sup> See Petitioners' Letter, "Petitioners' Comments in Advance of the Preliminary Results of this Review," dated June 29, 2020.

<sup>32</sup> See Petitioners' Letter, "Response to Petitioners' Pre-Preliminary Results Comments," dated July 8, 2020.

<sup>33</sup> See Memorandum, "Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review; 2017-2019," dated January 29, 2020.

<sup>34</sup> See Memorandum, "Tolling of Deadlines for Antidumping and Countervailing Duty Administrative Reviews in Response to Operational Adjustments Due to COVID-19," dated April 24, 2020.

### III. DESCRIPTION OF PRODUCTS UNDER REVIEW

The scope of the *Order* includes certain hot-rolled products of carbon steel and alloy steel, in coils, of approximately round cross section, less than 19.00 mm in actual solid cross-sectional diameter. Excluded from the scope are grade 1078 and higher tire cord quality wire rod to be used in the production of tire cord wire. Also, excluded from the scope are valve spring quality (VSQ) steel products which is defined as wire rod. A full description of the scope of products under review is contained in the Attachment to this memorandum.

### IV. COMPARISONS TO NORMAL VALUE

Pursuant to section 773(a) of the Act and 19 CFR 351.414(c)(1) and (d), to determine whether POSCO's sales of subject merchandise were made at less than normal value (NV), we compared the export price (EP) or constructed export price (CEP), as appropriate, to the NV as described in the "Constructed Export Price" and "Normal Value" sections of this memorandum.

#### A. Product Comparisons

In accordance with section 771(16) of the Act, we considered all products produced and sold by the respondent in the home market in the ordinary course of trade during the POR that fit the description in the "Description of Products Under Review" to be foreign like products for purposes of determining appropriate NVs for comparisons to EP or CEP.

If there were contemporaneous home market sales of foreign like product identical to subject merchandise, then we calculated NV based on the monthly weighted-average home market prices of all such sales.<sup>35</sup> If there were no contemporaneous home market sales of identical merchandise, then we identified home market sales of the most similar merchandise that were contemporaneous with the U.S. sales in accordance with 19 CFR 351.414(e), and calculated NV based on the monthly weighted-average home market prices of all such sales. Where there were no sales of identical or similar merchandise made in the ordinary course of trade in the home market, we calculated NV based on Constructed Value (CV).

In making product comparisons, we matched foreign like product to the subject merchandise based on prime versus non-prime merchandise, and the physical characteristics in the following order of importance: minimum specified carbon content, metallic coating, minimum specified chromium content, minimum specified nickel content, minimum specified vanadium content, maximum specified phosphorus and sulfur content, maximum allowable total depth of decarburization, minimum specified manganese content, minimum specified molybdenum content, minimum specified silicon content, minimum specified sulfur content, maximum specified nitrogen content, diameter range, heat treatment.<sup>36</sup>

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<sup>35</sup> See 19 CFR 351.414(b)(3)(e).

<sup>36</sup> See BQR at B-16 to B-22; see also CQR at C-12 to C-18.

POSCO sold prime subject merchandise that is non-overruns in the U.S. market.<sup>37</sup> It sold prime and non-prime foreign like products that are non-overruns and overruns in the home market.<sup>38</sup>

## B. Determination of Comparison Method

Pursuant to 19 CFR 351.414(c)(1), Commerce calculates weighted-average dumping margins by comparing weighted-average NVs to weighted-average EPs (or CEPs) (*i.e.*, the average-to-average method) unless Commerce determines that another method is appropriate in a particular situation. In less-than-fair-value investigations, Commerce examines whether to compare weighted-average NVs with the EPs (or CEPs) of individual sales (*i.e.*, the average-to-transaction method) as an alternative comparison method using an analysis consistent with section 777A(d)(1)(B) of the Act. Although section 777A(d)(1)(B) of the Act does not strictly govern Commerce's examination of this question in the context of administrative reviews, Commerce nevertheless finds that the issue arising under 19 CFR 351.414(c)(1) in administrative reviews is, in fact, analogous to the issue in less-than-fair-value investigations.<sup>39</sup>

In recent investigations, Commerce applied a “differential pricing” analysis for determining whether application of the average-to-transaction method is appropriate in a particular situation pursuant to 19 CFR 351.414(c)(1) and section 777A(d)(1)(B) of the Act.<sup>40</sup> Commerce finds that the differential pricing analysis used in recent investigations may be instructive for purposes of examining whether to apply an alternative comparison method in this administrative review. Commerce will continue to develop its approach in this area based on comments received in this and other proceedings, and on Commerce's additional experience with addressing the potential masking of dumping that can occur when Commerce uses the average-to-average method in calculating a respondent's weighted-average dumping margin.

The differential pricing analysis used in these preliminary results examines whether there exists a pattern of prices for comparable merchandise that differ significantly among purchasers, regions, or time periods. The analysis evaluates all export sales by purchaser, region, and time period to determine whether a pattern of prices that differ significantly exists. If such a pattern is found, then the differential pricing analysis evaluates whether such differences can be taken into account when using the average-to-average method to calculate the weighted-average dumping margin. The analysis incorporates default group definitions for purchasers, regions, time periods, and comparable merchandise. Purchasers are based on the reported (consolidated)

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<sup>37</sup> See CQR at C-10.

<sup>38</sup> See BQR at B-13 to B-15; *see also* Memorandum, “Carbon and Alloy Steel Wire Rod from the Republic of Korea: Overruns Analysis for POSCO,” dated May 29, 2020.

<sup>39</sup> See *Ball Bearings and Parts Thereof from France, Germany, and Italy: Final Results of Antidumping Duty Administrative Reviews; 2010–2011*, 77 FR 73415 (December 10, 2012), and accompanying IDM at Comment 1; *see also Apex Frozen Foods Private Ltd. v. United States*, 37 F. Supp. 3d 1286, 1322 (CIT 2014), *aff'd*, 862 F.3d 1337 (Fed. Cir. 2017); and *JBF RAK LLC v. United States*, 790 F.3d 1358, 1363-65 (Fed. Cir. 2015) (“{t}he fact that the statute is silent with regard to administrative reviews does not preclude Commerce from filling gaps in the statute to properly calculate and assign antidumping duties.”) (citations omitted).

<sup>40</sup> See, e.g., *Xanthan Gum from the People's Republic of China: Final Determination of Sales at Less Than Fair*, 78 FR 33351 (June 4, 2013); *Steel Concrete Reinforcing Bar from Mexico: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances*, 79 FR 54967 (September 15, 2014); and *Welded Line Pipe from the Republic of Turkey: Final Determination of Sales at Less Than Fair Value*, 80 FR 61362 (October 13, 2015).

customer codes. Regions are defined using the reported destination code (*i.e.*, zip, state) and are grouped into regions based upon standard definitions published by the U.S. Census Bureau. Time periods are defined by the quarter within the POR based upon the reported date of sale. For purposes of analyzing sales transactions by purchaser, region and time period, comparable merchandise is defined using the product control number and all characteristics of the U.S. sales, other than purchaser, region and time period, that Commerce uses in making comparisons between EP (or CEPs) and NV for the individual dumping margins.

In the first stage of the differential pricing analysis used here, the “Cohen’s *d* test” is applied. The Cohen’s *d* coefficient is a generally recognized statistical measure of the extent of the difference between the mean (*i.e.*, weighted-average price) of a test group and the mean (*i.e.*, weighted-average price) of a comparison group. First, for comparable merchandise, the Cohen’s *d* coefficient is calculated when the test and comparison groups of data for a particular purchaser, region or time period each have at least two observations, and when the sales quantity for the comparison group accounts for at least five percent of the total sales quantity of the comparable merchandise. Then, the Cohen’s *d* coefficient is used to evaluate the extent to which the prices to the particular purchaser, region or time period differ significantly from the prices of all other sales of comparable merchandise. The extent of these differences can be quantified by one of three fixed thresholds defined by the Cohen’s *d* test: small, medium or large (0.2, 0.5 and 0.8, respectively). Of these thresholds, the large threshold provides the strongest indication that there is a significant difference between the mean of the test and comparison groups, while the small threshold provides the weakest indication that such a difference exists. For this analysis, the difference is considered significant, and the sales in the test group are found to pass the Cohen’s *d* test, if the calculated Cohen’s *d* coefficient is equal to or exceeds the large (*i.e.*, 0.8) threshold.

Next, the “ratio test” assesses the extent of the significant price differences for all sales as measured by the Cohen’s *d* test. If the value of sales to purchasers, regions, and time periods that pass the Cohen’s *d* test account for 66 percent or more of the value of total sales, then the identified pattern of prices that differ significantly supports the consideration of the application of the average-to-transaction method to all sales as an alternative to the average-to-average method. If the value of sales to purchasers, regions, and time periods that pass the Cohen’s *d* test accounts for more than 33 percent and less than 66 percent of the value of total sales, then the results support consideration of the application of an average-to-transaction method to those sales identified as passing the Cohen’s *d* test as an alternative to the average-to-average method, and application of the average-to-average method to those sales identified as not passing the Cohen’s *d* test. If 33 percent or less of the value of total sales passes the Cohen’s *d* test, then the results of the Cohen’s *d* test do not support consideration of an alternative to the average-to-average method.

If both tests in the first stage (*i.e.*, the Cohen’s *d* test and the ratio test) demonstrate the existence of a pattern of prices that differ significantly such that an alternative comparison method should be considered, then in the second stage of the differential pricing analysis, Commerce examines whether using only the average-to-average method can appropriately account for such differences. In considering this question, Commerce tests whether using an alternative comparison method, based on the results of the Cohen’s *d* and ratio tests described above, yields a meaningful difference in the weighted-average dumping margin as compared to that resulting

from the use of the average-to-average method only. If the difference between the two calculations is meaningful, then this demonstrates that the average-to-average method cannot account for differences such as those observed in this analysis, and, therefore, an alternative comparison method would be appropriate. A difference in the weighted-average dumping margins is considered meaningful if: (1) there is a 25 percent relative change in the weighted-average dumping margins between the average-to-average method and the appropriate alternative method where both rates are above the *de minimis* threshold, or (2) the resulting weighted-average dumping margins between the average-to-average method and the appropriate alternative method move across the *de minimis* threshold.

Interested parties may present arguments and justifications in relation to the above-described differential pricing approach used in these preliminary results, including arguments for modifying the group definitions used in this proceeding.

### C. Results of the Differential Pricing Analysis

For POSCO, based on the results of the differential pricing analysis, Commerce preliminarily finds that 98.9 percent of the value of U.S. sales pass the Cohen's *d* test,<sup>41</sup> and confirms the existence of a pattern of prices that differ significantly among purchasers, regions, or time periods. Further, Commerce preliminarily determines that the average-to-average method cannot account for such differences because the weighted-average dumping margin crosses the *de minimis* threshold when calculated using the average-to-average method and when calculated using an alternative comparison method based on applying the average-to-transaction method to all U.S. sales. Thus, for this preliminary determination, Commerce is applying the average-to-transaction method to all U.S. sales to calculate the weighted-average dumping margin for POSCO.

## V. DATE OF SALE

Section 351.401(i) of Commerce's regulations states that in identifying date of sale, we normally will use invoice date as recorded in the producer's or exporter's records kept in the ordinary course of business. The regulation also provides that Commerce may use a date other than the invoice date if it is satisfied that a different date better reflects the date on which the material terms of sale are established.<sup>42</sup> Further, Commerce's practice finds that the shipment date better reflects the date on which the material terms of sale are established when it precedes the invoice date.<sup>43</sup>

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<sup>41</sup> See Memorandum, "Calculation Memorandum for the Preliminary Results of Antidumping Duty Administrative Review: Carbon and Alloy Steel Wire Rod from the Republic of Korea; 2017-2019," dated concurrently with this memorandum (Prelim Calc Memo).

<sup>42</sup> See 19 CFR 351.401(i).

<sup>43</sup> See *Notice of Final Determination of Sales at Less Than Fair Value: Structural Steel Beams from Germany*, 67 FR 35497 (May 20, 2002), and accompanying IDM at Comment 2; see also, *Certain Frozen Warmwater Shrimp from Thailand: Final Results and Final Partial Rescission of Antidumping Duty Administrative Review*, 72 FR 52065 (September 12, 2007), and accompanying IDM at Comment 11.

The Court of International Trade (CIT) has stated that a “party seeking to establish a date of sale other than invoice date bears the burden of producing sufficient evidence to ‘satisfy’ Commerce that a different date better reflects the date on which the producer or exporter establishes the material terms of sale,”<sup>44</sup> which normally include the price, quantity, delivery terms and payment terms.<sup>45</sup>

For its home market sales, POSCO reported shipment date from Pohang Mill as the date of sale for all sales to: (1) affiliated and unaffiliated end users; (2) affiliated reseller POSCO International; and (3) online purchasers.<sup>46</sup>

For its U.S. market sales, POSCO reported: (1) shipment date from Pohang Mill as the date of sale for U.S. distribution channel 1 where the subject merchandise was shipped from the mill directly to the unaffiliated U.S. customers;<sup>47</sup> (2) shipment date from POSCO America Corporation’s (POSAM) warehouse as the date of sale for U.S. distribution channel 2 where the subject merchandise was shipped from the mill to POSAM’s warehouse to the unaffiliated U.S. customers;<sup>48</sup> and (3) shipment date from POSCO America Alabama Processing Center, LLC (AAPC) as the date of sale for U.S. distribution channel 3 where the subject merchandise was shipped from the mill to AAPC for further process then was delivered to unaffiliated U.S. customers.<sup>49</sup> Further, POSCO reported that invoices are issued on or after the shipment date.<sup>50</sup>

Three U.S. sample sales show that: (1) order dates appeared on the purchase orders from unaffiliated customers precede the entry dates appeared on the Entry Summaries; (2) no price changes after the subject merchandise was shipped from the mill; (3) the ordered quantity plus or minus a tolerance is the quantity shipped from the mill; and (4) the order was delivered in one or multiple shipments according to delivery terms appeared on the purchase orders from unaffiliated customers. As those sample sales show that no change in quantity, price or other terms between the shipment date from the mill and the shipment dates from POSAM’s warehouse (channel 2) or AAPC’s facility (channel 3), we found that the shipment date from the mill which precedes the invoice date better reflects the date on which the material terms of sale are established, and thus is the date of sales for all U.S. sales.

As nothing on the record suggests that a different date better reflects the date on which the material terms of sale are established, pursuant to 19 CFR 351.401(i) and consistent with our practice, we preliminarily use the shipment date from Pohang Mill as the date of sale for both home market and U.S. sales.

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<sup>44</sup> See *Allied Tube & Conduit Corp.*, 132 F. Supp. 2d 1087, 1090 (CIT 2001).

<sup>45</sup> See *USEC Inc. v. United States*, 489 F. Supp. 2d 1337, 1055 (CIT 2007).

<sup>46</sup> See AQR at A-28; see also BQR at B-26.

<sup>47</sup> See AQR at A-21.

<sup>48</sup> *Id.* at A-22.

<sup>49</sup> *Id.*

<sup>50</sup> See AQR at A-28 and A-29; see also BQR at B-26; and CQR at C-21.



## VI. CONSTRUCTED EXPORT PRICE

Section 772(b) of the Act defines CEP as “the price at which the subject merchandise is first sold (or agreed to be sold) in the United States before or after the date of importation by or for the account of the producer or exporter of such merchandise or by a seller affiliated with the producer or exporter, to a purchaser not affiliated with the producer or exporter, as adjusted under subsections (c) and (d).”

POSCO reported that all U.S. sales were CEP sales.<sup>51</sup> We calculated the CEP based on a packed price to customers in the United States. In accordance with section 772(c) of the Act, we made adjustments, where appropriate, for price adjustments, discounts, Korean movement expenses (*i.e.*, Korean warehousing expenses, Korean inland freight, Korean brokerage and handling), international and U.S. movement expenses (*i.e.*, international freight, marine insurance, U.S. brokerage and handling, U.S. inland freight, U.S. warehousing, and U.S. duties).

In accordance with section 772(d) of the Act, we adjusted (1) direct and indirect selling expenses associated with economic activities occurring in the United States (*i.e.*, imputed credit expenses, bank charges, and other direct selling expenses); (2) the cost of any further manufacture or assembly (including additional material and labor); (3) the profit allocated to the expenses described in (1) and (2).

In accordance with section 772(f) of the Act, we calculated the CEP profit ratio.

## VII. NORMAL VALUE

### A. Home Market Viability

In order to determine whether there is a sufficient volume of sales in the home market to serve as a viable basis for calculating NV (*i.e.*, the aggregate volume of home market sales of the foreign like product is equal to or greater than five percent of the aggregate volume of U.S. sales), we normally compare the respondent’s volume of home market sales of the foreign like product to the volume of U.S. sales of the subject merchandise, in accordance with sections 773(a)(1)(A) and (B) of the Act. If we determine that no viable home market exists, we may, if appropriate, use a respondent’s sales of the foreign like product to a third country market as the basis for comparison market sales in accordance with section 773(a)(1)(C) of the Act and 19 CFR 351.404.

In this review, we determined that the aggregate volume of home market sales of the foreign like product for POSCO was greater than five percent of the aggregate volume of its U.S. sales of the subject merchandise.<sup>52</sup> Therefore, we used home market sales as the basis for NV for POSCO, in accordance with section 773(a)(1)(B) of the Act. Consistent with our practice, we also included POSCO’s home market sales to affiliated parties for purposes of determining home market

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<sup>51</sup> See AQR at A-21.

<sup>52</sup> See 19 CFR 351.404(b)(2); *see also* POSCO AQR at A-4.

viability.<sup>53</sup> Moreover, the record contains no evidence supporting a price based particular market situation in the Korea that would not permit a proper comparison of home market and U.S. prices.

#### B. Affiliated Party Transactions and Arm's-Length Test

Pursuant to 19 CFR 351.403(c) and (d), Commerce may calculate NV based on sales to affiliated parties only if the sales are made at arm's-length, where the prices to the affiliated parties are, on average, within a range of 98 to 102 percent of the prices of the same or comparable merchandises to the unaffiliated parties.<sup>54</sup> For affiliated sales that are not made at arm's-length, we consider them to be outside the ordinary course of trade and thus exclude them from NV calculation.<sup>55</sup>

POSCO reported home market sales of foreign like product to affiliated parties,<sup>56</sup> for which we conducted arm's-length test.

#### C. Level of Trade

Section 773(a)(1)(B)(i) of the Act states that, to the extent practicable, Commerce will calculate NV based on sales at the same level of trade (LOT) as the U.S. sales. According to 19 CFR 351.412(c)(2), sales are made at different LOTs if they are made at different marketing stages (or their equivalent), and substantial differences in selling activities are a necessary, but not sufficient, condition for determining that there is a difference in the stages of marketing.<sup>57</sup> In order to determine whether the home market sales are at different marketing stages than the U.S. sales, we examine the distribution system in each market, including selling functions, customer categories, and the level of selling activities for each type of sale.

Pursuant to section 773(a)(1)(B)(i) of the Act, in identifying LOTs, we consider the starting price before adjustments for EP and home market sales,<sup>58</sup> and the starting price as adjusted under section 772(d) of the Act for CEP sales.<sup>59</sup>

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<sup>53</sup> See *Certain Oil Country Tubular Goods from Saudi Arabia: Final Determination of Sales at Less Than Fair Value*, 79 FR 41986 (July 18, 2014), and accompanying IDM at Comment 2 (use of affiliated party sales in viability determination).

<sup>54</sup> See *Antidumping Proceedings: Affiliated Party Sales in the Ordinary Course of Trade*, 67 FR 69186 (November 15, 2002) (establishing that the overall ratio calculated for an affiliate must be between 98 percent and 102 percent in order for sales to be considered in the ordinary course of trade and used in the normal value calculation).

<sup>55</sup> See *China Steel Corp. v. United States*, 264 F. Supp. 2d 1339, 1365 (CIT 2003), *aff'd*, 306 F. Supp. 2d 1291 (CIT 2004).

<sup>56</sup> See AQR at A-4.

<sup>57</sup> See *Certain Orange Juice from Brazil: Final Results of Antidumping Duty Administration Review and Notice of Intent Not To Revoke Antidumping Duty Order in Part*, 75 FR 50999 (August 18, 2010) (*OJ Brazil*), and accompanying IDM at Comment 7.

<sup>58</sup> Where NV is based on CV, we determine the NV LOT based on the LOT of the sales from which we derive SG&A expenses, and profit for CV, where possible. See 19 CFR 351.412(c)(1).

<sup>59</sup> See *Micron Tech., Inc. v. United States*, 243 F.3d 1301, 1314-16 (Fed. Cir. 2001).

When Commerce is unable to match home market sales at the same LOT as the EPs or CEPs, we may compare the U.S. sale to sales at a different LOT in the home market. In comparing EP or CEP sales at a different LOT in the home market, where available data make it possible, we make a LOT adjustment under section 773(a)(7)(A) of the Act. Finally, for CEP sales only, if the NV LOT is at a more advanced stage of distribution than the LOT of CEP and there is no basis for determining whether the difference in LOTs between NV and CEP affects price comparability (*i.e.*, no LOT adjustment is possible), we will grant a CEP offset, as provided in section 773(a)(7)(B) of the Act.<sup>60</sup>

Commerce is not necessarily bound by its determinations in a prior segment of a proceeding because each segment has its own unique factual record.<sup>61</sup> In other words, Commerce must examine each record on its own merits. The decision to grant a CEP offset is a fact-specific inquiry that must be made based on the record.

POSCO made home market sales through three distribution channels to: (1) affiliated and unaffiliated end users; (2) affiliated reseller POSCO International; (3) cyber purchasers.<sup>62</sup> It maintained that there is only one LOT in the home market.<sup>63</sup> It listed nine selling activities under four provisions: sales support, training services, logistical services, and sales related administrative activities.<sup>64</sup> Because the claimed selling functions do not differ significantly between channels of distribution, we preliminarily find that there is one LOT for home market sales.

POSCO made U.S. sales as CEP sales through POSAM to: (1) unaffiliated end users where the subject merchandise was shipped from Pohang Mill to the customers; (2) unaffiliated end users where the subject merchandise was shipped from Pohang Mill to a U.S. warehouse to the customers; and (3) affiliated processor AAPC then to unaffiliated end users. It maintained that there is only one CEP LOT in the U.S. market.<sup>65</sup> It listed nine selling activities under four provisions: sales support, training services, logistical services, and sales related administrative activities.<sup>66</sup> Because the claimed selling functions performed in Korea for U.S. sales do not differ significantly between channels of distribution, we preliminarily find that there is one LOT in the U.S. market.

POSCO contended that the home market LOT is at a more advanced stage of distribution than the CEP LOT, based on magnitude and intensity of the selling functions performed for home market sales versus the magnitude and intensity of the selling functions performed for U.S. sales.<sup>67</sup>

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<sup>60</sup> See *OJ Brazil IDM* at Comment 7.

<sup>61</sup> See *Pakfood Public Co. v. United States*, 34 CIT 1122, 1138 (CIT 2010); *Alloy Piping Prod., Inc. v. United States*, 33 CIT 349, 358-59 (CIT 2009); see also *Timken U.S. Corp. v. United States*, 434 F. 3d 1345 (Fed. Cir. 2006).

<sup>62</sup> See AQR at A-15.

<sup>63</sup> *Id.* at A-19.

<sup>64</sup> *Id.* at A-16 to A-18 and Exhibit A-9; see also SAQR at SA-9 and Exhibit SA-7.

<sup>65</sup> See AQR at A-19.

<sup>66</sup> *Id.* AQR at A-16 to A-18 and Exhibit A-9.

<sup>67</sup> *Id.* at A-20.

The selling function chart shows that nine activities performed for home market sales are also performed for CEP sales to POSAM, at the same or similar level of intensity.<sup>68</sup> In response to question 3a(ii) of the initial questionnaire, POSCO provided supporting documentation for three of nine claimed activities.<sup>69</sup> Further, in response to 3a(vi) of the initial questionnaire, POSCO provided no quantitative analysis to support the claimed the level of intensity.<sup>70</sup> This comparison shows no substantial differences in magnitude and intensity between the selling activities performed for the home market sales and for the CEP sales to POSAM, which indicates that the NV LOT is not at a more advanced stage of distribution than the LOT of CEP. Therefore, we preliminarily find that the CEP offset is not warranted.

#### D. Overrun Sales

Section 773(a)(1)(B)(i) of the Tariff Act of 1930, as amended (the Act), states, in part, that normal value (NV) is “the price at which the foreign like product is first sold (or, in absence of a sale, offered for sale) for consumption in the exporting country, in the usual commercial quantities and in the ordinary course of trade . . . .” The term “ordinary course of trade” is defined as “the conditions and practices which, for a reasonable time prior to the exportation of the subject merchandise, have been normal in the trade under consideration with respect to merchandise of the same class or kind.”<sup>71</sup> The Statement of Administrative Action which accompanied the passage of the Uruguay Round Agreements Act of 1995 clarifies this portion of the statute when it states, “Commerce may consider other types of sales or transactions to be outside the ordinary course of trade when such sales or transactions have characteristics that are not ordinary as compared to sales or transactions generally made in the same market.”<sup>72</sup> Thus, the statute and the SAA are clear that a determination of whether sales (other than those specifically addressed in section 771(15) of the Act, *i.e.*, below-cost sales and sales between affiliates that are not at market prices) are in the ordinary course of trade must be based on an analysis comparing the sales in question with sales of merchandise of the same class or kind generally made in the home market. In other words, Commerce must consider whether home market sales of overruns are ordinary in comparison with home market sales of non-overruns.

The purpose of the ordinary-course-of-trade provision “is to prevent dumping margins from being based on sales which are not representative” of the home market.<sup>73</sup> By basing the determination of NV upon representative sales, the statutory provision ensures that the comparison between NV and sales to the United States is done on an “apples-to-apples” basis.<sup>74</sup> Congress has not specified any criteria that the agency should use in determining the appropriate “conditions and practices.” Thus, Commerce, “in its discretion, chooses how best to analyze the

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<sup>68</sup> See SAQR at Exhibit SA-7.

<sup>69</sup> See AQR at A-19 and Exhibit A-10.

<sup>70</sup> 3a(vi). Explain how the quantitative analysis provided in response to the requests for information above support the claimed levels of intensity for the selling activities reported in the selling functions chart.

<sup>71</sup> See section 771(15) of the Act.

<sup>72</sup> See Uruguay Round Agreements Act Statement of Administrative Action, attached to H.R. Rep. No. 103-316 vol. I at 834 (1994), reprinted in 1994 U.S.C.C.A.N. 3773, 4163 (SAA).

<sup>73</sup> See *Monsanto Co. v. United States*, 698 F. Supp. 275, 278 (CIT 1988).

<sup>74</sup> *Id.*

many factors involved in a determination of whether sales are made within the ordinary course of trade.”<sup>75</sup>

In evaluating whether sales of overruns are outside the ordinary course of trade, Commerce has considered several factors in past cases. These non-dispositive factors include, but are not limited to, the following: (1) whether the merchandise is “off-quality” or produced according to unusual specifications; (2) the comparative volume of sales and the number of buyers in the home market; (3) the average quantity of the overrun and commercial sales; (4) the price and profit differentials in the home market.<sup>76</sup>

POSCO classified overruns as the products rejected by the original customer due to quality issues (*e.g.*, exceeding the agreed quantity tolerance) and sold to another customer.<sup>77</sup> Our analysis shows that overrun sales have four out of four characteristics that are not ordinary when compared to non-overrun sales. Thus, we find that POSCO’s home market sales of overruns were made outside the ordinary course of trade during the POR and window period.<sup>78</sup>

#### E. Cost of Production Analysis

In accordance with section 773(b)(2)(A) of the Act, we requested cost information to determine if there were reasonable grounds to believe or suspect that sales of foreign like product had been made at prices less than the cost of production (COP) of the product.

##### 1. Reporting Period of COP

On August 21, 2019, POSCO requested to modify cost reporting period from October 31, 2017 through April 30, 2019 (*i.e.*, POR) to November 1, 2017 through April 30, 2019.<sup>79</sup> On September 10, 2019, we permitted POSCO to modify cost reporting periods as (1) November 1, 2017 through May 31, 2018 for grade 1078 and higher tire cord quality wire rod; and (2) November 1, 2017 through April 30, 2019 for all-other merchandise under review.<sup>80</sup>

On October 4, 2019, POSCO filed its CQR. Based on the earliest month and the latest month of reported U.S. sales, we modified reporting periods for home market sales and cost to: (1) January 1, 2018 to May 31, 2018 for grade 1078 and higher tire cord quality wire rod; and (2) January 1, 2018 to June 30, 2019 for all-other products under review.<sup>81</sup>

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<sup>75</sup> See *Laclede Steel Co. v. United States*, 19 CIT 1076, 1078 (1995).

<sup>76</sup> See *China Steel Corp. v. United States*, 264 F. Supp. 2d 1339, 1364-65 (CIT 2003); see also *Certain Cut-to-Length Carbon-Quality Steel Plate Products from the Republic of Korea: Preliminary Results and Rescission in Part of Antidumping Duty Administrative Review*, 70 FR 67428, 67430 (November 7, 2005), unchanged in *Certain Cut-to-Length Carbon-Quality Steel Plate Products from the Republic of Korea: Final Results of Antidumping Duty Administrative Review*, 71 FR 13080 (March 14, 2006).

<sup>77</sup> See BQR at B-14.

<sup>78</sup> See Prelim Calc Memo.

<sup>79</sup> See POSCO’s Letter, “Request to Modify Cost Reporting Period,” dated August 21, 2019.

<sup>80</sup> See Commerce’s Letter, “Modifying Cost Reporting Period,” dated September 10, 2019.

<sup>81</sup> See SQR at Question 1 and 26,

## 2. Calculation of COP

In accordance with section 773(b)(3) of the Act, we calculated COP based on material and fabrication costs of the foreign like product, plus general and administrative expenses (GNA) and interest expenses (INTEX) reported in poscop02\_doc, and made following adjustments:

- we weight-averaged costs of coal to mitigate the cost differences associated with the timing of purchases;
- we increased costs of manufacture for affiliated purchases of inputs in accordance with sections 773(f)(2) and (3) of the Act; and
- we adjusted reported GNA and INTEX ratios.

## 3. Test of Home Market Sales Prices

On a product-specific basis, pursuant to section 773(b) of the Act, we compared the adjusted weighted-average COPs to the home market prices of the foreign like product to determine whether the sales prices were below the COPs. For purposes of this comparison, we used COPs exclusive of selling and packing expenses. The prices were net of billing adjustments, movement charges, direct and indirect selling expenses, and packing expenses, where appropriate.<sup>82</sup>

## 4. Results of the COP Test

In determining whether to disregard home market sales made at prices below the COP, we examined, in accordance with sections 773(b)(1)(A) and (B) of the Act, whether: (1) within an extended period of time, such sales were made in substantial quantities; and (2) such sales were made at prices which permitted the recovery of all costs within a reasonable period of time in the normal course of trade. In accordance with sections 773(b)(2)(B) and (C) of the Act, where less than 20 percent of a respondent's home market sales of a given product are at prices less than the COP, we do not disregard any below-cost sales of that product because we determine that in such instances the below-cost sales were not made within an extended period of time and in "substantial quantities." Where 20 percent or more of a respondent's sales of a given product are at prices less than the COP, we disregard the below-cost sales because: (1) they were made within an extended period of time in "substantial quantities," in accordance with sections 773(b)(2)(B) and (C) of the Act; and, (2) based on our comparison of prices to the weighted-average COPs for the POR, they were at prices which would not permit the recovery of all costs within a reasonable period of time, in accordance with section 773(b)(2)(D) of the Act.

We found that more than 20 percent of home market sales of certain foreign like products during the POR were at prices less than the COP, and such sales did not permit for the recovery of costs within a reasonable period of time. We therefore excluded these sales and used the remaining sales as the basis for determining NV in accordance with section 773(b)(1) of the Act.<sup>83</sup>

## F. Calculation of NV Based on Home Market Prices

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<sup>82</sup> See Prelim Calc Memo.

<sup>83</sup> *Id.*

For those comparison products for which there were sales at prices above the COP, we based NV on home market prices. We calculated NV based on the prices reported for home market sales to unaffiliated customers that we determined were made within the ordinary course of trade. We adjusted the starting price for billing adjustments, discounts, rebates, and late payment fees in accordance with 19 CFR 351.401(c). Also, we made (1) deductions from NV for movement expenses (*e.g.*, inland freight, port handling) in accordance with section 773(a)(6)(B)(ii) of the Act; and (2) adjustments for differences in domestic and export packing expenses in accordance with sections 773(a)(6)(A) and 773(a)(6)(B)(i) of the Act.

When comparing U.S. sales with home market sales of similar merchandise, we also made an adjustment for physical differences in merchandise in accordance with section 773(a)(6)(C)(ii) of the Act and 19 CFR 351.411(b). We based this adjustment on the difference in the variable cost of manufacturing for the foreign like products and the subject merchandise.

#### G. Calculation of NV based on CV

Section 773(a)(4) of the Act provides that where NV cannot be based on home market sales, NV may be based on CV. Sections 773(e)(1) and (2)(A) of the Act provide that CV shall be based on the sum of the cost of materials and fabrication for the imported merchandise, plus amounts for G&A, financial and selling expenses, profit, and U.S. packing costs. For the respondent, we calculated the cost of materials and fabrication, as well as G&A and financial expenses based on the methodology described in the “Cost of Production Analysis” section. We based selling expenses and profit for the respondent on the actual amounts incurred and realized in connection with the production and sale of the foreign like product in the ordinary course of trade for consumption in the home market, in accordance with section 773(e)(2)(A) of the Act. We made adjustments to CV for differences in circumstances of sale, as discussed above for normal value, in accordance with section 773(a)(6)(C)(iii) and (a)(8) of the Act and 19 CFR 351.410.

### VIII. CURRENCY CONVERSION

We made currency conversions into U.S. dollars in accordance with section 773A of the Act and 19 CFR 351.415, based on the exchange rates in effect on the date of the U.S. sales as certified by the Federal Reserve Bank. The exchange rates are available on the Enforcement and Compliance web site at <http://enforcement.trade.gov/exchange/index.html>.

### IX. RECOMMENDATION

We recommend applying the above methodology for these preliminary results.

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Agree

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Disagree

7/17/2020

X 

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— Signed by: JEFFREY KESSLER —

Jeffrey I. Kessler  
Assistant Secretary  
for Enforcement and Compliance



## ATTACHMENT

### SCOPE

The scope includes certain hot-rolled products of carbon steel and alloy steel, in coils, of approximately round cross section, less than 19.00 mm in actual solid cross-sectional diameter. Specifically excluded are steel products possessing the above-noted physical characteristics and meeting the Harmonized Tariff Schedule of the United States (HTSUS) definitions for (a) stainless steel; (b) tool steel; (c) high-nickel steel; (d) ball bearing steel; or (e) concrete reinforcing bars and rods. Also excluded are free cutting steel (also known as free machining steel) products (*i.e.*, products that contain by weight one or more of the following elements: 0.1 percent or more of lead, 0.05 percent or more of bismuth, 0.08 percent or more of sulfur, more than 0.04 percent of phosphorous, more than 0.05 percent of selenium, or more than 0.01 percent of tellurium). All products meeting the physical description of subject merchandise that are not specifically excluded are included in this scope.<sup>84</sup>

Excluded from the scope are grade 1078 and higher tire cord quality wire rod to be used in the production of tire cord wire.<sup>85</sup> Grade 1078 and higher tire cord quality wire rod refers to wire rod with not less than 0.78 percent of carbon and includes but is not limited to other high carbon grades of wire rod such as Grade 1078, 1080, 1085, 1086, 1090, and 1092.

Grade 1078 and higher tire cord quality rod is defined as: (i) Grade 1078 and higher tire cord quality wire rod measuring not more than 6.0 mm in cross-sectional diameter; (ii) with an average partial decarburization of no more than 70 microns in depth (maximum individual 200 microns); (iii) having no nondeformable inclusions greater than 20 microns and no deformable inclusions greater than 35 microns; (iv) having a carbon segregation per heat average of 3.0 or better; (v) having a surface quality with no surface defects of a length greater than 0.15 mm; (vi) capable of being drawn to a diameter of 0.405 mm or less, and (vii) containing by weight the following elements in the proportions shown: (1) 0.78 percent or more of carbon, (2) less than 0.01 percent of aluminum, (3) 0.040 percent or less, in the aggregate, of phosphorus and sulfur, (4) 0.006 percent or less of nitrogen, (5) not more than 0.6 percent silicon; and (6) not more than 0.55 percent in the aggregate, of copper, nickel, and chromium. For purposes of the grade 1078 and higher tire cord quality wire rod, an inclusion will be considered to be deformable if its ratio of length (measured along the axis—that is, the direction of rolling-of the rod) over thickness (measured on the same inclusion in a direction perpendicular to the axis of the rod) is equal to or greater than three. The size of an inclusion for purposes of the 20 microns and 35 microns limitations is the measurement of the largest dimension observed on a longitudinal section measured in a direction perpendicular to the axis of the rod.

The designation of the products as “tire cord quality” indicates the acceptability of the product for use in the production of tire cord applications which require that the tire cord wire rod be

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<sup>84</sup> See *Carbon and Alloy Steel Wire Rod from Italy, the Republic of Korea, Spain, the Republic of Turkey, and the United Kingdom: Antidumping Duty Orders and Amended Final Affirmative Antidumping Duty Determinations for Spain and the Republic of Turkey*, 83 FR 23417 (May 21, 2018) (*Order*).

<sup>85</sup> See *Carbon and Alloy Steel Wire Rod from the Republic of Korea and the United Kingdom: Notice of Final Results of Antidumping Duty Changed Circumstances Review*, 84 FR 13888 (April 8, 2019).

drawn into wire with a diameter of 0.405 mm or less. These quality designations are presumed to indicate that these products are being used in tire cord applications, and such merchandise intended for the tire cord applications is not included in the scope. Importers of tire cord quality wire rod are required to file with CBP, at the time of the Entry Summary filing with CBP, a certification of end use that certifies that the Grade 1078 and above tire cord quality wire rod will be used only in the production of tire cord wire. In instances where the importer of record is not the end-user, the importer must provide written notice of the end-use requirement and an official of the end user must also sign a copy of the certification filed with CBP at the time of Entry Summary. Importers of record of tire cord wire rod are required to maintain a copy of the end-use certifications that were filed with the entry summaries with the CBP and to provide them at the request of CBP or Commerce.

Also, excluded from the scope are valve spring quality (VSQ) steel products, which is defined as wire rod:<sup>86</sup>

- (i) Measuring no more than 14 mm in cross-sectional diameter;
- (ii) Containing by weight the following elements in the proportions shown:
  - (1) 0.51 percent to 0.68 percent, inclusive, of carbon;
  - (2) Not more than 0.020 percent of phosphorus;
  - (3) Not more than 0.020 percent of sulfur;
  - (4) Not more than 0.05 percent of copper;
  - (5) Not more than 70 ppm of nitrogen;
  - (6) 0.5 percent to 0.8 percent, inclusive, of manganese;
  - (7) Not more than 0.1 percent of nickel;
  - (8) 1.3 percent to 1.6 percent, inclusive, of silicon;
  - (9) Not more than 0.002 percent of titanium;
  - (10) Not more than 0.15 percent of vanadium; and
  - (11) Not more than 20ppm of oxygen of product;
- (iii) Having non-metallic inclusions not greater than 15 microns and meeting all of the following specific inclusions requirements using the Max-T method:
  - (1) No sulfide inclusions greater than 5 microns;
  - (2) No alumina inclusions greater than 10 microns;
  - (3) No silicate inclusions greater than 5 microns; and
  - (4) No oxide inclusions greater than 10 microns.

The products under review are currently classifiable under subheadings 7213.91.3011, 7213.91.3015, 7213.91.3020, 7213.91.3093, 7213.91.4500, 7213.91.6000, 7213.99.0030, 7227.20.0030, 7227.20.0080, 7227.90.6010, 7227.90.6020, 7227.90.6030, and 7227.90.6035 of the HTSUS. Products entered under subheadings 7213.99.0090 and 7227.90.6090 of the HTSUS may also be included in this scope if they meet the physical description of subject merchandise above. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of these proceedings is dispositive.

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<sup>86</sup> See *Carbon and Alloy Steel Wire Rod from the Republic of Korea: Final Results of Antidumping Duty Changed Circumstances Review*; 84 FR 27582 (June 13, 2019).