



Canadian International
Trade Tribunal

Tribunal canadien du
commerce extérieur

CANADIAN
INTERNATIONAL
TRADE TRIBUNAL

Dumping and Subsidizing

ORDER AND REASONS

Interim Review No. RD-2004-001

Certain Stainless Steel Round Bar
Products

*Order and reasons issued
Friday, August 6, 2004*

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IN THE MATTER OF an interim review, under subsection 76.01(1) of the *Special Import Measures Act*, of the order made by the Canadian International Trade Tribunal on September 3, 2003, in Expiry Review Nos. RR-2002-003 and RR-2002-004, as amended by the order made on January 26, 2004, in Interim Review No. RD-2003-001 concerning:

CERTAIN STAINLESS STEEL ROUND BAR PRODUCTS ORIGINATING IN OR EXPORTED FROM THE FEDERAL REPUBLIC OF GERMANY, FRANCE, INDIA, ITALY, JAPAN, SPAIN, SWEDEN, CHINESE TAIPEI, THE UNITED KINGDOM AND THE REPUBLIC OF KOREA

ORDER

The Canadian International Trade Tribunal (the Tribunal), under the provisions of subsection 76.01(1) of the *Special Import Measures Act*, has conducted an interim review of its order made on September 3, 2003, in Expiry Review Nos. RR-2002-003 and RR-2002-004 (as amended by the order made by the Canadian International Trade Tribunal on January 26, 2004, in Interim Review No. RD-2003-001) continuing, with amendment, the finding made by the Canadian International Trade Tribunal on September 4, 1998, in Inquiry No. NQ-98-001 (as amended by the order made by the Canadian International Trade Tribunal on March 5, 2003, in Interim Review No. RD-2002-004) and the finding made by the Canadian International Trade Tribunal on June 18, 1999, in Inquiry No. NQ-98-003 concerning certain stainless steel round bar of sizes 25 mm in diameter up to 570 mm in diameter inclusive originating in or exported from the Federal Republic of Germany, France, India, Italy, Japan, Spain, Sweden, Chinese Taipei, the United Kingdom and the Republic of Korea.

Pursuant to paragraph 76.01(5)(b) of the *Special Import Measures Act*, the Canadian International Trade Tribunal hereby amends its order made on September 3, 2003, to exclude the goods described in the appendix to this order.

Ellen Fry
Ellen Fry
Presiding Member

Pierre Gosselin
Pierre Gosselin
Member

Zdenek Kvarda
Zdenek Kvarda
Member

Susanne Grimes
Susanne Grimes
Acting Secretary

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Pierre Gosselin, Member
Zdenek Kvarda, Member

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STATEMENT OF REASONS

BACKGROUND

1. On April 1, 2004, the Tribunal received a request from Hitachi Canadian Industries Limited (Hitachi) for an interim review of the order made on September 3, 2003, to exclude the products listed in the appendix to this order. The Tribunal decided that the request was properly documented and invited comments from interested parties on Hitachi's request. One submission was received from Atlas Specialty Steels Inc. (Atlas) in which Atlas stated that it did not oppose the request.

2. Section 76.01 of the *Special Import Measures Act*¹ gives the Tribunal the jurisdiction to conduct an interim review if it is satisfied that a review is warranted. Based on the submissions received, the Tribunal decided, on June 21, 2004, that an interim review was warranted and issued a notice of commencement of interim review. The purpose of the interim review was to determine if the order should be amended to exclude the products for which an exclusion had been requested. Submissions already filed by parties were placed on the record of the interim review. In accordance with paragraph 25(c) of the *Canadian International Trade Tribunal Rules*,² the Tribunal decided to proceed by way of a hearing by way of written submissions. Interested parties were invited to make submissions no later than July 7, 2004. The Tribunal received no additional submissions, other than those already placed on the record.

REASONS FOR DECISION

3. The evidence indicates that Atlas does not oppose the request for exclusions. In its submission filed with the Tribunal, Atlas indicated that, in trying to restart the Welland, Ontario, stainless steel bar facility, the exclusion of these specific products would not create problems for Atlas. In light of the evidence that the excluded products are not likely to cause or threaten to cause injury to the domestic industry, the Tribunal finds it appropriate to exclude the products from the order.

4. For the foregoing reasons, the Tribunal determines that, pursuant to paragraph 76.01(5)(b) of *SIMA*, the order made on September 3, 2003, should be amended to exclude the products listed in the appendix to this order.

Ellen Fry
Ellen Fry
Presiding Member

Pierre Gosselin
Pierre Gosselin
Member

Zdenek Kvarda
Zdenek Kvarda
Member

1. R.S.C. 1985, c. S-15 [*SIMA*].
2. S.O.R./91-499.

APPENDIX

GOODS EXCLUDED BY THIS ORDER FROM THE ORDER MADE BY THE CANADIAN INTERNATIONAL TRADE TRIBUNAL IN EXPIRY REVIEW NOS. RR-2003-003 AND RR-2003-004, AS AMENDED BY THE ORDER IN INTERIM REVIEW NO. RD-2003-001

Characteristics	Description
KT5301ES20 - (trade name) or equivalent stainless steel round bar, hot-finished, oil-quenched, rough-machined in varying diameters.	
Production	Hot-rolled or Forged
Heat Treatment	Oil-quenched and Tempered
Chemical Composition (%) based on analysis as per ASTM-E572 and/or ASTM-E30	C .20-.25/ Si <0.50/ Mn 0.50-0.90/ P < 0.025/ S <0.025/ Ni 0.50-0.90/ Cr 11.00-12.25/ Mo 0.90-1.25/ W 0.90 - 1.25/ V 0.20-0.30 Impurities: Co <0.15 / Al < 0.040 / Ti <0.030 / Sn <0.020
Hardness Test as per ASTM A370	291-321 HB
End use	Production of Hitachi high-temperature Original Equipment Manufactured parts.
KT5321AS17 - (trade name) or equivalent stainless steel round bar, hot-rolled, quenched, varying diameters.	
Production	Hot-rolled and black-skin-finished
Heat Treatment	Air-cool-quenched and Tempered
Chemical Composition (%) based on analysis as per ASTM-E30	C < 0.15/ Si <1.00/ Mn <1.00/ P <0.040 / S <0.030/ Cr 11.50 - 13.50 / Sn <0.05 Al < 0.05
Hardness Test as per ASTM A370	<241 (HB)
End use	Production of Hitachi Original Equipment Manufactured parts.
KT5400AS6 - (trade name) or equivalent stainless steel round bar, Ni-Cr steel, hot-rolled and annealed, varying diameters.	
Production	Hot-rolled
Treated	Solution-treated
Chemical Composition (%) based on analysis as per ASTM-E30	C 0.04-0.10 / Si max 1.00 / Mn max 2.00 / P max 0.045 / S max .030 / Ni 9.00-13.00 / Cr 17.00- 19.00 / Cb+Ta min 8 xC
Tensile Test as per ASTM A370	52.7 (kgf/mm ²)
End use	Production of Hitachi Original Equipment Manufactured parts

KT5401AS5 - (trade name) or equivalent stainless steel round bar, Cr-Ni-W-Cb steel, hot-finished rough-machined, varying diameters.	
Production	Ingot manufactured in electric furnace
Heat Treatment	Stressed-relieved and air-cooled
Chemical Composition (%) based on analysis as per ASTM-E30	C 0.12~0.17 / Si 0.40~0.60/ Mn 0.40~0.60 / P <0.030 / S <0.030 / Ni 11.50~12.50 / Cr 18.25~19.75 / W 3.00~3.50 / Cb+Ta 0.85~1.25 / N <0.15
Hardness Test as per ASTM A370	220 ~ 270 HB (10 mm ball @ 3000 kg)
End use	Production of Hitachi Original Equipment Manufactured valves
KT5708AS2 (trade name) or equivalent stainless steel round bar, Cr-Ni-Mo-Ti-V, heat-rolled, solution-treated and double-aged, varying diameters.	
Production	Hot-rolled
Heat Treatment	Solution-treated and double-aging treatment
Chemical Composition (%) based on analysis as per ASTM-E30	C max 0.08 / Si 0.40~1.00/ Mn 1.00~2.00 / P max 0.030 / S max 0.030 / Ni 24.00~27.00 / Cr 13.50~ 16.00 / Mo 1.00~1.50 / V 0.10~0.50 / Ti 1.90~2.35 / B 0.001~0.010 / Fe Bal / Al max 0.35
Tensile Strength and Hardness Test as per ASTM A370	Tensile Strength - 91.4 kg/mm ² and Hardness 270 ~ 331 HB
End use	Production of Hitachi Original Equipment Manufactured parts.