



Canadian International
Trade Tribunal

Tribunal canadien du
commerce extérieur

CANADIAN
INTERNATIONAL
TRADE TRIBUNAL

Dumping and Subsidizing

ORDER AND REASONS

Interim Review No. RD-2004-002

Certain Hot-rolled Carbon Steel
Plate

*Order and reasons issued
Monday, August 23, 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 finding made by the Canadian International Trade Tribunal on June 27, 2000, in Inquiry No. NQ-99-004 concerning:

**THE DUMPING OF CERTAIN HOT-ROLLED CARBON STEEL PLATE
ORIGINATING IN OR EXPORTED FROM BRAZIL, FINLAND, INDIA,
INDONESIA, THAILAND AND UKRAINE, AND THE SUBSIDIZING OF
CERTAIN HOT-ROLLED CARBON STEEL PLATE ORIGINATING IN OR
EXPORTED FROM INDIA, INDONESIA AND THAILAND**

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 finding made on June 27, 2000, in Inquiry No. NQ-99-004 concerning the dumping in Canada of certain hot-rolled carbon steel plate originating in or exported from Brazil, Finland, India, Indonesia, Thailand and Ukraine, and the subsidizing of certain hot-rolled carbon steel plate originating in or exported from India, Indonesia and Thailand.

Pursuant to paragraph 76.01(5)(b) of the *Special Import Measures Act*, the Canadian International Trade Tribunal hereby amends its finding made on June 27, 2000, to exclude the product described in the appendix to this order.

Ellen Fry

Ellen Fry
Presiding Member

Pierre Gosselin

Pierre Gosselin
Member

Zdenek Kvarda

Zdenek Kvarda
Member

Hélène Nadeau

Hélène Nadeau
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STATEMENT OF REASONS

BACKGROUND

1. On April 14, 2004, the Tribunal received a request from Anchor Lamina Inc. (Anchor) for an interim review of the finding made on June 27, 2000, to exclude the product described in the appendix to this order. On April 29, 2004, the Tribunal requested that Anchor provide an explanation of the grounds on which it believed that an interim review was warranted. After having received the additional information, the Tribunal decided that the request was properly documented and invited comments from interested parties on Anchor's request. Submissions were received from two domestic producers of hot-rolled carbon steel plate, Algoma Steel Inc. (Algoma) and IPSCO Inc. (IPSCO), as well as from the Government of Indonesia. Algoma consented to the product exclusion. IPSCO submitted that, if an interim review were to be initiated, it would not oppose the product exclusion. The Government of Indonesia submitted that, with the exception of 2002, Indonesia had not exported carbon steel plate to Canada from 2000 to 2003.

2. Section 76.01 of the *Special Import Measures Act*¹ gives the Tribunal jurisdiction to conduct an interim review if it is satisfied that a review is warranted. Based on the submissions received, the Tribunal decided, on July 15, 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 finding should be amended to exclude the product 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 with a hearing by way of written submissions. Interested parties were invited to make submissions no later than July 30, 2004. The Tribunal received no additional submissions within the specified time period. However, on August 9, 2004, PT Gunawan Dianjaya Steel of Indonesia filed a letter with the Tribunal in which it indicated that it did not manufacture the product for which an exclusion was requested.

REASONS FOR DECISION

3. The evidence indicates that Algoma and IPSCO do not currently manufacture the product for which an exclusion is requested. Algoma indicated that it consents to the exclusion requested as it does not have the capability to produce an identical or substitutable product. IPSCO stated that, while it can manufacture the product for which an exclusion is requested, it is not commercially efficient to make a few tons of the product. The Tribunal also notes IPSCO's statements that it has never before received a request for this particular product, which it characterizes as a non-standard product with a very limited market. In light of the evidence, which indicates that imports of the product are not likely to cause or threaten to cause injury to the domestic industry, the Tribunal finds it appropriate to exclude the product from the finding.

1. R.S.C. 1985, c. S-15 [*SIMA*].

2. S.O.R./91-499.

4. For the foregoing reasons, the Tribunal determines that, pursuant to paragraph 76.01(5)(b) of *SIMA*, the finding made on June 27, 2000, should be amended to exclude the product described in the appendix to this order.

Ellen Fry
Ellen Fry
Presiding Member

Pierre Gosselin
Pierre Gosselin
Member

Zdenek Kvarda
Zdenek Kvarda
Member

APPENDIX

PRODUCT EXCLUDED BY THIS ORDER FROM THE FINDING MADE BY THE CANADIAN INTERNATIONAL TRADE TRIBUNAL IN INQUIRY NO. NQ-99-004

Desulphurized pressure vessel quality carbon steel plate
 ASTM A516 grade 60 modified
 Calcium-argon-refined—Lukins Fineline (trade-mark) or equivalent

CHEMISTRY

Carbon maximum (%):

Plate Thickness	
½ in. (12.5 mm) and under	0.21
½ in. (12.5 mm) to 2 in. (50 mm)	0.23
2 in. (50 mm) to 4 in. (100 mm)	0.25
4 in. (100 mm) to 8 in. (200 mm)	0.27
Over 8 in. (200 mm)	0.27

Manganese ½ in. (12.5 mm) plate thickness and under (%):

Heat analysis	0.60-0.90
Product analysis	0.55-0.98

Manganese over ½ in. (12.5 mm) plate thickness (%):

Heat analysis	0.85-1.20
Product analysis	0.79-1.30

Phosphorus maximum (%)

0.035

Silicon (%):

Heat analysis	0.15-0.40
Product analysis	0.13-0.45

Sulphur maximum (%)

0.010

Note: Sulphur limit deviates from the ASTM A516 Specification.

TREATMENT

Steel is to be calcium-argon-refined or treated by another acceptable process for inclusion shape and sulphur control. Ultimate tensile strength and yield strength in the transverse direction must be a minimum of 75 percent of the ultimate tensile strength and yield strength in the longitudinal direction of rolling. For plate thicknesses 2.25 in. (55.625 mm) and thicker, ultimate tensile strength and yield strength in the through thickness direction must be a minimum of 75 percent of the ultimate tensile strength in the longitudinal direction of rolling.

PHYSICAL PROPERTIES

Ultimate tensile strength	60,000-80,000 PSI (longitudinal)
Yield strength minimum	32,000 PSI (longitudinal)
Elongation in 8 in. (200 mm) minimum (%)	0.21
Elongation in 2 in. (50 mm) minimum (%)	0.25

CERTIFICATIONS

Certifications are required for chemical and physical properties. Physical property certifications are to include ultimate tensile strength and yield strength for longitudinal, transverse and through thickness directions relative to rolling direction. Through thickness certification is only required on plate 2.25 in. (55.625 mm) or thicker.