



Canadian International
Trade Tribunal

Tribunal canadien du
commerce extérieur

CANADIAN
INTERNATIONAL
TRADE TRIBUNAL

Dumping and Subsidizing

ORDERS AND REASONS

Expiry Review No. RR-2011-001

Copper Pipe Fittings

*Orders issued
Friday, February 17, 2012*

*Reasons issued
Friday, March 2, 2012*

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IN THE MATTER OF an expiry review, pursuant to subsection 76.03(3) of the *Special Import Measures Act*, of the findings made by the Canadian International Trade Tribunal on February 19, 2007, in Inquiry No. NQ-2006-002, concerning:

**THE DUMPING OF COPPER PIPE FITTINGS ORIGINATING IN OR
EXPORTED FROM THE UNITED STATES OF AMERICA, THE REPUBLIC OF
KOREA AND THE PEOPLE'S REPUBLIC OF CHINA AND THE SUBSIDIZING
OF COPPER PIPE FITTINGS ORIGINATING IN OR EXPORTED FROM THE
PEOPLE'S REPUBLIC OF CHINA**

ORDERS

The Canadian International Trade Tribunal, pursuant to an expiry review that it initiated under subsection 76.03(3) of the *Special Import Measures Act*, has conducted, pursuant to subsection 76.03(1) of the *Special Import Measures Act*, an expiry review of its findings made on February 19, 2007, in Inquiry No. NQ-2006-002, concerning the dumping of solder joint pressure pipe fittings and solder joint drainage, waste and vent pipe fittings, made of cast copper alloy, wrought copper alloy or wrought copper, for use in heating, plumbing, air conditioning and refrigeration applications, originating in or exported from the United States of America, the Republic of Korea and the People's Republic of China and the subsidizing of such goods originating in or exported from the People's Republic of China, restricted to the products enumerated in the appendix to these orders.

Pursuant to paragraph 76.03(12)(b) of the *Special Import Measures Act*, the Canadian International Trade Tribunal hereby continues its finding in respect of the aforementioned goods originating in or exported from the Republic of Korea and the People's Republic of China, restricted to the products enumerated in the appendix to these orders.

Pursuant to paragraph 76.03(12)(b) and subsection 76.04(1) of the *Special Import Measures Act*, the Canadian International Trade Tribunal hereby continues its finding in respect of the aforementioned goods originating in or exported from the United States of America, restricted to the products enumerated in the appendix to these orders.

Diane Vincent

Diane Vincent
Presiding Member

Serge Fréchette

Serge Fréchette
Member

Pasquale Michael Saroli

Pasquale Michael Saroli
Member

Dominique Laporte

Dominique Laporte
Secretary

The statement of reasons will be issued within 15 days.

APPENDIX

Products Covered by the Tribunal's Orders

1. The tables to this appendix list, by product category, the copper pipe fittings that are covered by the Tribunal's orders. Where an asterisk (*) follows a specific copper pipe fitting description, it indicates that both wrought and cast copper pipe fittings are covered by the Tribunal's orders.
2. Copper pipe fittings are identified in terms of imperial measurement, i.e. inches. However, the metric equivalents of the imperial measurement are also covered by the Tribunal's orders. The term "metric equivalent" refers to those copper pipe fittings that are soft converted equivalents of the imperial-sized copper pipe fittings and does not include fittings that are made specifically in metric dimensions. Copper pipe fittings are also identified in terms of nominal size.
3. Copper pipe fittings are identified in the tables to this appendix using the following abbreviated terms:

Abbreviation Chart			
WP	Wrought Pressure	FTG	Fitting End (Street End)
WD	Wrought Drainage	LT	Long Turn
CP	Cast Pressure	MJ	Mechanical Joint
CD	Cast Drainage	DE	Drop Ear
C	Copper Tube Cupped End or Sweat End	DWV	Drainage Waste, Vent
M	Male NPT Thread	TY	90° Drainage Tee
FE	Female NPT Thread	Y	45° Drainage Tee
SJ	Slip Joint End		

Subject Copper Pipe Fittings – Female Adapters

1-1/4 CXFE CD ADAPTER*	1-1/2 FTGXFE CD ADAPTER*
1-1/2 CXFE CD ADAPTER*	1-1/2 X 1-1/4 CXFE CD ADAPTER*
3 FTGXFE CD ADAPTER*	2 CXFE CD ADAPTER*
3 CXFE CD ADAPTER*	4 CXFE CD ADAPTER*
1/2 CXFE CP ADAPTER*	1/2 X 3/8 CXFE CP ADAPTER*
1/2 X 3/4 CXFE CP ADAPTER*	3/4 CXFE CP ADAPTER*
3/4 X 1/2 CXFE CP ADAPTER*	3/4 X 1 CXFE CP ADAPTER*
3/4 X 1-1/4 CXFE CP ADAPTER*	3/4 X 1-1/2 CXFE CP ADAPTER*
1 C X FE CP ADAPTER*	1 X 1/2 CXFE CP ADAPTER*
1 X 3/4 C X FE CP ADAPTER*	1 X 1-1/4 CXFE CP ADAPTER*
1-1/4 CXFE CP ADAPTER*	1-1/4 X 1/2 CXFE CP ADAPTER*
1-1/4 X 3/4 CXFE CP ADAPTER*	1-1/4 X 1 CXFE CP ADAPTER*
3/4 X 1/2 FTGXFE CP ADAPTER*	1 FTGXFE CP ADAPTER*
1-1/2 CXFE CP ADAPTER*	1-1/2 X 3/4 CXFE CP ADAPTER*
1-1/2 X 1 CXFE CP ADAPTER*	1-1/2 X 2 CXFE CP ADAPTER*
2 CXFE CP ADAPTER*	2-1/2 C X FE CP ADAPTER*
3 CXFE CP ADAPTER*	1/2 CXFE CP DROP EAR ADAPTER
3/4 CXFE CP DROP EAR ADAPTER	1/2 CXFE CP HIGH EAR ADAPTER*
4 CXFE CP ADAPTER*	5 C X FE CP ADAPTER*
6 C X FE CP ADAPTER*	1-1/4 CXFE WD ADAPTER*
1-1/4 X 1-1/2 CXFE WD ADAPTER*	1-1/4 FTGXFE WD ADAPTER*
1-1/2 FTGXFE WD ADAPTER*	2 FTGXFE WD ADAPTER*
1-1/2 CXFE WD ADAPTER*	1-1/2 X 1-1/4 CXFE WD ADAPTER*
1-1/2 X 2 CXFE WD ADAPTER*	3 FTGXFE WD ADAPTER*
2 C X FE WD ADAPTER*	2 X 1-1/2 CXFE WD ADAPTER*
3 C X FE WD ADAPTER*	1/4 C X FE WP ADAPTER*
3/8 C X FE WP ADAPTER*	3/8 X 1/4 CXFE WP ADAPTER*
3/8 X 1/2 CXFE WP ADAPTER*	1/2 C X FE WP ADAPTER*
1/2 X 1/4 CXFE WP ADAPTER*	1/2 X 3/8 CXFE WP ADAPTER*
1/2 X 3/4 CXFE WP ADAPTER*	1/2 X 1 CXFE WP ADAPTER*
5/8 X 1/2 CXFE WP ADAPTER*	5/8 X 3/4 CXFE WP ADAPTER*
3/4 C X FE WP ADAPTER*	3/4 X 1/2 CXFE WP ADAPTER*
3/4 X 1 CXFE WP ADAPTER*	3/4 X 1-1/4 CXFE WP ADAPTER*
3/4 X 1-1/2 CXFE WP ADAPTER*	1 C X FE WP ADAPTER*
1 X 1/2 CXFE WP ADAPTER*	1 X 3/4 CXFE WP ADAPTER*
1 X 1-1/4 CXFE WP ADAPTER*	1 X 1-1/2 CXFE WP ADAPTER*
1-1/4 C X FE WP ADAPTER*	1-1/4 C X 3/4 FE WP ADAPTER*
1-1/4 X 1 CXFE WP ADAPTER*	1-1/4 X 1-1/2 CXFE WP ADAPTER*
1-1/4 X 2 CXFE WP ADAPTER*	1/4 FTGXFE WP ADAPTER*
3/8 FTGXFE WP ADAPTER*	3/8 X 1/4 FTGXFE WP ADAPTER*
1/2 FTGXFE WP ADAPTER*	1/2 X 1/4 FTGXFE WP ADAPTER*
1/2 X 3/8 FTG X FE ADAPTER*	1/2 FTG X 3/4 FE WP ADAPTER*
3/4 FTGXFE WP ADAPTER*	3/4 FTG X 1/2 FE WP ADAPTER*
1 FTGXFE WP ADAPTER*	1 FTG X 3/4 FE WP ADAPTER*
1-1/4 FTGXFE WP ADAPTER*	1-1/2 FTGXFE WP ADAPTER*
2 FTGXFE WP ADAPTER*	1-1/2 C X FE WP ADAPTER*
2-1/2 FTGXFE WP ADAPTER*	1-1/2 C X 1 FE WP ADAPTER*
1-1/2 X 1-1/4 CXFE WP ADAPTER*	1-1/2 X 2 CXFE WP ADAPTER*
3 FTGXFE WP ADAPTER*	2 C X FE WP ADAPTER*
2 X 1 C X FE WP ADAPTER*	2 X 1-1/4 CXFE WP ADAPTER*
2 X 1-1/2 CXFE WP ADAPTER*	2-1/2 C X FE WP ADAPTER*
3 C X FE WP ADAPTER*	

Subject Copper Pipe Fittings – Male Adapters

1-1/4 CXM CD ADAPTER*	1-1/4X1-1/2 CXM CD ADAPTER*
1-1/2 FTGXM CD ADAPTER*	1-1/2 CXM CD ADAPTER*
1-1/2X1-1/4 CXM CD ADAPTER*	2 CXM CD ADAPTER*
2 X 1-1/2 CXM CD ADAPTER*	3 CXM CD ADAPTER*
4 CXM CD ADAPTER*	1/2 CXM CP ADAPTER*
1/2 X 3/4 CXM CP ADAPTER*	3/4 CXM CP ADAPTER*
3/4 X 1/2 CXM CP ADAPTER*	3/4 X 1-1/4 CXM CP ADAPTER*
1 CXM CP ADAPTER*	1 X 1/2 CXM CP ADAPTER*
1 X 1-1/4 CXM CP ADAPTER*	1 X 1-1/2 CXM CP ADAPTER*
1-1/4 CXM CP ADAPTER*	1-1/4 X 1/2 CXM CP ADAPTER*
1-1/4 X 1 CXM CP ADAPTER*	1-1/2 CXM CP ADAPTER*
1-1/2 X 3/4 CXM CP ADAPTER*	2 CXM CP ADAPTER*
2 X 1-1/2 C X M CP ADAPTER*	2-1/2 CXM CP ADAPTER*
3 CXM CP ADAPTER*	4 CXM CP ADAPTER*
5 CXM CP ADAPTER	6 CXM CP ADAPTER
1-1/2 M X 1-1/2 WD ADAPTER*	1-1/4 CXM WD ADAPTER*
1-1/4X1-1/2 CXM WD ADAPTER*	1-1/2 FTGXM WD ADAPTER*
2 FTGXM WD ADAPTER*	1-1/2 CXM WD ADAPTER*
1-1/2 X 1-1/4 CXM WD ADAPTER*	1-1/2 X 2 CXM WD ADAPTER*
2 CXM WD ADAPTER*	2 X 1-1/2 CXM WD ADAPTER*
3 CXM WD ADAPTER*	4 CXM WD ADAPTER*
1-1/4 CXM WD FLUSH TRAP ADAPTER*	1-1/2 CXM WD FLUSH TRAP ADAPTER*
2 CXM WD FL TRAP ADAPTER*	1-1/2 CXM WD SCULLY BUSHING*
2 CXM WD SCULLY BUSHING*	1/4 CXM WP ADAPTER*
1/4 X 3/8 CXM WP ADAPTER*	1/4 X 1/2 CXM WP ADAPTER*
3/8 CXM WP ADAPTER*	3/8 X 1/4 CXM WP ADAPTER*
3/8 X 1/2 CXM WP ADAPTER*	1/2 CXM WP ADAPTER*
1/2 X 1/4 CXM WP ADAPTER*	1/2 X 3/8 CXM WP ADAPTER*
1/2 X 3/4 CXM WP ADAPTER*	1/2 X 1 CXM WP ADAPTER*
5/8 X 1/2 CXM WP ADAPTER*	5/8 X 3/4 CXM WP ADAPTER*
3/4 CXM WP ADAPTER*	3/4 C X 3/8 WP M ADAPTER*
3/4 X 1/2 CXM WP ADAPTER*	3/4 X 1 CXM WP ADAPTER*
3/4 X 1-1/4 CXM WP ADAPTER*	3/4 X 1-1/2 CXM WP ADAPTER*
1 CXM WP ADAPTER*	1 X 1/2 CXM WP ADAPTER*
1 X 3/4 CXM WP ADAPTER*	1 X 1-1/4 CXM WP ADAPTER*
1 X 1-1/2 CXM WP ADAPTER*	1 X 2 CXM WP ADAPTER*
1-1/4 CXM WP ADAPTER*	1-1/4 X 3/4 CXM WP ADAPTER*
1-1/4 X 1 CXM WP ADAPTER*	1-1/4 X 1-1/2 CXM WP ADAPTER*
1-1/4 X 2 CXM WP ADAPTER*	1/4 FTGXM WP ADAPTER*
3/8 FTGXM WP ADAPTER*	1/2 FTGXM WP ADAPTER*
1/2 X 3/8 FTGXM WP ADAPTER*	1/2 X 3/4 FTGXM WP ADAPTER*
3/4 FTGXM WP ADAPTER*	3/4 X 1/2 FTGXM WP ADAPTER*
1 FTGXM WP ADAPTER*	1 X 3/4 FTGXM WP ADAPTER*
1-1/4 FTGXM WP ADAPTER*	1-1/2 FTGXM WP ADAPTER*
2 FTGXM WP ADAPTER*	1-1/2 CXM WP ADAPTER*
2-1/2 FTGXM WP ADAPTER*	1-1/2 X 1 CXM WP ADAPTER*
1-1/2 X 1-1/4 CXM WP ADAPTER*	1-1/2 X 2 CXM WP ADAPTER*
3 FTG X M WP ADAPTER*	2 CXM WP ADAPTER*
2 X 1-1/4 CXM WP ADAPTER*	2 X 1-1/2 CXM WP ADAPTER*
2 X 2-1/2 C X M WP ADAPTER*	2-1/2 CXM WP ADAPTER*
2-1/2 X 2 CXM WP ADAPTER*	3 CXM WP ADAPTER*
4 CXM WP ADAPTER*	1/2 X 3/4 C X HOSE WP ADAPTER*

Subject Copper Pipe Fittings – Other Adapters

1-1/4 X 2 CXSP CD FERRULE*	1-1/2 X 2 CXSP CD FERRULE*
1-1/2 X 3 CXSP CD FERRULE*	2 CXSP CD FERRULE*
2 X 3 CXSP CD FERRULE*	2 X 4 CXSP CD FERRULE*
3 CXSP CD FERRULE*	3 X 4 CXSP CD FERRULE*
4 CXSP CD FERRULE*	3 X 4 CXSP CD ECCENTRIC FERRULE*
1-1/4 X 2 CXMJ CD ADAPTER*	1-1/4 X 3 CXMJ CD ADAPTER*
1-1/2 X 2 CXMJ CD ADAPTER*	1-1/2 X 3 CXMJ CD ADAPTER*
1-1/2 X 4 CXMJ CD ADAPTER*	2 X 3 CXMJ CD ADAPTER*
2 X 4 CXMJ CD ADAPTER*	3 CXMJ CD ADAPTER*
3 X 4 CXMJ CD ADAPTER*	4 CXMJ CD ADAPTER*
6 C X M J CD ADAPTER*	1-1/4 FTGX SJ CD ADAPTER*
4 ACT(3S)X1-1/2C-30 CD ROOF ADAPTER*	4 ACT(3S) X 2C-30 CD ROOF ADAPTER*
4 SOIL(5A)X 1-1/2 C CD ROOF ADAPTER*	4 SOIL(5A)X 2 C CD ROOF ADAPTER*
5ACT 4SX 3C CD ROOF ADAPT CALGARY*	5S X 3C CD ROOF ADAPT REGINA*
1-1/2 SJXODX3/4M/1/2FE CD CONDENSATE TEE	2 C X SJ CD ADAPTER*
2 C X MJ WD ADAPTER*	1-1/4 FE X SJ WD ADAPTER*
1-1/2 FE X SJ WD ADAPTER*	1-1/2 X1-1/4 FE X SJ WD ADAPTER*
1-1/4 FTG X SJ WD ADAPTER*	1-1/2 FTG X SJ WD ADAPTER*
1-1/2 X 1-1/4 FTG X SJ ADAPTER*	1-1/4 M X SJ WD ADAPTER*
1-1/2 M X SJ WD ADAPTER*	1-1/2 X 1-1/4 M X SJ WD ADAPTER*
1-1/4 C X SJ WD ADAPTER*	1-1/4 X 1-1/2 CXSJ WD ADAPTER*
1-1/2 C X SJ WD ADAPTER*	1-1/2 X 1-1/4 CXSJ WD ADAPTER*
2 C X SJ WD ADAPTER*	1/2 CXM WP FLUSH VALVE ADAPTER*
3/4 CXM WP FLUSH VALVE ADAPTER*	

Subject Copper Pipe Fittings – Bushings

3 X 1-1/2 FTGXC CD BUSHING*	5 X 4 FTGXC CP BUSHING*
6 X 2 FTGXC CP BUSHING*	6 X 3 FTGXC CP BUSHING*
6 X 4 FTGXC CP BUSHING*	6 X 5 FTGXC CP BUSHING*
1 X 1/2 FTGXFE CP FLUSH BUSHING*	1-1/4 X 1 FTGXFE CP FLUSH ADAPTER*
1 1/2 FTG X 1 FE C CP FLUSH BUSHING*	1-1/2X1-1/4 FTGXC WD BUSHING*
2 X 1-1/4 FTGXC WD BUSHING*	2 X 1-1/2 FTGXC WD BUSHING*
3 X 1-1/4 FTGXC WD BUSHING*	3 X 1-1/2 FTGXC WD BUSHING*
3 X 2 FTGXC WD BUSHING*	4 X 2 FTGXC WD BUSHING*
4 X 3 FTGXC WD BUSHING*	1-1/4 CXM WD TRAP BUSHING*
1-1/2 CXM WD TRAP BUSHING*	2 CXM WD TRAP BUSHING*
3/8 X 1/8 FTGXC WP BUSHING*	3/8 X 1/4 FTGXC WP BUSHING*
1/2 X 1/4 FTGXC WP BUSHING*	1/2 X 3/8 FTGXC WP BUSHING*
5/8 X 1/4 FTGXC WP BUSHING*	5/8 X 3/8 FTGXC WP BUSHING*
5/8 X 1/2 FTGXC WP BUSHING*	3/4 X 1/4 FTGXC WP BUSHING*
3/4 X 3/8 FTGXC WP BUSHING*	3/4 X 1/2 FTGXC WP BUSHING*
3/4 X 5/8 FTGXC WP BUSHING*	1 X 3/8 FTGXC WP BUSHING*
1 X 1/2 FTGXC WP BUSHING*	1 X 5/8 FTGXC WP BUSHING*
1 X 3/4 FTGXC WP BUSHING*	1-1/4 X 1/2 FTGXC WP BUSHING*
1-1/4 X 3/4 FTGXC WP BUSHING*	1-1/4 X 1 FTGXC WP BUSHING*
1-1/2 X 1/2 FTGXC WP BUSHING*	1-1/2 X 3/4 FTGXC WP BUSHING*
1-1/2 X 1 FTGXC WP BUSHING*	1-1/2 X 1-1/4 FTGXC WP BUSHING*
2 X 1/2 FTGXC WP BUSHING*	2 X 3/4 FTGXC WP BUSHING*
2 X 1 FTGXC WP BUSHING*	2 X 1-1/4 FTGXC WP BUSHING*
2 X 1-1/2 FTGXC WP BUSHING*	2-1/2 X 1 FTGXC WP BUSHING*
2-1/2 X 1-1/4 FTGXC WP BUSHING*	2-1/2 X 1-1/2 FTGXC WP BUSHING*
2-1/2 X 2 FTGXC WP BUSHING*	3 X 1/2 FTGXC WP BUSHING*
3 X 3/4 FTGXC WP BUSHING*	3 X 1 FTGXC WP BUSHING*
3 X 1-1/4 FTGXC WP BUSHING*	3 X 1-1/2 FTGXC WP BUSHING*
3 X 2 FTGXC WP BUSHING*	3 X 2-1/2 FTGXC WP BUSHING*
3-1/2 X 2 FTGXC WP BUSHING*	3-1/2 X 2-1/2 FTGXC WP BUSHING*
3-1/2 X 3 FTGXC WP BUSHING*	4 X 1-1/4 FTGXC WP BUSHING*
4 X 1-1/2 FTGXC WP BUSHING*	4 X 2 FTGXC WP BUSHING*
4 X 2-1/2 FTGXC WP BUSHING*	4 X 3 FTGXC WP BUSHING*
4 X 3-1/2 FTGXC WP BUSHING*	1/2 X 1/4 FTGXC WP FLUSH BUSHING*
1/2 X 3/8 FTGXC WP FLUSH BUSHING*	5/8 X 3/8 FTGXC WP FLUSH BUSHING*
3/4 X 1/2 FTGXC WP FLUSH BUSHING*	1 X 1/2 FTGXC WP FLUSH BUSHING*
1 X 3/4 FTGXC WP FLUSH BUSHING*	1-1/4X3/4 FTGXC W FL BUSHING*
1-1/4 X 1 FTGXC WP FLUSH BUSHING*	1-1/2 X 1 FTGXC WP FLUSH BUSHING*
1-1/2 X 1-1/4 FTGXC WP FLUSH BUSHING*	2 X 1-1/2 FTGXC WP FLUSH BUSHING*
1 X 1/2 FE WP FLUSH BUSHING*	1-1/4 X 3/4 FE WP FLUSH BUSHING*
1-1/4 X 1 FTGXFE WP FLUSH BUSHING*	1-1/2 X 1 FTGXFE WP FLUSH BUSHING*

Subject Copper Pipe Fittings – Couplings

3/4 CXC CP COUPLING*	1-1/4 CXC CP COUPLING*
4 CXC CP COUPLING*	5 X 3 CXC CP COUPLING*
5 X 4 CXC CP COUPLING*	6 X 2 CXC CP COUPLING*
6 X 3 CXC CP COUPLING*	6 X 4 CXC CP COUPLING*
6 X 5 CXC CP COUPLING*	1/2 CXC CP JET DRAIN COUPLING
3/4 CXC CP JET DRAIN COUPLING	1 CXC CP JET DRAIN COUPLING
3/4 X 1/2 CXC CP ECCENTRIC COUPLING*	1 X 1/2 CP ECCENTRIC COUPLING*
1 X 3/4 CXC CP ECCENTRIC COUPLING*	1-1/4 X 1/2 CP ECCENTRIC COUPLING*
1-1/2 X 1 CXC CP ECCENTRIC COUPLING*	1-1/2 X 1-1/4 CXC CP ECCENTRIC COUPLING*
2 X 1-1/4 CXC CP ECCENTRIC COUPLING*	2 X 1-1/2 CXC CP ECCENTRIC COUPLING*
3 X 2 CXC CP ECCENTRIC COUPLING*	3/4 CXC CP CROSSOVER COUPLING*
1/2C X 1M X 1/2 FE CP BOILER COUPLING	1/2 X 1 X 1/2 CXMXFE CP BOILER COUPLING
1-1/4 CXC WD COUPLING*	1-1/2 CXC WD COUPLING*
1-1/2X 1-1/4 CXC WD COUPLING*	2 CXC WD COUPLING*
2 X 1-1/4 CXC WD COUPLING*	2 X 1-1/2 CXC WD COUPLING*
3 CXC WD COUPLING*	3 X 1-1/4 CXC WD COUPLING*
3 X 1-1/2 CXC WD COUPLING*	3 X 2 CXC WD COUPLING*
4 CXC WD COUPLING*	4 X 1-1/2 CXC WD COUPLING*
4 X 2 CXC WD COUPLING*	4 X 3 CXC WD COUPLING*
4 X 1-1/2 CXC CD COUPLING*	4 X 3 CXC CD COUPLING*
6 CXC WD COUPLING*	1-1/4 CXC WD COUPLING NO STOP*
1-1/2 CXC WD COUPLING NO STOP*	2 CXC WD COUPLING NO STOP*
3 CXC WD COUPLING NO STOP*	4 CXC WD COUPLING NO STOP*
1/8 CXC WP COUPLING*	1/4 CXC WP COUPLING*
1/4 X 1/8 CXC WP COUPLING*	3/8 CXC WP COUPLING*
3/8 X 1/4 CXC WP COUPLING*	1/2 CXC WP COUPLING*
1/2 X 1/8 CXC WP COUPLING*	1/2 X 1/4 CXC WP COUPLING*
1/2 X 3/8 CXC WP COUPLING*	5/8 CXC WP COUPLING*
5/8 X 1/4 CXC WP COUPLING*	5/8 X 3/8 CXC WP COUPLING*
5/8 X 1/2 CXC WP COUPLING*	3/4 CXC WP COUPLING*
3/4 X 1/4 CXC WP COUPLING*	3/4 X 3/8 CXC WP COUPLING*
3/4 X 1/2 CXC WP COUPLING*	3/4 X 5/8 CXC WP COUPLING*
1 CXC WP COUPLING*	1 X 3/8 CXC WP COUPLING*
1 X 1/2 CXC WP COUPLING*	1 X 5/8 CXC WP COUPLING*
1 X 3/4 CXC WP COUPLING*	1-1/4 CXC WP COUPLING*
1-1/4 X 1/2 CXC WP COUPLING*	1-1/4 X 3/4 CXC WP COUPLING*
1-1/4 X 1 CXC WP COUPLING*	1-1/2 CXC WP COUPLING*
1-1/2 X 1/2 CXC WP COUPLING*	1-1/2 X 3/4 CXC WP COUPLING*
1-1/2 X 1 CXC WP COUPLING*	1-1/2 X 1-1/4 CXC WP COUPLING*
2 CXC WP COUPLING*	2 X 1/2 CXC WP COUPLING*
2 X 3/4 CXC WP COUPLING*	2 X 1 CXC WP COUPLING*
2 X 1-1/4 CXC WP COUPLING*	2 X 1-1/2 CXC WP COUPLING*
2-1/2 CXC WP COUPLING*	2-1/2 X 3/4 CXC WP COUPLING*
2-1/2 X 1 CXC WP COUPLING*	2-1/2 X 1-1/4 CXC WP COUPLING*
2-1/2 X 1-1/2 CXC WP COUPLING*	2-1/2 X 2 CXC WP COUPLING*
3 CXC WP COUPLING*	3 X 3/4 CXC WP COUPLING*
3 X 1 CXC WP COUPLING*	3 X 1-1/4 CXC WP COUPLING*
3 X 1-1/2 CXC WP COUPLING*	3 X 2 CXC WP COUPLING*

Subject Copper Pipe Fittings – Couplings (cont'd)

3 X 2-1/2 CXC WP COUPLING*	3-1/2 CXC WP COUPLING*
3-1/2 X 3 CXC WP COUPLING*	4 CXC WP COUPLING*
4 X 1-1/2 CXC WP COUPLING*	4 X 2 CXC WP COUPLING*
4 X 2-1/2 CXC WP COUPLING*	4 X 3 CXC WP COUPLING*
4 X 3-1/2 CXC WP COUPLING*	5 CXC WP COUPLING*
6 CXC WP COUPLING*	6 X 2-1/2 WP COUPLINGS*
1-1/4 X 3/4 CXC WP ECCENTRIC COUPLING*	1-1/4 X 1 CXC WP ECCENTRIC COUPLING*
1/8 CXC WP COUPLING NO STOP*	1/4 CXC WP COUPLING NO STOP*
3/8 CXC WP COUPLING NO STOP*	1/2 CXC WP COUPLING NO STOP*
5/8 CXC WP COUPLING NO STOP*	3/4 CXC WP COUPLING NO STOP*
1 CXC WP COUPLING NO STOP*	1-1/4 CXC WP COUPLING NO STOP*
1-1/2 CXC WP COUPLING NO STOP*	2 CXC WP COUPLING NO STOP*
2-1/2 CXC WP COUPLING NO STOP*	3 CXC WP COUPLING NO STOP*
4 CXC WP COUPLING NO STOP*	5 CXC WP COUPLING NO STOP*
6 CXC WP COUPLING NO STOP*	1/2 X 3 CXC WP REPAIR COUPLING
1/2 X 6 C X C WP REPAIR COUPLING	3/4 X 3 C X C WP REPAIR COUPLING
1/8 CXC WP RING COUPLING*	1/4 CXC WP RING COUPLING*
3/8 CXC WP RING COUPLING*	1/2 CXC WP RING COUPLING*
5/8 CXC WP RING COUPLING*	3/4 CXC WP RING COUPLING*
1 CXC WP RING COUPLING*	1-1/4 CXC WP RING COUPLING*
1-1/2 CXC WP RING COUPLING*	2 CXC WP RING COUPLING*
2-1/2 CXC WP RING COUPLING*	3 CXC WP RING COUPLING*
4 CXC WP RING COUPLING*	1/2 X 3-1/4 FTGXC WP SLIDE COUPLING
3/4 X 5 FTGXC WP SLIDE COUPLING	1/2 CXC WP CROSSOVER COUPLING*
3/4 CXC WP CROSSOVER COUPLING*	

Subject Copper Pipe Fittings – Elbows

1-1/4 CXC 11-1/4 CD ELBOW*	1-1/2 CXC 11-1/4 CD ELBOW*
2 CXC 11-1/4 CD ELBOW*	3 CXC 11-1/4 CD ELBOW*
4 C X C 11-1/4 CD ELBOW*	1-1/4 CXC 22-1/2 CD ELBOW*
1-1/2 CXC 22-1/2 CD ELBOW*	2 CXC 22-1/2 CD ELBOW*
3 CXC 22-1/2 CD ELBOW*	4 CXC 22-1/2 CD ELBOW*
3 FTGXC 45 CD ELBOW*	4 FTGXC 45 CD ELBOW*
2 CXM CD 45 ELBOW*	1-1/4 CXC 45 CD ELBOW*
1-1/2 CXC 45 CD ELBOW*	2 CXC 45 CD ELBOW*
3 CXC 45 CD ELBOW*	4 CXC 45 CD ELBOW*
1-1/4 CXC 60 CD ELBOW*	1-1/2 CXC 60 CD ELBOW*
2 CXC 60 CD ELBOW*	3 CXC 60 CD ELBOW*
4 CXC 60 CD ELBOW*	1-1/4 CXC CD 90 ELBOW*
1-1/4 FTGXC CD 90 ELBOW*	1-1/2 FTGXC CD 90 ELBOW*
2 FTGXC CD 90 ELBOW*	1-1/2 CXC CD 90 ELBOW*
1-1/2 X 1-1/4 CXC CD 90 ELBOW*	3 CD FTGXC 90 ELBOW*
4 FTGXC CD 90 ELBOW*	2 CXC CD 90 ELBOW*
2X 1-1/4 CXC CD 90 ELBOW*	2 X 1-1/2 CXC CD 90 ELBOW*
1-1/2 CXFE CD 90 ELBOW*	2 CXFE CD 90 ELBOW*
1-1/2 CXM CD 90 ELBOW	2 CXM CD 90 ELBOW
3 CXC CD 90 ELBOW	4 CXC CD 90 ELBOW
1-1/2 CXSJ CD 90 ELBOW	1/2 X 1 CXC CP CLOSE RETURN BEND
3/4 1-3/8 CXC CP CLOSE RETURN BEND	1 X 1-3/4 CXC CP CLOSE RETURN BEND
1/2 C X M CP 45 ELBOW	3/4 C X M CP 45 ELBOW
1-1/4 C X M CP 45 ELBOW	4 CXC CP 45 ELBOW
6 CXC CP 45 ELBOW	1/2 C X C CP 90 ELBOW
1-1/4 CXC CP 90 ELBOW	1-1/4 X 1/2 CXC CP 90 ELBOW
1-1/4 X 3/4 CP 90 ELBOW	1-1/4 X 1 CP 90 ELBOW
1-1/2 X 1/2 CP 90 ELBOW	1-1/2 X 3/4 CXC CP 90 ELBOW
1-1/2 X 1 CXC CP 90 ELBOW	1/4 C X FE CP 90 ELBOW
1/2 CXFE CP 90 ELBOW	1/2 X 3/8 CXFE CP 90 ELBOW
1/2 X 3/4 CXFE CP 90 ELBOW	1/2 X 1 CXFE CP 90 ELBOW
3/4 CXFE CP 90 ELBOW	3/4 X 1/2 CXFE CP 90 ELBOW
3/4 X 1 CXFE CP 90 ELBOW	1 CXFE CP 90 ELBOW
1 X 1/2 C X FE CP 90 ELBOW	1 X 3/4 CXFE CP 90 ELBOW
1-1/4 CXFE CP 90 ELBOW	1-1/4 X 1/2 CXFE CP 90 ELBOW
1-1/4 X 3/4 CXFE CP 90 ELBOW	1-1/4 X 1 CXFE CP 90 ELBOW
2 X 3/4 CXC CP 90 ELBOW	2 X 1 CXC CP 90 ELBOW
2 X 1-1/4 CXC CP 90 ELBOW	1-1/2 CXFE CP 90 ELBOW
1-1/2 X 1 C X FE CP 90 ELBOW	2 CXFE CP 90 ELBOW
3 C X FE CP 90 ELBOW	1/2 CXFE CP 90 DROP EAR ELBOW
1/2C X 3/8FE CP 90 DROP EAR ELBOW	1/2 X 3/4 CXFE CP 90 DROP EAR ELBOW
3/4 CXFE CP 90 DROP EAR ELBOW	3/4C X 1/2FE CP 90 DROP EAR ELBOW
1 CXFE CP 90 DROP EAR ELBOW	1/2 CXFE CP DROP EAR IMPORT 90 ELBOW
1/2 CXFE CP HIGH EAR 90 ELBOW	3/4 CXFE CP HIGH EAR 90 ELBOW
1/2 CXFE CP FLANGE SINK 90 ELBOW	1/2 CXM CP 90 ELBOW
1/2 X 3/8 CXM CP 90 ELBOW	1/2 X 3/4 CXM CP 90 ELBOW
3/4 CXM CP 90 ELBOW	3/4 X 1/2 CXM CP 90 ELBOW
3/4 C X 1 M CP 90 ELBOW	1 CXM CP 90 ELBOW
1 X 3/4 CXM CP 90 ELBOW	1-1/4 CXM CP P 90 ELBOW
1-1/4 X 1 CXM CP 90 ELBOW	1-1/2 CXM CP 90 ELBOW
2 CXM CP 90 ELBOW	1/2 CXC CP DROP EAR 90 ELBOW
3/4 CXC CP 90 DROP EAR ELBOW	1 CXC CP 90 DROP EAR ELBOW

Subject Copper Pipe Fittings – Elbows (cont'd)

1/2 CXC CP HIGH EAR 90 ELBOW	3/4 CXC CP HIGH EAR 90 ELBOW
6 CXC CP 90 ELBOW	1/2C X 1/8FE X 1/2C CP BASE TEE*
1/2C X 1/8FE X 3/4C CP BASE TEE*	3/4C X 1/8FE X 3/4C CP BASE TEE*
1C X 1/8FE X 1 C CP BASE TEE*	1-1/4C X 1/8FEX1-1/4C CP BASE TEE*
3/4FE X 1/8FE X 3/4C CP BASE TEE	1-1/4 CXFTG WD 45 ELBOW*
1-1/2 FTGX C WD 45 ELBOW*	2 FTGX C WD 45 ELBOW*
3 C X FTG WD 45 ELBOW*	1-1/4 CXC WD 45 ELBOW*
1-1/2 CXC WD 45 ELBOW*	2 CXC WD 45 ELBOW*
3 CXC WD 45 ELBOW*	1-1/4 CXC WD 90 ELBOW*
1-1/4 FTGX C WD 90 ELBOW*	1-1/2 FTGX C WD 90 ELBOW*
2 FTGX C WD 90 ELBOW*	1-1/2 CXC WD 90 ELBOW*
2 CXC WD 90 ELBOW*	3 CXC WD 90 ELBOW*
1-1/2 CXC WD 90 LT ELBOW*	2 CXC WD 90 LT ELBOW*
1/4 CXC WP 45 ELBOW*	3/8 CXC WP 45 ELBOW*
1/2 CXC WP 45 ELBOW*	5/8 CXC WP 45 ELBOW*
3/4 CXC WP 45 ELBOW*	1 CXC WP 45 ELBOW*
1-1/4 CXC WP 45 ELBOW*	1/4 FTG X C WP 45 ELBOW*
3/8 FTGX C WP 45 ELBOW*	1/2 FTGX C WP 45 ELBOW*
5/8 FTGX C WP 45 ELBOW*	3/4 FTGX C WP 45 ELBOW*
1 FTGX C WP 45 ELBOW*	1-1/4 FTGX C WP 45 ELBOW*
1-1/2 FTGX C WP 45 ELBOW*	2 FTGX C WP 45 ELBOW*
1-1/2 CXC WP 45 ELBOW*	2-1/2 FTGX C WP 45 ELBOW*
2 CXC WP 45 ELBOW*	2-1/2 CXC WP 45 ELBOW*
3 CXC WP 45 ELBOW*	4 CXC WP 45 ELBOW*
1/4 CXC WP 90 ELBOW*	3/8 CXC WP 90 ELBOW*
1/2 CXC WP 90 ELBOW*	5/8 CXC WP 90 ELBOW*
3/4 CXC WP 90 ELBOW*	3/4 X 1/2 CXC WP 90 ELBOW*
1 CXC WP 90 ELBOW*	1 X 1/2 CXC WP 90 ELBOW*
1 X 3/4 CXC WP 90 ELBOW*	1-1/4 CXC WP 90 ELBOW*
1-1/4 X 1 CXC WP 90 ELBOW*	1/4 FTGX C WP 90 ELBOW*
3/8 FTGX C WP 90 ELBOW*	1/2 FTGX C WP 90 ELBOW*
5/8 FTGX C WP 90 ELBOW*	3/4 FTGX C WP 90 ELBOW*
1 FTGX C WP 90 ELBOW*	1-1/4 FTGX C WP 90 ELBOW*
1/2 FTGXFTG WP 90 ELBOW*	3/4 FTG X FTG WP 90 ELBOW*
1-1/2 FTGX C WP 90 ELBOW*	2 FTGX C WP 90 ELBOW*
1-1/2 CXC WP 90 ELBOW*	2-1/2 FTGX C WP 90 ELBOW*
1-1/2CX 1-1/4C WP 90 ELBOW*	2 CXC WP 90 ELBOW*
2-1/2 CXC WP 90 ELBOW*	3 CXC WP 90 ELBOW*
4 CXC WP 90 ELBOW*	1/2 CXC WP 90 VENT ELBOW*
3/4 CXC WP 90 VENT ELBOW*	1 CXC WP 90 VENT ELBOW*
1/4 CXC LT WP 90 ELBOW	3/8 CXC LT WP 90 ELBOW
1/2 CXC LT WP 90 ELBOW	5/8 CXC LT WP 90 ELBOW
3/4 CXC LT WP 90 ELBOW	1 CXC LT WP 90 ELBOW
1-1/4 CXC LT WP 90 ELBOW	1/4 CXFTG LT WP 90 ELBOW
3/8 C X FTG LT WP 90 ELBOW	1/2 C X FTG LT WP 90 ELBOW
5/8 CXFTG LT WP 90 ELBOW	3/4 CXFTG LT WP 90 ELBOW
1 CXFTG LT WP 90 ELBOW	1-1/4 CXFTG LT WP 90 ELBOW
1-1/2 CXFTG LT WP 90 ELBOW	2 CXFTG LT WP 90 ELBOW
1-1/2 CXC LT WP 90 ELBOW	2 CXC LT WP 90 ELBOW

Subject Copper Pipe Fittings – Flanges

3 X 4 CXC CD CLOSET FLANGE*	8 COMPANION CP FLANGE 150# SILVER BRAZED
4 CD CAULKING FLOOR FLANGE*	4 X 4 CXC CD CLOSET FLANGE*
3 X 4 FITTING CD CLOSET FLANGE	3 X 4 CD ECCENTRIC CLOSET FLANGE*
3 X 4 CD M J CLOSET FLANGE*	3/4 CP COMPANION FLANGE - 125#
1/2 CP COMPANION FLANGE - 125#	1-1/4 CP COMPANION FLANGE - 125#
1 CP COMPANION FLANGE - 125#	2 CP COMPANION FLANGE - 125#
1-1/2 CP COMPANION FLANGE - 125#	3 CP COMPANION FLANGE - 125#
2-1/2 CP COMPANION FLANGE - 125#	4 CP COMPANION FLANGE - 125#
3-1/2 CP COMPANION FLANGE #125	6 CP COMPANION FLANGE - 125#
5 CP COMPANION FLANGE - 125#	1/2 CP COMPANION FLANGE - 150#
8 CP COMPANION FLANGE - 125#	1 CP COMPANION FLANGE - 150#
3/4 CP COMPANION FLANGE - 150#	1-1/2 CP COMPANION FLANGE - 150#
1-1/4 CP COMPANION FLANGE - 150#	2-1/2 CP COMPANION FLANGE - 150#
2 CP COMPANION FLANGE - 150#	3-1/2 CP COMPANION FLANGE - 150#
3 CP COMPANION FLANGE - 150#	5 CP COMPANION FLANGE - 150#
4 X 9 CP COMPANION FLANGE - 150#	8 CP COMPANION FLANGE - 150#
6 CP COMPANION FLANGE -150#	1 X 5 CP COMPANION FLANGE - 300#
1/2 CP COMPANION FLANGE - 300#	1-1/2 X 6-1/2 CP COMPANION FLANGE-300#
1-1/4 CP COMPANION FLANGE - 300#	2-1/2 CP COMPANION FLANGE - 300#
2 CP COMPANION FLANGE - 300#	4 CP COMPANION FLANGE - 300#
3 X 8-1/4 CP COMPANION FLANGE - 300#	2 X 6 CP BLIND COMPANION FLANGE
1-1/2 CP BLIND COMPANION FLANGE	13-1/2 X 8 CP BLIND COMPANION FLANGE
3 X 7-1/2 CP BLIND COMPANION FLANGE	3 COMPANION CP FLANGE 150# SILVER BRAZED
8 COMPANION CP FLANGE 125# SILVER BRAZED	

Subject Copper Pipe Fittings – Pressure Tees

1/2 CXCXC CP DROP EAR TEE	1/2 CXCXFE CP TEE
1/2 X 1/2 X 1/4 CXCXFE CP TEE	1/2C X 1/2C X 3/8FE CP TEE
1/2 X 1/2 X 3/4 CXCXFE CP TEE	3/4 CXCXFE CP TEE
3/4C X 1/2C X 1/2FE CP TEE	3/4 X 1/2 X 3/4 CXCXFE CP TEE
3/4 X 3/4 X 3/8 CCFE CP TEE	3/4C X 3/4C X 1/2FE CP TEE
3/4 X 3/4 X 1 CXCXFE CP TEE	1 CXCXFE CP CP TEE
1 X 1 X 1/2 CXCXFE CP TEE	1 X 1 X 3/4 CXCXFE CP TEE
1-1/4 CXCXFE CP TEE	1-1/4 X 1-1/4 X 1/2 CCFE CP TEE
1-1/4 X 1-1/4 X 3/4 CCFE CP TEE	1-1/4X1-1/4X1 CCFE CP TEE
1-1/2 CXCXFE CP TEE	1-1/2X1-1/2X1/2 CCFE CP TEE
1-1/2 X 1-1/2 X 3/4 CCFE CP TEE	1-1/2 X 1-1/2 X 1 CCFE CP TEE
1/2 CXFEXFE CP TEE	1/2C X 3/4FE X 1/2FE CP TEE
3/4 C X FE X FE CP TEE	3/4 C X 3/4 FE X 1/2 FE CP TEE
2 CXCXFE CP TEE	2 X 2 X 1/2 CXCXFE CP TEE
2 X 2 X 3/4 CXCXFE CP TEE	2 X 2 X 1 CXCXFE CP TEE
1/2 CXCXFE CP DROP EAR TEE	3/4 CXCXFE CP DROP EAR TEE
3/4C X 3/4C X 1/2FE CP DROP EAR TEE	3/8 C X FE X C CP TEE
1/2 CXFEXC CP TEE	1/2C X 1/2FE X 3/4C CP TEE
1/2C X 3/4FE X 1/2C CP TEE	3/4 CXFEXC CP TEE
3/4 X 1/2 X 1/2 CXFEXC CP TEE	3/4C X 1/2FE X 3/4C CP TEE
3/4C X 3/4FE X 1/2C CP TEE	1 CXFEXC CP TEE
1C X 1/2FE X 1C CP TEE	1 X 3/4 X 1 CXFEXC CP TEE
1-1/4 CXFEXC CP TEE	1-1/4 X 1/2 X 1-1/4 CXFEXC CP TEE
1-1/4 X 3/4 X 1-1/4 CXFEXC CP TEE	1-1/2 C X FE X C CP TEE
1-1/2X1-1/2X1-1/2 CXFEXC CP TEE	1-1/2X3/4X1-1/2 CXFEXC CP TEE
1/2 FEXFEXC CP TEE	3/4 FEXFEXC CP TEE
3/4FE X 1/2FE X 1/2C CP TEE	3/4FE X 1/2FE X 3/4C CP TEE
3/4FE X 3/4FE X 1/2C CP TEE	2 C X FE X C CP TEE
2 X 1/2 X 2 CXFEXC CP TEE	2 X 3/4 X 2 CXFEXC CP TEE
1/2FE X 3/4M X 1/2C CP TEE	1/2 CXCXCXC CP CROSS*
3/4 CXCXCXC CP CROSS*	1 CXCXCXC CP CROSS*
1-1/2 CXCXCXC CP CROSSES*	2 CXCXCXC CP CROSS*
3/4 CXFTGXC CP TEE*	2 X 2 X 3 CXCXC CP TEE*
2-1/2 X 1/2 X 2-1/2 CP TEE*	2-1/2 X 1-1/2 X 1-1/2 CP TEE*
5 CXCXC CP TEE*	5 X 5 X 3 CXCXC CP TEE*
6 CXCXC CP TEE*	3/4FE X 1/8 FE X 3/4C WP BASEBOARD TEE*
1/8 CXCXC WP TEE*	1/4 CXCXC WP TEE*
3/8 CXCXC WP TEE*	1/2 CXCXC WP TEE*
1/2 X 1/2 X 3/4 CXCXC WP TEE*	3/4 CXCXC WP TEE*
3/4 X 1/2 X 1/2 CXCXC WP TEE*	3/4 X 1/2 X 3/4 CXCXC WP TEE*
3/4 X 3/4 X 1/4 CXCXC WP TEE*	3/4C X 3/4C X 3/8C CXCXC WP TEE*
3/4 X 3/4 X 1/2 CXCXC WP TEE*	1 CXCXC WP TEE*
1 X 1/2 X 1/2 CXCXC WP TEE*	1 X 1/2 X 3/4 CXCXC WP TEE*
1 X 1/2 X 1 CXCXC WP TEE*	1 X 3/4 X 1/2 CXCXC WP TEE*
1 X 3/4 X 3/4 CXCXC WP TEE*	1 X 3/4 X 1 CXCXC WP TEE*
1 X 1 X 3/8 CXCXC WP TEE*	1 X 1 X 1/2 CXCXC WP TEE*
1 X 1 X 3/4 CXCXC WP TEE*	1-1/4 CXCXC WP TEE*
1-1/4 X 1/2 X 1/2 CXCXC WP TEE*	1-1/4 X 1/2 X 3/4 CXCXC WP TEE*

Subject Copper Pipe Fittings – Pressure Tees (cont'd)

1-1/4 X 1/2 X 1 CXCXC WP TEE*	1-1/4 X 1/2 X 1-1/4 CXCXC WP TEE*
1-1/4 X 3/4 X 1/2 CXCXC WP TEE*	1-1/4 X 3/4 X 3/4 CXCXC WP TEE*
1-1/4 X 3/4 X 1 CXCXC WP TEE*	1-1/4 X 3/4 X 1-1/4 CXCXC WP TEE*
1-1/4 X 1 X 1/2 CXCXC WP TEE*	1-1/4 X 1 X 3/4 CXCXC WP TEE*
1-1/4 X 1 X 1 CXCXC WP TEE*	1-1/4 X 1 X 1-1/4 CXCXC WP TEE*
1-1/4 X 1-1/4 X 1/2 CXCXC WP TEE*	1-1/4 X 1-1/4 X 3/4 CXCXC WP TEE*
1-1/4C X 1-1/4C X 1C CXCXC WP TEE*	1-1/2 CXCXC CXCXC WP TEE*
1-1/2 X 1/2 X 1/2 CXCXC WP TEE*	1-1/2 X 1/2 X 3/4 CXCXC WP TEE*
1-1/2 X 1/2 X 1 CXCXC WP TEE*	1-1/2 X 1/2 X 1-1/4 CXCXC WP TEE*
1-1/2 X 1/2 X 1-1/2 CXCXC WP TEE*	1-1/2 X 3/4 X 1/2 CXCXC WP TEE*
1-1/2 X 3/4 X 3/4 CXCXC WP TEE*	1-1/2 X 3/4 X 1 CXCXC WP TEE*
1-1/2 X 3/4 X 1-1/4 CXCXC WP TEE*	1-1/2 X 3/4 X 1-1/2 CXCXC WP TEE*
1-1/2 X 1 X 1/2 CXCXC WP TEE*	1-1/2 X 1 X 3/4 CXCXC WP TEE*
1-1/2 X 1 X 1 CXCXC WP TEE*	1-1/2 X 1 X 1-1/4 CXCXC WP TEE*
1-1/2 X 1 X 1-1/2 CXCXC WP TEE*	1-1/2 X 1-1/4 X 1/2 CXCXC WP TEE*
1-1/2 X 1-1/4 X 3/4 CXCXC WP TEE*	1-1/2 X 1-1/4 X 1 CXCXC WP TEE*
1-1/2 X 1-1/4 X 1-1/4 CXCXC WP TEE*	1-1/2 X 1-1/4 X 1-1/2 CXCXC WP TEE*
1-1/2 X 1-1/2 X 1/2 CXCXC WP TEE*	1-1/2 X 1-1/2 X 3/4 CXCXC WP TEE*
1-1/2 X 1-1/2 X 1 CXCXC WP TEE*	1-1/2 X 1-1/2 X 1-1/4 CXCXC WP TEE*
2 CXCXC CXCXC WP TEE*	2 X 1/2 X 2 CXCXC WP TEE*
2 X 3/4 X 2 CXCXC WP TEE*	2 X 1 X 3/4 CXCXC WP TEE*
2 X 1 X 1 CXCXC WP TEE*	2C X 1C X 1-1/4C CXCXC WP TEE*
2 X 1 X 1-1/2 CXCXC WP TEE*	2 X 1 X 2 CXCXC WP TEE*
2 X 1-1/4 X 1/2 CXCXC WP TEE*	2 X 1-1/4 X 3/4 CXCXC WP TEE*
2 X 1-1/4 X 1 CXCXC WP TEE*	2 X 1-1/4 X 1-1/4 CXCXC WP TEE*
2 X 1-1/4 X 1-1/2 CXCXC WP TEE*	2 X 1-1/4 X 2 CXCXC WP TEE*
2 X 1-1/2 X 1/2 CXCXC WP TEE*	2 X 1-1/2 X 3/4 CXCXC WP TEE*
2 X 1-1/2 X 1 CXCXC WP TEE*	2 X 1-1/2 X 1-1/4 CXCXC WP TEE*
2 X 1-1/2 X 1-1/2 CXCXC WP TEE*	2 X 1-1/2 X 2 CXCXC WP TEE*
2 X 2 X 1/2 CXCXC WP TEE*	2 X 2 X 3/4 CXCXC WP TEE*
2 X 2 X 1 CXCXC WP TEE*	2 X 2 X 1-1/4 CXCXC WP TEE*
2 X 2 X 1-1/2 CXCXC WP TEE*	2-1/2 CXCXC WP TEE*
2-1/2 X 1/2 X 2-1/2 CXCXC WP TEE*	2-1/2 X 3/4 X 1-1/2 CXCXC WP TEE*
2-1/2 X 3/4 X 2-1/2 CXCXC WP TEE*	2-1/2 X 1 X 1-1/4 CXCXC WP TEE*
2-1/2 X 1 X 1-1/2 CXCXC WP TEE*	2-1/2 X 1 X 2 CXCXC WP TEE*
2-1/2 X 1 X 2-1/2 CXCXC WP TEE*	2-1/2 X 1-1/4 X 1-1/4CXCXC WP TEE*
2-1/2 X 1-1/4 X 1-1/2 CXCXC WP TEE*	2-1/2 X 1-1/4 X 2 CXCXC WP TEE*
2-1/2 X 1-1/4 X 2-1/2 CXCXC WP TEE*	2-1/2 X 1-1/2 X 1 CXCXC WP TEE*
2-1/2 X 1-1/2 X 1-1/4 CXCXC WP TEE*	2-1/2 X 1-1/2 X 1-1/2 CXCXC WP TEE*
2-1/2 X 1-1/2 X 2 CXCXC WP TEE*	2-1/2 X 1-1/2 X 2-1/2 CXCXC WP TEE*
2-1/2 X 2 X 1/2 CXCXC WP TEE*	2-1/2 X 2 X 3/4 CXCXC WP TEE*
2-1/2 X 2 X 1 CXCXC WP TEE*	2-1/2 X 2 X 1-1/4 CXCXC WP TEE*
2-1/2 X 2 X 1-1/2 CXCXC WP TEE*	2-1/2 X 2 X 2 CXCXC WP TEE*
2-1/2 X 2 X 2-1/2 CXCXC WP TEE*	2-1/2 X 2-1/2 X 1/2 CXCXC WP TEE*
2-1/2 X 2-1/2 X 3/4 CXCXC WP TEE*	2-1/2 X 2-1/2 X 1 CXCXC WP TEE*
2-1/2 X 2-1/2 X 1-1/4 CXCXC WP TEE*	2-1/2 X 2-1/2 X 1-1/2 CXCXC WP TEE*
2-1/2 X 2-1/2 X 2 CXCXC WP TEE*	3 CXCXC WP TEE*
3 X 3/4 X 3 CXCXC WP TEE*	3 X 1 X 3 CXCXC WP TEE*

Subject Copper Pipe Fittings – Pressure Tees (cont'd)

3 X 1-1/4 X 3 CXCXC WP TEE*	3 X 1-1/2 X 1-1/4 CXCXC WP TEE*
3 X 1-1/2 X 1-1/2 CXCXC WP TEE*	3 X 1-1/2 X 2-1/2 CXCXC WP TEE*
3 X 1-1/2 X 3 CXCXC WP TEE*	3 X 2 X 1/2 CXCXC WP TEE*
3 X 2 X 1 CXCXC WP TEE*	3 X 2 X 1-1/4 CXCXC WP TEE*
3 X 2 X 1-1/2 CXCXC WP TEE*	3 X 2 X 2 CXCXC WP TEE*
3 X 2 X 2-1/2 CXCXC WP TEE*	3 X 2 X 3 CXCXC WP TEE*
3 X 2-1/2 X 3/4 CXCXC WP TEE*	3 X 2-1/2 X 1 CXCXC WP TEE*
3 X 2-1/2 X 1-1/4 CXCXC WP TEE*	3 X 2-1/2 X 1-1/2 CXCXC WP TEE*
3 X 2-1/2 X 2 CXCXC WP TEE*	3 X 2-1/2 X 2-1/2 CXCXC WP TEE*
3 X 2-1/2 X 3 CXCXC WP TEE*	3 X 3 X 1/2 CXCXC WP TEE*
3 X 3 X 3/4 CXCXC WP TEE*	3 X 3 X 1 CXCXC WP TEE*
3 X 3 X 1-1/4 CXCXC WP TEE*	3 X 3 X 1-1/2 CXCXC WP TEE*
3 X 3 X 2 CXCXC WP TEE*	3 X 3 X 2-1/2 CXCXC WP TEE*
4 CXCXC WP TEE*	4 X 1-1/2 X 3 CXCXC WP TEE*
4 X 2 X 2 CXCXC WP TEE*	4 X 2 X 3 CXCXC WP TEE*
4 X 2-1/2 X 2-1/2 CXCXC WP TEE*	4 X 2-1/2 X 3 CXCXC WP TEE*
4 X 3 X 2 CXCXC WP TEE*	4 X 3 X 2-1/2 CXCXC WP TEE*
4 X 3 X 3 CXCXC WP TEE*	4 X 4 X 1/2 CXCXC WP TEE*
4 X 4 X 3/4 CXCXC WP TEE*	4 X 4 X 1 CXCXC WP TEE*
4 X 4 X 1-1/4 CXCXC WP TEE*	4 X 4 X 1-1/2 CXCXC WP TEE*
4 X 4 X 2 CXCXC WP TEE*	4 X 4 X 2-1/2 CXCXC WP TEE*
4 X 4 X 3 CXCXC WP TEE*	5 X 5 X 2 CXCXC WP TEE*

Subject Copper Pipe Fittings – Unions

2-1/2 CXFE CP UNION*	2-1/2 CXC CP UNION*
2 CXM CP UNION*	2-1/2 C X M CP UNION*
3 CXC CP UNION*	3/4 CXM CP UNION ELBOW
3/4 CXC WP UNION*	1 CXC WP UNION*
1-1/4 CXC WP UNION*	1-1/2 C X C WP UNION*
1/2 C X FE WP UNION*	3/4 C X FE WP UNION*
1 C X FE WP UNION*	2 CXC WP UNION*
1-1/4 C X FE WP UNION*	1-1/2 C X FE WP UNION*
2 C X FE WP UNION*	1/2 C X M WP UNION*
3/4 C X M WP UNION*	1 C X M WP UNION*
1-1/4 C X M WP UNION*	1-1/2 C X M WP UNION*
2 C X M WP UNION*	

Subject Copper Pipe Fittings – P-Traps

1-1/4 CXC CD P-TRAP BODY N/CO	1-1/2 C X C CD P-TRAP BODY N/CO
2 C X C CD P-TRAP BODY N/CO	3 C X C CD P-TRAP BODY N/CO
1-1/4 CD P TRAP - N/CO	1-1/4 CD P TRAP-N/CO- ELBOW
1-1/2 P TRAP - N/CO-	1-1/2 CD P TRAP-N/CO-ELBOW
2 CD P TRAP - N/CO	2 CD P TRAP-N/CO-ELBOW
3 CD P TRAP - N/CO	3 CD P TRAPS-N/CO-ELBOW
1 1/4 CD S TRAP N/CO	1 1/2 CD S TRAP N/CO
1-1/4 CD S TRAP - W/CO	1-1/2 CD S TRAP - W/CO
2 CD S TRAP W/CO	1-1/2 C X C CD P-TRAP BODY - W/CO
2 C X C CD P-TRAP BODY - W/CO	1-1/4 CD P TRAP - W/CO
1-1/4 CD P TRAP-W/CO-ELBOW	1-1/2 CD P TRAP W/CO
1-1/2 CD P TRAP-W/CO-ELBOW	2 CD P TRAP - W/CO
2 CD P TRAP-W/CO-ELBOW	3 CD P TRAP - W/CO
3 CD P TRAP-W/CO-ELBOW	3 X 6 X 1-1/2 X 1-1/2 CD DRUM TRAP
1-1/2 CD P TRAP L/CO GROUND SWIVEL	1-1/2 CD P TRAP W/CO GROUND SWIVEL

Subject Copper Pipe Fittings – DWV TY's

1-1/4 CXCXCXC CD DOUBLE WASTE FTG	1-1/2 CXCXCXC CD DOUBLE WASTE FTG
1-1/2 1-1/4 1-1/4 1-1/4 CXCXCXC CD DOUBLE WASTE FTG	1-1/2 1-1/4 1-1/2 1-1/2 CXCXCXC CD DOUBLE WASTE FTG
1-1/2 1-1/2 1-1/4 1-1/4 CXCXCXC CD DOUBLE WASTE FTG	2 1-1/2-1-1/4-1-1/4 CXCXCXC CD DOUBLE WASTE FTG
2 1-1/2 1-1/2 1-1/2 CXCXCXC CD DOUBLE WASTE FTG	1-1/4 CXCXC CD TY*
1-1/2 CXCXC CD TY*	1-1/2 X 1-1/4 X 1-1/4 CXCXC CD TY*
1-1/2 X 1-1/4 X 1-1/2 CXCXC CD TY*	1-1/2 X 1-1/2 X 1-1/4 CXCXC CD TY*
3 FTG X C X C CD TY*	3 X 3 X 1-1/4 FTGXCXC CD TY*
3 X 3 X 1-1/2 FTGXCXC CD TY*	3 X 3 X 2 FTGXCXC CD TY*
2 CXCXC CD TY*	2 X 1-1/4 X 1-1/4 CXCXC CD TY*
2 X 1-1/4 X 1-1/2 CXCXC CD TY*	2 X 1-1/4 X 2 CXCXC CD TY*
2 X 1-1/2 X 1-1/4 CXCXC CD TY*	2 X 1-1/2 X 1-1/2 CXCXC CD TY*
2 X 1-1/2 X 2 CXCXC CD TY*	2 X 2 X 1-1/4 CXCXC CD TY*
2 X 2 X 1-1/2 CXCXC CD TY*	1-1/2 CXCXFE CD TY*
2 CXCXFE CD TY	2 X 1-1/2 X 1-1/2 CXCXF CD TY
3 CXCXC CD TY*	3 X 1-1/2 X 1-1/4 CXCXC CD TY*
3 X 2 X 1-1/2 CXCXC CD TY*	3 X 3 X 1-1/4 CXCXC CD TY*
3 X 3 X 1-1/2 CXCXC CD TY*	3 X 3 X 2 CXCXC CD TY*
4 CXCXC CD TY*	4 X 4 X 1-1/2 CXCXC CD TY*
4 X 4 X 2 CXCXC CD TY*	4 X 4 X 3 CXCXC CD TY*
1-1/4 CXCXCXC CD DOUBLE TY	1-1/2 CXCXCXC CD DOUBLE TY
1-1/2 1-1/2 1-1/4 1-1/4 CXCXCXC CD DOUBLE TY	1-1/2 1-1/4 1-1/4 1-1/4 CXCXCXC CD DOUBLE TY
2 CXCXCXC CD DOUBLE TY	2 X 2 X 1-1/4 X 1-1/4 CXCXCXC CD DOUBLE TY
2 X 2 X 1-1/2 X 1-1/2 CXCXCXC CD DOUBLE TY	3 CXCXCXC CD DOUBLE TY
3 X 3 X 1-1/4 X 1-1/4 CXCXCXC CD DOUBLE TY	3 X 3 X 1-1/2 X 1-1/2 CXCXCXC CD DOUBLE TY
3 X 3 X 2 X 2 CXCXCXC CD DOUBLE TY	4 CXCXCXC CD DOUBLE TY
4 X 4 X 2 X 2 CXCXCXC CD DOUBLE TY	4 X 4X 3 X 3 CXCXCXC CD DOUBLE TY
1-1/4 CXCXCXC CD DOUBLE LONG TURN TY	1-1/2 CXCXCXC CD DOUBLE LONG TURN TY
1-1/2 1-1/2 1-1/4 1-1/4 CXCXCXC CD DLT TY	2 CXCXCXC CD DOUBLE LONG TURN TY
2 X 2 X 1-1/4 X 1-1/4 CXCXCXC CD DLT TY	2 X 2 X 1-1/2 X 1-1/2 CXCXCXC CD DLT TY
1-1/2 CXCXC LONG TURN CD TY	2 CXCXC LONG TURN CD TY
3X3X3X1-1/2 CXCXCXC SIDEOUT RH CD TY	3X3X3X1-1/2 CXCXCXC SIDEOUT LH CD TY

Subject Copper Pipe Fittings – DWV Y's

1-1/4 CXCXC CD 45 Y*	1-1/2 CXCXC CD 45 Y*
1-1/2CX 1-1/4CX 1-1/4C CD 45 Y*	1-1/2CX 1-1/4CX 1-1/2C CD 45 Y*
1-1/2CX 1-1/2CX 1-1/4C CD 45 Y*	2 CXCXC 45 CD Y*
2CX 1-1/4CX 1-1/4C CD 45 Y*	2CX 1-1/4CX 1-1/2C CD 45 Y*
2CX 1-1/4CX 2C CD 45 Y*	2CX 1-1/2CX 1-1/4C CD 45 Y*
2CX 1-1/2CX 1-1/2C CD 45 Y*	2CX 1-1/2CX 2C CD 45 Y*
2CX 2CX 1-1/4C CD 45 Y*	2CX 2CX 1-1/2C CD 45 Y*
3 CXCXC CD 45 Y*	3C X 2C X 2C CD 45 Y*
3CX 3CX 1-1/4C CD 45 Y*	3CX 3CX 1-1/2C CD 45 Y*
3CX 3CX 2C CD 45 Y*	4 CXCXC CD 45 Y*
4CX 4CX 2C CD 45 Y*	4CX 4CX 3C CD 45 Y*
1-1/4 CXCXCXC CD 45 DOUBLE Y	1-1/2 CXCXCXC CD 45 DOUBLE Y
1-1/2 1-1/2 1-1/4 1-1/4 CXCXCXC CD DOUBLE Y	2 CXCXCXC CD 45 DOUBLE Y
2 X 2 X 1-1/4 X 1-1/4 CXCXCXC CD DOUBLE Y	2 X 2 X 1-1/2 X 1-1/2 CXCXCXC CD DOUBLE Y
3 CXCXCXC CD 45 DOUBLE Y	3 X 3 X 1-1/2 X 1-1/2 CXCXCXC CD DOUBLE Y

Subject Copper Pipe Fittings – Caps and Cleanouts

5 CP TUBE END CAP*	6 CP TUBE END CAP*
1-1/2 CXC/O CD TUBE END CLEANOUT*	3 CD CXC/O TUBE END CLEANOUT*
3 FTGXC/O CD CLEANOUT - FLUSH TYPE*	4 FTGXC/O CD CLEANOUT - FLUSH TYPE*
1-1/4 FTGXC/O CD CLEANOUT - FULL PLUG*	1-1/2 FTGXC/O CD CLEANOUT - FULL PLUG*
2 FTGXC/O CD CLEANOUT - FULL PLUG*	3 FTGXC/O CD CLEANOUT - FULL PLUG*
4 FTGXC/O CD CLEANOUT - FULL PLUG*	1-1/4 CXCXCO CD LINE CLEANOUT
1-1/2 CXCXCO CD LINE CLEANOUT	2 CXCXCO CD LINE CLEANOUT
3 CXCXCO CD LINE CLEANOUT	4 CXCXCO CD LINE CLEANOUT
1-1/2 CXCXCO CLEANOUT-FULL PLUG	2 CXCXCO CD CLEANOUT - FULL PLUG
3 CXCXCO CD CLEANOUT - FULL PLUG	1-1/4 CXCO WD TUBE END CLEANOUT*
1-1/2 CXCO WD TUBE END CLEANOUT*	2 CXCO WD TUBE END CLEANOUT*
3 CXCO WD TUBE END CLEANOUT*	1-1/4 WD FLUSH FTGXCO CLEANOUT*
1-1/2 FTGXCO WD CLEANOUT-FLUSH TYPE*	1-1/2 X 1 FTGXCO WD CLEANOUT - FLUSH*
2 FTGXCO WD CLEANOUT-FLUSH TYPE*	1-1/4 FTGXCO WD CLEANOUT FULL PLUG*
1-1/2 FTGXCO WD CLEANOUT FULL PLUG*	2 FTGXCO WD CLEANOUT FULL PLUG*

Place of Hearing:	Ottawa, Ontario
Dates of Hearing:	January 9 and 10, 2012
Tribunal Members:	Diane Vincent, Presiding Member Serge Fréchette, Member Pasquale Michael Saroli, Member
Research Director:	Lisa Backa Demers
Lead Researcher:	Paula Enright
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PARTICIPANTS:**Domestic Producers**

Cello Products Inc.
Bow Plumbing Group

Importers/Exporters/Others

NIBCO Inc.
4361814 Canada Inc. o/a Noble

Counsel/Representatives

Victoria Bazan
Victoria Bazan

Counsel/Representatives

Riyaz Dattu
Cyndee Todgham Cherniak

WITNESSES:

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Executive Vice-President and C.E.O.
Bow Plumbing Group

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STATEMENT OF REASONS

BACKGROUND

1. This is an expiry review, pursuant to subsection 76.03(3) of the *Special Import Measures Act*,¹ of the findings made by the Canadian International Trade Tribunal (the Tribunal) on February 19, 2007, in Inquiry No. NQ-2006-002 (the inquiry), concerning the dumping of solder joint pressure pipe fittings and solder joint drainage, waste and vent (DWV) pipe fittings, made of cast copper alloy, wrought copper alloy or wrought copper, for use in heating, plumbing, air conditioning and refrigeration (ACR) applications (copper pipe fittings), originating in or exported from the United States of America (United States), the Republic of Korea (Korea) and the People's Republic of China (China) and the subsidizing of copper pipe fittings originating in or exported from China, restricted to the products enumerated in the appendix to the findings (the subject goods).
2. The Tribunal initiated this expiry review on June 1, 2011,² notifying the Canada Border Services Agency (CBSA), and sent letters to domestic producers, importers, foreign producers and exporters, requesting that they complete expiry review questionnaires. The Tribunal requested that, if the CBSA found a likelihood of continued or resumed dumping and/or subsidizing, domestic producers, importers, foreign producers and exporters update their responses to questionnaires submitted to the CBSA to include data for the second and third quarters of 2010 and 2011. The Tribunal also requested that domestic producers complete Part E of the expiry review questionnaire for producers.
3. On June 2, 2011, the CBSA initiated an investigation to determine whether the expiry of the findings was likely to result in the continuation or resumption of dumping and/or subsidizing.
4. On September 29, 2011, the CBSA determined, pursuant to paragraph 76.03(7)(a) of *SIMA*, that the expiry of the findings was likely to result in the continuation or resumption of dumping and subsidizing.
5. On September 30, 2011, following the CBSA's determination, the Tribunal began its expiry review to determine, pursuant to subsection 76.03(10) of *SIMA*, whether the expiry of the findings was likely to result in injury or retardation. As part of these proceedings, the Tribunal sent short-form questionnaires to major importers of copper pipe fittings.
6. The Tribunal held a pre-hearing teleconference on December 19, 2011, and a hearing, with public and *in camera* testimony in Ottawa, Ontario, on January 9 and 10, 2012.
7. Cello Products Inc. (Cello) and Bow Plumbing Group (Bow) submitted evidence and made arguments in support of a continuation of the findings. Cello and Bow also responded to requests for information and were represented by counsel. Cello presented the following witnesses at the hearing: Mr. Hans Ratz, Vice-President, Product Development; and Mr. Peter Howell, Vice-President, Sales & Marketing. Bow presented the following witnesses: Mr. Pat Chiasson, Executive Vice-President and C.E.O.; Mr. David J. Parker, Vice-President, Operations; and Mr. John Coney, Vice-President, Finance.
8. In this expiry review, no parties appeared before the Tribunal or provided submissions in opposition to the continuation of the findings. Elkhart Products Corporation (Elkhart), Mueller Industries Inc. (Mueller), NIBCO Inc. (NIBCO), BMI Canada Inc. (BMI) and 4361814 Canada Inc. o/a Noble (Noble)

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

2. C. Gaz. 2011.I.1825-1828.

were participants in the expiry review. However, Elkhart, Mueller and BMI withdrew, and NIBCO and Noble did not submit any argument or witness statements. BMI, CB Supplies Ltd. (CB Supplies), Elkhart Products Ltd. (EPL), John L. Schultz Ltd. (John Schultz), NCI Marketing Inc. (NCI) and Noble responded to requests for information.

9. The Tribunal did not receive any product or country exclusion requests.

10. At the hearing, Cello filed physical exhibits of pressure copper pipe fittings and DWV copper pipe fittings. One of Cello's witnesses briefly explained the exhibits at the introduction of his testimony.

11. The record of these proceedings consists of all relevant documents filed or accepted for filing by the Tribunal, including the following: the CBSA's protected expiry review report, public statement of reasons, index of background information and related documents; the Tribunal's notice of expiry review; the protected and public replies to the expiry review questionnaires; the public and protected pre-hearing staff reports prepared for this expiry review and subsequent revisions thereto; requests for information and replies thereto; witness statements and other exhibits; the exhibit list and the Tribunal's findings, statement of reasons, and public and protected pre-hearing staff reports prepared for Inquiry No. NQ-2006-002.

12. Protected exhibits were provided only to counsel who had filed a declaration and undertaking with the Tribunal in respect of confidential information.

PRODUCT

Product Definition

13. The subject goods are defined as solder joint pressure pipe fittings and solder joint DWV pipe fittings, made of cast copper alloy, wrought copper alloy or wrought copper, for use in heating, plumbing and ACR applications, originating in or exported from the United States, Korea and China, restricted to the products enumerated in the appendix to the Tribunal's findings.

Product Information

14. Copper pipe fittings connect copper tube and other copper pipe fittings to one another. The connections are made by fitting two pieces together and heating the ends of the tubing and fitting, and filling the gap between the two with melted solder that solidifies on cooling to form a strong, leak-proof connection. The copper pipe fittings can also be used to connect copper tubing to other metal systems by use of threaded fittings. However, at least one end of a copper pipe fitting is always joined by soldering, silver brazing and epoxy, or other gluing techniques.

15. Copper pipe fittings manufactured in Canada and the United States are made to the standards of the American Society of Mechanical Engineers (ASME)/American National Standards Institute (ANSI), ASTM International and the Manufacturers Standardization Society (MSS).

Production Process

16. Copper pipe fittings may be either wrought or cast³. Wrought and cast fittings may be in the form of either pressure copper pipe fittings or DWV copper pipe fittings.

3. "Cast copper alloy" includes brass and bronze.

Wrought Copper Pipe Fittings

17. Wrought copper pipe fittings are produced from extruded copper tube or hollow shapes that are cut to size. Special machines are then used to compress, expand, bend, hit down or spin the tubing to the desired shape. The most prevalent types of wrought fittings are tees, couplings, elbows and adaptors. Each type of fitting requires a different type of end, which is machined as required for the particular fitting.

Cast Copper Pipe Fittings

18. Cast copper pipe fittings are produced using the green-sand casting process. Molten brass, made from copper alloy ingots and recycled brass scrap, is poured into a mould, and the metal is allowed to cool and solidify, forming the raw casting. The casting is then removed from the mould by vibration, cleaned and conditioned in preparation for machining.

19. Cast copper pipe fittings are machined on special-purpose reaming machines, turret lathes or computer numerical control lathes. All cast copper pipe fittings have at least one end reamed to allow a copper tube to be joined by soldering, silver brazing and epoxy, or other gluing techniques. The other end, or ends in the case of a tee, is either reamed, tapped (internally threaded), or has a male thread cut onto it. Some common equipment is used in the machining and reaming of wrought and cast copper pipe fittings.

Product Applications

20. Pressure copper pipe fittings are used to convey liquids (e.g. potable water), gases and air under pressure in residential, industrial, commercial and institutional applications. Pressure copper pipe fittings are also used for ACR applications. Although these fittings are identified by reference to their inside or “nominal” diameter when used in plumbing and heating applications, when used in ACR applications, they are identified by reference to their outside diameter.

21. DWV copper pipe fittings (or copper drainage pipe fittings) are used in systems that convey waste fluids and provide venting to waste systems. These drainage systems are not pressurized. Copper drainage pipe fittings are used in multi-residential, industrial, commercial and institutional applications.

Marketing and Distribution

22. Domestically produced and imported copper pipe fittings are marketed and sold through plumbing and heating master distributors, distributors, wholesalers and retailers.

23. Domestic producers and major wholesalers and distributors generally price their copper pipe fittings on the basis of list prices from the pricing service “Allpriser”. Historically, discounts and rebates were then applied to the list prices specific to each purchaser on the basis of factors such as purchase volume, region, duration of the project and credit worthiness of the customer. However, the industry has been moving towards SKU-by-SKU⁴ pricing comparisons, which has resulted in discounts being applied on individual SKU prices and less importance being placed on the factors cited above.

DOMESTIC PRODUCERS

24. The domestic producers have not changed since Inquiry No. NQ-2006-002. There are two domestic producers of copper pipe fittings: Cello and Bow.

4. SKU stands for “stock keeping unit”.

Cello

25. Cello commenced operations in 1946 in Cambridge, Ontario, as a producer of cast copper alloy pipe fittings. Wrought copper and wrought copper alloy pipe fittings were added to the product line in the 1960s. Cello was incorporated in 1983 and makes cast and wrought, pressure and DWV copper pipe fittings. In addition to producing copper pipe fittings, Cello also manufactures brass fittings and flanges. It imported copper pipe fittings during the period of review (POR), i.e. from January 1, 2008, to September 30, 2011.

Bow

26. Bow was founded in 1949 as a producer of various plastic products, including high-performance plastic pipe fittings and some specialty plumbing items. The corporate head office is located in Montréal, Quebec, and its manufacturing facility is in Dorchester, Ontario. Bow added the production of wrought copper and wrought copper alloy pipe fittings in 1991 when the company acquired the assets of EMCO Canada, a former producer of copper pipe fittings. Bow produces wrought pressure and DWV copper pipe fittings but does not produce cast copper pipe fittings. Bow did not import copper pipe fittings during the POR.

IMPORTERS AND EXPORTERS

27. Expiry review questionnaires were sent to 23 potential importers. Nine importers, BMI,⁵ Bombardier Transportation Canada Inc., CB Supplies, EPL, EMCO Corporation, NCI, NDL Industries Inc., Noble and Streamline Copper & Brass Ltd., responded to the CBSA's portion of the questionnaire; however, one of the responses was deemed unusable. Moreover, two of the above-noted importers did not provide the Tribunal with the updated data requested for the interim periods of January to September of 2010 and 2011.

28. In view of the low response rate, the Tribunal sent a short-form importers' questionnaire to five of the original recipients of the expiry review questionnaire and to an additional two potential importers. Five short-form questionnaire responses were received from Boshart Industries Inc., Home Hardware Stores Ltd., John Schultz, PHC Distribution Inc. and Versa Fittings & Manufacturing Inc.

29. Expiry review questionnaires were sent to 36 potential foreign producers and exporters. Six replies were received by the CBSA, including responses from the three largest U.S. exporters, Mueller, Elkhart and NIBCO. The other responding exporters were Lee Brass of the United States and Jungwoo Metal Industries Co. (Jungwoo) of Korea. Interstate Assembly System's response indicated that it was an exporter only, not a producer, of copper pipe fittings. Only three of the above-noted exporters provided the Tribunal with the updated data requested for the interim periods of January to September of 2010 and 2011.

30. As previously noted, responses to requests for information were received from BMI, CB Supplies, EPL, John Schultz, NCI and Noble.

5. BMI Canada Inc. submitted a joint questionnaire response on behalf of itself and BMI West Inc., of which it is the parent company.

SUMMARY OF PREVIOUS FINDINGS AND ORDERS

Inquiry No. NQ-2006-002

31. On February 19, 2007, the Tribunal found that the dumping of copper pipe fittings originating in or exported from the United States, Korea and China and the subsidizing of copper pipe fittings from China had caused injury.

32. The Tribunal found that wrought pressure copper pipe fittings, cast pressure copper pipe fittings, wrought DWV copper pipe fittings and cast DWV copper pipe fittings comprised a single class of goods and that the domestic producers of like goods were Cello and Bow.

33. The Tribunal was satisfied that an assessment of the cumulative effect of the dumped and subsidized imports of copper pipe fittings from the United States, Korea and China was appropriate on the basis of the conditions of competition in the Canadian market.

34. The Tribunal found that the volume of dumped and subsidized imports had been significant throughout the period from 2003 to 2005, at more than double the domestic sales volume from domestic production. In addition, the dumped and subsidized imports had increased by 60 percent in the first nine months of 2006 compared to the same period in 2005.

35. The Tribunal compared Cello's prices with certain importers' prices and found that the average selling prices of the dumped and subsidized imports were lower. In addition, the Tribunal examined the prices of benchmark products and found that the average selling prices of the imported benchmark products undercut the like benchmark products. The Tribunal was of the opinion that the domestic industry was a price taker and had to lower its prices to meet the prices of the dumped and subsidized goods. Consequently, the Tribunal found that the dumped and subsidized goods had significantly undercut and depressed the prices of the like goods.

36. The domestic industry also claimed that the presence of the dumped and subsidized goods had prevented it from raising prices to compensate for the higher costs of copper, resulting in declining gross margins. The Tribunal determined that, if the domestic industry had raised prices high enough to recover these costs, the result would have been even larger losses of market share than had actually occurred. Consequently, the Tribunal determined that the dumped and subsidized goods had suppressed the prices of the like goods.

37. Notwithstanding the increased use of plastic substitutes in the domestic market, and other factors submitted by opposing parties, the Tribunal was not convinced that they had had any material impact on the performance of the domestic industry. Moreover, the Tribunal was of the view that the injury caused by the dumped and subsidized goods was, in and of itself, material.

38. The Tribunal received four requests for product exclusions, all of which were opposed by Cello. The Tribunal granted requests to exclude "4 cast drainage lead 8 oz. closet flange[s]" and "4 cast drainage 14 oz. lead closet flange[s]". Requests for product exclusions for certain trademark wrought pressure copper pipe fittings and for copper pipe fittings for use in ACR applications were denied.

39. The Tribunal also denied three requests for producer exclusions (Mueller, NIBCO and Elkhart) and two requests for country exclusions (both with regard to the United States, from Mueller and NIBCO).

Public Interest Inquiry No. PB-2006-001

40. On March 27, 2007, the Tribunal received a request to initiate a public interest inquiry from D.A. Fehr, Inc. (Fehr), a U.S. exporter of copper pipe fittings to Canada.

41. Fehr submitted that the imposition of anti-dumping duties would decrease the Canadian housing and construction industry's access to copper pipe fittings on a just-in-time delivery basis, as well as limit its ability to purchase smaller volumes. Moreover, Fehr noted that a reduction or elimination of applicable duties imposed on Fehr, which were 242 percent, would not have a negative impact on the domestic industry, given the significantly lower anti-dumping duties imposed on other subject country suppliers, which were as low as 0 to 1.9 percent.

42. On May 2, 2007, the Tribunal received four submissions opposing the initiation of a public interest inquiry: a joint submission from Cello and Bow and individual submissions from Mueller, CB Supplies and NCI, importers and/or exporters of copper pipe fittings.

43. After examination of the evidence, the Tribunal concluded that there were no reasonable grounds to consider that the imposition of anti-dumping and/or countervailing duties had eliminated or significantly lessened competition in the domestic market. Moreover, the Tribunal noted that there were no reasonable grounds to consider that the duties had caused or were likely to cause significant damage to producers in Canada that use the goods as inputs in the production of other goods and in the provision of services.

44. Given the above-noted conclusions, on May 14, 2007, the Tribunal decided not to initiate a public interest inquiry concerning copper pipe fittings.

Interim Review No. RD-2009-002

45. On November 13, 2009, the Tribunal received a request from Lee Brass for an interim review of the Tribunal's findings in Inquiry No. NQ-2006-002.

46. Lee Brass submitted that circumstances had changed since the findings were made in 2007 because the only Canadian producer of cast copper pipe fittings, Cello, had ceased its production and, therefore, no longer needed the protection of the findings. For this reason, Lee Brass requested exclusions from the findings for certain cast copper pipe fittings.

47. In its submission, Cello indicated that it had temporarily idled its foundry as a result of increased competition from low-priced imports, but still operated the foundry on occasion. Cello noted that it intended to continue to operate its foundry as needed to meet market demand and had no plans to sell it.

48. In view of this evidence, the Tribunal was not satisfied that the domestic production of cast copper pipe fittings had ceased permanently.

49. Furthermore, the Tribunal found that no evidence had been presented to indicate that cast copper pipe fittings and wrought copper pipe fittings were no longer substitutable and did not constitute a single class of goods. There was also no evidence presented that the production of wrought copper pipe fittings had ceased or been idled. The Tribunal was of the view that, even if domestic production of cast copper pipe fittings had permanently ceased, there would remain ongoing domestic production of like goods. Therefore, excluding cast copper pipe fittings would likely lead to the resumption or continuation of dumping of cast copper pipe fittings resulting in injury to the domestic production of wrought copper pipe fittings, which would not accord with the object and purpose of *SIMA*.

50. For these reasons, on February 5, 2010, The Tribunal decided not to conduct an interim review of the findings.

Other cases

Inquiry No. NQ-93-001

51. On October 18, 1993, the Tribunal found that the dumping in Canada of copper pipe fittings originating in or exported from the United States and produced by or on behalf of Elkhart, NIBCO and Mueller, their successors and assigns, had caused injury⁶ to the domestic industry. The complaint was filed by Cello and supported by Bow.

52. The Tribunal found that all types of copper pipe fittings comprised a single class of goods.⁷

Expiry Review No. RR-97-008

53. On October 16, 1998, the Tribunal rescinded its injury finding in Inquiry No. NQ-93-001. It determined that, although there was a likelihood of resumed dumping, such dumping was not likely to cause material injury to the domestic industry. The Tribunal found that domestic market conditions had stabilized since the finding and that the health of the domestic industry had substantially improved. It concluded that increasing competition from offshore imports and plastic substitutes, as well as aggressive price competition between domestic producers, would likely have a much greater impact on future domestic market price declines than competition from imports from the United States.

ANALYSIS

Jurisdiction

54. In light of argument presented by the domestic industry that the issue to be resolved in this expiry review is the likely chain of events that the rescission of the findings would trigger broadly speaking, rather than the likely impact caused by the continued or resumed dumping and subsidizing of the subject goods *per se*,⁸ the Tribunal considers it appropriate to revisit its statutory jurisdiction under subsection 76.03(10) of *SIMA*.

55. Pursuant to subsection 76.03(10) of *SIMA*, where the CBSA has determined that the expiry of the findings is likely to result in the continuation or resumption of dumping and subsidizing, the Tribunal is required to determine whether the expiry of the findings is likely to result in injury.⁹

6. Given the requirements of *SIMA* at the time, the wording of the finding was that the dumping had caused, was causing and was likely to cause injury.

7. This finding was upheld by a Binational Panel in *Certain Solder Joint Pipe Fittings (Binational Panel)* (13 February 1995), CDA-93-1904-11 (Ch. 19 Panel) at 10-19.

8. *Transcript of Public Hearing*, Vol. 2, 10 January 2012, at 109, 127-31.

9. Subsection 2(1) of *SIMA* defines “injury” as “. . . material injury to a domestic industry”. Subsection 76.03(10) also refers to “retardation”, which is defined in subsection 2(1) as “. . . material retardation of the establishment of a domestic industry”. As there is already an established domestic industry, however, the Tribunal did not consider whether there was a likelihood of retardation.

56. In a procedural order in *Certain Dishwashers and Dryers*,¹⁰ the Tribunal stated that, in its view, “. . . subsections 76.03(7) and 76.03(10) of *SIMA* clearly indicate that the analyses conducted by the CBSA and the Tribunal in an expiry review are forward-looking.”¹¹ It follows from the forward-looking nature of expiry reviews that evidence from the POR, during which an order or a finding was being enforced, is relevant only insofar as it bears upon the prospective analysis of whether the expiry of the order or finding is likely to result in injury.

57. Cello and Bow, in their interpretation of subsection 76.03(10) of *SIMA*, drew a distinction between the impact of imports that are no longer subject imports and the broader impact of a rescission of a finding on the domestic industry.¹² In this regard, they argued that subsection 76.03(10), by its own terms, required the Tribunal to focus on the broader issue of the impact of the expiry of the findings.¹³ In particular, they submitted that the Tribunal should consider “. . . the chain of events that the expiry of the [findings] is likely to trigger, and . . . the impact that it will have on the market and on the domestic producers . . .”¹⁴

58. The decision of the World Trade Organization (WTO) Appellate Body in *United States—Anti-dumping Measures on Oil Country Tubular Goods (OCTG) from Mexico*¹⁵ appears to lend support to the domestic industry’s interpretation of subsection 76.03(10) of *SIMA*. Specifically, the Appellate Body stated as follows: “. . . what is essential for an affirmative determination under Article 11.3 [of the WTO *Anti-Dumping Agreement*] is proof of likelihood of continuation or recurrence of dumping and injury, if the duty expires. . . . These being the requirements for a sunset review [i.e. expiry review] under Article 11.3, we do not see . . . the requirement of establishing a causal link between likely dumping and likely injury . . .”¹⁶ The Appellate Body hastened to add, however, as follows: “Our conclusion that the establishment of a causal link between likely dumping and likely injury is not required in a sunset review determination does not imply that the causal link between dumping and injury envisaged by Article VI of the GATT 1994 and the *Anti-Dumping Agreement* is severed in a sunset review. *It only means that re-establishing such a link is not required, as a matter of legal obligation, in a sunset review*”¹⁷ [emphasis added].

59. Without opining on the Appellate Body’s decision itself, and regardless of whether the establishment of a causal link is required, “as a matter of legal obligation” in a sunset review under Article 11.3 of the WTO *Anti-Dumping Agreement*, the Tribunal would begin by noting that, while Article 11.3 might not oblige WTO members to include a causality requirement in the expiry review provisions of their domestic law, it does not proscribe it.

60. Moreover, the WTO *Anti-Dumping Agreement* does not enjoy direct legal effect in Canada. Rather, Parliament has given Canada’s rights and obligations under the WTO *Anti-Dumping Agreement*, including in respect of expiry reviews, effect in Canadian law through domestic implementing legislation and, in particular, *SIMA*.

10. (25 April 2005), RR-2004-005 (CITT).

11. *Ibid.* 16.

12. *Transcript of Public Hearing*, Vol. 2, 10 January 2012, at 109.

13. *Ibid.*

14. *Ibid.*

15. (2 November 2005), WT/DS282/AB/R (Appellate Body Report) [*US-OCTG*].

16. *US-OCTG* at para. 123.

17. *Ibid.* at para. 124.

61. In this regard, that there is an inherent requirement in section 76.03 of *SIMA* to establish a causal link between the likelihood of continued or resumed dumping, on the one hand, and likely injury, on the other, derives from the fact that, under subsection 76.03(3), an expiry review is explicitly in respect of “... an *order or finding* described in any of *sections 3 to 6*” [emphasis added] and, more specifically, from the fact that causality is an explicit and integral element of each of the orders and findings described in those sections of *SIMA*.

62. It is therefore the Tribunal’s view that a contextual reading of subsection 76.03(10) of *SIMA* in light of subsection 76.03(3) and sections 3 to 6 leaves no doubt as to the existence of such a requirement in Canadian law.

63. This contextual reading is consistent with the object and purpose of *SIMA*, which is to protect Canadian producers from the *injurious* effects of dumping and subsidizing.¹⁸

64. Before proceeding with its analysis concerning the likelihood of injury, the Tribunal will first determine (1) what domestically produced goods are “like goods” in relation to the subject goods; (2) what constitutes the “domestic industry” for the purposes of its analysis; and (3) whether the analysis must be done separately for each subject country or cumulatively for all subject countries.

Like Goods

65. Subsection 2(1) of *SIMA* defines “like goods” in relation to any other goods as follows: “... (a) goods that are identical in all respects to the other goods, or (b) in the absence of any [such] goods, ... goods the uses and other characteristics of which closely resemble those of the other goods”.

66. In considering this issue, the Tribunal typically looks at a number of factors, including the physical characteristics of the goods (such as composition and appearance) and their market characteristics (such as substitutability, pricing, distribution channels, end uses, and whether they fulfill the same customer needs).

67. When determining which domestically produced goods are “like goods” in relation to the subject goods, the Tribunal may also examine whether the individual products within the range of subject goods are “like goods” in relation to one another or comprise multiple classes of goods.

68. In Inquiry No. NQ-2006-002, the Tribunal found that copper pipe fittings comprised a single class of goods¹⁹ and that the copper pipe fittings produced in Canada by Cello and Bow were “like goods” in relation to the subject goods. In the course of this expiry review, no evidence was submitted that would warrant a departure from this conclusion.

69. Accordingly, the Tribunal is satisfied that there is a single class of goods and that Cello and Bow’s copper pipe fittings are “like goods” in relation to the subject goods.

18. See, for example, *Preformed Fibreglass Pipe Insulation With a Vapour Barrier* (28 January 1994), PB-93-001 (CITT); *Refined Sugar* (26 July 1996), RD-95-001 (CITT); *Fresh Garlic* (4 September 1998), MP-97-001 (CITT); *Cross-linked Polyethylene Tubing* (29 September 2006), NQ-2006-001 (CITT).

19. The Tribunal reached the same conclusion in *Certain Solder Joint Pressure Pipe Fittings* (18 October 1993), NQ-93-001 (CITT) and in *Certain Solder Joint Pressure Pipe Fittings* (16 October 1998), RR-97-008 (CITT).

Domestic Industry

70. Subsection 2(1) of *SIMA* defines “domestic industry” as follows:

... the domestic producers as a whole of the like goods or those domestic producers whose collective production of the like goods constitutes a major proportion of the total domestic production of the like goods except that, where a domestic producer is related to an exporter or importer of dumped or subsidized goods, or is an importer of such goods, “domestic industry” may be interpreted as meaning the rest of those domestic producers.

71. Cello produces the full range of wrought copper pressure and DWV pipe fittings, as well as some cast copper pipe fittings, while Bow produces wrought pressure pipe fittings and a limited selection of wrought DWV pipe fittings.²⁰ Together, Cello and Bow’s production of the like goods constitutes the totality of the domestic production of the like goods.²¹

72. Cello imported the subject goods during the POR. However, Cello’s volume of imports of the subject goods during the POR was less significant than the volume of the subject goods that it imported leading up to Inquiry No. NQ-2006-002 when the Tribunal treated Cello as part of the domestic industry. In these circumstances, the Tribunal is satisfied that Cello is first and foremost a producer, rather than an importer, of copper pipe fittings and should therefore be treated as part of the domestic industry.

73. Therefore, for the purposes of this expiry review, Cello and Bow constitute the domestic industry.

Cumulation

74. Subsection 76.03(11) of *SIMA* provides that the Tribunal shall make an assessment of the cumulative effect of the dumping or subsidizing of goods “. . . that are imported into Canada from more than one country if the Tribunal is satisfied that an assessment of the cumulative effect would be appropriate taking into account the conditions of competition . . .” between the goods imported into Canada from any of the countries and the goods from any other countries or between those goods and the like goods.

75. In considering the conditions of competition between goods, the Tribunal typically takes into account the following factors, as applicable: the degree to which the goods from each subject country are interchangeable with the subject goods from the other subject countries or with the like goods; the presence or absence of sales of imports from different subject countries and of the like goods into the same geographical markets; the existence of common or similar channels of distribution; and differences in the timing of the arrival of imports from a subject country and of those from the other subject countries, and of the availability of like goods supplied by the domestic industry.

76. In Inquiry No. NQ-2006-002, on the basis of the conditions of competition that existed at that time, the Tribunal found that a cumulative assessment was appropriate. For the purposes of this expiry review, the Tribunal sees little indication that the conditions of competition have changed sufficiently or are likely to be sufficiently different in the near future to warrant an assessment of the dumping or subsidizing of goods from each country separately.

20. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 79.

21. Manufacturer’s Exhibit A-01 (protected), tab 11 at para. 4, Administrative Record, Vol. 12.

77. The balance of the evidence discloses that, in general, the subject goods are interchangeable with each other, regardless of origin, as well as with the like goods.²² They compete with each other in the same geographic markets.²³ Their distribution channels overlap.²⁴ The Tribunal saw no information that would suggest that quality among the subject goods, or between the subject goods and the like goods, is significantly different or that there is much to distinguish between the subject goods in terms of timing of arrival and reliability of supply.

78. Therefore, the Tribunal will make a cumulative assessment.

Likelihood of Injury

79. Subsection 37.2(2) of the *Special Import Measures Regulations*²⁵ lists the factors that the Tribunal may consider in addressing the question of likelihood of injury in cases where the CBSA has determined that there is a likelihood of continued or resumed dumping and/or subsidizing. The factors that the Tribunal considers relevant in this expiry review are discussed in detail below.

80. In making its assessment of likelihood of injury, the Tribunal has consistently taken the view that the focus should be on circumstances that can reasonably be expected to exist in the near to medium term, which is generally considered to be 18 to 24 months from the expiry of the finding or order.²⁶

81. Cello and Bow submitted that it is highly speculative to forecast beyond the next 12 months due to a lack of industry-wide information on copper pipe fittings and heightened uncertainty over the global economic outlook.²⁷

82. Notwithstanding that the Tribunal has focused its analysis of likelihood of injury on a period as short as 12 months in certain previous expiry reviews²⁸ because of uncertainties due to the then global recession, it considers that, in this instance, a longer period of up to 18 months is appropriate. In this regard, the Tribunal notes that the domestic market for copper pipe fittings is in a relatively stable condition, despite the weakening global economy.

22. Tribunal Exhibit RR-2011-001-RI-01 at 1, Administrative Record, Vol. 9; Tribunal Exhibit RR-2011-001-RI-02 at 2, Administrative Record, Vol. 9; Tribunal Exhibit RR-2011-001-RI-06 at 4, Administrative Record, Vol. 9.

23. Tribunal Exhibit RR-2011-001-RI-04 at 2-4, Administrative Record, Vol. 9; Tribunal Exhibit RR-2011-001-RI-06 at 4-5, Administrative Record, Vol. 9.

24. Tribunal Exhibit RR-2011-001-RI-04 at 3-4, Administrative Record, Vol. 9; Tribunal Exhibit RR-2011-001-18.07, Administrative Record, Vol. 5A at 7; Tribunal Exhibit RR-2011-001-18.09, Administrative Record, Vol. 5A at 39; Tribunal Exhibit RR-2011-001-18.02, Administrative Record, Vol. 5 at 58; Tribunal Exhibit RR-2011-001-18.03, Administrative Record, Vol. 5 at 110.

25. S.O.R./84-927 [*Regulations*].

26. *Certain Solder Joint Pressure Pipe Fittings* (16 October 1998), RR-97-008 (CITT) at 10; *Certain Prepared Baby Foods* (28 April 2003), RR-2002-002 (CITT) at 8; *Preformed Fibreglass Pipe Insulation* (17 November 2003), RR-2002-005 (CITT) at 11; *Bicycles and Frames* (10 December 2007), RR-2006-001 (CITT) at 10; *Xanthates* (3 March 2008), RR-2007-002 (CITT) at 6; *Carbon Steel Pipe Nipples and Adaptor Fittings* (15 July 2008), RR-2007-003 (CITT) at 6; *Certain Fasteners* (6 January 2010), RR-2009-001 (CITT) at 17; *Flat Hot-rolled Carbon and Alloy Steel Sheet and Strip* (15 August 2011), RR-2010-001 (CITT) at 16.

27. *Transcript of Public Hearing*, Vol. 2, 10 January 2012, at 111; Manufacturer's Exhibit A-01 at para. 8, Administrative Record, Vol. 11.

28. *Structural Tubing* (22 December 2008), RR-2008-001 (CITT) at para. 48; *Stainless Steel Wire* (29 July 2009), RR-2008-004 (CITT) at para. 58; *Wood Slats* (15 July 2009), RR-2008-003 (CITT) at para. 45.

83. Accordingly, for the purposes of this expiry review, the Tribunal will focus its analysis on the circumstances that could be reasonably expected to occur over the next 12 to 18 months.

Changes in International and Domestic Market Conditions

84. In coming to its view on the likely volumes and prices of the subject goods and their impact on the domestic industry if the findings are rescinded, the Tribunal will first consider changes in international and domestic market conditions, as contemplated by paragraph 37.2(2)(j) of the *Regulations*.

International Market Conditions

85. During the POR, international market conditions for copper pipe fittings changed significantly, which is reflected in the fluctuating state of the global economy and the volatility in the price of copper.

86. The global economy experienced a deep recession that began in December 2007 and took a sharp downward turn in September 2008. The global economy began its recovery in the second quarter of 2009, but, by late 2010, it began to slow again as a result of the U.S. and European debt crises.²⁹

87. The evidence on the record indicates that the global economy is currently in a period of elevated risk and uncertainty and that economic growth forecasts for the major advanced economies have been revised downward in recent months.³⁰

88. Global economic growth is not anticipated to pick up before 2013, when expected corrective policy measures taken in Europe and elsewhere begin to have an effect.³¹

89. In terms of economic conditions in the individual subject countries, gross domestic product (GDP) in the United States declined by 2.6 percent in 2009, but increased by 3.0 percent in 2010. In 2011, GDP is expected to have increased by 1.7 percent. GDP in the United States is forecast to grow by 1.7 percent again in 2012 before strengthening to 3.3 percent in 2013.³²

90. China's annual rate of GDP growth averaged 9.7 percent in 2008 to 2010, but is expected to have slowed to 9.1 percent in 2011 and to slow further to 8.2 percent in 2012 and 2013.³³

91. Developments in Europe and the United States have slowed Korea's exports and, in turn, economic growth, due to its excessive dependence on exports. Korea's GDP growth rate weakened from 2.3 percent in 2008 to 0.3 percent in 2009, before recovering in 2010 when it rose to 6.2 percent. Korea's GDP is expected to have increased by 3.7 percent in 2011 and to grow by 3.8 percent in 2012.³⁴

29. Tribunal Exhibit RR-2011-001-35.01, Administrative Record, Vol. 1A at 97-98; Tribunal Exhibit RR-2011-001-35.10, Administrative Record, Vol. 1B at 9.

30. Tribunal Exhibit RR-2011-001-35.12, Administrative Record, Vol. 1C at 63; Tribunal Exhibit RR-2011-001-35.15, Administrative Record, Vol. 1C at 370; Tribunal Exhibit RR-2011-001-35.14, Administrative Record, Vol. 1C at 270; Tribunal Exhibit RR-2011-001-35.01, Administrative Record, Vol. 1A at 97, 106; Tribunal Exhibit RR-2011-001-35.10, Administrative Record, Vol. 1B at 4; Tribunal Exhibit RR-2011-001-35.02, Administrative Record, Vol. 1A at 134.

31. Tribunal Exhibit RR-2011-001-35.01, Administrative Record, Vol. 1A at 105.

32. *Ibid.* at 106; Tribunal Exhibit RR-2011-001-35.11, Administrative Record, Vol. 1B at 217.

33. Tribunal Exhibit RR-2011-001-35.01, Administrative Record, Vol. 1A at 106; Tribunal Exhibit RR-2011-001-35.11, Administrative Record, Vol. 1B at 143.

34. Tribunal Exhibit RR-2011-001-35.11, Administrative Record, Vol. 1B at 282; Manufacturer's Exhibit A-05, tab 11 at 76, Administrative Record, Vol. 11.

92. The Tribunal notes that the impact of the economic slowdown on construction activity, a prime driver of demand for copper pipe fittings, was particularly severe in the United States. Cello testified that U.S. producers had experienced substantial drops in their markets during the POR.³⁵ The evidence on the record shows that U.S. production of copper pipe fittings declined by 21 percent between 2008 and 2010³⁶ and that there was a 24 percent decrease in home market sales between 2008 and 2010.³⁷

93. The Tribunal notes that, according to the evidence, non-residential construction in the United States is expected to have declined by 4.5 percent in 2011, but then to increase by 5 percent and 8.5 percent in 2012 and 2013 respectively.³⁸

94. The Korean construction industry also experienced a depression in its home market. According to Jungwoo, this negatively affected the demand for copper pipe fittings, although prices remained stable.³⁹ Jungwoo experienced a drop in its home market sales during the POR and had excess capacity.⁴⁰

95. Throughout the POR, the price of copper in all markets was exceptionally volatile, which directly impacted the cost of copper tube. Copper tube is the main raw material in copper pipe fittings, accounting for two thirds of the total costs.⁴¹

96. In April 2008, the price of copper reached a high of approximately US\$4.00/lb.; however, this high price level was short-lived and precipitously dropped to approximately US\$1.50/lb. in December 2008. Prices steadily increased throughout 2009 and 2010 with the exception of decreases in February, May and June of 2010. Prices fell in the first three quarters of 2011, except for a small increase in July 2011. At the time of the hearing, copper prices were at levels similar to those last seen in October 2010.⁴²

97. Forecasts for copper prices indicate declining prices in the short term, as the weakening global economy has reduced copper demand. However, in recent years, the demand for copper has remained relatively strong despite negative global economic developments and fluctuating copper prices. Moreover, the world's copper consumption increased in 2010 and, albeit at a slower rate, in 2011.⁴³

35. *Transcript of Public Hearing*, Vol. 1, 9 January 2011, at 18; Manufacturer's Exhibit A-01, at para. 14, Administrative Record, Vol. 11.

36. *Pre-hearing Staff Report*, revised 24 November 2011, Tribunal Exhibit RR-2011-001-05A, Administrative Record, Vol. 1.1 at 57-58.

37. *Ibid.* at 58; *Transcript of Public Hearing*, Vol. 1, 9 January 2011, at 18; Manufacturer's Exhibit A-01 at para. 14, Administrative Record, Vol. 11.

38. Manufacturer's Exhibit A-05, tab 11 at 72-73, Administrative Record, Vol. 11.

39. Tribunal Exhibit RR-2011-001-24.03, Administrative Record, Vol. 5.2B at 326.

40. *Protected Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-06 (protected), Administrative Record, Vol. 2.1 at 49; *Protected Pre-hearing Staff Report*, revised 24 November 2011, Tribunal Exhibit RR-2011-001-06A (protected), Administrative Record, Vol. 2.1 at 57; Tribunal Exhibit RR-2011-001-03A, Administrative Record, Vol. 1A at para. 142; Tribunal Exhibit RR-2011-001-24.03, Administrative Record, Vol. 5.2B at 326, 371.

41. *Protected Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-06 (protected), Administrative Record, Vol. 2.1 at 45; Manufacturer's Exhibit A-03 at para. 5, Administrative Record, Vol. 11; Tribunal Exhibit RR-2011-001-01, Administrative Record, Vol. 1 at 83.

42. *Transcript of Public Hearing*, Vol. 1, 9 January 2011, at 17-18; Manufacturer's Exhibit A-03 at para. 5, Administrative Record, Vol. 11.

43. Tribunal Exhibit RR-2011-001-35.14, Administrative Record, Vol. 1C at 309; Tribunal Exhibit RR-2011-001-36.03 (single copy) (protected), Administrative Record, Vol. 2.01 at 220.

98. According to the International Wrought Copper Council, growth in global demand for copper is expected to slow to 8.4 percent in 2011-2012, which is a substantial decline from the average annual growth rate of 16.4 percent between 2005 and 2010.⁴⁴

Domestic Market Conditions

99. The Canadian economy was negatively affected by the 2008 global recession, suffering output and employment losses before beginning to recover in 2009.⁴⁵ However, the pace of recovery has recently slowed,⁴⁶ and forecasts for Canadian economic growth have been revised downward due to renewed global economic weakness resulting from the U.S. and European debt crises.⁴⁷

100. The Canadian economy recorded GDP growth of 3.2 percent in 2010, while growth in 2011 is expected to have been only 2.1 percent. According to the Bank of Canada, if the crisis in Europe is contained, the Canadian economy is expected to continue to grow at a moderate pace in 2012 (1.9 percent) before strengthening.⁴⁸ Furthermore, TD Bank forecasts that new home demand and home renovation spending will remain elevated in 2012.⁴⁹

101. The Canadian market for copper pipe fittings is relatively small; on average, for the period from 2008 to 2010, it had a volume of 4.9 million pounds and a value of CAN\$50 million.⁵⁰ During the POR, despite negative economic developments, the Canadian market for copper pipe fittings grew by 11 percent in 2009, by an additional 5 percent in 2010 and declined by 3 percent in the first three quarters of 2011.⁵¹

102. The Tribunal notes that there is a broad consensus on the record that speaks to the present and future stability of the Canadian market for copper pipe fittings in terms of demand. Notably, the witnesses for Cello testified that the size of the Canadian market for copper pipe fittings has been fairly consistent in recent years despite the global downturn and that they believe that it will hold steady in 2012.⁵² Furthermore, the witness for Bow testified to the fact that, in his opinion, the volume of the Canadian market is in equilibrium at the present time.⁵³

103. Over the POR, there were two significant changes in the domestic market for copper pipe fittings: the decline in imports of copper pipe fittings from the subject countries; and the arrival of copper pipe fitting imports from non-subject countries.

104. During the POR, there was an overall decline in imports into Canada of copper pipe fittings from the subject countries. In terms of volume, these imports decreased by approximately 9 percent from 2008 to 2010, although they increased in the first three quarters of 2011.⁵⁴ In terms of value, imports from the

44. Tribunal Exhibit RR-2011-001-35.14, Administrative Record, Vol. 1C at 279.

45. Tribunal Exhibit RR-2011-001-35.02, Administrative Record, Vol. 1A at 133, 156; Tribunal Exhibit RR-2011-001-35.01, Administrative Record, Vol. 1A at 111.

46. Tribunal Exhibit RR-2011-001-35.01, Administrative Record, Vol. 1A at 110; Tribunal Exhibit RR-2011-001-35.02, Administrative Record, Vol. 1A at 154.

47. Tribunal Exhibit RR-2011-001-35.02, Administrative Record, Vol. 1A at 134; Tribunal Exhibit RR-2011-001-35.01, Administrative Record, Vol. 1A at 120.

48. Tribunal Exhibit RR-2011-001-35.01, Administrative Record, Vol. 1A at 120.

49. Tribunal Exhibit RR-2011-001-35.12, Administrative Record, Vol. 1C at 24.

50. *Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-05B, Administrative Record, Vol. 1.1 at 61-62.

51. *Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-05, Administrative Record, Vol. 1.1 at 28.

52. Manufacturer's Exhibit A-05 at para. 11, Administrative Record, Vol. 11; *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 18, 42.

53. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 43.

54. *Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-05, Administrative Record, Vol. 1.1 at 20.

subject countries declined in every period.⁵⁵ The Tribunal also heard testimony and received evidence attesting to the fact that several Chinese exporters opted out of the Canadian market following the imposition of normal values.⁵⁶

105. Another significant change that took place over the POR was the arrival of imports in the Canadian market from non-subject countries.⁵⁷ Cello submitted that, in the period leading up to the injury findings in 2007, imports into Canada from non-subject countries were negligible. However, following the injury findings importers began sourcing copper pipe fittings from Indonesia, Vietnam and other non-subject countries.⁵⁸ The domestic industry testified that it had seen an increase in the volumes of imports from non-subject countries.⁵⁹

106. These submissions are corroborated by additional evidence indicating that sales of imports from non-subject countries increased from approximately 567,000 pounds in 2008 to approximately 930,000 pounds in 2010, corresponding to an overall increase of 64 percent⁶⁰ and representing 21 percent of the total Canadian market in the first three quarters of 2011.⁶¹ Similarly, in terms of value, these sales increased by 50 percent from 2008 to 2010 followed by a further 26 percent increase in the first three quarters of 2011⁶² to represent 19 percent of the Canadian market for copper pipe fittings.⁶³

Normal Values

107. Among the factors cited by the domestic industry as contributing to the decline in its sales volumes, gross margins and net income during the POR was the fact that the CBSA's determinations of normal values were based on exporters' sales and costs for periods of time during which the COMEX price of copper was significantly lower, with the normal values not being adjusted to reflect subsequent sharp increases in the COMEX price of copper. Mr. Ratz, for instance, indicated the following:

On April 1, 2010, the CBSA concluded a re-investigation and issued new normal values. CBSA calculated those normal values using the exporters' sales and costs for August and September of 2009. During those two months, the average COMEX price of copper was USD 2.81/lb. Those normal values were applied to imports from April 1, 2010 until April 8, 2011, when the CBSA re-issued new normal values. The COMEX price of copper rose sharply after September 2009 By January 18, 2011, the COMEX price of copper had increased to USD 4.36/lb., a 55% increase over the COMEX price in effect when normal values were calculated.⁶⁴

[Footnote omitted]

55. *Ibid.* at 23.

56. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 22, 72; Tribunal Exhibit RR-2011-001-29.01, Administrative Record, Vol. 7 at paras. 27-28.

57. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 18.

58. Manufacturer's Exhibit A-01 at para. 18, Administrative Record, Vol. 11.

59. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 18-19.

60. *Pre-hearing Staff Report*, revised 29 November 2011, Tribunal Exhibit RR-2011-001-05B, Administrative Record, Vol. 1.1 at 61.

61. *Pre-hearing Staff Report*, revised 6 January 2012, Tribunal Exhibit RR-2011-001-05E, Administrative Record, Vol. 1.1 at 85.

62. *Pre-hearing Staff Report*, revised 29 November 2011, Tribunal Exhibit RR-2011-001-05B, Administrative Record, Vol. 1.1 at 62.

63. *Pre-hearing Staff Report*, revised 6 January 2012, Tribunal Exhibit RR-2011-001-05E, Administrative Record, Vol. 1.1 at 86.

64. Manufacturer's Exhibit A-03 at para. 6, Administrative Record, Vol. 11.

108. The allegation is that, while there may not have been any dumping as a matter of law as a result of the enforcement of the Tribunal's findings, significant dumping occurred as a matter of fact because of unrepresentative normal values, with resulting adverse price effects on the Canadian industry.

109. In the Tribunal's view, it is worth noting that the alleged inability of normal values to keep pace with the price fluctuation of copper in relation to the price of copper pipe fittings could cut both ways. For instance, when the COMEX price of copper is declining (as it did, for instance, from July 2008 to December 2008, and during the latter part of 2011),⁶⁵ existing normal values may preclude exporters from reducing their export prices, thereby conferring to Canadian producers a competitive pricing advantage in the marketplace.

110. That the normal value knife cuts both ways is a result of Canada's prospective duty enforcement system under *SIMA* whereby re-investigations to update normal values and export prices are only conducted by the CBSA periodically.⁶⁶

111. Leaving aside the existence of specific mechanisms under *SIMA* for the re-determination of normal values, having regard to the forward-looking focus of expiry reviews, and given the fact that the CBSA has already determined that there is a likelihood of a continuation or resumption of dumping if the findings expire, the Tribunal does not feel compelled to dwell further on what may be, at the end of the day, a broader systemic issue of duty enforcement under *SIMA*.

Likely Prices of Dumped and Subsidized Goods and Effects on Prices of Like Goods

112. In assessing the effects that the likely post-rescission prices of dumped or subsidized goods would have on prices of the like goods, the Tribunal will examine whether the subject goods are likely to significantly undercut, depress or suppress the prices of the like goods.⁶⁷

113. The domestic industry submitted that, if the findings are rescinded, the subject goods will enter the Canadian market at low prices, marked down to compete with low-priced imports from non-subject countries. Moreover, it argued that this price competition will trigger downward pressure on domestic industry pricing, as it attempts to maintain its market share while customers search for competitive prices.⁶⁸

114. The Tribunal notes that copper pipe fittings are a commodity product and, as found in the inquiry and supported by the evidence introduced in this proceeding, compete essentially on the basis of price with little or no scope for product differentiation.⁶⁹ Moreover, the evidence suggests that other important factors in purchasing decisions, such as product quality and delivery, are consistent among the like goods, the subject goods and non-subject goods.⁷⁰

65. Manufacturer's Exhibit A-03 at 4, Administrative Record, Vol. 11.

66. CBSA, "Statement of Administrative Practices for the *Special Import Measures Act*" (June 2004); CBSA, Memorandum D14-1-8, "Re-Investigation Policy Under the Special Import Measures Act (*SIMA*)" at para. 3.

67. Paragraph 37.2(2)(b) of the *Regulations*.

68. Manufacturer's Exhibit A-01 at para. 26, Administrative Record, Vol. 11; Manufacturer's Exhibit A-03 at para. 9, Administrative Record, Vol. 11; Manufacturer's Exhibit A-05 at paras. 35, 37, Administrative Record, Vol. 11; *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 55-56.

69. *Copper Pipe Fittings* (19 February 2007), NQ-2006-002 (CITT) at para. 109; *Certain Solder Joint Pressure Pipe Fittings* (18 October 1993), NQ-93-001 (CITT) at 18; Tribunal Exhibit RR-2011-001-29.01 at para. 4, Administrative Record, Vol. 7; Manufacturer's Exhibit A-10 (protected), Attachment 2, Administrative Record, Vol. 12; Manufacturer's Exhibit A-07 at para. 10, Administrative Record, Vol. 11.

70. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 87-88; *Transcript of In Camera Hearing*, Vol. 1, 9 January 2012, at 75-77.

115. The Tribunal heard testimony that price competition has become even more acute. Among other reasons, this is due to the fact that industry purchasing practices have changed. Specifically, the evidence indicates that North American companies have moved away from pricing on “a list and discount basis” to “SKU by SKU” and “item by item net pricing” in order to compete with the competitive “cost-plus basis” pricing of non-subject countries. The domestic industry submitted that, as a result of purchasers’ increasing use of tools, such as spreadsheet applications, customers are able to compare prices for every SKU across multiple vendors and “cherry pick” the lowest prices. Cello submitted that this shift in purchasing practices has forced it to abandon some low margin items in the last year.⁷¹

116. Bow suggested that the purchasing practices of retailers differ from those of wholesalers and distributors, in that retailers generally prefer to buy a full line of products from one supplier and avoid splitting a product line between suppliers because of difficulty in coordination. In this regard, retailers would rather request competitive pricing from their supplier on the basis of a SKU price comparison than switch supplier, but they will nevertheless challenge the domestic prices in order to remain competitive.⁷²

117. The Tribunal also heard testimony that purchasers of copper pipe fittings are changing their traditional sources of supply. In particular, customers that historically purchased from Canadian importers, distributors and wholesalers are now themselves importing directly from exporters in the subject countries and non-subject countries. Cello testified that, at present, in excess of 50 percent of its business is in direct competition with export pricing.⁷³

118. In its analysis of likely prices, the Tribunal examined average unit prices by country of import, trade level and questionnaire respondent. These data show that the domestic industry had among the lowest prices in the market at the retailer and mass merchandiser trade level and at the wholesaler and distributor trade level during the POR.⁷⁴

119. The domestic industry, however, submitted that average price comparisons are misleading because of significant differences in product mix (cast v. wrought, smaller v. larger size items) and the variety of levels at which domestic and imported prices intersect in the market.⁷⁵ In addition, it submitted that none of its customers make their purchasing decisions on the basis of the average prices per pound because of the shift to “SKU by SKU” pricing, as discussed above.⁷⁶

120. Furthermore, the domestic industry argued that a comparison between even its average prices and aggregate landed import values from the subject and non-subject countries is not a reasonable comparison.⁷⁷ Witnesses for the domestic industry testified at the hearing that if, in fact, they had had among the lowest prices in the market at the wholesale and retail levels, then they would have been able to capture more business, which was not the case.⁷⁸

71. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 27, 29, 51-53, 94.

72. *Ibid.* at 30-32.

73. *Ibid.* at 18, 24-25; *Transcript of In Camera Hearing*, Vol. 1, 9 January 2012, at 6-7; Manufacturer’s Exhibit A-04 (protected) at 7, Administrative Record, Vol. 12; Manufacturer’s Exhibit A-10 (protected) at 4-5, Administrative Record, Vol. 12.

74. *Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-05D, Administrative Record, Vol. 1.1 at 82-83; *Protected Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-06C (protected), Administrative Record, Vol. 2.1 at 71, 76.

75. Manufacturer’s Exhibit A-07 at 2, Administrative Record, Vol. 11; *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 28, 36-37, 39-40.

76. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 25, 29, 35-37, 39-40.

77. Manufacturer’s Exhibit A-07 at para. 2, Administrative Record, Vol. 11; *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 38-39.

78. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 28-30.

121. Cello submitted that, in light of the growing trend to direct purchases from the subject countries and non-subject countries, it competes as much with landed import values as with prices of Canadian importers, distributors and wholesalers.⁷⁹

122. The Tribunal accepts Cello's contention that domestic industry prices have come to compete to a great extent with import landed values, given that Canadian customers have access to item-by-item pricing information and, often, even have the resource capability to import products themselves.⁸⁰

123. Moreover, the evidence indicates that, within this broader matrix of players, products, prices and trade levels, different players compete with each other on price with respect to specific products.

124. The Tribunal received evidence on rationale pricing behaviour where exporters, in the context of the current difficult global economic environment and global slowdown of demand for copper pipe fittings, in combination with the expiry of the findings, would be willing to price below their total allocated costs to as low as their variable costs of production (which could be as much as 16 percent below current price levels)⁸¹ in order to regain lost market share and re-establish their presence in the Canadian market.⁸²

125. Witnesses for the domestic industry testified that market prices could fall by as much as 10 to 20 percent, with China (historically the low-cost supplier) as the overall low price leader, replicating Chinese copper pipe fittings pricing in the United States.⁸³ Moreover, the domestic industry argued that, because of the subject countries' production capacities relative to those of non-subject countries,⁸⁴ and the difficulties for Canadian purchasers in doing business with non-subject countries,⁸⁵ imports from the subject countries would quickly displace the imports from non-subject countries in the market if the findings were rescinded.⁸⁶

126. The Tribunal's analysis of the evidence on the record with respect to the variable cost component of the cost of goods manufactured supports the range of price reduction suggested by the domestic industry, which could occur in the absence of the discipline of normal values.⁸⁷ In the Tribunal's opinion, if the prices were reduced to this level, the domestic industry would likely experience price suppression and indeed price depression in the Canadian market.

79. Manufacturer's Exhibit A-07 at 5-6, Administrative Record, Vol. 11; Manufacturer's Exhibit A-08 (protected) at 7, Administrative Record, Vol. 12; *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 18; 24-25, 28-53; *Protected Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-06C (protected), Administrative Record, Vol. 2.1 at 71; Manufacturer's Exhibit A-09 at 4.

80. Manufacturer's Exhibit A-04 (protected) at 7, Administrative Record, Vol. 12; *Transcript of In Camera Hearing*, Vol. 1, 9 January 2012, at 22, 24-26, 41.

81. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 55-56; *Transcript of In Camera Hearing*, Vol. 1, 9 January 2012, at 2; Tribunal Exhibit RR-2011-001-16.02A (protected), Administrative Record, Vol. 4 at 450-51; Tribunal Exhibit RR-2011-001-16.01B (protected), Administrative Record, Vol. 4 at 116; Tribunal Exhibit RR-2011-001-16.01C (protected), Administrative Record, Vol. 4 at 129.

82. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 22-23, 74-75.

83. *Ibid.* at 43, 44, 68, 75-76; *Transcript of In Camera Hearing*, Vol. 1, 9 January 2012, at 2, 35.

84. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 73.

85. *Ibid.* at 77.

86. *Ibid.* at 73-74, 99.

87. Tribunal Exhibit RR-2011-001-16.02A (protected), Administrative Record, Vol. 4 at 450-51; Tribunal Exhibit RR-2011-001-16.01B (protected), Administrative Record, Vol. 4 at 116; Tribunal Exhibit RR-2011-001-16.01C (protected), Administrative Record, Vol. 4 at 129.

127. The Tribunal also examined the pricing information on the record with respect to various points of comparison submitted by the domestic industry as a sampling alternative to average price comparisons. These included: Cello's average wholesale price per pound versus BMI's average wholesale price per pound; Cello's average wholesale price per pound versus Elkhart Products Corporation's average export price per pound; Cello's average price of wrought pressure fittings versus Jungwoo's average export price; Bow's average price per pound versus BMI's average landed value per pound; and Bow's average price per pound versus some of Bow's customers' average wholesale landed values of imports per pound.⁸⁸

128. In general, in all but one of the above-noted points of comparison, the Tribunal notes that, without the findings in place and with a likely price reduction of 10 percent,⁸⁹ the selling prices and landed values of the subject countries and non-subject goods would continue to undercut the domestic industry's prices. Moreover, given the same circumstances, in at least one of the points of comparison, the landed value of imports would fall below the domestic industry's prices, whereas previously they had been higher.⁹⁰

129. The domestic industry submitted that the presence of low-priced imports from non-subject countries such as Spain, Indonesia, Vietnam, Thailand and Taiwan began to enter the Canadian market after the findings and that these imports have since quickly increased their market share.⁹¹ Furthermore, the domestic industry alleged that these imports were priced below the cost of copper,⁹² which caused downward pricing pressure on the prices of the subject imports, as well as on the prices of the domestic industry during the POR.⁹³

130. The domestic industry testified to its inability to raise prices despite raw material price increases throughout the POR.⁹⁴ Notwithstanding the domestic industry's argument that this was in part due to normal values not having been adjusted to reflect the fluctuations in copper prices, the Tribunal notes that there was a general trend of declining average prices in imports from the subject countries and non-subject countries in 2010 relative to 2008, and in pricing of the domestic sales, at the same time as copper prices were increasing.⁹⁵

88. Manufacturer's Exhibit A-07 at paras. 4-6, Administrative Record, Vol. 11; Manufacturer's Exhibit B-07 at 4, Administrative Record, Vol. 11.

89. Tribunal Exhibit RR-2011-001-16.02A (protected), Administrative Record, Vol. 4 at 450-51; Tribunal Exhibit RR-2011-001-16.01B (protected), Administrative Record, Vol. 4 at 116; Tribunal Exhibit RR-2011-001-16.01C (protected), Administrative Record, Vol. 4 at 129; *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 43, 68; Manufacturer's Exhibit A-04 (protected) at para. 9, Administrative Record, Vol. 12.

90. *Protected Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-06C (protected), Administrative Record, Vol. 2.1 at 71; Tribunal Exhibit RR-2011-001-19.02C (protected), Administrative Record, Vol. 6 at 328-40; Tribunal Exhibit RR-2011-001-19.02D (protected), Administrative Record, Vol. 6 at 353-57; Tribunal Exhibit RR-2011-001-25.04 (protected), Administrative Record, Vol. 6.2A at 366; Manufacturer's Exhibit A-08 (protected) at para. 6, Administrative Record, Vol. 12; Tribunal Exhibit RR-2011-001-25.03 (protected), Administrative Record, Vol. 6.2A at 271; Tribunal Exhibit RR-2011-001-19.09A (protected), Administrative Record, Vol. 6B at 280-81; Tribunal Exhibit RR-2011-001-13.16 (protected), Administrative Record, Vol. 2.4C at 284-86; Tribunal Exhibit RR-2011-001-33 (protected), Administrative Record, Vol. 2 at 62-63, 80.

91. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 18-19, 60, 85-86; *Transcript of In Camera Hearing*, Vol. 1, 9 January 2012, at 35.

92. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 55-56; *Transcript of In Camera Hearing*, Vol. 1, 9 January 2012, at 2.

93. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 18, 26, 30, 33-34, 61; Manufacturer's Exhibit A-05 at para. 16, Administrative Record, Vol. 11.

94. *Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-05B, Administrative Record, Vol. 1.1 at 63; *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 18, 19, 21.

95. Manufacturer's Exhibit A-03 at para. 6, Administrative Record, Vol. 11.

131. The competition from low-priced imports of copper pipe fittings suppressed the domestic industry's prices by preventing the domestic industry from increasing its prices in order to reflect its higher material costs.⁹⁶ However, it is important to note that, as copper prices fluctuated during the POR while normal values remained unchanged, the domestic industry's prices at times were more competitive than import prices, such as in 2009 after copper prices had fallen.⁹⁷

132. The Tribunal notes that the price of copper is anticipated to decline in the short term; however, given the volatility of the price of copper during the POR, the domestic industry could be subject to price suppression again in the next 12 to 18 months.

133. The CBSA found that exporters in the subject countries have a propensity to dump copper pipe fittings. In addition, the Tribunal heard testimony that it is common practice within the industry for North American and Chinese manufacturers to push volumes in order to achieve economies of scale.⁹⁸ In the Tribunal's view, this is likely to result in the reduction of their average unit costs of production in the price-sensitive market for copper pipe fittings.

134. The Tribunal heard testimony that the Canadian market is a stable market for copper pipe fittings and, as such, exporters located in less stable markets will seek out sales in Canada if the findings are rescinded.⁹⁹

135. It is therefore the Tribunal's view that, if the findings were rescinded, the prices of the subject goods over the next 12 to 18 months would undercut the prices of the like goods, thereby causing price depression, and would suppress the prices of the like goods by preventing price increases that would otherwise occur.

Likely Volumes of Dumped and Subsidized Goods

136. The Tribunal's assessment of the likely volumes of dumped and subsidized imports encompasses the likely performance of the foreign industry, potential for the foreign producers to produce goods in facilities that are currently used to produce other goods, evidence of the imposition of anti-dumping or countervailing measures on copper pipe fittings or similar goods in other jurisdictions, and whether measures adopted by other jurisdictions are likely to cause a diversion of the subject goods to Canada.¹⁰⁰

137. The domestic industry submitted that, collectively, the exporters that responded to the Tribunal's questionnaire had sufficient excess capacity to have supplied the Canadian market many times over during the POR. Furthermore, the domestic industry testified that the subject countries have the largest capacity of wrought copper and copper tube production in the world. Moreover, the domestic industry testified that the copper tube plant capacity of Hailiang, a Chinese manufacturer with locations worldwide, is "astronomical".¹⁰¹

138. The information submitted in the questionnaires shows that U.S. respondents had a practical plant capacity which was substantially larger than that of the domestic producers, while their production of the subject goods was between 8 and 12 times greater than the Canadian market between 2008 and 2010. This

96. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 18, 19, 20, 55.

97. Manufacturer's Exhibit A-03 at 4, Administrative Record, Vol. 11; *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 19, 20-21.

98. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 89-90.

99. *Ibid.* at 19, 22, 43.

100. Paragraphs 37.2(2)(a), (d), (f), (h) (i) of the *Regulations*.

101. *Transcript of Public Hearing*, Vol. 1, 9 January 2011, at 69, 72-73.

represents a capacity utilization rate that hovered around 50 percent during the POR. Moreover, U.S. production declined by over 11 million pounds between 2008 and 2010, which alone was enough to supply the Canadian market twice over.¹⁰²

139. Jungwoo, a Korean producer, indicated that its plant capacity was underutilized throughout the POR.¹⁰³

140. The Tribunal notes that no Chinese exporters responded to the Tribunal's questionnaire. Therefore, the best information on record available with regard to exports of copper pipe fittings from China are data from the Iron and Steel Statistics Bureau (ISSB) according to which Chinese worldwide export volumes of copper tube or copper pipe fittings were extensive throughout the POR.¹⁰⁴

141. The domestic industry argued that the copper pipe fitting industries in the United States, Korea and China are export oriented and have a propensity to export to Canada.¹⁰⁵

142. Throughout the POR, the subject goods were able to maintain a significant share of the domestic market, even with the findings in place.¹⁰⁶ The presence in the market of imports from the largest U.S. exporters of copper pipe fittings, Elkhart, Mueller and NIBCO, as well as imports from Jungwoo, contributed to this sustained market share.¹⁰⁷

143. Cello testified that only one Chinese manufacturer co-operated with the Canadian government to obtain normal values, while the remaining Chinese manufacturers evacuated the Canadian market. Bow argued that this was evidence of their inability to compete in the Canadian market with the anti-dumping duties in place.¹⁰⁸ The implication is that, in the event of a rescission of the findings, these export-oriented producers with excessive capacity would likely resume shipping dumped and subsidized goods to Canada and attempt to recoup previously lost market share.¹⁰⁹

144. Cello also testified that there is fierce competition in the U.S. market for copper pipe fittings. Prior to the findings, Mueller, once a producer in Canada, and NIBCO participated in the Canadian market, but both diminished their presence as a result of the imposition of normal values. Cello submitted that Mueller

102. *Pre-hearing Staff Report*, revised 24 November 2011, Tribunal Exhibit RR-2011-001-05A, Administrative Record, Vol. 1.1 at 57; *Protected Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-06 (protected), Administrative Record, Vol. 2.1 at 46; *Protected Pre-hearing Staff Report*, revised 29 November 2011, Tribunal Exhibit RR-2011-001-06B (protected), Administrative Record, Vol. 2.1 at 61; *Transcript of In Camera Hearing*, Vol. 1, 9 January 2012, at 8.

103. *Protected Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-06 (protected), Administrative Record, Vol. 2.1 at 46; *Protected Pre-hearing Staff Report*, revised 24 November 2011, Tribunal Exhibit RR-2011-001-06A (protected), Administrative Record, Vol. 2.1 at 57; Tribunal Exhibit RR-2011-001-03A, Administrative Record, Vol. 1A at 26.

104. Tribunal Exhibit RR-2011-001-36.05 (protected), Administrative Record, Vol. 2 at 122-209. The ISSB data are recorded at the six-digit level of the Harmonized Commodity Description and Coding System developed by the World Customs Organization.

105. Manufacturer's Exhibit A-01 at para. 22, Administrative Record, Vol. 11.

106. *Protected Pre-hearing Staff Report*, revised 6 January 2012, Tribunal Exhibit RR-2011-001-06D (protected), Administrative Record, Vol. 2.1 at 78.

107. Tribunal Exhibit RR-2011-001-25.01 (protected), Administrative Record, Vol. 6.2 at 144; Tribunal Exhibit RR-2011-001-25.03 (protected), Administrative Record, Vol. 6.2A at 268; Tribunal Exhibit RR-2011-001-25.04 (protected), Administrative Record, Vol. 6.2A at 362; Tribunal Exhibit RR-2011-001-25.05 (protected), Administrative Record, Vol. 6.2A at 393.

108. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 71-72.

109. *Ibid.* at 22-23, 44, 74-75.

and NIBCO each has a greater production capacity than Elkhart and that, if the findings are rescinded, they will compete with Elkhart in an attempt to recover what they perceive as their historical market share, while Elkhart will attempt to protect its current market share.¹¹⁰

145. In the Tribunal's view, the cause of likely injury must be assessed not only in terms of the likely adverse price effects (i.e. price depression, suppression and undercutting) of continued or resumed dumping but also in relation to volumes. In this regard, the Tribunal believes that the ongoing fierce competition in the subject exporters' home markets would transfer into the Canadian market if the findings were rescinded.

146. Witnesses for Cello and Bow testified that, although the Canadian market was small at approximately CAN\$50 million, it remained stable over the POR, making it vulnerable to exporters aggressively searching for markets in which to sell their products.¹¹¹

147. In the Tribunal's view, and according to testimony during the hearing, the recent instability of the U.S. and European markets has made the Canadian market even more attractive to exporters.¹¹² The weakening demand for copper pipe fittings in the subject countries' home markets may compel exporters to export greater volumes to Canada in order to increase their capacity utilization.¹¹³

148. Cello testified that all large mills worldwide aim to "push pounds" in order to spread their fixed overhead costs and that Mueller and the Chinese producers attempt to keep their plants running in order to increase their pounds produced.¹¹⁴ However, the Tribunal notes that this is not, in and of itself, an indication that the industry has a "production imperative".¹¹⁵ Indeed, in its questionnaire response, Mueller submitted that it decreased its production volumes as a result of decreased demand in its home market.¹¹⁶

149. In the Tribunal's opinion, it is reasonable to conclude that Korean exporters have a propensity to export to Canada, given that at least one maintained a presence in the Canadian market throughout the POR, notwithstanding the application of normal values.¹¹⁷ It is worth noting that, prior to the findings, the Korean manufacturer, Poongsan Industrial Corporation, exported to Canada but did not obtain normal values from the CBSA after the findings. Indeed, Jungwoo was the only Korean exporter to obtain normal values from the CBSA. The Tribunal concludes that, if the findings were rescinded, Korean exporters would ship even greater volumes to Canada, given their significant production capacity and their focus on exporting.¹¹⁸

110. *Transcript of In Camera Hearing*, Vol. 1, 9 January 2012, at 34; *Transcript of Public Hearing*, Vol. 1, 9 January 2011, at 23, 37-38, 44, 69, 74-75; Tribunal Exhibit RR-2011-001-25.01 (protected), Administrative Record, Vol. 6.2 at 144; Tribunal Exhibit RR-2011-001-25.04 (protected), Administrative Record, Vol. 6.2 at 362; Tribunal Exhibit RR-2011-001-25.05 (protected), Administrative Record, Vol. 6.2A at 393.

111. *Transcript of Public Hearing*, Vol. 1, 9 January 2011, at 22, 23, 43.

112. *Ibid.* at 22.

113. Tribunal Exhibit RR-2011-001-24.01, Administrative Record, Vol. 5.2 at 214; Tribunal Exhibit RR-2011-001-24.03, Administrative Record, Vol. 5.2B at 326; Tribunal Exhibit RR-2011-001-24.05, Administrative Record, Vol. 5.2D at 15.

114. *Transcript of Public Hearing*, Vol. 1, 9 January 2011, at 89-90.

115. The phenomenon of a production imperative arises in capital-intensive industries, e.g. primary steel products, where there is a pressing need to maintain high utilization rates regardless of market conditions in order to cover high fixed costs.

116. Tribunal Exhibit RR-2011-001-24.05, Administrative Record, Vol. 5.2 at 15.

117. *Protected Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-06 (protected), Administrative Record, Vol. 2.1 at 18; *Protected Pre-hearing Staff Report*, revised 6 January 2012, Tribunal Exhibit RR-2011-001-06D (protected), Administrative Record, Vol. 2.1 at 78.

118. Tribunal Exhibit RR-2011-001-03A, Administrative Record, Vol. 1A at 17; Manufacturer's Exhibit A-05 at para. 19, Administrative Record, Vol. 11; *Protected Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-06 (protected), Administrative Record, Vol. 2.1 at 48-49.

150. Moreover, in the Tribunal's view, the notion of the readiness of Chinese exporters to re-enter the Canadian market is supported by enforcement data which show that some Chinese exporters maintained a presence in the Canadian market throughout the POR.¹¹⁹ Further, some Chinese exporters have affiliates in non-subject countries, such as the Hailiang Group which has a subsidiary in Vietnam that has commenced exporting products to Canada.¹²⁰ Given that the Chinese exporters have also been known to maintain significant volumes of the subject goods at their warehouses in the United States, the Tribunal believes that these volumes could easily be shipped to Canada if the findings were rescinded.¹²¹

151. With regards to competition from the non-subject countries, Bow noted that it is more difficult for retailers to do business with non-subject countries as they are less able to supply the full product range required. Accordingly, in order for retailers to obtain the full range of products they require, they must do business with multiple non-subject countries. Moreover, Bow testified that given the complexity in dealing with non-subject countries, importers will switch back to purchasing from the subject countries if the findings are rescinded.¹²²

152. The domestic industry testified that, throughout the POR, it saw an increase in the volume of copper pipe fittings from non-subject countries. However, this scenario changed in 2010, when the domestic industry claims that it lost business to imports from the subject countries due to changes in normal values.¹²³ This reinforces the Tribunal's view that, in the absence of the findings, importers will switch from imports from non-subject countries to the subject goods.

153. The Tribunal notes that the findings have had a remedial effect on the domestic industry in terms of market share and sales volume.¹²⁴ Furthermore, Cello testified that the aggregate price difference of approximately one dollar between imports from the subject countries and those from non-subject countries is a reflection of the current protection afforded to the domestic industry by the findings and is indicative of the prices against which the domestic producers would be forced to compete in the absence of the findings.¹²⁵

154. Indeed, Cello testified that a valued customer, that represents a substantial amount of its business, stated that, if the anti-dumping duties were removed, it is unlikely that it would continue to source the majority of its copper pipe fittings from Cello or any other Canadian company.¹²⁶

155. The Tribunal believes that, if the findings were rescinded, the Canadian market would see a significant increase in the volumes of imports from the subject countries at dumped or subsidized prices, given that they would be forced to compete with low-priced non-subject goods.

119. *Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-05, Administrative Record, Vol. 1.1 at 18; *Protected Pre-hearing Staff Report*, revised 6 January 2012, Tribunal Exhibit RR-2011-001-06D (protected), Administrative Record, Vol. 2.1 at 78.

120. *Transcript of In Camera Hearing*, Vol. 1, 9 January 2012, at 4, 35-36; Manufacturer's Exhibit A-05 at para. 14, Administrative Record, Vol. 11.

121. Tribunal Exhibit RR-2011-001-15.02, Administrative Record, Vol. 3 at 91; *Transcript of In Camera Hearing*, Vol. 1, 9 January 2012, at 4; Tribunal Exhibit RR-2011-001-04 (protected), Administrative Record, Vol. 2 at 26.

122. *Transcript of Public Hearing*, Vol. 1, 9 January 2011, at 73, 77.

123. *Ibid.* at 18, 19, 84-87.

124. *Protected Pre-hearing Staff Report*, revised 29 November 2011, Tribunal Exhibit RR-2011-001-06B (protected), Administrative Record, Vol. 2.1 at 61; Tribunal Exhibit RR-2011-001-11.01B (protected), Administrative Record, Vol. 2.3 at 196.77; *Protected Pre-hearing Staff Report*, revised 6 January 2012, Tribunal Exhibit RR-2011-001-06D (protected), Administrative Record, Vol. 2.1 at 78.

125. *Protected Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-06 (protected), Administrative Record, Vol. 2.1 at 25; *Transcript of Public Hearing*, Vol. 1, 9 January 2011, at 66.

126. *Transcript of In Camera Hearing*, Vol. 1, 9 January 2012, at 9-10; Manufacturer's Exhibit A-10 (protected), tab 2 at 24, Administrative Record, Vol. 1.

156. In the context of the propensity of exporters of the subject goods to push volumes, the underlying weak global economic conditions and the associated worldwide slowdown in demand for copper pipe fittings, the Tribunal concludes that, if the findings were rescinded, there would likely be a significant increase in the volume of dumped and/or subsidized imports in absolute terms and relative to the production of like goods.

Likely Performance of the Domestic Industry

157. The Tribunal will now consider the likely performance of the domestic industry, taking into account the domestic industry's recent performance, including trends in sales, market share, profits, productivity, and capacity utilization.¹²⁷

158. The Tribunal notes that, during the POR the domestic industry experienced fluctuations in its performance from period to period. In general, its performance improved in 2009.¹²⁸ The domestic industry submitted that its performance deteriorated significantly in 2010 and through the first three quarters of 2011 as a result of the effect of the application of normal values on prices in the market and the increase in low-priced imports from non-subject countries.¹²⁹

159. The evidence on the record shows that the volume of sales from domestic production increased by 71 percent in 2009, then declined by 20 percent in 2010 and by a further 34 percent in the first three quarters of 2011 relative to the same period in 2010.¹³⁰ This corresponded, in terms of value, to an increase of 59 percent in 2009, followed by declines of 25 percent in 2010 and 30 percent in the first three quarters of 2011.¹³¹ Concurrently, the domestic industry's gross margins and market shares experienced the same trends, increasing in 2009 but deteriorating in 2010. The health of the domestic industry weakened further in the first three quarters of 2011.¹³²

160. According to Cello, it recorded a "respectable" net income only in 2009. Its financial situation worsened in 2010 when it was forced to decrease its prices in spite of soaring copper tube prices in order to salvage a portion of its sales.¹³³ The company's financial situation deteriorated even further during the first three quarters of 2011, as its margins continued to decline.¹³⁴ According to Bow, its financial situation was also at its best in 2009, and then deteriorated in 2010 and again in 2011 when it recorded a net loss.¹³⁵

127. Paragraph 37.2 (2)(c) of the *Regulations*.

128. Manufacturer's Exhibit A-03 at para. 4, Administrative Record, Vol. 11; Manufacturer's Exhibit B-03 at 3, Administrative Record, Vol. 11; *Protected Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-06 (protected), Administrative Record, Vol. 2.1 at 39.

129. Manufacturer's Exhibit A-03 at paras. 5-6, Administrative Record, Vol. 11; Manufacturer's Exhibit B-03 at 3-5, Administrative Record, Vol. 11; *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 18-20, 41, 84-87; *Protected Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-06 (protected), Administrative Record, Vol. 2.1 at 39.

130. *Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-05, Administrative Record, Vol. 1.1 at 28.

131. *Ibid.* at 31.

132. *Protected Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-06 (protected), Administrative Record, Vol. 2.1 at 39; *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 19-21, 74, 82-84; Manufacturer's Exhibit B-03 at 3-5, Administrative Record, Vol. 11; Manufacturer's Exhibit A-03 at paras. 4, 5, 8, Administrative Record, Vol. 11.

133. Manufacturer's Exhibit A-03 at paras. 4-5, Administrative Record, Vol. 11.

134. Manufacturer's Exhibit A-03 at para. 8, Administrative Record, Vol. 11; Tribunal Exhibit RR-2011-001-16.02A (protected), Administrative Record, Vol. 4 at 450.

135. Manufacturer's Exhibit B-03, at 3-5, Administrative Record, Vol. 11; Tribunal Exhibit RR-2011-001-16.01C (protected), Administrative Record, Vol. 4 at 129.

161. In response to its deteriorating performance beginning in 2010, the domestic industry was forced to lay off employees and reduce the number of shifts in that year.¹³⁶ The evidence shows that the total number of people employed by the domestic industry increased by 2 percent in 2009, but then decreased by 13 percent in 2010 and by 4 percent in the first three quarters of 2011.¹³⁷

162. Furthermore, the domestic industry's capacity utilization declined in 2010 and the first three quarters of 2011. The domestic industry explained this drop in its capacity utilization as being due in part to having abandoned the production of high-volume, low-margin items because they were no longer economically viable.¹³⁸ As explained in the section on likely prices, this situation was caused by a change in industry pricing practices, i.e. pricing at individual price point per SKU rather than using price lists.¹³⁹

163. On the basis of the above, the Tribunal concludes that the performance of the domestic industry deteriorated over the POR to the point where it is in a fragile and precarious situation.

Likely Impact of the Rescission of the Findings

164. The Tribunal will now consider the likely impact that the above volumes and prices would have on the domestic industry if the findings were rescinded, taking into consideration the likely performance of the domestic industry.¹⁴⁰

165. The domestic industry submitted that a rescission of the findings would have an injurious effect in terms of reduced sales, market share, profits, production, capacity utilization and employment.¹⁴¹

166. The domestic industry testified that, if the findings are rescinded, the subject countries will not hesitate to dump their products and undercut the prices of the domestic industry in an attempt to regain market share.¹⁴²

167. Cello argued that the resultant adverse impact on sales and market share will compel it to stop producing some low-cost products in order to maintain margins. However, despite further curtailing its production volumes, it will have the same overhead costs resulting in reduced net income.¹⁴³

168. Cello and Bow added that volume losses will lead to additional idle capacity and employee lay-offs.¹⁴⁴ Bow further testified that any deterioration in pricing will force it to reconsider the operating situation of the plant.¹⁴⁵

136. Tribunal Exhibit RR-2011-001-16.01B (protected), Administrative Record, Vol. 4 at 108; Manufacturer's Exhibit B-03 at para. 3, Administrative Record, Vol. 11; Tribunal Exhibit RR-2011-001-16.02A (protected), Administrative Record, Vol. 4 at 437-38; *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 20, 88-89.

137. *Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-05, Administrative Record, Vol. 1.1 at 45.

138. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 20, 45-46, 51, 100; *Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-06, Administrative Record, Vol. 2.1 at 46.

139. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 25-27, 51.

140. Paragraph 37.2(2)(e) of the *Regulations*.

141. Manufacturer's Exhibit A-01 at para. 28, Administrative Record, Vol. 11.

142. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 43-45.

143. *Ibid.* at 45-46, 100; Manufacturer's Exhibit A-03 at para. 12, Administrative Record, Vol. 11.

144. Manufacturer's Exhibit A-03 at para. 12, Administrative Record, Vol. 11; Manufacturer's Exhibit B-03 at para. 11, Administrative Record, Vol. 11.

145. *Transcript of Public Hearing*, Vol. 1, 9 January 2012, at 46.

169. The Tribunal examined the domestic industry's projections of its likely performance, in the form of restated income statements, should the findings be rescinded. Assuming that its net sales revenues will decline by 10 percent, Cello projected a net income loss. Similarly, Bow submitted that its sales revenues will fall by 3 percent and that it will suffer a loss in gross margins.¹⁴⁶

170. The Tribunal is of the view that, as noted above in the sections on domestic market conditions and likely prices, a rescission of the findings would lead to the importation of significant volumes of the subject copper pipe fittings at dumped or subsidized prices, which would depress and undercut the prices of the like goods. This, in turn, would force the domestic industry to lower its prices and abandon the sale of even more items.

171. The Tribunal considers that this would result in decreased production and capacity utilization in the domestic industry which, in turn, would reduce its revenues and market share. Ultimately, the domestic industry would experience reduced profitability.

172. In summary, on the basis of the above analysis on likely prices, likely volumes and likely performance of the domestic industry, the Tribunal is of the view that, if the findings were rescinded, the domestic industry would likely be materially injured by the resumption or continuation of dumping through a loss of sales values, sales volumes and market share as a result of increased volumes of dumped goods in a stable domestic market, and from price depression and undercutting, ultimately reducing the domestic industry's income and further deteriorating its already fragile financial performance.

Factors Other Than Dumping and Subsidizing

173. Pursuant to paragraph 37.2(2)(k) of the *Regulations*, the Tribunal may consider any other factors relevant in the circumstances. Accordingly, the Tribunal reviewed certain factors unrelated to dumping and subsidizing that could adversely affect the domestic industry.¹⁴⁷

Alternative Products

174. Evidence on the record suggests that alternative products such as cross-linked polyethylene,¹⁴⁸ steel, and push-fit and press-fit fittings have lessened the demand for copper pipe fittings due to their increasing popularity in the Canadian market.¹⁴⁹

175. However, the Tribunal is of the view that at least some of these alternative products have been in the market for quite some time and that any negative impact on demand for copper pipe fittings has therefore already been absorbed to a certain degree by the market. Even if these products were to further dampen the market for copper pipe fittings in the future, the Tribunal considers that the negative effects from the resumed dumping and subsidizing would, in and of themselves, cause injury to the domestic industry.

146. Manufacturer's Exhibit A-03 at para. 11, Administrative Record, Vol. 11; Manufacturer's Exhibit B-03 at para. 10, Administrative Record, Vol. 11.

147. Paragraph 37.2(2)(k) of the *Regulations*.

148. Commonly referred to as "PEX tubing".

149. Tribunal Exhibit RR-2011-001-18.02, Administrative Record, Vol. 5 at 67; Tribunal Exhibit RR-2011-001-18.03, Administrative Record, Vol. 5 at 110, 113; Tribunal Exhibit RR-2011-001-18.06, Administrative Record, Vol. 5 at 234; Tribunal Exhibit RR-2011-001-18.09, Administrative Record, Vol. 5A at 43; Tribunal Exhibit RR-2011-001-24.01 (Part 2), Administrative Record, Vol. 5.2 at 215; Tribunal Exhibit RR-2011-001-24.05, Administrative Record, Vol. 5D at 14.

Imports from Non-subject Countries

176. During the POR, copper pipe fittings were imported in increasingly significant volumes from Chinese Taipei, Indonesia, Vietnam and other non-subject countries cumulatively.¹⁵⁰ The average unit values of these goods were consistently much lower than the average unit values of the subject goods.¹⁵¹ As discussed above, if the findings were rescinded, it is likely that the dumped and subsidized goods would converge at these lower prices. The lower prices of imports from non-subject countries would likely compound the injury to the domestic industry. Nevertheless, the Tribunal is satisfied that the injury resulting from the rescission of the findings would, in and of itself, be material.

CONCLUSION

177. Pursuant to paragraph 76.03(12)(b) of *SIMA*, the Tribunal hereby continues its finding in respect of copper pipe fittings originating in or exported from Korea and China, restricted to the products enumerated in the appendix to the orders.

178. Pursuant to paragraph 76.03(12)(b) and subsection 76.04(1) of *SIMA*, the Tribunal hereby continues its finding in respect of copper pipe fittings originating in or exported from the United States, restricted to the products enumerated in the appendix to the orders.

Diane Vincent
Diane Vincent
Presiding Member

Serge Fréchette
Serge Fréchette
Member

Pasquale Michaele Saroli
Pasquale Michaele Saroli
Member

150. *Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-05, Administrative Record, Vol. 1.1 at 20; *Protected Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-06 (protected), Administrative Record, Vol. 1.1 at 21.

151. *Pre-hearing Staff Report*, Tribunal Exhibit RR-2011-001-05, Administrative Record, Vol. 1.1 at 25.