



Ottawa, April 3, 2006

CUSTOMS NOTICE 634

Certain Stainless Steel Wire

1. The purpose of this notice is to advise that on February 27, 2006, the Canada Border Services Agency (CBSA) initiated a review of the normal values, export prices and amounts of subsidy of certain stainless steel wire originating in or exported from the Republic of Korea, Switzerland and the United States of America (dumping) and certain stainless steel wire originating in or exported from India (subsidizing) pursuant to the *Special Import Measures Act* (SIMA).

2. The review is part of the CBSA's enforcement of the finding made by the Canadian International Trade Tribunal (Tribunal) on July 30, 2004.

3. The goods subject to the Tribunal's finding are described in the Appendix and are properly classified under the listed ten-digit Harmonized System classification numbers.

4. It should be noted that stainless steel belting wire used in the production of conveyor belts and stainless steel wire line used in the oil and gas industry are subject to an anti-dumping duty remission order. Remission is granted for anti-dumping duty paid or payable in excess of 35% of the export price in respect of the two stainless steel wire products indicated above.

Remission is granted on the following conditions:

(a) a claim for remission is made by the importer to the Minister of Public Safety within two years after the day on which the stainless steel round wire products were accounted for under section 32 of the *Customs Act*;

(b) on request by the Canada Border Services Agency (Agency), the importer files with the Agency the evidence that the Agency requires to determine eligibility for the remission;

(c) the importer agrees that it shall be subject at any time, including after the remission, to audit by the Agency for the purpose of verifying whether the information supplied by the importer under paragraph (a) or (b) is accurate and complete and whether the facts on which the Agency relied or intends to rely, as applicable, to determine eligibility for remission remain unchanged in all material respects; and

(d) at the time when the Agency elects to conduct the audit referred to in paragraph (c), the Agency is able to conclude that the information supplied remains accurate and complete and that the facts remain unchanged in all material respects.

5. For exporters that cooperate with the CBSA in this review, the normal values established will be effective for the subject goods released from the CBSA on or after June 27, 2006, or the date of the ruling letter to the exporter, whichever occurs first. Normal values currently in place will expire on that date. An exporter will be considered cooperative if a complete response to the CBSA's Request for Information is submitted on time and the exporter permits verification of this data.

6. Where an exporter either does not provide sufficient information to determine normal values or does not permit verification of information submitted, normal values will be determined in accordance with a ministerial specification, which is currently calculated by advancing the export price of the goods by 181%.

7. Importers are cautioned that new normal values, when issued, may be higher than those currently in effect and that this could result in additional assessments of anti-dumping duty. Further, importers are cautioned that unless an exporter cooperates in this review and receives normal values at its conclusion, normal values for subsequent shipments of subject goods will be established by advancing the export price in the manner described above.

8. In addition, in cases where changes occur in domestic prices, market conditions or costs associated with the production and sales of the subject goods, the concerned parties are responsible for informing the CBSA of such changes in writing and in a timely manner. If the concerned parties do not or did not properly notify the CBSA of substantial changes, or if they do not provide the information required to make any necessary adjustments to values, retroactive assessments of anti-dumping duty may be warranted. In addition, the normal values determined on the basis of the review will be applied to any entries of subject goods under appeal that have yet to be re-determined at the time of the conclusion of this review.

9. Notice of the completion of this review will be published in a customs notice. Any questions concerning the above should be directed to:

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Anti-dumping and Countervailing Program
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Appendix

Product Definition

Subject goods are:

Cold drawn and annealed stainless steel round wire, up to and including 0.300 inches (7.62 mm) in maximum solid cross-sectional dimension, originating in or exported from India, the Republic of Korea, Switzerland and the United States of America.

The following goods were excluded from the Tribunal's finding of July 30, 2004, and are therefore not subject to anti-dumping duty or countervailing duty:

- Nickel-coated stainless steel wire.
- Copper-coated stainless steel wire.
- Stainless steel wire for use in the manufacture of springs, per ASTM A313, matte finish, lubricant coated (all types), in all grades and in all diameters.
- Stainless steel wire in diameters of 0.032 inches (0.813 mm) and smaller.
- Stainless steel lashing wire.
- Type 27-7MO (trade name) stainless steel wire, also identified as UNS S31277, or equivalent.
- Types 302 and 430 stainless steel cold-heading wire for use in the manufacture of semi-tubular solid rivets.
- Types 308LHS, 309LHS, 387, 409CB and 430LCB stainless steel welding wire packaged in fibre-drum bulk packs, drum packs or barrel packs, known as "Tech Paks" or equivalent, in sizes of 250 lbs. (113.4 kg) or greater, for use in long-run welding applications.
- Type 439 titanium stabilized, solid stainless steel welding wire packaged in 500-lb. (226.8-kg) drums.
- Type A-286 stainless steel cold-heading wire, also identified as AISI No. 660, UNS K66286 DIN-1.4980, with the following composition: 0.08% max. carbon, 2.00% max. manganese, 1.00% max. silicon, 0.025% max. phosphorous, 0.025% max. sulfur, 13.50/16.00% chromium, 24.00/27.00% nickel, 1.00/1.50% molybdenum, 0.50% max. copper, 1.00% max. cobalt, 0.35% max. aluminum, 1.90/2.35% max. titanium, 0.10/0.50% vanadium and 0.003/0.010% boron.
- Type A286/A286SF stainless steel cold-heading wire.
- Type XM-19 stainless steel wire, also identified as UNS S20910.

The subject goods are properly classified under the following Harmonized System classification numbers:

7223.00.11.00 7223.00.19.00 7223.00.20.00

