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Committee on Safeguards

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INFORMATION TO BE NOTIFIED TO THE COMMITTEE WHERE A SAFEGUARD INVESTIGATION IS TERMINATED WITH NO SAFEGUARD MEASURE IMPOSED

UNITED STATES

The following communication, dated 26 October 2001, has been received from the Permanent Mission of the United States.

On 4 July 2001, the United States notified (G/SG/N/6/USA/10, 9 July 2001) the Committee on Safeguards that it had initiated an investigation into imports of

- A. Certain carbon and alloy flat products;
- B. Certain carbon and alloy long products;
- C. Certain carbon and alloy pipe and tube; and
- D. Certain stainless steel and alloy tool steel products.

The applicable Harmonized Tariff Schedules of the United States Annotated (HTS) item numbers corresponding to the products in each of these product categories were listed in Annex I to Notification G/SG/N/6/USA/10. Annex II to that notification listed products excluded from the investigation. Among the excluded products were the steel products currently covered by the US safeguard measures on wire rod and line pipe, as notified in G/SG/N/10/USA/5/Rev.1, G/SG/N/10/USA/4, and G/SG/N/10/USA/4/Corr.1, as well as those wire rod and line pipe products that were specifically excluded from the safeguard measures on those products.

On 22 October 2001, the US International Trade Commission ("ITC") reached determinations that increased imports of the following product groups are not a substantial cause of serious injury or threat of serious injury to industries in the United States: (1) grain-oriented electrical steel; (2) carbon and alloy ingots, billets, and blooms; (3) carbon and alloy rails and railway products; (4) carbon and alloy wire; (5) carbon and alloy strand, rope, cable, and cordage; (6) carbon and alloy nails, staples, and woven cloth; (7) carbon and alloy heavy structural shapes and sheet piling; (8) carbon and alloy fabricated structural units; (9) carbon and alloy seamless tubular products other than oil country tubular goods ("OCTG"); (10) carbon and alloy seamless OCTG; (11) carbon and alloy welded OCTG; (12) stainless steel slabs, ingots, billets, and blooms; (13) stainless steel cut-to-length plate; (14) stainless steel woven cloth; (15) stainless steel rope; (16) stainless steel seamless tubular products; and (17) stainless steel welded tubular products. The attached Annex contains a description of each of the product groups listed in this section, along with the tariff headings applicable to each.

As a result of that determination, made under section 202 of the Trade Act of 1974, the safeguards investigation has ended with respect to the listed products. A public report concerning the

investigation will be available after the ITC submits its findings to the President, which will occur by 19 December 2001.

On 22 October 2001, the ITC reached affirmative determinations under section 202(b) of the Trade Act of 1974 (22 U.S.C. 2252(b)) that other product groups subject to the investigation notified in G/SG/N/6/USA/10 are being imported in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the pertinent domestic industry. Pursuant to Article 12.1(b) of the Agreement on Safeguards, those determinations have been notified to the Committee on Safeguards in a separate notification.

ANNEX

I. DEFINITIONS

Carbon and alloy steel – Steel, including “other alloy steel” but excluding “stainless steel” and “tool steel” as defined below.

Other alloy steel – Steels not complying with the definition of stainless steel and containing by weight one or more of the following elements in the proportion shown:

0.3 per cent or more of aluminum,
0.0008 per cent or more of boron,
0.3 per cent or more of chromium,
0.3 per cent or more of cobalt,
0.4 per cent or more of copper,
0.4 per cent or more of lead,
1.65 per cent or more of manganese,
0.08 per cent or more of molybdenum,
0.3 per cent or more of nickel,
0.06 per cent or more of niobium,
0.6 per cent or more of silicon,
0.05 per cent or more of titanium,
0.3 per cent or more of tungsten (wolfram),
0.1 per cent or more of vanadium,
0.05 per cent or more of zirconium, or
0.1 per cent or more of other elements (except sulphur, phosphorus, carbon, and nitrogen),
taken separately.

Stainless steel – Alloy steels containing, by weight, 1.2 per cent or less of carbon and 10.5 per cent or more of chromium, with or without other elements.

Tool steel – Alloy steels which contain the following combinations of elements in the quantity by weight respectively indicated:

- (i) more than 1.2 per cent carbon and more than 10.5 per cent chromium; or
- (ii) not less than 0.3 per cent carbon and 1.25 per cent or more but less than 10.5 per cent chromium; or
- (iii) not less than 0.85 per cent carbon and 1 per cent to 1.8 per cent, inclusive, manganese; or
- (iv) 0.9 per cent to 1.2 per cent, inclusive, chromium and 0.9 per cent to 1.4 per cent, inclusive, molybdenum; or
- (v) not less than 0.5 per cent carbon and not less than 3.5 per cent molybdenum; or
- (vi) not less than 0.5 per cent carbon and not less than 5.5 per cent tungsten.

Exception – For purposes of this notification, tool steel does not include ball-bearing steel as defined below. Long products of ball-bearing steel are included in carbon and alloy steel long products. Flat-rolled products of ball-bearing steel are not subject to the investigation.

Ball-bearing steel – Alloy tool steels which contain, in addition to iron, each of the following elements by weight in the amount specified:

- (i) not less than 0.95 nor more than 1.13 per cent of carbon;
- (ii) not less than 0.22 nor more than 0.48 per cent of manganese;
- (iii) none, or not more than 0.03 per cent of sulphur;
- (iv) none, or not more than 0.03 per cent of phosphorus;
- (v) not less than 0.18 nor more than 0.37 per cent of silicon;
- (vi) not less than 1.25 nor more than 1.65 per cent of chromium;
- (vii) none, or not more than 0.28 per cent of nickel;
- (viii) none, or not more than 0.38 per cent of copper; and
- (ix) none, or not more than 0.09 per cent of molybdenum.

Semifinished products – Continuous cast products of solid section, whether or not subjected to primary hot-rolling; and other products of solid section, which have not been further worked than subjected to primary hot-rolling or roughly shaped by forging, including blanks for angles, shapes, or sections.

Flat-rolled products – Rolled products of solid rectangular (other than square) cross-section, which do not conform to the definition of semifinished products, in the form of:

- (i) coils of successively superimposed layers, or
- (ii) straight lengths, which if of a thickness less than 4.75 mm are of a width measuring at least 10 times the thickness or if of a thickness of 4.75 mm or more are of a width which exceeds 150 mm and measures at least twice the thickness.

Flat-rolled products include those with patterns in relief derived directly from rolling (for example, grooves, ribs, checkers, tears, buttons, or lozenges) and those which have been perforated, corrugated, or polished.

Flat-rolled products may be of a shape other than rectangular or square, such as circles or sketches.

Tubular products – Tubular products includes pipes and tubes and hollow profiles. Pipes and tubes are concentric hollow products, of uniform cross-section having the same form on both the inner and outer surfaces. Steel tubes may have circular, oval, rectangular, or other convex polygonal cross-sections. Tubes may have been subject to certain finishing operations, including upsetting, polishing, coating, bending, threading (with or without couplings attached), drilled, waisted, expanded, cone shaped, or fitted with flanges, collars, or ring. Hollow profiles are hollow products which may have different forms on the inner and outer surfaces.

II. PRODUCTS SUBJECT TO NEGATIVE DETERMINATIONS BY THE ITC

- (1) **Grain-oriented electrical steel (“GOES”)** – Low-carbon, silicon-iron alloys with a silicon content of approximately 3.2 per cent, in which low core loss and high permeability in the direction of rolling have been achieved by appropriate metallurgical processing. GOES is provided for in the following HTS subheadings:

7225110000 7226111000 7226119030 7226119060

- (2) **Carbon and alloy ingots, billets, and blooms** – Ingots are the primary form into which molten steel is cast when produced by other than continuous casting. Blooms and billets are semifinished products of rectangular cross-section with a width less than two times the thickness if of carbon steel, or less than four times the thickness if of other alloy steel. Includes other products of solid section, which have not been further worked than subjected to primary hot-rolling or roughly shaped by forging, including tube rounds and blanks for angles, shapes, or sections. Carbon and alloy steel ingots, billets, and blooms are provided for in the following HTS subheadings:

7206100000 7207190030 7207200090 7224900005 7224900075
7206900000 7207190090 7224100005 7224900045
7207110000 7207200075 7224100075 7224900065

- (3) **Carbon and alloy rails and railway products** – Railway or track construction material including rails, check-rails and rack rails, sleepers (cross-ties), fish plates, and sole plates (base plates). Carbon and alloy steel rails and railway products are provided for in the following HTS subheadings:

7302101010 7302101025 7302101045 7302105020 7302400000
7302101015 7302101035 7302101055 7302200000

- (4) **Carbon and alloy wire** – Cold-formed products in coils, of any uniform solid cross-section along their whole length, which do not conform to the definition of flat-rolled products. Carbon and alloy steel wire is provided for in the following HTS subheadings:

7217101000 7217108025 7217204530 7217304510 7217905060
7217102000 7217108030 7217204540 7217304520 7217905090
7217103000 7217108045 7217204550 7217304530 7229200000
7217104030 7217108060 7217204560 7217304540 7229901000
7217104090 7217108075 7217204570 7217304550 7229905015
7217105030 7217108090 7217204580 7217304560 7229905030
7217105090 7217109000 7217206000 7217304590 7229905050
7217106000 7217201500 7217207500 7217306000 7229909000
7217107000 7217203000 7217301530 7217307500
7217108010 7217204510 7217301560 7217901000
7217108020 7217204520 7217303000 7217905030

- (5) **Carbon and alloy strand, rope, cable, and cordage** – Stranded wire (two or more wires twisted closely together), ropes, and cables, not electrically insulated. Carbon and alloy steel strand, rope, cable, and cordage are provided for in the following HTS subheadings:

7312103005 7312103020 7312103070 7312108000 7312109090
7312103010 7312103045 7312103074 7312109030
7312103012 7312103065 7312103080 7312109060

- (6) **Carbon and alloy nails, staples, and woven cloth** – Woven cloth of carbon or alloy steel wire and nails, tacks, drawing pins, corrugated nails, staples, and similar articles of iron or steel, whether or not with heads of other material, but excluding such articles with heads of copper. Excludes thumb tacks and nails and similar fasteners suitable for use in powder-actuated handtools. Carbon and alloy steel nails, staples, and woven cloth are provided for in the following HTS subheadings:

7314190000	7317005520	7317005560	7317006530
7317005504	7317005530	7317005570	7317006560
7317005506	7317005540	7317005580	7317007500
7317005510	7317005550	7317005590	8305200000

- (7) **Carbon and alloy heavy structural shapes and sheet piling** – Angles, shapes, and sections (such as U, I, or H sections) of a height equal to or more than 80 mm. Also includes sheet piling. Carbon and alloy steel heavy structural shapes and sheet piling are provided for in the following HTS subheadings:

7216310000	7216330030	7216330090	7216400050	7301201000
7216320000	7216330060	7216400010	7301100000	7301205000

- (8) **Carbon and alloy fabricated structural units** – Structures (excluding prefabricated buildings) and parts of structures (for example, bridges and bridge sections, lock gates, towers, lattice masts, roofs, roofing frameworks, pillars, and columns) of iron or steel; plates, rods, angles, shapes, sections, tubes, and the like, prepared for use in structures. Includes sheet-metal roofing, siding, flooring and roof drainage equipment. Does not include doors, windows, and their frames and thresholds or architectural and ornamental work. Carbon and alloy steel fabricated structural units are provided for in the following HTS subheadings:

7308100000	7308400000	7308906000	7308909530
7308200000	7308903000	7308907000	7308909590

- (9) **Carbon and alloy seamless tubular products other than oil country tubular goods (“OCTG”)** – Tubular products that have no joint, whether welded or not, along the longitudinal axis of the product and which may be formed by several methods, including hot rolling, hot extrusion, deep drawing of a disc, forging, and casting. Several hot-rolling process are typically used, including piercing, or rolling on a mandrel or a plug (e.g., pilgering). OCTG and cast iron pipe, tube, and hollow profiles, hollow drill bars, fittings, flexible tubing, insulated electrical conduit tubing, and tubes, pipes, and hollow profiles made into specific parts of other manufactures are excluded from this definition. Carbon and alloy steel seamless tubular products other than OCTG are provided for in the following HTS subheadings:

7304101020	7304390006	7304390062	7304592045	7304598045
7304101030	7304390008	7304390068	7304592055	7304598050
7304101045	7304390016	7304390072	7304592060	7304598055
7304101060	7304390020	7304390076	7304592070	7304598060
7304101080	7304390024	7304390080	7304592080	7304598065
7304105020	7304390028	7304511000	7304596000	7304598070
7304105050	7304390032	7304515005	7304598010	7304598080
7304105080	7304390036	7304515015	7304598015	7304901000
7304313000	7304390040	7304515045	7304598020	7304903000
7304316010	7304390044	7304515060	7304598025	7304905000
7304316050	7304390048	7304591000	7304598030	7304907000
7304390002	7304390052	7304592030	7304598035	
7304390004	7304390056	7304592040	7304598040	

- (10) **Carbon and alloy seamless OCTG** – Tubular products, produced by the seamless process described above, used below ground in the drilling and completion of oil or gas wells, and

consisting of casing, which is the structural retainer for the walls of oil and gas wells; tubing, which is used within casing to convey oil or gas to ground level; and drill pipe, which is used to convey power to a rotary drilling tool below ground level. Seamless OCTG are provided for in the following HTS subheadings:

7304213000	7304291060	7304293010	7304294030	7304295075
7304216030	7304291080	7304293020	7304294040	7304296015
7304216045	7304292010	7304293030	7304294050	7304296030
7304216060	7304292020	7304293040	7304294060	7304296045
7304291010	7304292030	7304293050	7304294080	7304296060
7304291020	7304292040	7304293060	7304295015	7304296075
7304291030	7304292050	7304293080	7304295030	8431438040
7304291040	7304292060	7304294010	7304295045	
7304291050	7304292080	7304294020	7304295060	

- (11) **Carbon and alloy welded OCTG** – Welded OCTG are tubular products produced by welding of flat-rolled product as described above, used below ground in the drilling and completion of oil or gas wells, and consisting of casing, which is the structural retainer for the walls of oil and gas wells, and tubing, which is used within casing to convey oil or gas to ground level. Welded OCTG are provided for in the following HTS subheadings:

7305202000	7305208000	7306202000	7306206010	7306208050
7305204000	7306201030	7306203000	7306206050	
7305206000	7306201090	7306204000	7306208010	

- (12) **Stainless steel slabs, ingots, billets, and blooms** – Ingots are the primary form into which molten steel is cast, when produced by other than continuous casting. Blooms, billets, and slabs are semifinished products of rectangular cross-section. Stainless steel slabs have a width more than four times the thickness; blooms and billets have a width equal to or less than four times the thickness. Includes other products of solid section, which have not been further worked than subjected to primary hot-rolling or roughly shaped by forging, including tube rounds. Stainless steel slabs, ingots, billets, and blooms are provided for in the following HTS subheadings:

7218100000	7218910030	7218990015	7218990045	7218990090
7218910015	7218910060	7218990030	7218990060	

- (13) **Stainless steel cut-to-length plate** – A flat-rolled product of rectangular cross-section having a thickness of 4.75 mm or more and a width which exceeds 150 mm and measures at least twice the thickness. It is flat, *i.e.*, not in coil, and may be of any shape (rectangular, circular, or other). It may have been produced by rolling on a sheared-plate mill or by flattening and cutting-to-length from a coiled plate. It may have patterns-in-relief derived directly from rolling (floor plate). It may be perforated, corrugated, or polished. Plate may also have been subject to heat-treatment and have been descaled or pickled. Also included is plate in coil form, if under 600 mm in width and 4.75 mm or more in thickness. Includes hot-rolled plate in coils, if less than 600 mm in width. Stainless steel cut-to-length plate is provided for in the following HTS subheadings:

7219210005	7219220005	7219220035	7219220075
7219210020	7219220015	7219220040	7219220080
7219210040	7219220020	7219220045	7219310050
7219210060	7219220025	7219220070	7220110000

- (14) **Stainless steel woven cloth** – Woven cloth of stainless steel wire, as provided for in the following HTS subheadings:

7314141000 7314142000 7314143000 7314146000 7314149000

- (15) **Stainless steel rope** – Includes stranded wire (two or more wires twisted closely together), ropes, cables, and cordage, not electrically insulated. Stainless steel rope is provided for in the following HTS subheadings:

7312101030 7312101050 7312101070 7312106030 7312106060

- (16) **Stainless steel seamless tubular products** – Seamless tubular products that have no joint, whether welded or not, along the longitudinal axis of the product and which may be formed by several methods, including hot rolling, hot extrusion, deep drawing of a disc, forging, and casting. Several hot-rolling processes are typically used, including piercing, or rolling on a mandrel or a plug (*e.g.*, pilfering). Stainless steel seamless tubular products are provided for in the following HTS subheadings:

7304413005 7304413045 7304416015 7304490005 7304490045
7304413015 7304416005 7304416045 7304490015 7304490060

- (17) **Stainless steel welded tubular products** – Tubular products produced by bending flat-rolled steel products to form the hollow product with overlapping or abutting seams. Most such products are fastened along the seam by welding, although clipping, riveting, and forging are also used to fasten a seam. The seam produced by the fastening method may run either longitudinally or spirally along the length of the product. Stainless steel welded tubular products are provided for in the following HTS subheadings:

7306401010 7306405005 7306405042 7306405064 7306405090
7306401015 7306405015 7306405044 7306405080 7306607030
7306401090 7306405040 7306405062 7306405085
