



DEPARTMENT OF COMMERCE

International Trade Administration

[A-201-830]

Carbon and Certain Alloy Steel Wire Rod from Mexico: Final Results and Partial Rescission of the Antidumping Duty Administrative Review; 2021-2022

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) determines that producers/exporters subject to this review made sales of subject merchandise at less than normal value (NV) during the period of review (POR) October 1, 2021, through September 30, 2022.

DATES: Applicable [Insert date of publication in the *Federal Register*].

FOR FURTHER INFORMATION CONTACT: Laurel LaCivita or Matthew Palmer, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-2352 and (202) 482-1678, respectively.

SUPPLEMENTARY INFORMATION:

Background

On November 7, 2023, Commerce published the *Preliminary Results* for this administrative review and invited interested parties to comment.¹ This review covers two mandatory respondents selected for individual examination, ArcelorMittal Mexico S.A. de C.V. (AMM) and Deacero S.A.P.I de C.V. (Deacero).

From November 13 through 17, 2023, we conducted a verification of sales of certain alloy steel wire rod (wire rod) from Mexico for Deacero in Monterrey, Mexico. On January 29,

¹ See *Carbon and Certain Alloy Steel Wire Rod from Mexico: Preliminary Results of Antidumping Duty Administrative Review; 2021–2022*, 88 FR 76727 (November 7, 2023) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

2024, we received a case brief from Nucor Corporation and Commercial Metal Company (collectively, Nucor/CMC),² and, subsequently, on February 5, 2024, we received a rebuttal brief from Deacero.³ A complete summary of the events that occurred since publication of the *Preliminary Results* is found in the Issues and Decision Memorandum.⁴ Commerce conducted this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

Partial Rescission

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if a party who requested the review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review. On March 6, 2023, Nucor/CMC withdrew their requests for review by the 90-day deadline for: AMM; Grupo Villacero S.A de C.V. (Villacero); Talleres y Aceros S.A. de C.V (Talleres y Aceros); and Ternium Mexico S.A. de C.V. (Ternium).⁵ Nucor/CMC's request for review of Villacero, Talleres y Aceros, and Ternium reflected the sole review request with respect to each firm; accordingly, we are rescinding this administrative review with respect to Villacero, Talleres y Aceros, and Ternium.

Scope of the Order⁶

The merchandise subject to the *Order* is wire rod, in coils, of approximately round cross section, 5.00 mm or more, but less than 19.00 mm, in solid cross-sectional diameter. The subject merchandise is classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) primarily under the subheadings: 7213.91.3000, 7213.91.3010, 7213.91.3011, 7213.91.3015, 7213.91.3020, 7213.91.3090, 7213.91.3091, 7213.91.3092, 7213.91.3093, 7213.91.4500, 7213.91.4510, 7213.91.4590, 7213.91.6000, 7213.91.6010, 7213.91.6090, 7213.99.0030,

² See Nucor/CMC's Letter, "Case Brief," dated January 29, 2024.

³ See Deacero's Letter, "Rebuttal Brief," dated February 5, 2024.

⁴ See Memorandum, "Issues and Decision Memorandum for the Final Results of Antidumping Duty Administrative Review: Carbon and Certain Alloy Steel Wire Rod from Mexico; 2021-2022," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

⁵ See Nucor/CMC's Letter, "Partial Withdrawal of Request for Administrative Review," dated March 6, 2023.

⁶ See *Notice of Antidumping Duty Orders: Carbon and Certain Alloy Steel Wire Rod from Brazil, Indonesia, Mexico, Moldova, Trinidad and Tobago, and Ukraine*, 67 FR 65945 (October 29, 2002) (*Order*).

7213.99.0031, 7213.99.0038, 7213.99.0090, 7227.20.0000, 7227.20.0010, 7227.20.0020, 7227.20.0030, 7227.20.0080, 7227.20.0090, 7227.20.0095, 7227.90.6010, 7227.90.6020, 7227.90.6030, 7227.90.6035, 7227.90.6050, 7227.90.6051, 7227.90.6053, 7227.90.6058, 7227.90.6059, 7227.90.6080, and 7227.90.6085. The HTSUS subheadings are provided for convenience and customs purposes only; the written product description remains dispositive.

For the full text of the scope of the *Order*, see the Issues and Decision Memorandum.

Analysis of the Comments Received

All issues raised in the case and rebuttal briefs that were submitted by interested parties are addressed in the Issues and Decision Memorandum. A list of the issues which parties raised, and to which we respond in the Issues and Decision Memorandum, is attached in the appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Changes Since the *Preliminary Results*

Based on a review of the record and analysis of the comments received from interested parties regarding our *Preliminary Results*, we made no changes to the preliminary weighted-average dumping margins calculated for AMM and Deacero. Additionally, in its *Preliminary Results*, Commerce inadvertently assigned a non-selected rate to certain entities. As noted above, Commerce is rescinding the administrative review for Villacero, Talleres y Aceros, and Ternium. For detailed information, see the Issues and Decision Memorandum.

Final Results of Review

Commerce preliminarily determines the following estimated weighted-average dumping margins exist for the period October 1, 2021, through September 30, 2022:

Exporter/Producer	Weighted-Average Dumping Margin (percent)
ArcelorMittal Mexico S.A. de C.V.	0.00
Deacero S.A.P.I. de C.V.	0.70

Disclosure

We intend to disclose to interested parties the calculations and analysis performed for these final results within five days of the date of the publication of this notice in the *Federal Register* in accordance with 19 CFR 351.224(b).

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(1), Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. Pursuant to 19 CFR 351.212(b)(1), we calculated importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of dumping calculated for the examined sales to the total entered value of those sales. Where the respondent did not report entered value, we calculated a per-unit assessment rate for each importer by dividing the total amount of dumping calculated for the examined sales made to that importer by the total quantity associated with those sales. To determine whether an importer-specific, per-unit assessment rate is *de minimis*, in accordance with 19 CFR 351.106(c)(2), we also calculated an importer-specific *ad valorem* ratio based on estimated entered values. Where either the respondent's weighted-average dumping margin is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), or an importer-specific assessment rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.⁷

For entries of subject merchandise during the POR produced by Deacero or AMM for which they did not know their merchandise they sold to an intermediary (*e.g.*, a reseller, trading

⁷ In these final results, Commerce applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Duty Proceedings; Final Modification*, 77 FR 8101 (February 14, 2012).

company, or exporter) was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.⁸

For the companies for which this review is rescinded with these final results, we will instruct CBP to assess antidumping duties on all appropriate entries at a rate equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, during the period October 1, 2021, through September 30, 2022, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue assessment instructions to CBP no earlier than 41 days after the date of publication of the final results of this review in the *Federal Register* in accordance with 19 CFR 356.8(a).

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies listed above will be equal to the weighted-average dumping margins established in the final results of this administrative review; (2) for merchandise exported by producers or exporters not covered in this review but covered in a prior completed segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation, but the producer has been covered in a prior complete segment of this proceeding, then the cash deposit rate will be the rate established for the most recent period for the producer of the merchandise; (4) the cash deposit rate for all other

⁸ See section 751(a)(2)(C) of the Act.

manufacturers or exporters will continue to be 20.11 percent.⁹ These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Administrative Protective Order

This notice also serves as a reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

Notification to Interested Parties

We are issuing and publishing these final results of administrative review in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: March 26, 2024.

Abdelali Elouaradia,
Deputy Assistant Secretary
for Enforcement and Compliance.

⁹ See *Order*, 67 FR at 65947.

Appendix

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Changes Since the *Preliminary Results*
- V. Discussion of the Issues
 - Comment 1: Whether the Application of Adverse Facts Available (AFA) to Deacero is Warranted
 - Comment 2: Whether Commerce Should Rescind the Review for Certain Non-Selected Companies
 - Comment 3: Whether Commerce Should Instruct U.S. Customs and Border Protection (CBP) to Liquidate Entries for Certain Producers at the All-Others Rate
- VI. Recommendation

[FR Doc. 2024-06839 Filed: 3/29/2024 8:45 am; Publication Date: 4/1/2024]