



DEPARTMENT OF COMMERCE

International Trade Administration

[A-201-844]

Steel Concrete Reinforcing Bar from Mexico: Final Results of Antidumping Duty
Administrative Review; 2021-2022

SUMMARY: The U.S. Department of Commerce (Commerce) determines that sales of steel
concrete reinforcing bar (rebar) from Mexico were made at less than normal value during the
period of review (POR), November 1, 2021, through October 31, 2022.

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

FOR FURTHER INFORMATION CONTACT: Patrick Barton or Kyle Clahane, AD/CVD
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(202) 482-0012 or (202) 482-5449, respectively.

SUPPLEMENTARY INFORMATION:

Background

On November 8, 2023, Commerce published the *Preliminary Results* for this review in
the *Federal Register* and invited interested parties to comment on those results.¹ The review
covers five companies, including two mandatory respondents, Deacero S.A.P.I. de C.V.
(Deacero), and I.N.G.E.T.E.K.N.O.S. Estructurales, S.A. de C.V. (Ingetek) (collectively,
Deacero Group), and Acerero S.A. de C.V. (Acerero). From January 5 to 10, 2024, interested
parties submitted case and rebuttal briefs.² For a complete summary of the events that have

¹ See *Steel Concrete Reinforcing Bar from Mexico: Preliminary Results of Antidumping Duty Administrative Review; 2021–2022*, 88 FR 77079 (November 8, 2023) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

² See Rebar Trade Action Coalition’s Letter, “RTAC’s Case Brief,” dated January 5, 2024; *see also* Deacero Group’s Letter, “Case Brief,” dated January 5, 2024; Gerdau Corsa, S.A.P.I. de C.V. and Sidertul S.A. de C.V.’s Letter, “Letter in Lieu of Case Brief of Gerdau Corsa, S.A.P.I. de C.V. and Sidertul S.A. de C.V.,” dated January 5, 2024; Acerero’s Letter, “Rebuttal Brief of Grupo Acerero S.A. de C.V.,” dated January 10, 2024; and Deacero Group’s Letter, “Rebuttal Brief,” dated January 10, 2024.

occurred since Commerce published the *Preliminary Results*, as well as a full discussion of the issues raised by parties for these final results, *see* the Issues and Decision Memorandum.³

Commerce conducted this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order⁴

The product covered by the *Order* is rebar from Mexico. For a complete description of the scope, *see* the Issues and Decision Memorandum.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs are addressed in the Issues and Decision Memorandum. A list of the issues that parties raised and to which we responded 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 Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of 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 comments received from interested parties regarding the *Preliminary Results*, we made certain changes to the preliminary weighted-average dumping margins calculated for Deacero Group and Acerero. For a detailed discussion of these changes, *see* the Issues and Decision Memorandum.⁵

³ *See* Memorandum, "Steel Concrete Reinforcing Bar from Mexico: Issues and Decision Memorandum for the Final Results of Antidumping Duty Administrative Review; 2021-2022," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

⁴ *See Steel Concrete Reinforcing Bar from Mexico: Antidumping Duty Order*, 79 FR 65925 (November 6, 2014) (*Order*).

⁵ *Id.*

Rate for Non-Individually Examined Companies

The Act and Commerce’s regulations do not address the establishment of a rate to apply to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in a market economy investigation, for guidance when calculating the rate for companies which not selected for individual examination in an administrative review.

Under section 735(c)(5)(A) of the Act, the all-others rate is normally “an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding rates that are zero, *de minimis* (*i.e.*, less than 0.5 percent), or determined entirely on the basis of facts available.

For these final results of review, we calculated weighted-average dumping margins for both respondents, Deacero Group and Acerero, that are not zero, *de minimis*, or based entirely on the basis of facts available. Accordingly, consistent with section 735(c)(5)(A) of the Act, we determined the weighted-average dumping margin for each of the non-selected companies based on the weighted-average dumping margins calculated for the mandatory respondents.⁶

Final Results of Review

Commerce determines that the following weighted-average dumping margins exist for the period August 1, 2021, through July 31, 2022:

Exporter or Producer	Weighted-Average Dumping Margin (percent)
Deacero S.A.P.I. de C.V. / I.N.G.E.T.E.K.N.O.S. Estructurales, S.A. de C.V.	1.16
Grupo Acerero S.A. de C.V.	6.21
Grupo Simec S.A.B. de C.V. / Aceros Especiales Simec Tlaxcala, S.A. de C.V. / Compania Siderurgica del Pacifico S.A. de C.V. / Fundiciones de Acero Estructurales, S.A. de C.V. / Grupo Chant S.A.P.I. de C.V. / Operadora de Perfiles Sigosa, S.A. de C.V. / Orge S.A. de C.V. / Perfiles Comerciales Sigosa, S.A. de C.V. / RRLC S.A.P.I. de C.V. /	2.11

⁶ See Memorandum, “Final Results of the Antidumping Duty Administrative Review of Steel Concrete Reinforcing Bar from Mexico: Calculation of the Rate for Non-Selected Respondents,” dated concurrently with this notice.

Siderúrgicos Noroeste, S.A. de C.V. / Siderurgica del Occidente y Pacifico S.A. de C.V. / Simec International, S.A. de C.V. / Simec International 6 S.A. de C.V. / Simec International 7 S.A. de C.V. / Simec International 9 S.A. de C.V.	
Gerdau Corsa, S.A.P.I. de C.V	2.11
Sidertul S.A. de C.V.	2.11

Disclosure

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

Assessment Rates

Pursuant to section 751(a)(2)(A) 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 covered by this review. In accordance with 19 CFR 351.212(b)(1), where the respondents reported the entered value of their U.S. sales, Commerce calculated importer-specific *ad valorem* antidumping duty assessment rates based on the ratio of the total amount of dumping calculated for each importer's examined sales to the total entered value of those same sales. Where the respondents 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 a 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.

Commerce's "automatic assessment" will apply to entries of subject merchandise during the POR for which the examined companies did not know that the merchandise they sold to an

intermediary (e.g., a reseller, trading company, or exporter) was destined for the United States.

In such instances, we will instruct CBP to liquidate such entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

The assessment rate for antidumping duties for each of the companies not selected for individual examination will be equal to the weighted-average dumping margin identified above in the “Final Results of Review” section.

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.⁷

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 the 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 rates for the companies identified above in the “Final Results of Review” will be equal to the company-specific weighted-average dumping margin established in the final results of this administrative review; (2) for merchandise exported by a company not covered in this administrative review but covered in a completed prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review or completed prior segment of this proceeding but the producer is, the cash deposit rate will be the company-specific rate established for the most recently-completed segment of this proceeding for the producer of the subject merchandise; and (4) the cash deposit rate for all

⁷ See section 751(a)(2)(C) of the Act.

other producers or exporters will continue to be 20.58 percent, the rate established in the investigation of this proceeding.⁸

These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice 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 POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties has occurred and the subsequent assessment of double antidumping duties.

Administrative Protective Order

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

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: May 3, 2024

Ryan Majerus
Deputy Assistant Secretary
for Policy and Negotiations,
performing the non-exclusive functions and duties
of the Assistant Secretary for Enforcement and Compliance

⁸ See *Order*, 79 FR at 65926.

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 Issues
 - Comment 1: Whether Commerce Should Reallocate Acerero's Advertising Expenses as Indirect Selling Expenses
 - Comment 2: Whether to Apply Adverse Facts Available (AFA) to Certain Acerero Sales
 - Comment 3: Whether Commerce Should Deny Acerero's Claimed Home Market Billing Adjustments
 - Comment 4: Whether Commerce Should Modify its Affiliate Scrap Purchase Calculations
 - Comment 5: Whether Commerce Should Collapse Certain Companies with Deacero Group
 - Comment 6: Whether Commerce Should Allocate Certain Costs Across Deacero Group's Steel Production
 - Comment 7: Whether Commerce Should Correct the Deacero Group Affiliate Scrap Purchases Cost Adjustment
 - Comment 8: Whether Commerce Should Revise the Manufacturer Field Format
 - Comment 9: Whether Commerce Should Correct Deacero Group's Short-Term Borrowing Rates
 - Comment 10: Whether Commerce Incorrectly Treated Home Market Warranty Expenses as Indirect Selling Expenses
- VI. Recommendation